

National justice project may turn sentencing on its head

Jim Collar, The (Appleton, Wis.) Post-Crescent 7:47 p.m. EDT March 23, 2015



(Photo: Wm. Glasheen/Post-Crescent Media)

APPLETON, Wis. — Outagamie County's criminal justice system is undergoing [a significant transformation \(/story/news/local/2015/03/23/outagamie-county-chosen-national-justice-project/70341264/\)](#) that will turn the traditional method of imposing sentences on its head.

The county was one of five in Wisconsin recently chosen to participate in the latest phase of a national project aimed at improving county-level criminal justice. The National Institute of Corrections and Center for Effective Public Policy will assist the county in creating an evidence-based decision making process. That means police, prosecutors and courts will rely on research-based assessments of people charged with a crime. Rather than receive jail or prison sentences, offenders determined to have a low risk of reoffending could instead be ordered to undergo treatment and pay restitution.

It's a big departure from how justice is traditionally handled.

"This could be one of the biggest changes since the founding of our country," said Outagamie County Judge John Des Jardins.



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Des Jardins said he uses his wisdom and common sense when crafting sentences, but the goal of correcting behavior and improving public safety aren't always realized.

"We know this from seeing the same people time and time again," he said. "It's deflating to see that the system isn't working."

The new method allows police in the field to make quick decisions on whether someone should be arrested and jailed or given a fine.

Officials said the medical profession provides a good example of the decision-making process that will come to play in the courts. Doctors let research guide their decisions.

"Instead of looking at symptoms, we're going to be looking at the disease," said Bernie Vetrone, director of Outagamie County's Criminal Justice Treatment Services.

Jim Duncan, chairman of the county board's public safety committee, said the process should result in a safer community at a lesser cost to taxpayers.

By focusing less on low-risk individuals, officials can concentrate on higher-risk offenders.

Research has shown the justice system can increase recidivism by overhandling people with a low risk of re-offense.

"If you take a low-risk person and put him in jail with a high-risk person, he gets worse," Duncan said. "If you take a low-risk person and give him too much treatment, he gets worse."

Assessments will help guide officials to order the best treatment, whether that is anger management or substance abuse counseling.

The evidence-based process wouldn't apply to some categories of crime such as sexual assault or drunken driving.

Vetrone said the assessments aren't foolproof, and on occasion, officials will see results different than the research would suggest. The tools will generally give judges deeper insight into an offender's behavior.

"We want to correct that, so he doesn't create another victim," Vetrone said.

Milwaukee and Eau Claire counties participated in an earlier phase of the project, and at the time were among just seven in the nation. Wisconsin joins Indiana and Virginia as the only states chosen to participate in the program.

An expert from the Center for Effective Public Policy will work with county officials once a month for 15 months. The county's policy team includes 24 members including police, judges, attorneys and representatives from probation and parole.

Outagamie County Executive Thomas Nelson said the county's inclusion in the project recognizes its strong efforts to be innovative in its approach. He cited the county's treatment courts as an example.

"We're on the cutting edge and we're not resting on our laurels," Nelson said. "We continue to improve."

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