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State of Wisconsin Department of Corrections

2009 WISCONSIN ACT 28 RISK REDUCTION SENTENCE INFORMATION SHEET

Risk Reduction Sentence

- Effective October 1, 2009, sentencing judges may order a Risk Reduction Sentence (RRS) for offenders.* The offender must agree at the time of sentencing to cooperate in an assessment and to participate in programming or treatment that the Department of Corrections (DOC) assigns the person under s. 302.042 (1).
- If the offender agrees to these conditions, he/she will be released to extended supervision after serving a minimum of 75% of the confinement portion of his/her sentence. To be released, DOC must determine the inmate has maintained a good conduct record and has completed the required programming or treatment during his/her term of confinement. [ss. 302.042 and 973.031]
- If the program plan is not satisfied at the completion of the 75% of the confinement period of the bifurcated sentence, an inmate may remain incarcerated for a time not to exceed the original confinement period of the bifurcated sentence. If the inmate has not maintained a good conduct record during his/her term of confinement, the inmate may remain incarcerated for a time not to exceed the confinement portion of the bifurcated sentence.
- **Process of implementing RRS in the DOC system**
 - The Judgment of Conviction is received at DAI intake facilities. The Judgment of Conviction includes notice of imposed RRS.
 - To help determine priority, the institution records office calculates a Release Eligibility Date (RED), Extended Supervision (ES) and Discharge date. This information will be entered into a Records Office database for tracking and reporting purposes.
 - The Bureau of Classification and Movement (BOCM) will complete an objective, validated risk assessment. An inmate sentenced to RRS will be "fast tracked" through BOCM's initial classification process. During this process, the inmate will be assessed for education, treatment, health, dental and psychological needs, based on criminogenic factors. Primary Programs and Assessment Tools to be used include:

- AODA – UNCOPE screening tool and Descriptor Sheet
 - Education – TABE\BADER scores
 - Cognitive Interventions Program - assessment tool
 - Domestic Violence – criteria under development
 - Anger Management – criteria under development
- **Some key factors related to RRS:**
 - DAI primary programs range in length from three months to one year. The amount of confinement time imposed by the court will determine when program placement is scheduled. ***An inmate serving less than 18 months of confinement may not have adequate time to complete program(s) and be released at 75% of the confinement time.***
 - The program plan will be developed and documented in the inmate's Classification Report.
 - An inmate serving a RRS will be given priority for program or treatment enrollment to ensure he/she has the opportunity to be eligible for early release consideration through RRS.
 - It is expected an inmate will complete assigned program or treatment when scheduled.
 - An inmate must maintain positive conduct in order to ensure the program plan is not interrupted. Negative conduct may result in an inmate's inability to be enrolled in programming or treatment according to program plan schedule. These behaviors may impact eligibility for early release at 75% of confinement time under RRS.
 - Pre-release planning will begin six months prior to the RED by the inmate, assigned institution social worker and agent of record.
 - Once an inmate has completed his/her program plan, the institution Records Office notifies the sentencing court and the Office of Victim Services (OVSP) that the inmate has successfully completed the requirements of the RRS.
 - If the inmate is released early, his/her confinement portion of the sentence is reduced by up to 25%, *reducing the overall length of the bifurcated sentence.* Upon release, the inmate will begin serving the extended supervision portion of the bifurcated sentence.

Unlike the Earned Release Program or Challenge Incarceration Program, judges do not make offenders eligible for the RRS. Under the law, judges decide only whether to order an individual to serve an RRS. The court must determine that an RRS is appropriate, and the offender also must agree to cooperate in an assessment and to participate in programming or treatment that the DOC assigns to the offender.

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