

**DRAFT SCOPE—8-28-19**  
**An Evaluation of and Recommendations for Effective and Equitable Utilization of**  
**Dane County Drug and OWI Courts**

**3.2 Scope of Services/Specification Overview**

**A. Background**

The Dane County Board of Supervisors is the 37-member elected legislative body for the County of Dane. Its officers, elected by the Board for 2-year terms, include a Chair, two vice-chairs, and two sergeants-at-arms. The County Board Chair has overall responsibility for coordinating the activities of the Board. In addition, day-to-day management of the Board's activities is carried out through the Office of the County Board, which has professional and support staff and two support staff reporting to Chief of Staff. Funding for contracted services has been appropriated to this office. The Board's staff provide budget management, policy analysis, sustainability coordination, program evaluation coordination, criminal justice policy and data support, and legislative management and research services.

The County Board's Executive Committee provides oversight for the Office of the County Board and for contracted services. The County Board has approved funding for this evaluation.

The selected vendor will likely need to speak with members of Dane County District Attorney's Office, the Public Defender's Office, Private Criminal Defense Attorneys, and Dane County Circuit Court Judges who oversee OWI and Drug Court currently or have overseen it in the past, as well as other Circuit Court Judges and Dane County Court Commissioners.

**Dane County Circuit Court Alcohol and Other Drug Addiction (AODA) Programs**

The goals of the Dane County Circuit Court Alcohol and Other Drug Addiction (AODA) Programs are:

- To create effective interventions to reduce recidivism by addicted offenders.
- To assign offenders to appropriate programs based on treatment needs and risk of recidivism.
- To reduce racial disparity in the criminal justice system in Dane County.
- To reduce incarceration in the Dane County Jail
- To provide access to treatment for those struggling with addiction

There are three programs. Based on the results of screening and assessment, offenders may be assigned to:

- **High** - Drug Court Treatment Program (DCTP)
- **Medium** - Drug Court Diversion Program (DCDP)
- **Low** - Deferred Prosecution Unit (DPU)

CURRENTLY, to be eligible to participate, defendants must:

- Be charged with a felony drug-driven offense.
- Be a resident of Dane County (DPU will consider residency on a case-by-case basis).
- Be currently charged with a non-violent offense, with no weapons used.
- Have AODA treatment needs with a willingness to be treated, including participation in

### **Benefits of OWI Court**

- Alcohol and/or Other Drug and treatment
- Treatment programs qualify toward the Intoxicated Driver's Program and getting driver's license back
- Assistance with treatment costs
- Improve chances for a sober and healthy life
- Support of the OWI Court Team
- Increasing public safety by reducing further drunk driving events
- Reduce Incarceration in Dane County Jail
- Reduce Recidivism
- Address racial disparities

### **Mission**

Through the use of intensive case management, treatment, and judicial oversight, Dane County OWI Court will promote public safety by ensuring offenders receive the necessary treatment, thereby eliminating further drinking and driving events.

**CURRENTLY, to be eligible to participate, defendants must:**

- OWI 3rd Conviction
- BAC .20 or higher and Refusals
- Offender must be placed on probation, mandatory compliance with OWI Court as a condition
- Adult (Age 18 or older)
- Resident of Dane County
- Not currently or previously charged in conjunction with an OWI related death or serious personal injury
- Finding of Dependency or Suspected Dependency on assessment

**These programs are a cooperative effort involving:**

- WI Department of Corrections
- WI Department of Health Services
- Dane County Courts
- District Attorney's Office
- Public Defenders Office
- Dane County Sheriff's Office
- Dane County Department of Human Services
- Journey Mental Health

**B. Project Objectives**

The Dane County Board of Supervisors seeks to gain a comprehensive understanding of how the Dane County Drug and OWI Courts currently are functioning, and to receive recommendations for additional strategies for using these courts to improve procedural fairness, reduce racial disparities in the criminal justice process, and keep more residents out of jail and free of criminal records. The County seeks evidence-based recommendations that include effective models, if available, for integrating these courts or similar programs within Community Justice Centers.

**C. Scope**

The vendor selected to contract to provide these services for the Dane County Board of Supervisors Office will be expected to provide the following at the direction of the Dane County Board:

Conduct an evaluation of Dane County Drug and OWI Courts to assess how Dane County might use these specialty courts to optimize resident access and most effectively and equitably advance procedural fairness to serve the entire Dane County population.

This evaluation should include an assessment of best practices and recommendations for how Dane County can most effectively use its OWI and Drug Courts to prevent residents from spending time in jail *and* to avoid criminal records for these individuals, as well as to provide opportunities for voluntary treatment and prevention. It should also include an analysis of the current eligibility criteria to determine if other criteria, or fewer criteria, would make the program more successful for current participants and/or increase successful participation for other participants who do not currently qualify for or participate in Alternative Courts.

**Evaluation questions should include, but are not limited to:**

- How are Dane County's Drug and OWI Courts currently functioning?
- How does a highly successful Drug and OWI Court function?
- How can we maximize our Drug and OWI Court programs to keep more people out of jail?

- How can we reduce any racial disparities that might exist within these programs?
- What alternative models exist for Drug and OWI Courts?
- Are there different approaches for Drug and OWI Courts based on low-, medium-, and high-risk categories?
- How to structure Drug and OWI Courts to ensure that low-level offenders do not get a criminal record?
- What are the best practices for using Drug and OWI Courts to achieve deflection/diversion/treatment?
- Are there successful examples of Drug and OWI Courts situated within the context of the Community Justice Center model? Provide case studies.
- Are there other specialty courts that support those with addiction issues that Dane County should consider? Provide examples of successful programs / courts.