Treatment Alternatives and Diversion (TAD) Program 2014-2018

Participant Outcome Summary and Cost-Benefit Report

Bureau of Justice Information and Analysis
Wisconsin Department of Justice

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Executive Summary

Between 2014 and 2018, 6,125 admissions were reported across approximately 83 Treatment Alternatives and Diversion (TAD) funded treatment courts or diversion programs in 52 counties and three tribes across Wisconsin. A significant number of individuals have been impacted by TAD program funding over the five-year period. The information in this report indicates that there are differences between treatment court and diversion program participants in terms of demographic characteristics, risk/need level, drug of choice, primary offense, and recidivism rates. In addition, the analysis highlights variation between programs in urban and rural areas of the state across many of these same dimensions, as well as between those who graduate and those who are terminated from TAD programs. These comparisons are important to help contextualize the complexity of the TAD program as it has expanded since the last report was completed in 2014.

Participant Summary

During this five-year evaluation period, TAD programs reported 2,355 total admissions for treatment court programs and 3,770 admissions for diversion programs. During this same time period, 1,828 discharges (successful completion, termination, or administrative discharge) occurred from treatment court programs, and 3,052 were recorded for diversion programs. Overall, 48.6% of participants successfully completed a treatment court program, which is approximately consistent with national averages (Marlowe, D. B., Hardin, C. D., & Fox, C. L., 2016) and 63.4% completed a diversion program, which resulted in a 56% average completion rate for a TAD funded participant.

Between 2014-2018, program admissions grew 150%, coinciding with over $5 million in additional funding awarded.

Overall demographics of the participants indicate that most participants were male, white, not Hispanic/Latino, and were between the ages of 18 and 35 with an average age of 33. Most of the treatment court participants had a high school education or less, were not employed and were shown as living with parents/relatives/friends at the time of admission. Contrarily, participants in diversion programs were more likely to be Hispanic/Latino or African-American/Black and were somewhat younger, on average, had more participants with at least some college education, were more likely to be employed and were shown as living independently at the time of program.

When considering some of the background information for treatment court participants, the majority of those with a listed risk/need level were high risk and the majority were listed as high need. This is

contrasted with diversion participants, as the majority were listed as moderate or medium risk, followed by low risk. In terms of overall need level for the diversion program participants, the majority were listed as medium need followed by high need. This reinforces that the higher risk/need participants are being served by treatment courts, which typically include more intense programming and longer program periods than tends to be the case for pre- and post-charge diversion programs.

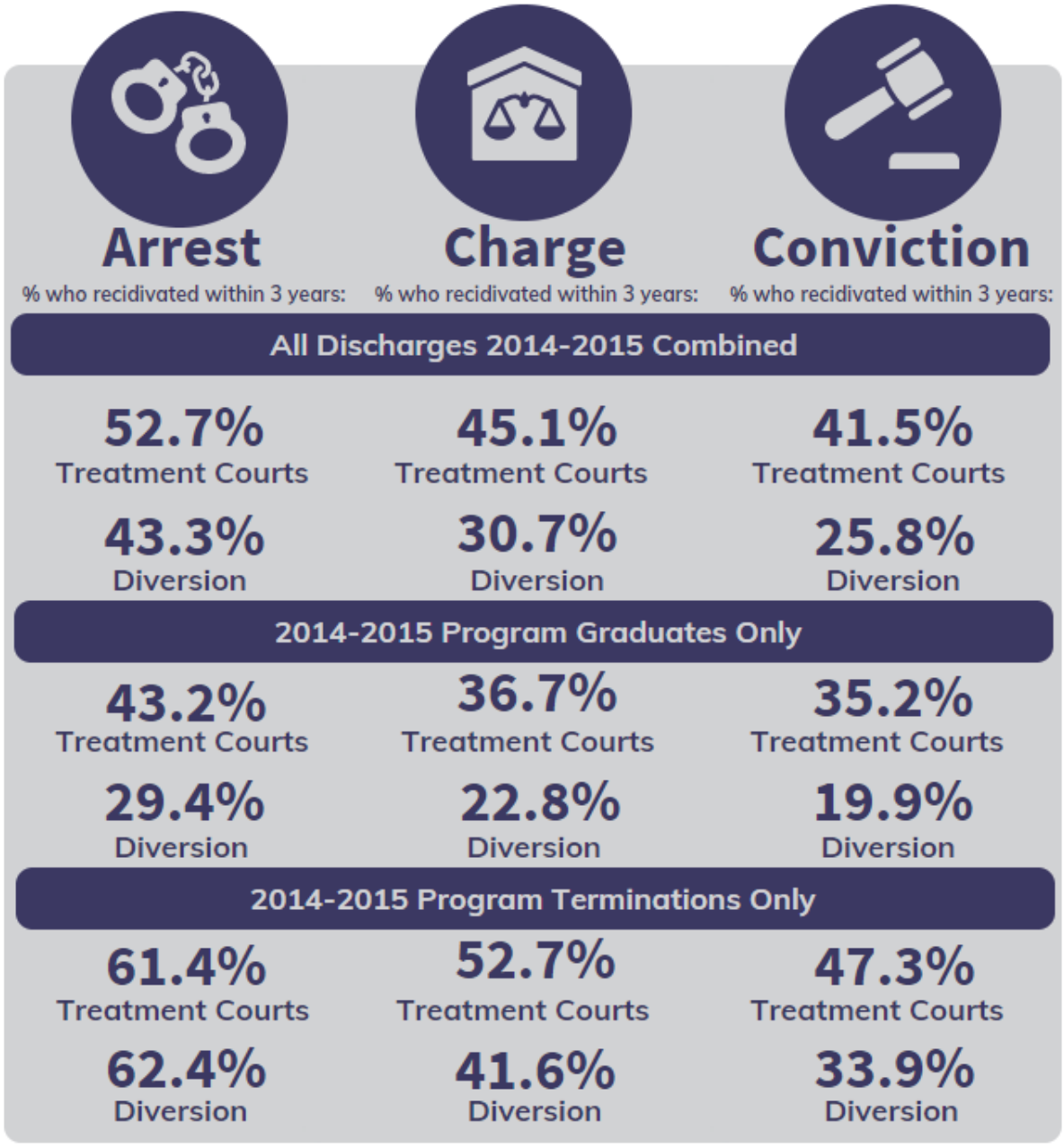
There were also differences noted between those participants who successfully completed compared to those who were discharged as a termination from both treatment courts and diversion programs. Those who were terminated from both types of programs were more likely to be non-white, younger, have a high school diploma or less for education, and to be unemployed, compared to those who successfully completed or graduated from these programs. Those participants who were terminated were also more likely to have higher identified risk and need levels and to have a higher proportion using heroin, opioids/opiates, or meth compared to those who successfully completed the program requirements. The average length of time in a treatment court program was 16.7 months for those who graduated, compared to 9.3 months for participants who were terminated, which is longer than diversion programs which averaged 10 months for those who graduated, compared to 7 months for participants who were terminated.

An important area of interest was the identification of differences between those participants in rural and urban counties along a variety of dimensions. For example, a higher proportion of participants in urban counties were classified as African-American/Black while a higher proportion of participants in rural counties were classified as American Indian/Alaskan Native, for both treatment courts and diversion programs. Diversion program participants in rural counties were more likely to be listed as high-risk, where the opposite occurred in treatment courts where a higher proportion in urban counties were listed as high-risk. Alcohol and meth were more likely to be the drug of choice in rural counties for both program types, whereas opioids/opiates and heroin were more likely to be the drug of choice in urban counties.

Recidivism Analysis

Post-program recidivism was one of the primary outcome measures used in this report and was analyzed at the point of arrest, charge, and conviction. Overall, the three-year post-program recidivism rates for diversion program participants was lower than for treatment court participants at arrest, charge, and conviction. At the point of arrest, 30.2% of those discharged from treatment courts between 2014 and 2017 had at least one recidivist event within one year compared to 23.4% of those discharged from diversion programs during the same time period. This increased to 52.7% of those discharged from treatment courts within three years compared to 43.3% of those discharged from diversion programs during the same time period. At the point of conviction, treatment court participants demonstrated recidivism rates of 17.9% compared to 12.5% of diversion program participants within the first year, which increased to 41.5% for treatment court participants compared to 25.8% of diversion program participants within three years. Generally, those who completed (graduated) from a treatment court or diversion program recidivated at a much lower rate than those who were terminated. Within three years of discharge, treatment court graduates had a 43.2% recidivism rate at arrest, 36.7% recidivism rate at charge and 35.2% recidivism rate at conviction, compared to 61.4% at arrest, 52.7% at charge and 47.3%

at conviction for those who were terminated. Similarly, within three years of discharge, diversion program graduates had a 29.4% recidivism rate at arrest, 22.8% recidivism rate at charge and 19.9% recidivism rate at conviction, compared to 62.4% at arrest, 41.6% at charge and 33.9% at conviction for those who were terminated.

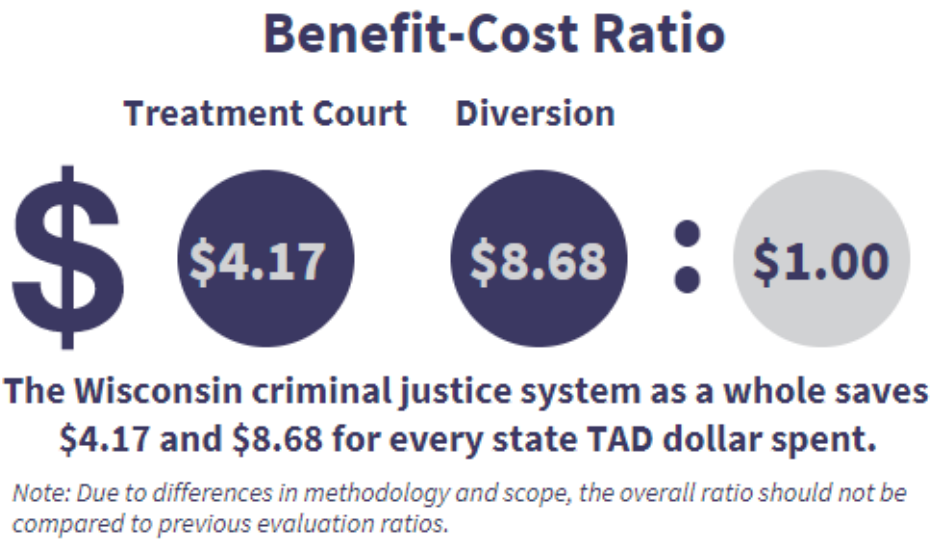


Cost-Benefit Analysis

The benefit-cost ratio and net benefits of treatment court programs and diversion programs were calculated separately. The cost-benefit analysis indicates that based on the investment of resources specifically from the state TAD funding, the ratio of benefits to cost for treatment courts is $4.17 and

$8.68 for diversion programs. That is to say, the Wisconsin criminal justice system receives a benefit of $4.17 for every $1 in state TAD funding spent on treatment courts and a benefit of $8.68 for diversion programs. These benefits are incurred through averted incarceration costs and reduced future crime costs per discharge in 2014-2018. This analysis is specific to state TAD dollars spent and did not include estimates of additional costs, such as matching funds or personnel time for court hearings, in part because those personnel are usually not included in site budgets and therefore not included in spent state funding amounts. Based on the statutory requirement that sites contribute at least a 25% match to the state funds it is known that additional resources are committed to all programs. These and a myriad of other costs associated with the development, implementation, and running of TAD programs that are not paid for by state funds vary tremendously across programs, which contributes to the difficulty of accurately estimating the additional resources put into the TAD programs at the local level. For these reasons, this analysis intentionally focuses only on state funds spent rather than estimating these additional local costs.

The overall benefit-cost ratio was lower for treatment courts than for diversion programs, which is not unexpected and in part reflects the lower capacity and higher program requirements of treatment courts relative to diversion programs. Treatment courts are also designed to work with participants with higher risk/need levels and provide more intensive oversight, which would impact the cost-benefit ratio per discharge but is also intentional to address the needs of these participants.



Analysis and Evaluation Recommendations

- **Referral Analysis:** With the data now collected in the CORE Reporting System, it will be possible for future evaluations to analyze the data from the point of program referral in addition to the point of program admission. This will allow for a more complete picture of the characteristics of individuals being referred to various TAD programs and differences between those who are and who are not admitted by demographics, including race and ethnicity, risk and need level, and other factors. It will also allow for an analysis of the reasons individuals may be referred, but not admitted to various

programs, or if they elect to not participate. It will also allow for a better understanding of the volume of individuals referred, but not admitted to programs across the state.

- **Admission, Discharge and Progress Update Analysis:** The data now collected in CORE will support more detailed analysis at admission and discharge, including comparative analysis of changes in various factors such as education, employment, living situation, and other key measures to assess change during the program period, as well as to look at outcomes across dimensions both at the point of admission and program discharge. The detailed, event-level progress updates in CORE will also provide the ability to analyze program activities such as incentives and sanctions, drug testing, court hearings, and case management contacts, among others. This will provide a more complex understanding of the activities of various programs and how they may relate to program outcomes.

- **Multiple admissions:** Future analysis can also consider individuals who have more than one admission to a TAD-funded program (or to any treatment court or diversion program tracked in CORE). The ability to link individual admissions is supported in CORE, which was not possible previously when the data was not collected and stored in a centralized place. This will support a more complete understanding of how often this occurs and the trajectory of individuals entering one or more programs, in one or more sites, over time.

- **Additional Sub Analyses:** Given the level of detail already outlined in this report and the limits of the data being collected from multiple sources it was not feasible to include additional sub analyses that could be useful to understand particular trends or issues. Some of these analyses should be considered for future evaluation reports, but some could also be undertaken between evaluation periods. Examples include analysis of opioids, OWI, female participants, specific program types such as pre-charge and post-charge diversion or particular treatment court types.

- **Equity and Inclusion:** As part of work to more thoroughly understand and address disparities within the criminal justice system by demographic factors such as race, ethnicity, and sex and to support equity and inclusion across various programs, additional attention should be given to analyzing participant characteristics on multiple dimensions such as referrals versus admissions, graduation and termination rates, use of incentives and sanctions, and related factors. This information should then be used to inform sites and the overall program as part of efforts to understand and improve equity and inclusion within the program and across the criminal justice system.

- **Comparison Group:** Although this evaluation did include a comparison to those arrested in TAD counties for nonviolent offenses, this comparison was limited. Future evaluations should employ statistical matching methods (e.g. propensity score matching) to create a statistically matched comparison group to better control for group differences and confounding variables. This would increase the level of detailed analysis that could be carried out, as well as the confidence in the comparison between the groups.

- **Multivariate Analysis:** Future work should also consider a multivariate analysis to look at the factors that predict key program outcomes such as discharge type and recidivism. By considering multiple factors at once it is possible to identify the independent effect of various factors such as risk level and demographic characteristics that are associated with various outcomes such as which participants are more likely to graduate and to not recidivate.

- **Site and Program-Specific Analysis:** It was outside of the scope of this evaluation to provide a detailed analysis or evaluation at the site or program-specific level given the volume of sites and programs. However, future analysis should consider site and program specific information and the data collected can help to inform evaluations completed at the local level. This type of analysis is critical to understand differences in program admissions, discharges, and outcomes across both sites and programs.

Program Recommendations

- **Grant and Evaluation Cycle:** One of the challenges of this evaluation period was the fact that the expansion for TAD occurred at multiple points in time, so the start time for programs varied during this period. In addition, the overall 5-year cycle for funding and evaluation do not align. Consideration should be given, potentially through a statutory language change, to aligning these timelines going forward to develop more consistency in program changes relative to the evaluation cycle. In addition, consideration should be given to the timing and approach, including the methods for the distribution of TAD funding to local jurisdictions overall, as well as if there is any future expansion of the TAD program.

- **Separation of Treatment Courts and Diversion Programs in Grant Awards and Budgets:** Currently there are several counties that receive a TAD grant that funds multiple programs, both treatment courts and diversion programs. Often times the funding is used for supplies and services for both programs (e.g. drug testing supplies/services and treatment devices). Determining the exact amount of money being spent on treatment courts versus diversion programs was not possible for this report. Separating the funding by program type, specifically treatment court versus diversion programs, would allow for more accurate cost benefit analysis calculations for future reports.

- **Performance Measures:** Additional work should continue on the development and implementation of performance measures for both treatment courts and diversion programs in Wisconsin. Significant work has been completed on this to date and there is currently federal funding available to support the expansion of treatment court measures to specialty courts such as OWI, Veterans, and Co-Occurring Disorders. This work should continue and be supported under the State CJCC and the Data Sharing and Outcomes, Trends and Indicators (OTIs) Subcommittee.

- **Jail and Prison Days Estimation:** A collaborative project should be undertaken, potentially under the State CJCC Data Sharing and OTIs Subcommittee, to develop a process for estimating jail and prison days averted. This was estimated in a limited scope by BJIA for the purpose of this evaluation, but a

common methodology should be established to be utilized for TAD and related projects going forward.

- **Cost-Benefit Model:** A consistent methodology should also be established or adopted for use within (and potentially outside of) the criminal justice system. Cost-benefit analysis is arguably best considered a comparative approach rather than an estimate of actual dollar savings and having a consistent methodology to be used across different programs would help to ensure that there is a common basis for determining the relative cost and benefit of programs compared to each other and relative to the traditional criminal justice system.[1] Cost-benefit analysis is a critical part of understanding program benefits and can support decision making on the expansion or reduction of various programs, but the work is complex and having some standardization would support better comparative analysis across programs. This would require resources to either develop or adopt a cost-benefit model, but those resources could potentially be a critical investment to enhancing the ability to carry out this work across criminal justice agencies and programs and would be a significant benefit and improvement for the TAD program.

- **Site Process and Outcome Evaluations**: In addition to the site and program-specific analysis described above, continued emphasis should be placed on conducting process and outcome evaluations of local TAD-funded sites. Given the number of sites and programs it is not feasible for DOJ to conduct individual site-level evaluations. Feedback is provided as part of the training and technical assistance work to sites on their adherence or alignment with state and national standards, but sites and the TAD program as a whole would benefit from periodic (every three to five years for example) site-specific evaluations of both their program implementation and fidelity to the program model, as well as their key outcome measures. This would require resources and expertise to be provided to the local sites to carry out this work. Such evaluations could potentially be a collaborative effort involving multiple state agencies such as DOJ, DOC, and the Director of State Courts Office among others, but would still require additional funding or resources to support such work.

- **Methodology Review:** The overall evaluation process and methodology should be reviewed and refined in preparation for the next five-year evaluation cycle, as well as to determine any additional analyses to be carried out in the interim, as described above. The Data Sharing and OTIs Subcommittee can also play a role in this review process and provide input on potential improvements to the process.

- **Resources:** Given the rapid expansion of the TAD program, the resources for both the administration of the program and for evaluation have not kept pace. Consideration should be given to potentially expanding the available staff funded to support the data collection, analysis, and evaluation of this significant program. In addition, while TAD is administered as a partnership with the state agencies, there is no funding attached to the partner agencies to assist in the

[1] The Pew Results First model is one option that could be considered. This model was partially implemented in Wisconsin for a period of time but is no longer currently available in part due to resource constraints. Adoption of this model would require commitment across multiple entities and the resources needed to carry out the work.

administration of TAD. As a result, the efforts to improve the administration of the program in recent years have been the result of a largely grassroots effort of state and local partners. In addition to a lack of staffing resources, there are limited state funds allocated through the TAD program for additional needs that are critical for administering the program effectively, including the development of reporting and evaluation systems and the provision of training and technical assistance. As the program has continued to expand, these needs have almost solely been addressed with federal grant funding, which is not sustainable in the long term.

Summary

Overall, this report provides significant insights into the structure and composition of TAD-funded programs over the five-year period (2014-2018) included in this analysis. There was complexity due in part to the significant expansion of the TAD program over this time period, the timing of the various expansion periods and the five-year competitive funding cycle, variation in program types and structure, the high volume of programs, and related factors. This report attempts to highlight some of those issues and make recommendations to address them, but also to provide an overall picture of what has occurred with the TAD program over this time period, at least based on participant data, recidivism, and cost-benefit analysis results.

Program Overview

The Treatment Alternatives and Diversion (TAD) program was established by 2005 Wisconsin Act 25 to support county efforts that provide treatment court and diversion programs for non-violent, adult offenders for whom substance use was a contributing factor in their criminal activity. The program has grown substantially since the original inception and now provides funding to the majority of counties and multiple tribes across the state. TAD supports a wide variety of initiatives aimed at providing alternatives to incarceration with a focus on reducing recidivism, lowering prison and jail populations, providing comprehensive support to participants, and improving public safety.

The Wisconsin Department of Justice (DOJ) is responsible for administering the TAD program, in partnership with the Wisconsin Department of Corrections (DOC), the Wisconsin Department of Health Services (DHS), the Director of State Courts Office, and the Wisconsin State Public Defender's Office. The State Criminal Justice Coordinating Council (CJCC) serves as the TAD advisory body, through the TAD Subcommittee, which is intended to provide overall guidance for the program. TAD is part of a larger criminal justice system improvement efforts at the state level focused on improving criminal justice system functions and outcomes.[2]

TAD Program Funding

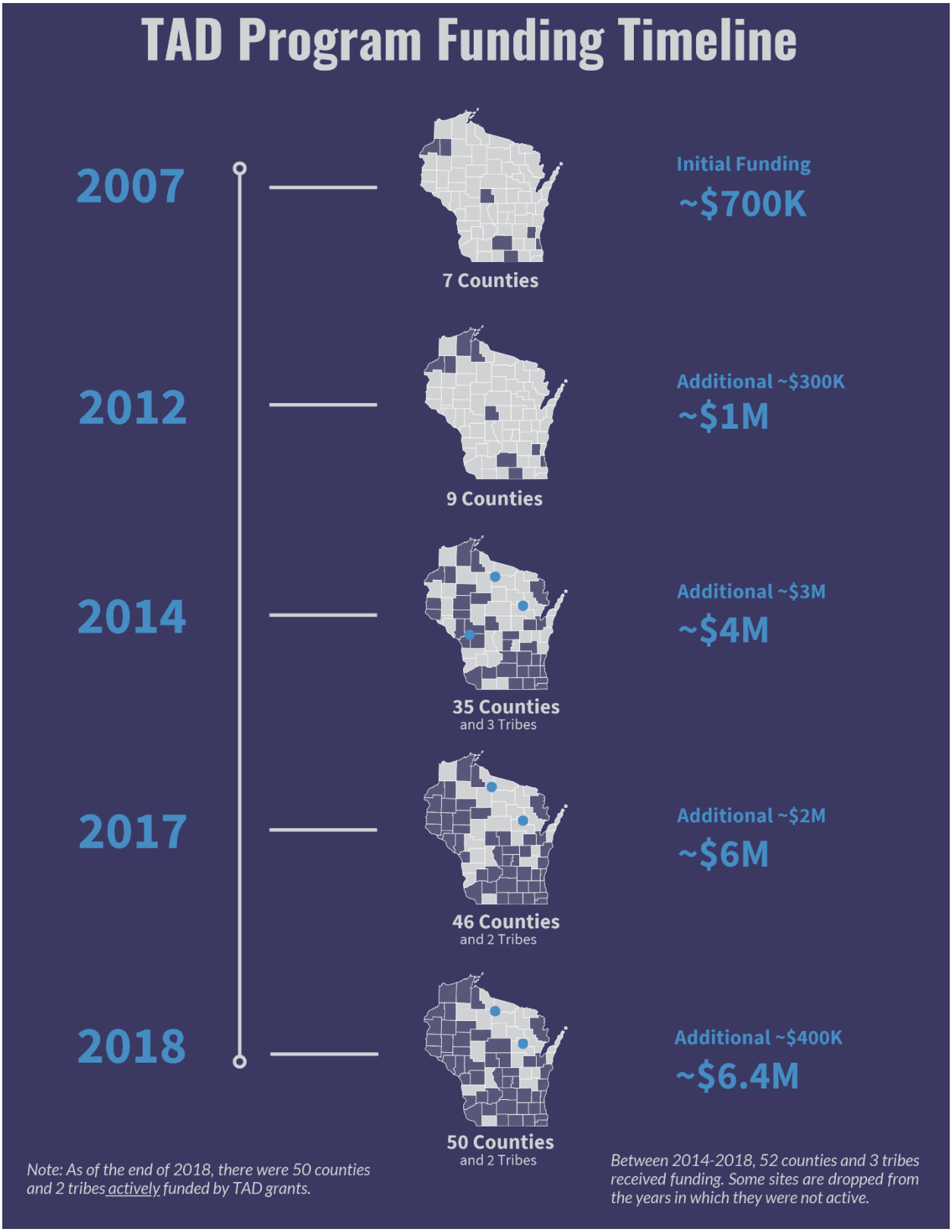
Funding for the TAD program began in calendar year 2007 with approximately $700,000 in initial funding, which was originally allocated to seven sites (counties/tribes). In 2012, funding increased to approximately $1 million, which allowed for the addition of two sites. These initial nine sites were funded through 2013.[3] The TAD program then underwent multiple large expansions through new legislation in 2014, 2017, and 2018. TAD also moved into a new five-year competitive cycle starting in 2017. By the end of calendar year 2018, the TAD program had increased to $6,438,900 million annually. As a result of these expansions, evidence-based alternatives to incarceration programming for individuals entering the justice system where substance use was a contributing factor to their criminal activity has expanded to 50 counties and two tribes in Wisconsin. A full listing of TAD funded sites by program type and funding date can be found in Appendix A.[4] A summary and timeline of the program expansions can be seen in Chart 1.

[2] For additional details on the TAD program see the *State of Wisconsin Criminal Justice Coordinating Council – Treatment Alternatives and Diversion Program Report 2020*.

[3] For additional details, see the 2014 Participant Outcome Evaluation and Cost-Benefit Report completed by the University of Wisconsin-Population Health Institute (Van Stelle, K.R., Goodrich, J., & Kroll, S., 2014) for details on the program through the end of 2013.

[4] It should be noted that Appendix A includes the funding spent by sites, not the amount awarded. Not all sites were able to spend their full award on an annual basis, particularly during expansion years.

Chart 1: TAD Program Funding Timeline



2007-2011: 7 counties funded (Burnett/Washburn, Dane, Milwaukee, Rock, Washington, Wood Counties)

2012-2013: 9 counties funded (addition of Ashland/Bayfield Counties to original 7)

2014: Two expansions occurred: Through the 2013 state budget, $1 million was added for TAD, with an additional $500,000 for drug courts. Later, as a result of 2013 WI Act 197, an additional $1.5 million annually was added. As a result of these expansions, the total allocation was $4,038,900, and TAD programs were operating in 35 counties and three tribes.

2017: 2017 marked the beginning of a new five-year funding cycle, and an additional $2 million was added through 2017 WI Act 388. The total funding increased to $6,038,900, with programs operating in 46 counties and two tribes.

2018: The 2017 state budget added an additional $400,000, bringing the total allocation to $6,438,900. As a result, by the end of 2018 TAD programs were operating in 50 counties and two tribes in Wisconsin.

Based on Wis. Stat. §165.95(7m), DOJ is required to make grant funding available competitively every five years. Given the rapid expansion of the TAD program since 2013, DOJ has provided multiple competitive grant opportunities over the funding period, in addition to the new five-year competitive cycle process in 2017. Due to the expansion of TAD and the increase in funding added since 2013, both new sites and programs have been added at various times throughout the evaluation period. While the multiple grant opportunities resulted in many more sites participating in TAD programs, they also created challenges in aligning program timelines for the purposes of evaluation. For example, some sites received funding for different programs that began in different years, and some sites' funding was not continual throughout the evaluation period. The funding level and start and end date of programs can be found in Appendix A.

Program Types

As stated above, by the end of 2018 there were a total of 50 counties and two tribes funded by TAD, but it is important to note that additional sites were funded at various points between 2014 and 2018. In total, 52 counties and three tribes received some level of funding during this time period. Many of the sites had multiple programs funded, including a variety of treatment courts and diversion programs. Approximately 83 programs were funded in some capacity during this time period, with 30 of the programs being categorized as diversion programs[5] and 53 as treatment courts. The impact of the TAD funding is therefore more diverse than it may appear when considering the funding at the level of the counties and tribes. The structure of the TAD program provides counties and tribes with flexibility in the design and implementation of various programs, within the parameters of the statute. This allows local sites to utilize

[5] One diversion program was primarily focused on pretrial release and monitoring, which met a portion, but not all of the TAD statutory requirements. This program differed in form and function from the other diversion programs, is no longer being funded under TAD, and is excluded from most of the analysis in this report, as discussed further in the report.

the funding to fulfill the specific needs of their local jurisdictions. As discussed further below, this is also one of the challenges for both the administration and evaluation of this program since there is variation across sites in both the types of programs and how they are implemented.

There are intended commonalities with these programs as outlined in Wis. Stat. §165.95(3), which include requirements that programs:

- follow evidence-based practices in substance use and mental health treatment;
- be designed for individuals who use alcohol or drugs or have a criminal charge or conviction related to their use of alcohol or drugs;
- use graduated sanctions and incentives to promote successful substance abuse treatment;
- not prohibit participation if an individual is undergoing medication assisted treatment (MAT);
- focus on promoting public safety, reducing recidivism, reducing jail and prison populations, and meeting the comprehensive needs of the participants;
- restrict participation if an individual meets the definition of a "violent offender" as outlined in Wis. Stat. §165.95(1)(bg); and
- be developed and overseen by a multi-disciplinary team with representation both inside and outside of the criminal justice system.

In some counties and tribes, the focus of TAD program implementation has been on establishing programs for individuals who have high criminogenic risk and need levels, which are often addressed through high intensity programs such as drug or other specialty treatment court. Treatment courts are typically specialty court dockets with enhanced supervision, treatment, drug testing, and use of incentives and sanctions with the goal of increasing the likelihood of sobriety and reduced recidivism among participants. The treatment courts are typically post-charge and are often post-adjudication programs and are usually a minimum of 12 months in length. These programs can include more traditional Adult Drug Courts or related programs such as Operating While Intoxicated (OWI) Courts or Tribal Healing to Wellness Courts, typically following the Adult Drug Court model. The Adult Drug Court model provides an overall framework and set of standards for the core components of a drug court.[6,7]

In other TAD programs, the focus has been on diverting individuals earlier in the process, often in the form of a Pre-Charge or Post-Charge Diversion program. Individuals are typically referred to these programs after arrest but are then given an alternative to the formal prosecution process either before or after formal charges are filed with the court, depending on the program design. The individual then enters into

[6] For additional information and definitions for various program types funded under TAD, see the *State of Wisconsin Criminal Justice Coordinating Council – Treatment Alternatives and Diversion Program Report 2020*.
[7] Both state and national standards have been developed for drug courts. See the Wisconsin Treatment Court Standards and the National Association of Drug Court Professionals (NADCP) Adult Drug Court Best Practice Standards Volume 1 and Volume 2.

a diversion or deferred prosecution agreement which outlines specific program requirements for successful completion such as case management, treatment, not committing new crimes, community service, or other ancillary services or requirements. These programs are more likely to focus on individuals with low to moderate criminogenic risk, although the specific risk and need level accepted in the program should be outlined in the eligibility criteria for the specific program design.[8] These programs can vary in structure, but fundamentally are designed to divert individuals outside of the traditional criminal justice process to provide the opportunity for treatment, case management, and other programming with the intent to reduce recidivism in part by addressing underlying risk and need factors. Successful completion of these programs can result in a reduction or dismissal of criminal charges, or not having charges formally filed through the court.

Some of the counties and tribes have developed specialized programs to meet particular local needs. Examples include programs specifically intended to work only with participants with a substance use disorder related to opioids, or a treatment court designed to work with participants with multiple OWI offenses. A list of the various program types is outlined in Appendix A for each of the TAD-funded sites. By design, the variation in program types provides a level of flexibility to the counties and tribes to design programs that meet local needs. However, this has led to variances in the program components, costs, operation, and structure. This causes complexities, for the purposes of evaluation, in grouping and summarizing these programs due to the level of variation that exists.

To help address the variation across programs, there has been a collaborative and focused effort between the State CJCC, DOJ, the Wisconsin Association of Treatment Court Professionals and multiple state and local partners to set baseline expectations for program components and structure. This has led to the development and/or update of standards and performance measures and the delivery of trainings under the broad categories of treatment courts and diversion programs. The original Wisconsin Treatment Court Standards were finalized in 2014 to provide overall guidance and structure for treatment courts. The Adult Drug and Hybrid Performance Measures (Cheesman, Broscious, & Kleiman, 2016) were developed to establish key measures related to the performance of drug courts in Wisconsin. The initial version was finalized in 2016 and additional work is planned to expand these performance measures to other types of specialty treatment courts. Trainings on both the standards and performance measures were delivered in multiple locations across the state in 2015 and newer teams were brought together for a training in 2017.[9] The Wisconsin Treatment Court Standards were also revised in 2018 (Wisconsin Association of Treatment Court Professionals, 2018) and incorporated some of the guidance provided in the National Association of Drug Court Professionals (NADCP) Adult Drug Court Best Practice Standards Volume I and II.

In addition to the treatment court standards, Wisconsin Diversion Standards and performance measures were also developed under the Evidence-Based Decision Making Initiative (Wisconsin Evidence-Based

[8] Draft state standards have been developed for diversion programs under the State Evidence-Based Decision Making Initiative under the guidance of the State CJCC (Wisconsin Evidence-Based Decision Making Initiative, 2018).

[9] Additional detail on the standards and trainings can be found in the *State of Wisconsin Criminal Justice Coordinating Council – Treatment Alternatives and Diversion Program Report 2020*.

Decision Making Initiative, 2018). Diversion standards trainings were delivered at multiple locations across the state in fall 2018. The standards and trainings were intended to provide a foundation to begin to develop expectations for the structure and functioning of diversion programs in Wisconsin. Prior to the development of these standards there was limited guidance to provide to counties or tribes looking to start diversion programs.

The standards for both treatment courts and diversion programs are now being utilized to assist in the technical assistance being provided to these programs by DOJ under the TAD program and in collaboration with the Statewide Problem-Solving Court Coordinator through the Director of State Courts Office. Feedback is provided to programs during site visits, grant reviews, and other communications, in part based on the standards. They should also help to form the basis of future process evaluations that look to assess the fidelity of various treatment courts and diversion programs. Much of the work on the standards, performance measures, and associated trainings were supported by multiple federal grants, primarily through the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Each of these efforts was intended to help provide the foundation for consistency and program fidelity by providing guidance to counties or tribes looking to implement these programs locally.

Report Overview

Under Wis. Stat. §165.95(5p)(b) the Wisconsin Department of Justice is to prepare a comprehensive report, every five years, of the TAD program and the data collected under the program. This report is intended to provide an overall assessment of the TAD program from 2014 through 2018, to cover the five-year period since the last report was completed.[10] This report includes demographic and related background information about the characteristics of TAD program participants during this time period. In addition, the report provides an analysis of key program outputs and outcomes, including program completion rates and post-program recidivism, as well as a comparison of recidivism rates to rates for an overall sample of those arrested within the TAD-funded sites. This comparison begins to assess TAD program impacts relative to traditional criminal justice processing. The final primary component of this report is a cost-benefit analysis of the TAD program for 2014 to 2018 based on program expenditures. This report, in conjunction with the State Criminal Justice Coordinating Council (CJCC) report on the TAD program, as required by Executive Order #41, provides a thorough overview of the current status and recent activity of the TAD program under Wis. Stat. §165.95.

[10] See the 2014 Participant Outcome Evaluation and Cost-Benefit Report completed by the University of Wisconsin-Population Health Institute (Van Stelle, K.R., Goodrich, J., & Kroll, S., 2014) for details on the program through the end of 2013.

Data Sources

Participant Data

Participant data for this report was drawn from several sources; this included the Comprehensive Outcome, Research, and Evaluation (CORE) Reporting System, individual TAD Microsoft Access databases, the eValuate web-based application, and local data provided by Milwaukee County from their current and previous pretrial case management systems. Each of these systems provided a mechanism to collect participant-level data at various points in the development and expansion of the TAD program. The collection of data from multiple systems provided challenges which are discussed further below as well as in the in the limitations section. With the implementation of the CORE Reporting System, there is now a consistent data collection process in place for the TAD programs that will support more detailed and robust analysis and evaluation for the program in the future.

The University of Wisconsin Population Health Institute (UWPHI) developed the Microsoft Access databases to support counties and tribes tracking and managing their data for TAD early in the program development. These databases were managed individually by each site for multiple years, with copies being provided initially to UWPHI and later to DOJ for tracking and analysis. The databases provided a solid foundation for the participant-level data collection and were the primary source for participant data up to 2017. The databases required significant manual management and tracking for both the sites and DOJ. With the many expansions of TAD starting in 2014 and based on recommendations out of the last five-year evaluation, DOJ and partner agencies determined there was a need for a centralized method for collecting participant-level data for the various TAD sites. This led to a multi-year effort to develop a secure, web-based application for the collection and maintenance of participant-level data for TAD, that could also be made available for use by treatment courts and diversion programs statewide. This became the Comprehensive Outcome, Research, and Evaluation (CORE) Reporting System, which was developed in-house at DOJ utilizing primarily federal Byrne Justice Assistance Grant (JAG) funds.

CORE was released to sites in the beginning of 2017 and is now the primary data collection tool for the TAD-funded sites. CORE collects data from the point of initial referral to the program through admission and program discharge, whether through successful program completion/graduation or termination. In addition, CORE provides the ability to track various progress updates during program participation, ranging from drug testing to treatment sessions, use of incentives and sanctions, changes in employment and education, and ancillary services engaged in by the participants, among others.

For the purpose of this report, most of the participant-level data was retrieved from the Microsoft Access databases, along with data from CORE. In addition, data was extracted from the eValuate web application utilized by a limited number of TAD sites prior to the implementation of CORE. Data was also directly provided by Milwaukee County from their legacy case management system, and their current ePretrial

case management system[11]. The participant data from these sources was combined to create the dataset across sites and programs. This dataset includes all participants who were admitted to or discharged from a TAD program between 2014 and 2018, based on what was reported by sites.[12] Going forward, this historical data will be integrated into CORE. These other data collection methods will be discontinued which will significantly improve and simplify the process of building datasets for future analysis and evaluation activities.

Recidivism Data

For the purpose of this report, recidivism was measured at three points in the criminal justice process: arrest, charge, and conviction. Two primary data sources were utilized for the recidivism analysis included in this report: centralized criminal history repository (CCH) and circuit court data. The CCH is managed by the DOJ, Crime Information Bureau (CIB) and contains fingerprint-based criminal history records relating to arrests submitted to DOJ by Wisconsin law enforcement agencies, along with any prosecution, court, and corrections data that relates to those arrests. Only arrests and related information that are required to be submitted to the criminal history repository based on various statutes or are voluntarily submitted by agencies are included in the CCH data. The CCH data was utilized for the arrest recidivism analysis.

The second primary data source for the recidivism analysis was Wisconsin circuit court data provided by the Consolidated Court Automation Programs (CCAP). CCAP is housed within the Director of State Courts Office and is a statewide computer system used by the circuit courts to manage circuit court case records. Through a separate data sharing project supported by the State CJCC, DOJ was provided an extract of all circuit court records for an initial 10-year period from 2008 to 2018. These circuit court case records were utilized for the recidivism analysis at the point of charging and at the point of conviction.

Cost-Benefit Data

Several sources were utilized to collect information for the cost-benefit analysis. Primary programmatic spending information was obtained from DOJ's Bureau of Justice Programs. Benefit information was obtained from four primary sources: site-supplied information, circuit court sentencing data, data from the Wisconsin Department of Corrections (2020), and marginal costs identified by Fredericks, Kock, Ley, Little, Olson, and Waldhart (2010).

The sites supplied participant information regarding the participants' TAD-eligible offense (including the specific statute) as well as whether the offense was a misdemeanor or felony. Sentencing data from the Wisconsin circuit courts was obtained by DOJ as part of the data sharing agreement between DOJ, DOC, and the Director of State Courts Office. The data contained case numbers, charge information, disposition

[11] Milwaukee County has been developing and testing a data integration process to provide TAD data directly into CORE. This process has been on-going for some time and a test version of the Application Program Interface (API) was utilized to provide the Milwaukee data for this analysis.

[12] Data was verified by local sites and only participant data provided by local sites is included in this analysis. A few sites had missing data or did not report data, in some cases because they received funding for a limited period of time. The grant contracts for TAD now require sites to provide data based on the system and parameters designated by DOJ and this is a focus of the technical assistance provided to the sites, which should help to ensure more complete data collection going forward.

date, and sentencing information, and was limited to cases that included a guilty disposition from 2014-2018 for the five most common TAD eligible offense statutes. This dataset did not include information from confidential cases, sealed cases, or expunged cases, and was used to calculate likelihood of incarceration and averted incarceration days. The Wisconsin Department of Corrections (DOC, 2020) supplied daily prison and jail costs, and marginal costs (adjusted for inflation) calculated by Fredericks et al. (2010) were used in combination with recidivism information to calculate the savings of reduced crime.

Methodology

Programmatic and Participant

This report provides a summary of participant information based on data submitted to DOJ by the TAD-funded counties and tribes for participants who either were admitted to or discharged from TAD-funded programs between January 2014 and December 2018. Data from the Microsoft Access databases, CORE, eValuate, and extracts from Milwaukee County was combined to create the dataset used for this report. BJIA reviewed data from these different sources and recoded variables and data values where commonality was found. Although there were some instances where data could not be easily recoded, BJIA was able to create a dataset that combined much of the data captured from all of the sources. Additional information can be found in the Challenges, Limitations, and Future Direction section further in the report.

Individuals referred, but not admitted to the program are not included; only participants listed as admitted are part of this analysis. Future reports will include a comparison to those referred, but not admitted to the program.[13] In addition, only participant data provided by the TAD sites and specifically indicated as being TAD-funded are included in this report. For data collected in CORE, sites can indicate one or more funding sources that help support the program for a particular participant, since counties and tribes have the ability to use the program to track any treatment court or diversion program, even if they are not funded by TAD. Any program participants not specifically identified in CORE as TAD-funded, or not reported at all by the sites to DOJ, would not be included in this analysis. The participant information provided in this report was reviewed and verified by local sites for completeness and accuracy.

The participant information is grouped by program type for diversion programs and treatment courts. Given the differences across the various sites and programs, this division is utilized to provide overall standardization to the analysis. The wide variety of specific program types is outlined in Appendix A and given the large number of programs, subdividing the analysis into specific program types is outside the scope of this report. This grouping by treatment courts and diversion programs is important for the analysis given the fundamental differences between these types of programs in terms of requirements, program length, target population, and related factors.

In addition, to represent the differences in the size and composition of the counties and tribes, they are also presented on county level of rurality based on 2010 Census data. Counties and tribes are classified as mostly urban, mostly rural, and completely rural (Appendix C). Counties with less than 50% of the population living in rural areas are classified as mostly urban; 50 to 99.9% are classified as mostly rural; 100% rural are classified as completely rural. For the purpose of this analysis, the mostly rural and completely rural counties are combined, in part due to the small number of counties classified as

[13] As discussed further in the report, the implementation of the Comprehensive Outcome, Research, and Evaluation (CORE) Reporting System supports the collection of participant-level data from the point of program referral rather than starting at program admission.

completely rural and the small volume of participants in the completely rural counties. This breakdown is beneficial because it allows for examination of the distribution of programs and participants across the state. The intent is to provide an approach that allows for an understanding of how the demographic and related characteristics of program participants, as well as how the outputs and outcomes across sites may vary, without getting down to the level of individual site analysis.

This will provide a more complete picture of the variation in the TAD sites and programs across the state, so that the higher volume of participants in some of the more urban and populous areas of the state do not outweigh and obscure the participant information for the programs in the predominately rural areas of the state. The mostly and completely rural counties comprise more than half (29 out of 55) of the program sites included in this analysis, but often have a lower volume of participants in part due to the population of the county. The rural and urban programs do demonstrate differences in terms of characteristics of participants being served. The intent in this report is not to directly compare programs in urban and rural areas in terms of strengths or weaknesses, but rather to provide a more complete assessment of the depth and breadth of programs, and how they differ across Wisconsin. This is a critical part of the analysis and can help to guide various aspects of the TAD program implementation going forward. The distribution of counties based on the rural/urban designation can be found in Appendix C.

The data is also presented for both admissions to and discharges from the programs. This is an important distinction because some of the programs can run 12 to 24 months or longer, so individuals may be in the program across multiple years. In addition, providing both admission and discharge information can help to examine patterns of the characteristics of those entering the program compared to whether they successfully complete or are terminated from the program due to program non-compliance or other related factors. This portion of the analysis is critical to be able to examine patterns in both graduation and termination trends across different program types to help understand what is occurring within these programs, and what factors may be related to the likelihood of participants successfully completing a TAD-funded program.

Recidivism

The primary outcome measure for this report is assessing post-program recidivism for participants starting from the point of program discharge. The recidivism analysis was conducted in line with the State CJCC *Framework for Defining and Measuring Recidivism* (Kostelac, Streveler, & Jones, 2015), which indicates "recidivism broadly refers to re-offending…" In other words, recidivism is intended to measure new criminal activity, but this information cannot be known directly so recidivism is most commonly measured as contact with the criminal justice system at the point of arrest, charge, conviction, and/or incarceration (recidivist event). The CJCC *Framework* recommends that recidivism should be measured at multiple points in the criminal justice process, in part because it provides a more complete picture of these various ways of measuring re-offending based on the level of contact and processing within the criminal justice system. Ultimately many new arrests do not lead to a new charge or even a new conviction for "reasons relating to procedural safeguards (e.g., the suppression of evidence for an unconstitutional search or seizure), lack of sufficient evidence to convict or revoke, and prosecutorial or judicial resource limitations.

To the extent that the re-arrest event is an accurate indicator of relapse into criminal behavior, excluding events due to [non-charge] or [non-conviction] will result in underestimation of recidivism" (Hunt & Dumville, 2016). These measures should also be calculated independently because the criminal justice process is not always linear, and the administrative data sources may not capture all of the relevant information at various stages of the process.[14]

Significant work went into restructuring and recoding the data utilized for this analysis to allow for records to be linked by a single identifier, the Wisconsin State Identification Number (SID). The SID is a unique person ID created by DOJ at the point a person's first arrest record is submitted to DOJ and biometrically tied in the CCH to fingerprint records. Inherently, all the CCH records at DOJ have a SID since it is assigned based on the fingerprints submitted. This was not always the case for all the circuit court records. A recent Enhanced State Data Sharing initiative worked to share the SID across multiple criminal justice systems including CCH, CCAP, and PROTECT (the prosecutor's case management system). This helped to populate some historical records in CCAP with the SID and developed a mechanism for the continued electronic sharing of SID going forward.

However, not all the older circuit court records were populated with SIDs in this process. To remedy this, other case specific identifiers were utilized to link records and obtains SIDs for the court records. First arrest tracking numbers (ATNs) were used. ATNs are unique arrest event identifiers created by DOJ when an arrest event is submitted to the CCH. Court records with an ATN but no SID were linked to CCH and the SIDs for the corresponding arrests were extracted and then populated into the court data. As a next step, names and dates of birth from court cases still without SIDs were matched to the master names lists in CCH and the SIDs that were exact matches for last name, first name, and date of birth were also populated into the court data. A similar process was applied to TAD participants without a SID; exact last name, first name, date of birth match. Relevant CCH and circuit court records were then identified and linked through SIDs. The majority of the participant discharge records could be matched electronically based on the SID, which was a significant enhancement over previous evaluations that required manual searching of records.

The recidivism analysis for this report was calculated separately for the treatment courts and diversion programs and was conducted at multiple points in the criminal justice process including arrest, charge, and conviction.[15] The analysis was based on participants who discharged from a TAD program between 2014 and 2017 to allow for a minimum of a one-year follow-up period through 2018. Participants were

[14] For example, an individual may be counted as having recidivated at the point of criminal charges being filed, even though the underlying offense and arrest do not appear in the criminal history and would therefore not be counted as a recidivist event at the point of arrest. This could occur because the arrest charge is not required to be reported to the criminal history repository and would therefore not be in CCH, but the case and associated charge would appear in CCAP.

[15] Although the analysis of recidivism at multiple points in the criminal justice system process makes the interpretation a bit more complex, it provides a more complete picture of the various ways of measuring re-offending.

tracked from the point of discharge for one, two, or three years post-program[16] depending on the length of time since they were discharged. Participants were grouped based on the length of time in the follow-up period, but each individual was tracked for the same amount of time in order to be included in the various cohorts. In other words, to be included in the one-year follow-up cohort, participants must have been out of the program for at least 365 days.

The recidivism analysis then looked for the first recidivist event during the follow-up period, based on the offense date (if available); offense date most closely corresponds with the date a new crime was committed. In some of the court records, the offense date was not available. In those cases, court filing date was used for the charge and conviction recidivism. A determination was made on whether there was at least one recidivist event during each follow-up period. The total number of individuals in each cohort was calculated and those who had at least one recidivist event within the time period were used to determine the recidivism rate or the percent of individuals who recidivated.[17] Individuals were only counted to the first recidivist event for the overall recidivism calculation. In other words, the number of arrests, charges, or convictions was not tracked, just whether each participant had at least one qualifying recidivist event during the time period for each type of recidivism.

Building on what the US Sentencing Commission (Hunt & Dumville, 2016) identified, that recidivism rates vary not only by the type of offender, but also by the type of crime, this analysis utilized a schema developed by the Bureau of Justice Information and Analysis (BJIA) which categorized all offenses into hierarchical groups. These hierarchical groups include person, property, drug, technical, violent, and public order offenses (Appendix E).[18] In addition to the overall recidivism rate across all offense types, separate independent rates were also calculated based on the first recidivist event of each offense category for each participant (if applicable) utilizing the same methodology described above. In other words, this analysis measured the amount of time it took an individual to commit the first new offense in each category independently. For example, an individual might have committed a new drug offense within one year of discharge but might not commit a new property offense until at least three years after discharge. This individual would be counted as someone who recidivated overall within the first year and would also be counted in the two and three-year cohorts since they recidivated within the first year. They would also be counted as a person who recidivated with a drug offense within the one, two, and three-year cohorts. They would not, however, be counted as a person who recidivated within one and two years

[16] Although some participants discharging in 2014 could be tracked for four years, the number of discharges with a four-year follow-up period is small, in part due to the timing of the first major expansion of TAD funding in 2014. Future evaluations should continue a longer follow-up period for participants, but for this evaluation the follow-up was limited to a three-year time period.

[17] Post-program recidivism (x100): $\frac{\text{\# of discharges with at least one recidivist event during the follow-up period}}{\text{Total \# of discharges in the follow-up period}}$

[18] This hierarchy was based on a variety of sources that classify offenses into types and generally aligns with the Adult Drug and Hybrid Performance Measures, but was customized to provide categories that fit the purpose of this analysis.

for a property offense but would for the three-year cohort. The analysis across all offense groupings is provided for reference in Appendix F.

For the purpose of this analysis, steps were taken to develop an overall comparison group that provided a general point to assess recidivism for program participants compared to those who went through the traditional criminal justice system. This comparison group was comprised of all unique individuals (excluding TAD participants included in this analysis) who were arrested[19] for a nonviolent felony or misdemeanor in 2014 and that arrest occurred in one of the 52 TAD counties or three tribes. Utilizing arrests that occurred in 2014 as the starting point allowed for at least a three-year follow-up period for comparison. Persons arrested for violent felonies or violent misdemeanors were excluded to be consistent with the TAD violent offender restriction.

Cost-Benefit

This analysis aims to address the question, "For every $1 in state TAD funding spent, what are the savings to the Wisconsin criminal justice system?" While the cost-benefit analysis followed the same overall structure as previous analyses completed by the University of Wisconsin Population Health Institute (Van Stelle, K.R., Goodrich, J., & Kroll, S., 2014; Van Stelle, K.R., Goodrich, J, & Paltzer, J., 2011), BJIA attempted to improve and update some of the estimation with varying measurement techniques. Please see Appendix F for a full technical description of the techniques used in this cost-benefit analysis.

The costs for the analysis include the state TAD funding spent by treatment courts and diversion programs between 2014-2018 (including programs that did not admit any participants during a given year), minus the expected income the sites received in program fees. Program fees vary across programs and participants; some programs have no fee, whereas others have either weekly, monthly, or one-time fees. Additionally, some participants have no obligation to pay the fee, and some are not in compliance with paying the fee. Based on available information regarding fee compliance, the estimated income per site was based on how many participants discharging were expected to pay, the specific fee for each site, and how long the average discharge was in the program for weekly/monthly fee structures.

The benefits included in the analysis are averted incarceration costs and savings from reduced crime. To calculate averted incarceration costs, BJIA focused only on program graduates and whether the graduate was likely facing a felony (prison possibility) or misdemeanor (jail possibility) at the time of program admission, which was then used to estimate the likelihood of an incarceration sentence based on Wisconsin circuit court sentencing data from 2014-2018. After estimating that approximately half of the graduates likely would have received an incarceration sentence if not for their TAD program participation, the number of jail (81.49) or prison (859.53) days the graduate likely would have been sentenced to was estimated using the same circuit court sentencing dataset based on the most common charges they were facing. Additional information on the sentencing estimates can be found in the technical description in Appendix F and in the limitations section of this report. The cost of a day in jail or prison (per the Wisconsin Department of Corrections, 2020) was then applied to the number of estimated days averted by those

[19] Only arrests reported to DOJ and included in CCH were included

who were discharged from the program through successful completion of program requirements (graduation).

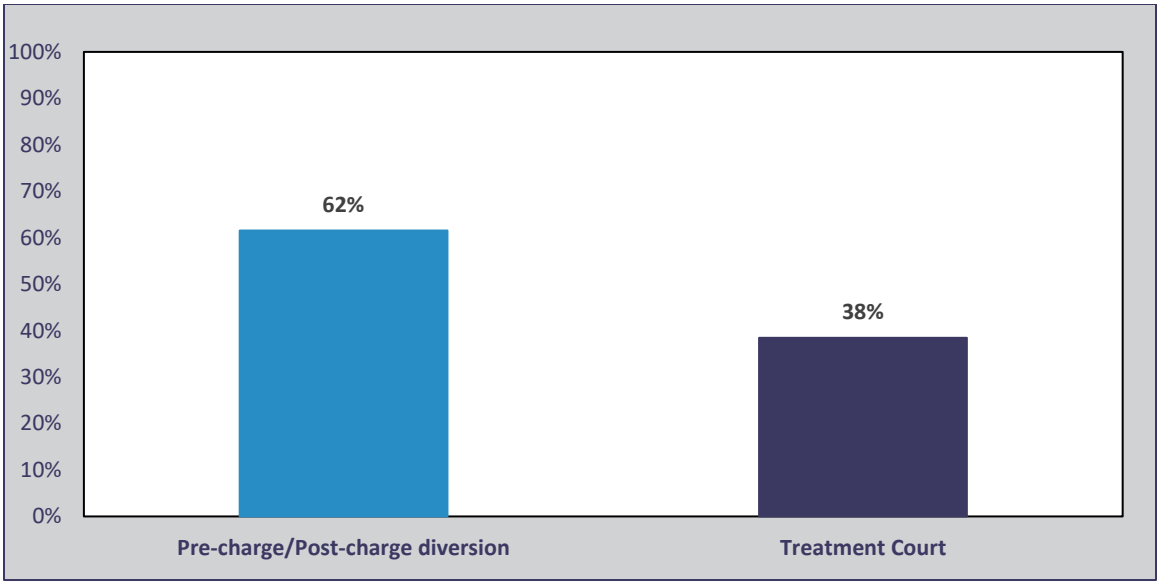
The savings from reduced crime was measured by calculating the number of likely averted convictions. This was achieved by comparing the three-year recidivism (conviction) rates of treatment court and diversion program participants to the recidivism rates for a comparison group (described earlier) to estimate how many convictions were averted by offense type. The cost of these estimated averted convictions was then calculated using marginal costs to the criminal justice system identified by Fredericks et al. (2010) and adjusted to 2018 dollars.

Participant Admission and Discharge Overview

The information below provides a summary of admission and discharge data for participants who entered or were discharged from TAD-funded programs between January 2014 and December 2018. This represents the five-year period since the last evaluation report was completed. The summary information is divided into treatment courts and diversion programs and represents the participant data collected by the local sites and submitted to DOJ through one of the data collection processes outlined above.

A total of 6,125 admissions were reported in TAD-funded programs between 2014 and 2018. As shown in Chart 2, the majority (62%) of the admissions were admissions to pre-charge or post-charge diversion programs, and 38% were admissions to treatment courts.[20] The higher percent of admissions was for diversion programs despite the fact that there were more treatment court programs funded by TAD at the end of 2018 (see Appendix A). This is likely due in part to diversion programs having higher capacity for the number of participants, typically being a shorter duration, and having fewer requirements than treatment courts. The overall distribution of programs is outlined in Appendix A.

Chart 2: TAD Admission by Program Type 2014-2018

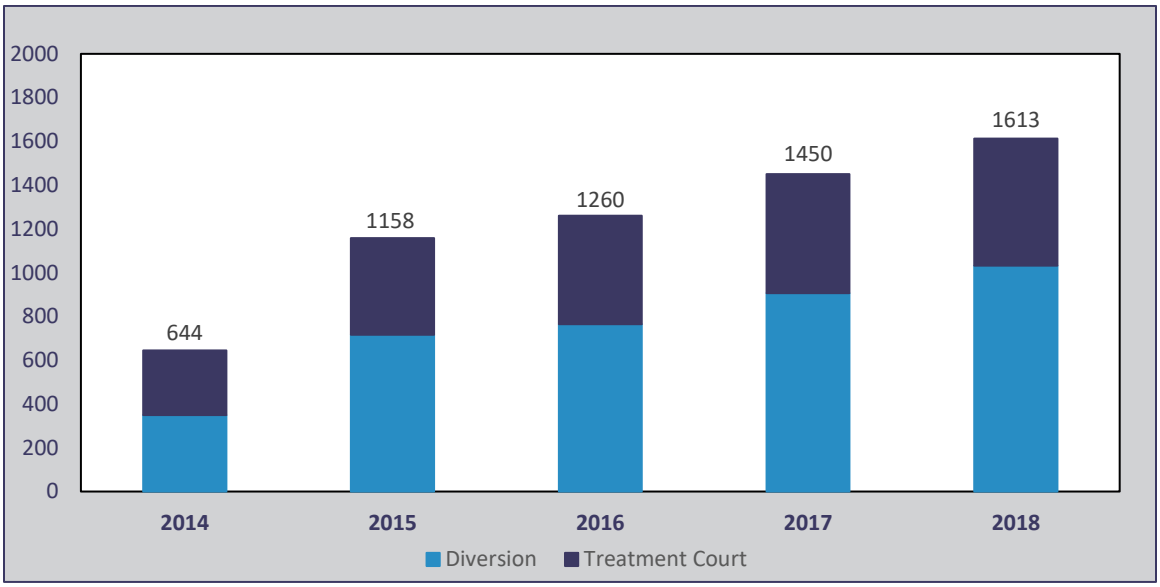


As shown in Chart 3, there has been a steady increase in the overall number of TAD admissions on an annual basis between 2014 and 2018, with a similar distribution on an annual basis between diversion program and treatment court admissions. The number of admissions increased from 644 in 2014 to 1,613

[20] There were an additional 4,479 admissions tracked between 2014 and 2018 for a program that focused on pretrial supervision. This program was originally funded through TAD, but further consideration and discussion with the local site determined that the program did not meet all of the statutory requirements. Therefore, for this analysis and evaluation, these admissions were removed to not outweigh the general diversion program data. The site has reallocated their TAD funding and starting in 2019 the pretrial supervision program is no longer funded by TAD.

in 2018, a 150% increase over the 5-year period. This largely reflects the expansion of TAD programs over this period, as discussed above.

Chart 3: Admissions by Program Type 2014-2018 by Year



As shown in Table 1, the majority (79.2%) of the participants admitted to TAD-funded programs were in counties designated as "mostly urban," even though a substantial number (29 out of 55) counties and tribes that receive TAD funding are designated as mostly or completely rural (see Appendix C). The higher proportion of urban participants occurs for both treatment courts and diversion programs, although the difference is greater for diversion programs with 84.4% of diversion participants coming from mostly urban counties compared to 70.9% of treatment court participants. This is partially a reflection of the higher volume of participants going through the programs in larger, more populous counties. A number of the counties with the highest population, Milwaukee, Dane, Brown, La Crosse, and Outagamie for example, have TAD-funded diversion programs (See Appendix B). The breakdown of total admissions by the rural and urban strata reinforces the benefit of this more detailed analysis as it allows for a more detailed understanding of the characteristics of participants in TAD programs across the state. Without the analysis by rurality, the participants in urban areas would obscure the differences found in the more rural counties that are also receiving TAD funding.

Table 1:TAD Admissions: Summary by Rural/Urban Strata 2014-2018

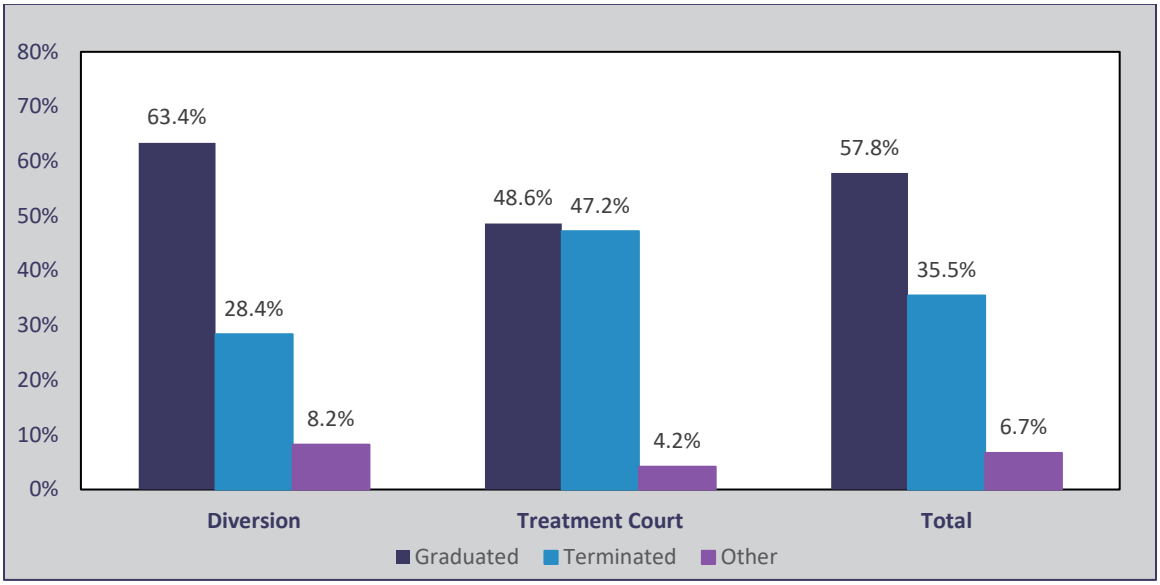
	Total		Diversion		Treatment Court	
	Count	Percent	Count	Percent	Count	Percent
Rural/Mostly Rural	1274	20.8%	588	15.6%	686	29.1%
Mostly Urban	4851	79.2%	3182	84.4%	1669	70.9%
Total	6125	100.0%	3770	100.0%	2355	100.0%

A total of 4,880 discharges were reported between 2014 and 2018 for both treatment courts and diversion programs. Overall a higher percent of participants graduated or successfully completed programs (57.8%) compared to 35.5% of participants who were terminated from treatment courts and diversion programs. Other discharges, which include administrative discharges and voluntary withdrawals from the programs, account for less than 7% of the total discharges. The distribution of discharges differed by program type however, with a higher portion of participants being terminated from treatment courts (47.2%) compared to less than a third of diversion program participants (28.4%). Most diversion program participants were recorded as having successfully completed the programs, compared to slightly less than half of treatment court participants. This likely reflects, at least in part, the higher requirements for treatment court programs, as well as the focus on participants with higher criminogenic risk and need levels. Compared to the 2014 TAD evaluation, the overall completion rate was lower for 2014-2018 program discharges at 58% compared to 66% of 2007-2013 program discharges. The same pattern held however, with a lower percent of successful discharges for treatment courts (56% for 2014 compared to 49%) and a higher percent for successful diversion discharges (68% for 2014 compared to 63%).

Successful program completion or graduation typically indicates that the participant has met all of the program requirements, while termination is an indication that the participant violated one or more program rules or requirements that ultimately resulted in their removal from the program.[21] Terminations can occur for a variety of reasons, ranging from participants absconding and not returning to the program to non-compliance with program requirements. Administrative discharges can occur for specific circumstances such as an individual moving out of the county, a participant passing prior to being discharged from the program, or other circumstances that would not allow the participant to continue program participation. A voluntary withdrawal occurs when an individual decides to discontinue program participation and the program requirements allow them to withdraw rather than being terminated from the program.

[21] Recommendations related to program requirements for terminations and the processing of terminations can be found in the Wisconsin Treatment Court Standards and the Wisconsin Diversion Standards.

Chart 4: TAD: Discharges by Type for Diversion and Treatment Court Participants 2014-2018



N=4,880 total; 3,052 diversion; 1,828 treatment court

The distribution of discharges by the rural and urban designation for treatment court and diversion programs mirrors admissions with the majority (81%) of discharges being in mostly urban counties. This varied by program type with a higher percent of diversion discharges from mostly urban counties (85.7%) compared to treatment court discharges (73.1%).

Table 2: TAD Discharges: Summary by Rural/Urban Strata 2014-2018

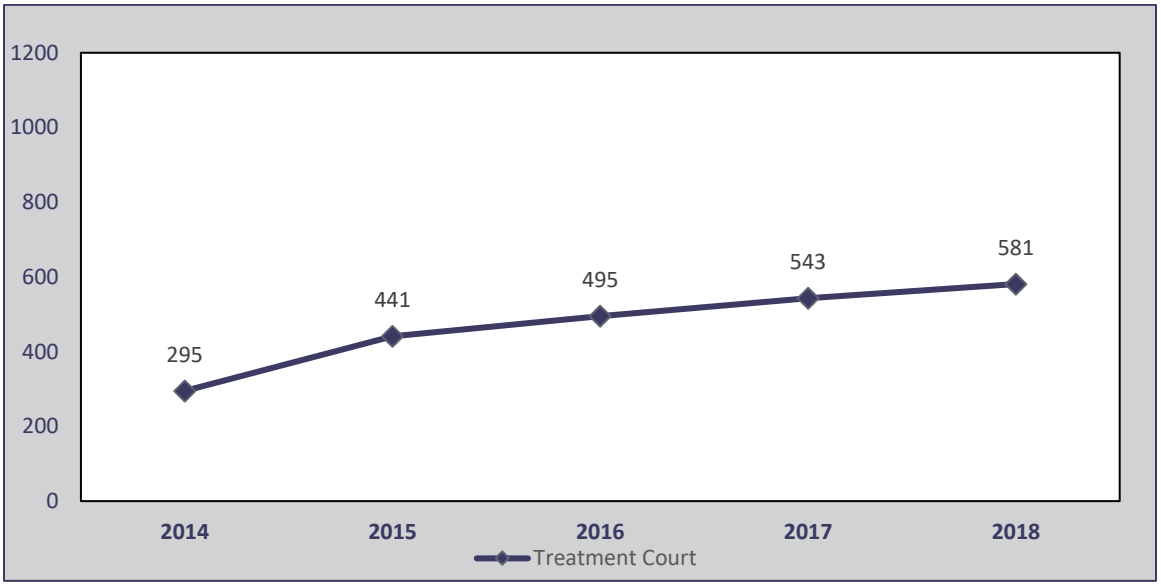
	Total		Diversion		Treatment Court	
	Count	Percent	Count	Percent	Count	Percent
Rural/Mostly Rural	927	19.0%	435	14.3%	492	26.9%
Mostly Urban	3953	81.0%	2617	85.7%	1336	73.1%
Total	4880	100.0%	3052	100.0%	1828	100.0%

The following sections provide information on the treatment court and diversion program admissions and discharges for 2014-2018.

Treatment Court Admission Summary

The total number of treatment court admissions from 2014 to 2018 increased steadily from a low of 295 in 2014 to 581 in 2018, an increase of 97% over the 5-year period as shown in Chart 5.

Chart 5:Treatment Court Admissions: Total Admissions by Admission Year



As shown in Table 3, the overall demographics of participants admitted to TAD-funded treatment courts between 2014-2018 indicates that the majority of participants were male (61.4%), white (87.4%), not Hispanic/Latino (96.9%), and were between the ages of 18 and 35 (70.4%) with an average age of 33. The next highest categories for race of participants were American Indian/Alaskan Native (6.0%) and African-American/Black (4.6%).[22]

When considering the demographics for urban versus rural programs, the distribution by sex and ethnicity were similar and the majority of participants were listed as white for race, but a higher proportion of those in urban areas were listed as African-American or Black (6.0%) compared to rural areas (1.2%), where rural areas had a higher percent listed as American Indian/Alaskan Native (12.5%) compared to 3.3% in urban counties. Participants in rural areas tended to be older with only 62.0% in the 18 to 35 age range (average age of 35) compared to 73.8% of participants in urban areas in the 18 to 35 age range (average age of 32).

[22] For all tables breaking down characteristics of program participants at the point of admission and discharge the percentages shown are excluding unknown.

Table 3:Treatment Court Admissions: Demographic summary of admissions by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Age						
Average Age	33.0		35.0		32.1	
Under 18	1	0.0%	0	0.0%	1	0.1%
18-25	616	26.4%	136	20.1%	480	29.0%
26-35	1025	44.0%	284	41.9%	741	44.8%
36-45	431	18.5%	144	21.3%	287	17.3%
45-55	190	8.1%	77	11.4%	113	6.8%
56+	69	3.0%	36	5.3%	33	2.0%
Unknown	23		9		14	
Sex						
Male	1442	61.4%	421	61.5%	1021	61.3%
Female	908	38.6%	263	38.5%	645	38.7%
Unknown	5		2		3	
Race						
White	2039	87.4%	584	86.0%	1455	88.0%
African-American/Black	107	4.6%	8	1.2%	99	6.0%
American Indian/Alaskan Native	140	6.0%	85	12.5%	55	3.3%
Asian	13	0.6%	0	0.0%	13	0.8%
Other	33	1.4%	2	0.3%	31	1.9%
Unknown	23		7		16	
Ethnicity						
Hispanic/Latino	68	3.1%	11	1.8%	57	3.6%
Not Hispanic/Latino	2146	96.9%	616	98.2%	1530	96.4%
Unknown	141		59		82	

N=2,355

Looking at the personal characteristics of the treatment court participants (Table 4), the majority (71.6%) had a high school education or less at the point of admission, with over 20% of participants recorded as having less than high school for their highest level of education. More than half (61.5%) of participants were not employed at the time of program admission, with 28.7% employed full-time. The highest percent (38.0%) of participants were shown as living with parents/relatives/friends at the time of admission, with over one-quarter of participants listed as living independently (29.1%). Just over 5% were listed as homeless or living in a shelter and 17.7% were listed as incarcerated for their living situation at the time of admission. For marital status, most participants were listed as single or never married (72.8%) with nearly 18% divorced, separated, or widowed.

When this information is considered across the urban and rural counties, a slightly higher percent of participants from urban counties had at least some college or higher for their education (30.8%) compared to participants from rural counties (22.6%). A higher percent of participants in rural counties were listed as living independently (38.4%) compared to those from urban counties (25.2%) with those in urban counties more likely to be listed as living with parents/relatives/friends, to be incarcerated, or to be homeless or living in a shelter. A higher percent of participants from urban counties were not employed at the time of program admission (65.5%) compared to 51.8% of rural county admissions. Participants

from urban counties were more likely to be single or never married (76.3%) compared to 63.7% of rural participants. Those from rural counties had a higher proportion divorced, widowed, or separated.

Table 4:Treatment Court Admissions: Personal characteristics of participants by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Education						
Less than High School	459	21.2%	127	20.6%	332	21.4%
High School Diploma/GED	1094	50.4%	350	56.8%	744	47.9%
Some College	470	21.7%	88	14.3%	382	24.6%
Technical or Vocational Degree	57	2.6%	20	3.2%	37	2.4%
Associate's Degree	39	1.8%	15	2.4%	24	1.5%
Bachelor's Degree	48	2.2%	16	2.6%	32	2.1%
Professional Degree (MD, JD,	3	0.1%	0	0.0%	3	0.2%
Unknown	185		70		115	
Employment						
Employed full-time	589	28.7%	218	35.7%	371	25.7%
Employed part-time/seasonal	170	8.3%	58	9.5%	112	7.8%
Not employed	1263	61.5%	316	51.8%	947	65.5%
Other	33	1.6%	18	3.0%	15	1.0%
Unknown	300		76		224	
Living Situation						
Independent Living	634	29.1%	246	38.4%	388	25.2%
With Parents/Relatives/Friends	829	38.0%	204	31.9%	625	40.6%
Homeless/Shelter	123	5.6%	28	4.4%	95	6.2%
Incarceration	385	17.7%	102	15.9%	283	18.4%
Other	208	9.5%	60	9.4%	148	9.6%
Unknown	176		46		130	
Marital Status						
Married	194	8.8%	57	9.2%	137	8.6%
Never Married	1609	72.8%	393	63.7%	1216	76.3%
Divorced/Widowed/Separated	396	17.9%	165	26.7%	231	14.5%
Other	12	0.5%	2	0.3%	10	0.6%
Unknown	144		69		75	

N=2,355

When considering some of the background information for treatment court participants (Table 5), of those with a listed criminogenic risk level based on the use of a risk assessment tool, the majority were listed as high risk (70.4%) followed by moderate or medium risk (21.7%).[23] In terms of overall need level for the participants, for those with information available, the majority (76.8%) were listed as high need. This reinforces that the higher risk/need participants are being served by treatment courts, which typically include more intense programming and longer program periods than tends to be the case for pre- and

[23] A higher proportion of participant records are missing risk/need information, which is likely due to differences in the data collection systems utilized during this time period, as well as classification questions across sites. This data should be more consistently collected in the CORE Reporting System going forward and will need to be reinforced and clarified with sites to improve the collection of this critical data.

post-charge diversion programs. This varied significantly between urban and rural counties. The majority of participants with a listed criminogenic risk level in the mostly urban counties was high (78.8%) compared to less than half of participants in rural counties (48.4%). Multiple risk/needs assessments are used by programs throughout the state. The Wisconsin Treatment Court Standards (Wisconsin Association of Treatment Court Professionals, 2018) define risk/needs assessments as using "actuarial-based tools to classify participants into levels of risk (e.g. low, medium, and high) and to identify and target the nature, timing, and dosage of interventions to address participant criminogenic needs (e.g. antisocial attitudes, antisocial peer groups) generally related to recidivism. A risk/needs assessment does not indicate whether a particular participant will actually recidivate; rather it identifies the "risk" or probability that the participant will recidivate based upon comparison of that participant to a normed group of individuals. The probability is based on the extent to which a participant has characteristics like those of other participants who have recidivated".

Table 5:Treatment Court Admissions: Background summary of participants by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Risk Level						
High	1044	70.4%	200	48.4%	844	78.8%
Medium	322	21.7%	140	33.9%	182	17.0%
Low	118	8.0%	73	17.7%	45	4.2%
Need Level						
High	1381	76.8%	384	75.3%	997	77.4%
Medium	311	17.3%	74	14.5%	237	18.4%
Low	106	5.9%	52	10.2%	54	4.2%
Drug of Choice						
Alcohol	477	22.9%	257	42.4%	220	14.9%
Heroin	278	13.3%	31	5.1%	247	16.7%
Methamphetamines	371	17.8%	161	26.6%	210	14.2%
Opioids/Opiates (Non-heroin)	617	29.6%	96	15.8%	521	35.2%
Marijuana	149	7.1%	32	5.3%	117	7.9%
Cocaine/Crack Cocaine	114	5.5%	5	0.8%	109	7.4%
Other	80	3.8%	24	4.0%	56	3.8%
Offense Type~						
Bail Jumping	66	3.0%	29	4.4%	37	2.4%
Criminal damage	55	2.5%	11	1.7%	44	2.8%
Disorderly Conduct	46	2.1%	11	1.7%	35	2.2%
Drug Possession	317	14.3%	116	17.6%	201	12.9%
Drug Manufacture/Delivery	802	36.2%	161	24.4%	641	41.2%
OWI	434	19.6%	250	37.9%	184	11.8%
Property/Fraud	330	14.9%	47	7.1%	283	18.2%
Traffic	5	0.2%	1	0.2%	4	0.3%
Other	162	7.3%	34	5.2%	128	8.2%
Unknown	138		26		112	
Offense Severity~						
Felony	1822	82.2%	499	74.6%	1323	85.5%
Misdemeanor	314	14.2%	118	17.6%	196	12.7%
Other	80	3.6%	52	7.8%	28	1.8%
Unknown	139		17		122	

~Based on primary charge at time of program admission.

N=2,355

Opiates/opioids (29.6%) and alcohol (22.9%) were the most common primary drug of choice listed, followed by meth and heroin, for participants where this information was known. The drug of choice also varied across participants in urban and rural counties. Opiates/opioids was predominant in urban counties (35.2%) compared to 15.8% in rural counties. Alcohol (42.4%) and meth (26.6%) were higher in rural counties, where heroin (16.7%) followed opiates/opioids in urban counties.

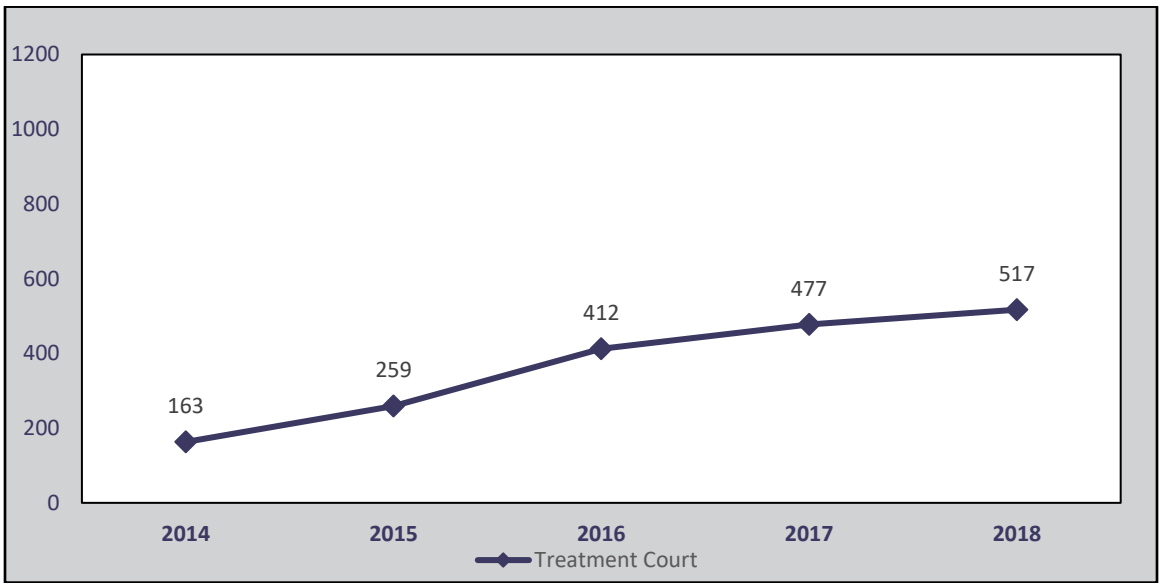
In terms of the primary offense type bringing the participants into the treatment court program, most participants were listed with the primary offense as a felony (82.2%), which was slightly higher for participants in urban counties (85.5%) compared to rural counties (74.6%). The most common categories including drug manufacture/delivery, OWI, property/fraud offenses and drug possession. Drug manufacture/delivery was higher for participants in urban counties, while OWI and drug possession were

higher for rural county participants. The differences in drug of choice and primary offense may reflect variation in the characteristics of people admitted to treatment courts, drug trend differences across counties, as well as focus areas for specific programs such as opioid-specific or OWI-specific programs in particular counties, among other factors.

Treatment Court Discharge Summary

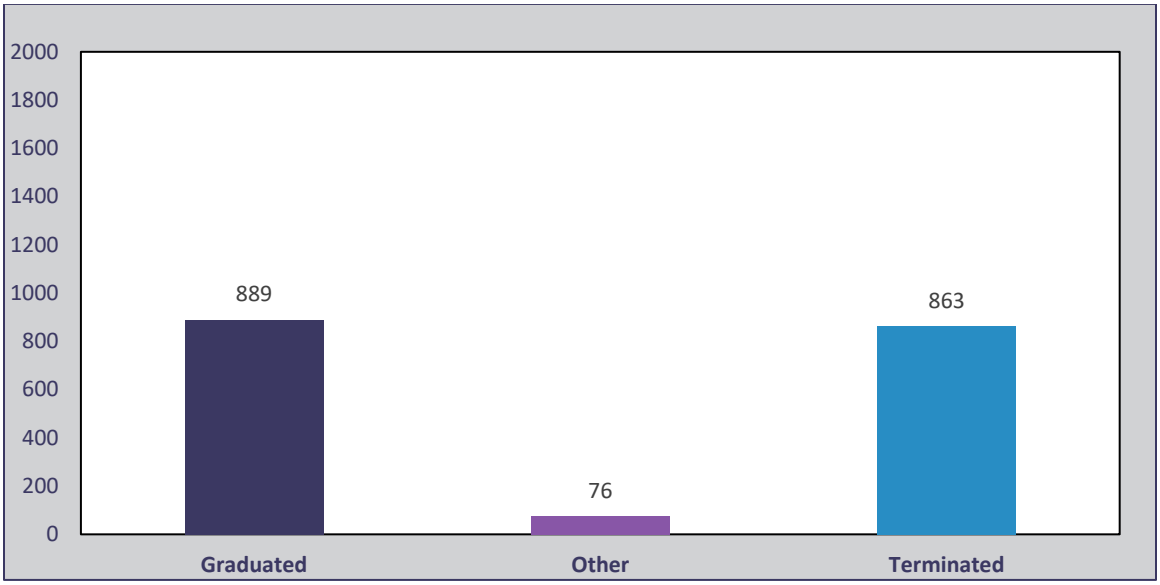
The total number of treatment court discharges from 2014 to 2018 increased steadily from a low of 163 in 2014 to 517 in 2018, an increase of over 200% over the 5-year period as shown in Chart 6.

Chart 6:Treatment Court Discharges: Total discharges by year



When looking further at the program discharges by type in Chart 7, for treatment courts the data indicates that a similar number of participants graduated from treatment court programs between 2014 and 2018 as were terminated from these programs. A small proportion (less than 5%) were administratively discharged or voluntarily withdrew from the program.

Chart 7:Treatment Court Discharges: Total discharges by type



As shown in Table 6, the overall demographics of participants discharged from TAD-funded treatment courts between 2014 and 2018 indicate that the majority of participants were male (63.3%), white (85.7%), not Hispanic/Latino (96.7%), and were between the ages of 18 and 35 (71.5%) with an average age of 33.5.

When considering the demographics for those who graduated versus those who were terminated, a higher percent of those who graduated were male (66.7% compared to 60.2% of those who were terminated) or conversely, a higher percent of those terminated were female (39.8% compared to 33.3% of those who graduated). Those who graduated tended to be older with an average age of 36 compared to 31 for those who were terminated. Of those who graduated, a higher percent were white (91.1%) compared to those who were terminated (81.1%) with a higher percent of those terminated listed as African-American/Black (7.1%) or American Indian/Alaskan Native (8.7%).

Table 6:Treatment Court Discharges: Demographic summary of discharges by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Age								
Average Age	33.5		36.0		31.1		30.3	
Under 18	0	0.0%	0	0.0%	0	0.0%	0	0.0%
18-25	518	28.6%	196	22.2%	291	34.1%	31	41.3%
26-35	776	42.9%	364	41.3%	386	45.3%	26	34.7%
36-45	315	17.4%	178	20.2%	126	14.8%	11	14.7%
45-55	149	8.2%	102	11.6%	41	4.8%	6	8.0%
56+	52	2.9%	42	4.8%	9	1.1%	1	1.3%
Unknown	18		7		10		1	
Sex								
Male	1156	63.3%	592	66.7%	519	60.2%	45	59.2%
Female	670	36.7%	296	33.3%	343	39.8%	31	40.8%
Unknown	2		1		1		0	
Race								
White	1553	85.7%	804	91.1%	693	81.1%	56	74.7%
African-American/Black	100	5.5%	31	3.5%	61	7.1%	8	10.7%
American Indian/Alaskan Native	118	6.5%	35	4.0%	74	8.7%	9	12.0%
Asian	7	0.4%	2	0.2%	5	0.6%	0	0.0%
Other	35	1.9%	11	1.2%	22	2.6%	2	2.7%
Unknown	15		6		8		1	
Ethnicity								
Hispanic/Latino	58	3.3%	24	2.8%	32	4.0%	2	2.9%
Not Hispanic/Latino	1686	96.7%	841	97.2%	778	96.0%	67	97.1%
Unknown	84		24		53		7	

N=1,828

The personal characteristics (Table 7) of participants discharged from TAD treatment court programs between 2014 and 2018 provides an indication that overall the majority of participants had a high school education or less (71.2%), which was substantially higher for those who were terminated (74.9%) compared to those who graduated (67.8%). Therefore, out of those who graduated or successfully completed the treatment court program, a higher percent had at least some college, a college degree, or higher. In terms of employment, the highest percent treatment court discharges were not employed at the time of discharge (61.3%), which was higher for those terminated (75.3%) than for those who graduated (47.4%).

The highest percent of discharged participants were single or never married (73.8%). Participants who were terminated were more likely to be single or never married (80.0%) compared to those who graduated (67.2%), who were more likely to be married or to be divorced, widowed, separated. For living situation, the highest percent were listed as living with parents/relatives/friends at the time of program admission (37.1%) followed by living independently (30.4%). Of those who were terminated, they were

more likely to be living with parents/relatives/friends at time of program admission and also were more likely to be incarcerated at the time of program admission.[24]

Table 7:Treatment Court Discharges: Personal characteristics of participants by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Education								
Less than High School	392	22.9%	145	17.3%	234	29.0%	13	19.1%
High School Diploma/GED	829	48.4%	423	50.5%	371	45.9%	35	51.5%
Some College	383	22.3%	199	23.7%	168	20.8%	16	23.5%
Technical or Vocational Degree	45	2.6%	31	3.7%	13	1.6%	1	1.5%
Associate's Degree	26	1.5%	17	2.0%	9	1.1%	0	0.0%
Bachelor's Degree	36	2.1%	20	2.4%	13	1.6%	3	4.4%
Professional Degree (MD, JD,	3	0.2%	3	0.4%	0	0.0%	0	0.0%
Unknown	114		51		55		8	
Employment								
Employed full-time	466	29.1%	331	42.3%	121	16.0%	14	21.9%
Employed part-time/seasonal	132	8.2%	72	9.2%	53	7.0%	7	10.9%
Not employed	983	61.3%	371	47.4%	570	75.3%	42	65.6%
Other	23	1.4%	9	1.1%	13	1.7%	1	1.6%
Unknown	224		106		106		12	
Living Situation								
Independent Living	520	30.4%	331	39.7%	169	20.9%	20	28.6%
With Parents/Relatives/Friends	636	37.1%	285	34.2%	324	40.0%	27	38.6%
Homeless/Shelter	75	4.4%	30	3.6%	42	5.2%	3	4.3%
Incarceration	323	18.9%	129	15.5%	182	22.5%	12	17.1%
Other	158	9.2%	58	7.0%	92	11.4%	8	11.4%
Unknown	116		56		54		6	
Marital Status								
Married	161	9.2%	100	11.8%	56	6.7%	5	7.4%
Never Married	1290	73.8%	572	67.2%	664	80.0%	54	79.4%
Divorced/Widowed/Separated	289	16.5%	173	20.3%	107	12.9%	9	13.2%
Other	9	0.5%	6	0.7%	3	0.4%	0	0.0%
Unknown	79		38		33		8	

N=1,828

When looking at the background summary of those discharged from TAD treatment court programs during this time period (Table 8), overall the majority were listed as high criminogenic risk (69.7%) of those where the information was known. This was substantially higher for those terminated (76.1%) compared to those who graduated or successfully completed the program (63.3%). In other words, higher-risk participants were more likely to be terminated. The same pattern held true for need level. The majority of the treatment court discharges were high need level (78.0%) where the information was known, but this was again higher for those who terminated (80.7%) compared to those who graduated (75.2%).

[24] With the implementation of the CORE Reporting System, data will be available to compare key personal characteristics such as employment, education, and living situation at the time of program admission compared to program discharge to monitor changes between the start and completion of a program.

Table 8:Treatment Court Discharges: Background summary of discharges by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Risk Level								
High	728	69.7%	318	63.3%	382	76.1%	28	68.3%
Medium	245	23.4%	135	26.9%	104	20.7%	6	14.6%
Low	72	6.9%	49	9.8%	16	3.2%	7	17.1%
Need Level								
High	1097	78.0%	492	75.2%	563	80.7%	42	76.4%
Medium	233	16.6%	115	17.6%	109	15.6%	9	16.4%
Low	77	5.5%	47	7.2%	26	3.7%	4	7.3%
Drug of Choice								
Alcohol	380	23.2%	277	34.7%	94	12.0%	9	17.0%
Heroin	112	6.8%	46	5.8%	61	7.8%	5	9.4%
Methamphetamines	254	15.5%	118	14.8%	133	16.9%	3	5.7%
Opioids/Opiates (Non-heroin)	588	35.9%	244	30.5%	324	41.3%	20	37.7%
Marijuana	151	9.2%	65	8.1%	78	9.9%	8	15.1%
Cocaine/Crack Cocaine	94	5.7%	33	4.1%	55	7.0%	6	11.3%
Other	58	3.5%	16	2.0%	40	5.1%	2	3.8%
Offense Type~								
Bail Jumping	45	2.6%	19	2.2%	25	3.0%	1	1.5%
Criminal damage	56	3.2%	22	2.6%	33	4.0%	1	1.5%
Disorderly Conduct	38	2.2%	17	2.0%	14	1.7%	7	10.3%
Drug Possession	101	5.8%	41	4.8%	53	6.5%	7	10.3%
Drug Manufacture/Delivery	736	42.4%	324	38.3%	390	47.6%	22	32.4%
OWI	339	19.6%	262	31.0%	70	8.5%	7	10.3%
Property/Fraud	298	17.2%	111	13.1%	170	20.7%	17	25.0%
Traffic	1	0.1%	1	0.1%	0	0.0%	0	0.0%
Other	120	6.9%	49	5.8%	65	7.9%	6	8.8%
Unknown	94		43		43		8	
Offense Severity~								
Felony	1387	80.3%	649	76.8%	685	84.0%	53	77.9%
Misdemeanor	292	16.9%	155	18.3%	125	15.3%	12	17.6%
Other	49	2.8%	41	4.9%	5	0.6%	3	4.4%
Unknown	100		44		48		8	

~Based on primary charge at time of program admission.

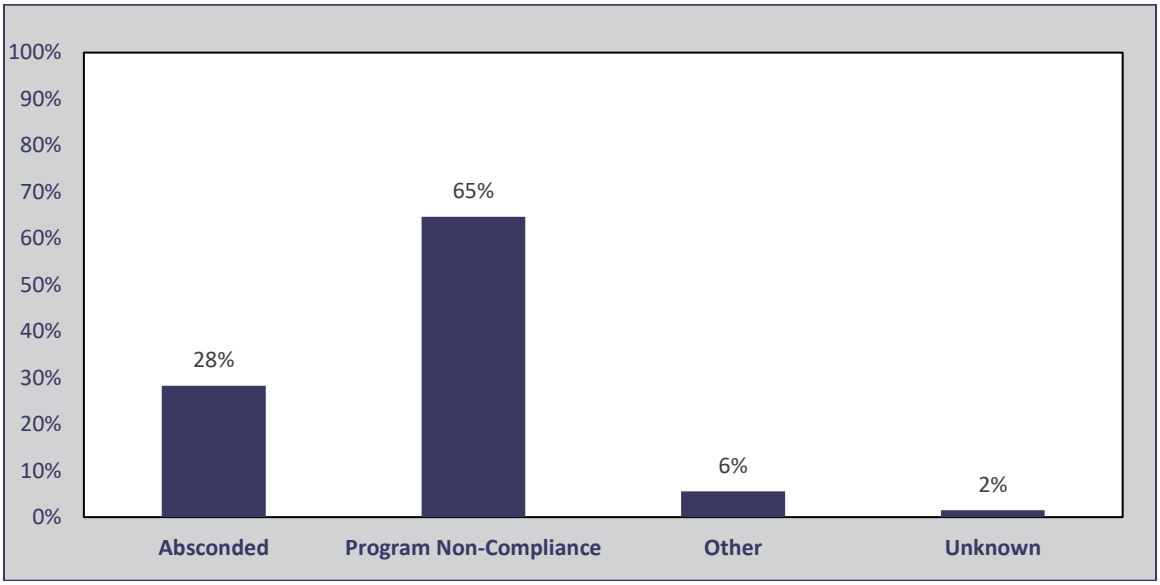
N=1,828

Of the total treatment court discharges between 2014 and 2018, opioids/opiates were the most common drug of choice (35.9%) followed by alcohol (23.2%). This differed based on discharge type, with alcohol being the most frequent drug of choice, followed by opioids/opiates for those participants who successfully completed a treatment court program. Those who were terminated were more likely to have opioids/opiates (41.3%) as the drug of choice. Those participants with alcohol as their drug of choice were more likely to graduate or successfully complete the treatment court program, where those with opiates/opioids and meth are more likely to be terminated. In terms of offense type, more than 80 percent of all participants discharged had a primary offense that was a felony, with drug manufacture/delivery being the most frequent (42.4%) followed by OWI and property/fraud offenses. Of those who graduated from treatment court programs, the highest percent had a primary offense of drug manufacture/delivery (38.3%) followed closely by OWI (31.0%), but for those who terminated, a higher percent had a primary

offense of drug manufacture/delivery (47.6%), followed by property/fraud offenses (20.7%). Stated another way, those participants coming in with a primary offense of drug manufacture/delivery or property/fraud were more likely to be terminated from treatment court programs, where those with an OWI were more likely to successfully complete the program.

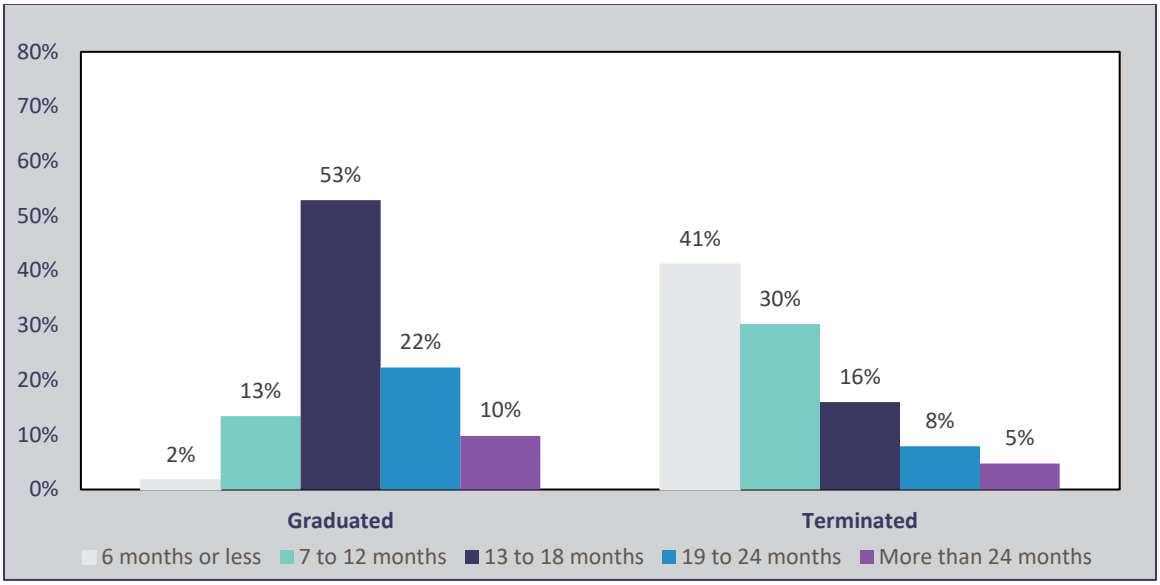
Looking further at those participants terminated from TAD treatment court programs, the primary reason for terminations was program non-compliance (65%). Program noncompliance can include a variety of behaviors ranging from a new arrest or incarceration to failed drug test(s), missed court appointment(s) and a variety of other non-compliance reasons depending on the specific program requirements. Approximately 28% of terminations were due to the individual absconding or leaving the program without approval.

Chart 8:Treatment Court Discharges: Termination reason



In addition to understanding how participants are discharged from TAD programs, it is also important to consider the length of time participants were in the program by discharge type. Overall, the average length of time in a treatment court program was 16.7 months for those who graduated, compared to 9.3 months for participants who were terminated. As shown in Chart 8, of those who graduated, the majority spent more than a year in the treatment court program with 53% spending between 13 and 17 months and more than 30% spending 19 months or more. Of those participants who were terminated from treatment court programs, the highest percent were terminated within six months (41%), with an additional 30% between 7 months and one year. Few participants were terminated after 24 months in the program.

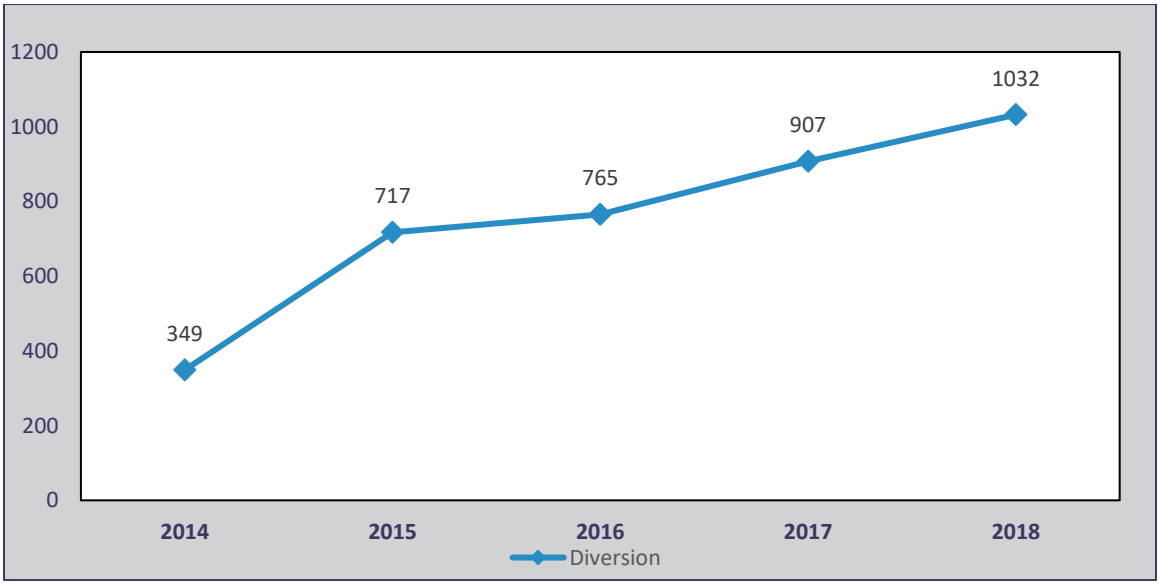
Chart 9:Treatment Court Discharges: Length of time in program by discharge type



Diversion Program Admission Summary

The total number of diversion program admissions from 2014 to 2018 increased steadily from a low of 349 in 2014 to 1032 in 2018, an increase of 196% over the 5-year period as shown in Chart 10.

Chart 10:Diversion Program Admissions: Total Admissions by Admission Year



As shown in Table 9, the overall demographics of participants admitted to TAD-funded pre- and post-charge diversion programs between 2014 and 2018 indicates that the majority of participants were male (63.4%), white (82.1%), not Hispanic/Latino (94.1%), and were between the ages of 18 and 35 (69.8%) with an average age of 30.9. The next highest categories for race of participants were African-American/Black (9.4%) and American Indian/Alaskan Native (4.3%). Compared to treatment court programs, participants in diversion programs were more likely to be Hispanic/Latino and African-American/Black and were somewhat younger, on average.

When considering the demographics for urban versus rural programs, the distribution by sex was similar although a slightly higher proportion of the participants in rural counties were female (39.9%) compared to participants in urban counties (36.0%). A higher proportion of participants in diversion programs were listed as Hispanic/Latino in urban counties (6.8% versus 1.3% in rural counties). In terms of race, although the majority of participants were listed as white in both urban and rural counties, a higher proportion of those in urban areas were listed as African-American/Black (10.7%) compared to rural areas (1.9%), where rural areas had a higher percent listed as American Indian/Alaskan Native (12.2%) compared to 2.8% in urban counties. Participants in rural areas tended to be older with only 65.1% in the 18 to 35 age range (average age of 32.4) compared to 70.7% of participants in urban areas in the 18 to 35 age range (average age of 30.6).

Table 9:Diversion Program Admissions: Demographic summary of admissions by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Age						
Average Age	30.9		32.4		30.6	
Under 18	149	4.0%	17	3.0%	132	4.2%
18-25	1397	37.3%	187	32.5%	1210	38.2%
26-35	1215	32.5%	188	32.6%	1027	32.4%
36-45	537	14.4%	107	18.6%	430	13.6%
45-55	295	7.9%	50	8.7%	245	7.7%
56+	149	4.0%	27	4.7%	122	3.9%
Unknown	28		12		16	
Sex						
Male	2380	63.4%	350	60.1%	2030	64.0%
Female	1376	36.6%	232	39.9%	1144	36.0%
Unknown	14		6		8	
Race						
White	3047	82.1%	476	83.1%	2571	81.9%
African-American/Black	348	9.4%	11	1.9%	337	10.7%
American Indian/Alaskan Native	158	4.3%	70	12.2%	88	2.8%
Asian	57	1.5%	2	0.3%	55	1.8%
Other	103	2.8%	14	2.4%	89	2.8%
Unknown	57		15		42	
Ethnicity						
Hispanic/Latino	188	5.9%	7	1.3%	181	6.8%
Not Hispanic/Latino	3008	94.1%	527	98.7%	2481	93.2%
Unknown	574		54		520	

N=3,770

Looking at the personal characteristics of the diversion program participants (Table 10), the majority of participants (62.5%) had a high school education or less at the point of admission, with approximately 17% of participants recorded as having less than high school for their highest level of education. In terms of employment, the highest percent of participants were employed at the time of program admission (46.9%), but more than one-third were not employed (35.8%). The highest percent of participants were shown as living independently at the time of program admission (53.9%) with the next highest proportion living with parents/relatives/friends (36.9%). The percent of participants living independently was higher for diversion than for treatment court participants. A smaller proportion of diversion participants (less than 2%) were listed as homeless or living in a shelter and less than 2% were listed as incarcerated for their living situation at the time of admission, which was lower than for treatment court participants. For marital status, the majority of participants were listed as single or never married (71.2%).

When this information is considered across the urban and rural counties, the percent of participants with a high school education or less at the point of admission was relatively consistent between those in urban and those in rural counties. A higher percent of participants in urban counties were listed as living independently (54.8%) compared to those from rural counties (49.9%). A higher proportion of participants from rural counties were listed as incarcerated at the time of program admission.

Table 10:Diversion Program Admissions: Personal characteristics of participants by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Education						
Less than High School	494	16.5%	84	16.1%	410	16.6%
High School Diploma/GED	1377	46.0%	241	46.2%	1136	46.0%
Some College	773	25.8%	123	23.6%	650	26.3%
Technical or Vocational Degree	67	2.2%	21	4.0%	46	1.9%
Associate's Degree	116	3.9%	23	4.4%	93	3.8%
Bachelor's Degree	146	4.9%	28	5.4%	118	4.8%
Professional Degree (MD, JD,	21	0.7%	2	0.4%	19	0.8%
Unknown	776		66		710	
Employment						
Employed full-time	1313	46.9%	237	44.5%	1076	47.5%
Employed part-time/seasonal	454	16.2%	93	17.4%	361	15.9%
Not employed	1001	35.8%	190	35.6%	811	35.8%
Other	30	1.1%	13	2.4%	17	0.8%
Unknown	972		55		917	
Living Situation						
Independent Living	1585	53.9%	272	49.9%	1313	54.8%
With Parents/Relatives/Friends	1084	36.9%	223	40.9%	861	36.0%
Homeless/Shelter	55	1.9%	7	1.3%	48	2.0%
Incarceration	55	1.9%	18	3.3%	37	1.5%
Other	160	5.4%	25	4.6%	135	5.6%
Unknown	831		43		788	
Marital Status						
Married	307	12.7%	64	11.8%	243	13.0%
Never Married	1722	71.2%	399	73.8%	1323	70.5%
Divorced/Widowed/Separated	297	12.3%	77	14.2%	220	11.7%
Other	91	3.8%	1	0.2%	90	4.8%
Unknown	1353		47		1306	

N=3,770

When considering some of the background information for diversion program participants (Table 11), of those with a listed criminogenic risk level based on the use of a risk assessment tool, the majority were listed as moderate or medium risk (54.3%), followed by low risk (32.8%). Few of the diversion program participants were listed as high risk (12.9%). In terms of overall need level for the participants, for those with information available, the majority (60.2%) were listed as medium need followed by high need (25.6%). This reinforces that the more low and moderate risk participants are being served by diversion programs, which are typically shorter in duration and less intensive programming than tends to be the case for treatment court programs. Diversion program participants still have relatively moderate to high need levels. This varied significantly between urban and rural counties. The majority of participants with a listed criminogenic risk level in the urban counties was medium (57.9%) compared to less than half of participants in rural counties (37.2%). Rural county participants were more likely to be listed with a high-risk level.

Table 11:Diversion Program Admissions: Background summary of participants by strata

	Total		Rural/Mostly Rural		Mostly Urban	
	Count	Percent	Count	Percent	Count	Percent
Risk Level						
High	209	12.9%	78	28.2%	131	9.8%
Medium	880	54.3%	103	37.2%	777	57.9%
Low	531	32.8%	96	34.7%	435	32.4%
Need Level						
High	458	25.6%	230	47.9%	228	17.5%
Medium	1076	60.2%	123	25.6%	953	73.0%
Low	252	14.1%	127	26.5%	125	9.6%
Drug of Choice						
Alcohol	488	22.3%	186	34.9%	302	18.2%
Heroin	576	26.3%	7	1.3%	569	34.3%
Methamphetamines	172	7.8%	142	26.6%	30	1.8%
Opioids/Opiates (Non-heroin)	193	8.8%	23	4.3%	170	10.2%
Marijuana	576	26.3%	143	26.8%	433	26.1%
Cocaine/Crack Cocaine	83	3.8%	3	0.6%	80	4.8%
Other	104	4.7%	29	5.4%	75	4.5%
Offense Type~						
Bail Jumping	38	1.1%	28	5.0%	10	0.4%
Criminal damage	86	2.6%	14	2.5%	72	2.6%
Disorderly Conduct	429	12.8%	83	14.9%	346	12.3%
Drug Possession	331	9.8%	157	28.1%	174	6.2%
Drug Manufacture/Delivery	904	26.9%	158	28.3%	746	26.6%
OWI	581	17.3%	44	7.9%	537	19.1%
Property/Fraud	246	7.3%	20	3.6%	226	8.1%
Traffic	38	1.1%	3	0.5%	35	1.2%
Other	711	21.1%	51	9.1%	660	23.5%
Unknown	406		30		376	
Offense Severity~						
Felony	1363	37.6%	283	50.4%	1080	35.2%
Misdemeanor	1980	54.6%	249	44.3%	1731	56.5%
Other	284	7.8%	30	5.3%	254	8.3%
Unknown	143		26		117	

~Based on primary charge at time of program admission.

N=3,770

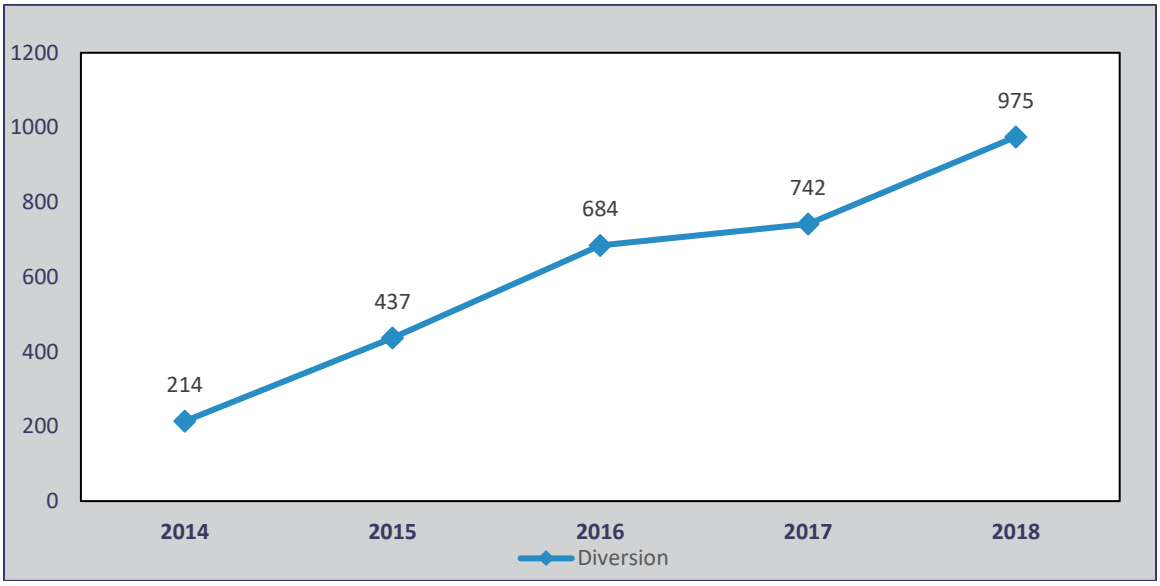
Marijuana (26.3%), heroin (26.4%) and alcohol (22.3%) were the most common primary drug of choice for diversion program participants where this information was known. The drug of choice also varied across participants in urban and rural counties. Heroin was highest in urban counties (34.3%) compared to 1.3% in rural counties. Alcohol (34.9%), marijuana (26.8%) and meth (26.6%) were higher in rural counties.

In terms of the primary offense type bringing the participants into the diversion program, most participants were listed with the primary offense as a misdemeanor (54.6%), which was slightly higher for participants in urban counties (56.5%) compared to rural counties (44.3%). This is the opposite of what was demonstrated for treatment court participants, which had a higher proportion of felony offenses. The most common categories including drug manufacture/delivery, other, and OWI. Drug possession was higher in rural counties, while OWI was higher in urban counties.

Diversion Program Discharge Summary

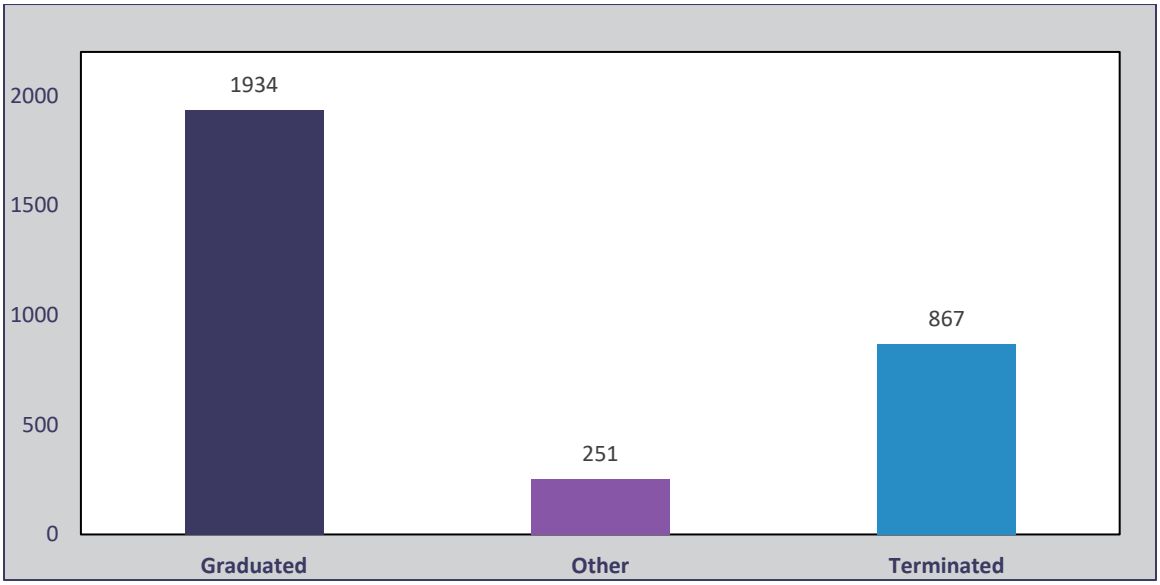
The total number of diversion program discharges from 2014 to 2018 increased steadily from a low of 214 in 2014 to 975 in 2018, an increase of over 350% over the 5-year period as shown in Chart 11.

Chart 11:Diversion Program Discharges: Total discharges by year



When looking further at the program discharges by type in Chart 12, for diversion programs the data indicates that a higher number of participants graduated from diversion programs between 2014 and 2018 than were terminated from these programs. A small proportion (approximately 8%) were administratively discharged or voluntarily withdrew from the program.

Chart 12:Diversion Program Discharges: Total discharges by type



As shown in Table 12, the overall demographics of participants discharged from TAD-funded diversion programs between 2014-2018 indicate that the majority of participants were male (63.6%), white (81.7%), not Hispanic/Latino (93.7%), and were between the ages of 18 and 35 (70.3%) with an average age of 30.2.

When considering the demographics for those who graduated versus those who were terminated, the distribution by sex was relatively consistent. The average age between graduates and those who were terminated was similar (30.5 compared to 29.2 respectively), but a larger percent of those who terminated were younger (67.0% between 18 and 25) compared to 76.6% of those who were terminated. Of those who graduated, a higher percent were white (83.6%) compared to those who were terminated (76.5%) with a higher percent of those terminated listed as African-American/Black (12.6%) or American Indian/Alaskan Native (7.3%).

Table 12:Diversion Program Discharges: Demographic summary of discharges by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Age								
Average Age	30.2		30.5		29.2		31.1	
Under 18	132	4.4%	89	4.6%	40	4.6%	3	1.2%
18-25	1154	38.0%	693	36.1%	372	43.2%	89	35.5%
26-35	979	32.3%	593	30.9%	288	33.4%	98	39.0%
36-45	412	13.6%	278	14.5%	98	11.4%	36	14.3%
45-55	244	8.0%	173	9.0%	49	5.7%	22	8.8%
56+	112	3.7%	94	4.9%	15	1.7%	3	1.2%
Unknown	19		14		5		0	
Sex								
Male	1937	63.6%	1249	64.8%	548	63.4%	140	55.8%
Female	1107	36.4%	679	35.2%	317	36.6%	111	44.2%
Unknown	8		6		2		0	
Race								
White	2456	81.7%	1591	83.6%	653	76.5%	212	84.5%
African-American/Black	293	9.7%	154	8.1%	108	12.6%	31	12.4%
American Indian/Alaskan Native	123	4.1%	58	3.0%	62	7.3%	3	1.2%
Asian	45	1.5%	33	1.7%	9	1.1%	3	1.2%
Other	90	3.0%	66	3.5%	22	2.6%	2	0.8%
Unknown	45		32		13		0	
Ethnicity								
Hispanic/Latino	159	6.3%	90	5.6%	51	7.5%	18	7.7%
Not Hispanic/Latino	2350	93.7%	1505	94.4%	628	92.5%	217	92.3%
Unknown	543		339		188		16	

N=3,052

The personal characteristics (Table 13) of participants discharged from TAD diversion programs between 2014 and 2018 provides an indication that overall the majority of participants had a high school education or less (62.5%), which was substantially higher for those who were terminated (72.7%) compared to those

who graduated (56.0%). Therefore, out of those who graduated or successfully completed a diversion program, a higher percent had at least some college, a college degree, or higher. Participants who were terminated were more likely to be single or never married (79.7%) compared to those who graduated (68.4%), who were more likely to be married or to be married or to be divorced, widowed, separated. In terms of employment, the highest percent diversion discharges were employed full-time at the time of discharge (44.9%), which was higher for those who graduated (52.9%) than for those who graduated (34.4%).

The highest percent of discharged participants were single or never married (63.1%). Participants who were terminated were more likely to be single or never married (79.7%) compared to those who graduated (68.4%), who were more likely to be married or to be divorced, widowed, separated. For living situation, the highest percent were listed as living independently at the time of program admission (56.5%). Of those who were terminated, they were more likely to be living with parents/relatives/friends at time of program admission and were also more likely to be incarcerated at the time of program admission.

Table 13:Diversion Program Discharges: Personal characteristics of participants by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Education								
Less than High School	411	16.9%	209	13.7%	166	24.3%	36	16.1%
High School Diploma/GED	1109	45.6%	645	42.3%	330	48.4%	134	60.1%
Some College	632	26.0%	449	29.4%	144	21.1%	39	17.5%
Technical or Vocational Degree	57	2.3%	38	2.5%	14	2.1%	5	2.2%
Associate's Degree	92	3.8%	77	5.0%	13	1.9%	2	0.9%
Bachelor's Degree	113	4.6%	93	6.1%	14	2.1%	6	2.7%
Professional Degree (MD, JD, PhD, etc.)	17	0.7%	15	1.0%	1	0.1%	1	0.4%
Unknown	621		408		185		28	
Employment								
Employed full-time	1036	44.9%	759	52.9%	224	34.3%	53	24.7%
Employed part-time/seasonal	367	15.9%	232	16.2%	101	15.4%	34	15.8%
Not employed	882	38.3%	439	30.6%	319	48.8%	124	57.7%
Other	20	0.9%	6	0.4%	10	1.5%	4	1.9%
Unknown	747		498		213		36	
Living Situation								
Independent Living	1316	56.5%	900	61.6%	266	40.6%	150	70.8%
With Parents/Relatives/Friends	798	34.3%	456	31.2%	295	45.0%	47	22.2%
Homeless/Shelter	44	1.9%	16	1.1%	27	4.1%	1	0.5%
Incarceration	50	2.1%	23	1.6%	27	4.1%	0	0.0%
Other	120	5.2%	66	4.5%	40	6.1%	14	6.6%
Unknown	724		473		212		39	
Marital Status								
Married	233	11.0%	185	15.2%	38	6.9%	10	2.9%
Never Married	1336	63.1%	834	68.4%	439	79.7%	63	18.2%
Divorced/Widowed/Separated	231	10.9%	153	12.5%	55	10.0%	23	6.6%
Other	318	15.0%	48	3.9%	19	3.4%	251	72.3%
Unknown	1184		714		316		154	

N=3,052

When looking further at the background summary of those discharged from TAD diversion programs during this time period (Table 14), overall the majority were listed as medium criminogenic risk (57.7%) of those where the information was known. This was higher for those terminated (61.6%) compared to those who graduated or successfully completed the program (55.2%). The same pattern held true for need level. The majority of the diversion discharges were high need level (62.6%) where the information was known, but this was again higher for those who terminated (62.6%) compared to those who graduated (59.2%).

Of the total treatment court discharges between 2014 and 2018, heroin was the most common drug of choice (28.2%) followed by marijuana and alcohol. This differed based on discharge type, with alcohol being the most frequent drug of choice, followed by marijuana and heroin for those participants who successfully completed a treatment court program. Those who were terminated were more likely to have heroin (31.5%) as the primary drug of choice, followed by marijuana. In terms of offense type, more than

50 percent of all participants discharged had a primary offense that was a misdemeanor, with drug manufacture/delivery being the most frequent (32.5%). Of those who graduated from diversion programs, the highest percent had a primary offense of drug manufacture/delivery (31.1%) followed by OWI (20.5%), but for those who terminated, a higher percent had a primary offense of drug manufacture/delivery (34.3%), followed by other (23.8%).

Table 14:Diversion program Discharges: Background summary of discharges by type of discharge

	Total		Graduated		Terminated		Other	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Risk Level								
High	170	13.4%	72	10.0%	67	18.0%	31	17.0%
Medium	734	57.7%	396	55.2%	229	61.6%	109	59.9%
Low	367	28.9%	249	34.7%	76	20.4%	42	23.1%
Need Level								
High	395	26.8%	232	26.3%	133	32.3%	30	16.9%
Medium	922	62.6%	523	59.2%	258	62.6%	141	79.2%
Low	156	10.6%	128	14.5%	21	5.1%	7	3.9%
Drug of Choice								
Alcohol	413	21.9%	320	28.3%	71	12.9%	22	10.8%
Heroin	531	28.2%	272	24.0%	173	31.5%	86	42.2%
Methamphetamines	110	5.8%	34	3.0%	59	10.7%	17	8.3%
Opioids/Opiates (Non-heroin)	174	9.2%	94	8.3%	63	11.5%	17	8.3%
Marijuana	474	25.1%	293	25.9%	139	25.3%	42	20.6%
Cocaine/Crack Cocaine	72	3.8%	36	3.2%	28	5.1%	8	3.9%
Other	111	5.9%	83	7.3%	16	2.9%	12	5.9%
Offense Type~								
Bail Jumping	34	1.2%	13	0.7%	20	2.6%	1	0.4%
Criminal damage	65	2.4%	49	2.8%	12	1.5%	4	1.7%
Disorderly Conduct	316	11.5%	243	14.0%	62	8.0%	11	4.6%
Drug Possession	158	5.7%	54	3.1%	76	9.8%	28	11.7%
Drug Manufacture/Delivery	894	32.5%	540	31.1%	266	34.3%	88	36.8%
OWI	468	17.0%	356	20.5%	76	9.8%	36	15.1%
Property/Fraud	245	8.9%	129	7.4%	68	8.8%	48	20.1%
Traffic	27	1.0%	16	0.9%	11	1.4%	0	0.0%
Other	543	19.7%	335	19.3%	185	23.8%	23	9.6%
Unknown	302		199		91		12	
Offense Severity~								
Felony	1194	40.7%	657	35.6%	350	41.8%	187	74.8%
Misdemeanor	1527	52.1%	1062	57.6%	429	51.2%	36	14.4%
Other	212	7.2%	126	6.8%	59	7.0%	27	10.8%
Unknown	119		89		29		1	

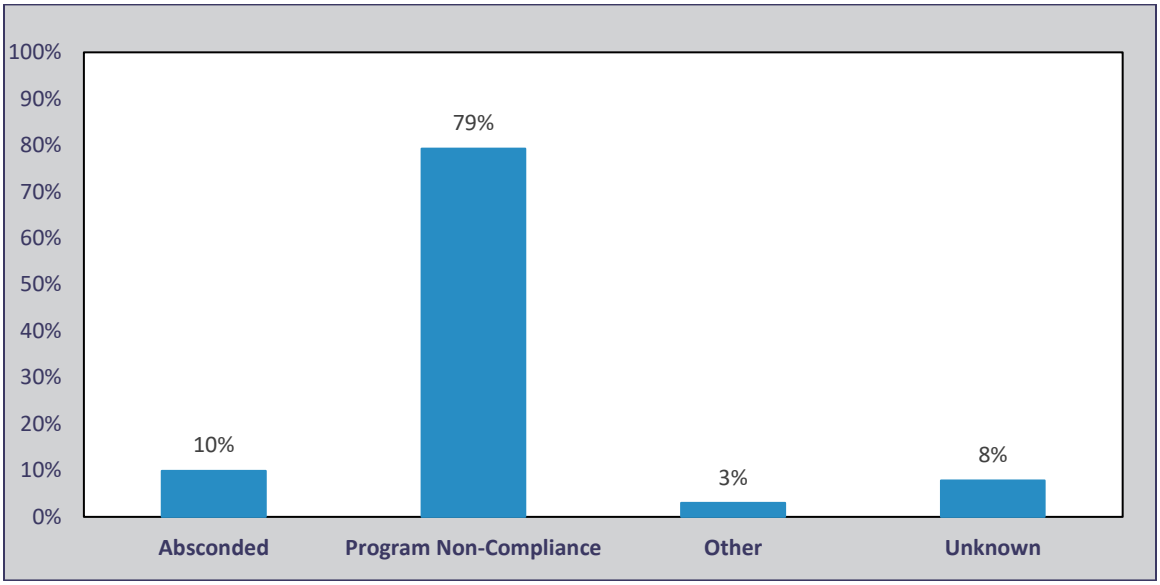
~Based on primary charge at time of program admission.

N=3,052

Looking further at those participants terminated from TAD diversion programs, the primary reason for terminations was program non-compliance (79%). Program noncompliance can include a variety of

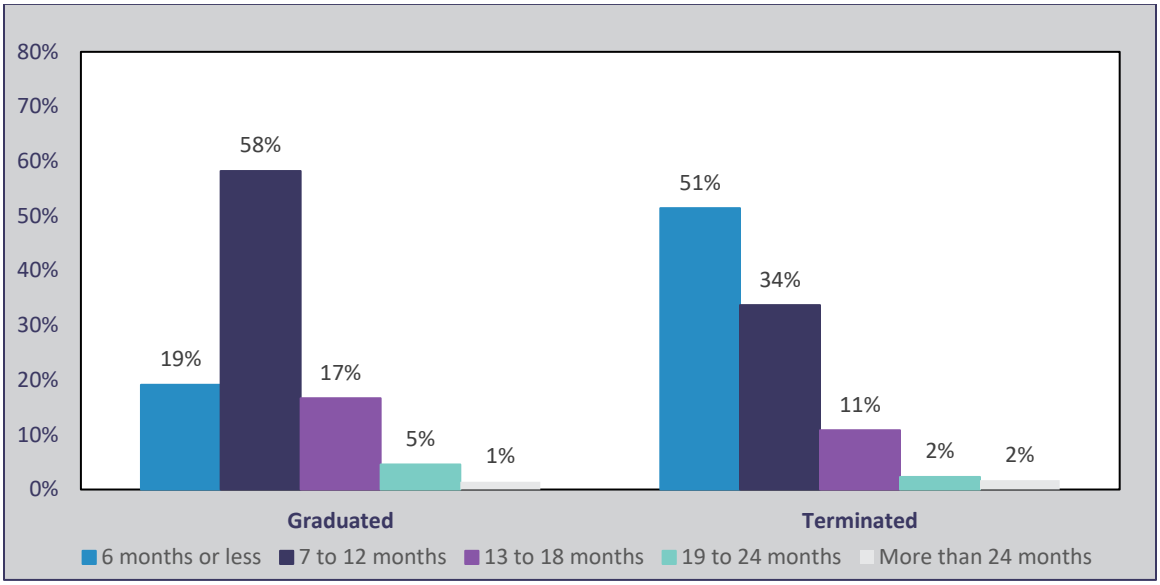
behaviors ranging from a new arrest, or incarceration to failed drug test(s), missed court appointment(s) and a variety of other non-compliance reasons depending on the specific program requirements. Approximately 10% of terminations were due to the individual absconding or leaving the program without approval.

Chart 13:Diversion program Discharges: Termination reason



In addition to understanding how participants are discharged from TAD programs, it is also important to consider the length of time participants were in the program by discharge type. Overall, the average length of time in a diversion program was 10 months for those who graduated, compared to 7 months for participants who were terminated. As would be expected based on the type of program, diversion programs had a shorter duration on average than treatment court programs. As shown in Chart 14, of those who graduated, the majority (58%) spent 7 to 12 months with approximately 19% being in the program 6 months or less and 17% for 13 to 18 months. Of those participants who were terminated from diversion programs, the highest percent were terminated within 6 months (51%), with an additional 34% between 7 months and one year. Few participants were terminated after 18 months in the program.

Chart 14:Diversion program Discharges: Length of time in program by discharge type



Recidivism Analysis

The following section provides an analysis of post-program recidivism as one of the key program outcomes for TAD-funded programs. Recidivism is a fundamental measure for the TAD program, which addresses the goals of public safety and reduced crime, which would also be anticipated to have an impact on jail and prison populations. This section provides the detail on the recidivism analysis for program participants, by program type, as measured individually at the point of arrest, charge, and conviction for one, two, and three-year follow-up periods, based on when individuals were discharged from the program. For the overall recidivism analysis, both program graduates and those who were terminated are included in the analysis since they all received some exposure to the program treatment and services, which is referred to as "intent-to-treat" analysis (Wisconsin Association of Treatment Court Professionals Standards, 2018; Marlowe & Fox, Adult Drug Courts Best Practice Standards Volume II, 2018; Marlowe & Fox, Adult Drug Court Best Practice Standards Volume I, 2018). There is also a comparison included between those who graduated and those who were terminated since there is a difference in recidivism across these groups.

Treatment Court Recidivism

As shown in the tables and charts below, post-program recidivism for treatment court participants increased across the three cohorts for those with one, two, and three-year follow-up periods. Recidivism measured at arrest, charge, and conviction demonstrates a similar pattern across the three cohort years, with decreasing recidivism levels from arrest to charge to conviction, as would be anticipated as not all arrests lead to formal charges and not all charges lead to convictions. The recidivism overall was higher for those participants who were terminated from a treatment court program compared to those who graduated or successfully completed the program. The average number of days it took participants who were followed for at least 3 years to recidivate was 463 for offenses that resulted in an arrest, 441 days for an offense that resulted in a charge and 451 days for offenses that resulted in a conviction.

Focusing on the recidivism measured at the point of arrest, the recidivism for treatment court participants with at least one-year post-program was 30.2% within the first year, which increased to 52.7% of participants with three years post-program having at least one new arrest within this time period. For those who were terminated the arrest recidivism at three years post-program was 61.4% compared to 43.2% of those who graduated. The two-year re-arrest for graduates was 35.6% compared to 44.8% for the comparison group, a difference of over 9% which is consistent with national effectiveness studies (Marlowe, D. B., Hardin, C. D., & Fox, C. L., 2016). For recidivism measured at the point of conviction, the most conservative measure of recidivism included in this analysis, overall 17.9% of participants had at least one conviction for an offense that occurred within the one-year follow-up period, which increased to 41.5% for those with a three-year follow-up period. Those who graduated demonstrated a 35.2% conviction recidivism rate within the three-year period compared to 47.3% of those terminated.

Table 15: Treatment Court: Recidivism Percent by Type and Discharge Status

Arrest recidivism	1 year	2 year	3 year
Overall	30.2	45.9	52.7
Graduated	24.6	35.6	43.2
Terminated	35.2	55.2	61.4
Comparison	33.0	44.8	51.4
Charge recidivism	**1 year**	**2 year**	**3 year**
Overall	19.9	36.6	45.1
Graduated	15.4	27.5	36.7
Terminated	23.8	44.8	52.7
Comparison	28.1	39.2	46.1
Conviction recidivism	**1 year**	**2 year**	**3 year**
Overall	17.9	32.6	41.5
Graduated	14.4	25.2	35.2
Terminated	20.9	39.3	47.3
Comparison	22.3	32.6	39.0
Number in cohort	**1 year**	**2 year**	**3 year**
Overall	1294	826	419
Graduated	610	393	199
Terminated	684	433	220
Comparison	68796	68796	68796

Chart 15: Treatment Court: Arrest Recidivism Percent by Follow-up Period and Discharge Status

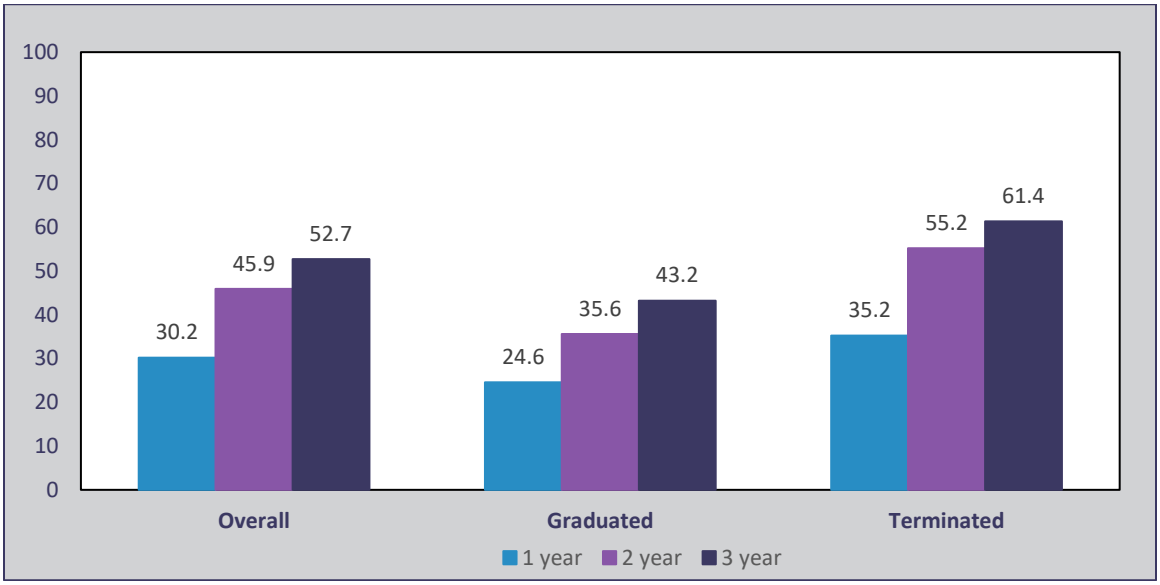


Chart 16: Treatment Court: Charge Recidivism Percent by Follow-up Period and Discharge Status

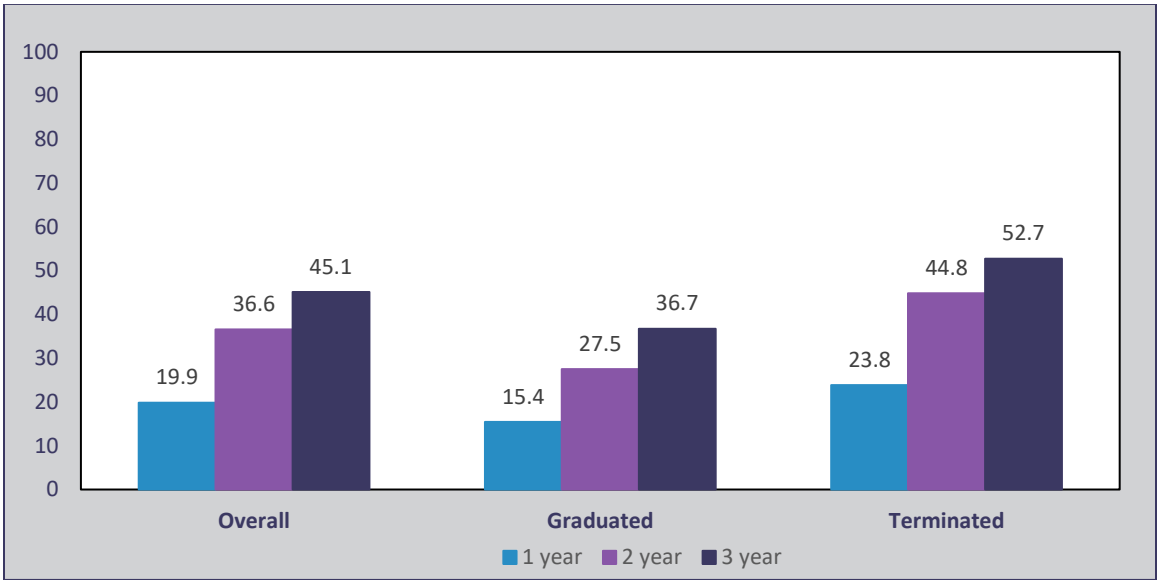
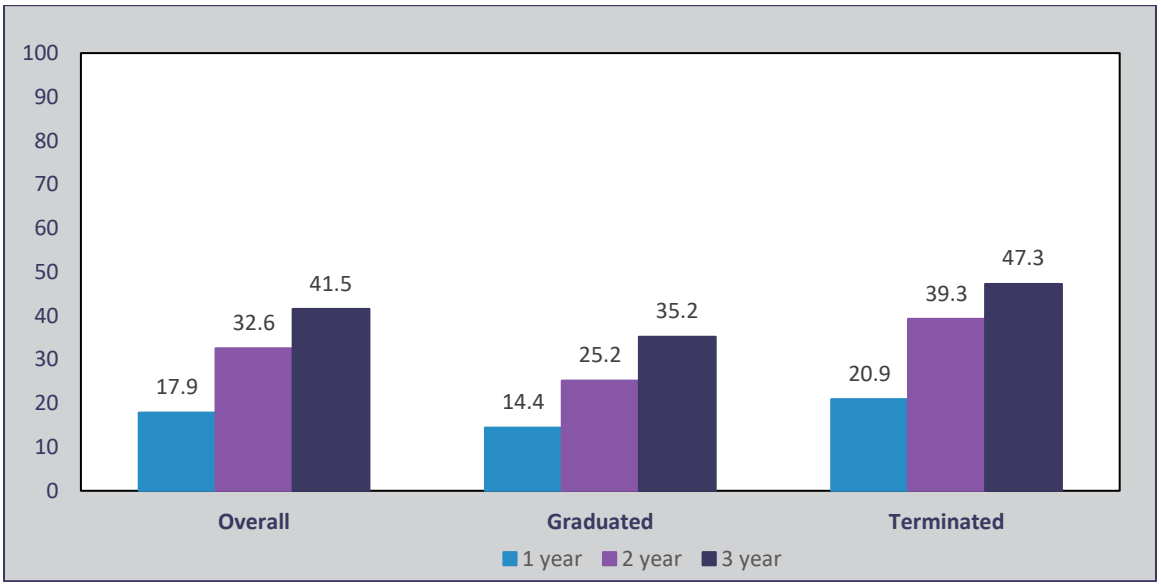


Chart 17: Treatment Court: Conviction Recidivism Percent by Follow-up Period and Discharge Status

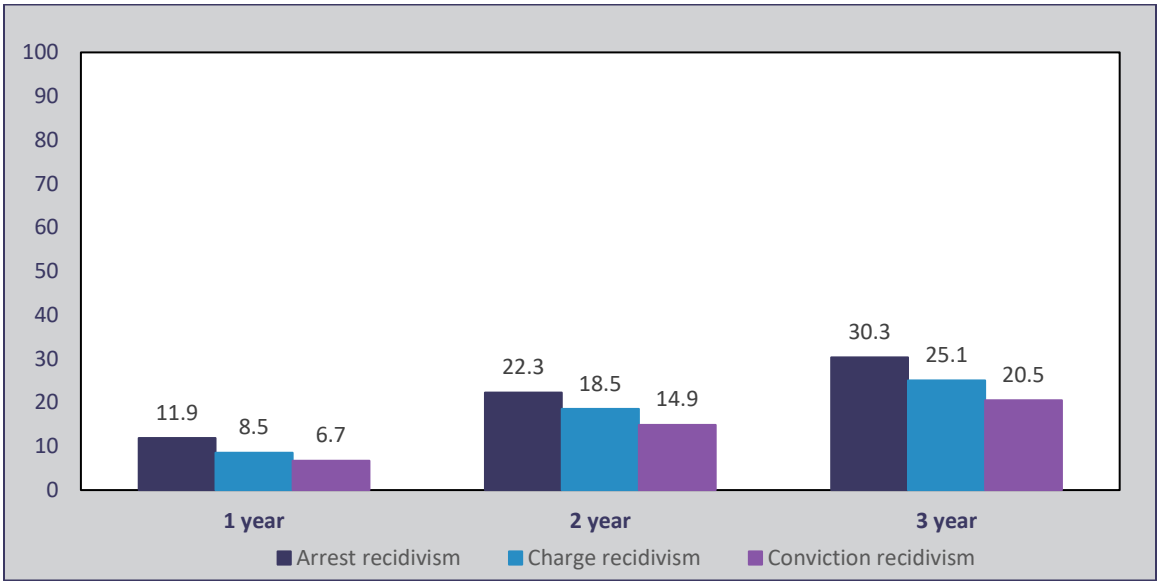


Offense specific recidivism followed the same pattern as generalized recidivism; rates were higher for arrest, followed by charge and conviction. Recidivism rates did vary however by the type of offense and at what point they were measured. For arrests, recidivism rates were the highest for technical offenses, followed by public order, drug, property and person offenses. The most common technical offense was bail-jumping and the most common public order offenses were: disorderly conduct, operating while revoked and operating without a license. For charges and convictions, public orders, drug and property offenses all had a higher recidivism rate than technical offenses. Appendix D outlines what types of

offenses fit into which categories and Appendix E gives the recidivism rates by those offense categories and at what point they were measured.

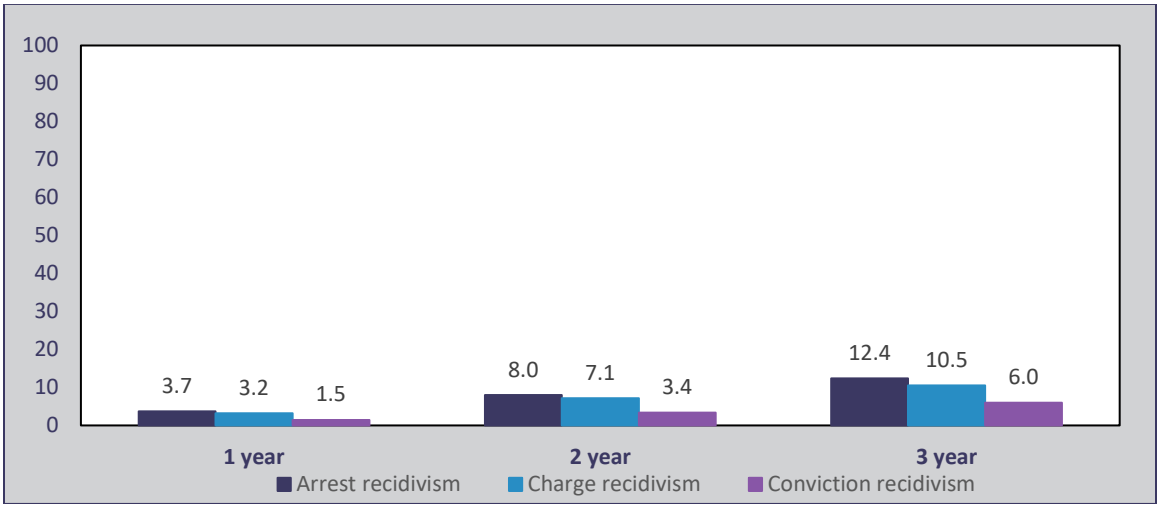
Given the nexus with alcohol or drug use and related crime with TAD program participants, it is important to consider the recidivism for drug related offenses. As shown in Chart 18, recidivism rates were relatively low for drug-related offenses with a 11.9% recidivism rate based on arrest for the one-year cohort, which increased to 30.3% for the three-year cohort. Details on recidivism by type of offense can be found in Appendix E.

Chart 18: Treatment Court: Recidivism Percent by Type for Drug Offense



Given the restrictions on TAD program participants as non-violent offenders and the intent of the program to maximize public safety, it is important to specifically consider the recidivism rates for violent offenses. As shown in Chart 19, recidivism for violent offenses was relatively low whether measured at arrest, charge, or conviction. Less than 13% of those participants with at least one recidivist event during the three-year follow-up period had at least one violent offense at the point of arrest and approximately 6% at the point of conviction. Overall, treatment court participants had relatively low recidivism rates for violent offenses.

Chart 19: Treatment Court: Recidivism Percent by Type for Violent Offense



As described earlier, in an effort to provide a comparison for the TAD participant recidivism analysis a comparison group was created. This comparison group was a comprised of those arrested for non-violent offenses within the TAD counties and tribes in 2014 that were not part of the TAD program and were followed for a three-year follow-up period. Table 16 provides the basic demographics of the treatment court participants and the comparison group.

Table 16: Treatment Court: Comparison of demographics for participant and comparison group

	Treatment Court Participants Percent	Comparison Group Percent
Age		
Under 18	0.0%	5.7%
18-25	26.4%	31.0%
26-35	44.0%	31.1%
36-45	18.5%	16.6%
45-55	8.1%	11.1%
56+	3.0%	4.3%
Sex		
Male	61.4%	75.4%
Female	38.6%	24.6%
Race		
White	87.4%	70.4%
African-American/Black	4.6%	25.3%
American Indian/Alaskan Native	6.0%	3.2%
Asian	0.6%	1.2%
Other	1.4%	0.0%

The recidivism for treatment court participants relative to the comparison group was generally lower whether measured at the point of arrest, charge, or conviction, particularly when compared to those who graduated from a treatment court program (Table 15). For example, as Chart 20 demonstrates, the overall arrest recidivism was 30.2% overall for treatment court participants within the one-year follow-up period, 24.6% for those who graduated from a treatment court program compared to 33% for the comparison group. Within the three-year follow-up period the arrest recidivism was 52.7% for the overall treatment court participants, which was slightly higher than the comparison group at 51.4%, but those who graduated had a three-year recidivism rate of 43.2%.

There are some offense specific differences however; overall treatment court participants recidivated at a higher rate for drug and property offenses than the comparison group (Chart 21; Chart 22; see Appendix E for all offense types). For property offenses (Chart 22), this difference appears to be related to whether the participant completed (graduated) from the program. Overall, participants who graduated and were followed for at least 3 years committed new property offenses that lead to an arrest (12.6% of the time), a charge (10.6% of the time) and/or a conviction (8.5% of the time) as compared to participants who were terminated (arrest 24.5% of the time; charge 24.5% of the time; conviction 20.5% of the time).

Chart 20: Treatment Court: Arrest Recidivism for Treatment Court and Comparison Group

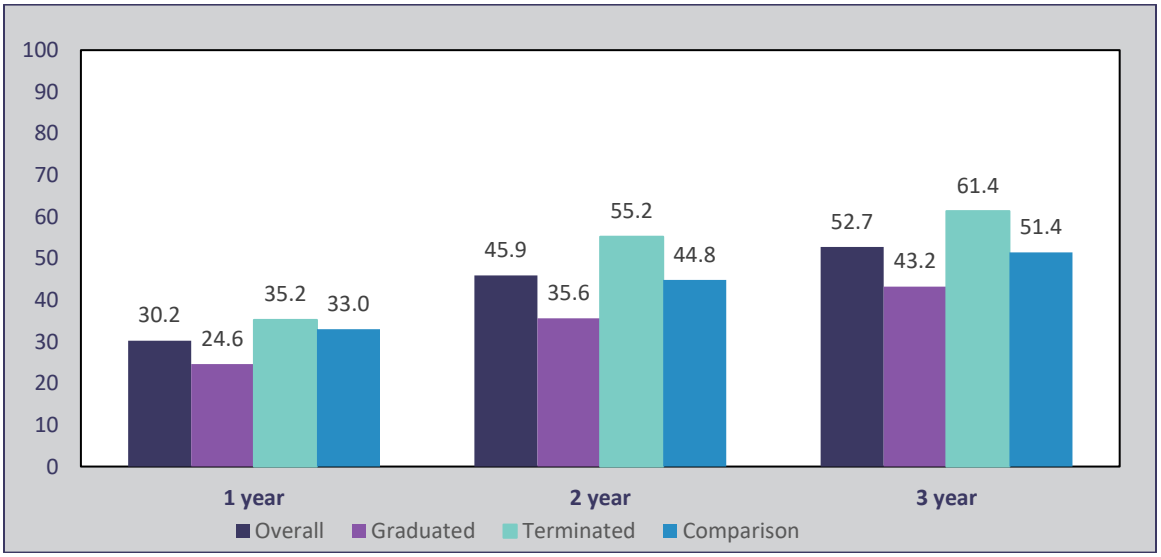


Chart 21: Treatment Court and Comparison Group 3 Year Drug Offense Recidivism

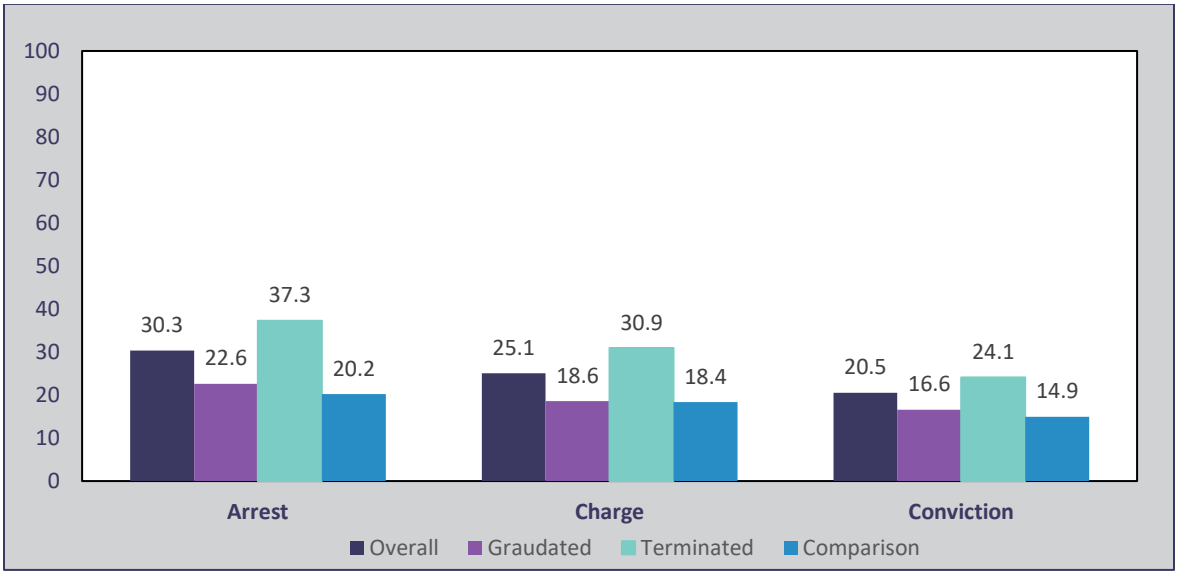
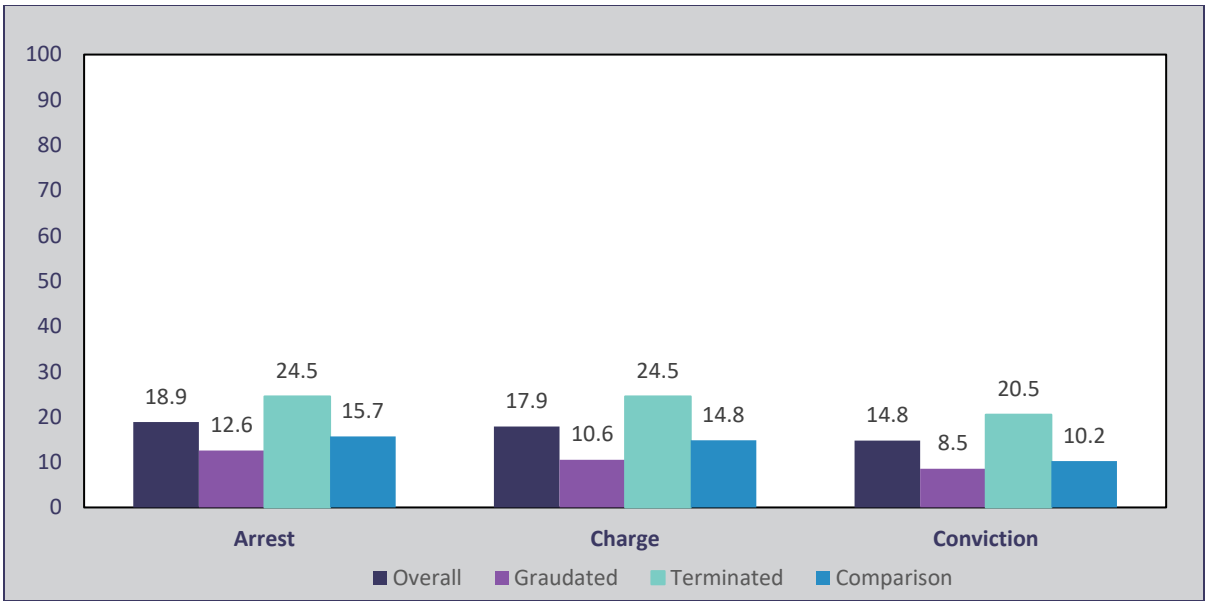


Chart 22: Treatment Court and Comparison Group 3 Year Property Offense Recidivism



Diversion Program Recidivism

As shown in the tables and charts below, post-program recidivism for diversion participants increased across the three cohorts for those with one, two, and three-year follow-up periods. Although there is limited data available for diversion program outcomes due to the lack of collection and publishing standards (Center for Health and Justice at TASC, 2013), measuring recidivism at arrest, charge, and conviction demonstrates a similar pattern across the three cohort years, with decreasing recidivism levels from arrest to charge to conviction, as would be anticipated. The recidivism overall was higher for those participants who were terminated from a diversion program compared to those who graduated or successfully completed the program. The average number of days it took participants who were followed for at least 3 years to recidivate was 416 for offenses that resulted in an arrest, 346 days for an offense that resulted in a charge and 360 days for offenses that resulted in a conviction.

Focusing on the recidivism measured at the point of arrest, the recidivism for diversion program participants with at least one-year post-program was 23.4%, which increased to 43.3% of participants with three years post-program having at least one new arrest within this time period. For those who were terminated the arrest recidivism at three years post-program was 62.4% compared to 29.4% of those who graduated. For recidivism measured at the point of conviction, the most conservative measure of recidivism included in this analysis, overall 12.5% of participants had at least one conviction within the one-year follow-up period, which increased to 25.8% for those with a three-year follow-up period. Those who graduated demonstrated a 19.9% conviction recidivism rate within the three-year follow-up period compared to 33.9% of those who were terminated.

Table 17: Diversion Program: Recidivism Percent by Type and Discharge Status

Arrest recidivism	1 year	2 year	3 year
Overall	23.4	33.1	43.3
Graduated	12.9	21.4	29.4
Terminated	41.7	53.2	62.4
Comparison	33.0	44.8	51.4
Charge recidivism	**1 year**	**2 year**	**3 year**
Overall	15.5	24.1	30.7
Graduated	10.6	18.0	22.8
Terminated	24.0	34.7	41.6
Comparison	28.1	39.2	46.1
Conviction recidivism	**1 year**	**2 year**	**3 year**
Overall	12.5	19.9	25.8
Graduated	8.8	15.0	19.9
Terminated	19.0	28.3	33.9
Comparison	22.3	32.6	39.0
Number in cohort	**1 year**	**2 year**	**3 year**
Overall	2054	1327	651
Graduated	1308	840	377
Terminated	746	487	274
Comparison	68796	68796	68796

Chart 23: Diversion Program: Arrest Recidivism Percent by Follow-up Period and Discharge Status

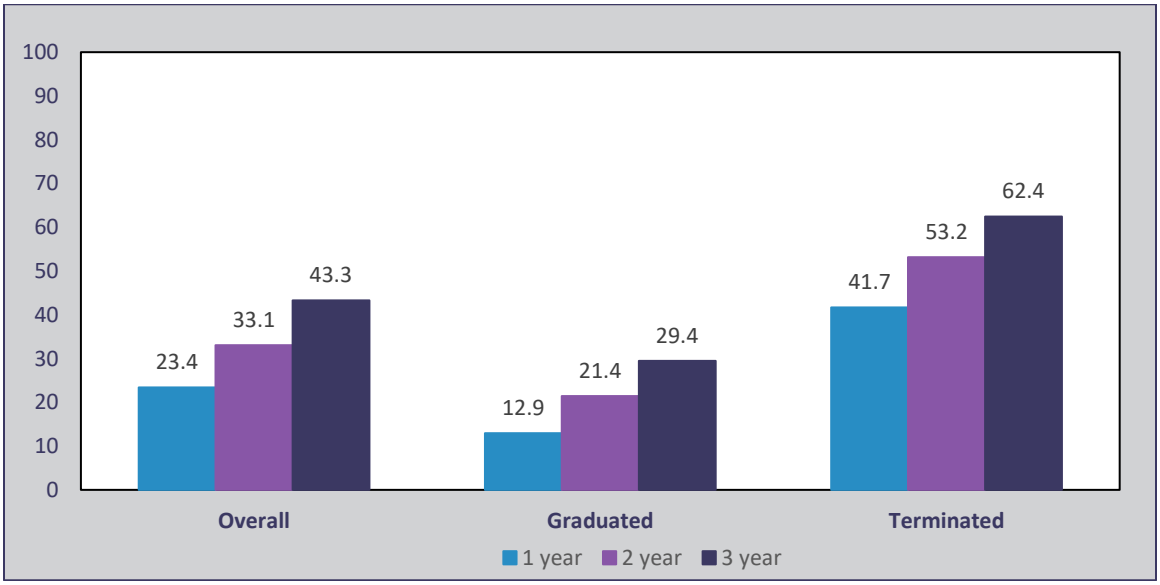


Chart 24: Diversion Program: Charge Recidivism Percent by Follow-up Period and Discharge Status

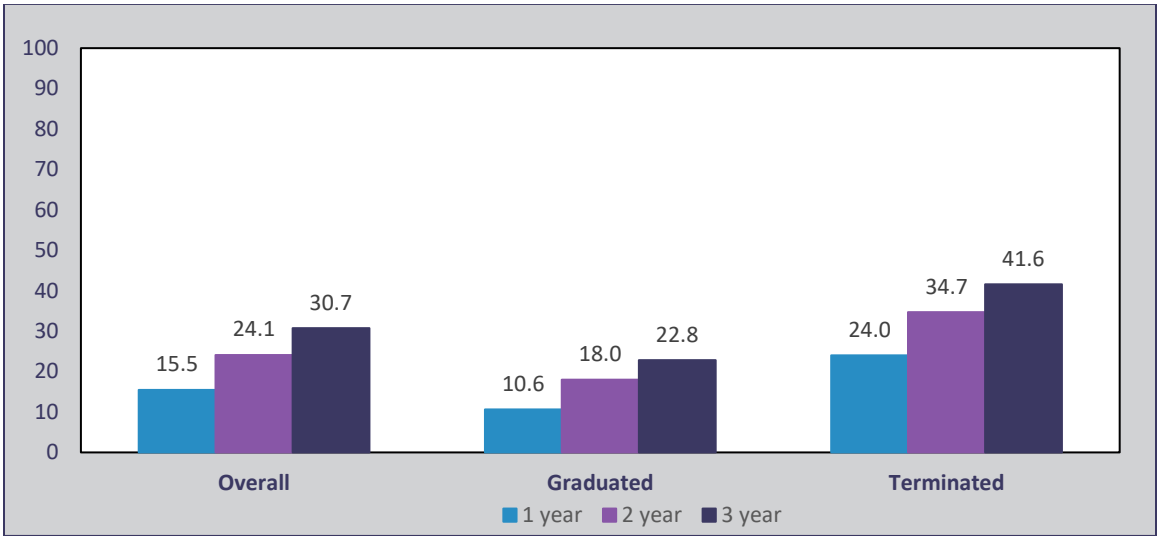
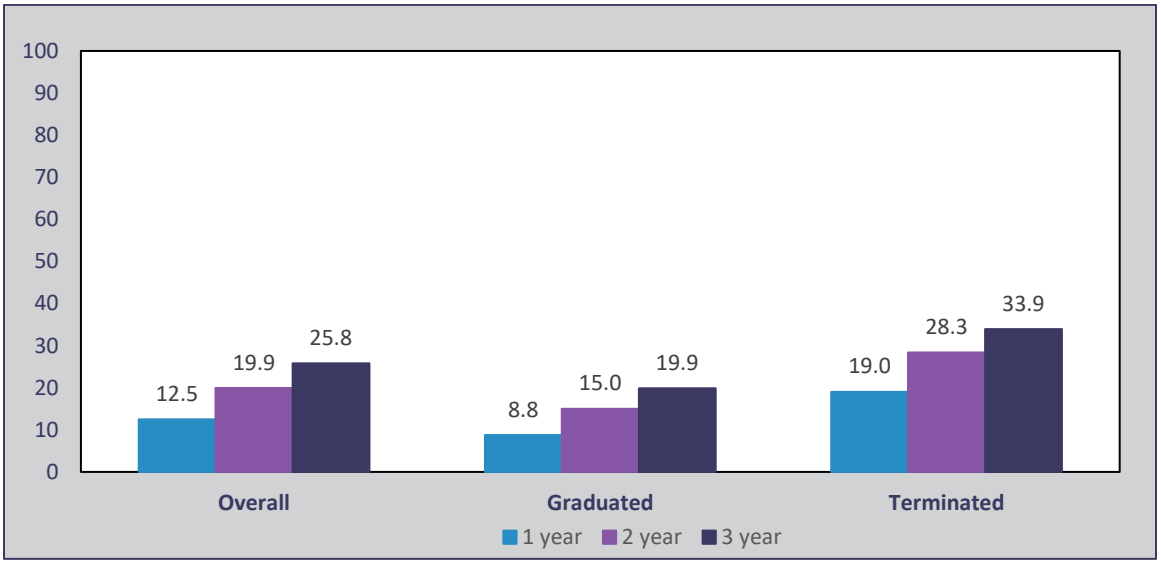


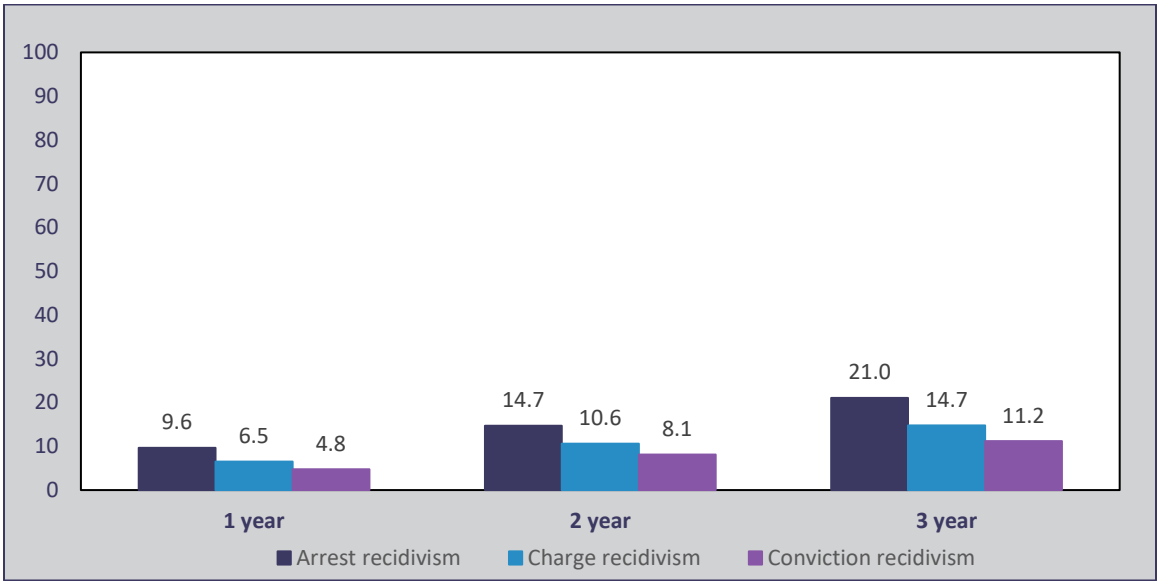
Chart 25: Diversion Program: Conviction Recidivism Percent by Follow-up Period and Discharge Status



Similar to treatment court participants, offense specific recidivism followed the same pattern as generalized recidivism; rates were higher for arrest, followed by charge and conviction. Recidivism rates did vary, however, by the type of offense and the type of criminal justice event. Arrests were the highest for technical offenses, followed by public order, drug, property and person offenses. For charges, public order offenses were the highest, followed by drug, property, technical and person offenses. For convictions, drug and public order were the highest, followed by property, technical and person offenses. Appendix D outlines what types of offenses fit into which categories and Appendix E gives the recidivism rates by those offense categories and at what point they were measured.

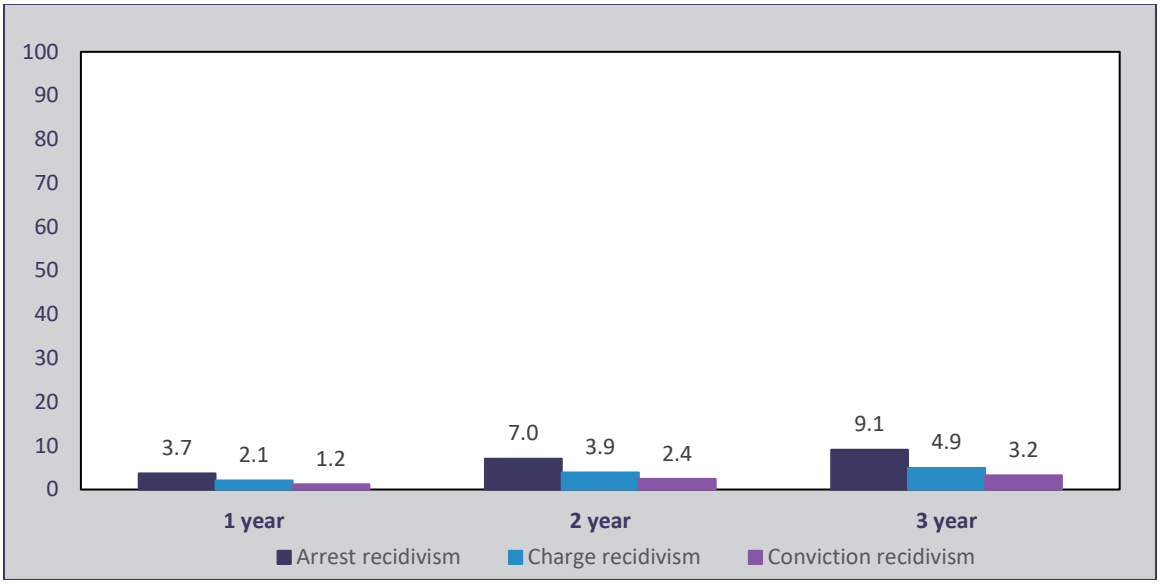
Given the nexus with alcohol or drug use and related crime with TAD program participants, it is important to consider the recidivism for drug related offenses. As shown in Chart 26, recidivism rates were relatively low for drug-related offenses with 9.6% recidivism based on arrest for the one-year cohort, which increased to 21.0% for the three-year cohort. Details on recidivism by type of offense can be found in Appendix E.

Chart 26: Diversion Program: Recidivism Percent by Type for Drug Offense



Given the restrictions on TAD program participants as non-violent offenders and the intent of the program to maximize public safety, it is important to specifically consider the recidivism rates for violent offenses. As shown in Chart 27, recidivism for violent offenses was low whether measured at arrest, charge, or conviction. Less than 10% of those diversion participants with at least one recidivist event during the three-year follow-up period had at least one violent offense at the point of arrest and approximately 3% at the point of conviction. Overall, diversion program participants had relatively low recidivism rates for violent offenses.

Chart 27:Diversion Program: Recidivism Percent by Type for Violent Offense



As described earlier, in an effort to provide a comparison for the TAD participant recidivism analysis a comparison group was created. This comparison group was a comprised of those arrested for non-violent offenses within the TAD counties and tribes in 2014 that were not part of the TAD program and were followed for a three-year follow-up period. Table 18 provides the basic demographics of the diversion program participants and the comparison group.

Table 18: Diversion Program: Comparison of demographics for participant and comparison group

	Diversion Participants Percent	Comparison Group Percent
Age		
Under 18	4.0%	5.7%
18-25	37.3%	31.0%
26-35	32.5%	31.1%
36-45	14.4%	16.6%
45-55	7.9%	11.1%
56+	4.0%	4.3%
Sex		
Male	63.4%	75.4%
Female	36.6%	24.6%
Race		
White	82.1%	70.4%
African-American/Black	9.4%	25.3%
American Indian/Alaskan Native	4.3%	3.2%
Asian	1.5%	1.2%
Other	2.8%	0.0%

The recidivism for diversion program participants relative to the comparison group was generally lower whether measured at the point of arrest, charge, or conviction, particularly when compared to those who graduated from a diversion program (Table 17). For example, as Chart 28 demonstrates, the overall arrest recidivism was 23.4% overall for diversion program participants within the one-year follow-up period, 12.9% for those who graduated from a treatment court program compared to 33% for the comparison group. Within the three-year follow-up period the arrest recidivism was 43.3% for the overall treatment court participants, those who graduated had a three-year recidivism rate of 29.4% recidivism rate compared to 51.3% for the comparison group.

For the most part, there were no offense specific recidivism differences between the diversion program participants and the comparison group. Overall recidivism numbers were lower for all offense categories; graduates had an even lower recidivism rate per offense category. Participants that were terminated recidivated at a higher rate than the comparison group for drug and property offenses at all there points of measure: arrest, charge and conviction (Chart 29; Chart 30). Diversion program participants who were followed for at least three years committed a new drug offense that resulted in an arrest slightly more frequently than the comparison group (21.0% vs 20.2% respectively), but that trend flips for offenses that lead to a charge (14.7% vs 18.4% respectively) and offenses that lead to a conviction (11.2% vs 14.9% respectively) (Chart 29).

Chart 28:Diversion Program: Arrest Recidivism for Diversion Program and Comparison Group

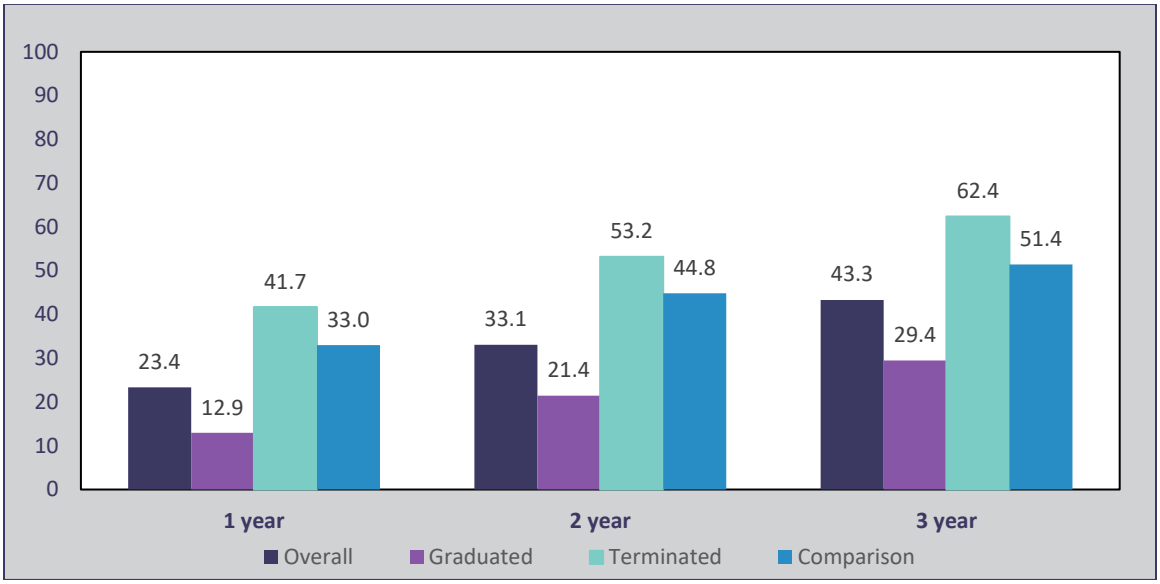


Chart 29: Diversion Program and Comparison Group 3 Year Drug Offense Recidivism

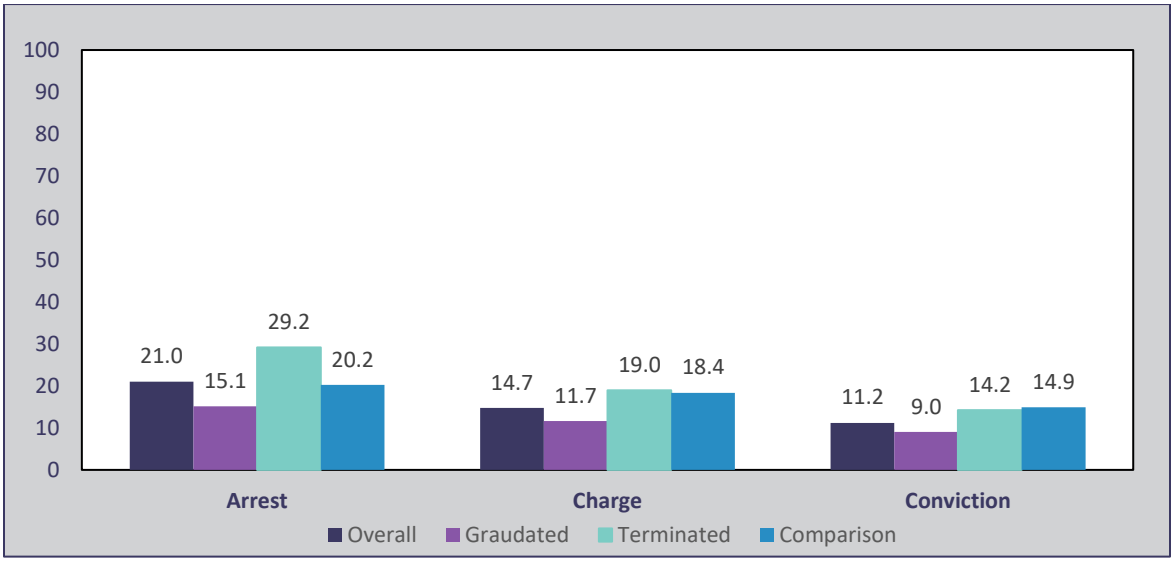
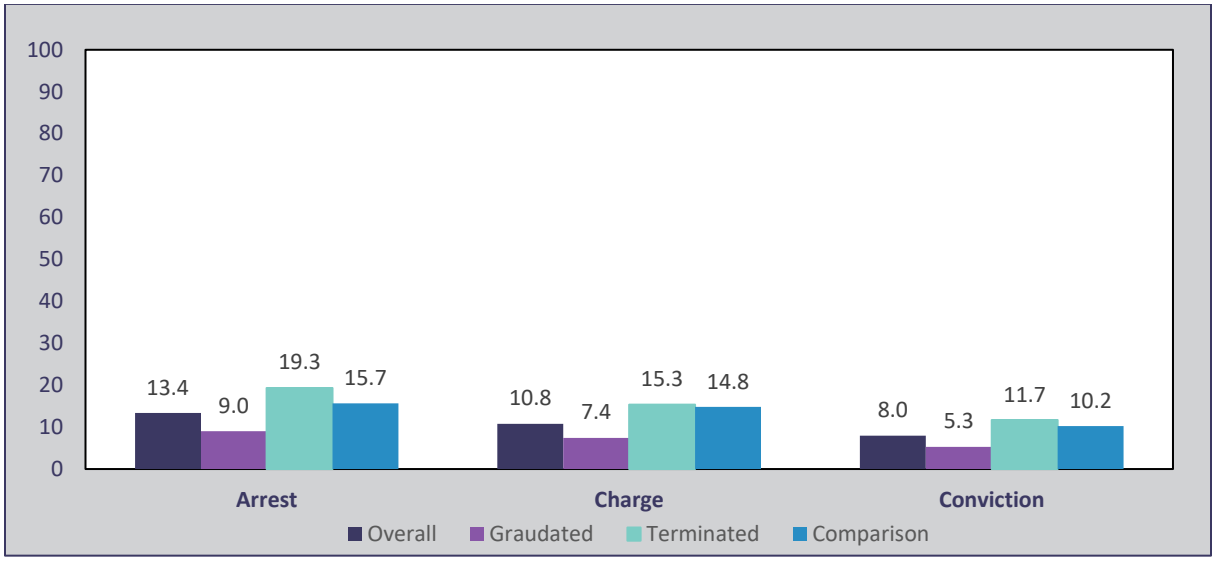


Chart 30: Diversion Program and Comparison Group 3 Year Property Offense Recidivism



Treatment Court and Diversion Program Recidivism

The three-year post-program recidivism rates for diversion program participants was lower than for treatment court participants at arrest, charge, and conviction as shown in Chart 31. At the point of arrest, 52.7% of those discharged from treatment courts between 2014 and 2017 had at least one recidivist event within three years compared to 43.3% of those discharged from diversion programs during the same time period. At the point of conviction, treatment court participants demonstrated recidivism rates of 41.5% compared to 25.8% of diversion program participants.

Chart 31:Treatment Court and Diversion Program Three-Year Recidivism for All Discharges

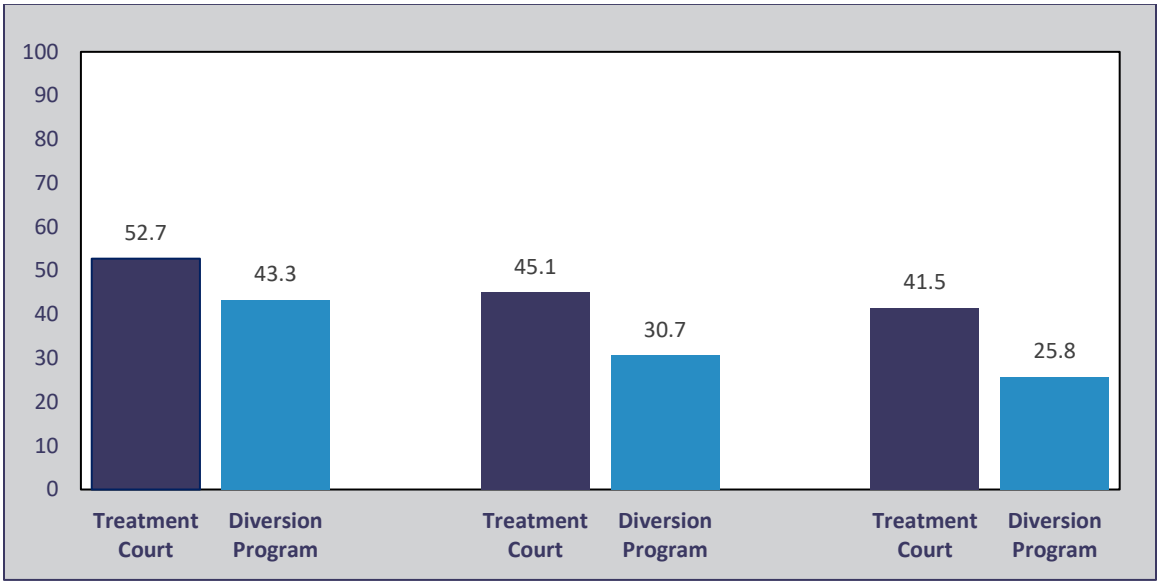
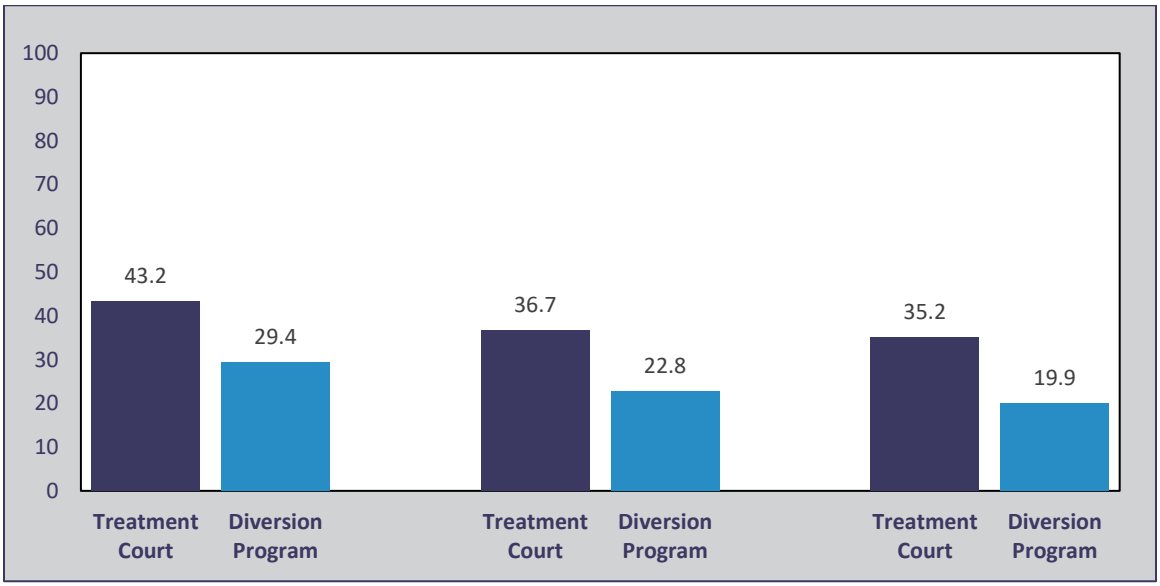


Chart 32: Treatment Court and Diversion Program Three-Year Recidivism for Graduates



Cost-Benefit Analysis

Both treatment courts and diversion programs result in a net benefit to the criminal justice system in Wisconsin. The benefit-cost ratio and net benefits of treatment court programs and diversion programs were calculated separately. The ratio of benefits to cost for treatment courts is $4.17 and $8.68 for diversion programs. That is to say, the Wisconsin criminal justice system as a whole receives a benefit of $4.17 for every $1 in state TAD funding spent on treatment courts and a benefit of $8.68 for diversion programs. These benefits are incurred through averted incarceration costs and reduced future crime costs per discharge in 2014-2018.

Table 19: Cost-Benefit Analysis Results[25]

	2014-2018	
	Treatment Court	**Diversion**
Costs		
Project Costs (per discharge)	$7,529.90	$2,347.24
Total	**$7,529.90**	**$2,347.24**
Benefits		
Averted incarceration days (per graduation)	$31,849.26	$16,931.07
Averted costs due to reduced crime (per unique discharge)	-$428.14	$3,449.51
Total	**$31,421.12**	**$20,380.58**
Net Benefit (benefits minus costs)	***$23,891.22***	***$18,033.34***
Benefit-Cost Ratio (benefits divided by costs)	***$4.17***	***$8.68***

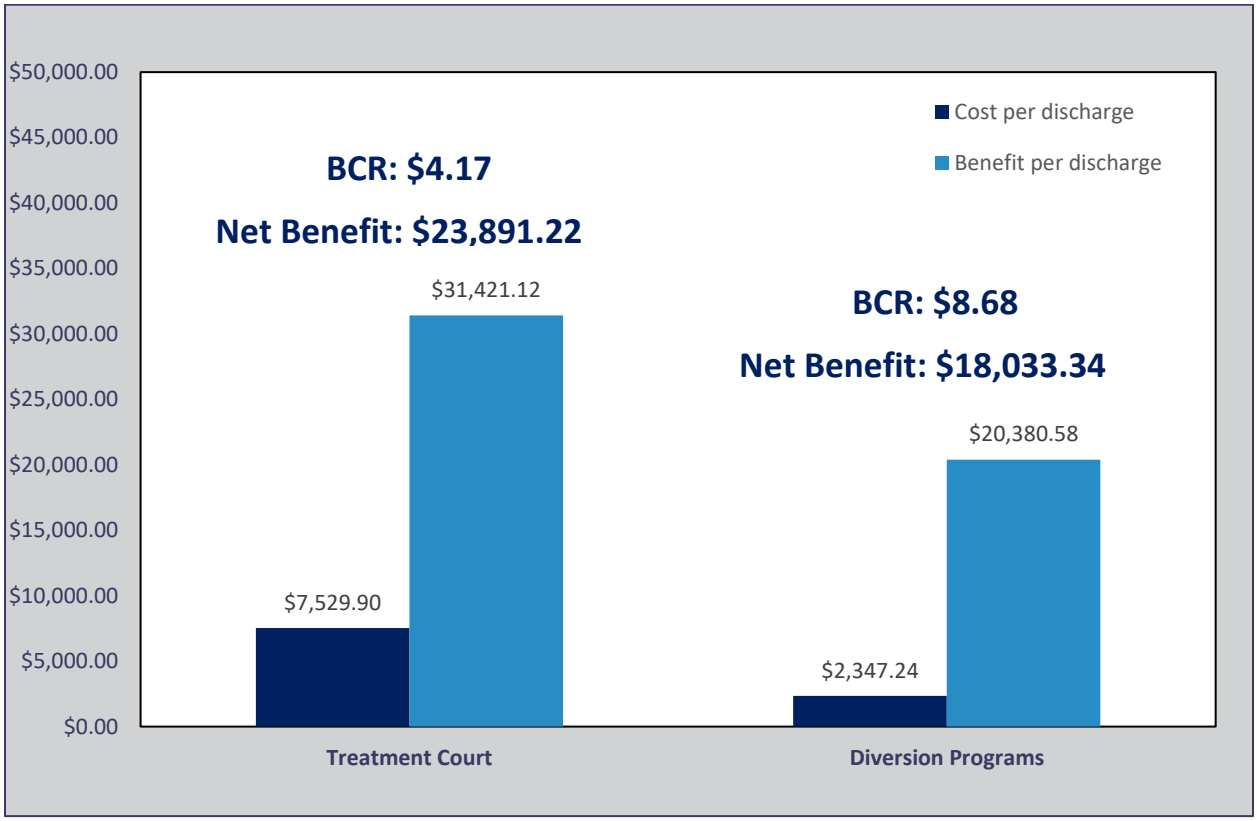
For treatment courts, the positive ratio and net positive benefit were due to the estimated averted incarceration days for TAD participants, not due to reduced crime. In fact, the averted costs due to averted convictions for treatment court programs is negative. In other words, treatment courts in general "benefit" the criminal justice system because the participants are not incarcerated, but they are still just as likely to recidivate (and even more likely to recidivate with drug and property offenses) after their program discharge than the comparison group when all discharges are combined. This is not surprising, as the comparison group contains all members of the general public who were arrested for misdemeanors and non-violent felonies in the TAD counties and tribes and is not limited to the individuals more likely to have moderate to high criminogenic risk and need levels, whose substance use was related to their criminal activity, like those in the treatment court group.

The overall three-year recidivism (conviction) rate for treatment court discharges is 41.5%, but the rate is only 35.2% for those who graduated from a treatment court program (and 47.3% for those who were terminated.) This trend is similar for diversion participants – there is a 25.8% overall recidivism (conviction) rate, but the rate is 19.9% for those who graduated and 33.9% for those who were

[25] Due to differences in methodology and scope, the overall ratio should not be compared to previous evaluation ratios.

terminated. Based on the differences in recidivism for discharges for graduations versus terminations, the averted costs due to reduced crime for treatment court participants was re-calculated for graduates only and terminations only. Out of graduations 2014-2015, the averted crime cost is $3,048.62 per graduation, and the averted crime cost is -$4,381.37 per termination. In other words, those who graduate from treatment courts are benefiting the Wisconsin criminal justice system in averted crime savings, but those who are terminated are costing the system with averted crime since they recidivate at a higher rate, specifically for drug and property crimes. Less than half (48.6%) of discharges from treatment court programs were graduations, which is why the overall averted cost is negative. This highlights the need for further research on what factors predict whether a treatment court participant will graduate, and differences between programs that may impact graduation rates.

Chart 33: Benefit-Cost Ratio[26] and Net Benefits per 2014-2018 Discharge



Challenges, Limitations, and Future Direction

Participant Summary

The participant summary data had limitations based on the way the data was collected during this evaluation period. Combining the data from multiple sources creates challenges for this type of evaluation. The data was collected and structured differently across sources. The data elements and

[26] Due to differences in methodology and scope, the overall ratio should not be compared to previous evaluation costs.

definitions of fields collected across data sources had some variation, which limits the number of variables that can be included in the analysis. In addition, some of the nuanced differences across sources cannot be easily captured when the data is combined. From this point forward, however, the CORE Reporting System will provide a consistent tool for the collection of the participant data, which will significantly improve the approach for future evaluation efforts after this transition period. CORE also collects significantly more detail at admission and discharge, along with detailed progress updates during the program, which will provide more detailed data for future evaluation. The current analysis could also only start at the point of program admission given the data available across sources. CORE now provides the means to collect data from the point of program referral, which will allow for a comparison between individuals referred, but not admitted to various programs to those that were admitted, which will allow for an analysis of whether there are differences in demographics or other characteristics between those referred and those admitted to TAD-funded programs.

Only data provided to DOJ and participants indicated as being part of a TAD-funded program were included in the analysis. Any participant records that were not submitted to DOJ or were not indicated to be funded through TAD, were not included. It is also important to note that participants may be counted in the overall numbers more than once if they went through more than one program or started the same program more than once during the listed time period. Therefore, the number of participants should be considered the number of participant admissions, not the unique number of individuals who entered the program. However, this approach is important as it would account for resources being expended even if it was on the same individual at more than one point in time. Going forward with the data being collected in CORE, there will be the potential to identify if an individual has gone through more than one program or the same program more than once.

There are also a significant number of validation checks built into CORE to help reduce and prevent common data quality issues such as missing data for particular fields, illogical date order, different values being entered in the same field, and related issues. This significantly improves the utility of the data being collected, helps to ensure that the data is more complete and increases the reliability of the data. There is still ongoing development work being done on CORE, including integration of the historical data from the original Microsoft Access TAD databases and eValuate. Interactive reports are also being developed to provide sites more flexibility to access participant data in a structured way and provide the ability to review overall performance measure data on a regular basis.

As mentioned earlier, the significant expansion of TAD during this evaluation period from approximately $1 million annually to over $6 million annually, and from nine total sites to more than 50 sites being funded in some part between 2014 and 2018. This expansion presented a variety of challenges to adjust to the high-level of growth and changing nature of the program over this five-year period. In addition, both the expansion and the variation in programs, different start dates (and in some cases end dates) for programs, and changes in programs over time also makes detailed analysis of programs complicated. Going forward, the consistency in data collection through CORE will help to address part of this challenge, but there should also be consideration given to the timing and approach for any future funding expansions for TAD.

Recidivism Analysis

In terms of the data and process for the recidivism analysis, there are a number of known limitations. Any arrests not submitted or successfully recorded in the CCH, or court records not available in the CCAP data, would not be included in the analysis. In addition, any arrest, charge, or conviction records that could not be linked to participant records, either due to lack of a SID or if the manual review did not identify the correct individual, would not be included in the analysis. For arrests, some of the key known limitations are that it would exclude a variety of circumstances such as out of state arrests, most local ordinance violations unless they were submitted to the criminal history, and any other arrests not submitted to or accepted by the criminal history repository. In addition, the CCAP data would not include out of state cases and cases not charged or not available in CCAP data. For both data sources, recidivism could only be counted if the record could be identified. This was accomplished by identifying State Identification Numbers (SIDs) for individuals who completed the TAD program. The SID was then utilized in both CCAP and CCH to identify arrests, charges, and convictions. Any participants where the participant could not be connected to their SID or who did not have a SID assigned, were counted as not having recidivated.

An additional limitation of the recidivism analysis is that the post-program period may have included periods where the individual may not have been eligible to recidivate. For example, if they were incarcerated, hospitalized, or if they died during the follow-up period, there may have been short or extended periods of time where they could not have committed a new offense that resulted in arrest, charge, or conviction. As such, the recidivism analysis would be undercounting the percentage of people who recidivated in these circumstances; the percentage would be higher if those who could not recidivate were removed. This is often a limitation of recidivism analyses of this type, given the complexity of identifying and tracking periods where individuals may not have been able to recidivate. However, this should also be the case for the overall comparison group utilized in this analysis; both groups should be impacted by these factors in the calculation of the recidivism rates. The recidivism analysis does include all felony and misdemeanor offense types but excludes non-criminal offenses and any arrests or criminal cases without an associated statute.

For the comparison group, this analysis includes a broad group of arrestees in the TAD counties as an overall comparison of recidivism levels. The group was selected based on those arrested in 2014 (as the first year of this evaluation), in TAD counties, where the arrest did not include a violent offense to be more consistent with the TAD program participants. There are multiple challenges with this approach including not having a way to determine if those in the comparison group were referred, screened, or admitted to another (non-TAD) treatment court or diversion program. There is also not information on the risk and need level of this broader comparison group. As discussed in the next section, future evaluations should take this further to include a more specific matched comparison group that can better account for the characteristics of TAD program participants to provide a more complete analysis of the differences between the treatment and comparison groups. The group was overall arrests in these counties, not weighted by county to correspond with the proportion of participants in TAD-funded programs. This was intentional to provide an overall view of arrests across these counties. Due to initial limitations on the availability of data to develop the comparison group, it was not feasible to make this a more targeted or direct comparison group to more precisely match the characteristics of TAD participants.

Cost-Benefit Analysis

There are several limitations to the data used in the cost-benefit analysis. First, the benefit-cost ratio from this analysis should not be compared to benefit-cost ratios from previous reports. The intent with this analysis was to utilize a similar methodology as previous TAD evaluations for the purpose of estimating whether programs provide a better benefit-cost ratio relative to the traditional criminal justice system processing, however, it was determined that some modifications were necessary. The overall approach utilized for this analysis is specific to state TAD dollars spent and did not include estimates of additional costs, such as matching funds or personnel time for court hearings, in part because those personnel are usually not included in site budgets and therefore not included in spent state funding amounts. Based on the statutory requirement that sites contribute at least a 25% match to the state funds it is known that additional resources are committed to all programs. These and myriad other costs associated with the development, implementation, and running of TAD programs that are not paid for by state funds vary tremendously across programs, which contributes to the difficulty of accurately estimating the additional resources put into the TAD programs at the local level. For these reasons, this analysis intentionally focuses only state funds spent rather than estimating these additional local costs.

This results in lowered costs compared to previous analyses (Van Stelle, K.R, Goodrich, J., & Paltzer J., 2011, Van Stelle, K.R., Goodrich, J., & Kroll, S., 2014). This difference is critical to the interpretation of the cost-benefit as not being directly comparable to prior analyses, as this benefit-cost ratio limited the costs but kept the same structure of benefits, which overestimates the benefit-cost ratio. As discussed further in the recommendations, a standard cost-benefit model for this program and other criminal justice programs in Wisconsin would be a significant improvement for future evaluation efforts.

Next, financial documentation is kept together as one joint award for sites that applied together or sites that applied to fund multiple programs, rather than split between counties and programs. Therefore, the money spent by each program for these joint awards had to be estimated.

During this analysis period, there was a transition from TAD data being kept in site-specific Microsoft Access databases and the eValuate web application to use of the CORE Reporting System, which became fully functional in 2017. The data fields and value options are not identical between the programs, and some data elements available for the most recent years are not available for older years, such as program fee compliance information. To estimate the relevant “missing” data pieces for older years in which the data was not collected, proportions of the known data from more recent years were used. Additionally, data on estimated jail and prison days averted is requested to be collected by the local sites, but this is challenging for sites to estimate consistently or accurately, in part because there is not currently a known common source or methodology for determining how many days an individual would be likely to spend in jail or prison if they did not participate in the treatment court or diversion program.

Review of the data submitted by sites raised both validity and reliability concerns, so the decision was made to not use any site-provided estimates for jail and prison days averted. Wisconsin circuit court historical sentencing data was used instead to estimate likely sentencing outcomes for TAD participants. This methodology assumed that the TAD participants were likely to receive the same sentences

proportionately as the general population of the state. However, there could be unexplored factors that differentiate TAD participants from the general population in terms of probable sentencing to jail or prison. Sentencing data is inherently challenging due to the nature of how sentences are classified and applied to charges and the fact that sentences can be assigned both concurrently and consecutively. Furthermore, some of the common originating offenses for TAD participants could be both misdemeanors or felonies, and were the same originating offenses for both treatment court and diversion participants. As such, the estimated number of graduates who would likely be incarcerated was averaged all together for the most common statutes, rather than by type of program. This approach was narrowly defined by BJIA for the purpose of this evaluation as described further in Appendix F, but future improvements would be to develop a common method with more nuance in collaboration with the Director of State Courts Office to estimate sentence length for various offense types that could then be utilized consistently for this time of system benefit calculation.

The marginal costs used in previous analyses (Fredericks et al., 2010) were used in an effort to remain consistent with the measurement of averted costs from previous analyses and because the BJIA offense schema also matched well with the Fredericks et al. offense schema (2010). The averted costs due to reduced crime are dependent on assumptions and calculations used by this approach, however, there are a number of other publications (Henrichson & Galgano, 2013, McCollister, French, & Fang, 2010) offering differing methods of estimating marginal costs that could have been utilized had the offense schema matched more closely with the BJIA schema. These and other alternate methods should be explored as part of the development of any standardized approach to cost-benefit analysis for criminal justice programs.

While the custom recidivism comparison group created for this analysis aligned more closely with the TAD sample than using the general DOC recidivism rates as utilized by 2014 UW Population Health evaluation (Van Stelle, K. R., Goodrich, J., & Kroll, S., 2014), the comparison was still a subset of the general population of people who were arrested. Differences between the groups, including risk and the fact that the general population are not all eligible for TAD programs nor would everyone in the general population choose to participate in a TAD program are not accounted for in the recidivism comparison.

Henrichson and Rinaldi (2014) describe several types of sensitivity analysis techniques, including partial sensitivity analysis and Monte Carlo analysis, that are used to test assumptions of cost-benefit analyses. Due to the uncertainty and assumptions involved in measuring cost-benefit variables, these techniques are used to test how sensitive the results of the cost-benefit analysis are and how changes in estimates and assumptions change the overall result. We conducted a partial sensitivity analysis, in which one measure is changed while the others are held constant, to test how the overall ratio changed when a 25% site match was incorporated into the costs; these results are described in Appendix F. Due to the estimation involved with sentencing data and marginal costs, a more thorough method such as Monte Carlo analysis should be conducted to test variations in multiple measures, which would result in “a range of possible outcomes and the probabilities that they will occur (Henrichson & Rinaldi, 2014, p. 26).

Discussion

As this report illustrates, between 2014 and 2018 more than 6,100 admissions[27] were reported across approximately 83 TAD-funded treatment court or diversion programs in 52 counties and three tribes across Wisconsin. A significant number of individuals have been impacted by TAD program funding over the five-year period covered in this evaluation. The information also indicates that there are definite differences between treatment court and diversion program participants overall in terms of demographic characteristics, risk/need level, drug of choice, primary offense, and recidivism rates. In addition, the analysis highlights variation between programs in urban and rural areas of the state across many of these same dimensions, as well as between those who graduate and those who are terminated from TAD programs. These comparisons are important to help contextualize the complexity of the TAD program as it has expanded exponentially since the last evaluation report was completed in 2014.

For the treatment court programs between 2014 and 2018, there were 2,355 admissions reported. Overall demographics of participants admitted to treatment courts indicate that the majority of participants were male (61.4%), white (87.4%), not Hispanic/Latino (96.9%), and were between the ages of 18 and 35 (70.4%) with an average age of 33. The majority (71.6%) of the treatment court participants had a high school education or less at the point of admission, more than half (61.5%) of participants were not employed at the time of program admission, and the highest percent (38.0%) of participants were shown as living with parents/relatives/friends at the time of admission, with over one-quarter of participants listed as living independently (29.1%). For marital status, the majority of participants were listed as single or never married (72.8%).

The diversion programs reported 3,770 admissions between 2014 and 2018. In terms of demographics for participants admitted to TAD-funded pre- and post-charge diversion programs the majority of participants were male (63.4%), white (82.1%), not Hispanic/Latino (94.1%), and were between the ages of 18 and 35 (69.8%) with an average age of 30.9. Compared to treatment court programs, participants in diversion programs were more likely to be Hispanic/Latino or African-American/Black and were somewhat younger, on average. The majority of diversion participants (62.5%) had a high school education or less at the point of admission, but this was lower than treatment court participants; those in diversion programs were more likely to have at least some college education. In terms of employment, the highest percent of diversion participants were employed at the time of program admission (46.9%), with more than one-third not employed (35.8%), but this is a substantially lower proportion unemployed compared to treatment court admissions. The highest percent of participants were shown as living independently at the time of program admission (53.9%) which was higher than treatment court program participants. For

[27] As noted earlier, an additional 4,479 admissions were tracked between 2014 and 2018 for a program that focused on pretrial supervision. This program was originally funded through TAD, but further consideration and discussion with the local site determined that the program did not meet all of the statutory requirements. Therefore, for this analysis and evaluation, these admissions were removed to not outweigh the general diversion program data. The site has reallocated their TAD funding and starting in 2019 the pretrial supervision program is no longer funded by TAD.

marital status, most participants were listed as single or never married (71.2%), similar to the proportion for treatment court participants.

When considering some of the background information for treatment court participants, of those with a listed criminogenic risk level based on the use of a risk assessment tool, the majority were listed as high risk (70.4%) and the majority (76.8%) were listed as high need. This is contrasted with diversion participants, as the majority were listed as moderate or medium risk (54.3%), followed by low risk (32.8%). Few of the diversion program participants were listed as high risk (12.9%). In terms of overall need level for diversion program participants, for those with information available the majority (60.2%) were listed as medium need followed by high need (25.6%). This reinforces that the higher risk/need participants are being served by treatment courts, which typically include more intense programming and longer program periods than tends to be the case for pre- and post-charge diversion programs. Diversion program participants still have relatively moderate to high need levels.

For drug of choice, opiates/opioids (29.6%) and alcohol (22.9%) were the most common primary drug of choice listed for treatment court participants. Marijuana (26.3%), heroin (26.4%) and alcohol (22.3%) were the most common primary drug of choice for diversion program participants where this information was known. In terms of the primary offense type bringing the participants into the treatment court program, most participants were listed with the primary offense as a felony (82.2%), compared to diversion programs, where the primary offense was more likely to be a misdemeanor (54.6%). The most common categories for treatment court and diversion participants included drug manufacture/delivery, OWI, other, property/fraud offenses and drug possession.

In terms of program discharges between 2014 and 2018, a total of 1,828 discharges were recorded for treatment courts. A similar proportion of participants graduated (48.6%) from treatment court programs as were terminated (47.2%) from these programs. Of the 3,052 discharges reported for diversion programs a higher proportion were discharged due to successful completion of the program (63.4%) with a smaller proportion being discharged as a termination (28.4%). The average length of time in a treatment court program was 16.7 months for those who graduated, compared to 9.3 months for participants who were terminated, which is significantly longer than diversion programs which averaged 10 months for those who graduated, compared to 7 months for participants who were terminated.

Overall, there were notable differences in the characteristics of treatment court and diversion participants in terms of overall demographics and characteristics. As discussed throughout the report, there were also differences between those participants in rural and urban counties along a variety of dimensions. For example, a higher proportion of participants in urban counties were classified as African-American/Black while a higher proportion of participants in rural counties were classified as American Indian/Alaskan Native, for both treatment courts and diversion programs. Diversion program participants in rural counties were more likely to be listed as high-risk, where the opposite occurred in treatment courts where a higher proportion in urban counties were listed as high-risk. Alcohol and meth were more likely to be the drug of choice in rural counties for both program types, while opioids/opiates and heroin were more likely to be the drug of choice in urban counties.

There were also differences noted between those participants who successfully completed compared to those who were discharged as a termination from both treatment courts and diversion programs. Those who were terminated from both types of programs were more likely to be non-white, younger, have a high school diploma or less for education, to be unemployed, to be living with parents/relatives/friends at the time of program admission, to be single or never married, compared to those who successfully completed or graduated from these programs. Those participants who were terminated were also more likely to have higher identified risk and need levels and to have a higher proportion using heroin, opioids/opiates, or meth compared to those who successfully completed the program requirements. Analyzing differences between participants who successfully completed programs compared to those who were terminated can provide important insight into factors that may be related to the likelihood of success in various programs. A recommendation is to conduct additional multivariate analysis to help identify the combined factors that can help to identify and predict likelihood of successful program completion. In combination this information can help to inform programs in terms of looking at potential changes to programming or treatment to better address the needs of specific subgroups. This information can also help to analyze program progress through the lens of equity and inclusion in terms of the demographic characteristics of who is coming into and discharging from these programs at varying rates.

The differences between treatment court and diversion program participants, as well as between those who graduated compared to those who were terminated from these programs, continued with recidivism as the primary outcome measure for this analysis. For this report recidivism was analyzed at the point of arrest, charge, and conviction. Overall, the three-year post-program recidivism rates for diversion program participants was lower than for treatment court participants at arrest, charge, and conviction. At the point of arrest, 30.2% of those discharged from treatment courts between 2014 and 2017 had at least one recidivist event within one year compared to 23.4% of those discharged from diversion programs during the same time period. This increased to 52.7% of those discharged from treatment courts within three years compared to 43.3% of those discharged from diversion programs during the same time period. At the point of conviction, treatment court participants demonstrated recidivism rates of 17.9% compared to 12.5% of diversion program participants within the first year, which increased to 41.5% for treatment court participants compared to 25.8% of diversion program participants within three years.

For both treatment courts and diversion programs, the recidivism rate differed significantly between those who graduated and those who were terminated from the program, with terminations demonstrating higher recidivism than those who successfully completed the program at arrest, charge, and conviction. Focusing on the recidivism measured at the point of arrest, for treatment court discharges, of those who were terminated 61.4% had at least one recidivist event within three years post-program, compared to 43.2% of those who graduated. For those who were terminated from diversion programs, of those who were terminated 62.4% had at least one recidivist event within three years post-program compared to 29.4% of those who graduated. For recidivism measured at the point of conviction, the most conservative measure of recidivism included in this analysis, treatment court discharges who graduated demonstrated a 35.2% conviction recidivism rate within the three-year period compared to 47.3% of those terminated. For diversion discharges, those who graduated demonstrated a 19.9% conviction recidivism rate within the three-year follow-up period compared to 33.9% of those who were terminated.

The comparison group for this analysis included nonviolent arrestees in the TAD-funded counties in 2014. Relative to the comparison group, both treatment court and diversion program participants demonstrated overall lower recidivism rates for program graduates, but those who terminated demonstrated higher recidivism levels than the comparison group in some subgroups. Additional work should be carried out with future evaluation efforts to develop a more specific matched comparison group, but this provided an initial look at how post-program recidivism for program participants compared to recidivism for a general population of arrestees at arrest, charge, and conviction.

The recidivism data then figured into the overall cost-benefit analysis for this report and the benefit-cost ratio and net benefits of treatment court programs and diversion programs were calculated separately. The final result of the cost-benefit analysis indicates that based on the investment of resources specifically from the TAD funding, the ratio of benefits to cost for treatment courts is $4.17 and $8.68 for diversion programs. That is to say, the Wisconsin criminal justice system receives a benefit of $4.17 for every $1 in state TAD funding spent on treatment courts and a benefit of $8.68 for diversion programs. These benefits are incurred through averted incarceration costs and reduced future crime costs per discharge in 2014-2018 and the benefit-cost ratio is higher for diversion programs than for treatment courts. The overall benefit-cost ratio was lower for treatment courts than for diversion programs, which is not unexpected and in part is a reflection of the lower capacity and higher program requirements of treatment courts relative to diversion programs. Treatment courts are also designed to work with participants with higher risk/need levels and provide more intensive oversight, which would impact the cost-benefit ratio per discharge but is also intentional to address the needs of these participants. Although there are limitations to this cost-benefit analysis, there is a recommendation included to develop a standard cost-benefit model for future evaluations, overall the information compiled indicates that there is a positive return for the state resources being invested into TAD-funded treatment courts and diversion programs.

Overall, this report provides significant insights into the structure and composition of TAD-funded programs over the five-year period (2014-2018) included in this analysis. There was complexity due in part to the significant expansion of the TAD program over this time period, the timing of the various expansion periods and the five-year competitive funding cycle, variation in program types and structure, the high volume of programs, and related factors. This report attempts to highlight some of those issues, which are addressed in the recommendation section below, but also to provide an overall picture of what has occurred with the TAD program over this time period, at least based on participant data, recidivism, and cost-benefit analysis results.

Recommendations

The following provides a series of recommendations for consideration both in terms of future data collection, analysis, and evaluation for the TAD program, but also recommendations related to the overall program based on both the process and the results identified in this report.

Analysis and Evaluation Recommendations

In terms of future evaluation work for the TAD program, there are a number of recommendations for areas of improvement and enhanced analysis. These recommendations represent both additional analysis that can be conducted with the next five-year evaluation cycle, as well as in the interim period.

- **Referral Analysis:** With the data now collected in the CORE Reporting System, it will be possible for future evaluations to analyze the data from the point of program referral in addition to at the point of program admission. This will allow for a more complete picture of the characteristics of individuals being referred to various TAD programs and differences between those who are and who are not admitted by demographics, including race and ethnicity, risk and need level, and other factors. It will also allow for an analysis of the reasons individuals may be referred, but not admitted to various programs, or if they elect to not participate. It will also allow for a better understanding of the volume of individuals referred, but not admitted to programs across the state.

- **Admission, Discharge and Progress Update Analysis:** The data now collected in CORE will support more detailed analysis at admission and discharge, including comparative analysis of changes in various factors such as education, employment, living situation, and other key measures to assess change during the program period, as well as to look at outcomes across dimensions both at the point of admission and program discharge. The detailed, event-level progress updates in CORE will also provide the ability to analyze program activities such as incentives and sanctions, drug testing, court hearings, and case management contacts, among others. This will provide a more complex understanding of the activities of various programs and how they may relate to program outcomes.

- **Multiple admissions:** Future analysis can also consider individuals who have more than one admission to a TAD-funded program (or to any treatment court or diversion program tracked in CORE). The ability to link individual admissions is supported in CORE, which was not possible previously when the data was not collected and stored in a centralized place. This will support a more complete understanding of how often this occurs and the trajectory of individuals entering one or more programs, in one or more sites, over time.

- **Additional Sub Analyses:** Given the level of detail already outlined in this report and the limits of the data being collected from multiple sources it was not feasible to include additional sub analyses that could be useful to understand particular trends or issues. Some of these analyses should be considered for future evaluation reports, but some could also be undertaken between evaluation periods. Examples include analysis of opioids, OWI, female participants, specific program types such as pre-charge and post-charge diversion or particular treatment court types.

- **Equity and Inclusion:** As part of work to more thoroughly understand and address disparities within the criminal justice system by demographic factors such as race, ethnicity, and sex and to support equity and inclusion across various programs, additional attention should be given to analyzing participant characteristics on multiple dimensions such as referrals versus admissions, graduation and termination rates, use of incentives and sanctions, and related factors. This information should then be used to inform sites and the overall program as part of efforts to understand and improve equity and inclusion within the program and across the criminal justice system.

- **Comparison Group:** Although this evaluation did include a comparison to those arrested in TAD counties for nonviolent offenses, this comparison was limited. Future evaluations should employ statistical matching methods (e.g. propensity score matching) to create a statistically matched comparison group to better control for group differences and confounding variables. This would increase the level of detailed analysis that could be carried out, as well as the confidence in the comparison between the groups.

- **Multivariate Analysis:** Future work should also consider a multivariate analysis to look at the factors that predict key program outcomes such as discharge type and recidivism. By considering multiple factors at once it is possible to identify the independent effect of various factors such as risk level and demographic characteristics that are associated with various outcomes such as which participants are more likely to graduate and to not recidivate.

- **Site and Program-Specific Analysis:** It was outside of the scope of this evaluation to provide a detailed analysis or evaluation at the site or program-specific level given the volume of sites and programs. However, future analysis should consider site and program specific information and the data collected can help to inform evaluations completed at the local level. This type of analysis is critical to understand differences in program admissions, discharges, and outcomes across both sites and programs.

Program Recommendations

In addition to the evaluation recommendations, there are overall program suggestions based on this evaluation work.

- **Grant and Evaluation Cycle:** One of the challenges of this evaluation period was the fact that the expansion for TAD occurred at multiple points in time, so the start time for programs varied during this period. In addition, the overall 5-year cycle for funding and evaluation do not align. Consideration should be given, potentially through a statutory language change, to aligning these timelines going forward to develop more consistency in program changes relative to the evaluation cycle. In addition, consideration should be given to the timing and approach, including the methods for the distribution

of TAD funding to local jurisdictions overall, as well as if there is any future expansion of the TAD program.

- **Separation of Treatment Courts and Diversion Programs in Grant Awards and Budgets:** Currently there are several counties that receive a TAD grant that funds multiple programs, both treatment courts and diversion programs. Often times the funding is used for supplies and services for both programs (e.g. drug testing supplies/services and treatment devices). Determining the exact amount of money being spent on treatment courts versus diversion programs was not possible for this report. Separating the funding by program type, specifically treatment court versus diversion programs, would allow for more accurate cost benefit analysis calculations for future reports.

- **Performance Measures:** Additional work should continue on the development and implementation of performance measures for both treatment courts and diversion programs in Wisconsin. Significant work has been completed on this to date and there is currently federal funding available to support the expansion of treatment court measures to specialty courts such as OWI, Veterans, and Co-Occurring Disorders. This work should continue and be supported under the State CJCC and the Data Sharing and Outcomes, Trends and Indicators (OTIs) Subcommittee.

- **Jail and Prison Days Estimation:** A collaborative project should be undertaken, potentially under the State CJCC Data Sharing and OTIs Subcommittee, to develop a process for estimating jail and prison days averted. This was estimated in a limited scope by BJIA for the purpose of this evaluation, but a common methodology should be established to be utilized for TAD and related projects going forward.

- **Cost-Benefit Model:** A consistent methodology should also be established or adopted for use within (and potentially outside of) the criminal justice system. Cost-benefit analysis is arguably best considered a comparative approach rather than an estimate of actual dollar savings and having a consistent methodology to be used across different programs would help to ensure that there is a common basis for determining the relative cost and benefit of programs compared to each other and relative to the traditional criminal justice system.[28] Cost-benefit analysis is a critical part of understanding program benefits and can support decision making on the expansion or reduction of various programs, but the work is complex and having some standardization would support better comparative analysis across programs. This would require resources to either develop or adopt a cost-benefit model, but those resources could potentially be a critical investment to enhancing the ability to carry out this work across criminal justice agencies and programs and would be a significant benefit and improvement for the TAD program.

[28] The Pew Results First model is one option that could be considered. This model was partially implemented in Wisconsin for a period of time but is no longer currently available in part due to resource constraints. Adoption of this model would require commitment across multiple entities and the resources needed to carry out the work.

- **Site Process and Outcome Evaluations**: In addition to the site and program-specific analysis described above, continued emphasis should be placed on conducting process and outcome evaluations of local TAD-funded sites. Given the number of sites and programs it is not feasible for DOJ to conduct individual site-level evaluations. Feedback is provided as part of the training and technical assistance work to sites on their adherence or alignment with state and national standards, but sites and the TAD program as a whole would benefit from periodic (every three to five years for example) site-specific evaluations of both their program implementation and fidelity to the program model, as well as their key outcome measures. This would require resources and expertise to be provided to the local sites to carry out this work. Such evaluations could potentially be a collaborative effort involving multiple state agencies such as DOJ, DOC, and the Director of State Courts Office among others, but would still require additional funding or resources to support such work.

- **Methodology Review:** The overall evaluation process and methodology should be reviewed and refined in preparation for the next five-year evaluation cycle, as well as to determine any additional analyses to be carried out in the interim, as described above. The Data Sharing and OTIs Subcommittee can also play a role in this review process and provide input on potential improvements to the process.

- **Resources:** Given the rapid expansion of the TAD program, the resources for both the administration of the program and for evaluation have not kept pace. Consideration should be given to potentially expanding the available staff funded to support the data collection, analysis, and evaluation of this significant program. In addition, while TAD is administered as a partnership with the state agencies, there is no funding attached to the partner agencies to assist in the administration of TAD. As a result, the efforts to improve the administration of the program in recent years have been the result of a largely grassroots effort of state and local partners. In addition to a lack of staffing resources, there are limited state funds allocated through the TAD program for additional needs that are critical for administering the program effectively, including the development of reporting and evaluation systems and the provision of training and technical assistance. As the program has continued to expand, these needs have almost solely been addressed with federal grant funding, which is not sustainable in the long term.

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Appendix A: Program Summary and Spending by Program Type and Funding Dates

Local Jurisdiction(s)	Overall Funding Start Date	Program Funding Start Date	Program Funding End Date	Type of Program	2014 Spending	2015 Spending	2016 Spending	2017 Spending	2018 Spending
Adams County	1/1/2017	1/1/2017	12/31/2021	Hybrid Court	$ -	$ -	$ -	$ 71,930.51	$ 76,436.00
Ashland	1/1/2012	1/1/2012	12/31/2021	Drug Court	$ 174,066.00	$ 176,250.00	$ 159,560.00	$ 200,900.00	$ 209,580.00
				Pre-Charge/Post-Charge Diversion					
Bayfield County	1/1/2012	1/1/2012	12/31/2021	Hybrid Court					
				Pre-Charge/Post-Charge Diversion					
Barron County	1/1/2017		12/31/2021	Hybrid Court	$ -	$ -	$ -	$ 26,962.00	$ 26,962.00
Brown County	6/1/2014	6/1/2014	12/31/2021	Drug Court	$ 35,165.88	$ 139,006.00	$ 139,006.00	$ 159,712.00	$ 159,712.00
				Heroin Court					
				Pre-Charge Diversion					
Buffalo/Pepin County	1/1/2017	1/1/2017	12/31/2021	Pre-Charge Diversion & Post-Charge Diversion/Deferred Prosecution	$ -	$ -	$ -	$ 111,964.00	$ 111,964.00
Burnett (Washburn) County	1/1/2007	1/1/2007	12/31/2021	Hybrid Court	$ 105,358.00	$ 105,358.00	$ 104,157.00	$ 105,513.46	$ 125,000.00
				Pre-Charge/Post-Charge Diversion					
(Burnett) Washburn County				Hybrid Court					
Chippewa County	6/1/2014	6/1/2014	12/31/2021	Post-Charge Diversion	$ 31,943.55	$ 91,236.00	$ 91,236.00	$ 112,245.23	$ 115,327.00
Columbia County	1/1/2014	1/1/2014	12/31/2021	OWI Court	$ 64,696.95	$ 132,096.00	$ 111,789.55	$ 186,899.15	$ 172,012.64
		1/1/2017		Drug Court					
Crawford County	1/1/2018	1/1/2018	12/31/2021	Hybrid Court	$ -	$ -	$ -	$ -	$ 79,340.89
Dane County	1/1/2007	1/1/2007	12/31/2021	Drug Court Diversion	$ 115,820.00	$ 115,820.00	$ 115,820.00	$ 211,801.00	$ 206,258.00
				Pre-Charge/Post-Charge Diversion					
Dodge County	1/1/2014	1/1/2014	12/31/2021	OWI Court	$ 112,142.55	$ 130,722.00	$ 132,566.25	$ 192,500.24	$ 209,620.00
				Drug Court					
Douglas County	1/1/2018	1/1/2018	12/31/2021	Drug Court	$ -	$ -	$ -	$ -	$ 60,756.77
Dunn County	1/1/2017	1/1/2017	12/31/2021	Post-Charge Diversion	$ -	$ -	$ -	$ 99,566.00	$ 99,566.00
Eau Claire County	1/1/2014	1/1/2014	12/31/2021	Drug Court	$ 35,719.30	$ 97,638.32	$ 105,516.42	$ 135,041.70	$ 117,916.22
				AIM Court					
				Mental Health Court					
				Vets Court					

Treatment Alternatives and Diversion (TAD) Program 2014-2018

Local Jurisdiction(s)	Overall Funding Start Date	Program Funding Start Date	Program Funding End Date	Type of Program	2014 Spending	2015 Spending	2016 Spending	2017 Spending	2018 Spending
Fond du Lac County	**6/1/2014**		**12/31/2016**	Hybrid Court	$ 26,008.19	$ 46,807.00	$ 46,807.00	$ -	$ -
Grant County	**6/1/2014**	**6/1/2014**	**12/31/2021**	Drug Court	$ 50,886.19	$ 95,383.25	$ 98,250.73	$ 112,294.79	$ 119,572.00
		1/1/2019		OWI Court					
Green County	**1/1/2017**	**1/1/2017**	**12/31/2021**	Drug Court	$ -	$ -	$ -	$ 110,605.75	$ 99,234.93
Green Lake County	**1/1/2017**	**1/1/2017**	**12/31/2021**	Drug Court	$ -	$ -	$ -	$ 97,312.05	$ 101,130.00
Iowa County	**6/1/2014**	**6/1/2014**	**12/31/2021**	Drug Court	$ 4,614.25	$ 41,122.22	$ 60,643.68	$ 62,878.71	$ 63,450.91
Jackson County[1]	**1/1/2018**	**1/1/2018**	**12/31/2021**	Post-Charge Diversion	$ 42,606.92	$ 80,509.04	$ 69,565.29	$ -	$ 562.80
Jefferson County	**1/1/2014**	**1/1/2017**	**12/31/2021**	Drug Court	$ 110,239.74	$ 112,714.00	$ 112,700.00	$ 174,020.00	$ 172,534.45
		1/1/2014		OWI Court					
Kenosha County	**1/1/2014**	**1/1/2014**	**12/31/2021**	Co-Occurring Disorders Court	$ 83,052.00	$ 86,873.00	$ 85,392.00	$ 76,605.84	$ 117,457.30
La Crosse County	**6/1/2014**	**6/1/2014**	**12/31/2021**	Pre-Charge Diversion	$ -	$ -	$ -	$ 12,047.00	$ 11,099.00
				Post-Charge Diversion					
Lac du Flambeau Tribe	**1/1/2014**	**1/1/2014**	**12/31/2021**	Tribal Healing to Wellness Court	$ 93,917.37	$ 47,326.04	$ 130,190.00	$ 107,272.29	$ 113,294.00
Manitowoc County	**1/1/2017**	**1/1/2017**	**12/31/2021**	Drug Court		$ -	$ -	$ 142,396.00	$ 142,396.00
				Pre-Charge Diversion					
Marathon County	**1/1/2018**	**1/1/2018**	**12/31/2021**	Drug Court	$ -	$ -	$ -	$ -	$ 150,000.00
Marinette County	**1/1/2014**	**1/1/2014**	**12/31/2021**	Drug Court	$ 74,191.00	$ 124,502.00	$ 124,502.00	$ 125,557.00	$ 125,557.00
Marquette County	**6/1/2014**	**6/1/2014**	**12/31/2021**	Hybrid Court	$ 18,935.87	$ 86,223.94	$ 99,316.84	$ 85,778.96	$ 81,342.15
Menominee Tribe	**6/1/2014**	**6/1/2014**	**12/31/2021**	Pre-Charge/Post-Charge Diversion	$ -	$ 50,027.31	$ 65,869.94	$ 2,484.61	$ 84,544.45
Milwaukee County	**1/1/2007**	**1/1/2007**	**12/31/2021**	Pre-Charge/Post-Charge Diversion	$ 333,900.00	$ 333,900.00	$ 333,900.00	$ 380,981.00	$ 380,981.00
Monroe County	**1/1/2018**	**1/1/2018**	**12/31/2021**	OWI Court	$ -	$ -	$ -	$ -	$ 21,229.00
Outagamie County	**6/1/2014**	**6/1/2014**	**12/31/2021**	Hybrid Court	$ 35,596.14	$ 149,274.96	$ 133,489.28	$ 164,132.62	$ 176,931.62
		1/1/2017		Mental Health Court					
				Veteran's Court					
				YAO Pre-Charge Div.					
				OAR Post-Charge Div.					
				DV Post-Charge Div.					
				CJTS Probation Div.					
				SSTOP Post-Charge Div.					

[1] In addition to 2018 data, Jackson County's spending from 2014-2016 reflects a joint grant project (with Monroe County and Ho Chunk Nation) funded from June 1, 2014 through December 31, 2016.

Treatment Alternatives and Diversion (TAD) Program 2014-2018

Local Jurisdiction(s)	Overall Funding Start Date	Program Funding Start Date	Program Funding End Date	Type of Program	2014 Spending	2015 Spending	2016 Spending	2017 Spending	2018 Spending
Ozaukee County	6/1/2014	6/1/2014 1/1/2017	12/31/2021	Pre-/Post-Charge (DPA) Diversion Post-Charge Diversion (Community Sup.)	$ 50,444.32	$ 78,526.64	$ 95,120.00	$ 119,432.60	$ 125,926.57
Pierce County	1/1/2014	1/1/2017 1/1/2014	12/31/2021	OWI Court Pre-Charge/Post-Charge Diversion IDIP Diversion	$ 61,953.00	$ 78,953.00	$ 79,172.00	$ 182,732.82	$ 162,082.00
Polk County	1/1/2017	1/1/2017	12/31/2021	Drug Court	$ -	$ -	$ -	$ 66,300.00	$ 66,300.00
Portage County	1/1/2017	1/1/2017	12/31/2021	Drug Court	$ -	$ -	$ -	$ 125,000.00	$ 125,000.00
Racine County	6/1/2014	6/1/2014	12/31/2021	Drug Court	$ 25,277.00	$ 91,591.84	$ 92,949.00	$ 116,490.60	$ 110,704.61
Richland County	1/1/2017	1/1/2017	12/31/2021	OWI Court	$ -	$ -	$ -	$ 58,335.99	$ 119,725.25
Rock County	1/1/2007	1/1/2007	12/31/2021	Drug Court	$ 110,931.00	$ 110,931.00	$ 110,931.00	$ 125,000.00	$ 125,000.00
Rusk County	6/1/2014	6/1/2014	12/31/2021	Hybrid Court	$ 26,215.57	$ 105,246.29	$ 114,805.49	$ 122,261.45	$ 102,679.29
Sauk County	1/1/2017	1/1/2017	12/31/2021	Hybrid Court	$ -	$ -	$ -	$ 116,733.00	$ 116,733.00
Sheboygan County	1/1/2017	1/1/2017	12/31/2021	Hybrid Court	$ -	$ -	$ -	$ 93,079.00	$ 93,079.00
St. Croix County	1/1/2014	1/1/2018 1/1/2014	12/31/2021	OWI Court Drug Court Pre-Charge/Post-Charge Diversion	$ 74,584.00	$ 68,390.56	$ 70,523.90	$ 135,149.00	$ 141,620.00
Taylor County	6/1/2014	6/1/2014	12/31/2021	Hybrid Court	$ 19,261.77	$ 36,463.77	$ 37,722.03	$ 43,187.46	$ 77,226.43
Trempealeau County	1/1/2014	1/1/2014	12/31/2021	Hybrid Court	$ 31,686.49	$ 54,757.84	$ 58,303.00	$ 70,109.61	$ 110,000.00
Walworth County	1/1/2014	1/1/2014 1/1/2017	12/31/2021	Drug Court Post- Charge OWI Diversion Pre-Charge/Post-Charge Diversion	$ 86,378.00	$ 152,730.00	$ 157,609.00	$ 200,774.00	$ 209,695.00
Washington County	1/1/2007	1/1/2007	12/31/2021	Post-Charge Diversion	$ 92,634.75	$ 88,673.13	$ 69,042.69	$ 96,720.00	$ 96,720.00
Waukesha County	1/1/2014	1/1/2014	12/31/2021	Drug Court	$ 133,292.22	$ 142,371.18	$ 142,883.00	$ 137,742.59	$ 138,431.91
Waushara County	1/1/2014	1/1/2014	12/31/2021	Hybrid Court	$ 54,788.84	$ 74,848.85	$ 87,169.11	$ 89,782.00	$ 89,782.00
Winnebago County	1/1/2017	1/1/2017	12/31/2017	Diversion	$ -	$ -	$ -	$ 49,962.13	$ -
Wood County	1/1/2007	1/1/2007	12/31/2021	Drug Court	$ 104,006.00	$ 104,006.00	$ 104,006.00	$ 140,000.00	$ 140,000.00
				Total	$ 2,420,312.86	$ 3,430,279.18	$ 3,540,514.20	$ 5,358,194.16	$ 5,882,473.19

Appendix B: Program Type Definitions

TAD programs provide local jurisdictions with options to offer offenders the opportunity to enter diversion programs or treatment court programs, which typically involve drug and/or alcohol abuse treatment, case management, and other risk reduction services as a safe alternative to jail or prison confinement. While treatment courts remain the most popular option among TAD sites, a growing number are also developing other types of diversion programs. A specific listing program types by county/tribe can be found in Appendix A.

As part of the Evidence-Based Decision Making Initiative, a project was undertaken to develop definitions for the criminal justice system, including for the different diversion models. Key definitions are as follows:

Diversion: A global term used to describe pre-arrest, pre-charge, post-charge, and treatment/specialty court programs (which can be pre- or post-conviction) that are an alternative to the formal prosecution process and that divert participants into voluntary programs of supervision and services, based on established criteria and a screening or assessment process. Participants who successfully complete the program will receive a beneficial outcome (no charges filed, charges reduced or dismissed, averted incarceration, etc.).

> ***Pre-charge diversion:*** Following a referral for prosecution, the prosecutor has discretion to withhold filing of charges and provide an alternative in the form of a diversion agreement which may include certain program requirements (e.g., do not commit a new crime for a specified period of time, participate in education classes, complete community service, and/or receive an assessment for treatment needs). Satisfactory completion of program requirements results in charges not being issued (no formal criminal complaint is filed).
>
> ***Post-charge diversion:*** Following the filing of charges, the prosecutor can exercise discretion to suspend formal prosecution and provide an alternative in the form of a diversion agreement including certain program requirements (e.g., do not commit a new crime for a specified period of time, participate in one or more programs or services). Satisfactory completion of program requirements results in reduced charges or the dismissal of formal charges.

Adult Drug Court: A criminal court calendar or docket designed to achieve a reduction in recidivism and substance use among participants and increase the participants' likelihood of successful rehabilitation. Interventions include early, continuous and intensive judicially supervised treatment, mandatory periodic drug testing, community supervision, and the use of appropriate sanctions, incentives, and habilitation services (Bureau of Justice Assistance, 2005).

Hybrid Treatment Court: A treatment court that combines multiple models. The treatment court team has had appropriate training for each of the combined models. (e.g., when an Adult treatment court decides to also take OWI offenders, the court is structured to support the needs of OWI offenders, in particular the use of alcohol monitoring and the presence of victim's representatives at staffing, to protect

public safety (http://www.mncourts.gov/mncourtsgov/media/Judicial_Council_Library/Policies/500/511-1.pdf?ext=.pdf p.14).

Mental Health Court: A mental health court diverts select defendants with mental illnesses into judicially supervised, community- based treatment. Defendants participate in a voluntary specialized screening and assessment. For those who agree to the terms and conditions of community-based supervision, a team of court and mental health professionals work together to develop treatment plans and supervise participants in the community. Courts are modeled after other treatment courts and utilize regular status hearings and a system of incentives and sanctions.

OWI Court: A post-conviction court dedicated to protecting public safety, by addressing the root causes of impaired driving. Participants have been convicted of Driving While Impaired (OWI), either under the influence of drugs or alcohol. OWI courts utilize a team of criminal justice professionals (including judges, prosecutors, defense attorneys, probation and parole agents and law enforcement) along with substance use treatment professionals to systematically change participant behavior. Like drug courts, OWI courts involve extensive interactions between the judge and the participants to hold the participants accountable for their compliance with court, supervision, and treatment conditions (Huddleston, et al., 2004).

Tribal Healing to Wellness Court: A component of the tribal justice system that incorporates and adapts the wellness concept to meet the specific substance abuse needs of each tribal community. It provides an opportunity for each Native American community to address the devastation of alcohol or other drug abuse by establishing more structure and a higher level of accountability for these cases through a system of comprehensive supervision, drug testing, treatment services, immediate sanctions and incentives, team-based case management, and community support. The team includes not only tribal judges, advocates, prosecutors, police officers, educators, and substance abuse and mental health professionals, but also tribal elders and traditional healers. The concept borrows from traditional problem-solving methods utilized since time immemorial, and the court process restores the person to his or her rightful place as a contributing member of the tribal community. The programs utilize the unique strengths and history of each tribe and realign existing resources available to the community in an atmosphere of communication, cooperation and collaboration (Native American Alliance Foundation, 2006; Tribal Law and Policy Institute, 2003).

Veterans Treatment Court: A hybrid court integrating the principles of drug court and mental health court to serve military veterans and sometimes active-duty personnel. These courts promote sobriety, recovery, and stability through a coordinated response that involves collaboration with the traditional partners found in drug courts and mental health courts, as well as the Department of Veterans Affairs healthcare networks, Veterans Benefits Administration, state veterans' agencies, volunteer veteran mentors, and organizations that support veterans and veterans' families (Office of National Drug Control Policy, 2010).

Appendix C: Urban/Rural Designation by County/Tribe

Urban/Rural	Counties/Tribes
Completely Rural	Adams County
	Bayfield County
	Buffalo County
	Burnett County
	Lac du Flambeau Band of Lake Superior Chippewa Indians
	Marquette County
	Menominee Indian Tribe of Wisconsin
	Pepin County
Mostly Rural	Ashland County
	Barron County
	Columbia County
	Crawford County
	Dunn County
	Grant County
	Green County
	Green Lake County
	Iowa County
	Jackson County
	Marinette County
	Monroe County
	Pierce County
	Polk County
	Richland County
	Rusk County
	St. Croix County
	Taylor County
	Trempealeau County
	Washburn County
	Waushara County
Mostly Urban	Brown County
	Chippewa County
	Dane County
	Dodge County
	Douglas County
	Eau Claire County
	Fond du Lac County
	Jefferson County
	Kenosha County
	La Crosse County
	Manitowoc County
	Marathon County
	Milwaukee County
	Outagamie County
	Ozaukee County
	Portage County
	Racine County
	Rock County
	Sauk County
	Sheboygan County
	Walworth County
	Washington County
	Waukesha County
	Winnebago County
	Wood County

From June 1, 2014 through December 31, 2016 Ho-Chunk Nation was also funded under TAD with a joint project with Jackson County and Monroe County. Since Ho-Chunk Nation crosses multiple counties it is not listed separately for the purpose of this report.

Appendix D: Statute Offense Grouping

1. **Person Offenses:** statutes that refer to offenses committed against a person
    a. **Murder/Non-Negligent Manslaughter:** statutes that refer to the willful killing of one human by another (intentional homicide; felony murder)
    b. Negligent Manslaughter/Reckless Homicide: statutes that refer to the gross negligence of a person that results in the death of another person (reckless homicide; homicide by negligent operation of a vehicle)
    c. Sex Offense: statutes that involve an illegal sexual component (forcible intercourse; penetration with an object; internet sex crimes)
        i. **Contact:** statutes that involve an illegal sexual component where physical contact between a perpetrator a victim occurs (sexual assault; rape; sexual exploitation)
        ii. **Non-Contact:** statutes that involve an illegal sexual component where physical contact between a perpetrator and victim does not occur (possession of child pornography; indecent exposure)
    d. **Assault**: statutes that refer to a willful attempt by someone to inflict injury or harm on another person (aggravated assault, aggravated battery, assault with a deadly weapon, felony assault)
    e. **Robbery:** statutes that refer to the unlawful taking of anything of value using force or threat of the use of force (armed robbery, unarmed robbery, aggravated robbery, car-jacking, armed burglary)
    f. **Other Person Offense:** statutes that refer to offenses committed against a person that are not included in one of the above categories (kidnapping, unlawful imprisonment, intimidation, extortion, neglect or abuse)

2. **Property Offenses:** statutes that refer to the taking of money or property and/or to the damage of property
    a. **Burglary:** statutes that refer to any type of entry into a residence, business or industry with the intent to commit a felony or theft
    b. **Fraud/Forgery:** statutes that refer to impersonating a person and/or the use or creation of documents in an illegal way, for financial gain (forging an official document, notes, money orders, credit cards; counterfeiting; possession of false documents; embezzlement; insurance fraud)
    c. **Larceny/Theft:** statutes that refer to the unlawful taking, carrying, leading away property from another person (shoplifting, petty theft, grand theft)
    d. **Motor Vehicle Theft:** statutes that refer to the unlawful taking or possession of a vehicle or the parts from a vehicle (auto theft, unauthorized use of a vehicle)
    e. **Other Property Offense:** statutes that involve the illegal taking of money or property that are not included in one of the above categories (receiving or buying stolen property; vandalism, arson, possession of burglary tools)

3. **Drug Offenses:** statutes that prohibit the production, distribution and/or use of specific controlled substances and the devices or equipment used in that process
    a. **Drug Trafficking:** statutes that refer to the trafficking, sales, distribution, manufacture and smuggling of controlled substances
    b. **OWI:** statutes that refer to the operation of a vehicle (car, boat, ATV, cycle) while under the influence of a controlled substance
    c. **Other Drug Offense:** statutes that refer to other control substance violations not included in one of the above categories (possession of a controlled substance, prescription drug violations, possession of drug paraphernalia)

4. **Public Order Offenses:** statutes that refer any unreasonable interference to the rights that are common to all members of the public
    a. **Weapons:** statutes that refer to the unlawful sale, distribution, manufacture, transportation, possession, alteration and/or use of a deadly weapon or accessory
    b. **Traffic/Vehicle Offense:** statutes that refer to the illegal operation of a vehicle (driving with a suspended or revoked license; failure to register boat, driving an ATV on an unmarked trail) ***does not include OWI***
    c. **Other Public Order Offense:** statutes that refer to unreasonable interference in the rights of all members of the public that are not included in one of the above categories (obstruction of justice, flight/escape, illegal hunting, bribery, pandering, tax law violations, slander, campaign violations)

5. **Technical Offenses:** statutes that refer to the violation of official mandates or orders
    a. **Violation of Court Order:** statutes that refer to the violation of a court order that results in a new charge (failure to register as a sex offender; failure to provide a DNA sample; probation/parole violation)
    b. **Other Technical Offense:** statutes that refer to the violation of official mandates or orders that were not issued by the courts

6. **Information (Definition, Penalty**): statutes that are used for definition purposes or list out penalties for the violation of other statutes

Appendix E: Recidivism Analysis by Type

Treatment Court Recidivism Analysis by Type

Discharge Type	Crimnial Justice Event	Follow-up Period	# in Cohort	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate
				Overall Recidivism		Person Offense		Property Offense		Drug Offense		Technical Offense		Public Order Offense		Violent Offense	
Overall	Arrest	1 year	1294	391	30.2	32	2.5	88	6.8	154	11.9	221	17.1	174	13.4	48	3.7
		2 year	826	379	45.9	52	6.3	118	14.3	184	22.3	232	28.1	188	22.8	66	8.0
		3 year	419	221	52.7	39	9.3	79	18.9	127	30.3	136	32.5	128	30.5	52	12.4
	Charge	1 year	1294	257	19.9	29	2.2	81	6.3	110	8.5	58	4.5	157	12.1	41	3.2
		2 year	826	302	36.6	49	5.9	105	12.7	153	18.5	83	10.0	188	22.8	59	7.1
		3 year	419	189	45.1	35	8.4	75	17.9	105	25.1	58	13.8	124	29.6	44	10.5
	Conviction	1 year	1294	231	17.9	13	1.0	64	4.9	87	6.7	28	2.2	109	8.4	19	1.5
		2 year	826	269	32.6	26	3.1	85	10.3	123	14.9	36	4.4	127	15.4	28	3.4
		3 year	419	174	41.5	19	4.5	62	14.8	86	20.5	23	5.5	89	21.2	25	6.0
Graduated	Arrest	1 year	610	150	24.6	12	2.0	25	4.1	58	9.5	82	13.4	65	10.7	17	2.8
		2 year	393	140	35.6	15	3.8	37	9.4	65	16.5	72	18.3	64	16.3	20	5.1
		3 year	199	86	43.2	16	8.0	25	12.6	45	22.6	47	23.6	51	25.6	19	9.5
	Charge	1 year	610	94	15.4	11	1.8	24	3.9	37	6.1	17	2.8	58	9.5	14	2.3
		2 year	393	108	27.5	17	4.3	29	7.4	50	12.7	27	6.9	71	18.1	18	4.6
		3 year	199	73	36.7	16	8.0	21	10.6	37	18.6	26	13.1	50	25.1	18	9.0
	Conviction	1 year	610	88	14.4	5	0.8	17	2.8	34	5.6	8	1.3	42	6.9	6	1.0
		2 year	393	99	25.2	7	1.8	21	5.3	44	11.2	13	3.3	51	13.0	6	1.5
		3 year	199	70	35.2	7	3.5	17	8.5	33	16.6	12	6.0	40	20.1	9	4.5
Terminated	Arrest	1 year	684	241	35.2	20	2.9	63	9.2	96	14.0	139	20.3	109	15.9	31	4.5
		2 year	433	239	55.2	37	8.5	81	18.7	119	27.5	160	37.0	124	28.6	46	10.6
		3 year	220	135	61.4	23	10.5	54	24.5	82	37.3	89	40.5	77	35.0	33	15.0
	Charge	1 year	684	163	23.8	18	2.6	57	8.3	73	10.7	41	6.0	99	14.5	27	3.9
		2 year	433	194	44.8	32	7.4	76	17.6	103	23.8	56	12.9	117	27.0	41	9.5
		3 year	220	116	52.7	19	8.6	54	24.5	68	30.9	32	14.5	74	33.6	26	11.8
	Conviction	1 year	684	143	20.9	8	1.2	47	6.9	53	7.7	20	2.9	67	9.8	13	1.9
		2 year	433	170	39.3	19	4.4	64	14.8	79	18.2	23	5.3	76	17.6	22	5.1
		3 year	220	104	47.3	12	5.5	45	20.5	53	24.1	11	5.0	49	22.3	16	7.3

Diversion Program Recidivism Analysis by Type

Discharge Type	Crimnial Justice Event	Follow-up Period	# in Cohort	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate
				Overall Recidivism		Person Offense		Property Offense		Drug Offense		Technical Offense		Public Order Offense		Violent Offense	
Overall	Arrest	1 year	2054	480	23.4	63	3.1	121	5.9	198	9.6	278	13.5	190	9.3	75	3.7
		2 year	1327	439	33.1	81	6.1	129	9.7	195	14.7	255	19.2	199	15.0	93	7.0
		3 year	651	282	43.3	46	7.1	87	13.4	137	21.0	176	27.0	138	21.2	59	9.1
	Charge	1 year	2054	318	15.5	33	1.6	99	4.8	134	6.5	95	4.6	172	8.4	43	2.1
		2 year	1327	320	24.1	37	2.8	104	7.8	141	10.6	95	7.2	188	14.2	52	3.9
		3 year	651	200	30.7	24	3.7	70	10.8	96	14.7	75	11.5	114	17.5	32	4.9
	Conviction	1 year	2054	257	12.5	16	0.8	73	3.6	98	4.8	39	1.9	100	4.9	25	1.2
		2 year	1327	264	19.9	25	1.9	77	5.8	108	8.1	39	2.9	118	8.9	32	2.4
		3 year	651	168	25.8	19	2.9	52	8.0	73	11.2	33	5.1	72	11.1	21	3.2
Graduated	Arrest	1 year	1308	169	12.9	31	2.4	41	3.1	70	5.4	41	3.1	80	6.1	30	2.3
		2 year	840	180	21.4	40	4.8	49	5.8	85	10.1	55	6.5	88	10.5	44	5.2
		3 year	377	111	29.4	16	4.2	34	9.0	57	15.1	42	11.1	60	15.9	22	5.8
	Charge	1 year	1308	139	10.6	22	1.7	34	2.6	57	4.4	12	0.9	82	6.3	21	1.6
		2 year	840	151	18.0	23	2.7	43	5.1	62	7.4	24	2.9	92	11.0	25	3.0
		3 year	377	86	22.8	13	3.4	28	7.4	44	11.7	27	7.2	47	12.5	14	3.7
	Conviction	1 year	1308	115	8.8	11	0.8	24	1.8	45	3.4	7	0.5	51	3.9	11	0.8
		2 year	840	126	15.0	13	1.5	30	3.6	50	6.0	10	1.2	61	7.3	14	1.7
		3 year	377	75	19.9	10	2.7	20	5.3	34	9.0	12	3.2	29	7.7	9	2.4
Terminated	Arrest	1 year	746	311	41.7	32	4.3	80	10.7	128	17.2	237	31.8	110	14.7	45	6.0
		2 year	487	259	53.2	41	8.4	80	16.4	110	22.6	200	41.1	111	22.8	49	10.1
		3 year	274	171	62.4	30	10.9	53	19.3	80	29.2	134	48.9	78	28.5	37	13.5
	Charge	1 year	746	179	24.0	11	1.5	65	8.7	77	10.3	83	11.1	90	12.1	22	2.9
		2 year	487	169	34.7	14	2.9	61	12.5	79	16.2	71	14.6	96	19.7	27	5.5
		3 year	274	114	41.6	11	4.0	42	15.3	52	19.0	48	17.5	67	24.5	18	6.6
	Conviction	1 year	746	142	19.0	5	0.7	49	6.6	53	7.1	32	4.3	49	6.6	14	1.9
		2 year	487	138	28.3	12	2.5	47	9.7	58	11.9	29	6.0	57	11.7	18	3.7
		3 year	274	93	33.9	9	3.3	32	11.7	39	14.2	21	7.7	43	15.7	12	4.4

Comparison Group Recidivism Analysis by Type

Crimnial Justice Event	Follow-up Period	# in Cohort	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate	# Recidivated	Recidivism rate
			Overall Recidivism		Person Offense		Property Offense		Drug Offense		Technical Offense		Public Order Offense		Violent Offense	
Arrest	1 year	68796	22702	33.0	4571	6.6	5746	8.4	6557	9.5	13487	19.6	11396	16.6	5281	7.7
	2 year	68796	30821	44.8	7699	11.2	8738	12.7	10657	15.5	18329	26.6	17669	25.7	8840	12.8
	3 year	68796	35392	51.4	10117	14.7	10804	15.7	13924	20.2	21397	31.1	21759	31.6	11546	16.8
Charge	1 year	68796	19360	28.1	4033	5.9	5249	7.6	5884	8.6	9079	13.2	11764	17.1	4533	6.6
	2 year	68796	26965	39.2	6775	9.8	8141	11.8	9593	13.9	11720	17.0	18027	26.2	7653	11.1
	3 year	68796	31727	46.1	8939	13.0	10184	14.8	12644	18.4	13686	19.9	22240	32.3	10052	14.6
Conviction	1 year	68796	15326	22.3	2252	3.3	3580	5.2	4548	6.6	4425	6.4	7257	10.5	2559	3.7
	2 year	68796	22441	32.6	3850	5.6	5632	8.2	7660	11.1	6031	8.8	12036	17.5	4416	6.4
	3 year	68796	26845	39.0	5148	7.5	7050	10.2	10260	14.9	7216	10.5	15303	22.2	5899	8.6

Appendix F: Technical Description of Cost-Benefit Analysis

The cost-benefit analysis (CBA) for this evaluation followed the same overall structure as previous evaluations completed by the University of Wisconsin–Population Health Institute (Van Stelle, K. R., Goodrich, J., & Kroll, S., 2014; Van Stelle, K. R., Goodrich, J, & Paltzer, J., 2011), with some changes made to the specific measurement of variables. Below is a detailed description of each cost and benefit measure, including calculations.

Table F1: Group sizes used for the CBA

Measure	Count
Admissions to Treatment Court Programs (2014-2018)	2,355
Admissions to Diversion Programs (2014-2018)	3,770
Discharges from Treatment Court Programs (2014-2018)	1,828
Discharges from Diversion Programs (2014-2018)	3,052
Discharges from Treatment Court Programs (2014-2015)	422
Discharges from Diversion Programs (2014-2015)	651
Graduations/Completed Treatment Court Programs (2014-2018)	889
Graduations/Completed Diversion Programs (2014-2018)	1,934
Treatment Court Recidivism Group (3-year follow-up cohort)	419
Diversion Recidivism Group (3-year follow-up cohort)	651
Recidivism Comparison Group	68,796

It should be noted that the recidivism groups and comparison group contain only unique individuals, while the admissions, discharges, and graduation groups contain duplicate individuals, if an individual participated in a program more than once during these 5 years. The 3-year follow-up cohort recidivism groups were limited to unique individuals who were discharged from a program in 2014 or 2015 to allow for a three-year follow-up period through 2018.

Cost Measures

Project Costs based on actual program expenditures by site were obtained from the Wisconsin Department of Justice program managers overseeing TAD grant management. Diversion programs and treatment courts involve a number of costs aside from the costs funded by the state. The project costs used in previous cost-benefit analyses were the sites' total budgets and adjusted budgets, including a site match. However, sometimes part of the awarded funding is not spent by the sites or is turned back. There are several reasons this can be the case. For example, programs in the planning and implementation process will not use as many funds as established programs, and established programs may have staff turnover, leading to periods of time where no funding is needed for a salary. Additionally, although all sites between 2014-2018 were required to provide *at least* a 25% match to help fund their program(s) in accordance with Wis. Stat. §165.95(2r), the actual amount matched ranged greatly (e.g. some sites provide matching funds or utilize a higher proportion of local funds or other resources totaling more than 25% to help fund their program). The current cost-benefit analysis incorporates **only the TAD state-**

funded spent amount by each program site per program per year, **not including the site match** or other resources put into program operations.

Many sites applied for and received funding through joint applications, in which multiple counties and/or types of programs were combined into one award. When possible, the spent amounts for these joint awards were split into the specific county and type of program by estimation. For example, Ashland and Bayfield counties applied together to fund a diversion program in Ashland and both a diversion program and treatment court in Bayfield. (Ashland also has a treatment court that does not receive state TAD funds and is not included in this evaluation.) The budgetary reporting does not include how much of the total joint award was spent by each specific program, so an estimation was made on how much of the joint funds were spent by Ashland and how much were spent by Bayfield. Then the Bayfield estimated spent amount was split evenly between their diversion program and treatment court. Please see Table F2 for sites whose spent funds were separated by estimation.

Table F2: Sites using joint awards to fund TAD programs

Award	Budget Estimation Method
Ashland/Bayfield	Ashland was estimated separate from Bayfield; Bayfield TC vs. Diversion split evenly
Brown	Diversion and TC split evenly across all years
Burnett/Washburn	Washburn was estimated separate from Burnett; Burnett TC vs. Diversion split evenly
Manitowoc	2017-2018 only; budget split evenly between TC and Diversion
Outagamie	TC only 2014-2017, then budget split evenly between TC and Diversion 2017-2018
Pierce	Diversion only 2014-2016, then budget split evenly between TC and Diversion
St. Croix	All years split evenly between TC and Diversion
Walworth	TC only 2014-2016, then budget split evenly between TC and Diversion 2017-2018
Buffalo/Pepin	Diversion only; funds split based on percentage of admissions per site
Jackson/Ho-Chunk	Diversion only; funds kept together as one diversion program

The **participant fee** applied to each participant varied across sites, and compliance with the fee was not collected for records that were not in the CORE database; about 85% of discharge records did not contain fee compliance information. It cannot be assumed that participants paid the program fee, because some had no obligation to pay and some were noncompliant with the fees. Therefore, to estimate the number of discharges who paid or were in progress of paying the program fee, the percentage of the total number of discharges with supplied fee information was used. A total of 32.3% of supplied fee information indicated that the participant either paid or was in progress of paying, 31.4% had no obligations, 28.3% were not in compliance with the fee, and about 7.9% were still unknown. To estimate fee income for each site, 32.3% of all discharges from each site were estimated to pay the fee, which ranged across sites and programs. For sites with monthly or weekly fees, the average time in the program for that site was used

to estimate what the fees collected would be if 32.3% of discharges were compliant.[29] The total estimated *paid* participant fees were then added across treatment program sites and diversion program sites (separately). The total estimated paid fees per type of program were then divided by the number of discharges for the two types of programs, for an average paid program fee per discharge. This average was then treated as income and subtracted from the overall estimated cost per discharge.

$$Fee\ Compliance\ Rate = \frac{Discharges\ with\ Completed\ or\ in\ Progress\ Payment\ (out\ of\ known)}{Discharges\ with\ known\ compliance\ information} = 32.3\%$$

Personnel Costs were intentionally not included in this analysis. Previous evaluators estimated donated time by calculating staff salaries plus benefits based on who would likely be in attendance at a regular hearing or DA review, how long they would attend the hearing or review and how many hearings/reviews were scheduled per participant. Site-provided estimates vary in part due to differences in program types and functioning, including how many participants are served at each hearing and which personnel overlap. Although Carey, Mackin, and Finigan (2012) recommend judges spend at least three minutes per participant, there is no official data collected regarding how many minutes are spent on each participant by each individual contributing time to TAD participants, including those who are not part of site budgets. In addition, some personnel costs that were originally estimated may be covered within site budgets. Since there is no reliable and accurate way to estimate *all* costs to implementing TAD programs, the exclusion of these costs in the current analysis was intentional.

As described previously, sites are required by Wis. Stat. §165.95(2r) to contribute at least 25% in **match funding** for the implementation of their programs. Based on federal matching formulas, if exactly 25% was matched by sites, an estimated $4.7 million additional dollars have been contributed by treatment court sites and $2.4 million has been matched by diversion program sites between 2014-2018 (in 2018 dollars); these are the minimum estimates of matched funds, as many sites contribute more than 25%. These costs are not included in the current analysis, for a variety of reasons.[30] The sites are all contributing different amounts in match, and these varying amounts could not be accurately incorporated into this cost-benefit analysis. Also, there are myriad other costs to running these programs that are incurred at the local level that cannot be accounted for, so rather than estimating some and not others, BJIA chose to not include any local costs. This changes the cost-benefit analysis question from "For every $1 *invested* into TAD treatment courts and diversion projects, how much return can be expected?" to "For every $1 *in state TAD funding spent*, what are the savings to the Wisconsin criminal justice system?" With this difference, the current cost-benefit analysis should not be compared to the previous analyses' results, as

[29] There were 123 discharges from Dane County's diversion treatment court who were considered to be part of Dane County's diversion program due to the programs' functionality. Dane's diversion treatment court imposes a $50 program fee, whereas Dane's diversion program fee is $60/month. Fees for Dane diversion treatment court discharges were calculated using the treatment court fee, although the discharges were ultimately moved to Dane's diversion program and counted as diversion income.

[30] Had a minimum 25% match been included for the CBA, which would provide a consistent estimate of a portion of the additional non-TAD funding contributed to the support the programs, the benefit-cost ratio would be $3.12 for treatment courts and $6.49 for diversion programs. However, this approach was not used since it still does not accurately represent the total program costs across sites.

the measures are different and the overall benefit-cost ratios answer different questions.

Inflation (consumer price index; CPI) was calculated using the Bureau of Labor Statistics CPI calculator (US Bureau of Labor Statistics, 2020). All program spent dollars were turned into 2018 dollars using this calculator.

Total Cost Calculation

$$\frac{Total\ Spent\ Budgets\ 2014-2018\ (adjusted\ for\ CPI)}{\#\ Discharges\ from\ TC\ Programs\ 2014-2018} - Average\ Fee\ Paid\ per\ Discharge$$

$$\frac{Total\ Spent\ Budgets\ 2014-2018\ (adjusted\ for\ CPI)}{\#\ Discharges\ from\ Diversion\ Programs\ 2014-2018} - Average\ Fee\ Paid\ per\ Discharge$$

$$\frac{Total\ Spent\ Budgets\ 2014-2018\ (adjusted\ for\ CPI)}{\#\ Discharges\ from\ Diversion\ Programs\ 2014-2018} - Average\ Fee\ Paid\ per\ Discharge$$

Table F3: Estimated Program Costs Per Discharge

2014-2018 Estimated Program Costs Per Discharge (in 2018 dollars)	
Treatment Courts	**$7,529.90**
Diversion Programs	**$2,347.24**

Benefit Measures

Incarceration costs were obtained from the Wisconsin Department of Corrections (DOC, 2020). It costs $90 and $103 per day to house a male and female, respectively, in prison in Wisconsin as of FY19 (starting July 2018). The daily cost of jail used in the CBA was set at $57.92, based on the amount the Wisconsin Department of Corrections pays counties (E. Schoot, personal communication, February 12, 2020) to house prisoners in county jails due to prison overcrowding. This is the same figure ($51.46) used in the 2011 TAD evaluation, adjusted for inflation.

Accurate data was not available to determine the amount of incarceration time (if any) a program participant who did not graduate would have received. It is assumed that all graduates averted 100% of their possible incarceration that would have been imposed if they did not successfully complete the program, and so only those participants who graduated from their program between 2014-2018 (N = 889

for treatment court programs and N = 1934 for diversion programs) were included in the estimate of averted incarceration costs. These costs were calculated based on whether the program admission was for a misdemeanor or felony; if for a misdemeanor, it was assumed the participant was facing possible jail time; if for a felony, it was assumed the participant was facing possible prison time. There were 244 missing records that did not indicate whether the TAD offense was a misdemeanor or felony; a proportion was used to estimate whether the missing data would have been misdemeanor/jail or felony/prison. Table F4 shows the estimated number of graduates[31] facing a possible sentence of jail or prison; prison estimates are based on the percentage of male versus female graduates in each type of program.

Table F4: Estimated Number of Graduates Facing Possible Jail or Prison Sentence

	Treatment Court Graduations	Diversion Graduations
Jail possibility	204	1200
Prison possibility (male)	459	477
Prison possibility (female)	226	257
Total Graduations	**889**	**1934**

Wisconsin circuit court sentencing data was used to estimate the likelihood of an incarceration sentence. Sentencing data, limited to court sentences with guilty judgment dispositions between 2014-2018 in the state, was first searched for the five most common statutes listed as the primary offense at the time of program admission, across the program graduates (see Table F6). Estimating sentencing data is complicated, as one case can involve numerous charges and counts of the same charge, and each charge can result in numerous sentencing types. If a sentence included local jail or state prison, the case was flagged as having an "incarceration" sentence. Then the unique case number, statute, and incarcerate flag were deduplicated, such that if the same charge on the same case resulted in two or more types of non-incarceration or incarceration sentences, only one sentence type was kept, so that there was only a maximum of two sentence types per statute per case (incarceration and non-incarceration). The resulting dataset still included duplicate cases, if there were different statutes or different sentences (incarceration or not). This dataset was then restructured and an additional "any incarceration" flag was created, to consolidate cases that resulted in jail or prison, and deduplicated again to keep one unique case per "any incarceration," not by statute. For example, if one person (case number) was charged with two of the most common statutes that were included in the original dataset as part of the same case, and one resulted in incarceration and the other resulted in a non-incarceration sentence, the case was counted only once and included as resulting in a sentence of incarceration. Approximately 4.5% of non-unique records in this dataset included more than one statute of the five most common searched for and were removed. This resulted in over 180,000 unique case numbers that involved one of the five most common statutes listed as the primary offense at the time of program admission for TAD participants. About 50.1% of these unique cases in the sentencing data facing one of the five most common charges were sentenced to incarceration (either jail or prison). Therefore, BJIA estimated 50.1% of the number of graduates in

[31] "Graduates" are not necessarily unique individuals; if a person graduated from more than one program, they are counted multiple times.

Table F4 above likely would have resulted in a sentence of incarceration (see Table F5) had the individual not successfully completed the program.

Table F5: Estimated Number of Graduates Facing Possible Jail or Prison Sentence

	Treatment Court Graduations	Diversion Graduations
Jail likelihood	102.27	601.60
Prison likelihood (male)	230.11	239.13
Prison likelihood (female)	113.30	128.84

The average number of days averted was then calculated based on incarceration sentences from the original non-deduplicated Wisconsin circuit court sentencing dataset for the five most common charges. First, sentences of state prison or county jail were kept and all other sentence types were removed. Cases that involved the same statute with the same sentence repeating (for multiple counts that could be concurrent) were deduplicated, and the deduplicated set was then used to calculate the average number of days sentenced to either jail or prison per statute (see Table F6). These averages were then used to create a weighted average based on how many TAD participants had each statute listed as their primary offense. For example, of the individuals BJIA knew would be facing a felony, BJIA assumed they would be going to prison if sentenced to incarceration, and 56% of them were facing sentencing for Wis. Stat. §961.41. The average number of days when sentenced to prison for Wis. Stat. §961.41 between 2014-2018, based on sentencing data, was 853.21 days. The same statute, when the sentence was to jail, was 141.66 days on average. It is important to note the sentencing data was supplied as part of a data sharing agreement with the Director of State Courts Office. As discussed in the recommendations, a common methodology should be established for estimating jail and prison days averted for utilization for TAD and other future research. See Table F6 for the most common statutes and average days sentenced for each, with weighting information.

Table F6: Estimated Number of Graduates Facing Possible Jail or Prison Sentence

Probable Location of Incarceration	Offense Statute	Average days sentenced (2014-2018 sentencing data)	% of subgroup with offense statute
Jail	Wis. Stat. §343.44	31.59	8.18%
Jail	Wis. Stat. §346.63	78.45	33.52%
Jail	Wis. Stat. §947.01	70.54	15.66%
Jail	Wis. Stat. §961.41	141.66	11.33%
Prison	Wis. Stat. §346.63	801.63	11.09%
Prison	Wis. Stat. §943.10	1051.31	5.20%
Prison	Wis. Stat. §961.41	853.21	56.27%

Based on the number of days sentenced, on average, to either jail or prison obtained from sentencing data, a weighted average of 81.49 days in jail or 859.53 days in prison was estimated. These days were then multiplied by the estimate of the number of graduates who would likely receive a jail or prison sentence (only 50.13% of them), then multiplied by the cost of a jail or prison day.

Table F7: Estimated Averted Incarceration Costs Per Graduation

2014-2018 Estimated Averted Incarceration Costs Per Graduation (in 2018 dollars)	
Treatment Courts	**$31,849.26**
Diversion Programs	**$16,931.07**

A **recidivism comparison group** was created made up of everyone (unique people) arrested for a non-violent felony or misdemeanor in the 52 TAD counties and three tribes in 2014 and followed for three years. The individuals who participated in TAD programs during this time were excluded from this sample.

The 3-year **conviction recidivism** rate was calculated separately for treatment court and diversion programs. Of the 419 unique treatment court participants who were discharged from a treatment program in 2014-2015 and followed for 3 years, 174 committed a new offense that resulted in a conviction within 3 years, a 41.53% recidivism rate. The diversion program 3-year follow-up cohort contained 651 unique individuals, and 168 of them committed a new offense that resulted in a conviction within the follow-up period, a 25.81% recidivism rate. The comparison group contained 68,796 unique individuals; 26,845 of them committed a new offense that resulted in a conviction within 3 years after their arrest in 2014 for a different non-violent felony or misdemeanor, a 39.02% recidivism rate.

For each unique individual, all subsequent offenses that resulted in a conviction were categorized into offense types using a BJIA-created schema (see Appendix D). This method allowed the amount of time it took an individual to commit a new offense that resulted in a conviction to be measured for each offense category independently. For example, the amount of time it took a person to commit a new drug offense was measured separately from the amount of time it took the same person to commit a new property offense. Recidivism was also only measured to the first offense (shortest amount of time) within each offense category per unique individual. For example, if a person committed multiple drug offenses that resulted in convictions, only the first was counted. If the person committed a drug offense and a property offense that both resulted in convictions, they were both counted, as drug offenses and property offenses are in separate categories.

The estimated averted convictions using the BJIA offense schema were mapped to the Fredericks et al. (2010) offense categories as noted in Table F8.

Table F8: Offense Classification Schema

Averted convictions (BJIA schema)	Fredericks et al. (2010)
Contact Sex Offenses	Rape
Robbery	Robbery
Assault	Aggravated Assault
Property	Property
Drug	Drug
Technical Offenses	Misdemeanor

Public Order Offenses	Misdemeanor

Although there were a total of 174 and 168 individuals recidivating after treatment courts and diversion programs, respectively, some of these individuals committed more than one offense and/or were convicted of charges that fell within multiple offense categories during the three years following their program discharge, and are counted in multiple offense schema categories. See Table F9. below for the total number that were counted as a recidivist event within three years that resulted in a conviction in each of these categories[32] by individuals discharged from treatment court and diversion programs with at least a three-year follow-up period. (i.e. only those discharged in 2014 or 2015).

Table F9: Offense Classification Convictions

Fredericks et al. schema	Treatment Court Discharged Convictions	Diversion Discharged Convictions
Rape	0	1
Robbery	0	1
Aggravated Assault	12	10
Property	62	52
Drug	86	73
Technical Offense	23	33
Public Order Offense	89	72

$$TAD\ Recidivism\ Rate = \frac{\#\ Unique\ TAD\ Discharges\ Convicted\ of\ New\ Crime\ within\ 3\ Years\ of\ Program\ Discharge}{\#\ Unique\ Participants\ Discharged\ (2014-2015)}$$

Reduced Recidivism was calculated by subtracting the TAD recidivism rate per offense from the comparison recidivism rate per offense. Although referred to as "reduced recidivism," the recidivism rate for treatment court participants specifically for property and drug crimes is higher than the comparison group.

Averted Convictions were calculated by multiplying the reduced recidivism for treatment courts and diversion programs by the number of non-unique discharges 2014-2015[33] in the treatment court and diversion groups, per type of offense. Had these estimated averted convictions occurred, the TAD recidivism rate would equal the comparison recidivism rate.

$$Number\ of\ Convictions\ Averted = Reduced\ Recividism\ x\ Unique\ Discharges\ 2014-2015$$

[32] Only the first offense that resulted in a conviction in each category is counted per unique individual.
[33] This includes individuals multiple times if they were discharged multiple times within the two-year period.

According to Fredericks et al. (2010), the estimated **marginal costs** (in 2018 dollars) to arrest, prosecute, convict, and incarcerate[34], not including any tangible or intangible victim costs are:

Table F10: Estimated Marginal Costs

Offense	Arrest MC	Pros/Convict MC	Incarcerate MC
Rape	$502.1721	$17,843.6961	$15,980.283
Robbery	$502.1721	$9,378.8361	$15,980.283
Aggravated Assault	$502.1721	$4,636.2267	$15,980.283
Property	$502.1721	$191.0313	$15,980.283
Drug	$502.1721	$191.0313	$15,980.283
Public Order	$502.1721	$191.0313	$15,980.283
Technical	$502.1721	$191.0313	$15,980.283

Reduced Crime Costs were estimated by multiplying by the marginal cost per offense by the number of estimated averted convictions per offense (Fredericks et al., 2010). The marginal cost to arrest, prosecute/convict, and incarcerate was used for rape, robbery, aggravated assault, property crimes, and drug crimes, with the assumption that had these convictions occurred, the person would be incarcerated. Instead of assuming the averted public order and technical offenses would result in incarceration, BJIA used the Wisconsin circuit court sentencing data to estimate how often these averted offenses would have resulted in incarceration, in order to determine how many should include the marginal cost to incarcerate. Bail jumping (both felony and misdemeanor) offenses were the most common convictions (96%) in the technical offense category, and sentencing data from 2014-2018 indicated approximately 57% of individuals convicted under those statutes were sentenced to incarceration. Disorderly conduct, operating without a license, operating while revoked, and resisting/obstruction were the most common convictions under the public order offenses (68%), and approximately 32% of convictions from 2014-2018 resulted in incarceration. Therefore, 57% and 32% of the averted technical offenses and public order offense convictions, respectively, were applied the marginal cost to arrest, prosecute/convict, and incarcerate; the remaining were applied the marginal cost to arrest, prosecute, convict, but not the incarceration marginal cost. Finally, the total averted costs of convictions were summed and divided by the number of all discharges with at least a three-year follow-up period (those discharged in 2014 or 2015) from treatment courts and diversion programs. See Tables F11 and F12 for details on this process for the treatment court and diversion samples.

$$Reduced\ Crime\ Costs = \frac{Number\ of\ Convictions\ Averted\ x\ \ Marginal\ Cost\ (per\ offense)}{\#\ All\ Discharges}$$

Intangible victim costs, such as distress, pain and suffering, and lost quality of life, as well as **tangible victim costs** such as medical bills and reduced earnings were calculated using Fredericks et. al, estimated

[34] Incarceration costs were averaged between prison and jail costs.

marginal costs (adjusted for inflation). The averted convictions for the treatment court group resulted in savings of $129.42 in tangible and $1,395.17 in intangible victim costs per treatment court unique discharge with a 3-year follow-up. For the diversion program group, the victim cost savings were $398.99 (tangible) and $1,250.40 (intangible) per unique discharge with a 3-year follow-up. These victim costs were not included in the estimated reduced crime costs, nor were other benefits such as decreased substance use, productivity, and healthcare savings; instead reduced crime costs focused on taxpayer benefits, similar to Van Stelle et al. (2014), in order to remain as consistent as possible with previous cost-benefit TAD analyses. The averted victim costs are an important overall consideration however, as a key additional measure of the benefits of TAD program funding.

Table F11: Treatment Court Programs Averted Crime Costs (including graduations and terminations)

Offense Type	# Unique Discharges who committed a new offense within 3 years of discharge that resulted in a conviction	Total # Unique Discharges with at least a 3-year follow-up period	Treatment Court Recidivism Rate	Comparison Recidivism Rate
Rape	0	419	0	0.0048
Robbery	0	419	0	0.0072
Aggravated Assault	12	419	0.0286	0.0459
Property	62	419	0.1480	0.1025
Drug	86	419	0.2053	0.1491
Technical	23	419	0.0549	0.1049
Public Order	89	419	0.2124	0.2224

Offense Type	Reduced Recidivism	Averted Convictions	Marginal Cost to Arrest/ Prosecute/ Convict	Marginal Cost to Arrest/ Prosecute/ Convict/ Incarcerate
Rape	0.0048	2.0099	18345.8682	34326.1512
Robbery	0.0072	3.0087	9881.0082	25861.2912
Aggravated Assault	0.0172	7.2276	5138.3988	21118.6818
Property	-0.0455	-19.0622	693.2034	16673.4864
Drug	-0.0561	-23.5118	693.2034	16673.4864
Technical	0.0450	20.9488	693.2034	16673.4864
Public Order	0.0100	4.2025	693.2034	16673.4864

Offense Type	Total Reduced Cost of Averted Convictions	Sum of All Averted Conviction Costs	Sum/Non-unique Treatment Court program discharges 2014-2015
Rape	68990.59431	**-$180,676.32**	**-$428.14**
Robbery	77808.6694		
Aggravated Assault	152637.7009		
Property	-317833.0631		
Drug	-392023.243		
Technical[35]	199095.3585/ 6244.37534		
Public Order[36]	22422.33466/ 1980.952351		

[35] 57% of the averted convictions were charged the marginal cost to arrest, prosecute, convict, and incarcerate, and 43% were charged the marginal cost to arrest, prosecute, and convict, but not the marginal cost to incarcerate.

[36] 32% of the averted convictions were charged the marginal cost to arrest, prosecute, convict, and incarcerate, and 68% were charged the marginal cost to arrest, prosecute, and convict, but not the marginal cost to incarcerate.

Table F12: Diversion Programs Averted Crime Costs (including graduations and terminations)

Offense Type	# Unique Discharges who committed a new offense within 3 years of discharge that resulted in a conviction	Total # Unique Discharges 2014-2015	Diversion Recidivism Rate	Comparison Recidivism Rate
Rape	1	651	0.0015	0.0048
Robbery	1	651	0.0015	0.0072
Aggravated Assault	10	651	0.0154	0.0459
Property	52	651	0.0799	0.1025
Drug	73	651	0.1121	0.1491
Technical	33	651	0.0507	0.1049
Public Order	72	651	0.1106	0.2224

Offense Type	Reduced Recidivism	Averted Convictions	Marginal Cost to Arrest/ Prosecute/ Convict	Marginal Cost to Arrest/ Prosecute/ Convict/ Incarcerate
Rape	0.0033	2.1227	18345.8682	34326.1512
Robbery	0.0056	3.6746	9881.0082	25861.2912
Aggravated Assault	0.0305	19.874	5138.3988	21118.6818
Property	0.0226	14.712	693.2034	16673.4864
Drug	0.0370	24.088	693.2034	16673.4864
Technical	0.0542	35.283	693.2034	16673.4864
Public Order	0.1119	72.809	693.2034	16673.4864

Offense Type	Total Reduced Cost of Averted Convictions	Sum of All Averted Conviction Costs	Sum/Non-unique Diversion program discharges 2014-2015
Rape	72864.48579	**$2,245,630.11**	**$3,449.51**
Robbery	95029.98274		
Aggravated Assault	419711.2381		
Property	245307.9052		
Drug	401629.4746		
Technical[37]	335328.2415/ 252966.919		
Public Order[38]	388471.4676/ 34320.39877		

[37] 57% of the averted convictions were charged the marginal cost to arrest, prosecute, convict, and incarcerate, and 43% were charged the marginal cost to arrest, prosecute, and convict, but not the marginal cost to incarcerate.

[38] 32% of the averted convictions were charged the marginal cost to arrest, prosecute, convict, and incarcerate, and 68% were charged the marginal cost to arrest, prosecute, and convict, but not the marginal cost to incarcerate.

Table F13: Estimated Averted Costs Due to Reduced Convictions

2014-2018 Estimated Averted Costs due to Reduced Convictions Per 2014-2015 Discharge (in 2018 dollars)	
Treatment Courts	**-$428.15**
Diversion Programs	**$3,449.51**

The two benefits (averted incarceration days and averted costs due to reduced crime) were summed and divided by the total project costs to estimate the benefit-cost ratio (BCR). This ratio represents for every $1 in state TAD funding spent, treatment courts and diversion programs saved the criminal justice system an estimated $4.17 and $8.68 dollars per discharge between 2014-2018. This ratio does not include the funding contributed by sites' matching or other immeasurable costs associated with implementing these programs, nor does it include any victim costs.

Table F14: Cost Benefit Comparison for Treatment Courts and Diversion Programs 2014-2018

	2014-2018	
	Treatment Court	Diversion
Costs		
Project Costs (per discharge)	$7,529.90	$2,347.24
Total	**$7,529.90**	**$2,347.24**
Benefits		
Averted incarceration days (per graduation)	$31,849.26	$16,931.07
Averted costs due to reduced crime (per unique discharge)	-$428.14	$3,449.51
Total	**$31,421.12**	**$20,380.58**
Net Benefit (benefits minus costs)	***$23,891.22***	***$18,033.34***
Benefit-Cost Ratio (benefits divided by costs)	***$4.17***	***$8.68***