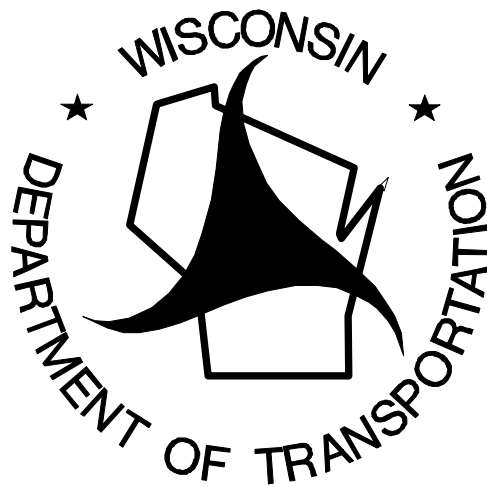


**Wisconsin's
Pretrial Intoxicated Driver Intervention Grant Program
Annual Report**

**2010 Federal Fiscal Year
October 1, 2009-September 30, 2010**



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Executive Summary

Pretrial intoxicated driver intervention programs, more commonly known as Intensive Supervision Programs (ISPs), aim to rehabilitate drinking drivers as soon as possible after arrest and before conviction, reducing the likelihood of future drinking and driving.

- ISPs include similar strategies in their operational models, but tailor their programs to fit local court requirements and available resources.
- ISPs have operated in Wisconsin since 1993, and supporting state grant funding has been available, since the 1997-1999 biennial state budget.
- During fiscal year October 1, 2009 – September 30, 2010, 3,813 drivers arrested for Operating While Intoxicated (OWI) received services from the 12 ISPs serving 14 Wisconsin counties, with a successful client completion rate of 80%.
- Successful client completion of ISPs can reduce pressure on county jails, as sentences are reduced based on program compliance.
- Multi-year analysis of recidivism by ISP clients demonstrates that clients who complete their program are less likely to be re-arrested for drinking and driving than are drivers who did not go through an ISP. Forty-five percent of the ISP clients, whom participated in an ISP that was originated before 2003, which was voluntary have been re-arrested, while 48% of the non-clients have.
- For those ISP clients who are re-arrested, the elapsed time to a subsequent offense is longer. July-December 1998 ISP clients went an average 1,567 days until their next OWI re-arrest; non-ISP clients went 1,506 days.

Background

Historically, Wisconsin has used fines, license sanctions and incarceration as consequences to drivers convicted of repeated Operating While Intoxicated (OWI) or a related offense. Experience suggests that incarceration alone does not alter the drinking and driving behavior of individuals with alcohol-related problems. In the last two decades, public policies have been designed that attempt to use education and rehabilitation to change the drinking and driving behavior of persons convicted of OWI. The more successful of these efforts build on the theory that intervention efficacy decreases as time passes between proscribed behavior and the resultant consequences. In other words, they emphasize intervention as early as possible in an individual's drinking and driving experience.

The pretrial intensive supervision program (ISP) concept was introduced to Wisconsin in 1993, with startup funding made available via a federal Section 410 Alcohol Incentive Grant. In response to the great promise shown in reducing OWI recidivism among drivers convicted of more than one OWI offense in the Milwaukee pilot ISP, the Wisconsin Legislature authorized state funding to support ISP efforts in the 1997-1999 budget. Continued federal Section 410 funding and state ISP grant funds administered by the Wisconsin Department of Transportation (WisDOT) Bureau of Transportation Safety (BOTS) may be used to initiate additional programs if State Appropriation 568 ISP matching funds are available.

Wisconsin State Statute Section 85.53 codifies the management of the formally named Pretrial Intoxicated Driver Intervention Grant Program and requires WisDOT to biennially submit reports on the program's effectiveness to the legislature. What follows is the *2010 Pretrial Intoxicated Driver Intervention Grant Program Annual Report*. It summarizes the 12 pretrial intoxicated driver intervention programs that were operating in Wisconsin between October 1, 2009 and September 30, 2010.

Introduction

Pretrial ISPs are court intervention programs that aim to connect the repeat OWI offender with assessment and treatment as soon as possible after arrest and before conviction. Offenders are monitored and allowed to live in the community while awaiting their court dates, as long as they comply with their court-ordered bond conditions.

Each Wisconsin Intensive Supervision Program, for programs starting in federal fiscal year 2007 and earlier, included three core elements, which were:

1. Centralized supervision, structured participant program monitoring, uniform data collection, standardized review of program compliance, and professional evaluation of program progress in coordination with the criminal justice system.
2. Provision for community supervision and monitoring of repeat OWI offenders from the time of arrest and formal charging through final adjudication.
3. Development and coordination of an array of interventions for the offender while under community supervision which may include: referrals for substance abuse treatment; referrals to the county selected assessor to develop a Driver Safety Plan, including the completion of the state-required assessment; random alcohol tests and drug screens; and attendance at such relevant activities as victim impact panels.

These core elements were modified and expanded for federal fiscal year 2008 to reflect the following changes:

1. Centralized supervision – all ISP participants will be supervised by one agency within a county or multi county area.
2. Structured program participant monitoring – intake, regular office visits, monitoring re-arrests, program fee based on state statute 85.53 refer and monitoring AODA treatment and follow through, define program rules and alcohol or drug testing.
3. Uniform data collection – admissions to supervision, discharges from supervision, types of discharges, BAC at admission, gender, age, ethnicity, OWI offense at time of admission, number admitted to treatment, treatment status at time of adjudication, recidivism during supervision (charged with a new OWI offense), level of education.
4. Monitoring program participants' follow through with treatment pretrial.
5. Random preliminary breath tests and drug screening, as ordered by court.
6. Facilitating the completion of an assessment by ISP participants for the Driver Safety Plan Requirement.
7. Maintaining formal collaborative efforts, involving key stakeholders.
8. Standardized risk assessment tool approved by DOT.

While each ISP incorporates these operational processes into its program model, each county designs and implements a model that fits within its criminal justice system and can be supported through its community resources.

Funding

To qualify for state ISP funding county level participating agencies must be willing and able to underwrite a portion of the program's costs. Client fees, funding from county or municipal budgets, or funding from other local public or private sources are appropriate local revenue sources for ISPs. Local investment is supplemented with state funding, which is administered by BOTS.

The local share of ISP funding must be at least twenty-five percent of the total program costs and varies by length of participation and need. Federal seed monies funded ISP program start-ups during the first 5-years of

the ISP Program existence, but presently no federal funding is involved. The Wisconsin Pre-Trial Intoxicated Driver Intervention Grant Program funds are authorized in Wis. Stats. 85.53. Please note that State funds authorized in the statutes are not sufficient to cover program needs and do not allow for the replication of the ISP model in any new counties at this time.

Wisconsin's Intensive Supervision Programs (ISPs)

The first ISP in Wisconsin, which grew out of the Milwaukee county pilot in 1993, continues to operate. In 1998, ISPs were established in Kenosha, Eau Claire (ending 06/30/09), and Marathon counties. Additional ISPs started in Waukesha County (1999), Chippewa (ending 06/30/09), Forest, Vilas, Oneida (ending 06/30/10), and Racine counties (2000), Portage, Trempealeau (ending 12/31/08) and Sheboygan counties (2002), Price (starting 07/1/08 and ending 06/30/10), and Sawyer (starting (07/1/08) counties (2008), plus Iowa (starting 01/01/09), Washburn (starting 01/01/09) and Grant (starting 01/01/09 and ending 06/30/09) counties (2009). Private interests, whether non-profit social service agencies or for-profit consulting firms, operate all of the programs.

The following brief descriptions of each of Wisconsin's twelve ISPs that operated during federal fiscal year 2010 illustrate similarities and differences between the programs. The ISPs are described in order of their origination dates.

(Please note that each county's ISP narrative below has been written by the responsible person for that particular ISP and should be treated as being independent from the ISP narratives of all the other counties conducting ISP programs. The narratives have only been edited for readability.)

Milwaukee County (1993)

The Pretrial Intensive Supervision Program (ISP) concept was introduced to Wisconsin in 1993; with start-up funding available through a federal grant (federal section 410 Alcohol Incentive Grant). The WCS Milwaukee County Intoxicated Driver Intervention Program began as the first pilot program in 1993, with administration and services provided by Wisconsin Community Services, Inc. In 2004, the administration of the funding for the ISP was transferred to Milwaukee County. As a result of the successful WCS Milwaukee County pilot program's outcomes, specifically reducing OWI recidivism among repeat drunk-drivers, the Wisconsin Legislature authorized state funding to support ISP efforts in the 1997-1999 budget. After two years of operation, an independent evaluation conducted by the Mid-America Research Institute reported that the recidivism rate for those who participated in the program was one-half of that for a control group. According to the Wisconsin Alcohol Traffic Facts Book (1996 Edition) alcohol related crashes in Milwaukee County declined by over 20% since the inception of the program in 1993. In addition, alcohol related injuries and fatalities in Milwaukee County reduced by over 30%, on average, during the two years following the program's inception.

WCS also operates Intensive Supervision Programs in Kenosha, Waukesha, and Sheboygan counties. All aggravated second and third or greater repeat OWI offenders are mandated to participate in the Milwaukee County ISP. The Milwaukee ISP staffs one full-time supervisor/caseworker, working in conjunction with five full-time case managers and one part-time administrative assistant. The program receives an average of 50 to 75 new clients each month and maintains an average active caseload of 230 to 250 clients.

Drunken driving continues to be a very serious issue throughout the state of Wisconsin, and across the nation. According to the Criminal Justice Information Services Division, there were an estimated 1,440,409 drivers operating while impaired on roadways across the nation. In Wisconsin, there were 38,215 drunk-driving arrests in 2009 and 541 were under the age of 18. In July of 2010, the state of Wisconsin imposed new legislation for drunk-driving, which included increased sanctions, as well as changing specific offenses from civil to criminal

(i.e. OWI first with a minor in the vehicle), and a fourth OWI offense became a felony charge if committed within five years of the previous OWI arrest. The 2009 Wisconsin Department of Transportation Crash Facts cited that 542 people were killed on Wisconsin highways alone in 2009, and 44% of these died in alcohol-related crashes. Further, of the 355 drivers who were killed and tested for alcohol concentration, 135 or 38% has an alcohol concentration of .08 or greater.

The seriousness of the problem prompted the Milwaukee Journal Sentinel to conduct an in-depth investigation into the issue, which was published in October of 2008. The data found that an alarming 300 people die each year in drunk-driving crashes in the state of Wisconsin. The Journal's investigation of this issue found that *Wisconsin drivers involved in fatal crashes were significantly more likely to be drunk when compared to drivers across the United States.* The Journal series further quoted that, every year, Wisconsin taxpayers pay \$2.7 billion in alcohol-related police and court costs; incarceration; crash investigation and clean up; lost productivity; academic failures; and premature deaths, according to the Center for Science in the Public Interest.

In Milwaukee County, the District Attorney's office filed a total of 1,467 criminal drunk-driving cases in 2009. Of this total, 815 were charged with their second OWI offense, 380 with their third OWI offense, 139 with their fourth OWI offense, and 104 were charged with a fifth or subsequent offense. According to the Wisconsin Department of Transportation Crash Facts, in 2009 there were a total of 836 alcohol-related crashes in Milwaukee County, resulting in 20 persons killed and 395 persons injured. The conviction rate in 2009 for repeat drunk-driving defendants in Milwaukee County is 95%.

Drivers operating under the influence pose a serious threat of injury or death to all who use public roadways. It affects people and families of all races, genders, and socio-economic strata. Drunken driving is a national, state, and local problem.

There are solutions to this problem. Studies show that pretrial supervision programs that include intensive supervision, AODA assessment, and AODA treatment combined with drug testing are an effective means to help people stop driving under the influence, gain insight into their chemical use, and make positive lifestyle changes to significantly reduce the probability that they will be charged and convicted of another OWI.

The benefits of investing in Intensive Supervision Programs to effectively deal with the issue of drunken driving are many. Enforcement and punishment are not enough on their own and prove to be extremely costly. A presentation to the Wisconsin Joint Legislative Council in May of 2007, titled Justice Alternative for Wisconsin: Reducing the Cost of the Criminal Justice System by Capstone found that OWI and drug related offenses accounted for 60% of the prison growth from 2001 to 2006, and that 83% of prisoners have an AODA treatment need. Further, the approximate cost for one inmate in a minimum security prison in 2006 was \$29,751 per year. Intensive Supervision Programs for repeat drunk-driving offenders work to change behavior long-term, and prove to be extremely cost effective.

Repeat drunk-driving offenders may have unmet needs that, left unattended, are likely to result in non-compliance and lead to further involvement in the criminal justice system. By conducting a thorough risk assessment, specific needs and circumstances are identified and addressed in a service plan. When individuals are under supervision, they are more likely to accept and participate in available programming. With access to services such as AODA treatment, employment and training, and educational opportunities, people are more likely to begin the process of change and to learn new behaviors that enable them to address their alcohol issues.

The Milwaukee ISP proves to be effective in supervising repeat drunk-drivers, and getting them enrolled in programming and/or treatment as soon as possible during the pretrial phase to address their issues with chemical use. This significantly reduces the recidivism rate during supervision and decreases the probability of program participants driving under the influence in the future. From 10/1/09 through 9/30/10, the program served a total

of 728 repeat OWI offenders pretrial, and 84% (466 out of 556) of the defendants discharged from the program successfully accessed treatment and 84% (469 out of 556) were compliant with the conditions of their supervision. **WCS estimates that the four WCS Intensive Supervision Programs (in Milwaukee, Kenosha, Sheboygan and Waukesha) saved a combined total of 41,000 jail days from October 1, 2009 through September 30, 2010.**

The Milwaukee ISP works to achieve several goals and objectives while supervising repeat OWI offenders in the pretrial stage. These include: to enroll ISP participants in programming and/or treatment as soon as possible, pretrial; to reduce OWI recidivism of ISP participants compared to multiple offenders not in an ISP; ISP participants will attend all court appearances; and ISP participants will not have any new OWI arrests during supervision (excluding bail jumping), which rises to the level of probable cause. Providing intensive monitoring and access to treatment pretrial is based upon the theory that early interventions to meet offenders' needs will significantly reduce the likelihood of recidivism. The need for supervision in these cases arises from the risks these individuals pose to the community in the form of continuing the pattern of drinking and driving, the likelihood that a significant number of OWI defendants have problems with alcohol or other drugs that requires treatment intervention, and the very high probability that most OWI defendants will plead or be found guilty.

The Milwaukee ISP works to incorporate the following eight key policy requirements within its service delivery:

1. Centralized supervision: All defendants stipulated to the ISP by the Court appear for an initial orientation to educate them on the program, collect information for the intake appointment, and to prepare the defendants for their involvement in the pretrial supervision program. The intake appointment is the next point of contact with all defendants. At this time, participants are interviewed in order to determine their level of risk and needs. The program utilizes the risk assessment to establish individualized supervision plans to increase defendants' likelihood of success during pretrial supervision. Supervision plans are reviewed throughout defendants' period of pretrial supervision to properly address compliance or non-compliance with the expectations of the program and the Court, as well as changing needs.

2. Structured program participant monitoring: The Milwaukee ISP follows specific methods of service delivery to effectively and responsibly monitor all ISP participants throughout their supervision. All participants begin their involvement in the ISP with an orientation into the program when reporting from Out of Custody Court or from custody as soon as they post bail. The next point of contact is a formal intake/screening process. At this time, they are interviewed to assess their level of risk and needs, educated on the process of the program and pretrial supervision, and sign off on program rules/conditions. All program participants are required to pay a program fee based on the state statute 85.53, and all indigent participants are assessed a program fee of \$50.00. ISP participants must report to the WCS for weekly office appointments based on their risk/needs assessment. The number of office visits is based on the risk level and needs of each person.

Caseworkers are required to submit progress reports on all participants at each court appearance. These reports detail participants' compliance with program expectations and progress with treatment. Throughout participants' involvement in the program, caseworkers must monitor any non-compliance, including re-arrests and report to the Court in a timely manner. The Court may use the information within the reports to take immediate action (in cases of non-compliance), as well as for consideration at sentencing (compliant or non-compliant). ISP program rules are clearly defined and consistently reinforced throughout defendants' period of supervision at WCS, they include: consistent attendance at weekly supervision appointments, paying the program fee, no positive alcohol or drug tests, and enrolling and following through with treatment.

The Milwaukee ISP develops and coordinates an array of interventions for the repeat offender while s/he is under supervision, including the coordination of an appropriate referral to a designated treatment provider for a clinical alcohol/drug assessment, inpatient and other residential treatment, or the provision of individual or group treatment on an outpatient basis. All caseworkers are required to monitor ISP participants' involvement and follow through with treatment. All ISP participants are randomly screened for alcohol and other drug use every week to monitor their compliance pretrial, as well as to consistently evaluate or review their needs throughout their period of supervision. The Milwaukee ISP also refers all repeat offenders to attend Victim Impact Panels – presentations by victims of drunken drivers to allow defendants to hear firsthand about the effects of drunk-driving on victims and their families. WCS plans and facilitates six panels throughout the year, in which Milwaukee ISP staff volunteer to run each event.

3. Uniform data collection: The Milwaukee ISP follows the Wisconsin Department of Transportation's policy regarding uniform data collection on all ISP program participants. The data assists the Milwaukee ISP in measuring progress towards program goals and objectives. The program collects and reports monthly to the DOT and Milwaukee County on the following data: admissions to supervision; discharges from supervision; types of discharges; BAC at admission; participant demographics (age, gender, ethnicity); OWI offense at time of admission; number admitted to treatment; treatment status at time of adjudication; and recidivism during supervision.

4. Monitoring follow through with treatment pretrial: All ISP participants are required to sign a release of information to disclose and receive information from the defendant's designated treatment provider. This enables caseworkers to effectively monitor participants' follow through with treatment, as well as share critical information with the treatment providers to ensure participants' needs are being adequately addressed. The Milwaukee ISP works to assess and review participants' treatment needs throughout supervision to ensure they are receiving the proper level of treatment, with the ultimate goal of reducing drunken driving recidivism.

5. Random preliminary breath tests, continuous alcohol monitoring and drug screening, as ordered by the Court: All ISP participants are informed of the rules of the program during the initial intake process, including the requirement to submit to random drug testing and regular alcohol testing throughout supervision. Defendants must comply with caseworkers' requests to screen them at any and all supervision appointments, ensuring their compliance with their conditions of bail and that they are responding appropriately to treatment interventions. Caseworkers respond to positive alcohol and drug tests by notifying the Court and the current treatment provider, and may increase the level of supervision for the defendant to ensure the issue is properly addressed.

The Milwaukee County ISP has been utilizing **Secure Continuous Remote Alcohol Monitoring (SCRAM)** on high-risk repeat OWI offenders since April of 2005. SCRAM is an ankle bracelet that monitors alcohol consumption. It is a passive system that is testing for alcohol on a pre-determined schedule, 24 hours a day. The instrument measures the participant's perspiration (TAC) to determine when there is a consumption event. The bracelet also has the ability to identify tamper attempts. The web-based reporting allows for rapid notification if a participant has a drinking episode. Violation Reports including corresponding data obtained from the SCRAM database are sent to the Court, the State's Attorney, and defense attorney within 24 hours of notification. From October 1, 2009 through September 30, 2010, 393 defendants were placed on SCRAM monitoring, for an estimated total of 16,282 wear days. The average total number of wear days for an individual client is 41 days, depending on their compliance. Further, 33 of the 393 or 8% defendants monitored on SCRAM during this time period tested positive for alcohol use.

All defendants will be screened for their eligibility for placement on SCRAM at their orientation to the program, based on the following criteria:

- All first OWI offenders with injury involved with their charge, and score high risk according to the risk assessment tool.
- Second OWI offenders with injury involved with their charge.
- All third OWI offenders with a BAC of .16 or greater, the defendant's last OWI conviction was less than 24 months from the current charge, and/or whenever accident or injury is involved with their charge.
- All fourth or greater OWI offenders.
- All defendants who have more than one pending OWI charge.
- All defendants who have two consecutive positive PBTs, missed office visits, and are not enrolled in treatment.

The benefits of SCRAM are many, including: continuous alcohol monitoring – increasing offender accountability and enhancing public safety during supervision; scientifically-proven technology to provide evidenced based assessment and detection removing the guess work on the part of case manager with random alcohol testing methods; improved outcomes as defendants understand non-compliance will result in sanctions; and SCRAM is cost effective for the clients and the program.

6. Facilitate the completion of an assessment for the Driver Safety Plan Requirement: All defendants are informed that, if convicted, an AODA Driver Safety Plan assessment (DSP) will be ordered. The Milwaukee ISP provides all participants with information on the local assessment agency in the county in which they reside to assist in coordinating the DSP. Participants who reside in Milwaukee County are referred to IMPACT, Inc. and encouraged to complete it prior to adjudication. All ISP participants are required to enroll in some type of AODA treatment or education program during supervision and are informed that completing an assessment will ensure a referral to the proper treatment level.

7. Maintaining formal collaborative efforts, involving key stakeholders: The Milwaukee ISP works closely with the Milwaukee County Judicial Review Coordinator, County officials and other key stakeholders to enhance and improve the services of the ISP program. These efforts assist in coordinating and monitoring the ISP program goals and objectives, maintains the buy-in and financial support of Milwaukee County, ensures proper review of the program's budget, develops new policies, and addresses any key issues or concerns in relationship to the successful operation of the program. The Milwaukee County Judicial Review Coordinator, who is the fiscal agent of the Milwaukee ISP and provides County oversight of the program, is an active member of the Pretrial Advisory Board, which also functions to review current programming and make recommendations to the County. The program receives tremendous support from the judicial system and alcohol treatment community. The Courts review non-compliance reports submitted by the program and may review the bail situation if non-compliance continues. The Courts receive routine progress reports prior to each court appearance on every ISP participant, and take the information into consideration at sentencing.

WCS has a collaborative working relationship with IMPACT Inc. for the Driver Safety Plan assessments, local treatment providers, and Wiser Choice for treatment of uninsured participants who reside in Milwaukee County. WCS refers out-of-county residents who are uninsured to their local Health and Human Services agency for treatment. WCS actively works with IMPACT to facilitate and run the Victim Impact Panels in Milwaukee County. WCS is an active member on several standing committees of the Milwaukee County Community Justice Council, established in 2008 to efficiently and collaboratively coordinate services and to effectively allocate financial resources to ensure crime reduction, victim support, offender accountability, and restorative community-based programs. The standing committees work to assist in program evaluation and make recommendations to the full Council. WCS is also a member of the National Association of Pretrial Services Agencies (NAPSA), and all ISP program staff became certified pretrial professionals in 2009. WCS follows NAPSA Pretrial Standards in the daily operations and service delivery of the Milwaukee County ISP.

8. Standardized Risk Assessment tool approved by DOT: The Waukesha County Intensive Supervision Program requested and received funding from the Department of Transportation to hire a researcher to develop a standardized risk tool to classify and effectively supervise repeat drunk-drivers. WCS contracted with Dr. Marie Van Nostrand of Luminosity, Inc. for the research, development and validation of this pretrial risk assessment tool and case classification system for repeat OWI offenders. The Milwaukee, Kenosha, Sheboygan and Waukesha ISPs are providing data to develop a tool that will be utilized statewide as a policy requirement of the DOT. This tool will help determine an offender's level of risk and need and allows for more efficient use of resources with better outcomes. Use of a risk tool allows the appropriate targeting of interventions and services for offenders, e.g. high intensity interventions/services for high risk/high need offenders, and lower intensity interventions/services for lower risk/need offenders.

This tool will be a critical program component, as many of the programs are near or at program capacity, and some have had to limit admission into the program to effectively supervise defendants. The Milwaukee ISP has had to close its doors to new admissions two times in 2008, and on an ongoing basis, must limit admission into the program to aggravated second or greater OWI offenders. The Waukesha ISP limits admissions to out-of-county residents who reside in nine surrounding counties, and in 2007, had to limit admission to second offenders based on specific criteria approved by the Pretrial Subcommittee of the Criminal Justice Collaborating Council.

Two major issues facing the ISPs around the state are funding and the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism. Funding continues to be a major challenge facing the current ISPs around the state of Wisconsin. There are three income sources to the ISPs, including contributions from the DOT, respective counties where the programs are operated, and revenue collected from fees charged to participants receiving the services. Drunk-drivers must pay for their involvement in an ISP, and fees collected are critical to the sustainability of the ISPs in the face of funding reductions. The DOT currently contributes \$731,600 to operate the 12 programs around the state. The DOT provided "start-up" funds to counties for the development and implementation of programs. However, the DOT clearly defines its expectation for counties to come up with plans for self sustainability and has imposed systematic reductions in funding to the programs since 2006. Prior to the second half of 2009, the DOT contributed \$779,600 to all current ISPs. Effective July 1, 2009, the DOT's allocation to these programs was reduced to \$731,600. *Many counties are not in a position to make up for all of the reductions, which may result in reduced services or the loss of programs.* The DOT continues to look at ways to reduce funding to existing ISPs to allow for similar programs to be implemented in new counties. The loss of existing programs with data would likely jeopardize any progress made on the investment in and development of the OWI risk tool.

The ISPs offer the state a huge return on their investment to the programs. A Mid-America Research Institute study revealed that **the recidivism rate for those involved in an ISP was 50% less compared to individuals not involved in an ISP.** The programs provide intervention to drunk-drivers as soon as possible after arrest and charging, involving strict monitoring, alcohol testing, and access to treatment. Second, drunken driving proves to be a statewide issue, as drunk-drivers are mobile and often pick up charges outside of the county in which they reside. ISPs provide supervision to individuals who reside in surrounding counties.

Without the ISPs, drunk-driving defendants are released by the Courts on a signature or cash bond, and there is no accountability to ensure these defendants do not continue to drink and drive. And, there is no case management support to ensure these defendants follow through with treatment to promote long-term change and reduce recidivism.

The benefits of the ISPs are many, and include:

1. Defendants are informed of the Driver Safety Plan and are referred for an AODA assessment.

2. Defendants are required to follow through with their assessment, enroll in treatment and their progress is monitored.
3. Defendants are monitored for absolute sobriety with alcohol and drug testing to ensure they do not continue to drink and drive. Several ISPs are utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology to monitor alcohol consumption around the clock, 24 hours each day.
4. The program immediately notifies the Courts of noncompliance, including new charges to ensure accountability.
5. The program provides a court report on all defendants, prior to every court hearing, updating the Court on the defendants' progress throughout their period of pretrial monitoring.
6. Defendants are reminded of all scheduled court hearings to reduce the failure to appear rate.
7. The program saves jail days, as sentences are reduced based on program compliance.

Another major challenge facing the Department of Transportation and the Intensive Supervision Programs throughout the state is the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism among program participants as compared to individuals who did not participate in an Intensive Supervision Program. In 1996, the Mid-America Research Institute completed an independent study of the Milwaukee County Intensive Supervision Program for NHTSA, and the findings indicated that there was a reduction in recidivism by almost 50% compared to the control group. Further, there was a cost savings for the Milwaukee House of Corrections of approximately \$100,000.00. According to the "Wisconsin Alcohol Traffic Facts Book" (1996), alcohol related crashes were reduced by over 20% since the inception of the Milwaukee County Intensive Supervision Program in 1993. Further, alcohol related injuries and fatalities were reduced by over 30%, on average, for the first two years after program inception. To advocate for continued or increased funding to the Intensive Supervision Programs, the Department of Transportation must prove the programs' effectiveness by conducting follow-up research on drunk-driving recidivism.

The state of Wisconsin, including Milwaukee County, has a serious problem with drunken driving, which must continue to be addressed collectively.

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[Kenosha County \(1998\)](#)

The Pretrial Intensive Supervision Program (ISP) in Kenosha County began in 1998, with administration and services provided by Wisconsin Community Services, Inc. (WCS) under the direction of the Kenosha County Sheriff's Department. WCS also operates Intensive Supervision Programs in Milwaukee, Waukesha, and Sheboygan counties. Most, if not all, repeat offenders are mandated to participate in the ISP. The Kenosha ISP staffs one full-time assistant director/caseworker, working in conjunction with a second full-time and one part-time caseworker. The program receives an average of 23 to 29 new clients each month and maintains an average active caseload of 165 to 185 clients.

Drunken driving continues to be a very serious issue throughout the state of Wisconsin, and across the nation. According to the Criminal Justice Information Services Division, there were an estimated 1,440,409 drivers operating while impaired on roadways across the nation. In Wisconsin, there were 38,215 drunk-driving arrests in 2009 and 541 were under the age of 18. In July of 2010, the state of Wisconsin imposed new legislation for drunk-driving, which included increased sanctions, as well as changing specific offenses from civil to criminal (i.e. OWI first with a minor in the vehicle), and a fourth OWI offense became a felony charge if committed within five years of the previous OWI arrest. The 2009 Wisconsin Department of Transportation Crash Facts cited that 542 people were killed on Wisconsin highways alone in 2009, and 44% of these died in alcohol-related

crashes. Further, of the 355 drivers who were killed and tested for alcohol concentration, 135 or 38% has an alcohol concentration of .08 or greater.

The seriousness of the problem prompted the Milwaukee Journal Sentinel to conduct an in-depth investigation into the issue, which was published in October of 2008. The data found that an alarming 300 people die each year in alcohol-related driving crashes in the state of Wisconsin. The Journal's investigation of this issue found that *Wisconsin drivers involved in fatal crashes were significantly more likely to be drunk when compared to drivers across the United States*. The Journal series further quoted that, every year, Wisconsin taxpayers pay \$2.7 billion in alcohol-related police and court costs; incarceration; crash investigation and clean up; lost productivity; academic failures; and premature deaths, according to the Center for Science in the Public Interest.

For the period of October 1, 2009 through September 30, 2010, the Kenosha County District Attorney's office filed a total of 608 cases on individuals charged with a repeat drunk-driving offense. Of this total, 323 individuals were charged with their second OWI offense, 166 were charged with their third OWI offense, 59 were charged with their fourth OWI offense, and 60 were charged with their fifth or subsequent OWI offense. According to the Wisconsin Department of Transportation Crash Facts, in 2009 there were 268 alcohol-related crashes in Kenosha County, resulting in 8 persons killed and 178 persons injured. The conviction rate for repeat drunk-driving defendants in Kenosha County is 94%.

Drivers operating under the influence pose a serious threat of injury or death to all who use public roadways. It affects people and families of all races, genders, and socio-economic strata. Drunken driving is a national, state, and local problem.

There are solutions to this problem. Studies show that pretrial supervision programs that include intensive supervision, AODA assessment, and AODA treatment combined with drug testing are an effective means to help people stop driving under the influence, gain insight into their chemical use, and make positive lifestyle changes to significantly reduce the probability that they will be charged and convicted of another OWI.

The benefits of investing in Intensive Supervision Programs to effectively deal with the issue of drunken driving are many. Enforcement and punishment are not enough on their own and prove to be extremely costly. A presentation to the Wisconsin Joint Legislative Council in May of 2007, titled *Justice Alternative for Wisconsin: Reducing the Cost of the Criminal Justice System* by Capstone found that OWI and drug related offenses accounted for 60% of the prison growth from 2001 to 2006, and that 83% of prisoners have an AODA treatment need. Further, the approximate cost for one inmate in a minimum security prison in 2006 was \$29,751 per year. Intensive Supervision Programs for repeat drunk-driving offenders work to change behavior long-term, and prove to be extremely cost effective.

Repeat drunk-driving offenders may have unmet needs that, left unattended, are likely to result in non-compliance and lead to further involvement in the criminal justice system. By conducting a thorough risk assessment, specific needs and circumstances are identified and addressed in a service plan. When individuals are under supervision, they are more likely to accept and participate in available programming. With access to services such as AODA treatment, employment and training, and educational opportunities, people are more likely to begin the process of change and to learn new behaviors that enable them to address their alcohol issues.

The Kenosha ISP proves to be effective in supervising repeat drunk-drivers, and getting them enrolled in programming and/or treatment as soon as possible during the pretrial phase to address their issues with chemical use. This significantly reduces the recidivism rate during supervision and decreases the probability of program participants driving under the influence in the future. From October 1, 2009 through September 20, 2010, the program served a total of 437 repeat OWI offenders pretrial, and 83% of participants discharged successfully enrolled in treatment during their involvement with the program. Further, 1.8% of participants were re-arrested

for an OWI offense during supervision, and 80% of participants were discharged from the program as compliant. **The Kenosha ISP saved an estimated 12,926 jail days from October 1, 2009 through September 30, 2010. WCS estimates that the four WCS Intensive Supervision Programs saved a combined total of 41,000 jail days during this same time period.**

The Kenosha ISP works to achieve several goals and objectives while supervising repeat OWI offenders in the pretrial stage. These include: to enroll ISP participants in programming and/or treatment as soon as possible pretrial; to reduce OWI recidivism of ISP participants compared to multiple offenders not in an ISP; ISP participants will attend all court appearances; and ISP participants will not have any new OWI arrests during supervision (excluding bail jumping), which rises to the level of probable cause. Providing intensive monitoring and access to treatment pretrial is based upon the theory that early interventions to meet offenders' needs will significantly reduce the likelihood of recidivism. The need for supervision in these cases arises from the risks these individuals pose to the community in the form of continuing the pattern of drinking and driving, the likelihood that a significant number of OWI defendants have problems with alcohol or other drugs that requires treatment intervention, and the very high probability that most OWI defendants will plead or be found guilty.

The Kenosha ISP works to incorporate the following eight key policy requirements within its service delivery:

1. Centralized supervision: The majority of the defendants charged with OWI make their Initial Appearance in court each Wednesday and Thursday. Offenders charged with a second or greater OWI are instructed by the Court to report to the WCS office by 11:00 a.m. the next business day. Caseworkers review the jail booking list and the Intake Court Calendar daily. This allows for identification of those defendants who were ordered to report to WCS. This review also allows prompt identification of participants who have re-offended. Defendants who are ordered to report to WCS but who fail to do so are reported to the appropriate Court as non-compliant.

2. Structured program participant monitoring: The Kenosha ISP follows specific methods of service delivery to effectively and responsibly monitor all ISP participants throughout their period of supervision. All program participants begin their involvement in the ISP with a formal intake/screening process. At this time, they are interviewed to assess their level of risk and needs, oriented to the program, and sign off on program rules/conditions. All program participants are required to pay a program fee based on the state statute 85.53, and all indigent defendants are assessed a program fee of \$50.00. ISP participants must report to WCS for regular, weekly office appointments – initially at least two times per week. Caseworkers are required to submit progress reports on all participants at each court appearance. These reports detail participants' compliance with program expectations and progress with treatment. Throughout participants' involvement in the program, caseworkers must monitor any non-compliance, including re-arrests and report to the Court in a timely manner. The Court may use the information within the reports to take immediate action (in cases of non-compliance), as well as for consideration at sentencing (compliant or non-compliant). ISP program rules are clearly defined and consistently reinforced throughout defendants' period of supervision at WCS, they include: consistent attendance at weekly supervision appointments, paying the program fee, no positive alcohol or drug tests, and enrolling/follow through in treatment.

The Kenosha ISP develops and coordinates an array of interventions for the repeat offender while s/he is under supervision, including the coordination of an appropriate referral to a designated treatment provider for a clinical alcohol/drug assessment, the provision of individual or group treatment on an outpatient basis, or inpatient and other residential treatment. All caseworkers are required to monitor ISP participants' involvement and follow through with treatment. All ISP participants are randomly screened for alcohol and other drug use every week to monitor their compliance pretrial, as well as to consistently evaluate or review their needs throughout their period of supervision. The Kenosha ISP does not require participation in the Victim Impact Panel unless it is ordered as part of the individual's Driver Safety Plan.

3. Uniform data collection: The Kenosha ISP follows the Wisconsin Department of Transportation's policy regarding uniform data collection on all ISP program participants. The data assists the Kenosha ISP in measuring progress towards program goals and objectives. The program collects and reports monthly to the DOT and Kenosha County on the following data: admissions to supervision; discharges from supervision; types of discharges; BAC at admission; participant demographics (age, gender, ethnicity); OWI offense at time of admission; number admitted to treatment; treatment status at time of adjudication; and recidivism during supervision.

4. Monitoring follow through with treatment: All ISP participants are required to sign a release of information to disclose and receive information from the defendant's designated treatment provider. This enables caseworkers to effectively monitor follow through with treatment, as well as share critical information with the treatment providers to ensure participants' needs are being adequately addressed. The Kenosha ISP works to assess and review participants' treatment needs throughout their supervision to ensure defendants are receiving the proper level of treatment, with the ultimate goal of reducing drunk-driving recidivism.

5. Random preliminary breath tests, continuous alcohol monitoring and drug screening, as ordered by the Court: All ISP participants are informed of the rules of the program during the initial intake process, including the requirement to submit to regular alcohol and random drug testing throughout their pretrial supervision. Defendants must comply with requests to screen them at any and all supervision appointments, ensuring their compliance with their conditions of bail and that they are responding appropriately to treatment interventions. This program requirement assists caseworkers in assessing and reviewing participants' needs during supervision. Caseworkers respond to positive tests by notifying the Court and the current treatment provider, and may increase the level of supervision for the defendant to ensure the issue is properly addressed.

In 2009, the program began utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology on a voluntary basis for high-risk offenders, allowing these defendants to reduce the required number of supervision appointments each week. SCRAM monitoring is also utilized as a sanction for defendants who display a pattern of non-compliance, which will result in a formal request to the Court to order SCRAM. SCRAM technology is a passive system that is testing for alcohol on a pre-determined schedule, 24 hours a day. The instrument measures the participant's perspiration (TAC) to determine when there is a consumption event. The bracelet also has the ability to identify tamper attempts. The web-based reporting allows for rapid notification if a participant has a drinking episode. Violation Reports including corresponding data obtained from the SCRAM database are sent to the Court, the State's Attorney, and defense attorney within 24 hours of notification. From October 1, 2009 through September 30, 2010, 56 defendants were placed on SCRAM monitoring, for an estimated total of 2,621 wear days. The average total number of wear days for an individual client is 47 days, depending on their compliance. Further, 4 of the 56 or 7% defendants monitored on SCRAM during this time period tested positive for alcohol use.

The benefits of SCRAM are many, including: continuous alcohol monitoring – increasing offender accountability and enhancing public safety during supervision; scientifically-proven technology to provide evidenced based assessment and detection removing the guess work on the part of case manager with random alcohol testing methods; improved outcomes as defendants understand non-compliance will result in sanctions; and SCRAM is cost effective for the clients and the program – allowing for reduced reporting to the office, which in turn allows the program to effectively manage high caseloads and maximize program resources.

6. Facilitate the completion of an assessment by ISP participants for the Driver Safety Plan Requirement: All defendants are informed that, if convicted, an AODA Driver Safety Plan assessment (DSP) will be ordered, so they are encouraged to complete it prior to adjudication. The Kenosha ISP provides all participants with information on the local assessment agency in the county in which they reside to assist in coordinating the DSP.

All ISP participants are required to enroll in some type of AODA treatment or education program during supervision and are informed that completing an assessment will ensure a referral to the proper treatment level during the pretrial phase.

7. Maintaining formal collaborative efforts, involving key stakeholders: The Kenosha ISP works closely with key stakeholders to enhance and improve the services to repeat drunk-drivers. The Kenosha ISP works to consistently communicate any program concerns, as well as to be well-educated and informed on current issues surrounding the issue of drunken driving. The program collaborates with the Sheriff's Department, Kenosha County Judges, the District Attorney's office, and defense attorneys on a regular basis in regards to funding, supervision practices, the referral process, concerns with specific cases, and in regards to specific data for this population. The collaborative effort assists to coordinate and monitor ISP program goals and objectives, maintains the buy-in and financial support of Kenosha County, ensures proper review of the program's budget, develops new policies, and addresses any key issues or concerns in relationship to the successful operation of the Kenosha ISP.

The program receives tremendous support from the judicial system and alcohol treatment community. Interaction with the judicial system is done through progress reports filed with the Court at each court appearance, and if any non-compliance occurs, the Court is notified immediately. Non-compliance is defined as continuously missing appointments, having a positive alcohol or drug screen, or not complying with treatment requirements. Offenders who are compliant and successfully complete the program receive consideration at sentencing, typically an average reduction of thirty days in their jail sentence. By reducing the jail sentences of OWI offenders who comply with treatment at the pretrial stage, the program saves an estimated 14,000 jail days a year.

WCS has a collaborative working relationship with the Hope Council for the Driver Safety Plan assessments, local treatment providers, and Kenosha County. WCS will be working with the Kenosha County Sheriff's Department and other key stakeholders to form an Interagency Programs for the Intoxicated Driver (IPID) Committee in 2009. The specific objective of IPID is the complete integration of services involving the educational process, the interview process, and the evaluation, treatment, driver licensing and follow-up process, so that they complement each other and enhance the total effort toward lasting behavior change.

8. Standardized Risk Assessment tool approved by DOT: The Milwaukee County Intensive Supervision Program requested and received funding from the Department of Transportation to hire a researcher to develop a standardized risk tool to classify and effectively supervise repeat drunk-drivers. WCS contracted with Dr. Marie Van Nostrand of Luminosity, Inc. for the research, development and validation of this pretrial risk assessment tool and case classification system for repeat OWI offenders. The Milwaukee, Kenosha, Sheboygan and Waukesha ISPs are providing data to develop a tool that will be utilized statewide as a policy requirement of the DOT. This tool will help determine an offender's level of risk and need and allows for more efficient use of resources with better outcomes. Use of a risk tool allows the appropriate targeting of interventions and services for offenders, e.g. high intensity interventions/services for high risk/high need offenders, and lower intensity interventions/services for lower risk/need offenders.

This tool will be a critical program component, as many of the programs are near or at program capacity, and some have had to limit admission into the program to effectively supervise defendants. The Milwaukee ISP has had to close its doors to new admissions two times in 2008, and on an ongoing basis, must limit admission into the program to aggravated second or greater OWI offenders. The Waukesha ISP limits admissions to out-of-county residents who reside in nine surrounding counties, and in 2007, had to limit admission to second offenders based on specific criteria approved by the Pretrial Subcommittee of the Criminal Justice Collaborating Council.

Two major issues facing the ISPs around the state are funding and the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism. Funding continues to be a major challenge facing the current ISPs around the state of Wisconsin. There are three income sources to the ISPs, including contributions from the DOT, respective counties where the programs are operated, and revenue collected from fees charged to participants receiving the services. Drunk-drivers must pay for their involvement in an ISP, and fees collected are critical to the sustainability of the ISPs in the face of funding reductions. The DOT currently contributes \$731,600 to operate the 12 programs around the state. The DOT provided “start-up” funds to counties for the development and implementation of programs. However, the DOT clearly defines its expectation for counties to come up with plans for self sustainability and has imposed systematic reductions in funding to the programs since 2006. Prior to the second half of 2009, the DOT contributed \$779,600 to all current ISPs. Effective July 1, 2009, the DOT’s allocation to these programs was reduced to \$731,600. *Many counties are not in a position to make up for all of the reductions, which may result in reduced services or the loss of programs.* The DOT continues to look at ways to reduce funding to existing ISPs to allow for similar programs to be implemented in new counties. The loss of existing programs with data would likely jeopardize any progress made on the investment in and development of the OWI risk tool.

The ISPs offer the state a huge return on their investment to the programs. A Mid-America Research Institute study revealed that **the recidivism rate for those involved in an ISP was 50% less compared to individuals not involved in an ISP.** The programs provide intervention to drunk-drivers as soon as possible after arrest and charging, involving strict monitoring, alcohol testing, and access to treatment. Second, drunken driving proves to be a statewide issue, as drunk-drivers are mobile and often pick up charges outside of the county in which they reside. ISPs provide supervision to individuals who reside in surrounding counties.

Without the ISPs, drunk-driving defendants are released by the Courts on a signature or cash bond, and there is no accountability to ensure these defendants do not continue to drink and drive. And, there is no case management support to ensure these defendants follow through with treatment to promote long-term change and reduce recidivism.

The benefits of the ISPs are many, and include:

- Defendants are informed of the Driver Safety Plan and are referred for an AODA assessment.
- Defendants are required to follow through with their assessment, enroll in treatment and their progress is monitored.
- Defendants are monitored for absolute sobriety with alcohol and drug testing to ensure they do not continue to drink and drive. Several ISPs are utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology to monitor alcohol consumption around the clock, 24 hours each day.
- The program immediately notifies the Courts of noncompliance, including new charges to ensure accountability.
- The program provides a court report on all defendants, prior to every court hearing, updating the Court on the defendants’ progress throughout their period of pretrial monitoring.
- Defendants are reminded of all scheduled court hearings to reduce the failure to appear rate.
- The program saves jail days, as sentences are reduced based on program compliance.

Another major challenge facing the Department of Transportation and the Intensive Supervision Programs throughout the state is the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism among program participants as compared to individuals who did not participate in an Intensive Supervision Program. In 1996, the Mid-America Research Institute completed an independent study of the Milwaukee County Intensive Supervision Program for NHTSA, and the findings indicated that there was a reduction in recidivism by almost 50% compared to the control group. Further, there was a cost savings for the Milwaukee House of Corrections of approximately \$100,000.00. According to the “Wisconsin Alcohol

Traffic Facts Book” (1996), alcohol related crashes were reduced by over 20% since the inception of the Milwaukee County Intensive Supervision Program in 1993. Further, alcohol related injuries and fatalities were reduced by over 30%, on average, for the first two years after program inception. To advocate for continued or increased funding to the Intensive Supervision Programs, the Department of Transportation must prove the programs’ effectiveness by conducting follow-up research on drunk-driving recidivism.

The state of Wisconsin, including Kenosha County, has a serious problem with drunken driving, which must continue to be addressed collectively.

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Marathon County (1998)

Since its inception in July 1998, the Marathon County Intensive Supervision Program (MCISP) has functioned within Marathon County’s Community Corrections Project. ATTIC Correctional Services, Inc. is the service provider. ATTIC assisted Marathon County in the initial grant application and development of the program and continues to be the service provider for all programs within the Marathon County Project. ATTIC has a long history of providing similar programs throughout the State. ATTIC currently operates other ISPs in Portage and Iowa counties.

The objectives of the Marathon County Community Corrections Project in conjunction with the Marathon County Intensive Supervision Program is to reduce jail bed days in exchange for participation in treatment and programming immediately following a criminal offense and to increase supervision of repeat offenders to promote public safety and reduce recidivism. The MCISP is funded by Marathon County, Wisconsin DOT grant funds and client fees.

The MCISP provides services to both OWI and OAR repeat offenders. The inclusion of OAR offenders makes the Marathon County program unique among ISP efforts in Wisconsin. The population in the MCISP consists of approximately 85% OWI offenders and 15% OAR offenders. The majority of OAR referred offenders have had a previous OWI arrest and failed to comply with their traffic safety requirements. The program recognizes that there is a group of drivers in the community who are not effectively deterred by existing sanctions. These offenders continue to drive even after suspension or revocation of their licenses. Most have never received any intervention for previous OWI convictions. MCISP is designed to intervene and monitor the offender’s compliance with judicial orders and to connect the individual with appropriate program/treatment services.

The MCISP population consists of 80% pretrial and 20% post sentence offenders. Judges, the District Attorney’s office, the Public Defender’s office and the Department of Corrections may refer offenders to the MCISP. Repeat OWI and OAR offenders enter the program as a condition of bond, on a voluntary basis, as an alternative to revocation or as a post-sentence Electronic Monitoring Program (EMP) participant.

Number of People Charged with OWI in Marathon Co. by Offense.

YEAR	2 ND Offense	3 rd Offense	4 th Offense	5 th and Above
2005	221	125	61	38
2006	223	123	69	45
2007	192	111	50	39
2008	209	96	49	44

The program averages 38 referrals each month. Individuals must meet certain eligibility requirements to enter the program. They must have one or more prior OWI convictions, or have a prior OAR conviction, or a current

OWI related OAR offense. Individuals must be Marathon County residents or have been charged in Marathon County. The MCIAP does courtesy supervision of offenders charged in other ISP counties if the offender is a Marathon County resident and assistance is requested by the other counties program. Participants cannot have current pending charges for violent offenses and must demonstrate a willingness to comply with expectations of the program.

After the offender is referred, an initial screening interview is scheduled within seven days. At the interview, a need/risk screening is conducted. This may include the following screening tools: the Adult Substance Use Survey, the Symptoms Checklist, the University of Rhode Island Change Assessment (URICA), the Levels of Service Inventory Revised Short Version (LSI-RSV), and the AODA knowledge pre-test. In the future, MCISP anticipates using the new screening tool currently being developed by DOT. Once the screening is completed, an individual case plan is designed based of the offender's needs and willingness to participate. Those choosing to participate receive services that meet all WisDOT core requirements for ISP services.

1. Centralized supervision

All ISP participants are supervised by ATTIC Correctional Services in Marathon County. Marathon County contracts with ATTIC Correctional Services to provide all intake, case management, supervision and alcohol testing for individuals referred to the Marathon County Intensive Supervision Program.

2. Structured program participant monitoring

All referrals to the Marathon County ISP program are provided with intake and orientation to the program requirements. All participants are referred for their Driver's Safety Assessment and releases are signed so that communication can be ongoing between the treatment provider and the ISP case manager. The ISP case manager keeps in contact with the service provider to ensure participation and reports compliance back to the courts. Compliance includes appearing for court dates, keeping appointments for treatment services, reporting when ordered, testing negative for drugs and/or alcohol and no further arrests. Participants are required to have either biweekly or monthly face to face sessions with the case manager in addition to the random day reporting schedule and treatment appointments. Participants are set up in the Marathon County Day Report Program for alcohol and/or drug testing. The participants may report from once a week to seven days a week depending on their offense and BAC level at arrest. Report dates are random based on a color code call in system. These report times may also be determined and ordered by the courts.

3. Uniform data collection

The program will continue to maintain a complete client roster, provide detailed monthly utilization reports, monthly expense reports and annual report data. The ISP collects all data required to complete monthly and annual reports required by DOT including information on admissions, discharges, types of discharges, BAC levels, gender, age, ethnicity, OWI offense, numbers admitted to treatment, treatment status at discharge, recidivism during the program and education level.

4. Monitoring program participants follow through with treatment pretrial

The ISP case managers make referrals to the North Central Health Care Center for participants to complete their Driver Safety Assessment. A release is signed between agencies so the case manager may discuss the participant's compliance with the assessment and plan. Those participants who agree to be part of the ISP program must get an assessment and begin in treatment services. The case manager reports participant progress back to the courts. Upon sentencing, the participant is given credit for beginning treatment prior to conviction and receives less jail time than those opting not to participate in the ISP.

5. Random preliminary breath tests and drug screening as ordered by the court
Marathon County has a Day Report program. Participants in the ISP that are ordered by the court to receive random breath tests and drug screening are referred to the Day Report Program. The Day Report Program provides random breath tests and drug screening using the color code call in system. Participants receive testing based on their assigned number of reporting days each week. Day Report is open seven days a week, 365 days per year. Participants can be asked to report from one time per week up to twice per day, seven days per week.
6. Facilitate the completion of an assessment by the ISP participants for the Driver Safety Plan Requirement
All participants in the Marathon County Intensive Supervision Program are referred to North Central Health Care to receive a Driver's Safety Assessment. Those choosing to participate in the program are required to be assessed and begin work on completing their plan in order to receive a reduced jail sentence once convicted.
7. Maintain formal collaborative efforts involving key stakeholders
Marathon County has a Justice Advisory Committee that oversees the ISP. Members of the committee include county officials, treatment providers, ISP staff, judges, defense attorneys, District Attorney, Sheriff and county administration. This committee meets monthly and discusses the program and how it is functioning within the system.

All services for the Marathon County ISP are provided by ATTIC Correctional Services at 111 E. Thomas St. Wausau, WI. Services are available 7 days per week from 8am to 7pm Monday through Friday and 8am-12pm and 4pm-7pm on Saturday, Sunday and holidays. Participants are monitored through case management face to face appointments and contacts/coordination with other service providers and the courts as well as day report visits (drug and alcohol testing) determined by case plan. Participants are charged a \$40.00 one time intake fee. A minimum of \$4,000 in client fees are collected and used to offset the cost of the program. Clients are not denied services based on inability to pay. MCISP provides continued case management services such as employment assistance, financial budgeting and court liaison services. On average, participating offenders are in the program for 107 days (pretrial), and continue in the program as post-sentence offenders for two to nine months. This is calculated from date of intake through date of discharge for both successful and unsuccessful completion of the program. Program length varies based on individual factors of each case. Factors include identified needs, case status and length of EMP sentence. The tracking of program violations and repeat offenses while participating in MCISP is done through self-reporting of a new offense, coordination with EMP Case Manager and Department of Corrections agents, Wisconsin Circuit Court Access and WisDOT driver record checks. Program violations are handled within the program using a variety of sanctions including increased check-ins and additional programming. New offenses or violations of bond are handled within the courts through new charges, revocation of bond and/or bail jumping charges.

One challenge the ISP has faced is that it is a voluntary program. Judges refuse to require people to participate in treatment prior to being convicted of an OWI offense. Judges will refer high risk offenders for Day Report testing but require the offender to volunteer for treatment services. All ISP participants are required to attend a Victim Impact Panel held on a quarterly basis. The ISP case manager documents attendance and provides participants with a certificate of attendance. ATTIC works in conjunction with Marathon County Justice Programs as well as with Mothers Against Drunk Driving (MADD) for Victim Impact Panels. In addition, participants are encouraged to attend an on-going self help group of their choice.

The Justice Advisory Committee oversees the functioning of the ISP within the criminal justice system. The committee advises the County Board on criminal justice issues and needs within the system. The ISP was started due to needs addressed through the Justice Committee. Since the beginning of the ISP the Justice Advisory has met monthly and continues to discuss ways to improve program delivery. In 2005 an additional group service called Driving with Care was implemented by the County for repeat OWI offenders with 4th and above offenses. In 2006 the County funded an additional staff member in the District Attorney's office to better coordinate the way OWI offenders are handled prior to sentencing as well as to assist with documentation of jail bed days saved and diversion options. Marathon County invests heavily in county alternative programs. In addition, the county funds a day report program that ISP participants utilize as part of their case plans. The judges and District Attorney have supported the program since inception and continue to utilize and value the program. The system has grown around the program making it a necessary part of managing OWI offenders in Marathon County. Justice Programs continues to have long term buy in/support for the Intensive Supervision Program due to the programs ability to help the county better manage their OWI offender treatment and supervision. Marathon County Jail is currently full and shipping to other counties. This program saved 12,364 jail bed days from January 1, 2009 through October 21, 2009. This equates to \$556,380 in savings for the county so far this year. In addition, there has been an improvement in the percentage of people who get their traffic safety assessment and necessary treatment. In 2002, 229 people (30% of the court ordered to get assessed) failed to ever call and schedule an appointment. A small study was done on those who did not get assessed. Of those that did get assessed many more never completed their plan. Finally, in 2005 a system study in Marathon County identified the fact that it took approximately 12 months for an OWI case to end in conviction. Therefore, offenders with multiple offenses were waiting over a year to receive assessment and treatment. Many of these offenders were being charged with new offenses prior to conviction for their original offense. The ISP allows these offenders to get involved in treatment and supervision within a month of their offense and in exchange for getting treatment prior to conviction, they are given less of a jail sentence upon conviction. This benefits the offender as well as the local community. Currently, cases are moving through the courts in four months. Offenders who participate in the ISP are more likely to qualify for serving their sentence on electronic monitoring. This is due to the fact that they are working on treatment prior to conviction. This is an additional savings to Marathon County.

Marathon County's ISP has received a positive response from the county judiciary and system stakeholders, based on the number of referrals received monthly.

For more information, contact Laura Yarie, 715-261-1515, lavyarie@mail.co.marathon.wi.us.

[Waukesha County \(1999\)](#)

The Pretrial Intensive Supervision Program (ISP) in Waukesha County began in 1999, with administration and services provided by Wisconsin Community Services, Inc. (WCS). WCS also operates Intensive Supervision Programs in Milwaukee, Kenosha, and Sheboygan counties. The program began with mandatory participation of offenders charged with a third or greater operating while intoxicated (OWI) offense. In March of 2001, the program expanded to include all repeat OWI offenders, second offense or greater, thus tripling the client caseload. The Waukesha ISP staffs six full-time caseworkers and one administrative assistant, in addition to some prorated supervisor time. The program receives an average of 75 to 82 new clients each month and maintains an average active caseload of 420 to 480 clients.

Ongoing concerns with excessive caseloads in the last couple of years led WCS and key stakeholders within Waukesha County to establish new criteria for participation in the ISP. In 2007, the Waukesha ISP imposed new criteria to reduce caseloads to manageable levels to ensure continued quality supervision, thus no longer serving all repeat offenders. The criteria excluded specific second offense drunk-drivers and all of those repeat offenders who reside outside of nine surrounding counties from being referred to the ISP. In 2008, Waukesha

County, in recognition of the seriousness of the drunken driving issue in the state of Wisconsin, passed an amendment for funding to support the program to once again serve all repeat offenders in the amount of \$53,000. In 2010, the Waukesha County Judiciary implemented the use of Secure Continuous Alcohol Monitoring (SCRAM) as a condition of bail for all defendants ordered to the program who meet defined criteria. This measure has increased defendants' compliance with the program, has enhanced public safety by monitoring for alcohol consumption around the clock, and has further assisted the program to manage its large caseload. The program currently serves all repeat OWI offenders who reside in Waukesha and nine surrounding counties, including: Milwaukee, Kenosha, Sheboygan, Ozaukee, Dodge, Jefferson, Washington, Racine, and Walworth County.

Drunken driving continues to be a very serious issue throughout the state of Wisconsin, and across the nation. According to the Criminal Justice Information Services Division, there were an estimated 1,440,409 drivers operating while impaired on roadways across the nation. In Wisconsin, there were 38,215 drunk-driving arrests in 2009 and 541 were under the age of 18. In July of 2010, the state of Wisconsin imposed new legislation for drunk-driving, which included increased sanctions, as well as changing specific offenses from civil to criminal (i.e. OWI first with a minor in the vehicle), and a fourth OWI offense became a felony charge if committed within five years of the previous OWI arrest. The 2009 Wisconsin Department of Transportation Crash Facts cited that 542 people were killed on Wisconsin highways alone in 2009, and 44% of these died in alcohol-related crashes. Further, of the 355 drivers who were killed and tested for alcohol concentration, 135 or 38% has an alcohol concentration of .08 or greater.

The seriousness of the problem prompted the Milwaukee Journal Sentinel to conduct an in-depth investigation into the issue, which was published in October of 2008. The data found that an alarming 300 people die each year in alcohol-related crashes in the state of Wisconsin. The Journal's investigation of this issue found that *Wisconsin drivers involved in fatal crashes were significantly more likely to be drunk when compared to drivers across the United States.* The Journal series further quoted that, every year, Wisconsin taxpayers pay \$2.7 billion in alcohol-related police and court costs; incarceration; crash investigation and clean up; lost productivity; academic failures; and premature deaths, according to the Center for Science in the Public Interest.

Waukesha County continues to experience an increase in the number of very young repeat offenders, as well as in the number of repeat offenders having aggravated factors within their OWI charge (high BAC, high rate of speed, infants in the car, etc.). From October 1, 2009 through September 30, 2010, the Waukesha County District Attorney's office filed a total of 976 criminal drunk-driving cases. Of this total, 502 individuals were charged with their second OWI offense, 296 were charged with their third OWI offense, 104 were charged with their fourth OWI offense, and 65 were charged with their fifth or subsequent OWI offense. According to the Wisconsin Department of Transportation Crash Facts, in 2009 there were 333 alcohol-related crashes in Waukesha County, resulting in 15 persons killed and 215 persons injured. The conviction rate for repeat drunk-driving defendants in Waukesha County is 92%.

Drivers operating under the influence pose a serious threat of injury or death to all who use public roadways. It affects people and families of all races, genders, and socio-economic strata. Drunken driving is a national, state, and local problem.

There are solutions to this problem. Studies show that pretrial supervision programs that include intensive supervision, AODA assessment, and AODA treatment combined with drug testing are an effective means to help people stop driving under the influence, gain insight into their chemical use, and make positive lifestyle changes to significantly reduce the probability that they will be charged and convicted of another OWI.

The benefits of investing in Intensive Supervision Programs to effectively deal with the issue of drunken driving are many. Enforcement and punishment are not enough on their own and prove to be extremely costly. A

presentation to the Wisconsin Joint Legislative Council in May of 2007, titled Justice Alternative for Wisconsin: Reducing the Cost of the Criminal Justice System by Capstone found that OWI and drug related offenses accounted for 60% of the prison growth from 2001 to 2006, and that 83% of prisoners have an AODA treatment need. Further, the approximate cost for one inmate in a minimum security prison in 2006 was \$29,751 per year. Intensive Supervision Programs for repeat drunk-driving offenders work to change behavior long-term, and prove to be extremely cost effective.

Repeat drunk-driving offenders may have unmet needs that, left unattended, are likely to result in non-compliance and lead to further involvement in the criminal justice system. By conducting a thorough risk assessment, specific needs and circumstances are identified and addressed in a service plan. When individuals are under supervision, they are more likely to accept and participate in available programming. With access to services such as AODA treatment, employment and training, and educational opportunities, people are more likely to begin the process of change and to learn new behaviors that enable them to address their alcohol issues.

The Waukesha ISP proves to be effective in supervising repeat drunk-drivers, and getting them enrolled in programming and/or treatment as soon as possible during the pretrial phase to address their issues with chemical use. This significantly reduces the recidivism rate during supervision and decreases the probability of program participants driving under the influence in the future. From October 1, 2009 through September 30, 2010, the program served a total of 1150 repeat OWI offenders, pretrial. 91% of these participants successfully enrolled in treatment during their involvement with the program. Further, less than 2% of participants were re-arrested for an OWI offense during supervision, and 83% of participants were discharged from the program as compliant. **The Waukesha ISP saved an estimated 24,529 jail days from October 1, 2009 through September 30, 2010. WCS estimates that the four WCS Intensive Supervision Programs saved a combined total of 41,000 jail days during this same time frame.**

The Waukesha ISP works to achieve several goals and objectives while supervising repeat OWI offenders in the pretrial stage. These include: to enroll ISP participants in programming and/or treatment as soon as possible pretrial; to reduce OWI recidivism of ISP participants compared to multiple offenders not in an ISP; ISP participants will attend all court appearances; and ISP participants will not have any new OWI arrests during supervision (excluding bail jumping), which rises to the level of probable cause. Providing intensive monitoring and access to treatment pretrial is based upon the theory that early interventions to meet offenders' needs will significantly reduce the likelihood of recidivism. The need for supervision in these cases arises from the risks these individuals pose to the community in the form of continuing the pattern of drinking and driving, the likelihood that a significant number of OWI defendants have problems with alcohol or other drugs that requires treatment intervention, and the very high probability that most OWI defendants will plead or be found guilty.

The Waukesha ISP works to incorporate the following eight key policy requirements within its service delivery:

1. Centralized supervision: The Waukesha County District Attorney has implemented a fast track charging system, whereby all repeat offenders are charged and must appear in court within one to seven days of arrest. As a condition of bail, *all offenders (residing in Waukesha or the nine surrounding counties listed above) are ordered to the ISP and must report to WCS* within forty-eight hours of the initial court hearing or within twenty-four hours of release from custody if cash bail was ordered. This fast track charging system allows for community supervision and monitoring from time of arrest and formal charging through final adjudication at the WCS office. ISP participants are required to report to the WCS office several times weekly. Most defendants must report in two times per week; however, supervision can be individualized based on defendants' level of risk and needs.

2. Structured program participant monitoring: The Waukesha ISP follows specific methods of service delivery to effectively and responsibly monitor all ISP participants throughout their period of supervision. All program participants begin their involvement in the ISP with a formal intake/screening process. At this time, they are interviewed to assess their level of risk and needs, oriented to the program, and sign off on program rules/conditions. All program participants are required to pay a program fee based on the state statute 85.53, and all indigent defendants are assessed a program fee of \$50.00. ISP participants must report to WCS for regular, weekly office appointments – initially at least two times per week. Caseworkers are required to submit progress reports on all participants at each court appearance. These reports detail participants’ compliance with program expectations and progress with treatment. Throughout participants’ involvement in the program, caseworkers must monitor any non-compliance, including re-arrests and report to the Court in a timely manner. The Court may use the information within the reports to take immediate action (in cases of non-compliance), as well as for consideration at sentencing (compliant or non-compliant). ISP program rules are clearly defined and consistently reinforced throughout defendants’ period of supervision at WCS, they include: consistent attendance at weekly supervision appointments, paying the program fee, no positive alcohol or drug tests, and enrolling/follow through in treatment.

The Waukesha ISP develops and coordinates an array of interventions for the repeat offender while s/he is under supervision, including the coordination of an appropriate referral to a designated treatment provider for a clinical alcohol/drug assessment, the provision of individual or group treatment on an outpatient basis, or inpatient and other residential treatment. All caseworkers are required to monitor ISP participants’ involvement and follow through with treatment. All ISP participants are randomly screened for alcohol and other drug use every week to monitor their compliance pretrial, as well as to consistently evaluate or review their needs throughout their period of supervision. The Waukesha ISP also refers third or more offenders to attend Victim Impact Panels – presentations by victims of drunken drivers to allow defendants to hear first-hand about the effects of drunken driving on victims and their families. WCS is an active member of the Victim Impact Panel Steering Committee, and caseworkers routinely volunteer to assist in holding the panels.

3. Uniform data collection: The Waukesha ISP follows the Wisconsin Department of Transportation’s policy regarding uniform data collection on all ISP program participants. The data assists the Waukesha ISP in measuring progress towards program goals and objectives. The program collects and reports monthly to the DOT and Waukesha County on the following data: admissions to supervision; discharges from supervision; types of discharges; BAC at admission; participant demographics (age, gender, ethnicity); OWI offense at time of admission; number admitted to treatment; treatment status at time of adjudication; and recidivism during supervision.

4. Monitoring program participants’ follow through with treatment pretrial: All ISP participants are required to sign a release of information to disclose and receive information from the defendant’s designated treatment provider. This enables caseworkers to effectively monitor participants’ follow through with treatment, as well as share critical information with the treatment providers to ensure defendants’ needs are being adequately addressed. The Waukesha ISP works to assess and review program participants’ treatment needs throughout their period of supervision to ensure defendants are receiving the proper level of treatment pretrial, with the ultimate goal of reducing drunk-driving recidivism.

5. Random preliminary breath tests, continuous alcohol monitoring and drug screening, as ordered by the Court: All ISP participants are informed of the rules of the program during the initial intake process, including the requirement to submit to random alcohol and drug testing throughout their period of supervision. Defendants must comply with caseworkers’ requests to screen them at any and all supervision appointments, ensuring their compliance with their conditions of bail and that they are responding appropriately to treatment interventions. This program requirement assists caseworkers in assessing and reviewing ISP participants’ needs during supervision. Caseworkers respond to positive alcohol and drug tests by notifying the Court and the

current treatment provider, and may increase the level of supervision for the defendant to ensure the issue is properly addressed.

In 2009, the program began using (Secure Continuous Remote Alcohol Monitoring (SCRAM) technology on a voluntary basis for high-risk offenders, allowing these defendants to reduce the required number of supervision appointments each week. *In February of 2010, the Waukesha Courts implemented the use of SCRAM as a condition of bail* for all defendants in the program who meet the following criteria: all second and third OWI defendants with a BAC of .15 or greater; all fourth and subsequent OWI offenses; defendants under the age of 21 years old; defendants who are arrested for another OWI offense while their current charge is pending; and any case the Court deems appropriate for SCRAM monitoring. Defendants ordered to the program and placed on SCRAM are monitored for a period of up to 90 days, and removal of the bracelet is contingent on compliance with the program, no violations while on SCRAM, and successful enrollment in treatment.

SCRAM is also utilized as a sanction for defendants who display a pattern of non-compliance, which will result in a formal request to the Court to order SCRAM. SCRAM technology is a passive system that is testing for alcohol on a pre-determined schedule, 24 hours a day. The instrument measures the participant's perspiration (TAC) to determine when there is a consumption event. The bracelet also has the ability to identify tamper attempts. The web-based reporting allows for rapid notification if a participant has a drinking episode. Violation Reports including corresponding data obtained from the SCRAM database are sent to the Court, the State's Attorney, and defense attorney within 24 hours of notification. From October 1, 2009 through September 30, 2010, 255 defendants were placed on SCRAM monitoring, for an estimated total of 17,034 wear days. The average total number of wear days for an individual client is 67 days, depending on their compliance. Further, 25 of the 255 or 9% defendants monitored on SCRAM during this time period tested positive for alcohol use.

The benefits of SCRAM are many, including: continuous alcohol monitoring – increasing offender accountability and enhancing public safety during supervision; scientifically-proven technology to provide evidenced based assessment and detection removing the guess work on the part of case manager with random alcohol testing methods; improved outcomes as defendants understand non-compliance will result in sanctions; and SCRAM is cost effective for the clients and the program – allowing for reduced reporting to the office, which in turn allows the program to effectively manage high caseloads and maximize program resources.

6. Facilitating the completion of an assessment by ISP participants for the Driver Safety Plan

Requirement: All defendants are informed that, if convicted, an AODA Driver Safety Plan assessment (DSP) will be ordered, so they are encouraged to try to complete it prior to adjudication. The Waukesha ISP provides all participants with information on the local assessment agency in the county in which they reside to assist in coordinating the DSP. All ISP participants are required to enroll in some type of AODA treatment or education program during supervision and are informed that completing an assessment will ensure a referral to the proper treatment level during the pretrial phase.

7. Maintaining formal collaborative efforts, involving key stakeholders: The Waukesha ISP works closely with the Criminal Justice Collaborating Council (CJCC), County officials, and other key stakeholders to enhance and improve the services to repeat drunk-drivers in the ISP program. The CJCC was established in October 2002 and is comprised of key stakeholders within Waukesha County's criminal justice system. The collaborative effort also assists to coordinate and monitor ISP program goals and objectives, maintains the buy-in and financial support of Waukesha County and the CJCC, ensures proper review of the program's budget, develops new policies, and addresses any key issues or concerns in relationship to the successful operation of the Waukesha ISP. The CJCC has implemented a special Alcohol Treatment Court to further address the serious issue of drunken driving in Waukesha County. This follows the Drug Treatment Court model, which

utilizes a holistic approach to the offender, celebrating and rewarding successes and providing immediate judicial consequences for noncompliance. The current ISP works in collaboration with this special court.

The program receives tremendous support from the judicial system and alcohol treatment community. Interaction with the judicial system is done through progress reports filed with the Court at each court appearance, and if any non-compliance occurs, the Court is notified immediately. Non-compliance is defined as continuously missing appointments, having a positive alcohol or drug screen, or not complying with treatment requirements. Offenders who are compliant and successfully complete the program receive consideration at sentencing, typically an average reduction of thirty days in their jail sentence. This is of particular interest on a local level due to the jail overcrowding issue in Waukesha County. By reducing the jail sentences of OWI offenders who comply with treatment at the pretrial stage, the program saves an estimated 15,000 jail days a year.

WCS has a collaborative working relationship with Addiction Resource Council, Inc. for the Driver Safety Plan assessments, local treatment providers, and Waukesha County Department of Human Services for treatment of uninsured defendants. WCS is a member of the steering committee and plays an active role in facilitating Victim Impact Panels in Waukesha County. WCS is a member of the Waukesha County AODA Advisory Committee, which identifies unmet needs in regards to AODA services within Waukesha County and presents recommendations to the Health and Human Service Board. WCS is a member of the Waukesha County IPID (Interagency Programs for the Intoxicated Driver) Committee, comprised of various providers throughout the county serving this population, with the mission to ensure that motor vehicle drivers who experience problems with alcohol or other drug use and abuse are identified and that treatment/rehabilitation services are provided for them on a comprehensive and coordinated basis. The specific objective of IPID is the complete integration of services involving the educational process, the interview process, and the evaluation, treatment, driver licensing and follow-up process, so that they complement each other and enhance the total effort toward lasting behavior change. WCS is also an active contributing member of several subcommittees of the CJCC and work groups within the County, which assist in program evaluation and monitoring, reporting to the full Council – the CJCC.

8. Standardized risk assessment tool approved by the Department of Transportation: The Waukesha County Intensive Supervision Program requested and received funding from the Department of Transportation to hire a researcher to develop a standardized risk tool to classify and effectively supervise repeat drunk-drivers. WCS contracted with Dr. Marie Van Nostrand of Luminosity, Inc. for the research, development and validation of this pretrial risk assessment tool and case classification system for repeat OWI offenders. The Milwaukee, Kenosha, Sheboygan and Waukesha ISPs are providing data to develop a tool that will be utilized statewide as a policy requirement of the DOT. This tool will help determine an offender's level of risk and need and allows for more efficient use of resources with better outcomes. Use of a risk tool allows the appropriate targeting of interventions and services for offenders, e.g. high intensity interventions/services for high risk/high need offenders, and lower intensity interventions/services for lower risk/need offenders.

This tool will be a critical program component, as many of the programs are near or at program capacity, and some have had to limit admission into the program to effectively supervise defendants. The Milwaukee ISP has had to close its doors to new admissions two times in 2008, and on an ongoing basis, must limit admission into the program to aggravated second or greater OWI offenders. The Waukesha ISP limits admissions to out-of-county residents who reside in nine surrounding counties, and in 2007, had to limit admission to second offenders based on specific criteria approved by the Pretrial Subcommittee of the Criminal Justice Collaborating Council.

Two major issues facing the ISPs around the state are funding and the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism. Funding continues to be a major

challenge facing the current ISPs around the state of Wisconsin. There are three income sources to the ISPs, including contributions from the DOT, respective counties where the programs are operated, and revenue collected from fees charged to participants receiving the services. Drunk-drivers must pay for their involvement in an ISP, and fees collected are critical to the sustainability of the ISPs in the face of funding reductions. The DOT currently contributes \$731,600 to operate the 12 programs around the state. The DOT provided “start-up” funds to counties for the development and implementation of programs. However, the DOT clearly defines its expectation for counties to come up with plans for self sustainability and has imposed systematic reductions in funding to the programs since 2006. Prior to the second half of 2009, the DOT contributed \$779,600 to all current ISPs. Effective July 1, 2009, the DOT’s allocation to these programs was reduced to \$731,600. *Many counties are not in a position to make up for all of the reductions, which may result in reduced services or the loss of programs.* The DOT continues to look at ways to reduce funding to existing ISPs to allow for similar programs to be implemented in new counties. The loss of existing programs with data would likely jeopardize any progress made on the investment in and development of the OWI risk tool.

The ISPs offer the state a huge return on their investment to the programs. A Mid-America Research Institute study revealed that **the recidivism rate for those involved in an ISP was 50% less compared to individuals not involved in an ISP.** The programs provide intervention to drunk-drivers as soon as possible after arrest and charging, involving strict monitoring, alcohol testing, and access to treatment. Second, drunken driving proves to be a statewide issue, as drunken drivers are mobile and often pick up charges outside of the county in which they reside. ISPs provide supervision to individuals who reside in surrounding counties.

Without the ISPs, drunk-driving defendants are released by the Courts on a signature or cash bond, and there is no accountability to ensure these defendants do not continue to drink and drive. And, there is no case management support to ensure these defendants follow through with treatment to promote long-term change and reduce recidivism.

The benefits of the ISPs are many, and include:

1. Defendants are informed of the Driver Safety Plan and are referred for an AODA assessment.
2. Defendants are required to follow through with their assessment, enroll in treatment and their progress is monitored.
3. Defendants are monitored for absolute sobriety with alcohol and drug testing to ensure they do not continue to drink and drive. Several ISPs are utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology to monitor alcohol consumption around the clock, 24 hours each day.
4. The program immediately notifies the Courts of noncompliance, including new charges to ensure accountability.
5. The program provides a court report on all defendants, prior to every court hearing, updating the Court on the defendants’ progress throughout their period of pretrial monitoring.
6. Defendants are reminded of all scheduled court hearings to reduce the failure to appear rate.
7. The program saves jail days, as sentences are reduced based on program compliance.

Another major challenge facing the Department of Transportation and the Intensive Supervision Programs throughout the state is the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism among program participants as compared to individuals who did not participate in an Intensive Supervision Program. In 1996, the Mid-America Research Institute completed an independent study of the Milwaukee County Intensive Supervision Program for NHTSA, and the findings indicated that there was a reduction in recidivism by almost 50% compared to the control group. Further, there was a cost savings for the Milwaukee House of Corrections of approximately \$100,000.00. According to the “Wisconsin Alcohol Traffic Facts Book” (1996), alcohol related crashes were reduced by over 20% since the inception of the Milwaukee County Intensive Supervision Program in 1993. Further, alcohol related injuries and fatalities were reduced by over 30%, on average, for the first two years after program inception. To advocate for continued or

increased funding to the Intensive Supervision Programs, the Department of Transportation must prove the programs' effectiveness by conducting follow-up research on drunk-driving recidivism.

The state of Wisconsin, including Waukesha County, has a serious problem with drunken driving, which must continue to be addressed collectively.

For more information, contact Sara Carpenter, 262-544-5431, sccarpenter@wiscs.org.

Forest, Vilas and Oneida Counties (2000)

The Human Service Center at 705 East Timber Drive, Rhinelander, Wisconsin, is the central location for the Intensive Supervision Program, which began in July 2000 for Forest, Oneida, and Vilas Counties.

The Department of Transportation's *Traffic Facts Report* for 2005 and 2006 outlines below the number of alcohol related crashes, injuries and deaths for the tri-county area.

County	2005			2006		
	Alcohol Related Crashes	# People killed	# People Injured	Alcohol Related Crashes	# People Killed	# People Injured
Forest	25	2	13	17	0	9
Oneida	88	1	79	67	0	47
Vilas	48	1	36	66	4	58
Total	161	4	128	150	4	114

According to the *Milwaukee Journal Sentinel Online* "Wasted in Wisconsin" Series, the following data further reflects the data for crash facts, convictions, and the drinking culture in the tri-county area.

County	2007 Population	Fatal Crashes 2003-2007	Rank of Avg. Drunk Driving Accidents per 10,000 residents	OWI Convictions 2003-2007	Rank of Avg. Annual OWI Convictions per 10,000 residents	Number of Tavern Licenses	Rank of Tavern Licenses (per 10,000 residents)
Forest	9,807	4	25	507	12	46	6
Oneida	36,243	9	52	1,952	10	176	5
Vilas	22,083	9	26	1,253	7	139	3
Totals/ Averages	68,133	22	34 th	3,712	9 th	361	4 th

This data clearly delineates the need for pretrial services in Forest, Oneida and Vilas counties, being 9th in the state for convictions with a population of only 68,133 demonstrates strongly the problem in the tri-county area.

The ISP of Forest, Oneida, and Vilas Counties meets the Wisconsin DOT Core Requirements in the following outline:

- **Centralized Supervision**-The Human Service Center in Rhinelander is the central location for the ISP of Forest, Oneida and Vilas Counties. Office space is provided to ISP Staff at various locations throughout the tri-county area so transportation barriers are kept to a minimum for the client. Participants who are residents of Oneida County can be seen in the Rhinelander office or at the Minocqua site. Participants of Vilas County can be seen in Eagle River or Lac du Flambeau and participants of Forest County can be seen in Crandon or Mole Lake. Also, if the need arises, clients

can be met in other locations depending on their circumstances. Case Managers can also meet clients in the three county jails if needed.

- Structured Program/Participant Monitoring-Intake evaluations are conducted with each participant at the initial appointment. The assessment tools used include a comprehensive bio-psycho-social interview as well as completion of the TADD (Triage Assessment for Addictive Disorders). Clients are seen weekly thereafter in individual sessions for approximately one hour. Some clients may also participate in the education/support group offered by the ISP staff. Participants pay \$250 for involvement in the ISP; this fee is used to offset the program's operational expenses. Program expectations are to: abstain from all mood altering chemicals; attend all sessions; complete assignments given; pay fee in full prior to final court hearing; sign necessary releases; drug/alcohol screens as deemed necessary; no acts of violence or discharge will occur.
- Uniform data collection-The ISP tracks data and completes the monthly report sheet for DOT which includes; number of admissions, number of discharges, types of discharges, BAC at admission, gender, age, OWI offense at admission, number of participants admitted to treatment, status of treatment at adjudication, and recidivism during supervision.
- Monitoring Program Participants' follow through with treatment pretrial- Clients are referred to outpatient or residential treatment based on individual need. As clients become engaged in counseling the case manager may reduce contact with the client to every other week, depending on the client's situation. However, Case Managers review treatment status with treatment providers every two weeks as well as staffing of clients with The Human Service Center team twice monthly. If a client is no longer attending sessions, the Case Manager contacts the client to discuss the importance of follow through with treatment. The Case Manager may also contact the client's attorney to assist in motivating the client to return to services. If the Case Managers are not able to re-engage the client in services the court is notified as to the clients' status.
- Random preliminary breath tests and drug screening as ordered by court-In continuing to monitor participant's alcohol/drug use, the program will conduct initial alcohol/drug screens upon admission and discharge as well as randomly throughout the course of their participation.
- Facilitating the completion of an assessment by ISP participants for the Driver Safety Plan requirement-The Human Service Center is the Assessment Facility for the three county areas and the ISP Case Managers are also the OWI Assessors, therefore IDP assessments are completed as a final step in the Intensive Supervision Program if participants can pay the assessment fee. If the IDP assessment is not completed prior to discharge from the ISP and the client contacts the agency at a later date for the assessment, the case manager the client previously worked with is assigned due to their history with the individual.
- Maintaining formal collaborative efforts, involving key stakeholders-Rapport has been established with the criminal justice system in each county and is maintained through regular meetings as well as the contact case managers have weekly when attending court proceedings. The Human Service Center is the IDP assessment agency, and the case managers also serve as the OWI Assessors. This allows for collaboration between local law enforcement, the judicial system, community corrections, and area treatment providers.
- Standardized Risk Assessment Tool Approved by DOT-Once the DOT has approved a Risk Assessment Tool the ISP will implement use of the tool to comply with DOT requirements.

Admission requirements for participation in the ISP are as follows:

- Gender: male or female with pregnant females having first priority
- Age: Adults: 18 - unlimited
- Residency: Forest, Vilas or Oneida Counties. Residents of other areas accepted as courtesy supervision for another ISP Grant site.
- Offense: Second or subsequent charge of Operating While Intoxicated or Operating While under the Influence.
- Timeline: Client contacts The Human Service Center in a timely manner after initial court appearance. Those who contact HSC with only a few weeks before their final appearance will not be accepted, as it does not allow sufficient time for program objectives to be met.
- Fee: Client pays fee in full prior to appointments being scheduled. Payments will be accepted as long as the final payment is made prior to the final court hearing. If final payments are not made, the final progress report will not be submitted to the court.

Discharge criteria for the ISP are as follows:

- Client has followed through with recommendations of the ISP Case Manager(s).
- Client has become involved in outpatient and/or inpatient treatment.
- Client has been sentenced for OWI conviction.
- Client has discontinued attending scheduled appointments, has not followed through with recommendations of the ISP Case Manager(s), has moved from the tri-county area, or has become incarcerated.

Staffing patterns have varied since the inception of the program to meet program needs. Currently there are two full-time ISP Case Managers/OWI Assessors. The Intensive Supervision Program serves second and subsequent offenders. Occasionally, the judicial systems will also refer first time offenders who have substantially high blood alcohol levels or who were also involved in crashes. While many clients involved in the program have never received alcohol and drug treatment services, others have been involved in both alcohol and drug services, as well as mental health services, for long periods of time. The focus of the program remains on intervention, no matter which type of client is participating.

Participants volunteer or are encouraged to participate by judges or attorneys. The goal is for the Case Manager to contact the client as soon after arrest as possible because this is when the client appears most willing to evaluate his or her situation. An individual session is scheduled, and an evaluation is completed. The client could be referred to AODA outpatient or residential treatment or to mental health counseling. In addition to referrals for treatment services, clients also are encouraged to participate in weekly support group meetings. The support groups allow clients to stay connected and focused until the clients are fully engaged in treatment services.

Due to the large area of these three counties, 3,300 square miles, the ISP Case Managers travel to various locations throughout the counties in order to meet with participants. Many participants live in very rural areas, are without driver's licenses, have limited resources for travel and have little or no access to the minimal taxi services available. These factors impede client compliance with the program and are the reasons it is important that the case managers travel to meet the client. Local AODA providers generously offer space for Case Managers to meet with participants.

Case Managers follow clients until they are fully engaged in services and/or they have been convicted and sentenced; whichever comes last. The average length of involvement with the program is four months. This period may be extended depending on the court schedule and programming in which the client is engaged. The

Case Manager works closely with service providers as well as other professionals or family members in the client's life. The program works with the county jails to allow clients to continue their involvement while incarcerated. The case manager also completes the court-ordered OWI assessment, when timing is appropriate. This encourages the client to continue analyzing personal use of chemicals and make for a smooth transfer of services at the time of discharge from the program. In 2007, the program implemented random alcohol and drug testing to all participants.

Judges and district attorneys in Forest, Oneida, and Vilas counties support the ISP. Prior to sentencing, the court reviews participation status, progress and treatment recommendations submitted by the ISP Case Manager. At the time of sentencing, the court may reduce the sentence or stay the sentence depending on the client's status in the Intensive Supervision Program. When sentences are stayed, the client is required to follow through with all the recommendations. Failure to do so results in the maximum sentence being imposed.

Due to continued decrease in county tax levy dollars, the Human Service Center Board of Forest, Oneida, and Vilas counties decided to discontinue the ISP for 2010. Therefore, the following information applies to the last quarter of 2009 only.

Funding sources for the ISP include: DOT grant monies -34%, OWI Surcharge revenue - 33%, IDP Supplemental funding – 26%, client fees -17%, and county tax levy dollars - 10%. The fee for participation is \$250.00; this fee offsets the cost of operation of the program. If a client fails to pay the fee in full by the time of the final court hearing a final progress report is not submitted to the court for review of the client's progress.

In the last quarter of 2009 there were 37 participants, 28 (75%) men and 9 (25%) women, in the ISP. The ISP serves second and subsequent OWI offenders; the following is a breakdown of offenses for the last quarter of 2009:

- 2nd offense: 48%
- 3rd offense: 37%
- 4th offense: 10%
- 5th offense: 5%

Over 62% of the participants had a blood alcohol level of .20 or greater. The average length of stay in the ISP is 88 days. The length of time a participant is involved is dependent on the client's need and progress towards completing agreed upon goals.

Benefits to the tri-county area for the ISP include the opportunity to intervene with offenders at a time when they are experiencing direct consequences of chemical use, providing support to offenders for treatment opportunities that they most likely would not have sought on their own, as well as collaboration with local law enforcement, the judicial system, community corrections, and area treatment providers. Since inception, in 2000, area judges and attorneys have voiced support of the ISP and in the past submitted letters of support. Their support is also evidenced in the continual stream of referrals for the program. Occasionally, judges will mandate participation in the ISP for fourth plus offenders, particularly if the offender is well-known for having substance abuse issues. Anecdotally, the ISP has received praise for assisting both offenders and their families in addressing substance abuse issues. The local newspaper, The Rhinelander Daily News, wrote a feature series regarding OWI offenses and spotlighted a former ISP participant. The benefit of the ISP has evolved among local treatment providers as well by noting the difference in providing treatment to those who have been involved in the program – the clients appear less resistive and willing to address substance abuse issues in their life. Also, area employers have demonstrated willingness to work with employees who have received multiple OWI offenses in holding jobs or being flexible in scheduling for the employee(s) to complete a course of treatment. If this program were not here, the judges in the tri-county area would have limited options of

effectively sentencing and providing rehabilitative services, families dealing with substance abuse issues would have less access to resources for substance abuse issues, and employers would have less understanding of those in need of treatment.

Please note that the Forest/Oneida/Vilas Counties ISP ceased to be funded as of December 31, 2009.

Racine County (2000)

PROJECT GOALS and OBJECTIVES with EVALUATION PLAN

Goal 1: To provide safety for the community of Racine County from individuals charged with repeat drunk-driving.

Objective: To implement an Intensive Supervision Program in Racine County from July 1, 2009 through June 30, 2010 for drunk-drivers charged with a 2nd or greater OWI while they are in pretrial status. **(Completed)**

Outcome: 90% of all participants will attend all court appearances **(98% attended all court appearances)**

Outcome: 90% of all participants will not have any criminal re-arrests per “Uniform Data Collection” core element (excluding bail jumping). **(95% of those discharged did not have any new arrests)**

Goal 2: To enroll ISP participants in programming.

Objective: To enroll between 500 and 520 defendants charged in Racine County Circuit Court with a repeat OWI offense (two or more OWIs). **(610 were active)**

Outcome: Enroll 75% into ISP within 45 days of the Initial Appearance **(Enrolled 90% within 45 days of Initial Appearance)**

Goal 3: To reduce OWI recidivism in Racine County compared to multiple offender recidivism rates in counties without ISP programs.

Objective: To collaborate with DOT/BOTS to compare multiple OWI recidivism rates in Racine County, with counties that do not implement an ISP program. **(Will collaborate as requested)**

Outcome: Reduce recidivism in Racine County by 25% of OWI arrests as compared to non-ISP counties. WisDOT will provide non-ISP comparison rates and Racine County will provide recidivism rates for its County participants. Use state recidivism rate vs. county rate. **(To be completed by WisDOT)**

EVALUATION PLAN AS APPROVED BY WisDOT

The evaluation of Racine County Sheriff's Department Intensive Supervision Program will include three approaches: quality assurance, attainment of program objectives and outcomes, and review of recidivism rates. The ISP Manager will complete the Quality Assurance reviews on a monthly basis. The Racine County Criminal Justice Coordinating Committee will review the attainment of program objectives and outcomes semi-annually. ZCI will collaborate with DOT for the Review of Recidivism Rates annually or as DOT requests.

1. **Quality Assurance:** File reviews were completed to ensure that the program protocol is followed and proper forms and releases are obtained. Any deviations made from the standard program requirements were justified and explained in case notes and required a supervisor's approval.
2. **Attainment of Program Objectives and Outcomes:** Monthly reports were completed. Data collected included: active and year-to-date admissions, OWI offense at time of admission, BAC level at time admission, gender, age, ethnicity, level of education, number admitted to treatment, attendance to court hearings, discharges, types of discharges, treatment status at time of adjudication, and recidivism during supervision (charged with a new OWI offense).
3. **Review of Recidivism Rates:** Recidivism rates were collected as required by the Wisconsin Department of Transportation to determine if Racine County's recidivism rates are 25% lower than non-ISP counties.

POLICY REQUIREMENTS

The Racine County Sheriff's Department Intensive Supervision Program implemented the seven core elements as outlined by the Department of Transportation, Bureau of Traffic Safety in the fall of 2007.

1. **Centralized Supervision** means that all ISP participants will be supervised by one agency within a county or multi-county area. Racine County appointed Zimmerman Consulting, Inc. (ZCI) as the single agency to provide centralized supervision for ISP. ZCI has managed the ISP program since its inception in Racine County in 2000. Racine County completes a competitive bid process every three years. The most recent competitive bid was completed in December 2007 for 2008-2010. Racine County again awarded the bid to ZCI.
2. **Structured program participant monitoring** will include the following: a) Complete an Intake on all admissions, b) Conduct regular office visits, c) Monitor re-arrests, d) Collect program fee based on state statute 85.53, e) Refer and monitor participants to AODA treatment and follow through, f) Provide Racine County ISP program policies and procedures to all participants, and Conduct alcohol and drug testing

ISP case managers will review *ISP Agreement* with each participant during the Intake process. The agreement ensures that there is a written document signed by participants indicating that they understand the rules and agree to follow them. These rules include:

- Defendant shall report to the ISP office immediately after each court appearance. The defendant will inform ISP case manager of all scheduled court appearances and when the criminal case is closed.
 - Defendant shall report any changes in job status, residence, and/or telephone number to ISP office within 24 hours.
 - Defendant agrees not to consume any alcohol and/or illegal drugs. Defendant will provide proof of any prescribed medications. Defendant agrees not to consume any cough syrup, mouthwash, non-alcoholic beer or any other substance that contains alcohol.
 - Defendant is required to report to ISP office for alcohol testing weekly. In addition, defendant agrees to submit to urinalysis and/or alcohol testing on a random basis at any time. Defendant also understands that ISP staff may make unannounced home visits for testing purposes. Defendant understands that copies of all alcohol and drug testing results will be forwarded to the Courts, District Attorney's Office, and defense attorney.
 - Defendant shall report to the ISP office or designated testing site within a specified number of minutes of receiving a phone call requesting testing.
 - Defendant shall pay a one-time supervision fee of \$150.00. This fee shall cover the cost of all alcohol and drug testing.
 - Defendant shall make an appointment with Racine Psychological Services for an assessment for the Driver Safety Plan. An appointment can be scheduled by calling 634-8688. Defendant understands that he/she is responsible for the cost of the Driver Safety Plan assessment. If the defendant lives outside of Racine County, the defendant shall use whatever assessment service the Court normally uses for that County.
 - Defendant shall follow the treatment recommendations provided by the AODA assessment or intervention plan. The defendant may be required to submit documentation that he/she is complying with the treatment recommendations.
3. **Uniform data collection** will be collected and noted on the monthly report for DOT. The ISP manager will provide quality assurance reviews to ensure accuracy and consistency of the data collection and data entry.

Data collection and entry into the computerized tracking system and/or case files will include the following: a) Admissions to ISP supervision, b) Discharges from ISP supervision, c) Types of discharges, d) BAC at time of admission, e) Gender, f) Age, g) Ethnicity, h) OWI offense at time of admission, i) Number admitted to treatment, j) Treatment status at time adjudication, k) Recidivism during supervision (charged with a new OWI offense), and l) Level of education

4. **Monitoring ISP program participants' follow through with treatment while in pretrial status.**

During every office visit when the ISP case managers meet with ISP participants, case managers will inquire about the treatment status of participants. As needed, participants may be required to complete Releases of Confidentiality so that ISP case managers may contact treatment providers directly to obtain compliance levels. Then ISP case managers will update their files regarding participants' treatment status. Treatment status will be documented on the monthly report that is submitted to DOT, BOTS.

5. **Random preliminary breath tests and drug screening as ordered by the Court.**

ISP participants will be required to have regularly scheduled breath tests, at least weekly. In addition, they will be required to complete random alcohol tests. Drug tests will be completed as

ordered by the Court. Most alcohol and drug testing will be completed at the ISP office, 524 Main Street, Suite 302 in Racine, Wisconsin. Participants who live west of I-94 may be allowed to obtain their testing from approved sites in Burlington, including Aurora Occupational Health and AGAPE Recovery Center. Participants who live in other counties may be allowed to have some of their testing completed at an ISP site if there is one or at an approved site as approved by the ISP case manager, if there is not a local ISP.

6. Facilitating the completion of an assessment by ISP participants for the Driver Safety Plan requirement.

ISP case managers will inform ISP participants of the Driver Safety Plan. ISP case managers will provide participants with the information about how to contact the county appointed assessment agency, Racine Psychological Services. This requirement will also be listed on the *ISP Agreement* form that all new admissions must understand, agree to, and sign that they will follow.

7. Maintaining formal collaborative efforts, involving key stakeholders.

In 2000, Sheriff McReynolds and Chief Judge Gerald Ptacek established the Racine County Criminal Justice Coordinating Committee. This is a group of key stakeholders and criminal justice professionals whose members include Racine County Executive, Corporation Counsel, Racine County Sheriff, Chief Judge, District Attorney, Public Defenders Office, Clerk of Courts, Gateway Technical College, Human Services Director, Regional Chief for Department of Community Corrections, Jail Inspector, Jail Administrator, Court Administrator, County Board Chair of the Public Protection and Justice Committee, and Zimmerman Consulting, Inc. (ZCI). The mission statement for this group is noted below.

Our mission is to improve communication, cooperation, and coordination of agencies within the Racine County Justice System and officials of government to maximize the efficiency and effectiveness of its operation. This will include policy, program, and operational planning by identifying and analyzing current issues and then recommending solutions. The benefits of these efforts will result in better understanding of crime and criminal justice problems, greater cooperation among agencies and units of local government, clearer objectives and priorities, more effective resource allocation, and better quality criminal justice programs.

The Racine County Criminal Justice Coordinating Committee meets regularly, at least quarterly, but more often as needs arise. Ad hoc committees are created as different issues or needs arise. The group discusses issues and makes decisions. The Committee may occasionally make recommendations to the County Executive or to the Racine County Board of Supervisors for specific actions. Racine County will ensure that there will be ongoing collaborative efforts involving key stakeholders and the ISP program. In order to be accountable to DOT for program fidelity, Racine County will regularly review the core elements established in this grant application with these stakeholders at a minimum of twice per calendar year. The Racine County Criminal Justice Coordinating Committee or its designated subcommittee will review these elements. Generally, the appointed ISP agency will collaborate with WisDOT, but at any time, the Racine County Criminal Justice Coordinating Committee will meet with WisDOT as requested. In this way there will be professional evaluation of program progress in coordination with the criminal justice system, ISP agency, and WisDOT.

8. Standardized Risk Assessment Tool approved by DOT

The Racine County ISP incorporates the *Behaviors & Attitudes Drinking & Driving Scale (BADDs)* from the SASSI Institute. The *BADDs* is an evidence-based pre- and post-test questionnaire that measures attitudes, behaviors, and intervention effectiveness related to impaired drinking. It is comprised of three scales that measure attitudes and two that measure behaviors related to drinking and driving. The instrument was designed to screen individuals and groups for impaired driving risk and as a program evaluation tool to measure change following intervention.

For Reliability, the *BADDs* has good internal consistency (Alpha Coefficients ranged from .71 to .95) and has a good test-retest correlation (.74 to .88).

For Validity, the *BADDs* research shows a high degree of discrimination among the scores obtained by different types of respondent samples (OWI offenders, adults in substance abuse treatment, adults without an OWI history, college students, and high school students). The *BADDs* scale scores show significant positive correlations with the scores on the substance use scales of the Substance Abuse Subtle Screening Inventory – 3 (SASSI-3).

Racine County will continue to use the *BADDs* questionnaire until a standardized survey is approved by DOT for use by ISP counties. The *BADDs* is 100% self-report and therefore not fully reliable when defendants learn the use of the tool and try to outsmart it.

REQUIRED ANNUAL INFORMATION

1. Updated for the narrative.

The average length of the pretrial process was 252 days or 8.4 months. The average length of stay in the program has increased by 58 days from 2008 and by 117 days from 2004.

Of the 610 participants, 448 (73%) were residents of Racine County and 162 (27%) were not residents of Racine County. Of the 162 ISP participants who were not residents of Racine County, 116 were from adjacent counties and the remaining 32 participants were from other parts of Wisconsin (14) as well as 14 from out of state, Illinois (11), Michigan (1), Georgia (1), and Indiana (1).

There were 2,294 scheduled hearings. Of these hearings, pretrial OWI defendants attended 2,245 (98%) of the scheduled hearings.

During the federal FY2010, the Racine County ISP serviced 610 pretrial repeat OWI offenders. At the end of the year, 197 were still active and 413 were adjudicated. Of the 413 adjudicated, 349 (85%) were compliant and 64 (15%) were not compliant.

2. Counts of active program participation from October 1, 2009 to September 30, 2010

Racine County ISP Program participation by age and gender

Age	Number	Percent
<=20	9	1.0%
21-24	61	10.0%
25-29	105	17.0%
30-34	107	17.5%

35-44	156	25.5%
45-54	126	21.0%
55+	46	8.0%
Total	610	100%
Median Age	38	

Total	Male	Female	% Male
610	503	107	82%

Program participation by highest educational achievement of client

< HS	HS Grad	GED	Post HS	Some College or Tech	College Graduate	Unknown
107 – 18%	279 – 46%	26 – 4%	42 – 7%	100 – 16%	55 – 9%	1 – 0%

Program participation by marital status

Divorced	Never Married	Married	Widowed	Separated	Unknown
110 – 18%	333 – 55%	110 – 18%	6 – 1%	51 – 8%	0 – 0%

3. Program participation status of the Racine Program for the previous year as of October 1, 2009

Count of clients who have dropped out or become non-compliant: 64
 Count of clients in progress or whose plans have been extended: 197
 Count of clients who have successfully completed program: 349

Participants	Drop-Out / Non-Compliant	In Progress	Completed
610	64	197	349

Successful Completion	Drop-Out / Non-Compliant	Successful Completion %	Unsuccessful Completion %
349	64	85%	15%

4. Estimate of aggregate jail time saved by the participation of clients in Racine County ISP.

Incorporating the Carter Goble formula to determine jail bed days saved for ISP, the number of jail bed days saved for October 1, 2009 through September 30, 2010 is 18,104.

**ADDENDUM TO
2010 RACINE COUNTY ISP REPORT**

1. Complete name, address and a brief history of the ISP service provider and why they are the chosen service provider.

Zimmerman Consulting, Inc. (ZCI – 524 Main Street, Suite 302 – Racine, WI 53403)

ZCI discovered the ISP funding in 1999 and applied for funding. WisDOT funded the first ISP Program through Racine County starting August 1, 2000. Since then, Racine County has competitively bid ISP on 3 occasions and each time ZCI was awarded the contract. The program will be competitively bid for 2011.

Zimmerman Consulting, Inc. (ZCI) is a community-based for-profit business that administers a variety of treatment and supervision programs for adjudicated youth and adult offenders in Racine County and consults with other counties in jail alternative and diversion programming. Although ZCI was established in 2000, its chief administrator has designed and implemented programs in Racine County since 1989.

2. Full disclosure of all funding sources for the ISP program (including WisDOT's), what the funded agency pays and for what the client pays. Include any rates of collection from clients for fines, fees, etc. and how any services are provided when the client has not paid for services.

The current contract is for July 1 2009 through June 30, 2010. For this period,

WisDOT will provide up to:	\$ 52,709.00
Racine County:	\$133,127.00 (cash and in-kind)
Participant Fees:	<u>\$ 25,000.00</u> (estimate)
Program Total	\$210,836.00

As noted in the detailed budget provided to WisDOT in the proposal application,

WisDOT funds provide for 1 full time case manager and about .7% of another case manager along with partial fringe.

Racine County funds and Participants fees provide for 2 half time case managers, a 0.35 FTE supervisor, a 0.5 FTE receptionist, and a weekend breathalyzer. In addition, these funds provide for fringe benefits, staff travel, staff training, facility costs, telephone, equipment costs, office supplies, program materials, UA tests, SCRAM, breathalyzer supplies, and administration.

The participant receives the same exact services whether he or she had paid or not.

3. Context of the extent of the OWI problem including the total number of OWI convictions in the county for each offense (1st, 2nd, etc).

ZCI received the following information from the Department of Transportation. This is the number of convictions for January 1 – December 31, 2009.

1 st OWI	2 nd OWI	3 rd OWI	4 th OWI	5 th OWI	6 th OWI	7 th OWI	8 th OWI
718	142	48	15	12	2	1	1

Percent of Convictions to Repeat Offenders: 23.5%

4. Other pretrial programs that work in conjunction with the ISP such as bail monitoring and how they collaborate to ensure the most effective services are provided to clients.

Racine County implements 3 pretrial programs. They are the Pretrial Risk Assessment Program, Alternatives to Incarceration Program, and the Intensive Supervision Program. Racine County has

subcontracted the **Pretrial Risk Assessment Program** to ZCI since 2007. It is a pretrial screening prior to the person's initial court hearing. The program utilizes the pretrial risk screening scale that Racine County developed to focus on two types of risk: (a) failure to appear in court (FTA) and (b) risk of reoffending while in the pretrial status. Program staff interviews pretrial defendants prior to their initial hearing and then verify the information, collect collateral data, create a report, which includes the risk scale, and submit the report to the Commissioner, District Attorney's Office and defense counsel. The Commissioners incorporate a process that includes screening each fresh arrest that remains in jail and preparing a report along with other factors to make bail and bond decisions. The defendants are tracked after their pretrial release for failure to appear in Court for scheduled hearings and for any new charges. In addition, the pretrial staff members provide case management services to those released from jail with a medium or high risk score. Staff contacts defendants to remind them of their hearings to reduce the failures to appear and recidivism rates.

Racine County has subcontracted with Zimmerman Consulting, Inc. (ZCI) since 1994 to operate the **Alternatives to Incarceration (ATI)** program, which is a bail monitoring, pre-trial alternative to jail for adult defendants, who can be supervised or detained in a non-jail environment. Court Commissioners and/or Circuit Court Judges determine who will participate; they order defendants directly into the program and specify the activities to be monitored through the conditions listed in their bonds.

Case Managers carry case loads of mixed ATI and ISP participants. The collaboration could not be better and this does ensure the most effective services are being provided to the clients.

5. Longer term strategic planning to reduce the incidence of impaired driving in the county. What trends do you see that must be addressed through the ISP or other programs?

- ZCI believes that the State of Wisconsin should increase the tax on alcohol. There has not been a tax increase on alcohol in decades. Perhaps the DOT ISP programs should develop a strategy to support this increase.
- South Dakota has developed a 24/7 Sobriety Project, which the State credits for lowering jail populations and budget savings. "Since the program's inception in 2005, jail populations have decreased in most counties, which is not only saving taxpayers about \$75.00/day, but is allowing offenders to maintain jobs, live with their families, and contribute positively to their communities." (*The Journal of Offender Monitoring*, Civic Research Institute, Volume 21, Number 2, pages 8-9.)

This program targets felony DUI offenders in the State of South Dakota. During the pretrial status, DUI defendants must either be tested twice per day for alcohol or wear the SCRAM monitoring unit.

This would need to be a longer term strategy for the State of Wisconsin to be implemented within counties.

6. Summary of ISP referrals, admissions, and persons served. Include admission requirements and who participates in the program (total numbers, level of offense).

All 2nd and greater OWI's in pretrial status are mandated by the Circuit Court to participate in the ISP program. From October 1, 2009 through September 30, 2010, 610 were active. Other information is detailed in the first section of this Report.

7. Summary of demographics upon entrance into program including but not limited to gender, age, education level, marital status, and employment status.

See Report, pages 6-7.

8. Summary of cost per participant to receive ISP services. Compare to other local/county programs and those costs.

ISP annual cost for 2009-2010 is \$210,836.00. Based on an active annual participation of 610, the cost per participant was \$345.63.

For 2009, Racine County funded the pretrial bond monitoring program, ATI, for a cost of \$339,900.00. Based on active annual participation of 2,158, the cost per participant was \$157.51.

For 2009, Racine County funded the Day Reporting Center for a cost of \$130,387.00. Based on active annual participation of 309, the cost per participant was \$421.96.

For 2009, Racine County funded the AODA Program for a cost of \$339,900.00. Based on active annual participation of 205, the cost per participant was \$1,658.05.

9. Summary of other charges (other than OWI) and the total number for each type of charge. Since this information was not required by the WisDOT information to be tracked in the "Uniformity of Data" requirements, ZCI has never developed a way to track this information.

10. Referral into the ISP program including by whom/agency, requirements and follow up.

Referral to ISP is made at Initial Hearing. The Commissioner mandates program participation and establishes program requirements. The Court completes a form and forwards it to ZCI. ZCI will follow up on those who do not come to the office within 24 hours of release from jail. Also, a Report will be submitted to the next scheduled Court Hearing explaining the individual has not complied with the Court's orders. ZCI submits a Report to the Court for all scheduled Hearings on all ISP participants.

11. If the ISP program is voluntary or mandatory (and if mandatory who/how mandated).

The Racine County ISP program is mandatory for all 2nd and greater OWI participants. It is mandated by the Courts.

12. Any assessments, such as the Driver Safety Plan, who administers what, tracking mechanisms, final status reports and to whom. ISP case managers will inform ISP participants of the Driver Safety Plan. ISP case managers will provide participants with the information about how to contact the county appointed assessment agency, Racine Psychological Services. This requirement will also be listed on the ISP *Agreement* form that all new admissions must understand, agree to, and sign that they will follow.

ZCI is not a part of the Driver Safety Plan process and therefore, is not familiar with the tracking mechanisms. There is communication between ZCI and Racine Psychological Services as necessary. The large majority of participants do not even begin their Driver's Safety Plan until after the adjudication process is complete based on the defense attorney's recommendations. ZCI does

not receive any final status reports regarding the Driver Safety Plan. It will more than likely go well beyond individuals' participation in ISP.

13. Average length of stay in the ISP program by clients, how that is determined and the effectiveness. The average length of stay for the 413 individuals discharged from ISP between October 1, 2009 and September 30, 2010 is 252 days. This number is determined from the first interview date at program orientation and through final adjudication when the Court releases the individual from ISP monitoring. Of the 413 discharged individuals, 349 (85%) completed ISP satisfactorily and 64 (15%) were noncompliant.

14. Random testing including drug, alcohol or other requirements, frequency, and who administers.

As described in the Report, page 4.

15. Other required participation in the ISP program such as VIP.

None

16. Any technology that is utilized to monitor and record client activity such as SCRAM, who utilizes this and what criteria, must be met. As ordered by the Court, clients may be required to be monitored by GPS, SCRAM, or point in time breath tests for alcohol and urine screens for drugs. ZCI follows the court order and administers the tests. Many urine screens are sent to the lab for all new enrollees and for confirmation on all positive drug screens.

17. How violations are addressed, and when or if the client is not longer eligible for the program. The ATI Program submits all reports, including incident reports to the Court, District Attorney and defense attorney. All violations are addressed through the Court and by the Court. Clients are no longer eligible if the Court determines they are done or until adjudication.

18. Best practices implemented and the results.

ZCI incorporates many best practices into the Racine County ISP. These best practices include, but are not limited to:

- Case Management
- Connecting to treatment as quickly as possible
- Incorporating a standardized survey, the BADDSS
- Utilizing state of art technology, SCRAM
- Collaborating with local agencies (Courts, District Attorney's Office, defense counsel, Racine County Sheriff's Department, etc.

Implementing these best practices results in a more effective, efficient, and cost-effective program. Racine County has recognized the value of incorporating a repeat OWI pretrial program in its jail alternative and diversion programming. The benefits include but are not limited to:

- Connect treatment and other local resources to repeat drunk-drivers as soon as possible after the driving offense to **help them with sobriety**
- Participant supervision ensures that **offenders' needs are being addressed** and reassessed through supervision

- Monitor participant **follow through with referrals** to local resources to help them stabilize themselves in the community
- Monitor sobriety through alcohol/drug testing and SCRAM when utilized to provide **support for sobriety**
- Participants **remain sober while taking responsibility for their actions**, which helps participants and community
- Submit test results to **Criminal Justice System to provide evidence-based results** using DOT approved testing instruments, AlcoSensor IV intoxilyzers
- Supervise repeat drunk-drivers in the community while in pretrial status to help provide **community safety**
- Submit up to date reports on compliance level to the Criminal Court System for appropriate management of legal cases **to help with program integrity and support by the criminal justice system**
- Participate in a statewide program to help develop a coordinated approach to repeat drunken driving in the State of Wisconsin.

19. Key performance measures that are in place and the results such as jail days saved and budget savings. Incorporating the Carter Goble formula to determine jail bed days saved for ISP, the number of jail bed days saved for October 1, 2009 through September 30, 2010 is 18,104.

ZCI is not familiar with a standard method of determining budget savings but would be happy to incorporate it once it is made known by DOT.

20. Any challenges that the agency faces (funding is always an issue so if you include this provide how/why you recommend any changes allowable within the parameters of statute 85.53).

- Funding has been an issue over the past three years. Racine County has made its views known to WisDOT. There are no challenges at the local level.
- There is a need for a current statewide report on recidivism rates for ISP counties compared to non-ISP counties to determine the effectiveness of the current programming. The information for this report is beyond the access to information by current ISP vendors and needs the oversight of DOT or a DOT funded group. The information must be objective, uniform, and current. All of the current recidivism rates are based on information from 1998 – 2001. We need more current recidivism rate information.

21. Any key stakeholders within the community, at the county or state level and how the agency or organization contributes to the effectiveness of the program. Include any important annual, quarterly or monthly meetings held and what was accomplished.

There are numerous key stakeholders. They are:

- William McReynolds, Key Role: County Executive, advocated for ISP since 2000, 10 years
- Geoff Grieveldinger, Key Role: Chief of Staff, advocated for ISP since 2002, 8 yrs
- Gerald Ptacek, Key Role: Circuit Court Judge, advocate for ISP since 2000, 10 yrs
- Dennis Barry, Key Role: Circuit Court Judge, advocate for ISP since 2000, 10 yrs
- Emily Mueller, Key Role: Circuit Court Judge, advocated for ISP since 2000, 10 years
- Charles Constantine, Key Role: Circuit Court Judge, advocate for ISP since 2000, 10 years
- John S. Jude, Key Role: Circuit Court Judge, advocate for ISP since 2006, 4 years
- Allan Torhorst, Key Role: Circuit Court Judge, advocate for ISP since 2000, 10 yrs
- Richard Kreul, Key Role: Circuit Court Judge, advocate for ISP since 2000, 10 yrs
- Mike Nieskes, Key Role: District Attorney, advocate for ISP since 2000, 10 years
- Robert Carlson, Key Role: Sheriff, advocate for ISP since 2000, 10 years
- Adrienne Moore, Key Role: 1st Assistant Public Defender, advocate for ISP since 2000, 10 years
- Lisa Yates, Key Role: DOC Regional Chief, advocate for ISP since 2005, 5 years
- Alice Rudebusch, Key Role: Court Commissioner, advocate for ISP since 2004, 6 years
- Johnathan Delagrave, Key Role: Human Services Director, advocate for ISP since 2010, 1 year
- Rose Lee, Key Role: Clerk of Circuit Court, advocate for ISP since 2000, 10 years
- Cheryl Zimmerman, Ph.D., Key Role: Provider/Consultant, advocate for ISP since 2000, 10 years

The above named key stakeholders are members of the Racine County Criminal Justice Coordinating Committee that meets four to eight times per year. Racine County will ensure that there will be ongoing collaborative efforts involving key stakeholders and the ISP program. In order to be accountable to DOT for program fidelity, Racine County will regularly review the core elements established in this grant application with these stakeholders at a minimum of twice per calendar year. The Racine County Criminal Justice Coordinating Committee or its designated subcommittee will review these elements. Generally, the appointed ISP agency will collaborate with WisDOT, but at any time, the Racine County Criminal Justice Coordinating Committee will meet with WisDOT as requested. In this way there will be professional evaluation of program progress in coordination with the criminal justice system, ISP agency, and WisDOT.

22. Pictures, brochures, marketing materials, and special awards, recognition, or letters of recommendations indicating outstanding service.

None

For more information, contact Cheryl Zimmerman, 262- 632-1780, ZCI1@ameritech.net.

[Portage County \(2002\)](#)

OVERVIEW

The Portage County Intensive Supervision Program continues to function within the County's Community Justice Programs Project. Administration of the program is performed by the Justice Programs Director within the Department of Justice Programs, which is now under direct supervision of the Portage County Executive. The project continues to be guided by the Portage County Justice Coalition, which is a group of system stakeholders, County Board members, service providers, and citizens.

In 2009, Portage County began a new building project focusing on courts and related offices. A referendum on a new courthouse was defeated in the spring of 2010. Portage County continues to discuss facility resource needs on an informal basis with no specific proposals pending.

Portage County is advancing the implementation of Evidence Based Practices as follows:

- 1.) Use of actuarial risk/need assessments, including the Proxy, OWI Proxy, LSI-R, and LS-CMI. Program staff has been trained on the use of the COMPAS risk need assessment and implemented the tool for OWI ISP offenders in July, 2010. In fall of 2010, staff piloted a new screening instrument (STRAND) which includes three scales (Mental Health, AODA, and domestic violence). The STRAND will continue to be used as a screening instrument for all OWI ISP offenders in 2011. Additional specialized risk instruments are used to examine motivation (URICA), alcohol/drug issues (ASUDS-R), and domestic violence (DVSI-R).
- 2.) Incentives for case disposition and improvement of current functioning continue to be incorporated in the case planning process. Participants are actively involved in identifying areas of change and establishing goals in addition to complying with court conditions. Incentives include remaining in the community, eligibility for electronic monitoring, reduced supervision and testing based on positive behavior, and services to support and improve current lifestyle. Program performance may also influence orders for probation supervision with the Department of Corrections.

All risk and need indicators are considered in the preparation of the case plan. The factors most relevant to the likelihood to re-offend are prioritized. Case managers seek out additional resources as needed to address key indicators. Specialized programming for women has been used as resources allow. Portage County court staffs rely on case managers and the assessment process to identify needs and level of supervision. Participants are re-assessed at regular intervals to evaluate and revise the case plan as needed.

- 3.) The merging of two pre-trial programs has resulted in more uniform practices. The results will inform the use of program services should resources become tighter.

The program data continues to suggest the offender population is older, better educated, and more chemically involved than national norms. It also reflected a higher percentage of offenders who are likely to recidivate. Portage County service providers are working actively to increase use of existing resources.

- 4.) Training in key skills has been ongoing for staff and participants alike. Staffs were trained in the Driving with Care Curriculum (Wanberg, Milkman, and Timken, 2001) to support the needs of higher risk offenders. They continue to participate in a voluntary COP (community of practice) with staff from other correctional programs to practice and improve skills.

Participants are offered group sessions to support effective decision making and relapse prevention. In January, 2011, staff will implement the Seeking Safety Program (Najavits, 2002) for women and men in need of treatment for post traumatic stress and substance abuse. This protocol has been found effective for female and male offenders. We will pilot the program with female offenders initially. If well received, we will solicit funds to train area providers in the protocol.

- 5.) On 2009, a contingency management program was implemented on a trial basis to encourage participation in group attendance and case management sessions. This program has continued as resources allow. Incentives/rewards are policy based and in the form of “prizes. Participants

continue to express appreciation of being recognized for positive behavior. The prizes are presently supported through staff and community donations.

- 6.) Participants are encouraged to engage in a chemical/crime free community such as AA, NA or other community based group. Volunteers from a local restorative justice agency, Justiceworks, have offered time to support participants in group activities. Portage County has recently opened a new Oxford House for women called River Point house. It will accommodate up to eight women who are committed to a chemically free life style. On December 6, there will be a presentation for a newly formed organization, Central Wisconsin Dryhooch. This organization supports veterans and family members by offering an alcohol free support group and gathering location. These programs have been initiated and supported by volunteers and private contributions from community members and networks. We will continue to explore opportunities for increased interaction with volunteers and other community networks.
- 7.) The County has completed development of a single agency data gathering spread sheet, “service trackers”, for its key correctional programs and continues to collect program data. An analysis of the information is ongoing. Early results indicate a strong correlation between the OWI Proxy and the ASUDS-R screener. In addition, the risk assessment tool demonstrates the strongest risk factor for this population is absence of appropriate leisure activities; followed closely by chemical involvement, and criminal history. This supports our belief that much of our alcohol use is imbedded in our recreational activities.

Portage County is developing a web based application for the current data structure allowing consolidation of the data bases and access to all contributors. Staff from the Information Technology Department is working with Brad Bogue to design and implement the program in January, 2011.

This data base will build on the service trackers and continue to have an imbedded calculating component. This allows for the calculation of program dosage, retention, and adherence. Staff has an understanding of these program elements and look to improve their knowledge and its application when delivering services. We are aware of data gathering deficiencies that must be resolved before implementing the new database.

CORE ELEMENTS: PROGRAM DATA, MONITORING AND OUTCOMES

Through 2010, we continued to monitor the impact of the program on key objectives. These objectives are to reduce non-compliant behaviors, repeat offenses, and taxpayer costs related to criminal prosecution and incarceration. We monitor outcomes of these strategies and are working with consultants to profile the impact in terms of recidivist behaviors and offender progress. We noted the following results:

Wisconsin Department of Transportation records report a reduction in the number of Portage County convictions for OWI related offenses over each of the past three years (2007: 515 with 74 OWI-3 and above, 2008: 395 with 69 OWI-3 and above, 2009: 350 with 38 OWI-3 and above). These records reflect calendar years. For additional statistics please see the attached report (WDOT and PTSP Statistics). In addition, Portage County data shows a reduction in overall jail bed days ordered in 2004 of 14,920 (454 convictions recorded) to 7,180 jail bed days ordered in 2009 (344 convictions recorded).

Program records for 10-1-09 through 9-30-10 indicate that sixty-six new pre-trial referrals were made, with 56 placed in the program. Failure to make bond is the most common reason for not being placed in the program in the month referred. Participants include 8 OWI-2 offenses, 25 OWI-3 offenses, 5 OWI-4

offenses, 3 OWI-5 offenses and 1 homicide by intoxicated driver, 1 OWI with injuries and 2 additional impaired driving charges. A total of 76 pre trial/post conviction placements were made. It is interesting to note that only 2 OWI- 2 offenses were referred in calendar year 2009 while 8 were received from January, 2010 through September, 2010 (4 in the month of August).

A review of current cases is pending.

A summary of demographic information includes:

Age: **less than 20: 6% (4), 21-24: 6% (4), 25-29: 20% (12), 30-34: 12% (7), 35-44: 18% (11), 45-54: 25% (15), 55+: 1% (1), unknown: 6% (4)**
Median age: 36

Gender: **Male: 70% (39)**
Female: 30% (17)

Education: **less than HS: 16% (9), HS: 42% (24), GED: 10% (6), some tech/college: 24% (14), college grad: 1% (1), unknown: 6% (4)**

Marital Status: **divorced: 23% (13), never married: 39% (23), married: 21% (12), living together: 5% (3), widowed: 3% (2), separated 1% (1), unknown: 6% (4)**

We have seen an increase in the number of detected major program violations (48/2008, 67/2009, and 117/2010). This includes 29 breath tests positive for alcohol and 31 urine tests positive for drugs. The remaining violations are related to attendance and rules violations. Major violations are reported to the court and generally result in a bail jumping charge, which can lead to incarceration and a hearing.

Typical responses include an increase in bond, increase in supervision/testing, more intensive programming/treatment, and reduced potential for favorable consideration at sentencing. A participant is terminated, if they are unable to make bail (or if it is revoked) or if they abscond from supervision. They are considered an absconder after two consecutive misses or three overall misses and a failure to return to the program within one to two weeks. After 90 days, they are terminated and the length of program participation is calculated based on their last day of program attendance. We will be introducing a new fee for Day Report Services in 2011. Any offender who tests positive for drugs or alcohol (and continues with the program) will be charged a weekly program fee (\$10/wk) for at least eight weeks. The fee will be discontinued based positive program participation.

There continue to be a high number of new offenses (5) committed while participating in the OWI-ISP Program. We also saw a return of four offenders who previously participated in the program.

We saw a decrease of Driver Safety Plan's completed (39/2008, 48/2009, and 33/2010). We noted the majority (20) of these were completed pre-conviction in 2010 instead of post conviction (13).

Program completion rates for pre-trial supervision include 44 successful completions and 8 unsuccessful completions, for a successful completion rate of 85%. Post conviction rates include 13 successful completions with 0 unsuccessful completions, for a rate of 100%.

The average length of stay is 177 days pre-trial and 64 days post conviction. This includes the time between sentence and book-in as participants are expected to continue attending as a condition of their

delayed incarceration. The length of stay is calculated by adding total program days served by participants upon completion of pretrial supervision and, if applicable, separately for post conviction participation. The days served in the program are documented upon completion to avoid duplication between monthly and annual reports.

Jail bed days saved is calculated using days of service in the home detention program. This method provides the most precise correlation to days of incarceration as OWI-3 and the above offenders were not eligible for the home detention program prior to the OWI ISP Program. They served their entire sentence in custody. Days saved for this period are 830, with an estimated savings of \$41,500 at \$50 per day. System stakeholders believe additional savings would happen, using pre-trial supervision, as more offenders would remain in custody pending disposition of their cases, if not for the option of pre-trial supervision.

We continue to work with a student intern UW-Stevens Point to conduct a recidivism study of program participants. We have compiled a list of participants from 2-2-2002 through 3-14-2008 totalling 362 participants with 389 records. All participants have been examined through both CCAP and Portage County records with any new charge for OWI related behavior identified. Thus far, we have identified 64 offenders (17.6%) with one repeat OWI offense and 7 (1.9%) offenders with 2 repeat OWI offenses. The analysis continues for those who have repeated with emphasis on BAC and length of time between repeat events. A select number of offenders will also be examined for risk profile and program participation level/outcome.

CORE ELEMENTS: PROGRAM OPERATION

Portage County continues to meet the core elements as identified in our 2010/2011 grant application.

Portage County provides a centralized supervision program for all OWI-3 and above offenders. The program design is reviewed and modified as needed by the Justice Programs Director, under the supervision of the County Executive and with consensus of the Portage County Justice Coalition. In 2011, we will encourage referrals for all OWI offenders in need of additional structure, support, and services as they prepare for the additional consequences and conditions provided by new legislation.

All core program services are provided through a contract with Attic Correctional Services, 601 Atlas Avenue, Madison, WI. 53707-7370. Attic Correctional Services was awarded the contract as a result of a competitive process in 2003. They will continue to provide the service in 2011. Portage County expects to conduct a new request for proposal process in 2011 for services in 2012. Program staff includes a lead case manager (15.00/hour), case manager (13.75 /hour) and technicians (11.00/hour). A merger of two pre-trial programs resulted in shared caseloads with half of each case manager position dedicated to OWI-ISP cases. Each maintains approximately 20-25 cases ongoing. Day report technicians staff six hours of service daily. We increased staffing to two technicians on three of the highest volume shifts each week. This has increased effectiveness and reduced staff stress. The Portage County Sheriff's Department allows jail staff to provide support to one to two shifts per week. They conduct supervised UA's (which are otherwise unsupervised) and assist with other issues that arise.

System stakeholders continue to consider the Intensive Supervision Program for all OWI 3 (and above) offenders as a mandatory bond condition. Defendants are court ordered to report to the OWI ISP program immediately following the bond hearing, with an estimated 95% (or more) of the defendants appearing for services within 48 hours. Participants are required to complete risk assessments, attend case managements sessions (weekly), submit to random drug and alcohol testing (3 times to 14 times per week), participate in program groups and/or treatment, and attend a victim impact panel. Progress reports documenting the risk/need

and program results are prepared for the initial appearance, plea/sentencing hearing, and upon request of the court. Participants are aware that program involvement is a key consideration at the time of sentencing.

In 2011, we will encourage system stakeholders to continue using screening tools when setting bond conditions for multiple OWI's and OAR's, which are OWI related, as we consider this population to be at high risk for repeat drinking/driving behaviors. Portage County completes a risk screening tool (Proxy Screener) for all criminally charged defendants. The Proxy Screener has also been adapted for OWI cases. The Proxy is completed by staff in the District Attorney's office with a follow up OWI Proxy Screener completed by Justice Program staff. The OWI Proxy Screener continues to be evaluated using Portage County cases. An ongoing recidivism study is supporting the validity of the instruments. These tools continue to assist local stakeholders in examining trends related to impaired driving

The Portage County OWI ISP Program works collaboratively with other community agencies and programs. Participants are referred to Portage County Health and Human Services for services including: Driver Safety Plan, mental health assessment, economic support, and employment services. They are also given options to consider for alcohol and drug treatment. Community Action Program (CAP) provides programming for domestic abuse, including victim support services. The Portage County Sheriff's Department provides electronic monitoring with a sobriety for pre-trial cases on a select basis. Justiceworks is a restorative justice agency in Portage County and continues to provide supportive housing options and a new employment/mentoring project (TEAM) for offenders.

Perry Ackeret, Portage County OWI Assessor has been asked for the completion rate for Driver Safety Plans in 2009. That rate will be provided when received. He recognizes the OWI ISP Program and jail policies as influential supports to his efforts. He works with program and jail staff to coordinate the completion of the plan prior to sentence/release to Huber or electronic monitoring. He tracks overall completion rates for the County with the support of the Department of Transportation. He is also informed of new service options and included in discussions regarding changes to program structures.

A continuing increase in participant violations for alcohol and drug use and new OWI arrests is concerning. In discussion with Perry Ackeret and program staff, this may be a coincidence, but also may reflect increased drinking (and driving) due to economic factors. Job loss can lead to financial stress and less daily structure. Changes in legislation may compound these conditions as charges and penalties are increased. Staff is expecting to see an increase in driving while under the influence of drugs, particularly prescription drugs. The average age of the population may lower as detection and enforcement methods improve. The Portage County Alcohol and Drug Coalition is actively working to deter these impacts through public education, compliance monitoring, and recognition of businesses, agencies and individuals modeling positive change. Improving strategies to work with high risk offenders are ongoing. Portage County will be implementing the Driving with Care Curriculum (instead of a Relapse Prevention Program) as this program has greater focus on drinking and driving behavior.

PROGRAM COSTS, SUSTAINABILITY, AND CONCERNS

The Portage County OWI-ISP Program has an annual operating budget of \$128,479, which is partially offset by a grant from the Department of Transportation in the amount of \$28,575. The balance is allocated through the County budget process using general revenue resources. In addition, Portage County provides office space, computer and phone equipment, assessment tools, and security equipment. These costs are part of the overall operating budget for the Portage County Justice Department and support an array of correctional programs. Therefore, these costs are not included in the OWI-ISP budget.

Participants are charged a program fee of \$100.00. Participants paid approximately \$1600 in fees during this year. This represents about half of the fees owed. The agency is allowed to waive fees for cause. Participants who wish to be placed on the Home Detention Program must pay a portion of any outstanding program fees prior to hook up. The wide array of financial obligations faced by pre-trial participants is taken into account in setting and collecting fees. Fees are kept by the contract agency to offset cost increases not fully funded through contract increases. In addition to support financial sustainability over time, it offers staff an additional incentive to collect fees.

The OWI ISP Program is part of the Pre-trial Supervision Program. This program includes intensive supervision for non-OWI related crimes, day report, and assessment services (AIM reports). There is strong local support for these services. We were able to maintain services despite significant funding cuts at the state and local level. . The Portage County Executive, Patty Dreier, included additional resources in the Justice Programs budget to offset program costs should more OWI offenders be referred to our program. Justice Programs was one of the few budgets that actually increased for 2011. Support from the judiciary and other justice system members were very influential in this budget allocation.

Concerns for program operations include possible changes in legislation resulting in increased referrals and possible cuts in program funding (state and local levels). Additional concerns include changes in the delivery of mental health services at the local level. Access to treatment is a critical aspect of effective programming. We stress the value in shared responsibility for meeting the service needs of our community members. Alcohol and drug abuse is a concern that crosses many departments, agencies, and jurisdictions. Collaboration, including the prospect of merging departments and service delivery are among our considerations for 2011.

Portage County continues to appreciate the strong support and interest shown by the Wisconsin Department of Transportation in providing these services and improving the impact of programs.

For more information, contact Kathy King, 715- 346-1342, kingk@co.portage.wi.us.

[Sheboygan County \(2002\)](#)

The Pretrial Intensive Supervision Program (ISP) in Sheboygan County was initiated in June of 2002 and became fully operational in September of 2002, with administration and services provided by Wisconsin Community Services, Inc. (WCS) under the direction of the Sheboygan County Sheriff's Department. WCS also operates Intensive Supervision Programs in Milwaukee, Kenosha, and Waukesha counties. Most, if not all repeat offenders are mandated to participate in the ISP. The Sheboygan ISP staffs one full-time assistant director/caseworker, working in conjunction with one full-time and one part-time caseworker. The program receives an average of 25 to 35 new clients each month and maintains an average active caseload of 120 to 140 clients.

Drunk-driving continues to be a very serious issue throughout the state of Wisconsin, and across the nation. According to the Criminal Justice Information Services Division, there were an estimated 1,440,409 drivers operating while impaired on roadways across the nation. In Wisconsin, there were 38,215 drunk-driving arrests in 2009 and 541 were under the age of 18. In July of 2010, the state of Wisconsin imposed new legislation for drunk-driving, which included increased sanctions, as well as changing specific offenses from civil to criminal (i.e. OWI first with a minor in the vehicle), and a fourth OWI offense became a felony charge if committed within five years of the previous OWI arrest. The 2009 Wisconsin Department of Transportation Crash Facts cited that 542 people were killed on Wisconsin highways alone in 2009, and 44% of these died in alcohol-related crashes. Further, of the 355 drivers who were killed and tested for alcohol concentration, 135 or 38% has an alcohol concentration of .08 or greater.

The seriousness of the problem prompted the Milwaukee Journal Sentinel to conduct an in-depth investigation into the issue, which was published in October of 2008. The data found that an alarming 300 people die each year in drunk-driving crashes in the state of Wisconsin. The Journal's investigation of this issue found that *Wisconsin drivers involved in fatal crashes were significantly more likely to be drunk when compared to drivers across the United States*. The Journal series further quoted that, every year, Wisconsin taxpayers pay \$2.7 billion in alcohol-related police and court costs; incarceration; crash investigation and clean up; lost productivity; academic failures; and premature deaths, according to the Center for Science in the Public Interest.

The Sheboygan Press ran a similar series of articles in 2008, focusing on the issue of drunken driving in Sheboygan County. In that series, the Sheboygan Press listed the Sheboygan ISP as one of the programs that "works".

The Sheboygan County District Attorney's office filed a total of 309 cases on repeat drunk-drivers in 2009. Of this total, 136 were charged with their second OWI offense, 86 were charged with their third OWI offense, 49 were charged with their fourth OWI offense, and 38 were charged with a fifth or subsequent OWI charge. According to the Wisconsin Department of Transportation Crash Facts, in 2009 there were 128 alcohol-related crashes in Sheboygan County, resulting in 6 persons killed and 72 persons injured. The conviction rate for repeat drunk-driving defendants in Sheboygan County was 81% in 2009, with some cases still pending.

Drivers operating under the influence pose a serious threat of injury or death to all who use public roadways. It affects people and families of all races, genders, and socio-economic strata. Drunken driving is a national, state, and local problem.

There are solutions to this problem. Studies show that pretrial supervision programs that include intensive supervision, AODA assessment, and AODA treatment combined with drug testing are an effective means to help people stop driving under the influence, gain insight into their chemical use, and make positive lifestyle changes to significantly reduce the probability that they will be charged and convicted of another OWI.

The benefits of investing in Intensive Supervision Programs to effectively deal with the issue of drunk-driving are many. Enforcement and punishment are not enough on their own and prove to be extremely costly. A presentation to the Wisconsin Joint Legislative Council in May of 2007, titled Justice Alternative for Wisconsin: Reducing the Cost of the Criminal Justice System by Capstone found that OWI and drug related offenses accounted for 60% of the prison growth from 2001 to 2006, and that 83% of prisoners have an AODA treatment need. Further, the approximate cost for one inmate in a minimum security prison in 2006 was \$29,751 per year. Intensive Supervision Programs for repeat drunk-driving offenders work to change behavior long-term, and prove to be extremely cost effective.

Repeat drunk-driving offenders may have unmet needs that, left unattended, are likely to result in non-compliance and lead to further involvement in the criminal justice system. By conducting a thorough risk assessment, specific needs and circumstances are identified and addressed in a service plan. When individuals are under supervision, they are more likely to accept and participate in available programming. With access to services such as AODA treatment, employment and training, and educational opportunities, people are more likely to begin the process of change and to learn new behaviors that enable them to address their alcohol issues.

The Sheboygan ISP proves to be effective in supervising repeat drunk-drivers, and getting them enrolled in programming and/or treatment as soon as possible during the pretrial phase to address their issues with chemical use. This significantly reduces the recidivism rate during supervision and decreases the probability of program participants driving under the influence in the future. The program served a total of 364 repeat OWI offenders pretrial from October 1, 2009 through September 30, 2010, and 71% of participants successfully enrolled in treatment during their involvement with the program. Further, less than 2% were re-arrested for an OWI offense

during supervision, and 56% of participants were discharged from the program as compliant. *A major obstacle for clients in Sheboygan is the limited access to treatment, especially for indigent clients.* **The Sheboygan ISP saved an estimated 1,698 jail days from October 1, 2009 through September 30, 2010. WCS estimates that the four WCS Intensive Supervision Programs saved a combined total of 41,000 jail days during this same time period.**

The Sheboygan ISP works to achieve several goals and objectives while supervising repeat OWI offenders in the pretrial stage. These include: to enroll ISP participants in programming and/or treatment as soon as possible pretrial; to reduce OWI recidivism of ISP participants compared to multiple offenders not in an ISP; ISP participants will attend all court appearances; and ISP participants will not have any new OWI arrests during supervision (excluding bail jumping), which rises to the level of probable cause. Providing intensive monitoring and access to pre-trial treatment is based upon the theory that using early interventions to meet offenders' needs significantly reduces the likelihood of recidivism. The need for supervision in these cases arises from the risks these individuals pose to the community in the form of continuing the pattern of drinking and driving, the likelihood that a significant number of OWI defendants have problems with alcohol or other drugs that requires treatment intervention, and the very high probability that most OWI defendants will plead or be found guilty.

The Sheboygan ISP works to incorporate the following eight key policy requirements within its service delivery:

1. Centralized supervision: Caseworkers are in court every Monday, which is the initial appearance day for the majority of OWI offenders. Second and subsequent offenders are ordered to comply with the program. The ISP case workers meet briefly with the participant to determine a date for the initial evaluation and to set up an office visit schedule. ISP participants are required to report to the WCS office a minimum of two times weekly. Most defendants must report in two times per week; however, supervision is individualized based on defendants' level of risk and needs. In-custody offenders, who make an appearance any day but Monday, are ordered to report to WCS within 24 hours. Staff reviews the Intake Court calendar to determine who was ordered to the ISP program. The Court is notified if a participant fails to appear.

2. Structured program participant monitoring: The Sheboygan ISP follows specific methods of service delivery to effectively and responsibly monitor all ISP participants throughout their period of supervision. All program participants begin their involvement in the ISP with a formal intake/screening process. At this time, they are interviewed to assess their level of risk and needs, oriented to the program, and sign off on program rules/conditions. All program participants are required to pay a program fee based on the state statute 85.53, and all indigent defendants are assessed a program fee of \$50.00. ISP participants must report to WCS for regular, weekly office appointments – initially at least two times per week. Caseworkers are required to submit progress reports on all defendants at each court appearance. These reports detail defendants' compliance with program expectations and progress with treatment. Throughout defendants' involvement in the program, caseworkers must monitor any non-compliance, including re-arrests and report to the Court in a timely manner. The Court may use the information within the reports to take immediate action (in cases of non-compliance), as well as for consideration at sentencing (compliant or non-compliant). ISP program rules are clearly defined and consistently reinforced throughout defendants' period of supervision at WCS, they include: consistent attendance at weekly supervision appointments, paying the program fee, no positive alcohol or drug tests, and enrolling/follow through in treatment.

The Sheboygan ISP develops and coordinates an array of interventions for the repeat offender while s/he is under supervision, including the coordination of an appropriate referral to a designated treatment provider for a clinical alcohol/drug assessment, the provision of individual or group treatment on an outpatient basis, or inpatient and other residential treatment. All caseworkers are required to monitor ISP participants' involvement

and follow through with treatment. All ISP participants are randomly screened for alcohol and drug use every week to monitor their compliance pretrial, as well as to consistently evaluate or review their needs throughout their period of supervision. The Sheboygan ISP also refers high-risk participants to attend Victim Impact Panels – presentations by victims of drunken drivers to allow defendants to hear firsthand about the effects of drunken driving on victims and their families. WCS is an active member of the Victim Impact Panel Steering Committee and assists to coordinate the Tri-County Victim Impact Panel. Caseworkers routinely volunteer to assist in holding the panels.

3. Uniform data collection: The Sheboygan ISP follows the Wisconsin Department of Transportation’s policy regarding uniform data collection on all ISP program participants. The data assists the Sheboygan ISP in measuring progress towards program goals and objectives. The program collects and reports monthly to the DOT and Sheboygan County on the following data: admissions to supervision; discharges from supervision; types of discharges; BAC at admission; participant demographics (age, gender, ethnicity); OWI offense at time of admission; number admitted to treatment; treatment status at time of adjudication; and recidivism during supervision.

4. Monitoring program participants follow through with treatment pretrial: All ISP participants are required to sign a release of information to disclose and receive information from the defendant’s designated treatment provider. This enables caseworkers to effectively monitor participants’ follow through with treatment, as well as share critical information with the treatment providers to ensure the defendants’ needs are being adequately addressed. The Sheboygan ISP works to assess and review program participants’ treatment needs throughout their period of supervision to ensure defendants are receiving the proper level of treatment pretrial, with the ultimate goal of reducing drunken driving recidivism.

5. Random preliminary breath tests, continuous alcohol monitoring and drug screening, as ordered by the Court: All ISP participants are informed of the rules of the program during the initial intake process, including the requirement to submit to random alcohol and drug testing throughout their period of supervision pretrial. Defendants must comply with caseworkers’ requests to screen them at any and all supervision appointments, ensuring their compliance with their conditions of bail and that they are responding appropriately to treatment interventions. This program requirement assists caseworkers in assessing and reviewing ISP participants’ needs during supervision. Caseworkers respond to positive alcohol tests by notifying the Court and the current treatment provider, and will increase the level of supervision for the defendant to ensure the issue is properly addressed. If a participant comes into the office and has a positive breathalyzer test, the new policy is that they wait 20 minutes and then are administered an Intoximeter test. If the test is positive, the participant will be arrested and charged with Bail Jumping. If a participant tests positive more than once, a cash bond is ordered. In 2009, WCS began administering random drug testing as a component of supervision – consistent with the other WCS operated ISPs and the increasing trend of defendants taking prescription medication.

In 2009, the program began utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology on a voluntary basis for high-risk offenders, allowing these defendants to reduce the required number of supervision appointments each week. SCRAM monitoring is also utilized as a sanction for defendants who display a pattern of non-compliance, which will result in a formal request to the Court to order SCRAM. SCRAM technology is a passive system that is testing for alcohol on a pre-determined schedule, 24 hours a day. The instrument measures the participant’s perspiration (TAC) to determine when there is a consumption event. The bracelet also has the ability to identify tamper attempts. The web-based reporting allows for rapid notification if a participant has a drinking episode. Violation Reports including corresponding data obtained from the SCRAM database are sent to the Court, the State’s Attorney, and defense attorney within 24 hours of notification. From October 1, 2009 through September 30, 2010, 30 defendants were placed on SCRAM monitoring, for an estimated total of 1,178 wear days. The average total number of wear days for an individual

client is 39 days, depending on their compliance. Further, three of the 30 or 10% of defendants monitored on SCRAM during this time period tested positive for alcohol use.

The benefits of SCRAM are many, including: continuous alcohol monitoring – increasing offender accountability and enhancing public safety during supervision; scientifically-proven technology to provide evidenced based assessment and detection removing the guess work on the part of case manager with random alcohol testing methods; improved outcomes as defendants understand non-compliance will result in sanctions; and SCRAM is cost effective for the clients and the program – allowing for reduced reporting to the office, which in turn allows the program to effectively manage high caseloads and maximize program resources.

6. Facilitating the completion of an assessment for the Driver Safety Plan Requirement: All defendants are informed that, if convicted, an AODA Driver Safety Plan assessment (DSP) will be ordered. They are encouraged to complete it prior to adjudication. The Sheboygan ISP provides all participants with information on the local assessment agency to assist in coordinating the DSP. All ISP defendants are required to enroll in some type of AODA treatment or education program during supervision and are informed that completing an assessment will ensure a referral to the proper level of treatment.

7. Maintaining formal collaborative efforts, involving key stakeholders: The Sheboygan ISP works closely with the IPID (Interagency Programs for the Intoxicated Driver) Committee, Courts, County officials, and other key stakeholders to enhance and improve the services to repeat drunk-drivers in the ISP program. The collaborative effort also assists to coordinate and monitor ISP program goals and objectives, maintains the buy-in and financial support of Sheboygan County, and addresses any key issues or concerns in relationship to the successful operation of the Sheboygan ISP. The program receives tremendous support from the judicial system and alcohol treatment community. The Courts review non-compliance reports submitted by the program and may review the bail situation if non-compliance continues. WCS provides immediate notification to the Court, defense attorneys, and treatment providers when defendants are non-compliant with the ISP program. This communication strengthens the collaborative effort to encourage ISP participants to make positive changes.

WCS also has a strong working relationship with the Sheboygan County Sheriff's Department. The Sheriff's Department will administer Preliminary Breath Tests for ISP participants who require weekend alcohol testing. The Sheriff's Department, the Sheboygan County District Attorney's office and WCS have collaborated to create a policy and procedure to immediately and effectively provide a strong consequence to deter continued non-compliance with the ISP program. WCS has a collaborative working relationship with Department of Health and Human Services for the Driver Safety Plan assessments, and local treatment providers. WCS also has good working relationships with defense attorneys in Sheboygan County.

WCS plays an active role in facilitating the Tri-County Victim Impact Panels in Sheboygan County, as an active member of the Victim Impact Panel Steering Committee. Sheboygan ISP case managers volunteer to assist at the event. WCS is also a member of the Sheboygan County IPID (Interagency Programs for the Intoxicated Driver) Committee, comprised of various providers throughout the county serving this population, with the mission to ensure that motor vehicle drivers who experience problems with alcohol or other drug use and abuse are identified and that treatment/rehabilitation services are provided for them on a comprehensive and coordinated basis. The specific objective of IPID is the complete integration of services involving the educational process, the interview process, and the evaluation, treatment, driver licensing and follow-up process, so that they complement each other and enhance the total effort toward lasting behavior change.

8. Standardized Risk Assessment tool approved by DOT: The Waukesha County Intensive Supervision Program requested and received funding from the Department of Transportation to hire a researcher to develop a standardized risk tool to classify and effectively supervise repeat drunk-drivers. WCS contracted with Dr. Marie VanNostrand of Luminosity, Inc. for the research, development and validation of this pretrial risk

assessment tool and case classification system for repeat OWI offenders. The Milwaukee, Kenosha, Sheboygan and Waukesha ISPs are providing data to develop a tool that will be utilized statewide as a policy requirement of the DOT. This tool will help determine an offender's level of risk and need and allows for more efficient use of resources with better outcomes. Use of a risk tool allows the appropriate targeting of interventions and services for offenders, e.g. high intensity interventions/services for high risk/high need offenders, and lower intensity interventions/services for lower risk/need offenders.

This tool will be a critical program component, as many of the programs are near or at program capacity, and some have had to limit admission into the program to effectively supervise defendants. The Milwaukee ISP has had to close its doors to new admissions two times in 2008, and on an ongoing basis, must limit admission into the program to aggravated second or greater OWI offenders. The Waukesha ISP limits admissions to out-of-county residents who reside in nine surrounding counties, and in 2007, had to limit admission to second offenders based on specific criteria approved by the Pretrial Subcommittee of the Criminal Justice Collaborating Council.

Two major issues facing the ISPs around the state are funding and the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism. Funding continues to be a major challenge facing the current ISPs around the state of Wisconsin. There are three income sources to the ISPs, including contributions from the DOT, respective counties where the programs are operated, and revenue collected from fees charged to participants receiving the services. Drunk-drivers must pay for their involvement in an ISP, and fees collected are critical to the sustainability of the ISPs in the face of funding reductions. The DOT currently contributes \$731,600 to operate the 12 programs around the state. The DOT provided "start-up" funds to counties for the development and implementation of programs. However, the DOT clearly defines its expectation for counties to come up with plans for self sustainability and has imposed systematic reductions in funding to the programs since 2006. Prior to the second half of 2009, the DOT contributed \$779,600 to all current ISPs. Effective July 1, 2009, the DOT's allocation to these programs was reduced to \$731,600. *Many counties are not in a position to make up for all of the reductions, which may result in reduced services or the loss of programs.* The DOT continues to look at ways to reduce funding to existing ISPs to allow for similar programs to be implemented in new counties. The loss of existing programs with data would likely jeopardize any progress made on the investment in and development of the OWI risk tool.

The ISPs offer the state a huge return on their investment to the programs. A Mid-America Research Institute study revealed that **the recidivism rate for those involved in an ISP was 50% less compared to individuals not involved in an ISP.** The programs provide intervention to drunk-drivers as soon as possible after arrest and charging, involving strict monitoring, alcohol testing, and access to treatment. Second, drunken driving proves to be a statewide issue, as drunk drivers are mobile and often pick up charges outside of the county in which they reside. ISPs provide supervision to individuals who reside in surrounding counties.

Without the ISPs, drunk-driving defendants are released by the Courts on a signature or cash bond, and there is no accountability to ensure these defendants do not continue to drink and drive. And, there is no case management support to ensure these defendants follow through with treatment to promote long-term change and reduce recidivism.

The benefits of the ISPs are many, and include:

- Defendants are informed of the Driver Safety Plan and are referred for an AODA assessment.
- Defendants are required to follow through with their assessment, enroll in treatment and their progress is monitored.
- Defendants are monitored for absolute sobriety with alcohol and drug testing to ensure they do not continue to drink and drive. Several ISPs are utilizing SCRAM (Secure Continuous Remote Alcohol Monitoring) technology to monitor alcohol consumption around the clock, 24 hours each day.

- The program immediately notifies the Courts of noncompliance, including new charges to ensure accountability.
- The program provides a court report on all defendants, prior to every court hearing, updating the Court on the defendants' progress throughout their period of pretrial monitoring.
- Defendants are reminded of all scheduled court hearings to reduce the failure to appear rate.
- The program saves jail days, as sentences are reduced based on program compliance.

Another major challenge facing the Department of Transportation and the Intensive Supervision Programs throughout the state is the lack of follow-up research on the effectiveness of the programs in reducing drunk-driving recidivism among program participants as compared to individuals who did not participate in an Intensive Supervision Program. In 1996, the Mid-America Research Institute completed an independent study of the Milwaukee County Intensive Supervision Program for NHTSA, and the findings indicated that there was a reduction in recidivism by almost 50% compared to the control group. Further, there was a cost savings for the Milwaukee House of Corrections of approximately \$100,000.00. According to the "Wisconsin Alcohol Traffic Facts Book" (1996), alcohol related crashes were reduced by over 20% since the inception of the Milwaukee County Intensive Supervision Program in 1993. Further, alcohol related injuries and fatalities were reduced by over 30%, on average, for the first two years after program inception. To advocate for continued or increased funding to the Intensive Supervision Programs, the Department of Transportation must prove the programs' effectiveness by conducting follow-up research on drunk-driving recidivism.

The state of Wisconsin, including Sheboygan County, has a serious problem with drunken driving, which must continue to be addressed collectively.

For more information, contact Darin Smith, 608-935-0303, Darin.smith@iowacounty.org or Roxanne Hamilton for finance, 608-935-9311 ext. 701.

[Price County \(7/2008\)](#)

Price (2010)

CORE COMPONENTS

1. Centralized supervision – All clients are supervised through one of two case managers at Price County Department of Health and Human Services.
2. Structured program participant monitoring – There is a 4 month long structured program that is evaluated by the treatment team. The program may be modified due to the needs of the individual client including: increased supervision during times of poor compliance; request for assistance with breathalyzer monitoring from other counties, agencies and other states if the person leaves the area on vacation or for their job.
3. Uniform data collection –The standardized report is completed and forwarded to the DOT on a monthly basis.
4. Monitoring program participants' follow through with treatment pretrial - The program is monitored by a case manager through reports of the treatment team, contacts with the client and a monthly report is prepared for the Judge to be discussed at the monthly court meeting with the client and their attorney.
5. Random preliminary breath tests and drug screening, as ordered by court - Random PBTs, drug screens, and saliva testing are completed by case manger request and results are reported to the Judge.
6. Facilitating the completion of an assessment by ISP participants for the Driver Safety Plan Requirement- Assessment is completed at the beginning of the program and assists to direct the level and type of treatment the person may receive above and beyond the standard program.

7. Maintaining formal collaborative efforts, involving key stakeholders - Monthly meetings with are conducted with the coordinating committee.
8. Standardized risk assessment tool approved by DOT - Not available yet at this time.
 - Providing agency for services is Safe Haven Counseling located in Phillips, WI. AODA counselor is Gayle Pierce. A Request for Proposal was put out for local agencies and other agencies in the surrounding area. Safe Haven counseling was able to meet the requirements outlined in the request for proposal and the most cost efficient rate. See the attached request for proposal.
 - Clients are requested to pay \$150 toward the cost of the program and are to pay for their Driver Safety Plan Assessment. The agency pays for: group and individual counseling; the intensive case management. Urine screens and the costs associated with PBT monitoring are used as in-kind match to the program along with costs for the monthly meetings with Judge and DA. Assistance by volunteers for transportation to and from Counseling or court if there is not an alternative funding source, monthly meetings of the coordinating committee and any community outreach/educational meetings to reduce OWI's in the County are also counted as in-kind.
 - So far in 2010 there were 106 convictions for OWI. Of that, 64 were first offense; 14 were second offense; 15 were third offense; 6 were 4th offense; 3 were 5th or 6th offense and 4 were 7th or above offense.
 - Currently there are no other pre trial programs offered in Price County.
 - Currently multiple offenders continue to be a concern in Price County. The ISP is voluntary and the changes in the law effective in July of 2010 which may encourage more individuals to enter into a program such as ours may not have the same impact that it has in other parts of the state. This is due to the number of individuals that are at 200% of the FPL and therefore are exempt from some of the requirements such as installing ignition locks. There is also a significant difference statewide in the Judicial District sentencing guidelines for multiple offenders. Our Judicial District's sentencing guidelines are quite lenient and therefore there is not a strong incentive to elect ISP until the 4th or 5th OWI. Hopefully the stronger sentencing requirements in the law may assist to make this voluntary program more effective in our county.
 - For the 2009- 2010 reporting year there were 42 convictions for multiple offenders. Of those there were: 33 referrals to the program; 10 admissions; 3 discharges completed and two discharges Non-Compliant. Of the 23 that declined the program 11 were out of county, 2 reasons were unknown; 3 were not interested and 7 chose not to enroll at this time believing that they would not benefit by reduced sentence or fines. There were 9 that were convicted and did not respond to any offers for the ISP program.
 - Summary of demographics upon entrance into program including but not limited to gender, age, education level, marital status, and employment status.

The demographics for those (11) who accepted the program are below sorted by offense

Offense	Gender	Marital status	Employed	Education	Race	Hispanic	21 & under	22-30	31-40	41-50	51-60	60 & over
2 nd	M-6 F-0	m-2 s-1 d-3	Ft -3 Pt-2 Other – 1 Unemp- 1	HS grad 3 Some college 2 BS - 1	Cauc 6	N-6		1	2	2		1
3 rd	M-1 F-0	d-1	Unemp-1	11 th grade 1	Cauc 1	N-1		1				
4 th	M-1 F-0	d-1	Unemp-1	Some college 1	Cauc 1	N -1				1		
5 th	M-3 F-0	m-1 s-1 d-1	Unemp-3	HS grad 2 Some college 1	Cauc 3	N-3			1	2		

- Program Cost is \$150.00 fee. There is no comparable program for these individuals if a person would choose to attend counseling the individual cost is \$104/ hour for individual counseling in most cases that is 12 sessions which then the cost would be \$1248.00.
- There is no summary of other charges (other than OWI) and the total number for each type of charge information is unavailable at this time
- The majority of the referrals are from the court system and the DA’s office there have been two referrals from private attorneys and two referrals from other county ISP programs.
- The program is voluntary.
- The driver safety plan is administered by Sanderson AODA services; the OWI assessor for Price County. As an independent contractor Mr. Sanderson assures that he meets all of the DOT standards in providing the Driver Safety Plan Assessments. He does provide a final report in January summarizing the statistics for the Driver safety plans. He is also responsible for monitoring compliance with those plans and keeps the county advised when there is a concern related to non-compliance with the Driver Safety Plan.
- The average length of stay in the program is 4 months this is determined by the treatment team which consists of the case manager, therapist, and client with input from the Judge. Currently the program is

requesting information from those that completed the program to assess their continued progress on their identified goals at 30, 60 and 90 days and monitoring Circuit Court Access records to see if there are any re-offenses that have occurred since completion of the program. To date there has only been one re-offense that the program is aware of although Charges on Circuit Court Access are pending.

- Random Testing is performed by law enforcement as scheduled by case manager and by therapist. This may be done by multiple means including urine or saliva testing and random Preliminary Breath Tests.
- No other required participation, such as a VIP is required in the ISP program, at this time.
- No technology to monitor and record client activity such as a SCRAM is used at this time.
- During this past year we have had two individuals leave the program. One per his own request as he did not want to continue due to the requirement of being sober and one due to lack of participation in the program. The second individual was provided with multiple opportunities to improve his participation in the program and met with the Care Manager, AODA Treatment Provider and the Judge prior to being requested to leave the program.

There is a current participant who has had difficulties in meeting the requirement of the program including the workbooks and managing appointments. The Care manager and Counselor where discussing the ongoing difficulties and meeting frequently to assess what was going on. It was brought to the Coordinating Committee to discuss what options needed to be attempted prior to asking the individual to leave. It was recommended by the Judge that the Care Manger and Counselor identify the cognitive difficulty and then assist with developing a plan that would allow him to participate fully in the program with his cognitive limitations. Since the development of that plan he has been progressing in the program and meeting the requirements.

Violations are addressed in a number of ways including increasing visits with the care manager, increased random PBT or other screening, and increasing meetings with the Judge to assess progress. Individuals have been sent directly to jail for short term stays related to violations such as drinking or missing appointments when other interventions have not been effective.

For violations that may be related to family commitments or employer relations the care manager works with the individual to identify formal or informal supports that may assist with those issues. For example an individual who needed to watch his children during the day when the counseling appointments were available was offered assistance with child care services. Another area of concern for our county is always transportation and the care managers have developed a strong network of volunteers who will assist the individual to get to appointments, meetings etc.

- Best practices are implemented.
- At this time it is too early in our program to identify the key performance measures and savings including Jail days and budget. We have only had 6 graduations effective from the October data.
- Any challenges that the agency faces (funding is always an issue so if you include this provide how/why you recommend any changes allowable within the parameters of statute 85.53) -

Lower than expected initial enrollment

Low enrollment of 2nd offenders –no incentive with District 9’s sentencing guidelines

High number of out-of-county referrals. Those with a program in their county were referred to the program in that county with our court and judge monitoring progress prior to adjudication.

- Key stakeholders include all of the members of our coordinating committee (see below) each of these stakeholders' plays a significant and integral part in the effectiveness of the program's continued success. Meetings are held on a monthly basis at this time to assess the program needs, to continue its development and to assess any recommendations to change the policy and procedures to meet the needs of the consumers that are working through the program.

Committee membership:

ISP Committee (Updated October 2009)

Judge Douglas Fox, Price County Circuit Court

Mark Fuhr, Price County District Attorney

James Lex; Public Defenders office

Scott Straetz, Chief Park Falls Police

Brian Schmidt, Sheriff, Price Co. Sheriff's Department

Dave Sonntag, Chief Phillips Police

Gregg Engfer, Administrator, Counseling and Development Center

Michael Sanderson, AODA counselor, Price County IDP assessor

Toni Singsime; Probation agent Price County Department of Corrections office

Cliff Palmer, Community Volunteer (AA community rep)

Peter Graff, Community Volunteer

Pam Olson, Director, Safe Haven Counseling

Kathy Billek, Supervisor Long Term Support Unit, Price Co Dept of Human Services

Dottie Moffat, Program Manager

Mary Hahn, Director, Price Co Human Services

Patti Janak

Tracie Burkart, Case Manager

Chana Rymarkiewicz, Case Manager

Deb Kronberger-Oswald, Case Manager

- No pictures, brochures, marketing materials, any special awards, recognition, or letters of recommendations indicating outstanding service.

Sawyer County (7/2008)

Sawyer (2010)

The Sawyer County Traffic Offender Program (STOP) began receiving referrals in February of 2009. The STOP program is a branch of the Information and Referral Center (I&R Center) which is part of the Health and Human Services Department of Sawyer County.

The research that has been conducted finds that although the population of Sawyer County represents .3% of Wisconsin's total population, the county ranks 3rd in OWI convictions per capita. Sawyer County comparison studies going as far back as 2006 indicated annual increases in the total number of charged OWI offenses. This continuous increase sparked the interest of the Sawyer County Board of Supervisors to look into programs designed to address this alarming statistic.

Since the inception of the STOP program, there have been 204 OWI cases. Of these cases 159 males and 45 females have been involved with the program with offenses ranging from 3 individuals with a first offense, 91 for a 2nd offense, 46 for a 3rd offense, 34 for a 4th offense, 21 for a 5th offense, 4 for a 6th offense, 3 for a 7th offense, 1 for an 8th offense and 1 for a 10th offense.

STOP was implemented under the direction of the Sawyer County Health and Human Services (SCHHS) Department and has continued to be serviced by the same. The I&R Center is the agency that conducts the Driver Safety Plans for the County and as such was deemed the most appropriate agency to work with OWI pretrial referrals. The STOP program is located at 10610 Main Street, Hayward, WI 54843 in the same building as the Court House and the I&R Center, allowing centralized supervision of the referrals to the STOP program.

Referrals to the STOP program have come from multiple sources. Originally, the founding Judge would order all individuals charged with a 2nd or subsequent OWI to participate as a condition of their bail/bond release. However, as of December of 2009 under the direction of a new Judge, mandatory participation for 2nd offense OWI is not required. The current Circuit Court Judge uses his discretion to determine if an offender should be placed into the STOP level I monitoring program as a mandatory condition of bail. Voluntary participation is highly recommended in all cases. Upon comprehending the concept that participation in the STOP program could have a positive impact on their case, individuals who obtained their OWI offense prior to the start of the program wanted to join. This opened a voluntary participation option for open OWI cases to also enroll in the STOP program. Any person charged with a 2nd or subsequent OWI offense can enroll in the STOP program. If a person is terminated due to a violation in the abstinence agreement of their program participation, they may re-enroll at anytime. No person is ever denied the ability to engage in the STOP program. If there are violations with abstinence, then the level III home monitor is not available at disposition but there could be a sentence reduction. This is left up to the court, DA's office and/or the Defense Attorney to discuss.

At intake an individual is orientated on the rules and regulations of the STOP program and given information on the program and how it may assist them in their current criminal case. Also at intake, an initial urine analysis (UA) is conducted along with a portable breathalyzer test (PBT). As part of participating in the STOP program, random breath tests and urine screenings are conducted to ensure that the person is remaining sober. The STOP program conducts the collaboration of these tests with the I&R Center of the Sawyer County Department of Health and Human Services. Individuals are assigned a color which is generated based on the number of OWI that they are being charged with and/or how many pending OWI's are outstanding.

The STOP program works with the Sawyer County First Step Drug Court program by collaborating with one another in providing the most effective pretrial service. Most of the referrals find themselves with a conviction at the end of their program participation. Working with agencies that provide the services that will most likely be ordered at the time of sentence has resulted in a pretrial approach that has proven to be highly effective.

The STOP program has worked with local coalitions that are in place to address the growing concern with underage drinking as well as motor vehicle deaths due to intoxicated driving. We have seen a tendency for most participants to discontinue their drinking and driving behavior for the mere purpose of not wanting to continue the intense supervision that they are currently engaged in. To date, no successful graduate of the STOP program has reoffended with an additional OWI charge/conviction.

Funding for the STOP program is in part through the ISP grant issued from the DOT as well as through the Sawyer County Department of Health and Human Services. Each client who voluntarily enrolls into the voluntary STOP level II program has an initial fee of \$100 if their charge is a misdemeanor or in the amount of \$200 if a felony. The money collected is put into a general program fund which offsets the cost of monitoring each offender.

Each program participant is scheduled to complete their Drivers Safety Plan (DSP) and is required to pay the fee prior to successful completion. A participant's inability to afford full payment of their DSP, at the time of their appointment, does not prohibit them from completing the DSP assessment. However, full payment must be received in order for a successful completion to occur. A participant who may be experiencing economic hardship may petition the STOP program for a waiver of the required fees in order to participate in the program. These waivers are reviewed and granted on a case by case basis.

An additional requirement of a STOP participant for successful completion is to attend a Victim Impact Panel (VIP). In individual sessions with a STOP case manager, a participant is also encouraged to address areas of identified need such as but not limited to: education, housing, employment and/or relationship counseling. At the conclusion of the program each participant is given a LSI-R risk assessment to determine their level of risk to reoffend.

Currently SCHHS employs one full-time STOP coordinator/caseworker. Through the assistance of the I&R center, two additional counselors have been able to assist in general duties of the STOP programs intensive monitoring outline.

Sawyer County has chosen to implement the STOP program according to levels, which differ by how much of the program the participant chooses to enroll in. When a participant is mandated per their bail/bond conditions to report for monitoring, this is referred to as STOP Level I. If and when a participant then chooses to enroll into the full STOP program, this is referred to as STOP Level II. As of January 1, 2010, STOP Level III was implemented. STOP Level III begins when a participant has successfully completed the STOP Level II program and has been noted as having a low to moderate risk level assessment; thereby qualifying (under the direction of the courts) to serve their sentence on an electronic monitoring bracelet. The STOP program will be supervising offenders eligible for STOP level III on a TAD unit with RF home detention.

STOP Level III has judicial approval and it is hopeful that the opportunity for participants to serve their sentence on an electronic monitoring bracelet will increase STOP Level II even higher. The STOP program uses an electronic monitoring device called the TAD (Transdermal Alcohol Detection) which has RF (Radio Frequency) capabilities to ensure home confinement. In order for a participant to receive the Level III home monitor, they must first be successful in the Level I and II phases of STOP. The sentencing Judge takes into consideration the successful completion (with no positive use) at the time of sentence and may in turn allow the jail term to be stayed and to be served by the participant at home.

The mandate to report to the SCHHS Information and Referral Center (IRC) is initiated by a modified bail/bond indicating to the participant that they are required to report to said agency in order to "set up a procedure with which to be monitored, in conjunction with the bond conditions", which include "no consumption of any alcoholic beverages or illegal drugs." After the participant reports to IRC, they meet with a case manager who provides information regarding the STOP program thereby allowing the participant to make an informed choice about whether or not to participate in the STOP Level II (or full) program. As of December 2009, there have been over 100 referrals to the STOP program through both the courts and private attorneys. The STOP level II program is designed to take no less than 3 months for a participant to complete, however the program is offered as long as the OWI charge remains open in the court system. Individuals have been in the STOP program anywhere from a little over 3 months to 1½ years depending on how long their court case is open and pending.

Subsequent to the initial appointment, if a participant chooses to enroll into STOP Level II they are required to complete the following:

- Maintain weekly contact with a case manager
- AODA assessment

- Attend a victim impact panel
- A relapse prevention program
- Make an appointment to begin work on their Intoxicated Driver Program and follow the recommendations
- Additional activities could also include but are not limited to:
 - Attending self-help meetings (AA, NA, GA, Smart Recovery)
 - Attending specific educational classes offered to STOP participants
 - Specific case by case referrals

These requirements are in addition to the monitoring components of STOP Level I which include:

- Reporting for random alcohol and drug testing
- Attending all court dates and following the orders of the court

The STOP program is designed to save tax dollars in jail costs and help clients address any alcohol abuse problems while out on bail awaiting adjudication for their current OWI offense. STOP is designed to provide early intervention, case management, assessment, random urine and breath-analysis, education, as well as referral and assistance with community service. At present, approximately 43% of the active Sawyer County STOP cases are enrolled in the voluntary STOP Level II program. Sawyer County has seen an approximate reduction of OWI charges of 22% since the inception of the program. Since the implementation of the STOP program, statistics confirm a 50% reduction in the amount of new OWI charges against the same individual while they have an open OWI charge pending.

The STOP coordinator is an active member of the Sawyer County and Lac Courte Oreilles (LCO) Health Department's Strategic Planning and Implementation Work Group for the Prevention of Alcohol Related Motor Crashes, age 16-34 that meets every two months. This community group is comprised of members of the Sawyer County Sheriff's Department, LCO and Hayward City Police Departments, Hayward Area Memorial Hospital, LCO and the Hayward Health and Social Services Departments and Sawyer County Circuit Judge Gerald Wright. This work group's combined focus is to bring both awareness and preventive education to the Sawyer County area on the number of deaths attributed to alcohol related motor vehicle crashes. This has been done through an active radio program involving both public service announcements with high ranking community members such as the judge and the assistant district attorney and appearances on local talk shows. A school awareness program, community town hall meeting, increased compliance checks by the police and an active program on the legal repercussions if parents or adults host minor drinking parties have been the direct result of this collaboration. Currently, a youth oriented based drunken driving program that will be videoed and able to be shown at various organizations and rural community centers is planned. This long term project aims at educating not only youth but parents, too, with some interactive components and an involvement of everyone an offender will come into contact with regarding this type of offense, i.e. insurance company, police, hospital, district attorney, judge, etc.

The hope in implementing the STOP program is to not only assist individuals in reclaiming their lives, but to also enhance public safety and increase public awareness and responsibility.

For more information, contact Daniel D. Cousins, Sr., (715)638-3425, dcousins@sawyerhs.hayward.wi.us

For more information, contact Pete Sanders or Dan Cousins, 715-638-3301, psanders@sawyerhs.hayward.wi.us

Iowa County (1/2009)

Since its inception in January 2009, the Iowa County OWI Pre-Trial Intensive Supervision Program (ISP) has been operated by ATTIC Correctional Services, Inc. (ACS). The ACS Administration Office is located at 601 Atlas Avenue, P.O. Box 7370, Madison, WI. Judge William Dyke and other stakeholders from Iowa County's criminal justice system worked collectively to implement the ISP for defendants charged with OWI 2nd offense and above. ACS was selected as the provider given their knowledge and extensive experience in operating similar programs in other counties dating back to 1994. ACS was the first agency to operate statewide Driver's License Reinstatement Programs (DLRPs) funded via DOT. Counties serviced before that funding was discontinued included La Crosse, Eau Claire, Sauk, Marathon and Dane. ACS has specifically been the provider for Marathon County's ISP since inception 1998 and for the Portage County ISP since inception in 2002. All programs operate in cooperation with the respective County and the Department of Transportation.

Iowa County established a collaborative council, the "Criminal Justice Steering Committee" and criminal justice members along with the County's Administrator and Social Services Director have oversight for the OWI Pre-Trial ISP. The team meets regularly to address program issues and adapt policy and procedures as appropriate.

The ISP provides case management, supervision, education and treatment. ACS collaborates specifically with Unified Community Services and other local providers in servicing the AODA and other needs have referred clients. The ISP is planned to reduce jail bed days and to change participant attitude, knowledge base and behavior related to alcohol abuse and driving while intoxicated which is known to effect recidivism rates. The program recognizes a group of drivers who are not effectively deterred by public awareness and jail/fine sanctions. The offenders continue to drive drunk even after their licenses have been suspended or revoked. The ISP is designed to intervene and monitor the program/treatment services. Offenders are held accountable and monitored to ensure compliance with court ordered conditions, and program requirements. Close collaborations occur on-going among ACS case manager, the Court, jail personnel, community resources, DAs Office, Department of Transportation, local treatment providers, MADD and the State's AIM project. Regular communication occurs with all working together to break the cycle of substance abuse and criminal behavior.

The Iowa County OWI Pre-Trial ISP is designed on evidence based best practices to reduce jail bed days, reduce offender risk and recidivism, thus making a long term contribution to public safety. In following the guiding best practice principles, the ISP conducts appropriate offender screen/assessments, enhances motivation through appropriate use of sanctions and rewards, targets intervention to criminogenic needs, provides correctional case management and group services premised on cognitive behavioral intervention and engages the support of the community.

During the first six months of operation, ACS and Iowa County worked together to create a program brochure and program fact sheet which are used to market the program, educate the community and answer questions for prospective participants. Further ISP development and implementation included county board and Sheriff Department presentations; presentations for local civic groups and discussions with other community service agencies. A 20 hour per week Program Coordinator/Case Manager was retained during this time period expanding to a full-time position July 1, 2009. The first six months of operations focused heavily on the development of policies, procedures, creating the foundation for communication among the court, ACS case manager and other involved agencies.

Funding for the Iowa County ISP comes from the Department of Transportation and County. Currently, Iowa County pays 50% and DOT pays 50% of the operating budget. Program participants are assessed a onetime entrance fee of \$40.00, which is applied towards operations. No offender is rejected for inability to pay this onetime fee.

In 2007, Iowa County had over 200 arrests for operating under the influence, and over 170 AODA assessments are completed by the County's provider (Unified Community Services) each year. In 2008, Iowa County had 262 arrests for operation under the influence and in Year 2009, 221 arrests for operation under the influence. In 2006, Iowa County had 40 OWI (second) convictions, 26 OWI (third convictions) 22 OWI (fourth) convictions and 7 OWI (5+) convictions. In 2008, Iowa County had 124 OWI (1st) convictions, 50 OWI (2nd) convictions, 14 OWI (3rd) convictions, 9 OWI (4th) convictions and 6 OWI (5+) convictions. In November 2009, a snapshot of the Iowa County Jail population revealed that 33 % of the beds housed OWI cases and that 7 Huber beds housed inmates with OWI convictions. In June of 2008, a snapshot of the Iowa County Jail population revealed that 50% of the beds housed OWI cases and all 14 Huber beds housed inmates with OWI convictions. In 2007 the Iowa County Jail had 221 OWI bookings. In 2008 the Iowa County Jail had 343 OWI bookings. In 2009 the Iowa County Jail had 309 OWI bookings.

During these challenging economic times, funding for ISPs poses many challenges. The State and counties alike are facing budget cuts. There are limitations being posed by the lack of effective financing, which is a disincentive and deterrent to long range planning and operation of quality programs. Statewide planning needs to focus on sustainability efforts for the Intensive Supervision Programs. Strategic planning may also involve increased training to Sheriff Department personnel and other involved agencies to gain a greater understanding of program operations, outcome objectives and the need for these services and outcomes objectives.

Program Eligibility standards include having more than one OWI conviction; must be charged in Iowa County (although courtesy ISP services may be available for a neighboring county case) and no current charges for violent offenses. Referrals include repeat OWI offenders who enter the ISP on a voluntary basis. Conditions of Bond require prospective participants to meet with the ACS case manager within five days to discuss enrollment to the program. Prospective participants are encouraged to discuss the program with their defense counsel. Upon receiving a referral, the ACS case manager starts a participant preliminary file and begins the background check process, obtaining the defendant's driving record and license status, and pending charge information. The ACS case manager immediately notifies the DA's Office if a defendant is a no-show for this initial face to face session. In no-show situations, the case is referred back to the DA's Office to connect with defense counsel and court to decide action to be taken. Enrollment involves an initial face to face session during which initial intake, screen and assessment processes are completed. ACS maintains participant files in a secure and confidential manner according to agency policy and procedures and state/federal laws. The Iowa County OWI Pre-Trial ISP can service 36-54 participants per 12 month period. However, due to the need for extended project implementation time in 2009, the project's first enrollment occurred in April. Between April 2009 and November 30, 2009 (an 8 month period) the project did enroll 28 participants.

At the initial case management session, the following occurs: the participant completes a risk/need assessment utilizing the Level of Service Case Management Inventory (LS-CMI) assessment tool which researches the offender's background, education, employment, chemical use, family circumstances, financial status, treatment and associated issues; the participant also completes an alcohol and drug screening (using a symptoms checklist) and the University of Rhode Island Change Assessment Scale (URICA) which measures stages of change (a second URICA test is administered in month three); the ACS case manager orients the participant to the program and completes all intake paperwork and requires the offender to sign release of information forms, and a Case Plan which outlines the participant's responsibilities. The Case Plan is developed using court records, collateral contact information, assessment results and the AIM recommendations report. The signed Case Plan indicates that the participant has agreed to abide by all program rules and understands program expectations and requirements. The ISP works cooperatively with the State's AIM project whereby offender assessment data is submitted to the State and an AIM recommendation report is produced. The AIM Project's eventual objective is to use the data collected to analyze against information obtained from CCAP and the Department of Corrections to provide regional/State recidivism data. ACS does collect participant demographic

information at intake and discharge. In addition, a review of entry LS-CMI scores indicates that over 35% of enrollees fall into a moderate range of risk/need.

Participants in the ISP agree to abide by the following rules and requirements: 1) Participant agrees to not engage in criminal behavior and agrees not to drive illegally; 2) Failure to appear for scheduled court appearances may result in revocation or release and a bench warrant may be issued; 3) Participant must maintain scheduled case management session appointments at the office and participate in groups provided; 4) Participant will actively cooperate with and participate in the program to which referred and must be in; 5) Participant will abstain from the use of alcohol and drugs and agrees to submit to random urine and breathalyzer testing; 6) Participant must have authorization to travel outside of the jurisdiction; 7) Participant agrees to pay assessed fees; and 8) Participant agrees to be actively engaged in AODA services and follow through with recommendations made within Driver's Safety Plan.

Participants provide an initial entrance UA/BA and are assigned to Day Report Services for continued random testing. Three panel UA screens are used at a minimum and each participant at a minimum receives one UA per month and a BA at each Day Report check-in. Also, various situations may present cause for additional testing. Day Report services are a component of the Iowa County OWI Pre-Trial ISP. The Day Report services are provided by trained day report technicians who staff the Day Report service area, 8 hours per week, in the lower level of the Iowa County Sheriff's Department. When implemented, participants from the Iowa County OWI Post-Adjudicated Program will also utilize the Day Report services. Day Report provides an added layer of accountability to monitoring offenders. The component in addition to conducting check-ins, lasting 5 to 15 minutes with alcohol and drug testing, consists of the following: enrollment, service plan/reporting schedule development with the referral source, client file maintenance, attendance documentation, record UA/BA results, and notification to referral source of positive tests and missed appointments. To increase accountability, a color code system has been implemented to requiring random reporting days for clients. With the color code system the offender is unable to predict the days he /she will be required to report in.

During case management sessions, participant case plans are reviewed, modified as necessary, progress noted and the participant's current situation and needs addressed. The ACS case manager does maintain contact with resources providing driver's safety plan and treatment intervention services. ACS conducts 4 (one hour) groups per week (two AODA educational/relapse prevention groups and two Cognitive Interventions groups addressing thinking and behavior patterns leading to drinking and driving). The ISP group services ensure the availability of a minimum level of programming/intervention services to participants waiting for AODA assessment and treatment placement. Participants are also required to attend Victim Impact Panels arranged for two to three times per year. ACS works with MADD to hosts the Panels in Iowa County.

The ACS case manager prepares participant progress reports, maintains up to date client files, and completes discharge summaries. A participant is positively discharged if he/she complies with program requirements and conditions of bond and is discharged upon sentencing. From the time of the first participant admitted to the program (April 2009) through September 30, 2009, a total of 9 participants were discharged (4 unsuccessfully discharged, 4 successfully discharged, and 1 "other" category as this participant voluntarily decided not to participate within a few days of enrollment. Only 1 of the 4 unsuccessful discharges constituted a rearrested situation. The other 3 unsuccessful discharges were for failure to abide by program requirements (i.e. use of alcohol or drugs). The Iowa County DA's office determines jail bed days saved by the ISP. The jail bed days saved is computed per successful discharge. To date, through October 30, 2010 total jail bed days saved is 2,490 days. Using \$55.00 per day as the cost of a jail bed, the project has saved \$ 139,950.00 based on the 39 successfully discharged participants.

From October 1, 2009 through September 30, 2010, a total of 40 participants were discharged: 8 unsuccessfully discharged, 31 successfully discharged, and 1 “other” category as this participant made a plea agreement with the district attorney prior to sentencing. Only 1 of the 8 unsuccessful discharges constituted a rearrested situation. The other 7 unsuccessful discharges were for failure to abide by program requirements (i.e. use of alcohol or drugs).

ACS collects participant data that at a minimum includes demographic information, date of enrollment, positive/negative discharges, date of discharge, length of stay, # of UA/BAs, group attendance, LS-CMI scores, fees collected, jail days saved, total number served, admissions by OWI offense (2nd, 3rd, 4th), and case load numbers. Iowa County is provided with monthly reports detailing program activities. To date the average length of stay in the ISP is 124 days. The length of stay is computed by adding the total number of days in the program for each offender successfully discharged and dividing this total by the number of successfully discharged participants.

Demographics at intake from first admission in April 2009 through October 30, 2010, revealed the following:

- a) Number enrolled to the program - 75
- b) Marital status at time of enrollment: never married – 37 (49%), married – 14 (19%), separated – 2 (3%), divorced – 20 (27%), widowed – 2 (3%)
- c) Gender: male – 57 (76%), female – 18 (24%)
- d) Employment: employed – 55 (73%), unemployed – 20 (27%)
- e) Education level: 10 – 3 (4%), 11 – 8 (11%), 11.9 – 1 (1%) 12 – 36 (48%), 14 – 22 (29%), 16 – 4 (5%), 18 – 1 (1%)
- f) age: 18-21 – 1 (1%), 22-25 – 11 (15%), 26-29 – 16 (21%), 30-35 – 14 (19%), 36-39 – 7 (9%), 40-45 – 10 (13%), 46-49 – 11 (15%), 50-55 – 4 (5%), 55+ - 1 (1%)

We are pleased to report that as of October 2010, OWI Pre Trial Aftercare Services will be available for offenders who wish to voluntarily receive Aftercare Services upon successful discharge from OWI Pre-Trial Services which occurs at time of sentencing. Aftercare Services, funded by Iowa County, consists of jail and community groups and individual case management sessions for participants.

For more information, contact Darin Smith, 608-935-9311 ext. 701, Darin.smith@iowacounty.org or Roxanne Hamilton (Finance), 608-935-0303

[Washburn County \(1/2009\)](#)

Intensive Supervision Program Annual Report Washburn County Intoxicated Driver Intervention Program (IDIP)

Submitted 12/3/2010 by William Weaver
Washburn County Justice Programs Coordinator

Since its formal beginning in January of 2009, the Washburn County Intoxicated Driver Intervention Program (IDIP) has functioned with the Washburn County Criminal Justice Coordinator serving as the entry point with follow-up referral for case management to SOAR Counseling Services of Shell Lake with AODA and Mental Health Counselor Lori Henderson-Olson providing the supervision and counseling. The Washburn County IDIP Intensive Supervision Program was begun to promote public safety, reduce recidivism, and decrease the use of jail beds by including the incentive of electronic monitoring in lieu of jail if the participant is making significant progress in IDIP at time of conviction and sentencing. Washburn County continues to experience a high per capita of OWI arrests, as do other locales in rural and urban Wisconsin. The number of offenders

convicted of OWI 2nd through 5+ has only minimally decreased in Washburn County over the years despite media campaigns on federal and state level, as well as educational efforts in schools, and subsequent consequences in the legal system. Public safety is jeopardized as well as the financial and emotional security of the offender's family. A study of fatal accidents, alcohol related, between 2003 and 2007 placed Washburn County third in the state of Wisconsin. The related statistic was 1.7 fatal accidents per 100,000 per capita. In Washburn County as in many Counties there is often a 4 to 6 month length of time between initial court appearances and eventual convictions on OWI cases. This handicaps the recovery process for many problem drinkers. There is evidence that early intervention when there is a crisis situation is most effective. The Washburn County Intoxicated Driver Intervention program is designed to begin this process of early intervention.

The convictions for OWI 2nd through 5+ in Washburn County from 2003 to 2009 were as follows and demonstrate consistent numbers, but there is a positive trend towards decline from 2005 to 2009.

Year	2 nd through 5+ convictions
2003	62
2004	67
2005	75
2006	49
2007	60
2008	52
2009	49

This year, 2010, indicates a continued level at approximately the 2009 levels. There have been 47 OWI cases but 18 of these cases are still "open" as of November 30th. In table 1 are numbers of OWI cases in each category in 2008. Twelve of these individuals were involved in a pre-trial IDIP formulated process-to test the possibility of adopting the program. Only one of these has since reoffended, now 18 months later.

Table 1

Year	OWI 2 nd	OWI 3 rd	OWI 4 th	OWI 5 th +	Totals
2008	22	13	11	6	52

In table 2 are 2009 and current 2010 numbers. In 2009, 34 participants were referred to the formalized IDIP in Washburn County out of a total of 49 OWI cases. In 2010 through December 1st, 31 new participants have been involved with IDIP with some carryover from 2009. The numbers of participants remains consistent. The approximate 71% referral rate reflects the facts only OWI cases that do not have a more serious case pending are eligible. There are also individuals who have declined to participate.

Table 2

Year and status re: referral	OWI 2 nd	OWI 3 rd	OWI 4 th	OWI 5 th +	Totals
2009-Referred to IDIP	13	12	5	4	34
referred in 2009 completed in 2010	4	7	0	5	16
2010 Total OWI cases	22	15	3	4	44
2010 Referred to IDIP	18	9	2	4	31
2010 Referred cases still open	5	5	1	1	12

In the Washburn County IDIP, the entry into the program is voluntary. Referrals come from the Circuit Court, District Attorney, defense counsel, and possible self referral after reviewing the brochure available. Each IDIP participant is required to meet with the case manager, schedule an Drivers Safety Plan Assessment and begin other programming as recommended in that assessment. The eligibility follows an OWI 2nd and above. The participant's progress is monitored and reported upon at each status conference by the IDIP case manager and the Criminal Justice Coordinator.

A related OWI problem has been the low percentage of OWI convicted offenders obtaining the Drivers Safety Plan. In fact, a random review of 20 of these individuals revealed, (prior to the IDIP beginning), indicated only 25% with OWI cases of 2 through 5 obtained a Drivers Safety Plan Assessment (DSP). A goal has been to increase that percentage dramatically. This percentage has increased to 87.5% in 2009 with the initiation of the full IDIP. Individuals in 2010 that have now completed IDIP have completed the IDIP at a 90% level.

Community Counseling Services of Chippewa Falls is conducting the DSP's for Washburn County. The results are obtained and utilized for case planning during the IDIP period. There is a requirement in the IDIP rules to obtain the DSP during a specified time. A huge challenge has been the requirement for DSP costs to be paid in advance of the assessment. Poverty is a very real issue in this economy and rural, less populated areas.

Another assessment utilized during IDIP is the Michigan Alcohol Screening Test. This is administered at initial contact with the case manager and provides a benchmark for identifying dependent drinkers and those individuals who are in denial of their dependency issues.

The IDIP program goals were to reduce by at least 66% those offenders who go from OWI 2nd on to 3rd and 66% of those who would have gone from OWI 3rd to 4th. It is too early to determine the success of IDIP in decreasing this recidivism. However, OWI offenders who have completed IDIP in 2009 and have re-offended by an OWI since that time remains at zero so far. As indicated above, a small sample from 2008 has identified only one OWI re-offense.

The average time from entering the program to sentencing is 3.3 months with a range from one month to eight months. This time frame is dependent on the ongoing programming needs of the participant, and whether there are motions filed.

Demographics have remained consistent at about 85% male participants, nearly equal numbers divorced, married, or single. Age is quite varied, nearly equal numbers in the categories (21-24, 25-29, 30-34, 35-44, 45-54, >55. However it appears the 45 to 54 age group has a slightly higher referral rate.

The Washburn County program was initiated with a WI DOT grant, coverage of 75% of the program cost. The typical progress from 50% - 50% match and now 25% to 75% match has taken place. The budget has been kept as low as possible, approximating \$12,000 for each funding period. From this the case manager is paid, travel budget and phone budget for the case manager, and miscellaneous. A modest fee of \$75 is collected from each participant with the view the DSP needs to be paid in advance and obtained as soon as possible.

Financially, the program has had a positive impact on the Washburn County budget. One incentive offered participants occurs at sentencing. If the program objectives have been met, and other qualifications in place, home detention through electronic monitoring (types used are voice recognition and ViCap) is made available. The number of jail bed days saved in 2009 totaled 1499 and thus far in 2010 has totaled 1804. At a conservative total of \$50 per bed day that total saved is \$165,150. Other financial considerations to the program are the Justice Program Coordinator's salary. The Coordinator is paid by Washburn County, and IDIP is one of four programs administered through that position. Time is divided among Drug and Alcohol Court, Electronic

monitoring of case types other than OWI, the electronic monitoring of post conviction IDIP participants, and community service. The position is 60% and is showing to be a beneficial expenditure for Washburn County. The objectives of IDIP at origin were as follows and indications from data thus far indicate positives in all areas of concern.

- A. Reduction of OWI arrests by lowering recidivism. Measurable via arrest records and comparing the records with future records of participants who have completed the program.
- B. Compliance with bond requirements imposed after OWI arrests. Measureable by percentage of participants violating bond while in program.
- C. Increased likelihood of participants beginning a recovery process. Measureable by percentage of participants obtaining Driver Safety Plan and as well as starting/and or completing the recommendations within that assessment.
- D. Costs savings within the justice system. Measurable by comparison of jail bed days saved by reduced recidivism as well as by the reduced sentencing, and alternatives to straight jail term earned by efforts while on the IDIP.

Specifics of the program are similar to ISP's throughout Wisconsin. Included below is a copy of the summary of the Washburn County IDIP.

Other documents created for the program are an explanatory brochure for possible participants and the public in general, rules, listings for the case manager, and coordinator to track individuals and record data and so on.

Washburn County Intoxicated Drivers Intervention Program

Introduction: ISPs (Intensive Supervision Programs) or IDIPs (Intoxicated Driver Intervention Programs) are pretrial programs designed to connect the repeat OWI offender with assessment and treatment as soon as possible. The Washburn County Criminal Justice Coordination Council has developed and endorsed an IDIP in Washburn County.

Goal of Program: The concept was introduced to Wisconsin in 1993 with startup funding made available via a federal section 410 Alcohol Incentive Grant. Since that time the Wisconsin Legislature has recognized the great promise shown in reducing OWI recidivism by the development of these programs in twelve Counties. The outcomes have statistically shown to decrease re-arrest for OWI, and have a longer elapsed time between a repeat OWI. This equates to enhanced public safety, improvement in the lives of the habitual OWI offender and their families, and lessened costs of law enforcement, prosecution, and incarceration.

Admission to Program: The IDIP program is designed to begin after initial court appearance for those eligible participants. It is a voluntary program. All individuals who are charged with a second or subsequent OWI in Washburn County are encouraged to schedule an IDIP intake interview 10 days from their initial appearance. Appointments for this interview are made by contacting: Lori H. Olson / IDIP Case Manager at 715 468-2841. A contact person is also Bill Weaver / Washburn County Justice Programs Coordinator at 715-520-7684

Eligibility:

- Persons with more than one OWI arrest and entering a plea in Washburn County.
- Persons without more serious pending cases.
- Persons who would be open to changing alcohol/drug behaviors.
- Persons who are able and available to complete program requirements.

Incentives to Participate:

- To be provided privilege of a home detention monitoring program as the location of detention rather than jail. In the case of OWI 2nd offense and above a sanction requiring detention is mandatory.
- Possible reduction in fines.
- To increase personal growth.
- To change unwanted behaviors.
- To gain a support system.

Participant's Responsibility:

- Remain alcohol and drug free throughout the program.
- Be available for contacts by case manager
- Pay a \$75 fee.
- Cooperate with any random breath tests or drug screens performed by law enforcement, case manager or coordinator
- Sign consent forms for the release of information to/from other agencies, persons.
- Complete an AODA assessment so that a Drivers Safety Plan (DSP) can be developed.
- Follow recommendations for treatment per the DSP and complete these treatment recommendations prior to sentencing if possible.

The IDIP is part of the Washburn County Criminal Justice plan, consequently there are updates bi-monthly by the Justice Program Coordinator to the Criminal Justice Coordination Council. The makeup of the council currently consists of the Washburn County Circuit Court Judge, Washburn County District Attorney, Washburn County Sheriff, Washburn County AODA Coordinator, the area supervisor for the WI Depart of Corrections, two members of the Washburn County Board of Supervisors, and citizen representation.

There will be challenges to sustain the IDIP program. The County Board will need to be aware of the benefits and continue funding of the Criminal Justice Coordinator position. The Coordinator's budget will need to include the necessary funding for case management. However, the data collected via the program thus far should be convincing that there are benefits in many areas of concern; public safety, rehabilitation efforts, benefits to family units, decreased cost and time for law enforcement and courts due to lower recidivism, and the cost savings of jail bed days.

For more information, contact Bill Weaver, 715-468-4734, wweaver@co.washburn.wi.us

Data Point Comparisons

In order to garner a better understanding of the diverse counties in which the Wisconsin's 12 ISPs operate, this section compares the 14 ISP counties with each other and with the state total. The 12 ISPs include those that have started, ended, or continued during the federal fiscal year cycle, from 10/01/09 to 09/30/10. 2009 data are presented, in Table 2. For each county with an active ISP, this section summarizes the square miles encompassed, resident population, and number of licensed drivers, vehicle miles of travel (VMT), alcohol availability, alcohol-related crashes, OWI arrests, OWI citations, and adjudicated outcomes for OWI citations. As in the previous section, the ISPs are displayed in order of inception date. Residents of Forest, Vilas and Oneida Counties are served by one program, so data for these three counties are shown as a single entry, if the data is available. If a particular data item for Forest, Vilas and Oneida County ISP or the Price County ISP is unavailable, it will be conveyed by "n/a" in the cell, and will not be counted in the totals or percentages for that table.

Licensed Drivers The number of persons and licensed drivers residing in a county may be correlated to the number of alcohol-related traffic crashes and OWI caseload. Wisconsin has more than 5.6 million residents and over 4 million licensed drivers. Approximately 35% of the state's licensed drivers reside in counties served by ISPs.

Vehicle Miles of Travel The travel volume is a measure of exposure that may help explain the total number of alcohol-related traffic crashes and OWI caseload. Wisconsin public roadways carried more than 58 billion vehicle miles of travel (VMT) in 2009. Over 35% of the state's total VMT occurred in the ISP counties.

Alcohol Availability The availability of alcohol may be a contributing factor to a county's total number of alcohol-related traffic crashes and OWI caseload. Nine of the ISP counties (Forest/Vilas/Oneida, Marathon, Portage, Iowa, Price, Sawyer, and Washburn) had fewer residents per liquor license than the 2009 state average of 320. Slightly less than thirty-seven percent of all liquor licenses issued in Wisconsin were held in the ISP counties.

Alcohol-Related Traffic Crashes Some repeat OWI offenders are arrested as a result of their involvement in traffic crashes. Generally, on the whole, the counties served by ISPs have a ratio of alcohol-related crashes that is below the state average. The preceding statement did not hold true this past year, given five of the ISP counties have ratios that are the same or below the state average, whereas nine have ratios that are above the state average.

Drinking Drivers Involved in Crashes Of the more than 181,574 drivers involved in crashes during 2009, over 3.5% had been drinking. The rate of crashed drivers who had been drinking in the counties served by ISPs is lower, at 3.0%. However, the average hides the great range among the individual counties. The rates range from 2.2% in Milwaukee County to 11.2% in Forest County.

OWI Arrests Most OWI arrests do not result from traffic crashes. Most of them result from a motorist being stopped by a law enforcement officer who has reasonable suspicion that a traffic offense has been committed. Markedly different patterns of OWI arrests are demonstrated among the ISP counties.

Table 2: Descriptive data for ISP counties and state

Counties	Square Miles ¹	2009 Population Estimate ²	2009 Population per Square Mile	2009 Licensed Drivers ³	2009 Vehicle Miles of Travel ⁴	2009 Population Per Liquor License ⁵	2009 Liquor License Per Square Mile	2009 Alcohol Related Crashes as a Portion of Total	2009 Drinking Drivers Involved in Crashes ⁶	2009 OWI Convictions ⁷
Milwaukee	242	931,830	3,851	556,683	7,173	453	8.5	4.3%	832	3,989
Kenosha	273	162,243	594	114,434	1,499	413	1.4	7.5%	269	768
Marathon	1,545	136,376	88	96,460	1,556	320	0.3	5.6%	151	859
Waukesha	556	383,190	689	296,824	4,194	537	1.3	5.0%	333	2,236
F / V / O (Ended 12/31/09)	3,012	73,001	24	54,813	880	127	0.1	8.0%	123	567
Racine	333	196,380	590	135,424	1,663	422	1.4	7.3%	263	939
Portage	806	70,785	88	48,435	829	301	0.3	5.5%	76	350
Sheboygan	514	117,566	229	82,274	984	324	0.7	6.0%	129	636
Iowa	763	24,351	32	17,861	393	232	0.1	7.9%	33	163
Price	1,253	16,173	13	11,601	169	143	0.1	8.0%	15	67
Sawyer	1,256	17,846	14	12,589	201	88	0.2	8.4%	23	170
Washburn	810	17,798	22	12,982	254	168	0.1	6.7%	20	98
ISP Counties	9,684	2,147,539	189	1,440,380	19,795	329	0.7	5.4%	2,267	10,842
Wisconsin	54,310	5,690,579	105	4,085,833	58,157	320	0.3	5.8%	7,252	33,653

Adjudicated OWI Cases⁷ OWI arrests lead to formal action by a prosecuting attorney and a judge. Thirty-two percent of OWI cases adjudicated during 2009 were in counties served by ISPs.

OWI Case Outcomes Ninety-two percent of the 38,152 OWI cases adjudicated statewide in 2008 resulted in a guilty plea or verdict. Five of the ISP counties exceeded the statewide OWI conviction rate.

OWI Convictions by Repeat Offender Status One out of three (31.5%) of the 2009 OWI convictions in Wisconsin were by repeat offenders. The statewide repeat offender rate was exceeded in seven of the ISP counties.

Resident Drivers by Repeat OWI Offender Status As of January 1, 2009, 592,424 Wisconsin drivers had at least one prior OWI conviction on their driving record (dating from January 1, 1990 for persons with one or two prior OWI convictions and from January 1, 1989 for drivers with three or more prior convictions)⁸. Most of these drivers (447,832) had only one prior OWI conviction and would become

¹ Square miles reported by the U.S. Census Bureau.

² Population estimates from the Wisconsin Department of Administration's Demographic Services Center.

³ This is the number of licensed drivers as counted by the Wisconsin Department of Transportation's Division of Motor Vehicles.

⁴ This is the number of Million vehicle miles of travel as estimated by the Wisconsin Department of Transportation's Bureau of Transportation Modeling and Information Unit.

⁵ The Wisconsin Department of Revenue assembles counts of liquor licenses issued by municipalities.

⁶ The Wisconsin Department of Transportation's Division of Motor Vehicles maintains motor vehicle crash information.

⁷ The Wisconsin Department of Transportation's Division of Motor Vehicles maintains OWI conviction data.

⁸ Wisconsin Department of Transportation driver history records on prior OWI convictions only go back to January 1, 1989, for purposes of "lifetime" record keeping.

⁹ The Wisconsin Department of Transportation's Division of Motor Vehicles OWI conviction data as of October 1, 2009.

repeat offenders on their next conviction. The remaining drivers (144,592) were already repeat offenders. The resident driver population with one or more prior OWI convictions on record in five of the ISP counties exceeded the statewide repeat OWI offender rate.

Table 3: OWI citations and convictions

Counties	2008 Adjudicated OWI Citations ⁸	2008 Portion of Adjudicated OWI Citations Found Guilty ⁸	2008 Resident Drivers with One or More Prior OWI Convictions ⁹	2008 Portion of Convictions to Repeat Offenders
Milwaukee	3,895	93.7%	13.1%	30.8%
Kenosha	893	87.3%	14.8%	25.9%
Marathon	940	95.0%	12.3%	44.0%
Waukesha	2,452	93.3%	10.6%	37.6%
Forest /Vilas/Oneida	630	90.0%	15.0%	42.0%
Racine	985	91.9%	13.2%	33.6%
Portage	352	97.2%	12.2%	42.8%
Sheboygan	836	91.6%	13.7%	39.3%
Iowa	234	84.2%	12.7%	38.9%
Price	89	84.3%	12.4%	47.8%
Sawyer	185	96.8%	20.0%	40.9%
Washburn	134	85.1%	13.0%	38.3%
ISP Counties	11,625	92.5%	12.8%	30.9%
Wisconsin	36,446	92.1%	14.5%	39.1%

Demographic Profile of Intensive Supervision Program Participants

For a better understanding of the populations served by Wisconsin’s 12 ISPs, this section compares and contrasts the ISP counties with each other. For each county with an active ISP, this section describes the most recent fiscal year’s program participants by age, gender, education, and marital status. The administrators of the separate ISPs have supplied the data counts in this section for FY09-10. As in the previous section, the ISPs are displayed in order of inception date. Residents of Forest, Vilas and Oneida Counties are served by one program, so data for these three counties are shown as a single entry.

Please note that the Forest/Vilas/Oneida and Price Intensive Supervisor Programs do not have demographic profile information available for their two months of participation during the federal fiscal year running from 10/01/09-09/30/10.

Age These counts are of OWI defendants who participated in ISPs by age at the time that the offender made his or her initial court appearance. Fifty-seven (56.9%) percent of ISP participants are between the ages of 25 and 44.

Table 4: ISP participants by age

Counties	< 20	21-24	25-29	30-34	35-44	45-54	>55	Unknown
Milwaukee	0.3%	6.9%	12.2%	15.7%	27.2%	26.1%	11.7%	0.0%
Kenosha	1.1%	11.9%	15.6%	15.6%	26.3%	20.6%	8.9%	0.0%
Marathon	0.0%	19.2%	19.2%	12.1%	14.0%	23.0%	12.5%	0.0%
Waukesha	0.8%	11.0%	23.7%	17.6%	19.4%	20.5%	7.0%	0.0%
Forest /Vilas /Oneida	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Racine	1.5%	10.0%	17.2%	17.5%	25.6%	20.7%	7.5%	0.0%
Portage	7.1%	7.1%	21.4%	12.5%	19.6%	26.8%	1.8%	3.6%
Sheboygan	1.9%	13.5%	17.6%	14.8%	23.1%	20.6%	8.5%	0.0%
Iowa	0.0%	15.6%	20.3%	20.3%	21.9%	20.3%	1.6%	0.0%
Price	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	9.9%	90.1%
Sawyer	0.0%	14.8%	19.8%	9.9%	22.2%	17.3%	4.9%	11.1%
Washburn	4.3%	26.1%	17.4%	21.7%	0.0%	17.4%	13.0%	0.0%
All ISP Participants	1.0%	11.2%	18.3%	16.1%	22.5%	21.7%	8.6%	0.6%

Gender Over eighty percent of all drivers convicted of OWI in 2002 were male. This pattern is still being repeated in the statewide and ISP client populations through federal fiscal year 2010.

Table 5: ISP participants by gender

Counties	Male	Female	% Male
Milwaukee	620	108	85.2%
Kenosha	337	100	77.1%
Marathon	217	48	81.9%
Waukesha	911	239	79.2%
Forest /Vilas /Oneida	n/a	n/a	n/a
Racine	503	107	82.5%
Portage	39	17	69.6%
Sheboygan	295	69	81.0%
Iowa	48	16	75.0%
Price	11	0	100.0%
Sawyer	60	21	74.1%
Washburn	40	6	87.0%
All ISP Participants	3,081	731	80.8%

Education Of the ISP clients for whom highest education level was known, most had a minimum of a high school diploma. Only one-quarter had pursued a course of study after high school, and approximately 15% lacked a high school diploma or its equivalent.

Table 6: ISP participants by highest educational achievement

Counties	Less than High School	High School Graduate	General Equivalency Degree	Some College or Tech School	College Graduate	Unknown
Milwaukee	16.6%	36.8%	15.0%	30.8%	0.0%	0.8%
Kenosha	13.5%	42.1%	10.3%	19.7%	0.0%	14.4%
Marathon	12.8%	50.9%	4.9%	30.2%	1.1%	0.0%
Waukesha	15.3%	51.0%	2.1%	28.5%	0.0%	3.0%
Forest /Vilas /Oneida	n/a	n/a	n/a	n/a	n/a	n/a
Racine	17.5%	45.7%	4.3%	23.3%	9.0%	0.2%
Portage	16.1%	42.9%	10.7%	25.0%	1.8%	3.6%
Sheboygan	13.2%	51.4%	10.7%	24.7%	0.0%	0.0%
Iowa	17.2%	46.9%	0.0%	31.3%	4.7%	0.0%
Price	9.1%	45.5%	0.0%	36.4%	9.1%	0.0%
Sawyer	11.1%	28.4%	6.2%	22.2%	2.5%	29.6%
Washburn	17.4%	41.3%	6.5%	19.6%	6.5%	8.7%
All ISP Participants	15.3%	45.7%	7.1%	26.6%	1.8%	3.5%

Marital Status More than 80% of the ISP clients for whom marital status is known, were not currently married.

Table 7: ISP participants by marital status

Counties	Divorced	Never Married	Married	Widowed	Separated	Unknown
Milwaukee	23.6%	55.5%	20.1%	0.0%	0.0%	0.8%
Kenosha	24.0%	41.9%	13.7%	1.6%	4.1%	14.6%
Marathon	21.9%	55.1%	16.6%	2.6%	3.8%	0.0%
Waukesha	16.1%	59.9%	19.3%	0.2%	1.5%	3.0%
Forest /Vilas /Oneida	n/a	n/a	n/a	n/a	n/a	n/a
Racine	18.0%	54.6%	18.0%	1.0%	8.4%	0.0%
Portage	23.2%	41.1%	21.4%	3.6%	1.8%	8.9%
Sheboygan	23.1%	53.8%	17.6%	0.0%	5.5%	0.0%
Iowa	29.7%	48.4%	17.2%	3.1%	1.6%	0.0%
Price	54.5%	0.0%	27.3%	0.0%	0.0%	18.2%
Sawyer	23.5%	48.1%	6.2%	1.2%	2.5%	18.5%
Washburn	26.1%	41.3%	32.6%	0.0%	0.0%	0.0%
All ISP Participants	20.5%	54.1%	18.2%	0.7%	3.1%	3.3%

Recidivism by Intensive Supervision Program Participants

Under Wisconsin Statutes 85.53(4)(a), the Wisconsin Department of Transportation is required to provide information to the legislature that addresses five questions, as follows:

Question #1: How many individuals were arrested for a second or subsequent offense of operating while intoxicated?

Currently there is no statewide data source that tabulates arrests for second and subsequent OWI offenses. The OWI arrest data available for analysis is limited to:

- Office of Justice Assistance arrest data, provides the number of OWI arrests reported to the agency by local law enforcement agencies, but does not indicate whether the person arrested, if convicted, would be a repeat offender. Counts for ISP-served counties are displayed in Table 2.
- WisDOT Driver Record File information, provides the number of OWI convictions on record since January 1, 1989 for each driver, but does not record prior OWI arrests that resulted in a dismissal, amendment, or finding of not guilty.

Question #2: How many individuals completed a local pretrial intoxicated driver intervention program?

See Table 8: ISP participation status, October 2010 (end of FY09-10).

Question #3: What percent of individuals who commenced a program successfully completed their program?

Table 8 summarizes the status of ISP participants and the program completion rates for the 12 ISPs in October 2010 (end of FY09-10) as reported to the Wisconsin Department of Transportation. Several programs showed improved success rates this year, compared to prior years, including Milwaukee, Kenosha, Marathon, Waukesha, Portage, Iowa, and Sawyer counties.

Table 8: ISP participation status, October 2010 (end of FY09-10)

Counties	Participants	Participant Status			Completion %	
		Dropped Out or Non-Compliant	In Progress	Completed	Successful	Unsuccessful
Milwaukee	728	87	172	469	84.4%	15.6%
Kenosha	437	54	169	214	79.9%	20.1%
Marathon (a) ⁹	240	24	60	156	86.7%	13.3%
Marathon (b) ⁹	25	3	2	20	87.0%	13.0%
Waukesha	1,150	152	343	655	81.2%	18.8%
Forest/Vilas/Oneida	n/a	n/a	n/a	n/a	n/a	n/a
Racine	610	64	197	349	84.5%	15.5%
Portage	112	8	47	57	87.7%	12.3%
Sheboygan	364	116	101	147	55.9%	44.1%
Iowa	54	9	14	31	77.5%	22.5%
Price	11	2	6	3	60.0%	40.0%
Sawyer	47	14	19	14	50.00%	50.00%
Washburn	46	6	7	33	84.62%	15.38%
All ISP-Served Counties	3,824	539	1,137	2,148	79.94%	20.06%

Question #4: How many individuals who, after completing a program, are re-arrested for a third or subsequent offense of operating while intoxicated?

⁹ Marathon County serves repeat OWI, OAR and OAS offenders. (a) = OWI clients; (b) = OAR/OAS clients.

For long-term analysis of OWI recidivism rates, Wisconsin Department of Transportation staff identified 199 drivers who successfully completed an ISP after being arrested for a second or subsequent OWI offense in July-December 1998 in the four counties that had active ISPs at that time.

Table 9a summarizes the OWI re-arrest experience of these drivers. The definition of *re-arrested* in this context simply means the cohort has been again convicted of OWI or a related offense after being in the ISP, since they already have had multiple OWI arrests to qualify for ISP admission. As of October 1, 2010, 45% had been re-arrested (and convicted) of OWI; 18% had been re-arrested (and convicted) twice. Fifteen individuals had been re-arrested (and convicted) three times.

Table 9a: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 1998 Who Completed an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Milwaukee	128	55	43%	1,730	18	14%	1,476
Kenosha	39	18	46%	1,423	8	21%	1,326
Eau Claire	18	8	44%	1,257	4	22%	1,048
Marathon ¹¹	14	9	64%	1,134	5	36%	1,338
Four Program Total	199	90	45%	1,567	35	18%	1,373

Table 9b summarizes the OWI re-arrest experience of drivers who successfully completed an ISP after being arrested for a second or subsequent OWI offense in April-December 1999 in Waukesha County. [It is necessary to have separate tables due to the different time frames referenced.] As of October 1, 2010, 46% had been re-arrested (and convicted) of OWI, and 15% had been re-arrested (and convicted) twice. Five individuals had been re-arrested (and convicted) three times.

Table 9b: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in April-December 1999 Who Completed an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Waukesha	211	97	46%	1,534	32	15%	1,514

Table 9c summarizes the OWI re-arrest experience of drivers who successfully completed an ISP after being arrested for a second or subsequent OWI offense in July-December 2000 in Chippewa, Forest/Vilas/Oneida counties. As of October 1, 2010, 48% had been re-arrested (and convicted) of OWI, and 12% had been re-arrested (and convicted) twice. Zero individuals had been re-arrested (and convicted) three times.

Table 9c: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 2000 Who Completed an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Chippewa	14	7	50%	994	3	21%	2,012
Forest / Vilas / Oneida	11	5	45%	1,208	0	0%	0
Two Program Total	25	12	48%	1,083	3	12%	2,012

Table 9d summarizes the OWI re-arrest experience of drivers who successfully completed an ISP after being arrested for a second or subsequent OWI offense in August-December 2000 in Racine County. As of October

¹⁰ Recidivism for this analysis means re-arrested and convicted of a third or subsequent OWI or related offense by October 1, 2009.

¹¹ Marathon County served repeat OWI, OAR and OAS offenders. Only OWI offenders were included in this group.

1, 2010, 38% had been re-arrested (and convicted) of OWI, and 15% had been re-arrested (and convicted) twice. Four individuals had been re-arrested (and convicted) three times.

Table 9d: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in August-December 2000 Who Completed an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Racine	73	28	38%	1,330	11	15%	1,119

Table 9e summarizes the OWI re-arrest experience of drivers who successfully completed an ISP after being arrested for a second or subsequent OWI offense in July-December 2002 in Portage, Sheboygan and Trempealeau counties. As of October 1, 2010, 33% had been re-arrested (and convicted) of OWI, and 9% had been re-arrested (and convicted) twice. One individual has been re-arrested (and convicted) three times.

Table 9e: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 2002 Who Completed an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Portage	19	5	26%	1,384	1	5%	102
Sheboygan	28	12	43%	553	5	18%	397
Trempealeau	23	6	26%	1,346	0	0%	0
Three Program Total	70	23	33%	941	6	9%	348

Question #5: How many individuals eligible to participate in a program, who did not complete a program and who, after becoming eligible to participate in the program, are arrested for a 3rd or subsequent offense of operating while intoxicated?

Wisconsin Department of Transportation staff identified a group of 219 drivers who were arrested for a second or subsequent OWI offense in July-December 1998 in the four counties that had active ISPs at that time, but who did NOT participate in an ISP. Their reasons for non-participation are unknown, but most likely these individuals simply did not meet the eligibility criteria defined by each county’s ISP providers.

Table 10a summarizes the OWI re-arrest experience of these drivers. The definition of *re-arrested* in this context simply means the cohort has been arrested again after being in the ISP since they already have had multiple OWI arrests to qualify for ISP admission. As of October 1, 2010, 48% had been re-arrested (and convicted) of OWI, and 17% had been re-arrested (and convicted) twice. Nine individuals had been re-arrested (and convicted) three times.

Table 10a: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 1998 Who Did NOT Participate in an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Milwaukee	118	51	43%	876	14	12%	919
Kenosha	24	12	50%	1,654	5	21%	547
Eau Claire	38	20	53%	1,213	11	29%	777
Marathon	36	21	58%	1,439	7	19%	1,284
Four County Total	216	104	48%	1,506	37	17%	1,441

Waukesha County’s ISP is mandatory for repeat OWI offenders, so there is no control group to compare the April-December cohort shown in Table 9b.

Table 10c summarizes the OWI re-arrest experience of 11 drivers who were arrested for a second or subsequent OWI offense in July-December 2000 in Forest, Vilas and Oneida counties, but who did NOT participate in an ISP. As of October 1, 2010, 64% had been re-arrested (and convicted) of OWI, and three persons, constituting 27% had more than one OWI re-arrest (and conviction). Chippewa County did not have an adequate sample group to form a comparison group.

Table 10c: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 2000 Who Did NOT Participate in an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Forest / Vilas / Oneida	11	7	64%	470	3	27%	393

Racine County’s ISP is mandatory for repeat OWI offenders, so there is no control group to compare the August-December 2000 cohort shown in Table 9d.

Table 10e summarizes the OWI re-arrest experience of 15 drivers who were arrested for a second or subsequent OWI offense in July-December 2002 in Trempealeau County who did NOT participate in an ISP. As of October 1, 2010, 27% had been re-arrested (and convicted) of OWI, and no one had more than one OWI re-arrest (and conviction). Portage and Sheboygan Counties did not have control groups for inclusion in Table 10e.

Table 10e: Recidivism Rates for Repeat OWI Offenders Who Had OWI Violations in July-December 2002 Who Did NOT Participate in an ISP¹⁰

	Number in Cohort	Re-arrested Once for OWI			Re-arrested Twice for OWI		
		Number	Percent	Average Days to First Re-arrest	Number	Percent	Average Days to Second Re-arrest
Trempealeau	15	4	27%	552	0	0%	0

A comparison of the recidivism data in Tables 9a, 9c, 9e, 10a, 10c and 10e reveals the following:

- Repeat OWI offenders who successfully completed an ISP were less likely to be re-arrested for OWI than repeat offenders who did not participate in an ISP.
- Repeat OWI offenders who successfully completed an ISP and were re-arrested once for OWI had a longer average elapsed time (from their previous OWI arrest) than repeat offenders who did not participate in an ISP.
- Repeat OWI offenders who successfully completed an ISP were less likely to be re-arrested more than once for OWI than repeat offenders who did not participate.

Other Community Benefits of Intensive Supervision Programs

ISPs could alleviate pressure on county jails. In most counties with ISPs, those arrested for OWI can reduce their jail sentences by successfully completing the program. This reduces overcrowding among the jail population at the county level. Tables 9a through 9e, shows drivers arrested for multiple OWI offenses who complete ISPs tend to not re-offend. When the behavior can be changed to keep the person from re-offending, the number of repeat offenders (at fifth offense or greater) serving time in a state prison could be reduced.

Such scenarios are multi-factorial, and systems to track and count the jail days saved are not universally in place. Most ISPs are not able to reliably estimate jail days saved by the operation of their program. Two of the providers, Wisconsin Community Services and Chippewa Counseling Services do estimate jail days saved, as shown in Table 11.

Table 11: Jail days saved

<u>County</u>	<u>Jail Days Saved in Fiscal Year 2010</u>
Milwaukee	-
Kenosha	12,926
Marathon	12,364
Waukesha	24,529
Forest/Vilas/Oneida	-
Racine	18,104
Portage	830
Sheboygan	1,698
Iowa	2,490 (4/1/09-9/30/10)
Price	-
Sawyer	-
Washburn	1,499 (2009)

Conclusion

Penalties such as fines, license sanctions and incarceration have been used to deter persons from repeatedly drinking and operating motor vehicles while intoxicated. These punishments have had some success but, as demonstrated by the periodic presence of some of the same impaired drivers on our roadways, have not been completely effective. Public programs that incorporate education and rehabilitation components may improve the situation.

Wisconsin's Intensive Supervision Program for offenders who have been arrested for their second or subsequent OWI is one such program. Thirteen Wisconsin counties have individualized this program's broad supervisory and educational approach.

Communities have strengthened their internal operations and raised their client completion rates each year, as their programs have matured and as program administrators have benefited from consultation with peers.

Overall, OWI offenders who have successfully completed an ISP have been less likely than non-participants to be re-arrested for subsequent OWI violations. Those who have been re-arrested went significantly longer between arrests than non-participants.

Appendix I.

Percentage of OWI Related Convictions by Violation Number divided by Total Convictions.

3-YEAR AVERAGE (2006-2008) PERCENTAGE-OWI RELATED CONVICTIONS BY VIOLATION COUNTY AND REPEAT OFFENDER STATUS																
Year	County	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	Total	% Convictions to Repeat Offenders
2006-2008	Forest	52.2%	27.5%	9.6%	6.8%	2.4%	1.2%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	84	47.8%
2006-2008	Iowa	56.4%	23.6%	9.9%	6.2%	2.3%	1.3%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	199	43.6%
2006-2008	Kenosha	67.2%	20.2%	7.6%	3.3%	1.5%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1,016	32.8%
2006-2008	Marathon	55.6%	24.2%	10.6%	5.4%	2.9%	0.8%	0.3%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	1,053	44.4%
2006-2008	Milwaukee	66.7%	19.0%	8.9%	3.4%	1.3%	0.6%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	3,757	33.3%
2006-2008	Oneida	58.3%	22.6%	9.9%	5.7%	2.1%	0.8%	0.5%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	395	41.7%
2006-2008	Portage	59.8%	23.1%	9.9%	4.3%	1.7%	0.6%	0.5%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	452	40.2%
2006-2008	Price	50.5%	23.1%	14.1%	6.0%	3.3%	1.5%	1.2%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	111	49.5%
2006-2008	Racine	63.1%	21.5%	8.7%	4.3%	1.6%	0.6%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1,137	36.9%
2006-2008	Sawyer	54.0%	22.9%	12.8%	5.4%	2.6%	1.7%	0.3%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	192	46.0%
2006-2008	Sheboygan	58.0%	24.0%	10.9%	4.3%	2.0%	0.5%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	890	42.0%
2006-2008	Vilas	53.4%	21.9%	12.7%	6.3%	4.0%	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	223	46.6%
2006-2008	Washburn	57.6%	22.1%	12.7%	4.2%	3.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	134	42.4%
2006-2008	Waukesha	61.8%	23.1%	8.8%	4.1%	1.5%	0.5%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2,937	38.2%
2006-2008	Forest/Oneida/Vilas	56.0%	22.9%	10.7%	6.0%	2.8%	1.1%	0.3%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	701	44.0%
2006-2008	Total ISP Counties	62.3%	21.6%	9.3%	4.1%	1.7%	0.6%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	12,579	37.7%
2006-2008	All WI Counties	59.5%	22.4%	10.1%	4.7%	2.1%	0.8%	0.3%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	39,130	40.5%

Note: This table counts instances where a driver was convicted of having a prohibited alcohol content, operating while intoxicated, causing great bodily harm while intoxicated, or committing homicide, while intoxicated. These are convictions, not drivers, though drivers may have garnered more than one OWI conviction during the past year. Convictions that drivers garnered in other states and convictions where the county, driver's age, or gender were unknown are not included in this table. A violation may have occurred in a prior year, but its adjudication occurred during the years 2006-2008.

2009 PERCENTAGE-OWI RELATED CONVICTIONS BY VIOLATION COUNTY AND REPEAT OFFENDER STATUS

Year	County	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	Total	% Convictions to Repeat Offenders
2009	Forest	66.7%	18.2%	9.1%	3.0%	0.0%	3.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33	33.3%
2009	Iowa	66.9%	17.2%	8.0%	3.1%	2.5%	1.8%	0.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	163	33.1%
2009	Kenosha	77.0%	14.8%	4.7%	1.8%	1.0%	0.4%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	768	23.0%
2009	Marathon	65.7%	19.4%	8.4%	3.4%	1.7%	1.0%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	859	34.3%
2009	Milwaukee	76.2%	14.2%	5.7%	2.3%	0.9%	0.5%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	3,989	23.8%
2009	Oneida	58.6%	23.9%	7.8%	6.1%	1.4%	1.4%	0.6%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	360	41.4%
2009	Portage	72.9%	16.3%	6.6%	2.6%	0.9%	0.6%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	350	27.1%
2009	Price	65.7%	19.4%	11.9%	0.0%	0.0%	0.0%	1.5%	0.0%	1.5%	0.0%	0.0%	0.0%	0.0%	67	34.3%
2009	Racine	76.5%	15.1%	5.1%	1.6%	1.3%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	939	23.5%
2009	Sawyer	67.6%	17.6%	9.4%	4.1%	0.6%	0.0%	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	0.0%	170	32.4%
2009	Sheboygan	64.2%	21.2%	8.3%	3.9%	1.7%	0.3%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	636	35.8%
2009	Vilas	61.5%	20.1%	9.8%	4.6%	3.4%	0.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	174	38.5%
2009	Washburn	71.4%	13.3%	7.1%	3.1%	3.1%	2.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	98	28.6%
2009	Waukesha	67.3%	20.2%	7.7%	2.6%	1.4%	0.5%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2,236	32.7%
2009	Forest/Oneida/Vilas	60.0%	22.4%	8.5%	5.5%	1.9%	1.2%	0.4%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	567	40.0%
2009	Total ISP Counties	71.3%	17.2%	6.7%	2.6%	1.3%	0.6%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	10,842	28.5%
2009	All WI Counties	68.5%	18.5%	7.4%	3.4%	1.3%	0.6%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	33,653	31.5%

Note: This table counts instances where a driver was convicted of having a prohibited alcohol content, operating while intoxicated, causing great bodily harm while intoxicated, or committing homicide, while intoxicated. These are convictions, not drivers, though drivers may have garnered more than one OWI conviction during the past year. Convictions that drivers garnered in other states and convictions where the county was unknown or if the drivers age or gender was unknown are not included in this table. The violation may have occurred in a prior year. These convictions were adjudicated in 2009 and entered into the driver record file by early July, 2010.

CHANGE IN PERCENTAGES BETWEEN 2006-2008 Average and 2009 OF PERCENTAGE-OWI RELATED CONVICTIONS BY VIOLATION COUNTY AND REPEAT OFFENDER STATUS

County	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	Total	% Δ Convictions to Repeat Offenders
Forest	14.5%	-9.3%	-0.5%	-3.7%	-2.4%	1.8%	-0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-51	-14.5%
Iowa	10.4%	-6.4%	-1.9%	-3.1%	0.1%	0.5%	0.6%	0.0%	0.0%	-0.2%	0.0%	0.0%	0.0%	-36	-10.4%
Kenosha	9.7%	-5.4%	-3.0%	-1.5%	-0.4%	0.3%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-248	-9.7%
Marathon	10.0%	-4.8%	-2.2%	-2.0%	-1.2%	0.2%	0.1%	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	-194	-10.0%
Milwaukee	9.5%	-4.8%	-3.1%	-1.1%	-0.4%	0.0%	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	232	-9.5%
Oneida	0.3%	1.3%	-2.1%	0.5%	-0.7%	0.6%	0.0%	-0.2%	-0.1%	0.0%	0.3%	0.0%	0.0%	-35	-0.3%
Portage	13.1%	-6.8%	-3.3%	-1.7%	-0.8%	0.0%	-0.2%	-0.1%	-0.1%	0.0%	0.0%	0.0%	0.0%	-102	-13.1%
Price	15.2%	-3.7%	-2.2%	-6.0%	-3.3%	-1.5%	0.3%	-0.3%	1.5%	0.0%	0.0%	0.0%	0.0%	-44	-15.2%
Racine	13.4%	-6.4%	-3.6%	-2.7%	-0.3%	-0.4%	-0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	-198	-13.4%
Sawyer	13.7%	-5.3%	-3.4%	-1.3%	-2.0%	-1.7%	-0.3%	-0.2%	0.0%	0.6%	0.0%	0.0%	0.0%	-22	-13.7%
Sheboygan	6.2%	-2.8%	-2.6%	-0.3%	-0.3%	-0.2%	0.1%	-0.1%	-0.1%	0.0%	0.0%	0.0%	0.0%	-254	-6.2%
Vilas	8.1%	-1.7%	-3.0%	-1.7%	-0.6%	-1.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-49	-8.1%
Washburn	13.9%	-8.8%	-5.5%	-1.2%	0.1%	2.0%	-0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-36	-13.9%
Waukesha	5.5%	-2.9%	-1.0%	-1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-701	-5.5%
Forest/Oneida/Vilas	3.9%	-0.5%	-2.3%	-0.5%	-0.8%	0.1%	0.0%	-0.1%	0.0%	0.0%	0.2%	0.0%	0.0%	-134	-3.9%
Total ISP Counties	9.0%	-4.4%	-2.7%	-1.5%	-0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-1,737	-9.3%
All WI Counties	9.0%	-3.9%	-2.8%	-1.3%	-0.8%	-0.2%	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-5,477	-9.0%