Blessings, and Other Metrics Worth Counting

Honorable Richard J. Sankovitz, Milwaukee County Circuit Court

Mindful of the virtue of taking time to count our blessings, especially during this season, I want to borrow a few moments of your time to update you on our good fortune that Milwaukee is in the national spotlight of a movement to bring sophisticated data management and research to criminal justice.

(Things on the local rules front, which is the usual subject of this column, remain uncontroversial, bordering on soporific. Not a bad thing, really, given how many other things there are to work on at the courthouse. We count among our blessings attorneys who know and follow the local rules.)

Last summer I reported on the prospect of Milwaukee being selected for a federal grant to help develop **evidence-based decision making** in criminal courts. (If you keep up with progress in other professional fields, such as medicine, education, or engineering, you know what **EBDM** entails.)

As you probably have heard by now, Milwaukee made the cut. Under the leadership of the Milwaukee County Community Justice Council, we will be working with the National Institute of Corrections (an agency within the Department of Justice) to showcase the best ways of applying data-driven research and cost stewardship disciplines to criminal justice.

Like institutions in other fields, courts collect a lot of data about the people who pass through our portals, and we can aggregate and count and analyze data relating to thousands and thousands of individual decisions we make about their cases (such as charging, setting bail, deciding how long one should spend in jail or prison, and imposing conditions of probation).

With such data in hand, we can (1) measure how well we are doing, and (2) make more reliable decisions about future contingencies—for example, whether a person released on bail will come back to court or reoffend while in the community; and how much time in jail is useful, or not, in changing a defendant's conduct.

With such data in hand, we, as well as our constituents, can judge how successful we are at fulfilling our mission: holding offenders accountable, reducing crime and recidivism, and giving taxpayers a better return on the dollars they invest in criminal justice.

Until now, we haven't really made much use of the data available to us. But that is beginning to change, in particular with four initiatives we are already undertaking with the help of NIC. (These four initiatives are described in more detail in the Summer 2011 issue of the *Messenger*.)

A key to each of the initiatives is the development and deployment of an actuarial instrument to assess the risks and needs of pretrial detainees. That step of the process is now complete. With the aid of the nation's leading expert in pretrial risk assessment, Dr. Marie VanNostrand, we have developed a six-factor assessment tool that will be used to determine bail risks and offender needs for everyone who is arrested and held in the county jail.

We call it **Universal Screening.** You've probably read about it in the paper. **County Executive Chris Abele, Supervisors Willie Johnson and Lynne DeBruin, District Attorney John Chisholm, Chief Judge Kremers** and other county leaders lobbied hard to keep funds for this initiative in the budget.

Universal Screening will help us make smarter decisions about who we jail and who we supervise in the community, as well as about which cases can be diverted from the normal course of prosecution. A tool like this has been put to use in **Charlotte, North Carolina,** and has helped that community manage so well that it was able to cancel its plans to build an addition onto the county jail.

We have set some ambitious goals for ourselves. By the end of 2013, we intend to:

- Safely release and/or supervise 15% more pretrial detainees than we do now, generating $1,000,000 in savings that can be reinvested in the community, and at the same time reduce by at least 40% our already low rates of pretrial misconduct.
- Divert or defer prosecution in 10% more cases than we do now, generating $350,000 in savings that can be reinvested in the community.
- Demonstrate in a pilot project that by organizing probation around intervention rather than around merely surveilling the probationer for a certain number of years, and by terminating probation as soon as an offender has achieved the court's goals, we can cut the cost of probation by at least 50% and at the same time reduce probation recidivism by 50%.
- Reduce by 25% the number of people with mental health needs who lose their benefits due to being jailed or losing housing, and increase by 25% the number of individuals with mental health needs who are reconnected to the services they need within 20 days after arrest.

We're blessed to have the opportunity to put this know-how to work in Milwaukee, and to show the nation what we can achieve. And we're counting on you and the community to hold us to these goals.

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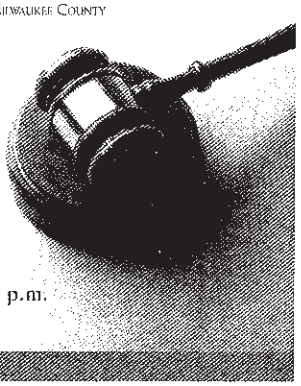

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