
Corrections and Crime In Wisconsin

*Data Provided by
The Wisconsin Department of Corrections
and
The State of Wisconsin Office of Justice Assistance*

In the past 13 years, the Badger state has seen its corrections budget grow from \$566 million in the 1992-93 biennium to nearly \$2 billion in the biennial budget adopted for 2004-05, an increase of 257%. Since 1990, Wisconsin's inmate population has more than tripled. The good news is that crime rates in Wisconsin are falling. Between 1993 and 2002, total violent crime declined by 8.2% and property crime declined by 14.6%. Wisconsin's rates of violent crime and property crime are lower than in the Midwest and the United States. Moreover, Wisconsin residents were less apt to be victims of crime in 2002 than ten years earlier. Under the Truth in Sentencing Legislation passed in Wisconsin in 1997 and implemented in 1999, prisoners are spending more time behind bars. Taken together, more prisoners and longer time served translates into significant costs for the state. A newly-established Sentencing Commission will review current sentencing practices and their costs, and develop sentencing guidelines that judges will be required to consider.

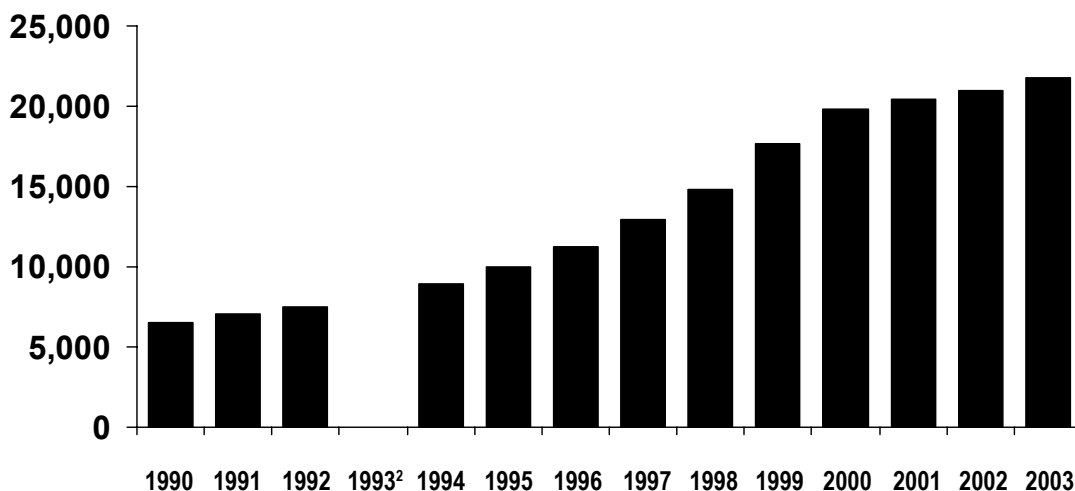
During the last two decades of the twentieth century, expenditures for local and state corrections in the United States have increased over 600%. State legislators across the country and in Wisconsin are struggling to balance the rising cost of corrections with the need to protect public safety.

Using figures from the Wisconsin Department of Corrections, this chapter begins by reviewing the size of the prison population and how much corrections costs in Wisconsin. The chapter also describes Truth in Sentencing legislation, which was passed in Wisconsin in 1997. Using data from the State of Wisconsin Office of Justice Assistance, rates of violent and property crimes in Wisconsin are described and compared to other states in the Midwest and across the United States. The chapter concludes by detailing how many offenders have been sentenced under Truth in Sentencing, what types of offenses they have committed, and how the new legislation has affected the length of sentences in the state.

Has the Wisconsin Prison Population Increased?

Yes. Over the last 13 years (1990–2003), the adult prison population in Wisconsin has more than tripled from 6,533 in 1990 to 21,825 in 2003. Based on data provided by the Department of Corrections, the average daily adult population from 1990-2003 is displayed in Figure 1.

**Figure 1. Wisconsin Department of Corrections
Average Daily Populations (ADPs)¹ of Adults:
Fiscal Years 1990-2003**



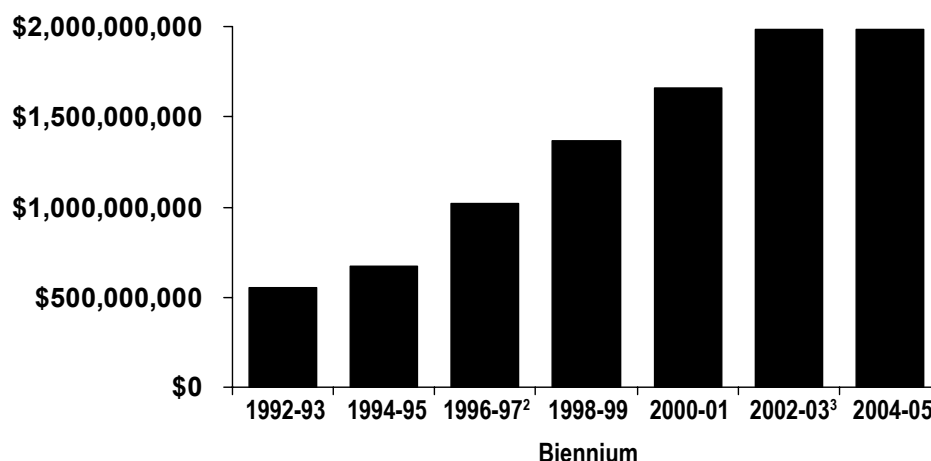
¹ADPs based on 366 days in operation, including the Wisconsin Resource Center; Division of Intensive Sanctions, and Community Residential Confinement are excluded.

²Data for Fiscal Year 1993 are not available.

Has the Cost of Wisconsin Corrections Increased?

Yes. Just like the prison population, the Department of Corrections budget has steadily increased. In the 1992-93 biennium, the Department of Corrections budget was \$556,061,400 and in the 2004-05 biennium is estimated to be \$1,985,727,200, an increase of 257%. For the biennial corrections budgets from 1992–2005, see Figure 2.

Figure 2. Department of Corrections Approved Biennial Budget Acts¹



¹Approved final biennial budgets approved by the Legislature including vetoes. Does not include subsequent budget increases/decreases or funding in Joint Committee on Finance appropriations.

²The Division of Juvenile Corrections was transferred from the Department of Health & Family Services (DHFS) to Department of Corrections (DOC).

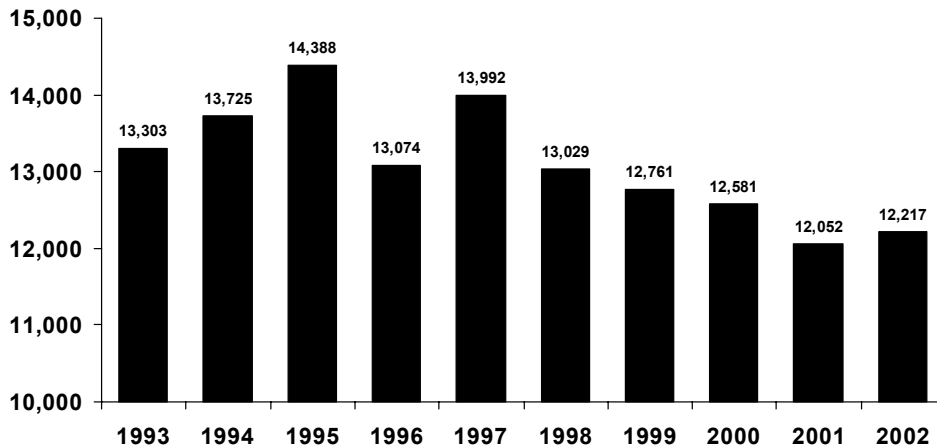
³Does not include all-fund decreases of \$7,422,900 in FY2002 and \$28,543,000 in FY2003 included in 2001 Budget Reform Bill (Act 109).

What Has Happened to Crime Rates in Wisconsin?

The good news is that crime rates in Wisconsin are falling. Between 1993 and 2002, according to the State of Wisconsin Office of Justice Assistance, total violent crime declined by 8.2%, as shown in Figure 3. In the same time period, property crime declined by 14.6%, as shown in Figure 4.

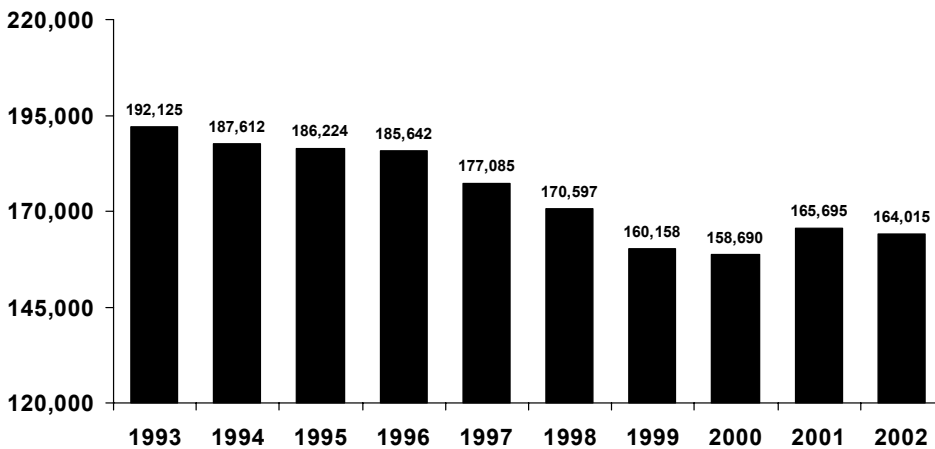
Moreover, Wisconsin's rates of crimes are lower than in the Midwest and the rest of the United States. In 2002, Wisconsin's violent crime rate was 48.5% less than the Midwest rate and 55.9% less than the U.S. rate. Wisconsin's rate of property crime was also lower than in the Midwest (15.3% less) and in the U.S. (17.8% less). What's more, the odds of a Wisconsin resident being a victim of crime declined from 1 in 377 in 1993 to 1 in 446 in 2002.

Figure 3. Wisconsin Violent Index Offenses, 1993-2002
(Includes murder, forcible rape, robbery, and aggravated assault)



Source: State of Wisconsin Office of Justice Assistance, 2002 Preliminary Report (http://oja.state.wi.us/docs_view2.asp?docid=1523).

Figure 4. Wisconsin Property Offenses, 1993-2002



Source: State of Wisconsin Office of Justice Assistance, 2002 Preliminary Report (http://oja.state.wi.us/docs_view2.asp?docid=1523).

What Is Wisconsin Truth in Sentencing?

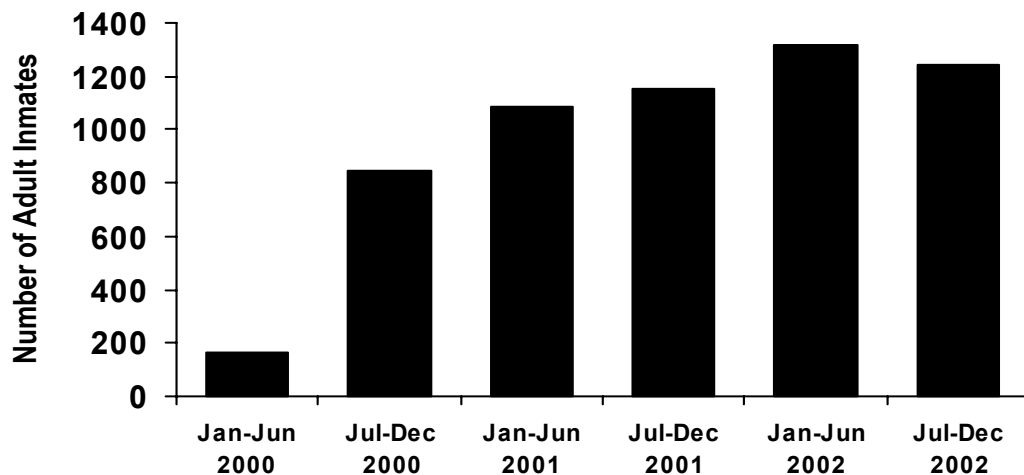
Based on legislation passed in the Badger State in 1997, Wisconsin judges have been sentencing convicted felons according to the guidelines of “truth in sentencing.” Truth in Sentencing (TIS) requirements apply to offenses committed on or after December 31, 1999, under which the court must impose a sentence consisting of a specified period of confinement in prison and a specified period of extended supervision (Wisconsin Legislative Council, 2003-04). Under “indeterminate sentencing,” the court sets the maximum sentence, which can be reduced by good-time or earned-time credits, or by paroling the prisoner. In contrast, truth in sentencing eliminates parole eligibility and good-time credits.

Most charts below represent a review of a sample of fewer than 2,600 offenders with only a Truth in Sentencing (TIS) sentence. This sample represents about 12% of the incarcerated population.

How Many New Adult Offenders Have Been Admitted with at Least One “Truth in Sentencing” Sentence?

Between January 2000 and December 2002, a total of 5,801 new adult offenders were admitted with at least one Truth in Sentencing (TIS) sentence. As can be seen in Figure 5, this number was relatively low during the first six months of TIS, but has remained fairly steady since then.

Figure 5. Number of New Adult Offenders Admitted With At Least One TIS Sentence¹ (January 1, 2000 through December 31, 2002)



¹Does not include probation or parole violators.

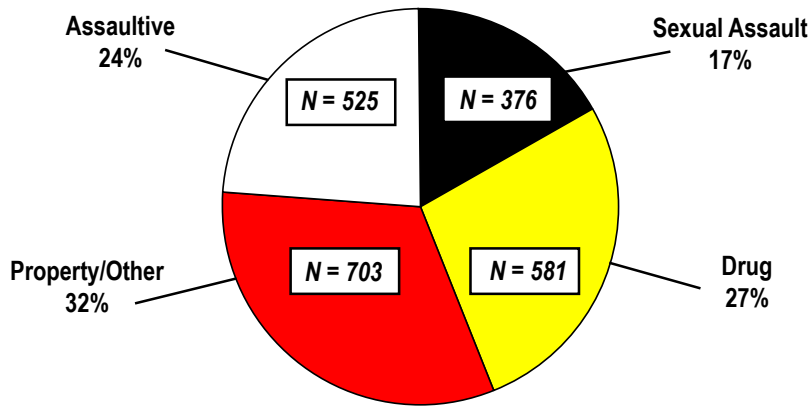
Source: Corrections Integrated Program Information System (CIPIS) Monthly Report File (month ending 12/31/02) and CIPIS DB2 table; Report date, March 26, 2003.

What Types of Offenses Have Been Committed by Truth in Sentencing Offenders Since the Truth in Sentencing Legislation Has Been Enacted?

Considering this sample of only Truth in Sentencing (TIS) cases, offenders admitted for property/other crimes and those committed for drug-related offenses comprise almost 60% of admissions between January 1, 2000 and December 31,

2002. As indicated in Figure 6, during that time period, 32% of offenders who were admitted under TIS (new sentence, not a violation) were admitted for property/other crimes, 27% for drug-related offenses, 24% on assaultive charges and 17% for sexual assault.

Figure 6. Truth in Sentencing by Offense Type Admissions
(January 1, 2000 through December 31, 2002)
(Offenders Admitted as a "New Sentence, Not a Violation" with a Single Offense)

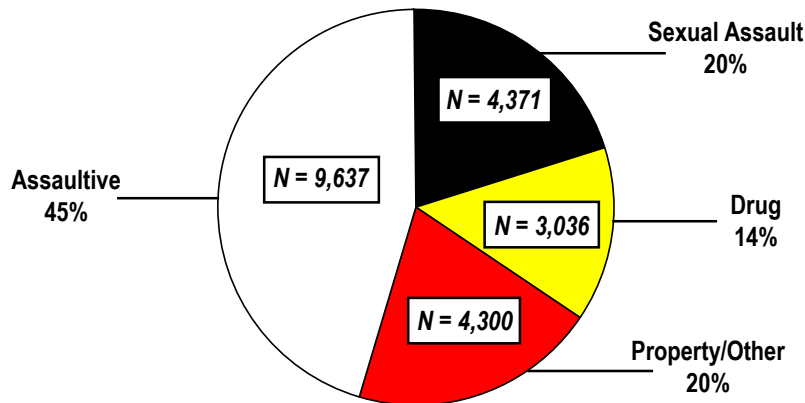


Source: Corrections Integrated Program Information System (CIPIS) Monthly Report File (month ending 12/31/02) and CIPIS DB2 table; Report date, March 26, 2003.

What Types of Offenses Have Been Committed by the Entire Prison Population?

Any subset of convicted offenders will always differ from the overall prison population. As of December 31, 2002, the Wisconsin prison population was 21,025. The largest percentage of offenders were admitted for assaultive offenses (45%) followed by sexual assault (20%), property and other offenses (20%), and drug offenses (14%).

Figure 7. Offenses Committed by the Entire Prison Population
(As of December 31, 2002)



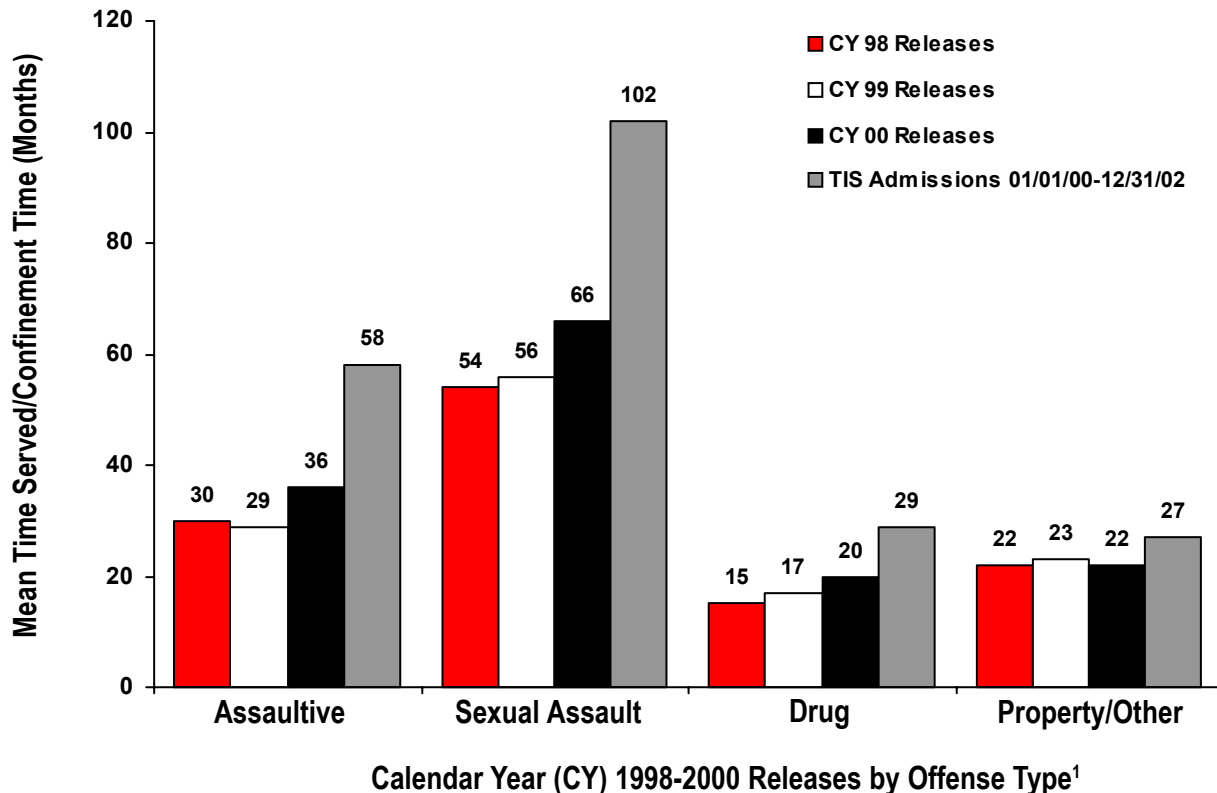
Source: Based on data provided by the Department of Corrections of the prison population as of 12/31/2002 excluding 814 offenders without sentence information (e.g., Alternative to Revocation, Temporary Probation, and Parole Placement)

What Is the Average Confinement Time of Truth in Sentencing Admissions?

Under the new Truth in Sentencing (TIS) law, prisoners are spending more time behind bars than before the legislation was passed. The mean confinement time for different types of crime (assaultive, sexual assault, drug-related, and property offenses) has increased since January 2000, as shown in Figure 8. For example, using this sample of about 2,600 inmates, the mean confinement time for prisoners convicted of assault and who were released in 2000 was 36 months. By comparison, those with a new TIS sentence served 58 months, a 61% increase. For sexual assault, sentences have increased by almost 55% in this sample of inmates with a TIS sentence only. Those sentenced under TIS will serve an average of 102 months, compared to 66 months for those who were released in 2000.

These numbers suggest that there is a trend toward prisoners spending more time in prison. Taken together, more prisoners and longer time served translate into significant costs for the state.

Figure 8. Mean Confinement Time of Truth in Sentencing Admissions (January 1, 2000 - December 31, 2002) and Mean Time Served of



¹Includes offenders admitted as a "New Sentence, Not a Violation" with a single offense.
 Source: Corrections Integrated Program Information System (CIPIS) Monthly Report File (month ending 12/31/02) and CIPIS DB2 table; Report date, March 26, 2003.

The Establishment of a Sentencing Commission

Truth in Sentencing (TIS) and its cost to taxpayers is being further investigated by a recently-established 18-member Sentencing Commission. Because little is known at this point about the TIS sentences being handed down by judges, the commission will review TIS sentences and develop sentencing guidelines that judges will be required to consider when sentencing felons.

This chapter is drawn from the following articles:

State of Wisconsin Office of Justice Assistance. *2002 Preliminary Report* (http://oja.state.wi.us/docs_view2.asp?docid=1523).

Wisconsin Department of Corrections. *Truth in Sentencing: January 1, 2000 through December 31, 2002*.

Wisconsin Department of Corrections. September 10, 2001. *Offenders Admitted Under Truth in Sentencing: January 1, 2000 through June 30, 2001*. Prepared by Department of Corrections Truth in Sentencing Workgroup.

Wisconsin Legislative Council, *Wisconsin Legislator Briefing Book, 2003-04*.