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# Adult Corrections Program



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# Adult Corrections Program

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## Introduction

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In Wisconsin, the care and treatment of adult offenders placed under state supervision by the courts is provided by the Department of Corrections (Corrections). In fiscal year 1997-98, the Department was responsible for an average daily population of 72,032 individuals, including 14,797 incarcerated adults and 57,235 adults in the community. The Department operates 29 correctional facilities, including 12 adult prisons and 17 correctional centers. Appendix I provides a map of the locations of state correctional facilities and a subsequent listing of each facility. In addition, during 1997-98, Corrections contracted for an average of 1,585 beds per day with Wisconsin and Texas counties, a private contractor in Tennessee and Oklahoma and at federal facilities in Wisconsin, Minnesota and West Virginia. Finally, the Wisconsin Resource Center is operated by the Department of Health and Family Services (DHFS), Division of Care and Treatment Facilities, as a 260-bed medium-security facility for inmates in need of mental health treatment.

Attention regarding the Department of Corrections has recently focused on the growth in prison populations. As of January 1, 1999, the prison population was 17,967. On January 4, 1999, the Department reported to the Joint Committee on Finance that the prison population on June 30, 1999, is estimated to be 19,790 (a 21.1% growth over the June 30, 1998, prison population). In the same report, Corrections projected that the prison

population in 1999-00 would increase by 17.4% to 23,237 on June 30, 2000, and by another 18.6% in 2000-01 to 27,560 on June 30, 2001. The Department indicated that admissions to the prison system exceeded releases by an average of 262 inmates per month during the first 11 months of 1998, and that this trend is projected to continue at least through 2000-01. The report indicated that without increases to the Department's prison capacity and/or a reduction in the number of persons placed in prison facilities, current facilities (including currently authorized construction and currently authorized beds at contracted facilities) will be at 163% of operating capacity on June 30, 2001.

This paper provides information regarding the organization, budget and programs of the Department of Corrections related to the adult correctional system. The juvenile justice system and youth aids are addressed in the Legislative Fiscal Bureau's Informational Paper #57, entitled "Juvenile Justice and Youth Aids Program." Likewise, the state's felony sentencing and probation process is addressed in the Legislative Fiscal Bureau's Informational Paper #55, entitled "Felony Sentencing and Probation in Wisconsin." This paper is divided into the following sections: (1) departmental overview; (2) adult correctional facilities, including minimum-security correctional centers; (3) the corrections building program during the 1997-99 biennium; (4) prison system operating capacity; (5) contracts for housing state prisoners in out-of-state facilities; (6) Badger State Industries; (7) private business/prison employment work program; (8) correctional farms; and (9) community corrections.

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## Overview

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The Department of Corrections is comprised of the Divisions of: (1) Adult Institutions, which manages the state's 12 correctional institutions and out-of-state prison contracts and provides health services, education and employment training for incarcerated adults; (2) Community Corrections, which administers probation and parole supervision and services, the intensive sanctions program and the 17 minimum-security correctional centers; (3) Juvenile Corrections, which manages the state's juvenile correctional facilities and programs; (4) Program Planning and Movement, which coordinates programs and services within and between divisions, assigns inmate security levels, makes institutional placements, makes work, school and program assignments, administers the monitoring center for adults, juveniles and counties, and provides victim advocacy services; and (5) Management Services, which provides budgetary, financial, personnel and information technology services to the Department. In addition, the Parole Commission, which is responsible for making prison parole release decisions, is attached to the Department.

An organizational chart for the Department can be found in Appendix II. As Appendix II indicates, the Division of Management Services, the Office of Audits, Investigation and Evaluation, the Public Information Officer and the Legislative Liaison report to the Department's Executive Assistant. All other divisions report to the Deputy Secretary. In addition, the Office of Detention Facilities (which monitors local jails) and the inmate complaint review system staff (who address approximately 34,000 inmate complaints and 3,100 appeals annually) also report to the Deputy Secretary.

Table 1 shows that the total budget and number of positions for state fiscal year 1998-99 for Corrections, including all sources of funds, is \$741.0 million with 8,577 positions. Of this amount, 82.1% is financed from general purpose revenues

(GPR); 17.9% is program revenue (PR) from such sources as funds generated from the daily rates charged to counties for juvenile corrections and the sale of Badger State Industries and Farms products; and less than 0.1% is financed through federal (FED) revenue sources such as federal drug abuse, educational or job assistance programs.

In Table 1, individual budgetary units (for example, individual correctional institutions) are separately identified. It should be noted that debt service costs for adult (\$49,947,600 GPR) and juvenile (\$3,162,400 GPR) correctional facilities are included under the central office costs for each division. In addition, funding budgeted for the Division of Adult Institutions also includes costs which will eventually be allocated to individual institutions: overtime (\$6,659,800 GPR) and inmate food and supplies (\$12,818,700 GPR). Funding budgeted for the Division of Juvenile Corrections central office includes youth aids funding (\$79,734,500 GPR and \$2,449,200 PR).

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## Adult Correctional Facilities

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Convicted adults (male and female) sentenced to state prisons are received at the Dodge Correctional Institution Reception Center in Waupun. After an assessment and evaluation period lasting between four and six weeks, inmates are classified according to the degree of security risk they present. If classified as maximum risk, adult males are placed at Dodge, Waupun, Columbia, or Green Bay Correctional Institutions or the Racine Youthful Offender Correctional Facility. Inmates at the Youthful Offender Facility may not be younger than 15 years old nor more than 21 years old. If classified as medium risk, males may be transferred to Oshkosh, Kettle Moraine, Fox Lake, Jackson County or Racine Correctional Institutions. Inmates may also be transferred to the medium-security Wisconsin Resource Center operated by DHFS. Adult females classified as maximum- or

**Table 1: Department of Corrections 1998-99 Budget**

	GPR		PR		FED		Total	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
Division of Management Services	\$16,829,500	131.50	\$12,325,800	29.50	\$0	-	\$29,155,300	161.00
<b>Division of Adult Institutions</b>								
Central Office	\$76,784,100	24.00	\$1,171,800	1.00	\$0	-	\$79,955,900	25.00
Office of Education	416,900	7.00	236,200	3.50	0	-	653,100	10.50
Bureau of Health Services	27,912,600	226.25	260,100	2.00	0	-	28,172,700	228.25
Bureau of Correctional Services	21,300	-	860,000	12.00	0	-	881,300	12.00
Badger State Industries	0	-	19,907,000	85.00	0	-	19,907,000	85.00
Correctional Farms	781,400	16.00	2,466,500	7.00	0	-	3,247,900	23.00
Waupun Correctional Institution	18,278,000	386.37	2,631,300	23.20	0	-	20,909,300	409.57
Green Bay Correctional Institution	16,422,600	362.72	178,300	2.90	0	-	16,600,900	365.62
Taycheedah Correctional Institution	8,017,400	181.99	63,200	1.30	0	-	8,080,600	183.29
Fox Lake Correctional Institution	15,643,200	331.48	29,200	0.90	0	-	15,672,400	332.38
Columbia Correctional Institution	14,618,600	323.59	13,900	0.50	0	-	14,632,500	324.09
Kettle Moraine Correctional Institution	15,851,400	339.90	80,500	1.60	0	-	15,931,900	341.50
Oakhill Correctional Institution	10,971,600	239.80	13,300	0.40	0	-	10,984,900	240.20
Dodge Correctional Institution	23,180,800	536.18	14,200	0.40	0	-	23,195,000	536.58
Racine Correctional Institution	18,123,600	415.74	104,100	0.90	0	-	18,227,700	416.64
Wisconsin Resource Center	3,242,600	96.00	0	-	0	-	3,242,600	96.00
Oshkosh Correctional Institution	21,772,900	506.40	260,100	5.10	0	-	22,033,000	511.50
Jackson Correctional Institution	12,079,600	297.88	0	-	0	-	12,079,600	297.88
Super Maximum Correctional Institution	1,205,400	32.00	0	-	0	-	1,205,400	32.00
Racine Youthful Offender Facility	10,162,500	214.25	0	-	0	-	10,162,500	214.25
Prison Contracts	<u>64,755,700</u>	<u>-</u>	<u>0</u>	<u>-</u>	<u>0</u>	<u>-</u>	<u>64,755,700</u>	<u>-</u>
Division Total	\$360,242,200	4,537.55	\$28,289,700	147.70	\$0	-	\$388,531,900	4,685.25
<b>Division of Program Planning and Movement</b>								
Central Office	\$240,300	2.00	\$237,500	-	\$31,000	-	\$508,800	2.00
Bureau of Offender Classification and Movement	3,373,700	71.00	0	-	0	-	3,373,700	71.00
Monitoring Center	1,134,700	12.00	1,544,700	7.70	0	-	2,679,400	19.70
Bureau of Offender Programs	<u>1,431,100</u>	<u>19.00</u>	<u>54,700</u>	<u>1.00</u>	<u>0</u>	<u>-</u>	<u>1,485,800</u>	<u>20.00</u>
Division Total	\$6,179,800	104.00	\$1,836,900	8.70	\$31,000	-	\$8,047,700	112.70
<b>Division of Community Corrections</b>								
Central Office	\$2,443,500	67.95	\$1,733,100	11.00	\$0	-	\$4,176,600	78.95
Probation and Parole	85,237,900	1,672.50	5,604,700	3.75	0	-	90,842,600	1,676.25
Intensive Sanction	7,250,400	38.25	527,700	-	0	-	7,778,100	38.25
Correctional Centers	<u>27,774,500</u>	<u>471.87</u>	<u>644,100</u>	<u>1.00</u>	<u>0</u>	<u>-</u>	<u>28,418,600</u>	<u>472.87</u>
Division Total	\$122,706,300	2,250.57	\$8,509,600	15.75	\$0	-	\$131,215,900	2,266.32
Secretary's Office	\$2,334,400	30.20	\$59,800	1.00	\$0	-	\$2,394,200	31.20
Parole Commission	\$771,900	12.50	\$42,200	1.00	\$0	-	\$814,100	13.50
<b>Division of Juvenile Corrections</b>								
Management Services	\$319,700	8.00	\$261,000	2.90	\$0	-	\$580,700	10.90
Secretary's Office	107,200	1.00	0	-	0	-	107,200	1.00
Central Office	98,997,600	10.00	26,600,600	164.30	0	-	125,598,200	174.30
Prairie du Chien Correctional Facility	40,700	1.00	7,322,000	170.02	0	-	7,362,700	171.02
Ethan Allen School	0	-	20,781,300	417.95	0	-	20,781,300	417.95
Lincoln Hills School	0	0.00	17,369,100	333.00	0	-	17,369,100	333.00
Southern Oaks Girls School	0	0.00	6,724,600	144.95	0	-	6,724,600	144.95
Youth Leadership Training Center	<u>0</u>	<u>0.00</u>	<u>2,302,800</u>	<u>54.00</u>	<u>0</u>	<u>-</u>	<u>2,302,800</u>	<u>54.00</u>
Division Total	\$99,465,200	20.00	\$81,361,400	1,287.12	\$0	-	\$180,826,600	1,307.12
<b>TOTAL</b>	<b>\$608,529,300</b>	<b>7,086.32</b>	<b>\$132,425,400</b>	<b>1,490.77</b>	<b>\$31,000</b>	<b>-</b>	<b>\$740,985,700</b>	<b>8,577.09</b>

medium-security risk are transferred to Taycheedah. Men classified as minimum risk are transferred to Oakhill or one of the 14 male minimum-security correctional centers or to the Alcohol and Drug Abuse Treatment Center, which is located on the grounds of Winnebago Mental Health Institute. Minimum-security females may be placed at Taycheedah or are transferred to either the Women's Community Correctional Center in Milwaukee, or the Robert E. Ellsworth Correctional Center in Union Grove. It should be noted that the minimum-security correctional centers are administratively part of the Division of Community Corrections while maximum-, medium- and minimum-security institutions are under the jurisdiction of the Division of Adult Institutions.

In addition to state correctional institutions, the Department of Corrections also utilizes contracted prison and jail space to house state inmates and as temporary lockup (non-punitive lock-up pending an investigation or disciplinary action of an inmate in the Center System). Since 1983, Corrections has specifically been authorized to contract with Wisconsin local governments for the housing of state prisoners. Corrections' contracts with Wisconsin local governments are statutorily limited to a maximum of \$60 a day per inmate bed. In 1995 Act 344, Corrections was authorized to contract with political subdivisions in other states for prison space. Statutes require that the Legislature by law or the Joint Committee on Finance approve any contract to transfer more than ten prisoners in any fiscal year to any one state or to any one political subdivision of another state. In September, 1996, a contract with certain Texas counties was approved by the Joint Committee on Finance. In March, 1997, the Department began contracting with the federal Bureau of Prisons for prison space in Duluth, Minnesota, and Oxford, Wisconsin. In July, 1998, that same federal contract was utilized to place female inmates in a facility in West Virginia.

In 1997 Act 4, Corrections was authorized to utilize the Prairie du Chien Correctional Facility, operated by the Division of Juvenile Corrections, as

a facility for young adult offenders. Under these provisions, the Division of Adult Institutions contracts with the Division of Juvenile Corrections for the housing of prisoners. Utilization of the facility for adult inmates began in July, 1997. In 1997 Act 27, it was specified that the facility would revert to a juvenile facility on July 1, 1999.

Also, in 1997 Act 27, the Department of Corrections was given the authority to contract with a private corporation for prison beds in other states. Specifically, Corrections was allowed to enter into one or more contracts. Contracts are required to contain all of the following provisions:

- a. a termination date;
- b. the costs of prisoner maintenance, extraordinary medical and dental expenses and any participation in rehabilitative or correctional services, facilities, programs or treatment;
- c. specifications regarding any participation in programs of prisoner employment, the disposition or crediting of any payments received by prisoners, and the crediting of proceeds from any products resulting from employment;
- d. specifications regarding the delivery and retaking of prisoners;
- e. regular reporting procedures concerning prisoners by the private corporation;
- f. procedures for probation, parole and discharge;
- g. the use of the same standards of reasonable and humane care as the prisoners would receive in a Wisconsin institution; and
- h. any other matters determined to be necessary and appropriate regarding the obligations, responsibilities and rights of Wisconsin and the private company.

In 1997 Act 27, it was further specified that while in a private contract facility in another state, Wisconsin prisoners would be subject to all

provisions of law and regulation concerning the confinement of persons in that institution under the laws of the state where the private institution is located. Further, any parole hearings for a prisoner confined under a contract must be conducted by the Wisconsin Parole Commission. Contracts with private companies for prison beds are required to follow current state procurement requirements and current Corrections standards for the purchase of services for offenders.

In March, 1998, the Joint Committee on Finance approved a contract with the private-for-profit Corrections Corporation of America (CCA) for space at two facilities in Whiteville, Tennessee. This contract was expanded in June, 1998, to allow CCA to provide prison beds at its facility in Sayre, Oklahoma.

The contracts with the Texas counties, CCA and the federal Bureau of Prisons are described in detail in a later section of this paper.

Table 2 indicates the average daily prison population (ADP) by fiscal year since 1985-86. As the table shows, prison populations increased by 182% between 1985-86 and 1997-98. Prison populations include inmates in contracted facilities. Appendix III shows the average daily population

for 1997-98 by institution.

### Resident Population

Appendix IV shows the most serious offenses for which inmates incarcerated in the prison system on July 1, 1998, were convicted. These inmates are termed the "resident" population. The predominant offenses by males are sexual offenses, burglary, robbery, assaults and murder or other homicides. The most common by women are forgery, theft and murder or other homicides. The average sentence length for inmates in the adult institutions on July 1, 1998, was 13.5 years for males and 7.4 for females, excluding life sentences and inmates for which no data was available (primarily those inmates in the prison system pending the revocation of probation or parole, or as an alternative to the revocation of probation or parole). Exhibit A-1 (Page 8) identifies the resident inmate population by sentence length and gender and shows a cumulative percentage. Approximately 5.2% of the male inmate population for which sentencing data was available and 3.9% of the female population for which sentencing data was available were serving life sentences.

Exhibit B-1 identifies the race and ethnicity for the July 1, 1998, resident population by gender.

**Table 2: Average Daily Adult Prison Populations, 1985-86 to 1997-98**

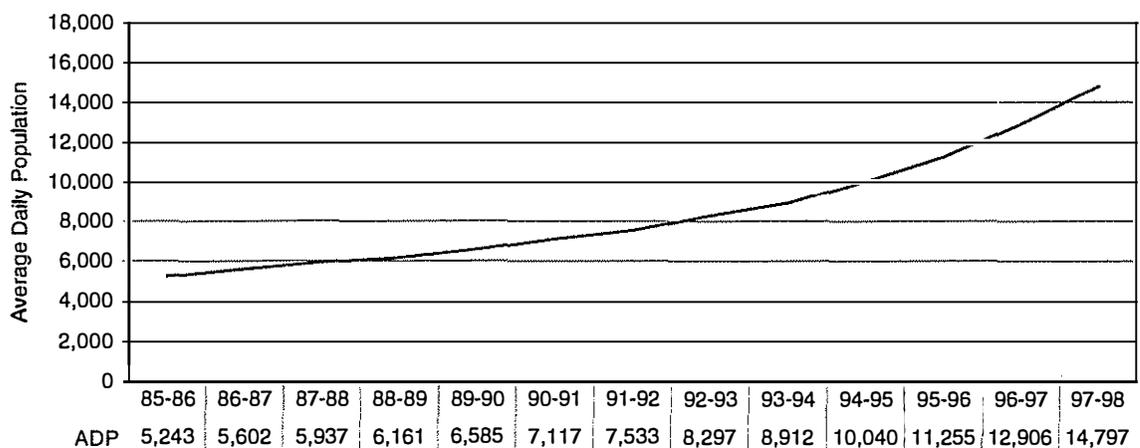


Exhibit C-1 identifies the resident population by age. The average age of male inmates on July 1, 1998, was 32.2 years; for female inmates the average age was 33.1 years. As Exhibit C-1 shows, the majority of the resident population is under 35 years old.

### Prison Admissions

Table 3 identifies average monthly admissions to the prison system between 1989 and 1998. Information on females admissions prior to 1990 is not available. Over these periods, monthly admissions to state prisons have increased by 114% for males and 205% for females.

Calendar Year	Males	Females
1989	258	Not Available
1990	277	20
1991	313	24
1992	382	31
1993	437	36
1994	453	35
1995	470	39
1996	511	46
1997	498	44
1998	552	61

Appendix V shows the most serious offenses for which inmates admitted to the prison system in 1997-98 were convicted. The predominant offenses committed by males were assaults, sexual offenses, theft and burglary; those by women were forgery, drug offenses—manufacturing and delivery, assaults and theft. Appendix V identifies a large number of admissions (1,110 males and 84 females) for which no data is available. This category generally includes admissions to the prison system of individuals who are alleged to have violated their probation or parole and offenders serving time in prison as an alternative to the revocation of probation or parole.

The difference between Appendix IV and Appendix V should be noted. Since Appendix IV

lists the offenses of all inmates incarcerated on July 1, 1998, it tends to emphasize offenses with longer sentences. For example, individuals convicted of homicide/murder made up 11.0% of the male inmate population on July 1, 1998, but accounted for only 2.9% of the admissions in 1997-98.

The average sentence length for males admitted to the prison system in 1997-98 was 6.9 years and for females was 4.9 years. Exhibit A-2 identifies inmate admissions in 1997-98 by sentence length. Of offenders admitted in 1997-98 for whom sentencing data is available, 0.8% of males and 0.3% of females were admitted with life sentences. As with Appendix V, Exhibit A-2 identifies a large number of admissions for which no data is available. This category includes admissions to the prison system of individuals who are alleged to have violated their probation or parole and offenders serving time in prison as an alternative to the revocation of probation or parole.

Exhibit B-2 identifies the race and ethnicity for admissions to the prison system in 1997-98 by gender. Exhibit C-2 identifies the age for admissions to the prison system in 1997-98 by gender. The average age at admission of a male inmate in 1997-98, was 30.3 years; for female inmates the age was 32.4 years. As Exhibit C-2 shows, the majority of offenders admitted in 1997-98 were under 30 years old.

Southern Wisconsin counties committed the majority of inmates to prison during 1997-98. Milwaukee, Kenosha, Racine, Rock, Waukesha and Dane counties committed 61% of male and 69% of female inmates. According to 1998 Department of Administration data, these six counties represent 41.8% of the state's total population.

### Prison Releases

Appendix VI identifies the offenses committed by all offenders released from prison in 1997-98. The predominant offenses committed by male offenders released in 1997-98 were drug offenses—possession with intent to deliver, burglary and assaults; for female offenders, forgery and theft.

As with resident population and admissions data, there are a significant number of releases (identified in Appendix VI as "no data available") which are attributable to offenders held in the prison system for probation or parole violations or as an alternative to the revocation of probation or parole.

For all offenders released in 1997-98 for which sentencing information is available, the average sentence length was 5.4 years for males and 4.1 years for females. Of offenders released in 1997-98, male offenders served an average of 47.0% of their sentence, while females served an average of 38.4%. It should be noted that 58% of all prison releases in 1997-98 were associated with offenders being released to parole for the first time during their current sentence. The average sentence length for these offenders was 5.0 years for males and 4.0 years for females. On average, male offenders released for the first time during 1997-98, served 40.5% of their sentence and female offenders served 37.0%.

Table 4 identifies the offenders released in 1997-98 by the type of release. The types of release identified in the table are: (a) discretionary parole, which is release prior to an offender's mandatory release date (67% of the court imposed sentence); (b) mandatory release, release at 67% of a sentence; (c) alternative to revocation, the release of probation and parole offenders serving time in prison as an alternative to revocation; (d) direct discharge, release from prison, after serving the

entire sentence, without parole supervision; and (e) other release types, including death, court order and temporary probation and parole hold releases.

In 1997-98, 75% of the first releases of male prisoners and 81% of female prisoners were to discretionary parole. This can be compared with calendar year 1994, when 89% of the male releases and 97% of the female releases were to discretionary parole.

Exhibit B-3 identifies the race and ethnicity for releases from the prison system in 1997-98 by gender. Exhibit C-3 identifies the age for releases from the prison system in 1997-98 by gender. The average age at release of a male inmate in 1997-98, was 31.4 years; for female inmates the age was 33.5 years. As Exhibit C-3 shows, the majority of offenders released in 1997-98 were under 30 years old.

In order to address crowding in the prison system, a special action release (SAR) program was implemented in 1981 for qualified inmates who are parole eligible and who are within 90 days of their mandatory release date. (The mandatory release date generally represents the inmate's court-imposed sentence, less one-third.) In May, 1983, this program was extended to 135 days and in January, 1986, to 12 months. No individuals have been released under SAR since 1991.

**Table 4: Releases from Prison by Type of Release, 1997-98**

Release Type	Male	Percent	Female	Percent	Total	Percent
Discretionary Parole	3,300	55.2%	345	60.6%	3,645	55.7%
Mandatory Release	1,318	22.0	83	14.6	1,401	21.4
Alternative to Revocation	808	13.5	106	18.6	914	14.0
Direct Discharge	129	2.2	7	1.2	136	2.1
Other	<u>424</u>	<u>7.1</u>	<u>28</u>	<u>4.9</u>	<u>452</u>	<u>6.9</u>
Total	5,979	100.0%	569	100.0%	6,548	100.0%

Sentence Length	Exhibit A-1 July 1, 1998, Prison Population				Exhibit A-2 1997-98 Sentences for Inmates Admitted				
	Male	Cum.		Female	Male	Cum.		Female	%
		%	%			%	%		
1 year or less	22	0.1%	5	0.5%	54	0.9%	62	9.8%	
1 to 2 year	697	4.6	92	9.4	911	15.6	122	29.1	
2 to 3 years	1,176	12.1	147	23.6	1,001	31.9	123	48.6	
3 to 4 years	1,333	20.6	146	37.7	863	45.9	96	63.8	
4 to 5 years	1,643	31.1	153	52.5	848	59.6	79	76.3	
5 to 6 years	1,042	37.7	82	60.4	473	67.3	39	82.4	
6 to 7 years	881	43.4	47	64.9	352	73.0	25	86.4	
7 to 8 years	991	49.7	52	70.0	353	78.7	19	89.4	
8 to 9 years	491	52.8	34	73.2	148	81.1	11	91.1	
9 to 10 years	1,200	60.5	54	78.5	314	86.2	16	93.7	
10 to 15 years	1,979	73.1	91	87.2	385	92.4	21	97.0	
15 to 20 years	1,233	81.0	45	91.6	180	95.4	7	98.1	
20 to 25 years	529	84.3	18	93.3	59	96.3	3	98.6	
25 to 30 years	427	87.1	12	94.5	48	97.1	3	99.1	
31 to 34 years	106	87.7	3	94.8	12	97.3	2	99.4	
35 to 39 years	187	88.9	4	95.2	27	97.7	0	99.4	
40 to 50 years	401	91.5	7	95.8	43	98.4	2	99.7	
51 to 75 years	282	93.3	3	96.1	24	98.8	0	99.7	
76 to 100 years	116	94.0	0	96.1	12	99.0	0	99.7	
More than 100 years	118	94.8	0	96.1	11	99.2	0	99.7	
Life	816	100.0	40	100.0	50	100.0	2	100.0	
No data	599	*	62	*	1,110	*	84	*	
Total	16,269		1,097		7,278		716		

\*Persons for which no sentencing data is available are not included in the cumulative total.

Race and Ethnicity	Exhibit B-1 July 1, 1998, Prison Population				Exhibit B-2 1997-98 Prison Admissions				Exhibit B-3 1997-98 Prison Releases				
	Male	% of		Female	Male	% of		Female	Male	% of		Female	Total
		Total	Total			Total	Total			Total	Total		
Black	7,812	48.0%	578	52.7%	3,608	49.6%	381	57.6%	2,857	47.8%	284	49.9%	
White	6,871	42.2	440	40.1	2,937	40.4	241	36.4	2,526	42.2	234	41.1	
Hispanic	1,022	6.3	44	4.0	415	5.7	19	2.9	368	6.2	31	5.4	
Native American	387	2.4	26	2.4	211	2.9	16	2.4	163	2.7	16	2.8	
Asian	78	0.5	2	0.2	26	0.4	0	0.0	22	0.4	1	0.2	
Other	8	0.0	1	0.1	2	0.0	0	0.0	6	0.1	1	0.2	
No Data	91	0.6	6	0.5	79	1.1	5	0.8	37	0.6	2	0.4	
Total	16,269	100.0%	1,097	100.0%	7,278	100.0%	662	100.0%	5,979	100.0%	569	100.0%	

Age	Exhibit C-1 July 1, 1998, Prison Population						Exhibit C-2 1997-98 Prison Admissions						Exhibit C-3 1997-98 Prison Releases					
	Male	% of Cum.		Female	% of Cum.		Male	% of Cum.		Female	% of Cum.		Male	% of Cum.		Female	% of Cum.	
		Total	Total		Total	Total		Total	Total		Total	Total		Total	Total		Total	
≤17	143	0.9%	0.9%	5	0.5%	0.5%	125	1.7%	1.7%	4	0.6%	0.6%	11	0.2%	0.2%	2	0.4%	0.4%
18	356	2.2	3.1	14	1.3	1.7	284	3.9	5.6	13	2.0	2.6	77	1.3	1.5	4	0.7	1.1
19	568	3.5	6.6	22	2.0	3.7	381	5.2	10.9	18	2.7	5.3	163	2.7	4.2	8	1.4	2.5
20 to 24	3,639	22.4	28.9	163	14.9	18.6	1,850	25.4	36.3	95	14.4	19.6	1,520	25.4	29.6	71	12.5	14.9
25 to 29	3,154	19.4	48.3	234	21.3	39.9	1,370	18.8	55.1	148	22.4	42.0	1,330	22.2	51.9	123	21.6	36.6
30 to 35	2,678	16.5	64.8	225	20.5	60.4	1,140	15.7	70.8	136	20.5	62.5	980	16.4	68.3	132	23.2	59.8
35 to 39	2,410	14.8	79.6	231	21.1	81.5	1,042	14.3	85.1	144	21.8	84.3	916	15.3	83.6	116	20.4	80.1
40 to 44	1,600	9.8	89.4	110	10.0	91.5	600	8.2	93.3	69	10.4	94.7	495	8.3	91.9	63	11.1	91.2
45 to 49	810	5.0	94.4	51	4.6	96.2	269	3.7	97.0	21	3.2	97.9	260	4.3	96.2	30	5.3	96.5
50 to 55	476	2.9	97.3	26	2.4	98.5	121	1.7	98.7	8	1.2	99.1	118	2.0	98.2	14	2.5	98.9
55 to 59	217	1.3	98.7	13	1.2	99.7	51	0.7	99.4	4	0.6	99.7	55	0.9	99.1	4	0.7	99.6
60 to 64	114	0.7	99.4	2	0.2	99.9	28	0.4	99.8	1	0.2	99.8	24	0.4	99.5	1	0.2	99.8
65 to 69	54	0.3	99.7	1	0.1	100.0	10	0.1	99.9	1	0.2	100.0	17	0.3	99.8	1	0.2	100.0
70 to 74	30	0.2	99.9	0	0.0	100.0	5	0.1	100.0	0	0.0	100.0	7	0.1	99.9	0	0.0	100.0
75 to 79	8	0.0	99.9	0	0.0	100.0	1	0.0	100.0	0	0.0	100.0	2	0.0	99.9	0	0.0	100.0
80 to 84	9	0.1	100.0	0	0.0	100.0	1	0.0	100.0	0	0.0	100.0	3	0.1	100.0	0	0.0	100.0
85 to 89	2	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	1	0.0	100.0	0	0.0	100.0
90 to 94	1	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0
Total	16,269	100.0%		1,097	100.0%		7,278	100.0%		662	100.0%		5,979	100.0%		569	100.0%	

## Correctional Facility Operational Costs

Appendix VII identifies the operational costs of adult correctional institutions and minimum-security centers during 1997-98. It should be noted that the costs identified are those attributable directly to the facilities and do not include other departmental costs such as that for administration or the repayment of principle on outstanding debt. The costs do include a calculation of depreciation and debt service interest payments. In addition, the costs at the facilities are partially offset by revenues from various charges to inmates for: (a) room, board and transportation (up to \$8.90 per day for inmates in the correctional center system on work release and up to 50% of wages for inmates in the private business/prison employment program); (b) telephone commission revenues from telephone companies providing services at state correctional facilities; and (c) medical and dental services (at least \$2.50 for each inmate-requested medical or dental service call). During 1997-98, \$2,626,100 generated from charges to inmates was used to support institutional costs.

In 1997-98, net annual per capita cost at all correctional facilities (with some exclusions) was approximately \$20,300. The highest daily per capita cost occurred at the Dodge Correctional Institution (\$74), which serves as the prison system's assessment and evaluation center. The medium-security Kettle Moraine Correctional Institution had the lowest per capita prison cost (\$44). Appendix VII does not include operational costs associated with the following facilities: (a) Racine Youthful Offender Correctional Facility (open for only 21 days in 1997-98); (b) Wisconsin Resource Center operated by DHFS with Corrections providing security services; and (c) Prairie du Chien Correctional Facility, which is operated by the Division of Juvenile Corrections under a contract with the Division of Adult Institutions until July 1, 1999.

## Corrections Building Program

On January 1, 1999, Corrections had five active construction projects that will increase prison capacity by 1,855 beds when completed. These projects include an additional 1,355 authorized during the 1997-99 biennium and 500 beds approved for the Boscobel Supermaximum Security Correctional Institution in the 1995-97 biennium. Table 5 identifies these projects and the status of each facility is summarized below. It should be noted that the Milwaukee Facility will be a 600-bed institution. However, 400 of these beds are for probation and parole holds, and persons being held for possible probation or parole violations are not considered inmates. Therefore, Corrections does not include the 400 beds when measuring increased capacity. Similarly, segregation and medical beds, which are

*Table 5*  
**Correctional Construction Projects, 1997-99**

Project	New Beds*	Budgeted Construction Costs (In Millions)
Supermax	500	\$44.0
Redgranite	750	51.0
Milwaukee Facility	200**	49.8
Ellsworth Correctional Center	30	0.2
New Lisbon	<u>375</u>	<u>27.9</u>
Total	1,855	\$172.9

\* Segregation and medical beds not included.

\*\* In addition, 400 beds for probation and parole holds will be constructed. These beds are not included.

considered temporary placements, are not counted in operating capacity figures for either the new construction projects or at existing facilities (operating capacity is discussed in the next section of this paper).

## **Supermaximum Security Correctional Institution**

On January 22, 1997, the Building Commission approved the selection of Boscobel as the site for a super-maximum security (supermax) correctional facility, with a project budget of \$40.0 million. On July 31, 1997, the Commission approved a design report, gave authority to construct a 345- to 409-bed facility for \$40.0 million general fund supported borrowing and approved funding for additional security equipment. In November, 1997, the Commission approved the expansion of 100 additional beds. Total project cost for 500 beds is \$43,987,000. The facility is scheduled to be completed in August, 1999.

The supermax facility will be Wisconsin's highest security correctional facility and will house and manage inmates who demonstrate serious behavioral control problems in other prison settings. Inmates placed in the facility will be those who: (a) have been highly assaultive to staff and/or inmates; (b) pose a high escape risk; (c) are gang leaders; (d) are organizers of threats to institutional security; (e) have outside ties that threaten institutional security; or (f) are long-term segregation inmates.

Supermax will be a single, self-contained building within a perimeter fence, providing housing for 500 inmates, medical care, food and other support services and administration. Currently, the facility is designed with 100 high-security beds, 325 general population beds and 75 beds for transitional housing (preparing inmates to return to lower security levels). In addition, there will be four observation cells and five health services beds, not counted in the 500-bed total. Outside the perimeter, two other buildings will be used as a gatehouse/visiting area and a utilities building. Most current correctional facilities in Wisconsin have multiple buildings within the perimeter for housing, education, administration, health care, recreation and food service.

Housing in the supermax facility will be all single celled (one inmate per cell). Inmate movement outside the cell will occur only with restraints and under guard of two officers. Inmates will be placed in cells 23 hours per day, where meals will be served

and virtually all programming (education, library, social services, religious services and health services) will occur. Each cell will have a shower. Inmate property in the supermax facility will be highly restricted. Visiting will be provided through a video connection in which inmates will not leave their cell, and visitors will remain in visiting video booths in the gatehouse area of the facility. Inmates will receive one hour of individual recreation time per day in an enclosed, indoor room. The facility will have extensive video surveillance and security equipment, lethal electrified perimeter fencing and an armed perimeter patrol in vehicles.

## **Redgranite Correctional Institution**

On May 21, 1998, the Building Commission approved \$51.0 million in general fund supported borrowing for the construction of a 750-bed medium-security correctional institution in Redgranite. The facility will contain both cells with toilet facilities ("wet cells") and those without toilet facilities ("dry cells"), segregation cells, visiting, educational space, indoor recreation, food service, an area for Badger State Industries, health services facilities and an administrative facility. The institution will be designed with a secured perimeter, patrol road and a secured vehicle entrance. The facility is estimated to be completed by January, 2001.

## **Milwaukee 600-Bed Facility**

On May 21, 1998, the Building Commission approved \$49.8 million in general fund supported borrowing for the construction of a 600-bed medium-security facility in Milwaukee to house: (a) probation and parole violators (400 beds); and (b) an alcohol and other drug abuse facility (200 beds) for state inmates. The facility will also contain a 50-bed segregation unit. Only the 200-bed AODA portion of the facility will increase Corrections' prison system capacity. Offenders from Milwaukee County who have been sentenced by local courts and are awaiting transport to Dodge Correctional Institution will also be housed at the facility. The facility is estimated to be completed by January, 2001.

### **Robert E. Ellsworth Correctional Center**

On September 17, 1998, the Building Commission approved \$216,400 in general fund supported borrowing for the renovation and construction of 30 additional beds at the Robert E. Ellsworth Correctional Center for women in Union Grove. The project will renovate an unoccupied area in the existing facility. Renovation includes extending the fire alarm system, improving the lighting, upgrading and remodeling the toilet areas for use by women, installing windows in the doors, and other minor remodeling to create a conference room. The project is designed to support an alcohol and other drug abuse program for women. The project is scheduled to be completed in February, 1999.

### **New Lisbon Correctional Institution**

On September 17, 1998, the Building Commission approved \$27,946,400 in general fund supported borrowing for the construction of a 375-bed medium-security correctional institution in New Lisbon. The facility will also contain a 50-bed segregation unit. The facility is estimated to be complete by July, 2001.

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### **Prison System Operating Capacity**

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In 1993 Act 16, Corrections was required to promulgate administrative rules providing limits on the number of prisoners at all state prisons. The Act required Corrections to include systemwide limits and limits for each prison, except that a single limit could be established for the minimum-security correctional centers. Further, procedures to exceed any systemwide, institution or center system limit in an emergency situation could be created. As of January, 1999, this rule had not been promulgated.

To address the question of prison capacity, Corrections has by policy defined the operating capacity of the prison system as the lesser of: (a) the

number of inmates that a correctional institution can house; or (b) an institution's capacity to provide non-housing functions such as food service, medical care, recreation, visiting, inmate programs, segregation housing and facility administration. Medical services and segregation beds (single cells for inmates removed from the general population for behavioral or security reasons) are not counted in housing capacity. Housing capacity is defined as: (a) one inmate per cell at maximum-security facilities, with a 2% cell vacancy rate; and (b) up to 20% double occupancy of cells in medium-security facilities existing as of July 1, 1991, or 50% double occupancy of cells in medium-security facilities constructed after July 1, 1991. No specific standard has been established for minimum-security institutions, but capacities have been determined on an institution-by-institution basis. Corrections' operating capacity figures also include the current number of actually occupied contracted prison beds. In addition, in December, 1998, Corrections further modified the capacity figures to include nine barracks units built at eight institutions and increased doubling at six institutions for which additional staff were provided. Using this definition, Corrections has an operating capacity as of January 1, 1999, of 10,732 inmates in state facilities and 3,634 inmates at contracted facilities, for a total operating capacity of 14,366.

On January 1, 1999, the prison system housed 17,967 inmates and was at 125% of Corrections' defined capacity. Excluding contracted facilities, state facilities were at 134% of capacity. Additional inmates were housed by: (a) exceeding the defined number of double occupancy cells; (b) housing more than two inmates in some cells; and (c) utilizing some non-housing space for housing purposes. To the extent that Corrections continues to exceed its defined capacity or modifies the component parts of its definition, the amount that the system is "over capacity" may vary.

Table 6 identifies Corrections operating capacity and prison population by facility as of January 1, 1999. Using the Department's definition of capacity, when all currently authorized

Table 6

**Corrections Operating Capacity and Prison Population, January 1, 1999**

	Operating Capacity	Prison Population
<b>Male</b>		
Waupun	882	1,207
Green Bay	749	939
Dodge	1,165	1,422
Columbia	541	801
Racine Youthful Offender	<u>400</u>	<u>357</u>
Total Maximum	3,737	4,726
Racine	1,021	1,409
Fox Lake	691	965
Kettle Moraine	783	1,154
Oshkosh	1,494	1,832
Jackson	837	957
Wisconsin Resource Center	<u>236</u>	<u>236</u>
Total Medium	5,062	6,553
Oakhill Centers	<u>300</u> <u>997</u>	<u>563</u> <u>1,556</u>
Total Minimum	1,297	2,119
Federal--Duluth, Minnesota	310	310
Federal--Other Facilities	25	25
Texas Counties	699	699
Corrections Corporation of America--Tennessee	1,256	1,256
Corrections Corporation of America--Oklahoma	613	613
Wisconsin Counties	250	250
Prairie du Chien	<u>302</u>	<u>302</u>
Total Contract	3,455	3,455
<b>Total Male</b>	13,551	16,853
<b>Female</b>		
Dodge Reception	30	60
Taycheedah	464	609
Centers	<u>142</u>	<u>266</u>
Total Facilities	636	935
Wisconsin Counties	22	22
Federal--Alderson, West Virginia	<u>157</u>	<u>157</u>
Total Contract	179	179
<b>Total Female</b>	815	1,114
<b>Grand Total</b>	14,366	17,967

construction projects are completed (those identified in Table 5), a previously authorized 75-bed expansion at the Drug Abuse Correctional

Center opens and two 150-bed barracks units at the Fox Lake Correctional Institution currently utilized in connection with a renovation project become available, operating capacity in the state facilities will increase from 10,732 to 12,962.

**Contracts for Housing State Inmates**

The Department of Corrections may contract for prison or jail bed space, in order to house state inmates. In 1997-98, Corrections expended \$28,911,200 GPR for housing state inmates in contracted facilities; in 1998-99, \$64,755,700 GPR is budgeted for contracts. Table 7 identifies the expenditures and the average number of beds purchased through out-of-state and in-state contracts in 1997-98 and the budgeted expenditures and number of beds for 1998-99.

While legislative approval is not required for Corrections to contract with Wisconsin counties, the Statutes do require the approval of the Joint Committee on Finance or passage of legislation in order to transfer ten or more inmates to any one state or any one political subdivision of another state. Since 1996, Corrections has contracted for prison beds with counties in Texas. In 1997, Corrections began to utilize an existing contract with the federal government to place inmates in federal facilities in Minnesota and Wisconsin. This same contract was used in 1998 to place female offenders at a federal facility in Alderson, West Virginia. In 1998, Wisconsin began contracting with the private for-profit Corrections Corporation of America (CCA) for placement of inmates in Tennessee and Oklahoma. In total, Corrections currently has the authority to place 3,932 inmates in out-of-state facilities.

Provisions of each of the out-of-state contracts are identified below.

**Texas Counties**

On September 26, 1996, the Joint Committee on

Finance approved an agreement between the Texas counties of Hood, Johnson, Palo Pinto and Comanche and the Department of Corrections to provide up to 700 beds for Wisconsin inmates in these Texas county jails between October 15, 1996, and June 30, 1997. On January 9, 1997, two additional counties (Red River and Titus) were included in the agreement. On April 16, 1997, five additional counties were approved (Van Zandt, Franklin, Morris, Ector and Bowie). The Texas Counties contract contains the following provisions:

*Terms.* In effect from October 15, 1996, through June 30, 1997; may be terminated upon 30 days written notice to the other party, and may be amended or extended in one-year increments upon the written agreement of the parties. The

Department will remove its inmates within 30 days of termination of the agreement. On June 30, 1998, Corrections was notified that Palo Pinto, Morris, Franklin, Red River, Bowie, Comanche, Titus and Van Zandt Counties approved extensions of the contract for 1998-99.

*Number of Beds.* Up to 700 inmate beds, dependent on bed space availability.

*Selection of Inmates.* The criteria for inmate selection is medium custody males who, at the time of transfer, are cleared by health, dental and medical services. Inmates with a history of escape or attempted escape from secure custody are not eligible for transfer. The counties have the right to reject any inmate due to medical or behavior problems which the county Sheriff determines to

**Table 7: Prison Bed Contracts**

Contract	1997-98		1998-99	
	Expended	Average Number of Beds	Budgeted	Average Number of Beds
<b>Corrections Corporation of America</b>				
Tennessee	\$1,732,000	113	\$16,969,200	1,107
Oklahoma	0	-	9,910,000	646
<b>Federal Bureau of Prisons</b>				
Duluth, Minnesota	\$2,577,400	168	\$6,089,600	371
Oxford, Wisconsin	0	-	455,000	28
Alderson, West Virginia (Females)	0	-	3,159,300	148
<b>Texas Counties</b>	<u>\$9,218,800</u>	<u>631</u>	<u>\$9,995,300</u>	<u>685</u>
Total Out-of-State	\$13,528,200	913	\$46,578,400	2,985
<b>Wisconsin Local Governments</b>				
Jefferson County	\$603,100	28	\$526,100	24
Manitowoc County	943,900	43	959,200	44
Outagamie County	4,717,200	215	4,596,700	210
St. Croix County	382,100	17	0	-
Milwaukee County	0	-	3,371,900	200
Temporary Lockups	1,775,500	81	1,723,400	78
<b>Division of Juvenile Corrections</b>				
Prairie du Chien	<u>\$6,961,200</u>	<u>288</u>	<u>\$7,000,000</u>	<u>300</u>
Total In-State	\$15,383,000	672	\$18,177,300	856
<b>Total</b>	<b>\$28,911,200</b>	<b>1,585</b>	<b>\$64,755,700</b>	<b>3,841</b>

be unacceptable. The Department can return any inmate to Wisconsin at any time and replace or not replace the inmate with another.

*Responsibility for Inmate Custody, Services and Discipline.* The counties are responsible for confining the inmates in appropriate penal surroundings consistent with applicable federal and state laws and regulations, but the counties are not required to provide additional treatment, facilities or programs to Wisconsin inmates which they do not provide to other inmates. Inmates are not permitted or required to participate in any training or work program contrary to Department rules. The counties have physical control of and power to exercise disciplinary authority over inmates, but counties are not authorized to permit punishment prohibited by Department rules.

*Right of Inspections.* The Department has the right to inspect the county jails at all reasonable times to determine that appropriate standards of care and discipline are being met.

*Medical Services.* The Department is required to provide appropriate medical information prior to transfer, including certification of tuberculosis screening or treatment. Inmates receive medical, optometric, psychiatric and dental diagnosis and treatments as necessary to safeguard their physical and mental health and comply with federal, Wisconsin and Texas law. These services cannot be less than that provided to other inmates. These costs are paid by the counties if the services are provided by the jail and the inmate requires no special care in addition to that commonly provided by the jail. The cost of any special care is paid by the Department. Except in an emergency, the counties are required to contact the Department for prior written approval for medical, psychiatric or dental expenses for which the Department is responsible. In an emergency, the counties must notify the Department as soon as practicable. If required mental health treatment is not available in the counties, the Department will transfer the inmate to its own facility. Dental services payable by the Department cannot exceed services necessary for the relief of continuous pain or acute

infection. Copies of health care and related records are to be provided by the Department upon request to the counties' health care providers. These remain the property of the Department and may not be altered, and are returned to the Department when the inmate is removed from the jail.

*Laws and Regulations for Inmate Conduct.* Inmates are subject to all provisions of law and regulations applicable to similar county jail inmates. When an inmate would be subject to discipline under the Department's Administrative code and a county wants the inmate removed, the Department may discipline the inmate under its rules.

*Inter-Institutional Transfer.* The counties may transfer an inmate between facilities under this agreement with written notification to the Department.

*Escape.* The counties have the primary responsibility and authority to direct the pursuit, retaking and prosecution of escaped inmates within their own territories. Any associated costs will be borne by the counties.

*Retaking of Inmates.* The decision to retake an inmate is the Department's and is not reviewable by the counties, unless there is a pending criminal charge or if the inmate is suspected of having committed a criminal offense. In those cases, the inmate will not be taken without the consent of the Sheriff until discharged from prosecution or imprisonment for the offense. All inmates are to be returned to Wisconsin; no inmates can be released in Texas.

*Cost and Reimbursement.* The Department pays the counties \$39.96 per day per inmate for the term of this agreement. The counties invoice the Department monthly, and the Department must pay within 30 days of receipt of the invoice. Payment is made for the day of the inmate's arrival but not the day of his departure.

The counties provide: lodging facilities; programs; constant monitoring of the premises; three nutritious meals a day (two must be hot); and

basic necessities including but not limited to beds, clean bedding, personal hygiene items, toilet facilities, recreational facilities as may be available, canteen facilities, visiting facilities, library/law library and other program services that may be available. Inmates have access to all volunteer programs/activities and chaplaincy-directed programs, crisis intervention and social services treatment available to other jail inmates.

The counties are required to provide necessary program space needed to conduct any supplemental treatment programs arranged by the Department.

The counties provide the inmates an institution account and institution needs pay of \$3.20 per week (five days at \$.64/day) when in general population status.

*Responsibility for Legal Proceedings.* The Department is required to defend any action or proceeding involving the legality of revocations or sentence computations of its inmates or the placement or removal of inmates in county jails. The counties would be reimbursed for any expense connected with such actions or proceedings.

The counties must defend, at their expense, any action or proceeding arising out of confinement in the county jails which involves the conditions of confinement or the actions of county employes.

*Disputes.* Any dispute arising from this agreement which cannot be settled by contract administrators is subject to arbitration as provided under Wisconsin statutes.

*Rights or Benefits.* The agreement does not provide or create any rights or benefits to any of the inmates.

### **Federal Bureau of Prisons**

The Department of Corrections has had an intergovernmental agreement with the federal Bureau of Prisons since 1990. This agreement was initially used primarily to place a small number of

inmates in the federal prison system for security reasons. In March, 1997, Corrections began using the agreement to place 300 male inmates in a federal facility in Duluth, Minnesota and 30 inmates at a facility in Oxford, Wisconsin. In July, 1998, this same agreement was used to place 200 female inmates at a federal facility in Alderson, West Virginia. In December, 1998, authorization was given to place an additional 100 inmates in Duluth and 20 in Oxford. In addition to inmates in Duluth, Oxford and Alderson, Corrections also has approximately 25 inmates placed in various other federal facilities, primarily for security reasons. The contract with the Bureau of Prisons contains the following provisions:

*Performance.* Subject to the availability of suitable space, the federal Bureau of Prisons (BOP) agrees to accept sentenced prisoners from Wisconsin and to provide for their custody, housing, safekeeping and subsistence at a federal detention facility.

*Period of Performance.* The agreement becomes effective on the date of acceptance by the BOP and remains in effect until amended, superseded, or terminated.

*Payment.* Wisconsin is required to make payment to the BOP for each inmate accepted and housed by BOP. Payment is required to equal the cost per inmate per day of the federal institution at which the inmate is housed. The current costs per day are \$45 at the Minnesota and Wisconsin facilities and \$58.302 at the West Virginia facility. Wisconsin is required to pay on a monthly basis.

*Application for Transfer of Inmates.* Wisconsin is required to submit a request seeking permission to transfer an inmate to the care and custody of BOP. A separate application is required for each inmate proposed for transfer.

Each application must include the following:

a. Copies of all relevant documents which relate to the inmate's case history, physical and clinical record;

b. Certified copies of all judicial and administrative rulings and orders relating to the inmate and the sentence(s) pursuant to which confinement is to be had or continue; and

c. Reason(s) for the requested transfer.

*Delivery of Inmate.* Wisconsin, at its own expense, is required to transport inmates to the federal facilities.

*Responsibility for Custody.* The federal Bureau of Prisons is responsible for the custody, housing, safekeeping, and subsistence of sentenced inmates accepted from Wisconsin.

*Medical Services.* Wisconsin inmates will receive the same degree of medical care and attention regularly provided by BOP. The cost of any special or extraordinary medical services, including transportation, medication, equipment, and surgical or nursing care, will be paid by Wisconsin.

In the event of an emergency, BOP will proceed immediately with necessary medical treatment. In such an event, BOP will notify Corrections as soon as practicable regarding the nature of the transferred inmate's illness or injury, the type of treatment provided, and the estimated cost of treatment.

*Discipline.* The federal Bureau of Prisons will have physical control over, and power to exercise disciplinary authority upon, a transferred inmate. While in the custody of BOP, the inmate is subject to federal laws, rules, and regulations not inconsistent with the sentence imposed.

*Escape.* If a transferred inmate escapes, BOP will promptly notify Corrections and will have the primary responsibility and authority to direct the pursuit and retaking of the escaped inmate. BOP will use all reasonable means to recapture the escaped inmate. All reasonable costs in connection will be borne by BOP.

*Death of Inmate.* In the event of the death of a transferred inmate, BOP will immediately notify Corrections of the death, furnish information as

requested, and follow appropriate instructions with regard to the disposition of the body.

The body will not be released except upon written order of the Department of Corrections. All expenses related to the necessary preparation and disposition of the body, as well as the duty to notify the nearest relative of the deceased inmate, is the responsibility of Corrections.

*Inter-institutional Transfers.* The federal Bureau of Prisons may relocate an inmate from one detention facility under its control to another whenever it seems such action is appropriate. Notice of any such transfer will immediately be sent to the Department. All costs associated with any inter-institutional transfers of a Wisconsin inmate because of medical or discipline reasons will be paid by Wisconsin.

*Retaking of Inmates upon Release.* Upon the termination of an inmate's commitment, Wisconsin will accept delivery of the inmate at its own expense. However, by agreement between the parties and the inmate, an inmate may be discharged, conditionally or otherwise, at a mutually agreed-upon location.

*Termination.* The agreement may be terminated by either party upon 60 days written notice to the other party. Within a reasonable time of the giving or receipt of such notice, the Department will retake custody of all inmates transferred to BOP. Wisconsin has the right to cancel the contract in whole or in part without penalty due to nonappropriation of funds.

*Modification.* The agreement may be modified or amended by mutual agreement of the parties.

*Records and Reports.* At any time as requested by Corrections, the BOP will furnish a report giving a summary of the inmate's adjustment since the last requested report, including a recommendation for retention or return.

## **Corrections Corporation Of America**

In March, 1998, Corrections began contracting

with the Corrections Corporation of America (CCA) for prison beds at two privately-administered facilities in Whiteville, Tennessee. In June, 1998, CCA's facility in Sayre, Oklahoma, was also included in the contract. The contract between Corrections and CCA is divided into nine sections (articles) with an introductory clause.

*Introduction.* The purpose of the contract is to house Wisconsin inmates in a private facility. The contract between Corrections and CCA was initially entered into on March 6, 1998.

*Definitions (Article 1).* This article defines certain terms, including: (a) American Correctional Association (ACA); (b) ACA standards; (c) contract administrator; (d) facilities; (e) inmate; (f) manday; (g) service commencement date; (h) state; and (i) unforeseen circumstances. The facilities identified are Hardeman County and Whiteville, in Whiteville, Tennessee, and North Fork, in Sayre, Oklahoma.

*Terms of the Contract (Article 2).* The contract is effective for one year from the date both parties sign and may be renewed for two, one-year terms by mutual consent of Corrections and CCA. The contract may be canceled by either party, with or without cause, without penalty with 60 days notice. Corrections may cancel the contract, in whole or in part, without penalty if funding is not appropriated or if CCA fails to comply with the contract.

*Inmates (Article 3).* Under the contract, CCA will house up to 1,500 male, medium- and maximum-custody inmates from Wisconsin in its two Hardeman County facilities, and 1,057 at its Sayre, Oklahoma facility. Transportation of inmates to the CCA facilities is provided by CCA. CCA also covers the costs of returning ten or more inmates to Wisconsin. Corrections is responsible for returning fewer than ten inmates.

The contract specifies that CCA will provide confinement, care, treatment and rehabilitation. These services are further detailed in article 4 of the contract.

Under the contract, CCA uses Wisconsin's inmate classification system for determining security and program needs of inmates. Corrections is required to send an application form for each inmate it plans to send to CCA ten days prior to any transfer. The application is required to contain: (a) name; (b) inmate number; (c) birth date; (d) case history; (e) physical and clinical condition; (f) judicial and administrative rulings; (g) photographs; and (h) fingerprints. CCA has five days to review the application, and if the CCA objects to the transfer, Corrections and CCA attempt to resolve the issue(s) within 10 days of receipt of the application. If a dispute cannot be resolved within the ten-day timeframe, Corrections' decision governs the transfer.

In addition to issues of the number of inmates, transportation of inmates and the application process, article 3 also addresses inmate commissary accounts, removal of an inmate from the CCA facilities, retaking of inmates, death of an inmate and inmate property.

*Scope of Service (Article 4).* Article 4 addresses medical and other inmate services and institutional operating issues. The contract requires CCA to provide onsite health care at least 16 hours per day Monday through Friday and at least eight hours per day on Saturday, Sunday and legal holidays. In addition, CCA is required to provide 24 hour per day, seven day per week emergency medical services, and on-call nursing coverage when health care staff are not at the institutions. Under the contract, CCA will pay for all onsite and offsite outpatient health care. For offsite inpatient care, CCA will pay all costs up to \$60,000 per inpatient visit. After \$60,000 in costs, Corrections would reimburse CCA for 60% of all costs over \$60,000.

The contract requires CCA to have a visitation program. In addition, CCA is required, within 60 days after the contract is executed, to provide for video visitation for family and friends of the inmates who are unable to visit.

Under the contract, CCA is required to have

sufficient programming to allow every general population inmate to participate in programs of occupational training and industrial or other work. The contract specifies that inmates are not required or permitted to participate in any training, industrial or other work program that is contrary to Tennessee law or the law of Wisconsin. CCA has the right to dispose of any inmate-produced products and retain the proceeds. This provision does not, however, apply to hobby or craft items produced by an inmate. CCA is required to pay inmates in accordance with its policies. According to CCA's inmate handbook, inmate wages range from \$0.17 per hour to \$0.50 per hour for various institutional support positions or training programs.

In addition to specifying vocational and employment training, the contract generally requires CCA to have sufficient programs to allow every inmate to participate in educational, vocational, drug or other treatment, or work programs for at least three hours per day. Educational programs include adult basic education, general equivalency diploma programs and literacy programs.

Besides sections on health services, visitation and inmate programs, article 4 also contains sections on: (a) food services; (b) sanitation; (c) records and reports; (d) mutual aid agreements; (e) official hearings; (f) discipline; (g) law library; (h) religious services; (i) leisure activities; (j) the right of Corrections to inspect the facilities at any time; (k) confidentiality of information and inspection of inmate records; (l) use of force; (m) escape; (n) release of inmate information; (o) disclosure of information about CCA's performance; and (p) other administrative and operational functions. Further, article 4 requires CCA to operate in accordance with all applicable federal, state and local laws.

*Compensation and Adjustments (Article 5).* The contract establishes a rate per inmate of \$42 per day for Wisconsin inmates placed at CCA's two Hardeman County, Tennessee facilities and the facility in Sayre, Oklahoma. This daily rate

includes housing, transportation, medical services, and vocational and educational program costs. The contract specifies that CCA will be paid monthly based on the actual number of days inmates are held at the two CCA facilities. The contract further specifies that CCA may not assign any interest in the agreement to any other party without the approval of the contract administrator.

*Indemnification, Insurance and Defense of Claims (Article 6).* Under the contract, CCA is required to protect the state against any claim as a result of any act or omission by CCA and cannot forfeit any defense the state may have against a claim without the state's permission. The contract also requires CCA to have general liability and worker's compensation insurance in amounts prescribed by Corrections. The provisions of Article 6 continue after the expiration of the contract in order to protect the state from suits that may occur after the contract ends.

*Employees (Article 7).* The contract specifies that CCA is an independent contractor and, as such, is not considered an agent of the state. Likewise, state employees are not considered agents of CCA. In a 1997 U.S. Supreme Court case (Richardson and Walker v. McKnight), it was held that prison guards in a private contract facility are not entitled to qualified immunity from a law suit because of the fact that they are guarding state prisoners.

*Contract Compliance (Article 8).* Article 8 addresses breach of contract issues for both parties to the contract and each individually. The contract indicates that a breach has occurred if either party: (a) fails to perform in accordance with the contract; (b) partially performs any term or provision of the contract; or (c) performs any act prohibited or restricted by the contract.

CCA is deemed to be in breach of the contract if any of the following occurs: (a) failure to completely and timely perform any term or provision of the contract; or (b) performance or occurrence of any act or condition prohibited or restricted by the contract. In the event of a CCA breach, the Department may: (a) seek actual

damages and any other remedy available at law or equity; and/or (b) partially withhold the performance of its duties under the contract; and/or (c) terminate the contract.

Corrections is deemed in breach of contract if CCA is unable to perform its obligations under the contract because of the persistent or repeated failure or refusal by the Department to substantially fulfill any of its obligations, unless justified by force majeure (acts beyond either party's control), waived by CCA or excused by CCA default. In the event of a breach by the Department, CCA is required to notify the Department in writing within 30 days after it becomes aware of the breach. The Department is then allowed a 45-day period in which to effect a cure or in which to take reasonable steps to effect a cure. If any cure is commenced within the time permitted that will take more than the time allotted, the Department is allowed the additional time as mutually agreed to by the parties. In no event, however, does a breach on the part of the Department excuse CCA from full performance under the contract.

*Miscellaneous (Article 9).* The final article of the contract addresses the following miscellaneous contract provisions: (a) invalidity and severability of the contract (the contract is severable); (b) venue (the contract will be interpreted under Wisconsin law); (c) release of the Department from further obligation once the contract is concluded; (d) the amendment of the contract by mutual consent; (e) the contract incorporates Corrections' November 21, 1997, request for proposals (RFP), clarifications to the RFP, CCA's November 26, 1997, response and all written exchanges between CCA and Corrections; (f) force majeure (acts beyond the party's control); (g) prohibition on third-party beneficiaries; (h) specification that any successor to the contract is bound by the contract; (i) specification that the contract does not affect the internal relations of either of the parties; (j) the names of the contact persons in Corrections and at CCA; (k) specification that the contract does not supersede the lawful powers or duties of either

party; and (l) judicial actions (all judicial actions regarding the contract will be held in Dane County court; CCA waives its right to a jury trial in connection with any actions arising from contract disputes; and Corrections will receive copies of all civil and criminal pleadings by inmates that CCA determines are not frivolous).

### **Contract Supervision and Monitoring**

In order to supervise and monitor the prison contracts, Corrections has an eight-person contract monitoring unit within the Division of Adult Institutions. This unit is responsible for monitoring contractors' compliance with the provisions of the respective contracts, processing inmate records information and tracking each inmate transferred out of state. In addition, Corrections has four other positions dedicated to: (a) monitoring health care services; (b) classifying inmates placed out-of-state; (c) coordinating transportation and movement of inmates; and (d) processing inmate records. Finally, staff from the Division of Program Planning and Movement and other staff in the Division of Adult Institutions, monitor treatment and education programs provided by the contractors and the performance of inmates in these programs.

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### **Badger State Industries**

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The Department of Corrections operates a Badger State Industries (BSI) program at each of the maximum- and medium-security correctional institutions, except at Dodge and Kettle Moraine, and also operates programs at the minimum-security Oakhill Correctional Institution and the R. E. Ellsworth Correctional Center. The program is funded by program revenue generated from the sale of goods or services produced by the inmates employed by Badger State Industries. Sales revenue must, by law, cover the costs of raw materials, inmate wages, equipment, staff salaries

and administrative overhead. For 1998-99, the Badger State Industries program has an authorized budget of \$19,907,000 and 85.0 positions.

The sale of Badger State Industries goods and services is limited by statute. BSI may only engage in manufacturing articles for the state and its counties, cities, villages, towns, tax-supported institutions, nonprofit agencies, other states and their political subdivisions and the federal government. State statutes further require that inmates employed by Badger State Industries be provided with training and work experience that allows them to develop skills necessary to retain employment in outside business and industry. In 1989 Act 283 the Department was authorized to enter into contracts with private businesses (manufacturers or distributors) to have BSI provide products, components, or services, if at the time that the contracts were originally entered into, the products, components or services had been supplied to the manufacturer or distributor for the previous 12 months by a facility outside the United States. This legislation also limited BSI to selling wood and metal office furniture and laundry services only to state agencies.

Badger State Industries operates the following industries: laundry, wood and metal furniture, upholstery, textiles, printing/graphics, data entry, silkscreening, metal stamping (license plates and signs) and a distribution center. As of October, 1998, Badger State Industries had 613 inmate positions in the various programs. Wages paid to inmates ranged from 47¢ to \$1.28 per hour. In 1998-99, \$852,400 is budgeted for inmate wages. Based on the October, 1998, payroll report, the average wage per hour for inmates is 82¢. Appendix VIII provides a summary of industry locations, number of inmate employees and average wages.

Under the statutes, BSI is allowed to maintain a continuing negative cash balance (the cash balance equals revenues minus expenditures plus the accumulated balance from all previous years) on June 30 of any fiscal year if this negative balance can be offset by program assets. The Badger State Industries negative cash balance has been offset by

assets, as required by statute, in 12 of the past 15 years. In 1997-98, BSI had a positive closing cash balance for the first time since 1976-77.

Table 8 provides a summary of the financial position of Industries since 1983-84. It should be noted that beginning in 1995-96 and prior to January 1, 1998, expenses and revenues for the private business/prison employment program (addressed in the following section) were included as part of BSI. Table 8 excludes the private business/prison employment program. Appendix IX provides a cash balance summary by individual industry for the last three fiscal years for which information by industry is available.

**Table 8**  
**Badger State Industries Financial Status Since 1983-84**

Fiscal	Opening	Profit	Closing Cash
1983-84	-\$4,502,004	-\$112,530	-\$4,614,534
1984-85	-4,614,534	-149,808	-4,764,342
1985-86	-4,764,342	-316,922	-5,081,264
1986-87	-5,081,264	-1,088,512	-6,169,776
1987-88	-6,169,776	-271,652	-6,441,428
1988-89	-6,441,428	150,523	-6,290,905
1989-90	-6,290,905	698,524	-5,592,381
1990-91	-5,592,381	1,716,328	-3,876,053
1991-92	-3,876,053	305,989	-3,570,064
1992-93	-3,570,064	-517,395	-4,087,459
1993-94	-4,087,459	1,159,795	-2,927,664
1994-95	-2,927,664	1,248,893	-1,678,771
1995-96*	-1,678,771	239,032	-1,439,739
1996-97*	-1,439,739	1,203,110	-236,629
1997-98*	-236,629	700,686	464,057

\* Balance modified to reflect BSI only.

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### Private Business/Prison Employment Program

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Under 1995 Act 27, Corrections was authorized

to lease space within state prisons and juvenile correctional institutions to not more than three private businesses that would employ prison inmates to manufacture products or components or to provide services for sale on the open market. In 1997 Act 27, the limit was increased to six businesses. In selecting businesses to participate in the program, the Department is required to comply with state procurement laws by soliciting proposals. The Department must also consult with trade organizations and labor unions prior to issuing requests for proposals and prior to selecting proposals. In addition, before a private business/prison employment project begins, the Joint Committee on Finance must hold a public hearing and approve the contract, and the Prison Industries Board must approve the business.

On April 15, 1996, a public hearing was held by the Joint Committee on Finance and two private business/prison employment projects were approved. One of the projects is with Fabry Glove and Mitten Company of Green Bay. In October, 1998, this project employed 75 inmates in glove and mitten fabrication at the Green Bay Correctional Institution at an average hourly wage of \$6.67 and 100 inmates at the Jackson Correctional Institution at an average hourly wage of \$5.92. The second project is with Jorgensen Conveyors of Mequon, which employs seven inmates at the Waupun Correctional Institution. Inmates in the Jorgensen project provide welding services for the company at an average wage of \$8.26 per hour. In accordance with federal law, inmates must be paid at the prevailing local wage for work of a similar nature and may have as much as 80% of total earnings withheld for taxes, room and board, court obligations and victim compensation. Federal law requires that inmates retain at least 20% of earnings.

Under 1997 Act 27, a separate appropriation for the program was created, which became effective on January 1, 1998. Prior to that time, revenues and expenditures for the program were a portion of the Badger State Industries program. Table 9 provides a summary of the financial position of the private business/prison employment program

Table 9

**Private Business/Prison Employment Program Financial Status Since 1995-96**

Fiscal Year	Operating Cash Balance	Profit or Loss	Closing Cash Balance
1995-96	-	-\$5,280	-\$5,280
1996-97	-\$5,280	-984,030	-989,310
1997-98	-989,310	-290,746	-1,280,056

since it began in 1995-96. It should be noted that unlike BSI and the prison farm system, the private business/prison employment program is not statutorily authorized to maintain a negative cash balance. Appendix IX identifies the cash balance for each of the two projects.

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**Adult Correctional Farm System**

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The Department of Corrections currently operates three correctional farming operations using minimum-security inmate employees who are paid between 63¢ and 84¢ per hour. The farms are located at Oregon, Waupun, Fox Lake and Oneida. The stated goal of the farm system is to teach skills which allow inmates to obtain and retain employment upon release. In October, 1998, 143 inmate positions were available in the farm system. The farming operations include a creamery, crops, beef and swine production. In 1998-99, a total of \$781,400 GPR with 16.0 GPR security-related positions and \$2,466,500 PR with 7.0 PR positions were authorized for the correctional farm system.

As with the Badger State Industries program, the correctional farms are intended to be self-supporting operations whereby expenditures (farm supplies and equipment, inmate wages and staff salaries) do not exceed revenues generated from the sale of farm products. However, the correctional farms operations have resulted in cash losses in eight of the last fifteen years. Negative cash balances must, by statute, be offset by the value of farm assets. Table 10

shows the Correctional Farm System's continuing cash balance since 1983-84. Appendix X provides a more detailed summary of each of the correctional farms.

*Table 10*  
**Correctional Farms Financial Status Since 1983-84**

Fiscal Year	Opening Cash Balance	Profit or Loss	Closing Cash Balance
1983-84	-\$2,103,620	-\$959,113	-\$3,062,733
1984-85	-3,062,733	-684,825	-3,747,558
1985-86	-3,747,558	-400,629	-4,148,187
1986-87	-4,148,187	-598,671	-4,746,858
1987-88	-4,764,858	-255,087	-5,001,945
1988-89	-5,001,945	-593,305	-5,595,250
1989-90	-5,595,250	72,012	-5,523,238
1990-91	-5,523,238	-173,225	-5,696,463
1991-92	-5,696,463	142,071	-5,554,392
1992-93	-5,554,392	-31,119	-5,585,511
1993-94	-5,585,511	58,546	-5,526,965
1994-95	-5,526,965	128,576	-5,398,388
1995-96	-5,398,388	15,330	-5,383,058
1996-97	-5,383,058	123,714	-5,259,344
1997-98	-5,259,344	49,386	-5,209,958

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### Community Corrections

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The Division of Community Corrections was created in 1996 through departmental reorganization by combining the former Divisions of Probation and Parole and Intensive Sanctions and the minimum security correctional centers. The goal of the reorganization was to place all adult corrections programs that supervise offenders in the community under one division. Appendix XI identifies the eight community corrections regions in the state. At the end of 1998-99, there will be 1,207 budgeted agent positions for probation and parole and intensive sanctions. The intensive sanctions and probation and parole programs are addressed in the following sections.

### Intensive Sanctions

The intensive sanctions program is a community-based correctional program which is an intermediate correctional level between prison, and probation and parole. The program is designed to provide the following: (a) punishment that is less costly than ordinary imprisonment and more restrictive than ordinary probation or parole supervision; (b) component phases that are intensive and highly structured; and (c) component phases for each participant that are based on public safety considerations and the participant's needs for punishment and treatment. Inmates in intensive sanctions are considered prisoners, not probationers or parolees. As a result, the Department has more authority over individuals in the program. Intensive sanctions supervision is provided by both agents and correctional officers.

The intensive sanctions program is administered in four phases. Each phase becomes progressively less restrictive. In general, the first phase is the initial confinement period (either in a state prison or other secured confinement) that every inmate must serve at the beginning of his or her intensive sanctions sentence. The last three phases place an inmate in the community. In phase two, an inmate's movements are electronically monitored. In addition, there are at least 18 personal contacts monthly and activities (work/education, recreation and finances) are closely monitored by intensive sanctions staff. At least three random urine and/or alcohol screenings are required per month. Phase three is less restrictive than phase two, with fewer personal contacts, optional electronic monitoring, inmate control of their own finances and at least two random urine and/or alcohol screenings per month. Phase four is the least restrictive, requiring only two monthly face-to-face visits and random urine and/or alcohol screenings at staff discretion. In phase four of the program, inmates prepare for parole or discharge.

Table 11 summarizes the major requirements of the intensive sanctions program in each phase.

**Table 11: Major Requirements of the Intensive Sanctions Program**

Requirement	Phase I	Phase II	Phase III	Phase IV
Confinement	Confinement is served in a state prison, county jail, reforestation camp, residential treatment facility or community-based residential facility.	No confinement required.	No confinement required.	No confinement required.
Electronic Monitoring	N/A	Required.	Optional.	Discontinued.
Control of Inmate Funds	N/A	Intensive sanctions staff.	Inmate, unless the inmate is still on electronic monitoring.	Inmate.
Travel	N/A	From residence to preapproved work, school or treatment only. Weekly schedule required.	From residence to preapproved work, school or treatment only. Weekly schedule required.	Curfew at the discretion of intensive sanctions staff.
Programming (employment, school or treatment)	N/A	Required, full-time.	Required, full-time.	Required, full-time.
Community Service	N/A	Required 20 hours a week, when not in programming.	Required 20 hours a week, when not in programming.	Not required.
Recreation Time	N/A	After 30 days, four hours per week, taken all at one time, with the approval of intensive sanctions staff, between 8 a.m. and 8 p.m.. Staff may extend time to eight hours, taken in two four-hour periods.	Eight hours per week, between 8 a.m. and 10 p.m..	No restriction.
Time in Phase	At least 25% of court ordered confinement time at the beginning of a sentence.	Minimum of three months.	Minimum of three months.	Minimum of two months.
Urine and/or Alcohol Screenings	Institution discretion.	Three at random, per month.	Two at random, per month.	Staff discretion.

Requirement	Phase I	Phase II	Phase III	Phase IV
Supervision Standards	<p>In state prison, intensive sanctions staff complete a pre-release planning with institution staff and offender.</p> <p>In other confinements, intensive sanctions staff have weekly face-to-face contact with inmate and treatment providers/facility staff.</p>	<p>Minimum of 18 personal contacts (either face-to-face or by telephone) per month: six by intensive sanctions staff, and 12 by law enforcement, treatment providers, employers, school officials or landlords.</p> <p>Contacts with offenders by intensive sanctions staff must include two home visits per month, one during non-traditional work hours or on the weekend, and one may be a surveillance contact.</p> <p>One collateral contact per month (an inmate's family member, friend or roommate).</p>	<p>Minimum of ten personal contacts per month: four by intensive sanctions staff, and six by law enforcement, treatment providers, employers, school officials or landlords.</p> <p>Contacts with offenders by intensive sanctions staff must include one home visit per month, one during non-traditional work hours or on the weekend, and one may be a surveillance contact.</p> <p>One collateral contact per month.</p>	<p>Minimum of two face-to-face contacts per month, including one home visit.</p> <p>Minimum of two collateral contacts per month.</p>
Completion	Complete required time and treatment, if ordered, in Phase I.	<p>Individual program objectives met.</p> <p>Stable employment/education.</p> <p>Financial stability.</p> <p>Positive program adjustment.</p> <p>Intensive sanctions supervisor approval, after case review.</p>	<p>Individual program objectives met.</p> <p>Stable employment/education.</p> <p>Financial stability.</p> <p>Positive program adjustment.</p> <p>Intensive sanctions supervisor approval, after case review.</p>	<p>Individual program objectives met.</p> <p>Stable employment/education.</p> <p>Financial stability.</p> <p>Intensive sanctions supervisor approval, after case review.</p>
N/A - Not applicable				

It should be noted that in September, 1997, the Department administratively discontinued the use of the intensive sanctions program. As a result, Corrections no longer transfers offenders to the program, uses the program as an alternative to the revocation of probation or parole, or recommends a sentence of intensive sanctions in the presentence reports prepared by its agents for judges. In addition, offenders are no longer paroled to the program. Judges may, however, continue to sentence offenders to intensive sanctions and since September, 1997, approximately 80 offenders have

been sentenced to the program. The number of offenders in the program has decreased from a high of 1,628 offenders in the community on September 5, 1997, to 627 on January 1, 1999. For 1997-98, the average daily community population was 921 and the annual cost per offender in intensive sanctions was approximately \$8,400. The Department estimates that the program will have a population of approximately 200 offenders by the end of 1998-99 with eight agents providing supervision.

## Probation and Parole

The probation and parole program supervises offenders in the community who are either completing a sentence of imprisonment by being placed on parole or who have been placed on probation by the Court. After being placed on probation or released on parole, the person is placed under the supervision of a probation and parole agent. Table 12 shows adult parole and probation populations since 1988-89. The figures do not include juveniles supervised by Community Corrections, but do include adults supervised under the Interstate Compact (a mutual agreement among most of the 50 states whereby a state agrees to provide supervision to a probationer or parolee accepted from another state).

*Table 12*

### Individuals Under Parole and Probation Supervision

Fiscal Year	Average Daily Population	Percent Change
1988-89	26,829	
1989-90	30,124	12.3%
1990-91	34,730	15.3
1991-92	39,440	13.6
1992-93	43,528	10.4
1993-94	47,378	8.8
1994-95	50,417	6.4
1995-96	52,222	3.6
1996-97	54,000	3.4
1997-98	56,314	4.3

At the end of 1998-99, the Department will have 1,132 agents for probation and parole. Based on estimated populations for 1998-99, each agent has a caseload of approximately 58 offenders. In addition, 1997 Act 27 provided \$3,161,300 GPR in 1997-98 and \$4,083,300 GPR in 1998-99 to fund 64 additional positions (47 agent positions) to allow Corrections to provide enhanced probation and parole supervision in selected southern Wisconsin counties. The enhanced supervision projects operate in Racine and Dane Counties. Further, during 1997-98, a probation and parole absconder unit for Milwaukee County was created, funded at \$446,900 GPR in 1997-98 and \$1,025,600 GPR in 1998-99 with 26.0 positions (20 agent positions), to track, locate and apprehend community corrections offenders who have failed to report under conditions of their community release.

Within the first 30 days of being placed on probation or parole, an agent undertakes a "case classification" of the probationer or parolee to determine the level of supervision required by that offender. The offender is scored on a risk scale (which assesses the propensity for further criminal activity) and a need scale (which assesses the services needed by the offender) and is placed into one of five levels of supervision based on the results. The minimum face-to-face contacts established by the Division of Community Corrections are identified in Table 13. It should be noted that offenders in minimum or administrative supervision may be supervised by a contracted provider.

In addition to client contact standards, the Division has specific expectations for other contacts,

*Table 13: Community Corrections Supervision Requirements*

Supervision Level	Minimum Requirements
High Risk	One client face-to-face contact per week; one home visit per month.
Maximum	Two client face-to-face contacts per month; one home visit per month.
Medium	One client face-to-face contact per month; one home visit every two months.
Minimum	One client face-to-face contact every 90 days.
Administrative	One phone contact per month with contracted provider.

such as employment verification, in several of the supervisory levels. Under a provision created in 1995 Act 27, offenders under minimum, medium, maximum and high-risk supervision are required to pay a probation and parole reimbursement fee based on financial ability. The monthly fee is either \$10 or \$30 depending on an offender's income level.

In 1995 Act 27, the Division was also allowed to contract for the supervision of minimum and administrative level offenders. In 1995, the Department contracted with a private firm, BI Incorporated, to provide this supervision. Offenders in these supervision levels are responsible for providing the required notification to BI on a scheduled basis by telephone. Offenders are then billed for that contact and the payment of any outstanding obligation. In 1998-99, \$465,000 PR and 11.0 PR positions are budgeted for the Division to review reports from BI, provide necessary face-to-face meetings with offenders and address any problems that arise related to minimum and administrative supervision offenders. Program revenue for Corrections supervision is provided from the offenders through the fees charged by BI.

### Extended Supervision

Under 1997 Act 283 (the "truth-in-sentencing" legislation), parole is eliminated for all offenders convicted of felonies that occur on or after December 31, 1999. Instead, for these offenders being sentenced to confinement in prison, a judge will sentence them to: (a) prison for a specific number of years; and (b) extended supervision for a specific number of years. Extended supervision is post-incarceration community supervision by Corrections similar to the supervision provided to parolees. Unlike the current parole process, however, an offender may not be released from prison prior to the time specified by a judge at the time of sentencing. Further, Corrections may not discharge an offender from supervision prior to the expiration of the extended supervision sentence. It should be noted, however, that parole will

continue to be utilized for offenders convicted of offenses occurring on or before December 30, 1999. The "truth-in-sentencing" legislation is discussed in the Legislative Fiscal Bureau's Informational Paper #55, entitled "Felony Sentencing and Probation in Wisconsin."

### Halfway Houses

In 1998-99, the Division of Community Corrections contracted for 420 halfway house beds throughout the state. Halfway houses are community-based residential facilities where probationers, parolees or intensive sanctions inmates may be required to reside as a condition of their supervision. These halfway houses are licensed and regulated by the Department of Health and Family Services. Halfway houses are nonsecure facilities which house a relatively small number of persons who require some type of supervised living arrangement.

In 1998-99, the Department allocated \$8,395,000 GPR and \$642,100 PR to fund the halfway house beds. On average, the per capita daily cost of placing an individual in a state-contracted halfway house is approximately \$57. Table 14 indicates how the halfway house beds were allocated in 1998-99 based on gender and probation and parole or intensive sanctions status.

*Table 14*  
**Division of Community Corrections**  
**Halfway Houses Beds, 1998-99**

Beds	Probation and Parole	Intensive Sanctions	Total
Female	66	30	96
Male	<u>257</u>	<u>67</u>	<u>324</u>
Total	323	97	420

Appendix XII shows the location, bed capacity and state cost of placing probationers, parolees and intensive sanctions inmates in each halfway house.

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## Appendices

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The following pages contain appendices which provide additional information related to adult corrections:

Appendix I	Wisconsin Adult Correctional Facilities
Appendix II	Department of Corrections Organizational Chart
Appendix III	1997-98 Average Daily Inmate Population Including Contracted Facilities
Appendix IV	Type of Offenses for Inmates Resident on July 1, 1998
Appendix V	Type of Offenses for Inmates Admitted to Prison, 1997-98
Appendix VI	Type of Offenses for Inmates Released from Prison, 1997-98
Appendix VII	Correctional Facility Operational Costs, 1997-98 Fiscal Year
Appendix VIII	Badger State Industries Inmate Employees and Average Inmate Hourly Wages
Appendix IX	Badger State Industries and Private Business Prison Employment Program Year-End Continuing Cash Balance Since 1994-95
Appendix X	Correctional Farms Continuing Cash Balance Since 1995-96
Appendix XI	Division of Community Corrections Regions
Appendix XII	Halfway House Contracts for 1998-99



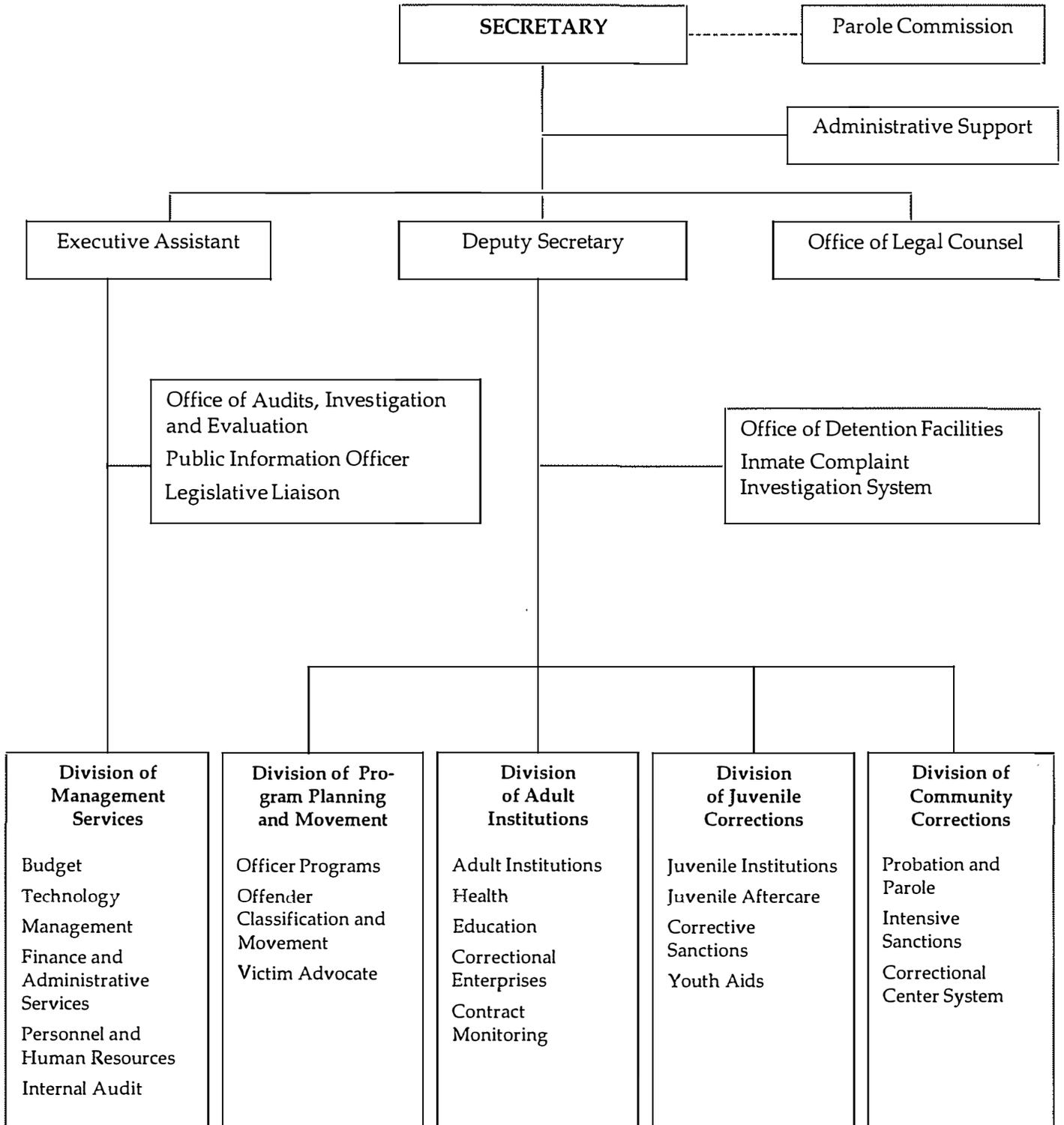


**APPENDIX I (continued)**

County	Facility	Post Office	Facility Security Level
Brown	Green Bay Correctional Institution	Green Bay	Maximum
Columbia	Columbia Correctional Institution	Portage	Maximum
Dane	Oakhill Correctional Institution	Oregon	Minimum
	Oregon Correctional Center	Oregon	Minimum
	Thompson Correctional Center	Deerfield	Minimum
	Oregon Farm	Oregon	Minimum
Dodge	Dodge Correctional Institution	Waupun	Maximum
	Waupun Correctional Institution	Waupun	Maximum
	Fox Lake Correctional Institution	Fox Lake	Medium
	John C. Burke Center	Waupun	Minimum
	Waupun Farm	Waupun	Minimum
	Fox Lake Farm	Fox Lake	Minimum
Douglas	Gordon Correctional Center	Gordon	Minimum
Fond du Lac	Taycheedah Correctional Institution (facility for women)	Taycheedah	Max/Medium
Jackson	Jackson Correctional Institution	Black River Falls	Medium
	Black River Correctional Center	Black River Falls	Minimum
Kenosha	Kenosha Correctional Center	Kenosha	Minimum
Milwaukee	Marshall E. Sherrer Correctional Center	Milwaukee	Minimum
	Abode Correctional Center	Milwaukee	Minimum
	St. John's Correctional Center	Milwaukee	Minimum
	Women's Correctional Center	Milwaukee	Minimum
Oneida	McNaughton Correctional Center	Lake Tomahawk	Minimum
Outagamie	Sanger B. Powers Correctional Center	Oneida	Minimum
	Oneida Farm	Oneida	Minimum
Racine	Robert E. Ellsworth Women's Center	Union Grove	Minimum
	Racine Correctional Institution	Sturtevant	Medium
	Racine Youthful Offender Correctional Facility	Racine	Maximum
Rusk	Flambeau Correctional Center	Hawkins	Minimum
St. Croix	St. Croix Correctional Center	New Richmond	Minimum
Sheboygan	Kettle Moraine Correctional Institution	Plymouth	Medium
Winnebago	Oshkosh Correctional Institution	Oshkosh	Medium
	Drug Abuse Correctional Center	Winnebago	Minimum
	Winnebago Correctional Center	Winnebago	Minimum
	Wisconsin Resource Center	Winnebago	Medium

## APPENDIX II

### Department of Corrections Organizational Chart



## APPENDIX III

### 1997-98 Average Daily Inmate Population Including Contracted Facilities

#### Males

Facility	1997-98 Average Daily Population
Waupun	1,217
Green Bay	925
Dodge	1,287
Columbia	752
Racine Youthful Offender	<u>8</u>
Total Maximum	4,189
Racine	1,379
Fox Lake	949
Kettle Moraine	1,223
Oshkosh	1,778
Jackson	884
Wisconsin Resource Center	<u>129</u>
Total Medium	6,342
Oakhill	514
Centers	<u>1,476</u>
Total Minimum	1,990
Federal--Duluth, Minnesota	168
Federal--Other Facilities	16
Texas Counties	631
Corrections Corporation of America--Tennessee	113
Wisconsin Counties	289
Prairie du Chien	<u>288</u>
Total Contract	1,505
Total Male	14,026

#### Females

Dodge Reception	54
Taycheedah	514
Centers	<u>189</u>
Total Institutions	757
Wisconsin Counties	<u>14</u>
Total Contract	14
Total Female	771
<b>GRAND TOTAL</b>	<b>14,797</b>

## APPENDIX IV

### Type of Offenses for Inmates Resident on July 1, 1998

#### Males

Offense	Number	Percent
Sexual Offenses*	2,775	17.1%
Burglary*	1,953	12.0
Robbery*	1,923	11.8
Assaults++	1,918	11.8
Homicide/ Murder *	1,794	11.0
Theft*	1,273	7.8
Drug Offenses--Possession with Intent to Deliver	951	5.8
Drug Offenses--Manufacturing and Delivery	800	4.9
Forgery	446	2.7
Bail Jumping/Escape	374	2.3
Kidnapping/False Imprisonment	142	0.9
Fraud/Extortion*	132	0.8
Drug Offenses--Other	122	0.7
Arson	120	0.7
Drug Offenses--Possession	116	0.7
Other	831	5.1
No data available	<u>599</u>	<u>3.7</u>
Total	16,269	100.0%

#### Females

Forgery	180	16.4%
Theft*	113	10.3
Homicide/ Murder *	109	9.9
Assaults++	102	9.3
Drug Offenses--Manufacturing and Delivery	97	8.8
Robbery*	83	7.6
Drug Offenses--Possession with Intent to Deliver	63	5.7
Burglary*	44	4.0
Prostitution/Commercial Vice	38	3.5
Fraud/Extortion*	37	3.4
Drug Offenses--Other	33	3.0
Bail Jumping/Escape	31	2.8
Sexual Offenses*	26	2.4
Drug Offenses--Possession	10	0.9
Other	69	6.3
No data available	<u>62</u>	<u>5.7</u>
Total	1,097	100.0%

\* All types or degrees of the offense.

++ Includes aggregated assaults, batteries, injuries, hit and run, endangering safety, carjacking and physical abuse of a child.

## APPENDIX V

### Type of Offenses for Inmates Admitted to Prison, 1997-98

#### Males

Offense	Number	Percent
Assaults++	983	13.5%
Sexual Offenses*	690	9.5
Theft*	684	9.4
Burglary*	682	9.4
Drug Offenses--Possession with Intent to Deliver	596	8.2
Robbery*	556	7.6
Drug Offenses--Manufacturing and Delivery	499	6.9
Homicide/ Murder *	213	2.9
Bail Jumping/Escape	199	2.7
Forgery	194	2.7
Drug Offenses--Possession	101	1.4
Drug Offenses--Other	73	1.0
Other	698	9.6
No data available	<u>1,110</u>	<u>15.3</u>
Total	7,278	100.0%

#### Females

Forgery	85	12.8%
Drug Offenses--Manufacturing and Delivery	76	11.5
Assaults++	73	11.0
Theft*	66	10.0
Prostitution/Commercial Vice	42	6.3
Drug Offenses--Possession with Intent to Deliver	39	5.9
Robbery*	35	5.3
Bail Jumping/Escape	23	3.5
Fraud/Extortion*	22	3.3
Burglary*	20	3.0
Drug Offenses--Other	16	2.4
Homicide/ Murder *	14	2.1
Drug Offenses--Possession	12	1.8
Sexual Offenses*	11	1.7
Other	44	6.6
No data available	<u>84</u>	<u>12.7</u>
Total	662	100.0%

\* All types or degrees of the offense.

++ Includes aggregated assaults, batteries, injuries, hit and run, endangering safety, carjacking and physical abuse of a child.

## APPENDIX VI

### Type of Offenses for Inmates Released from Prison, 1997-98

#### Males

Offense	Number	Percent
Drug Offenses--Possession with Intent to Deliver	644	10.8%
Burglary*	612	10.2
Assaults++	566	9.5
Drug Offenses--Manufacturing and Delivery	535	8.9
Theft*	504	8.4
Sexual Offenses*	500	8.4
Robbery*	382	6.4
Bail Jumping/Escape	161	2.7
Forgery	144	2.4
Homicide/ Murder *	112	1.9
Drug Offenses--Other	86	1.4
Drug Offenses--Possession	59	1.0
Other	569	9.5
No data available	<u>1,105</u>	<u>18.5</u>
Total	5,979	100.0%

#### Females

Forgery	67	11.8%
Theft*	64	11.2
Assaults++	50	8.8
Drug Offenses--Manufacturing and Delivery	46	8.1
Drug Offenses--Possession with Intent to Deliver	33	5.8
Drug Offenses--Other	28	4.9
Bail Jumping/Escape	24	4.2
Prostitution/Commercial Vice	23	4.0
Robbery*	18	3.2
Fraud/Extortion*	16	2.8
Burglary*	12	2.1
Homicide/ Murder *	11	1.9
Sexual Offenses*	11	1.9
Drug Offenses--Possession	5	0.9
Other	34	6.0
No data available	<u>127</u>	<u>22.3</u>
Total	569	100.0%

\* All types or degrees of the offense.

++ Includes aggregated assaults, batteries, injuries, hit and run, endangering safety, carjacking and physical abuse of a child.

## APPENDIX VII

### Correctional Facility Operational Costs, 1997-98 Fiscal Year

Facility*	Operational Costs**	Average Daily Population	Per Capita Daily Cost	Per Capita Annual Cost
Waupun	\$28,022,854	1,217	\$63.09	\$23,026
Dodge	36,237,342	1,341	74.03	27,023
Green Bay	19,395,772	925	57.45	20,968
Columbia	18,012,999	752	65.63	23,953
Taycheedah	10,818,986	514	57.67	21,049
Fox Lake	18,817,447	949	54.33	19,829
Kettle Moraine	19,600,877	1,223	43.91	16,027
Oshkosh	30,801,403	1,778	47.46	17,324
Racine	23,552,547	1,379	46.79	17,079
Jackson	18,759,429	884	58.14	21,221
Oakhill	13,004,547	514	69.32	25,301
Centers	<u>30,107,693</u>	<u>1,665</u>	<u>49.54</u>	<u>18,083</u>
Total	\$267,131,896	13,141	\$55.69	\$20,328

\* Does not include the following facilities: (a) Racine Youthful Offender Correctional Facility which was open for 21 days in 1997-98; (b) Wisconsin Resource Center which is operated by DHFS with Corrections providing security services; and (c) Prairie du Chien Correctional Facility which is operated by the Division of Juvenile Corrections under contract with the Division of Adult Institutions until July 1, 1999.

\*\* Operational costs include costs directly attributable to the facilities, the cost of depreciation, and debt service interest payments, but do not include departmental costs such as that for administration or the repayment of principle on outstanding debt.

## APPENDIX VIII

### Badger State Industries Inmate Employes and Average Inmate Hourly Wages

Institution	Industry	October, 1998 Inmate Employes	October, 1998 Average Hourly Wage
Waupun	Metal Stamping	45	\$0.82
	Signs	25	0.81
	Metal Furniture	86	0.84
	Distribution Center	8	1.22
Green Bay	Laundry	16	0.81
	Textiles	22	0.47
Fox Lake	Wood Products	80	0.84
Oakhill	Upholstering	20	1.28
Racine	Data Entry	90	0.74
Ellsworth	Data Entry	25	1.22
Taycheedah	Silkscreening	11	0.87
Oshkosh	Laundry	120	0.75
Columbia	Printing	40	0.84
Jackson	Textiles	<u>25</u>	<u>0.60</u>
TOTAL		613	\$0.82 *

\*Average wage for inmate employes in October, 1998.

**APPENDIX IX**

**Badger State Industries and  
Private Business/Prison Employment Program  
Year-End Continuing Cash Balance Since 1994-95**

Institution	Industry/Business	1994-95	1995-96	1996-97
<b>Badger State Industries</b>				
Waupun	Metal Stamping	\$7,839,997	\$8,072,267	\$9,210,861
	Signs	-564,414	-609,159	-348,212
	Metal/System Furniture	2,646,311	3,708,988	4,018,254
Green Bay	Laundry	199,958	175,787	277,602
	Textiles	-1,289,584	-1,516,606	-1,453,738
Fox Lake	Wood Products and Laminating	-7,526,884	-8,290,635	-9,039,505
Racine	Data Entry	-905,562	-952,563	-1,107,092
Ellsworth	Data Entry	-6,667	-33,965	-15,077
Taycheedah	Silk Screening	-555,517	-648,748	-801,746
Oshkosh	Laundry	285,865	362,047	590,905
Columbia	Printing	231,675	128,043	218,842
Oakhill	Upholstering	47,828	247,032	476,951
Sanger Powers Correctional Center	Yard and Recreational Equipment	-93,656	-94,105	--
Jackson	Textiles	--	--	-174,606
	Management and Support	--	--	-7,841
	Closed Industries	<u>-1,988,121</u>	<u>-\$1,988,121</u>	<u>-2,082,226</u>
	BSI Total	<u>-\$1,678,771</u>	<u>-\$1,439,738</u>	<u>-\$236,628</u>
<b>Private Business/Prison Employment Program</b>				
Green Bay	Fabry Gloves	--	-\$3,805	-\$1,010,242
Waupun	Jorgensen Conveyors	<u>--</u>	<u>-1,475</u>	<u>20,932</u>
	Private Business Total	--	-\$5,280	-\$989,310
	<b>TOTAL</b>	<b>-\$1,678,771</b>	<b>-\$1,445,018</b>	<b>-\$1,225,938</b>

APPENDIX X

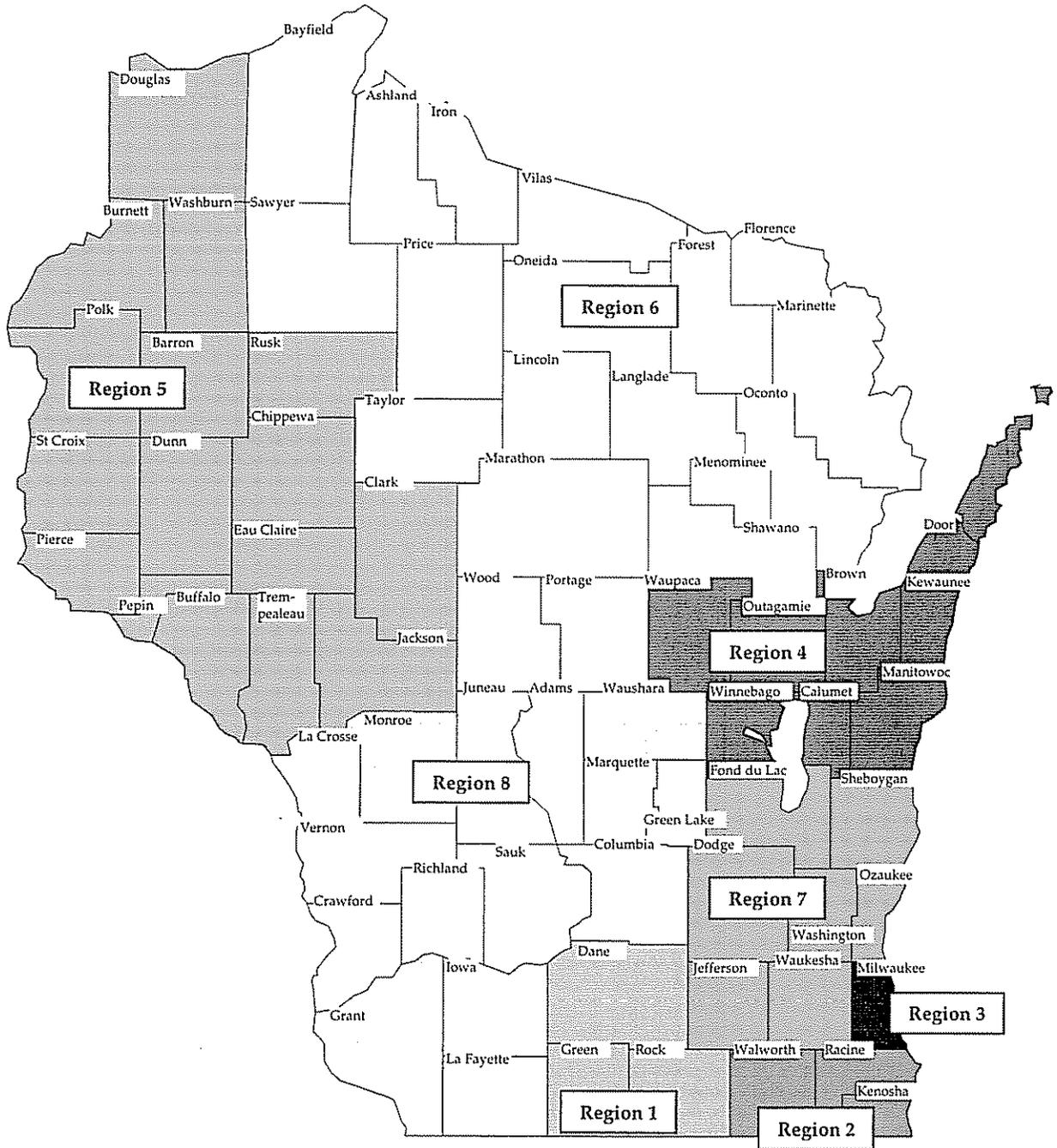
Correctional Farms  
Year-End Continuing Cash Balance Since 1995-96

Farm	1995-96	1996-97	1997-98
Central Administration*	-\$1,397,195	-\$1,640,722	-\$1,806,170
Waupun/Fox Lake	-3,558,229	-3,069,084	-1,404,045
Oregon	-427,634	-549,538	-1,178,114
Oneida	<u>—</u>	<u>—</u>	<u>-821,629</u>
Continuing Cash Balance	-\$5,383,058	-\$5,259,344	-\$5,209,958

\*Department of Corrections does not allocate central administrative costs to individual farm programs.

APPENDIX XI

Division of Community Corrections Regions



## APPENDIX XII

### Halfway House Contracts for 1998-99

Name	Location	Probation and Parole Beds		Intensive Sanctions Beds		Total Number of Beds	GPR	PR	Total Contract Amount	Daily Cost Per Bed
		Male	Female	Male	Female					
Lutheran Social Services	Appleton	14				14	\$292,601		\$292,601	\$57.26
The Mooring Program	Appleton	1				1		\$7,490	7,490	40.27
Ryan Community	Appleton	12				12	256,000		256,000	58.44
Lutheran Social Services	Eau Claire		12		4	16	98,900	176,100	275,000	47.09
Lutheran Social Services	Eau Claire	2				2	72,872		72,872	59.00
Triniteam	Eau Claire	14				14	252,300		252,300	49.38
ARC Community Services	Fond du Lac		10		2	12	278,804		278,804	63.65
Blandine House	Fond du Lac	1		1		2	14,386	8,126	22,512	42.00
Lac Courte Oreilles Tribal Govt.	Hayward	9		1		10	99,656	152,400	252,056	68.19
Lutheran Social Services	Jackson Co.	10				10	237,000		237,000	63.46
Kenosha Cty Dept Human Services	Kenosha Co	12				12	247,248		247,248	56.44
Attic Correctional Service	LaCrosse	8				8	225,530		225,530	61.79
ARC Community Services-Mother & Infant program	Madison		4		4	8	318,270		318,270	72.66
ARC Community Services-Paterson	Madison		15			15	366,279		366,279	66.90
ARC Community Services-Dayton	Madison				8	8	183,270		183,270	62.76
Attic Correctional Service-Dwight	Madison	19				19	437,946		437,946	63.15
Attic Correctional Service-Foster	Madison	15		3		18	367,362		367,362	55.92
Attic Correctional Service-Schwert	Madison	15				15	372,113		372,113	62.11
Genesis Behavioral Services-Interventions	Milwaukee	29				29	560,612		560,612	53.62
Genesis Behavioral Services-Independent Living Ctr.	Milwaukee	23				23	460,326		460,326	53.23
Horizon Inc.	Milwaukee		8		8	16	346,735		346,735	54.62
WCS-Horizon House	Milwaukee	20		9		29	596,253		596,253	54.69
WCS-Thurgood Marshall	Milwaukee	18		8		26	485,704		485,704	49.69
WCS-Wings	Milwaukee		9		4	13	2,912	297,990	300,902	63.42
WCS-Joshua Glover	Milwaukee			24		24	456,844		456,844	50.83
Lutheran Social Services	Racine Co.		8			8	219,748		219,748	75.25
Parkview Center	Rice Lake	1				1	7,680		7,680	32.00
Rock Valley Correctional Program	Rock Co.	13		19		32	614,609		614,609	52.62
Portage County Halfway House	Stevens Point	8				8	211,150		211,150	57.84
Recovery Center	Superior	2		1		3	65,800		65,800	75.63
Lutheran Social Services	Waukesha Co.	<u>11</u>	<u>---</u>	<u>1</u>	<u>---</u>	<u>12</u>	<u>246,084</u>	<u>---</u>	<u>246,084</u>	<u>56.18</u>
<b>Total</b>		<b>257</b>	<b>66</b>	<b>67</b>	<b>30</b>	<b>420</b>	<b>\$8,394,995</b>	<b>\$642,106</b>	<b>\$9,037,101</b>	<b>\$57.42</b>