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Executive Summary

Annual 2007 Evaluation Report for the Treatment Alternatives and Diversion (TAD) Program

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For
The Wisconsin Office of Justice Assistance
The Wisconsin Department of Corrections
The Wisconsin Department of Health and Family Services

In 2005, Wisconsin Act 25 (SECTION 90m. 16.964) authorized grants to counties to enable them to establish and operate diversion, deferred prosecution programs and other alternatives to prosecution and incarceration for non-violent criminal offenders who abuse alcohol or other drugs. The **Treatment Alternatives and Diversion (TAD) Program** is a collaborative effort among the Wisconsin Office of Justice Assistance, the Wisconsin Department of Health and Family Services, and the Wisconsin Department of Corrections. The evaluation is being conducted by the University of Wisconsin Population Health Institute.

The TAD program was successfully implemented at seven sites in Wisconsin during 2007. The program models include adult drug courts, diversion/deferred prosecution, and a combination of approaches. All of the sites provide non-violent offenders with a multi-disciplinary assessment, substance abuse treatment (or referral), supportive and educational services, case management, offender monitoring, and drug testing. All of the sites have established local oversight committees, submitted required quarterly reports, and worked collaboratively with the evaluator to provide monthly data on program admissions.

Table 1 provides a brief overview of the seven TAD sites and their level of compliance with the primary required benchmarks. After a January 1, 2007 funding start, all of the programs were operational by July 2007.

Table 1: Overview of TAD Program Implementation							
	Burnett	Washburn	Dane	Milwaukee	Rock	Washington	Wood
Model	Drug Court	Drug Court	Multiple Approach	Pre-Trial Diversion	Multiple Approach	Diversion and ATR	Drug Court
Funding level	\$149,935		\$163,725	\$375,000	\$156,814	\$130,950	\$147,025
Date of First Admission	January 2007	February 2007	July 2007	March 2007	April 2007	March 2007	January 2007
Program Fee	\$750	\$750	\$150	\$50	\$100 + \$10/week	WI Uniform Fee System	\$300
Annual Capacity	8-10	8-10	20-25	800	110	40	40-50
# of 2007 Admissions	14	8	16	385	61	64	29
Active	86%	100%	56%	55%	61%	42%	72%
Completed	14%	0%	0%	22%	0%	38%	21%
Terminated	0%	0%	44%	23%	29%	20%	7%
Pending Admission	0%	0%	0%	0%	8%	0%	0%
Oversight Committee	✓	✓	✓	✓	✓	✓	✓
Quarterly Reports Submitted	✓	✓	✓	✓	✓	✓	✓
Participant Data Submitted	✓	✓	✓	✓	✓	✓	✓

Characteristics of Program Admissions

All TAD sites submitted participant-level data on a monthly basis utilizing a Microsoft Access database designed specifically for TAD which captures characteristics of participants at program admission and discharge. According to the data submitted by the seven sites, a total of 577 offenders were admitted to TAD programs in 2007. Overall, 47 percent of TAD discharges successfully completed the programs. Roughly three-quarters of these admissions were males with an average age of 28 years. Approximately one-half of the participants were Caucasian, and nearly three-quarters were living with their parents or other relatives at the time of admission. Forty 40 percent had less than a high school education. Thirty-two percent were employed either full-time or part-time at the time of admission. Sixty-six percent of TAD admissions were charged with drug possession, manufacture, and/or delivery, and seven percent were charged with OWI. Forty-six percent of TAD admissions were dependent on marijuana, 17 percent were dependent on alcohol, 17 percent were dependent on cocaine, and the others were dependent or abusive of a variety of other substances.

Overall, the 245 offenders discharged from TAD during 2007 had an average length of stay of 140 days (3 ½ months) in TAD programs. TAD graduates/completers received program services for an average of 184 days, ranging from an average of 145 days in Washington County to an average of 396 days in Wood County. Terminations spent an average of 100 days in the programs prior to discharge, ranging from 63 days in Dane County to 444 days in Wood County.

All of the TAD participants discharged in 2007 received case management services, and 55 percent received outpatient treatment, 25 percent participated in support groups, 32 percent received employment assistance, and 23 percent received education support services.

Criminal Justice System Involvement

Eight percent of TAD discharges spent time in jail while participating in the program (Table 2). Those who were incarcerated in jail spent an average of one day in jail and averaged 62 days from program admission to first jail admission. Three percent were charged with new offenses while in TAD.

Table 2: Jail Days and New Charges While In Program of TAD 2007 Discharges				
	Percent admitted to jail while in program	Average days from admission to first jail entry	Average days in jail in program	Percent with new charges while in program
Burnett	0%	NA	0	0%
Washburn	NA (no discharges)	NA (no discharges)	NA (no discharges)	NA (no discharges)
Dane	43	71 days	11 days	57
Milwaukee	1	80 days	1 day	1
Rock	53	45 days	2 days	16
Washington	6	79 days	1 day	0
Wood	12	24 days	4 days	0
Overall	8%	62 days	1 day	3%

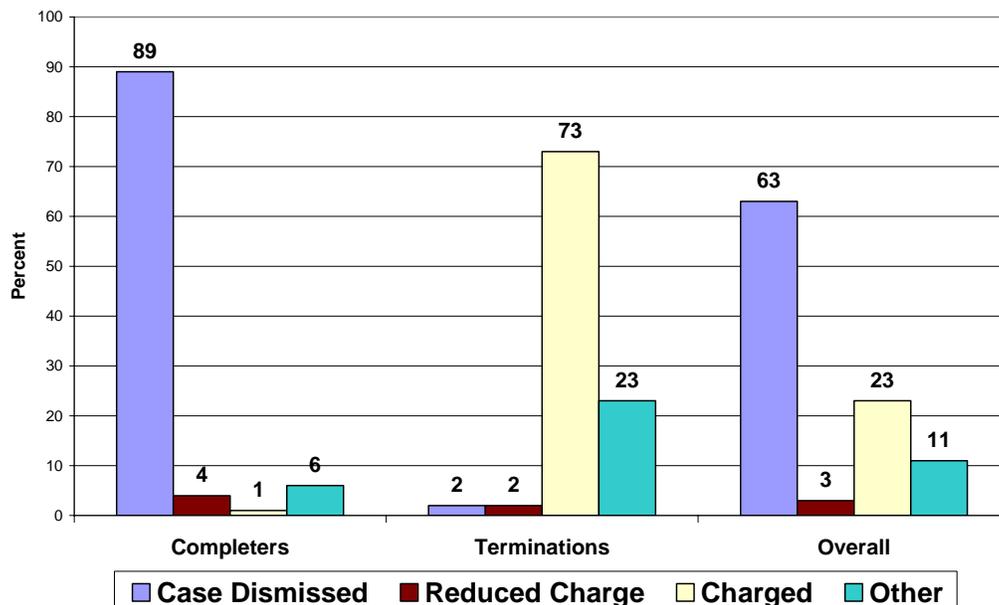
Table 3 shows the estimated impact of TAD on reduced sentence and incarceration days avoided for those discharged. Of the 153 offenders for whom data was available, 11 percent had their sentence reduced due to participation in TAD. According to the estimates provided by each TAD site, an average of 104 incarceration days were avoided per discharged offender through participation in TAD with an estimated total of 15,960 incarceration days saved.

Table 3: Incarceration Days Avoided Due to TAD Participation In 2007				
			Incarceration Days Avoided *days avoided estimated by sites	
	Sample Size	Percent With Reduced Sentence Due to TAD	Average # of Days	Total Overall Days to Date
Burnett	2	100%	45 days	90 days
Washburn	0	NA	NA	NA
Dane	6	14	0	0
Milwaukee	83	0	121	10,095
Rock	19	0	0	0
Washington	34	46	10	325
Wood	9	78	605	5,450
OVERALL	153	11%	104	15,960

Sentence and Intermediate Case Outcomes

Figure 1 illustrates the case outcomes separately for program completers and terminations. Offenders who complete TAD are significantly more likely to have their cases dismissed than those who are terminated from TAD. Eighty-nine percent of the completers had their cases dismissed, compared to just two percent of the program terminations. An additional three percent of discharges had their charges reduced. Only one percent of the completers were charged, compared to 73 percent of the terminations.

Figure 1: Case Outcome By Reason For Discharge



TAD sites were required to provide information on the intermediate outcomes of all program discharges. Analyses revealed that nearly 40 percent of discharges were employed either full-time or part-time at the time of discharge. Nineteen percent of the discharges were currently involved in some type of educational programming at the time of discharge. The majority of those discharged were either living independently or with parents/other relatives. Examination of the intermediate discharge outcome measures *by program completion status* (completion vs. termination) showed that TAD completers were significantly more likely to be employed full-time at discharge, to have participated in vocational or college classes, and to be living independently. Completers were also more likely to be in compliance with probation requirements and to be rated as emotionally stable.

Description of TAD Impact On Local Systems

In addition to impacting individual participants, the TAD programs also impacted local criminal justice, court, and service systems. The sites provided examples in their quarterly reports to OJA of their efforts to enhance coordination and collaboration among local partners:

- TAD funds have been used to enhance substance abuse treatment, case management, and monitoring of offenders;
- TAD programs have enhanced offender screening and assessment procedures to improve treatment planning and documentation of participant characteristics;
- Milwaukee TAD has created the ability to identify and screen offenders earlier, resulting in increased opportunities for diversion/deferred prosecution;
- The Milwaukee public defender's office has designated three attorneys to handle diversion/deferred prosecution cases and a single court has been designated to hear all misdemeanor deferred prosecution agreement cases;
- TAD has encouraged collaboration among the courts, law enforcement (police and sheriff), Department of Corrections, treatment providers, and community service providers;
- TAD programs collaborate with probation/parole for more efficient offender monitoring and allows increased opportunities for ATRs;
- Local and state agencies have offered to share/donate use of office space for TAD staff;
- TAD program staff have provided training and education for attorneys and judges about drug courts and/or diversion options;
- TAD programs have collaborated with other drug courts to monitor participants;
- TAD has created local advisory boards with community representation at each site; and
- Some of the TAD programs have developed program alumni groups to provide support after program participation.

It is too early in program implementation to assess whether TAD has diverted participants from jail, decreased jail populations, or reduced the number of probation revocations in any significant manner.

The TAD sites have also addressed a variety of challenges during their first year of implementation. These challenges have included persuading attorneys to make referrals to the programs, getting offenders who are not facing significant jail time to participate in TAD, lack of transportation, setting appropriate program fees, and identifying funding for staff training.