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**Testimony Before the
Assembly Committee on Corrections
on
Assembly Bill 424
October 31, 2017**

Mr. Chairman and members of the committee, thank you for the opportunity for a hearing on Assembly Bill 424. This common-sense reform looks to lessen the disruption to the employment of criminals on probation.

Under current law, individuals on probation suspected of committing a parole violation are immediately confined until their parole revocation hearing, commonly called a PO Hold. These individuals remain in custody without work-release privileges. This time period of incarceration jeopardizes their employment. Their employment is critical, as it provides them with legally earned funds and maintains their attention towards meaningful duty. Employment creates stability. This bill and amendment extends the eligibility for Huber work-release program to individuals on a PO Hold.

Huber privilege eligibility would only be extended to individuals whose original offense was a misdemeanor and the parole violation was not a crime. The Department of Corrections still must determine eligibility for the program and may terminate participation in the Huber program at any time before the probation revocation proceedings. We are not allowing hardened criminals out onto the streets. We are giving the opportunity for individuals who made minor mistakes to maintain their employment.

There is solid evidence that inmates who participate in work-release programs have lower recidivism rates.¹ Further, participation in a work-release program doubles the chances of obtaining employment in the first three months after an inmate is released.² If encouraging employment decreases recidivism rates, than this legislation protects crime victims.

I urge you to adopt this bill and make a meaningful change in our criminal justice system. Thank you for your time and attention.

¹ In Louisiana, 11.1% of prisoners participating in a work release program returned to prison after one year compared to 15.6% for those who did not participate in such a program. *See Work release programs Reduce Recidivism in Louisiana – At a Cost*, Prison Legal News, April 3, 2017 accessible at: <https://www.prisonlegalnews.org/news/2017/apr/3/work-release-programs-reduce-recidivism-louisiana-cost/>.

² Bales, William, Catie Clark, Samuel Scaggs, David Ensley, Phillip Coltharp, Alexa Singer and Thomas Blomberg, *An Assessment of the Effectiveness of Prison Work Release Programs on Post-Release Recidivism and Employment*, Florida Dept. of Corrections & Florida St. Univ. College of Criminology and Crim. Justice, December 1, 2015.



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To: The Assembly Committee on Corrections
From: Sen. Dan Feyen
Re: Assembly Bill 424

Mr. Chairman, members of the committee, thank you for holding this hearing today.

The intention of this legislation is to allow sheriffs to grant Huber privileges to an individual who committed a misdemeanor, was placed on probation, and was then placed on a probation hold due to a probation violation that is NOT a crime.

I think I can best illustrate the concept of this legislation with an example. An individual commits a misdemeanor. They serve the jail time or complete whatever penalty is necessary. They are then on probation. They get pulled over because they have a tail light out. They have a peaceful interaction with the police officer who gives them a ticket for having the light out. They forget to report this to their parole officer as "police contact". Their parole officer finds out about this contact with the police and begins revocation proceedings as they have broken a condition of their parole. While this individual sits in county jail waiting for their final hearing for a week, they lose their job. Our legislation aims to help this individual remain employed. They have committed no new crime; they're not a flight risk or a danger to others. So, at the judgment of the local sheriff, we would like them to be allowed Huber privileges before their final hearing.

Under the current system, it is highly likely our example individual would lose their job due to missing a week or more of work. The economic uncertainty created by a loss of employment creates a wave of other challenges that would threaten an individual's ability to stay out of our justice system such as housing insecurity, lack of legal income, loss of ability to pay child support, court fees, etc.

This legislation does not mandate anything. We are simply returning control back to the local level and allowing sheriffs the discretion to grant Huber to individuals in the revocation process if they see fit.

We see this as a common sense solution to help ensure offenders receive as seamless of a transition as possible between the correctional system and world of work in order to reduce recidivism rates and assist with post-release employment. Studies have proven inmates who participate in a work release program have lower recidivism rates. Research also shows inmates who participate in a work release program are up to two times more likely to obtain employment during the first 3 months after release than those who did not participate in a work release program.

You will see there is one amendment to this bill. In drafting the initial bill we did not include tribal jails which was simply an oversight. The amendment also allows tribal jails to grant Huber to their inmates as well.

Thank you for your time and consideration. I'm happy to answer any questions you may have.



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

TESTIMONY OF MICHAEL HAFEMANN, SUPERINTENDENT, MILWAUKEE COUNTY HOUSE OF CORRECTION

Supporting Assembly Bill 424, Allowing Discretionary Huber Release for Probationers

Assembly Committee on Corrections

October 31, 2017

Honorable Chairman Schraa and members –

Thank you for taking the time today to hear testimony on AB 424 which allows for the discretionary Huber Release of probationers in the House of Correction while being held on a probation violation. As Superintendent of the Milwaukee County House of Correction I support this bill along with the County Executive, Chris Abele.

The House of Correction is Milwaukee County's post-adjudication facility housing misdemeanants and probation violators. The County Executive and the House of Correction have prioritized programs and services that help to train and prepare our inmates for employment upon release. This includes culinary skills and certifications, print and graphic design work, and forklift training to name a few. A Job Center, a partnership with Employ Milwaukee, is located in the House of Correction to aid in re-entry. All of this points to our commitment to help offenders prepare for a productive release in the community.

We work hard to ready people for re-entry, but we can also do better to keep those with jobs working as their cases work through the system. This bill will allow us the discretion to allow probation violators Huber release while they are in the House of Correction. This will keep people working, which is critical for both the probationer and the community in this period. However, it should be noted, that Huber release is discretionary. This will allow me to assess the risk and nature of the alleged probation violation and determine if Huber release is appropriate or a public safety risk.

This bill is sound policy which can help ease the tension of these situations and hurdles that offenders face to gainful employment but also allows public safety to be considered. I urge your support and am happy to answer any questions.

Thank you.