



OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 251

**Relating to the Findings of the Commission on Reducing Racial Disparities
in the Wisconsin Justice System and the Creation of the
Racial Disparities Oversight Commission**

WHEREAS, people of color receive disparate treatment in the criminal justice system throughout the nation and African-Americans and Hispanics constitute a disproportionate percentage of incarcerated populations in Wisconsin; and

WHEREAS, the Commission on Reducing Racial Disparities in the Wisconsin Justice System (the "Commission") was created to determine whether discrimination is built into the criminal justice system at each stage of the criminal justice continuum and to recommend strategies and solutions to reduce the racial disparity in the Wisconsin criminal justice system; and

WHEREAS, the Commission included representatives from law enforcement, the legislature, the legal profession, the clergy, the judiciary, and the criminal justice system; and

WHEREAS, the Commission held information meetings, conducted public hearings throughout the state, reviewed letters and other submissions from private citizens and politicians to law enforcement officers and prisoners, and studied the reports of similar commissions impaneled in other states; and

WHEREAS, the Commission submitted a final report on its findings and recommendations to the Governor; and

WHEREAS, Wisconsin residents can benefit from a comprehensive and coordinated strategy, based on the Commission's final report, to reduce racial disparities within the criminal justice system;

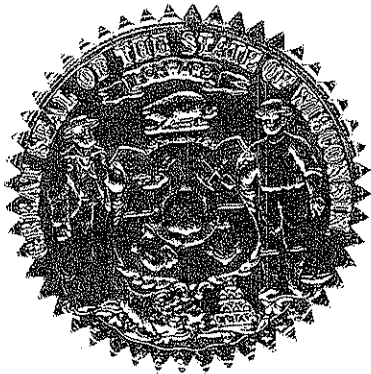
NOW, THEREFORE, I, JIM DOYLE, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, do hereby:

1. Direct all state agencies with relevant information and capability (such as the Office of Justice Assistance, Department of Transportation, and Department of Corrections) to develop reporting mechanisms to track traffic citation, arrest, charging, sentencing and revocation patterns by jurisdiction and race using processes such as those developed through the Wisconsin Justice Information Sharing program (WIJIS) and the District Attorney IT PROTECT system; and
2. Direct the Office of Justice Assistance to collaborate with the judiciary, the Department of Justice, appropriate law enforcement personnel, human services and educational personnel (including the technical colleges throughout the state) to develop curricula for professional training in each discipline that addresses factors contributing to racial disparity consistent with the Commission's recommendations; and

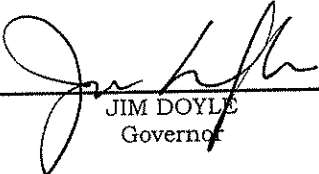
3. Direct the Department of Corrections to maintain and expand re-entry programs to assist inmates in successfully returning to their communities, which shall include:
 - a. Ensuring that inmates eligible for driver's licenses be given the opportunity to work towards obtaining or reinstating a license, or
 - b. In situations where a driver's license is not available, ensuring a valid state identification card is made available; and
 - c. Developing a protocol for the provision of court-ordered and inmate-specific treatment needs, particularly in the areas of alcohol and other drug abuse and mental health services; and
4. Direct the Department of Corrections to develop and implement a mentoring plan for inmates, which shall include:
 - a. Eliminating unnecessary barriers that prevent persons mentoring inmates during incarceration from continuing to mentor the inmates after they have been released, and
 - b. Developing a collaboration with the community and faith-based organizations to facilitate successful behavioral modification, rehabilitation, and community re-entry; and
5. Direct the Department of Corrections to maintain and expand the following measures with regard to probation and parole revocation:
 - a. Establish a process of review and reporting on the level of discretion probation and parole agents have in initiating revocation proceedings; and
 - b. Review and consider intermediate sanctions and alternatives to revocation or incarceration in cases where discipline is necessary, but public interest and safety is best served at the community level (such as electronic monitoring, transitional living beds, etc.); and
6. Direct the Department of Corrections to implement the following measures with regard to prison discipline:
 - a. Review the prison discipline system and the use of extension of inmates' mandatory release date as a sanction; and
 - b. Create a computerized system to better maintain the records of issuance and adjudication of major conduct reports; and
7. Direct the Office of Justice Assistance to conduct a study on prosecutorial discretion, similar to its Race and Sentencing study, giving particular attention to the role of criminal history; and
8. Create the Racial Disparities Oversight Commission; and
9. Direct the Racial Disparities Oversight Commission to exercise oversight and advocacy concerning programs and policies to reduce disparate treatment of people of color across the spectrum of the criminal justice system; and
10. Provide that the members of the Racial Disparities Oversight Commission shall be appointed by the Governor to serve at the pleasure of the Governor; and
11. Provide that the members of the Racial Disparities Oversight Commission will be comprised of no more than four (4) members including representatives from law enforcement, the legal profession, the judiciary, and the criminal justice system; and

12. Provide that there will be one chairperson of the Racial Disparities Oversight Commission designated by the Governor from among the Racial Disparities Oversight Commission's membership; and

13. Provide that the Racial Disparities Oversight Commission shall meet as necessary, but not less than two (2) times per year.

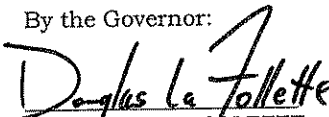


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this thirteenth day of May in the year two thousand eight.



JIM DOYLE
Governor

By the Governor:



DOUGLAS LA FOLLETTE
Secretary of State