

# Sen. Cowles: Community Corrections Program Audit Release

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MADISON– Senator Robert Cowles (R-Green Bay) released the following statement on an evaluation of the Wisconsin Department of Corrections' (DOC) Community Corrections Program released this morning by the nonpartisan Legislative Audit Bureau (LAB) ([Report 23-5](#)):

*"In 2021, I began hearing from law enforcement leaders in Northeast Wisconsin that DOC may not be following the law regarding parole and probation, putting a strain on their departments' resources and endangering public safety with persons who have earned more restrictions, including being put back behind bars. As Co-Chair of the Joint Legislative Audit Committee, in early 2022, I led an effort to approve a scope for LAB to head to DOC and begin looking at their statutory compliance and internal practices and protocols relating to community corrections. This audit was to look at the perspective of DOC's program not just from an objective expert view, but also to incorporate the perspective of law enforcement, DOC agents, and program participants."*

LAB's report found numerous problems in DOC's management of the Community Corrections Program, including:

- Crucial reviews early in the probation and parole process to help set restrictions on released persons, known as risk and needs assessments, were not being completed in a timely manner. About 36% of assessments were not completed within 30 days and about 19% were still not completed within 60 days. Further, only about half of agents think these risk and needs assessments work well, with agents seeking an increase in supervision levels in about 37% of cases while only seeking a decrease about 1% of cases.
- Only about 20% of services for persons on probation and parole were being

offered by the state. DOC is not tracking the 80% of services offered by external groups, even when courts are ordering those services. This decreases DOC's ability to ensure compliance with court orders and probation or parole conditions, to determine if external services are more or less effective than state-provided services, and to better plan for financial and administrative needs. It also contributes to an agent's workload. Further, there's more need for services among persons on probation and parole than services available for these individuals.

- DOC agents were not consistently investigating when made aware of potential violations of the person's probation and parole terms. In a randomly selected sample, 42% of case files had agents who were aware of complaints but did not investigate, including one case file which had 13 uninvestigated instances including three of meth use. When violations are substantiated, agents were less likely to request stiffer punishments as they saw new DOC initiatives reducing jail holds by more than 10% and revocations by almost 4% in the three years evaluated, and those numbers aren't rebounding after the pandemic.
- DOC's new 'evidence-based responses to violations' are causing consternation among those involved in ensuring public safety. Since this approach largely became effective at the start of 2021, three-fourths of DOC agents think that consequences from violations are too lenient and a similar number of agents think these responses to violations are likely to result in future violations, sparking growing dissatisfaction with new DOC policies. Additionally, more than half of agents do not believe these alternatives to revocations properly consider public safety, and half of sheriffs do not think DOC is properly responding to violations.

*“Along with this multitude of concerning findings, LAB noted that DOC was decades behind on their rulemaking requirements and was not consistently assisting law enforcement by issuing holds or apprehension requests for individuals under investigation for new felonies or who were known to be violent. This is especially worrisome as DOC has no written policies to evaluate the impacts of their new approach to violations.”*

LAB notes that this was an extensive effort including visiting 22 DOC field offices, interviewing 76 DOC agents and their supervisors, and observing 54 interactions between agents and individuals under supervision. LAB also surveyed 1,086 agents (59.9% of whom responded), all 72 county sheriffs (56.9% of whom responded), and

a random sample of 5,000 individuals who were under supervision in December 2021 (4.6% of whom responded).

*“This Administration frequently talks about how they want to reduce the prison population, and if that’s the goal, reducing recidivism is an impactful way to accomplish their goal. **But early indicators, including the opinion of their own agents and Wisconsin sheriffs, show that this approach to reduce the likelihood of future offenses is not working.** Instead, DOC is artificially inflating their own “success” by reducing jail holds, by reducing revocations of probation and parole from dangerous persons, and by ignoring their own experts in the field – the DOC agents who are responsible for helping to ensure public safety.*

*“DOC’s ‘evidence-based approach’ to reducing recidivism is a slippery road, and Wisconsin is sliding down that road while the Administration is continuously asking us to trust them. **Public safety is too important for the callousness that the Department of Corrections has shown to honest questions and critiques, including their dismissive response to the award-winning, nonpartisan experts at the Legislative Audit Bureau. DOC claims to be taking an evidence-based approach while simultaneously ignoring the evidence of their own shortcomings.** Changes by DOC to comply with the audit should be at the forefront of this Administration’s priorities, not just when the law requires it, but because it’s paramount to public safety.”*