

## CHALLENGE INCARCERATION PROGRAM (BOOT CAMP)

2005

In 1990, the Wisconsin legislature created the Challenge Incarceration Program (CIP), more popularly known as the "Boot Camp," for Wisconsin prison inmates. CIP is available to both New Law (parolable) and TIS inmates. See Wis. Stat. § 302.045.

CIP is a rigorous 6-month program, focusing on physical activity, discipline, and substance abuse treatment. The male CIP programs are located at the Black River Correctional Center in Black River Falls and the St. Croix Correctional Center in New Richmond. The female CIP program is located at the St. Croix Correctional Center.

The eligibility rules for CIP are codified in Wis. Stat. § 302.045(2). As interpreted by the Department of Corrections, these eligibility rules are as follows:

1. The inmate must volunteer to participate in CIP.
2. If the inmate was sentenced before July 26, 2003, the inmate must be under the age of 30 as of the date the inmate will begin participating in CIP.
3. If the inmate was sentenced on or after July 26, 2003, the inmate must be under the age of 40 as of the date the inmate will begin participating in CIP.
4. The inmate cannot be "incarcerated regarding" a crime specified in Wis. Stat. Ch. 940 or certain offenses in Ch. 948. It should be noted that the DOC has a broad reading of the statutory phrase "incarcerated regarding" particular offenses. In particular, the DOC considers consecutive sentences to be all one sentence. Thus, for example, if an inmate is serving a drug sentence which is consecutive to an older sexual assault sentence, the DOC will consider the inmate to be "serving" the sexual assault sentence, so that the inmate be ineligible for CIP. On the other hand, if the sexual assault sentence was concurrent to the drug sentence, and has now expired, then the inmate will be considered eligible for CIP.
5. The DOC must determine that the inmate has a substance abuse problem.
6. The DOC must determine that the inmate has no psychological, physical, or medical limitations that would preclude participation in CIP.
7. If the inmate is serving a TIS sentence, then the sentencing court must determine whether or not the inmate is eligible for CIP. In exercising its discretion regarding whether or not to declare the inmate eligible for CIP, the court may go beyond the criteria listed in § 302.045(2). See *State v. Steele*, 2001 WI App 160, 246 Wis. 2d 744, 632 N.W.2d 112. The sentencing court also has the authority to impose a waiting period before the inmate is eligible for CIP. See *State v. Lehman*, 2004 WI App 59, 270 Wis. 2d 695, 677 N.W.2d 644.

If a New Law inmate successfully completes CIP, then the Parole Commission "shall" release the inmate on parole. Wis. Stat. § 302.045(3). Similarly, if a TIS inmate successfully completes CIP, then the sentencing court "shall" shorten the confinement period and lengthen the ES period, so that the inmate is released to ES, but the overall length of the sentence stays the same. Wis. Stat. § 302.045(3m).