

*Adult Corrections Program* #55

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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 1999-00, the Department was responsible for an average daily population of 84,186 individuals, including 19,805 incarcerated adults and 64,381 adults in the community. The Department operates 29 correctional facilities, including 13 adult prisons and 16 correctional centers. Appendix I provides a map of the locations of state correctional facilities and a subsequent listing of each facility. During 1999-00, Corrections contracted for an average of 4,962 beds per day with Wisconsin and Texas counties, private contractors in Tennessee, Minnesota and Oklahoma, at federal facilities in Wisconsin, Minnesota and West Virginia and with the juvenile correctional facility in Prairie du Chien. Finally, the Wisconsin Resource Center in the Town of Oshkosh 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.

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 #56, 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 #54, 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 1999-01 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; (9) community corrections; and (10) sex offender registration.

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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 13 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, extended supervision and parole services, the intensive sanctions program and the 16, minimum-security correctional centers; (3) Juvenile Corrections, which manages the state's juvenile correctional facilities and programs; (4) Program Planning and Movement, which coordinates offender 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 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 30,000 inmate complaints and 3,000 appeals annually) also report to the Deputy Secretary.

Appendix III shows that the total budget and number of positions for state fiscal year 2000-01 for Corrections, including all sources of funds, is \$881.9 million with 9,732 positions. Of this amount, 84.0% is financed from general purpose revenues (GPR); 15.7% 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 0.3% is financed through federal (FED) revenue sources such as federal drug abuse, educational or job assistance programs and segregated (SEG) revenue from the recycling fund for a computer recycling program.

In Appendix III, individual budgetary units (for example, individual correctional institutions) are separately identified. It should be noted that debt service costs for adult (\$55,628,700 GPR) and juvenile (\$4,124,800 GPR) correctional facilities are included under the central office costs for each division. In addition, funding budgeted for the Division of Adult Institutions under the central office also includes costs that will eventually be allocated to individual institutions: overtime (\$11,960,000 GPR) and inmate food and supplies (\$20,778,800 GPR).

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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, Green Bay or Supermax (Boscobel) Correctional Institutions. If classified as medium risk, males may be transferred to Oshkosh, Kettle Moraine, Fox Lake, Jackson County or Racine 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.) Male inmates may also be transferred to the medium-security Wisconsin Resource Center operated by DHFS. Adult females classified as maximum- or 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. Beginning in January, 2001, the minimum-security John C. Burke Correctional Center will be converted from a facility for male offenders to a facility for female offenders. 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 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 or the Joint Committee on Finance approve any contract to transfer more than 10 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. It should be noted that beginning in June, 2000, Wisconsin inmates are no longer being placed in Texas counties and beginning in December, 2000, females offenders are no longer being placed at the West Virginia facility.

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. In 1999 Act 9, however, this date was extended to July 1, 2001.

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 CCA contract was revised in December, 1999, to also allow inmates to be placed at CCA facilities in Mason, Tennessee, Appleton, Minnesota and Tutwiler, Mississippi. At the December, 1999, Joint

Committee on Finance meeting, a contract was also approved with McLoud Correctional Services to place female offender at a facility in McLoud, Oklahoma. Beginning in December, 2000, female offenders are no longer be placed at the McLoud facility.

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

Table 1 indicates the average daily prison population (ADP) by fiscal year since 1987-88. As the table shows, prison populations increased by 234% between 1987-88 and 1999-00. Prison populations include inmates in contracted facilities. Appendix IV shows the average daily population for 1999-00 by institution.

### Resident Population

Appendix V shows the most serious offenses for which inmates incarcerated in the prison system on July 1, 2000, were convicted. These inmates are termed the "resident" population. The predominant offenses by males are sexual offenses, robbery, burglary, assaults and homicide/murder. The most common by women are forgery, theft, assaults and drug offenses -- manufacturing and delivery. The average sentence length for inmates in the adult institutions on July 1, 2000, was 13.8

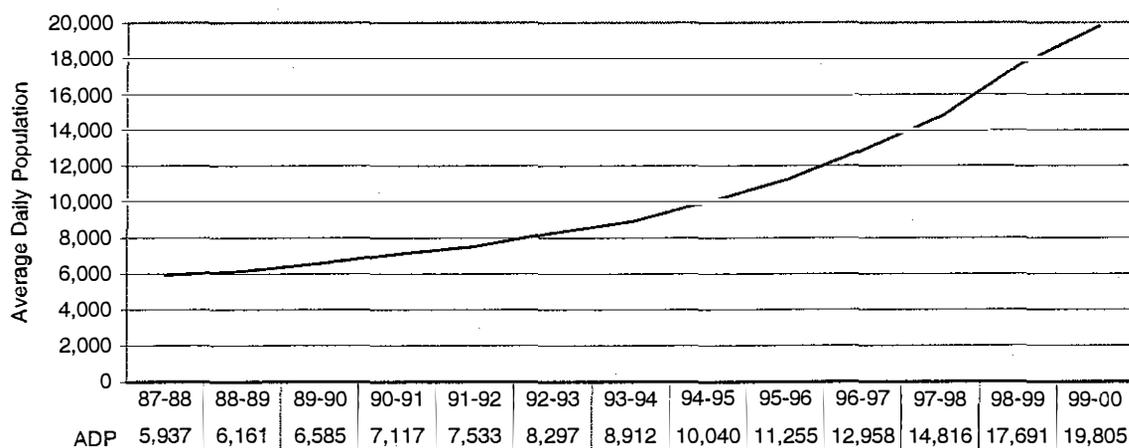
years for males and 7.6 for females, excluding life sentences and inmates for which no data was available (primarily those inmates in the prison system pending the revocation of probation or parole, or as an alternative to the revocation of probation or parole). Average sentence length does, however, include the total sentence length for approximately 250 individuals sentenced under the bifurcated sentencing structure which became effective for crimes committed on or after December 31, 1999 (commonly referred to as, "truth-in-sentencing"), Exhibit A-1 (page 7) identifies the resident inmate population by sentence length and gender and shows a cumulative percentage. Approximately 4.8% of the male inmate population for which sentencing data was available and 3.2% 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, 2000, resident population by gender. Exhibit C-1 identifies the resident population by age. The average age of male inmates on July 1, 2000, was 32.4 years; for female inmates the average age was 33.9 years. As Exhibit C-1 shows, the majority of the resident population is under 35 years old.

### Prison Admissions

Table 2 identifies average monthly admissions

Table 1: Average Daily Adult Prison Populations, 1987-88 to 1999-00



to the prison system to the assessment and evaluation center between 1991 and 2000. Over these periods, monthly admissions to state prisons have increased by 81% for males and 133% for females. However, the increases over the last two calendar years have slowed in comparison with previous years, particularly 1998. For males, the rate of increase from the previous year was 1.8% and 1.1% in 1999 and 2000 respectively, compared with a 10.8% increase from 1997 to 1998. For females, 1999 showed an 11.5% decrease in monthly admissions from the previous year and a 3.7% increase from 1999 to 2000, compared with a 38.6% increase from 1997 to 1998.

**Table 2**  
**Average Monthly Admissions**

Calendar Year	Males	Females
1991	313	24
1992	382	31
1993	437	36
1994	453	35
1995	470	39
1996	511	46
1997	498	44
1998	552	61
1999	562	54
2000	568	56

Appendix VI shows the most serious offenses for which inmates admitted to the prison system in 1999-00 were convicted. The predominant offenses committed by males were assaults, theft, burglary and sexual offenses; those by women were forgery, theft, drug offenses—manufacturing and delivery, and assaults. Appendix VI identifies a large number of admissions (1,803 males and 56 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 V and Appendix VI should be noted. Since Appendix V lists the offenses of all inmates incarcerated on July

1, 2000, it tends to emphasize offenses with longer sentences. For example, individuals convicted of homicide/murder made up 10.1% of the male inmate population on July 1, 2000, but accounted for only 1.7% of the admissions in 1999-00.

The average sentence length for males admitted to the prison system in 1999-00 was 6.9 years and for females was 4.6 years. Average sentence length includes the total sentence length for approximately 250 individuals sentenced under the bifurcated sentencing structure that became effective for crimes committed on or after December 31, 1999. Exhibit A-2 identifies inmate admissions in 1999-00 by sentence length. Of offenders admitted in 1999-00 for whom sentencing data is available, 0.5% of males and 0.6% of females were admitted with life sentences. As with Appendix VI, 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 1999-00 by gender. Exhibit C-2 identifies the age for admissions to the prison system in 1999-00 by gender. The average age at admission of a male inmate in 1999-00, was 30.7 years; for female inmates the age was 32.8 years. As Exhibit C-2 shows, the majority of male offenders admitted in 1999-00 were under 30 years old, while the majority of female offenders were under 35 years old.

Southern Wisconsin counties committed the majority of inmates to prison during 1999-00. Milwaukee, Kenosha, Racine, Rock, Waukesha and Dane counties committed 69% of male and 77% of female inmates. (During 1997-98, these counties committed 61% of male and 69% of female inmates.) According to 2000 Department of Administration data, these six counties represent 41.7% of the state's total population.

## Prison Releases

Appendix VII identifies the offenses committed by all offenders released from prison in 1999-00. The predominant offenses committed by male offenders released in 1999-00 were assaults, theft, burglary and drug offenses -- possession with intent to deliver; for female offenders, theft, forgery, assaults and drug offenses -- manufacturing and delivery. As with resident population and admissions data, there are a significant number of releases (identified in Appendix VII as "no data available") that 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 1999-00 for which sentencing information is available, the average sentence length was 5.0 years for males and 3.5 years for females. Of offenders released in 1999-00, male offenders served an average of 59.3% of their indeterminate sentence, while females served an average of 51.8%. It should be noted that, while time served in a county jail prior to sentencing may count toward total time served, the information currently available does not take this time into account. As a result, the total amount of time served may be understated. It should also be noted that, under the bifurcated sentencing structure for offenses occurring on or after December 31, 1999, offenders are required to serve 100% of the court-determined confinement time (prison) and 100% of the extended supervision time (community release).

Table 3 identifies all offenders released in 1999-00 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) direct discharge, release from prison, after serving the

entire sentence, without parole supervision; (d) alternative to revocation, the release of probation and parole offenders serving time in prison as an alternative to revocation; (e) probation and parole hold, release from a state prison after a temporary hold for an alleged probation and parole violation; (f) revocation hearing, release after a probation and parole revocation hearing; and (g) other release types, including death and court order.

In 1999-00, 33.5% of the first releases of male prisoners and 44.1% of female prisoners were to discretionary parole. This can be compared with 1997-98, when 75% of the male releases and 81% of the female releases were to discretionary parole.

Exhibit B-3 identifies the race and ethnicity for releases from the prison system in 1999-00 by gender. Exhibit C-3 identifies the age for releases from the prison system in 1999-00 by gender. The average age at release of a male inmate in 1999-00, was 31.5 years; for female inmates the age was 32.8 years. As Exhibit C-3 shows, the majority of offenders released in 1999-00 were under 35 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 3: Releases from Prison by Type of Release, 1999-00**

Release Type	Male	Percent	Female	Percent	Total	Percent
Discretionary Parole	1,359	19.3%	194	33.3%	1,553	20.4%
Mandatory Release	3,700	52.7	324	55.7	4,024	52.9
Direct Discharge	420	6.0	18	3.1	438	5.8
Alternative to Revocation	797	11.3	34	5.8	831	10.9
Probation and Parole Hold	319	4.5	0	0.0	319	4.2
Revocation Hearing	345	4.9	4	0.7	349	4.6
Other	84	1.2	8	1.4	92	1.2
Total	7,024	100.0%	582	100.0%	7,606	100.0%

EXHIBIT A Sentence Length	Exhibit A-1 July 1, 2000, Prison Population				Exhibit A-2 1999-00 Sentences for Inmates Admitted					
	Male	Cum.		Female	Cum.	Male	Cum.		Female	Cum.
		%	%				%	%		
1 year or less	32	0.2%	7	0.5%	65	1.0%	14	2.1%		
1 to 2 year	804	4.5	125	9.3	1,011	16.4	146	24.3		
2 to 3 years	1,366	11.8	175	21.6	1,113	33.4	140	45.5		
3 to 4 years	1,458	19.6	173	33.8	831	46.1	96	60.1		
4 to 5 years	1,908	29.8	209	48.6	882	59.6	90	73.7		
5 to 6 years	1,318	36.8	126	57.4	544	67.9	47	80.9		
6 to 7 years	1,065	42.5	78	62.9	373	73.6	31	85.6		
7 to 8 years	1,215	49.0	96	69.7	357	79.1	20	88.6		
8 to 9 years	654	52.5	50	73.2	190	82.0	16	91.0		
9 to 10 years	1,435	60.2	83	79.1	290	86.4	18	93.8		
10 to 15 years	2,428	73.2	131	88.3	453	93.3	26	97.7		
15 to 20 years	1,480	81.1	52	92.0	167	95.9	3	98.2		
20 to 25 years	669	84.7	29	94.0	66	96.9	4	98.8		
25 to 30 years	503	87.4	16	95.1	46	97.6	2	99.1		
31 to 34 years	131	88.1	3	95.3	7	97.7	0	99.1		
35 to 39 years	220	89.2	7	95.8	20	98.0	2	99.4		
40 to 50 years	504	91.9	10	96.5	47	98.7	0	99.4		
51 to 75 years	327	93.7	4	96.8	21	99.0	0	99.4		
76 to 100 years	140	94.4	0	96.8	19	99.3	0	99.4		
More than 100 years	149	95.2	0	96.8	14	99.5	0	99.4		
Life	894	100.0	45	100.0	31	100.0	4	100.0		
No data	820	*	37	*	1,803	*	56	*		
Total	19,520		1,456		8,350		715			

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

EXHIBIT B Race and Ethnicity	Exhibit B-1 July 1, 2000, Prison Population				Exhibit B-2 1999-00 Prison Admissions				Exhibit B-3 1999-00 Prison Releases						
	Male	% of		Female	Total	Male	% of		Female	Total	Male	% of		Female	Total
		Total	Total				Total	Total				Total	Total		
Black	9,102	46.6%	703	48.3%	4,118	49.3%	360	50.3%	3,699	52.7%	326	56.0%			
White	8,352	42.8	634	43.5	3,370	40.4	287	40.1	2,629	37.4	209	35.9			
Hispanic	1,353	6.9	64	4.4	526	6.3	38	5.3	424	6.0	20	3.4			
Native American	487	2.5	47	3.2	229	2.7	27	3.8	194	2.8	23	4.0			
Asian	124	0.6	5	0.3	54	0.6	2	0.3	27	0.4	0	0.0			
Other	10	0.1	0	0.0	3	0.0	0	0.0	2	0.0	1	0.2			
No Data	92	0.5	3	0.2	50	0.6	1	0.1	49	0.7	3	0.5			
Total	19,520	100.0%	1,456	100.0%	8,350	100.0%	715	100.0%	7,024	100.0%	582	100.0%			

EXHIBIT C Age	Exhibit C-1 July 1, 2000, Prison Population						Exhibit C-2 1999-00 Prison Admissions						Exhibit C-3 1999-00 Prison Releases								
	Male	% of		Female	Total	%	Cum.	Male	% of		Female	Total	%	Cum.	Male	% of		Female	Total	%	Cum.
		Total	Total						Total	Total						Total					
≤17	91	0.5%	0.5%	8	0.5%	0.5%	77	0.9%	0.9%	6	0.8%	0.8%	10	0.1	0.1	0	0.0	0.0			
18	294	1.5	2.0	15	1.0	1.6	251	3.0	3.9	14	2.0	2.8	68	1.0	1.1	5	0.9	0.9			
19	593	3.0	5.0	16	1.1	2.7	432	5.2	9.1	10	1.4	4.2	222	3.2	4.3	9	1.5	2.4			
20 to 24	4,298	22.0	27.0	207	14.2	16.9	2,113	25.3	34.4	100	14.0	18.2	1,740	24.8	29.0	73	12.5	14.9			
25 to 29	3,639	18.6	45.7	244	16.8	33.7	1,424	17.1	51.5	125	17.5	35.7	1,355	19.3	48.3	115	19.8	34.7			
30 to 34	3,110	15.9	61.6	300	20.6	54.3	1,281	15.3	66.8	161	22.5	58.2	1,172	16.7	65.0	147	25.3	60.0			
35 to 39	2,928	15.0	76.6	293	20.1	74.4	1,184	14.2	81.0	144	20.1	78.3	1,102	15.7	80.7	124	21.3	81.3			
40 to 45	2,466	12.6	89.2	216	14.8	89.2	985	11.8	92.8	100	14.0	92.3	805	11.5	92.2	77	13.2	94.5			
46 to 50	1,020	5.2	94.5	93	6.4	95.6	327	3.9	96.7	37	5.2	97.5	294	4.2	96.4	21	3.6	98.1			
51 to 55	555	2.8	97.3	41	2.8	98.4	141	1.7	98.4	13	1.8	99.3	123	1.8	98.1	10	1.7	99.8			
56 to 60	259	1.3	98.6	15	1.0	99.5	70	0.8	99.2	2	0.3	99.6	71	1.0	99.1	1	0.2	100.0			
61 to 65	148	0.8	99.4	7	0.5	99.9	37	0.4	99.7	3	0.4	100.0	35	0.5	99.6	0	0.0	100.0			
66 to 70	70	0.4	99.7	1	0.1	100.0	18	0.2	99.9	0	0.0	100.0	13	0.2	99.8	0	0.0	100.0			
71 to 75	25	0.1	99.9	0	0.0	100.0	6	0.1	100.0	0	0.0	100.0	6	0.1	99.9	0	0.0	100.0			
76 to 80	12	0.1	99.9	0	0.0	100.0	3	0.0	100.0	0	0.0	100.0	5	0.1	100.0	0	0.0	100.0			
81 to 85	10	0.1	100.0	0	0.0	100.0	1	0.0	100.0	0	0.0	100.0	1	0.0	100.0	0	0.0	100.0			
86 to 90	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			
91 to 95	0	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			
Total	19,520	100.0%		1,456	100.0%		8,350	100.0%		715	100.0%		7,024	100.0%		582	100.0%				

## Correctional Facility Operational Costs

Appendix VIII identifies the operational costs of adult correctional institutions and minimum-security centers during 1999-00, based on preliminary data. 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. 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 1999-00, \$2,351,000 generated from charges to inmates was used to support institutional costs.

In 1999-00, daily per capita cost at all correctional facilities (with some exclusions) was approximately \$66 (\$24,300 annually). The highest daily per capita cost occurred at the Racine Youthful Offender Correctional Facility (\$104), which houses inmates under the age of 22. The medium-security Oshkosh Correctional Institution had the lowest daily per capita prison cost (\$56). Appendix VIII does not include operational costs associated with the following facilities: (a) Supermax Correctional Institution which was not open for a full year in 1999-00; (b) the Redgranite and New Lisbon Correctional Institutions or the Milwaukee Secure Detention Facility which were not open in 1999-00; (d) the Wisconsin Resource Center operated by DHFS with Corrections providing security services; and (e) 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, 2001.

## Corrections Building Program

On January 1, 2001, Corrections had nine active construction projects that will increase prison capacity by 2,603 beds when completed. These projects include an additional 741 beds authorized during the 1999-01 biennium and 1,862 beds previously approved for the Milwaukee Secure Detention Facility and the Redgranite and New Lisbon Correctional Institutions in the 1997-99 biennium. Table 4 identifies these projects and the status of each facility is summarized below. It should be noted that the Milwaukee Facility will be a 1,048-bed institution. However, 838 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 838 beds when measuring increased capacity. Likewise the 152-bed Sturtevant

*Table 4*  
**Correctional Construction Projects, 1999-01**

Project	New Beds*	Budgeted Construction Costs (In Millions)
Milwaukee Secure Detention Facility**	210	\$69.75
Redgranite	750	52.90
New Lisbon	750	48.25
Highview	300	7.29
Taycheedah	189	18.33
Winnebago Inmate Workhouse	152	5.04
Ellsworth Correctional Center	100	4.30
Sturtevant Probation and Parole Hold Facility ***	---	12.35
Sturtevant Inmate Workhouse	<u>152</u>	<u>3.20</u>
Total	2,603	\$221.41

\* Segregation and medical beds not included.

\*\* In addition, 800 beds for probation and parole holds and 38 beds for a transportation unit will be constructed. These beds are not included.

\*\*\* The 150 probation and parole hold beds at the Sturtevant facility are not included.

probation and parole hold facility is not included in capacity. Similarly, segregation and medical beds, which are 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).

### **Milwaukee Secure Detention 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. On June 24, 1999, the Building Commission approved an additional \$19.95 million in general fund supported borrowing for construction of another 448 beds at the facility (38 beds for a transportation unit and an additional 400 probation and parole hold beds. Total project costs for the 1,048 bed facility are \$69.75 million. The facility is scheduled to open in August, 2001.

### **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. Costs of

the project were increased on November 17, 1998, by \$300,000 for an environmental impact statement and by \$1.6 million in general fund-supported borrowing on May 2, 2000, for a full service production kitchen. Total project costs for the 750-bed institution are \$52.9 million. The facility is opening in January, 2001.

### **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. Costs of the project were increased on November 17, 1998, by \$303,600 for an environmental impact statement and by \$20.0 million (\$15.0 million in general fund-supported borrowing and \$5.0 million in federal funds) on November 11, 1999, for an additional 375-bed expansion. Total project costs for the 750-bed institution are \$48.25 million. The facility is estimated to be complete by April, 2002.

### **Highview Geriatric Facility**

On August 8, 2000, the Building Commission approved the transfer of Highview Hall at the Department of Health and Family Service's Northern Wisconsin Center to the Department of Corrections. The Commission also approved \$7,294,000 in general fund-supported borrowing for the remodeling and conversion of Highview to a 300-bed medium-security geriatric prison. The project will include security enhancements, a control center, indoor and outdoor recreation areas, remodeling of living spaces, a health services unit, a visiting room and upgrades to plumbing, sprinkler and electrical systems. The Facility is estimated to be complete by May, 2002.

### **Taycheedah Correctional Institution**

On November 11, 1999, the Building Commission approved \$17,285,000 (\$14,585,000 in general fund-supported borrowing and \$2,700,000

in federal funds) for the construction of a 125-bed maximum-security housing unit and a 64-bed segregation/64-bed special management unit at the Taycheedah Correctional Institution for female offenders. The special management unit is designed for inmates with mental illness. On August 8, 2000, the cost of the project was increased by \$1,041,300 in general fund supported borrowing to allow for design changes to the special management unit. Total project costs for the two units is \$18,326,300. The new units are estimated to be complete by January, 2002.

#### **Winnebago Correctional Center Inmate Workhouse**

On September 13, 2000, the Building Commission approved \$5,036,600 in general fund-supported borrowing for the construction of a 152-bed inmate workhouse and an expansion of the kitchen and dining space at the Winnebago Correctional Center. The workhouse is designed to provide housing for inmates participating in the work release program. The housing unit will consist of 38 four-bed sleeping units, toilet and shower facilities, recreation areas, classrooms, interview rooms, health services, office space, maintenance and storage areas. In addition, the project will expand the kitchen and dining areas at the Winnebago Correctional Center to accommodate the additional inmates. The workhouse is estimated to be complete by February, 2002.

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

On June 28, 2000, the Building Commission approved \$4.3 million in general fund-supported borrowing for the renovation and construction of 100 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 and create a stand-alone food production kitchen. Renovation includes extending the fire alarm system, improving the lighting, upgrading and remodeling the toilet areas, installing

windows in the doors, adding an officers station and security cameras and additional dining space. The housing unit portion of the project was completed in December, 2000; the production kitchen is scheduled to be completed in May, 2001.

#### **Sturtevant Probation and Parole Hold Facility**

On December 20, 2000, the Building Commission approved \$12,345,500 in general fund-supported borrowing for the construction of a 150-bed probation and parole hold (P&P) facility in Sturtevant, adjacent to the Racine Correctional Institution. The project will be built concurrently with and attached to the Sturtevant inmate workhouse (described below), and will share food service, maintenance and support areas. The P&P hold facility will contain two 75-bed housing units. Each of the units will have televisiting, attorney interview rooms and common areas. Food service will be provided from a kitchen at the facility, staffed by inmates from workhouse and placed on trays for offenders in the P&P facility. The facility will also have administrative and support areas, and the central control center.

#### **Sturtevant Inmate Workhouse**

On December 20, 2000, the Building Commission approved \$3,199,000 in general fund-supported borrowing for the construction of a 152-bed inmate workhouse in Sturtevant. The workhouse, attached to the Sturtevant P&P Hold Facility, would consist of thirty-eight four-bed sleeping rooms, with a central toilet/shower facility. The workhouse will also have recreation areas, classrooms, laundry, office space, maintenance, electrical and mechanical area, canteen and storage.

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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, 2001, 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. Further, since the Supermax Correctional Facility at Boscobel is utilized for offenders on an as-needed basis with a maximum capacity of 500 beds, the capacity at Supermax is equal to the number of inmates at the facility. 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 5, 2001, of 11,436 inmates in state facilities and 5,302 inmates at contracted facilities, for a total operating capacity of 16,738.

On January 5, 2001, the prison system housed 20,536 inmates and was at 123% of Corrections' defined capacity. Excluding contracted facilities, state facilities were at 133% 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 5 identifies Corrections operating capacity and prison population by facility as of January 5, 2001. Using the Department's definition of capacity, when all currently authorized construction projects are completed (those identified in Table 4), operating capacity in the state facilities will increase from 11,436 to 14,039.

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### Contracts for Housing State Inmates

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The Department of Corrections may contract for prison or jail bed space, in order to house state inmates. In 1999-00, Corrections expended \$91,303,700 GPR for housing state inmates in contracted facilities; in 2000-01, \$108,236,000 GPR is budgeted for contracts. Table 6 identifies the expenditures and the average number of beds purchased through out-of-state and in-state contracts in 1999-00 and the budgeted expenditures and number of beds for 2000-01. It should be noted that in 2000-01, Corrections has: (a) as of January, 2001, \$5,526,400 in unallotted reserve for contract beds; and (b) not specifically allocated funding to contracts with individual Wisconsin counties.

Table 5

**Corrections Operating Capacity and Prison Population, January 5, 2001**

	Operating Capacity	Prison Population
<b>Male</b>		
Waupun	882	1,226
Green Bay	749	1,035
Dodge	1,165	1,301
Columbia	541	828
SuperMax	<u>320</u>	<u>320</u>
Total Maximum	3,657	4,710
Racine	1,021	1,437
Fox Lake	691	1,124
Kettle Moraine	783	1,201
Oshkosh	1,494	1,903
Jackson	837	992
Racine Youthful Offender	400	396
Wisconsin Resource Center	<u>193</u>	<u>193</u>
Total Medium	5,419	7,246
Oakhill	300	563
Fox Lake	288	264
Centers	<u>950</u>	<u>1,252</u>
Total Minimum	1,538	2,079
Federal--Duluth, Minnesota	298	298
Federal--Other Facilities	28	28
Corrections Corporation of America--Tennessee	1,892	1,892
Corrections Corporation of America--Oklahoma	1,453	1,453
Corrections Corporation of America--Minnesota	687	687
Corrections Corporation of America--Mississippi	327	327
Wisconsin Counties	176	176
Prairie du Chien	<u>302</u>	<u>302</u>
Total Contract	5,163	5,163
<b>Total Male</b>	<b>15,777</b>	<b>19,198</b>
<b>Female</b>		
Dodge Reception	30	81
Taycheedah	464	645
Centers	<u>328</u>	<u>473</u>
Total Facilities	822	1,199
Wisconsin Counties	139	139
<b>Total Female</b>	<b>961</b>	<b>1,338</b>
<b>Grand Total</b>	<b>16,738</b>	<b>20,536</b>

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 10 or more inmates to any one state or any one political subdivision of another state. Beginning in 1996, Corrections 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. The CCA contract was revised in 1999, to include CCA facilities in Minnesota and Mississippi. Also in 1999, Corrections began contracting with McCloud Correctional Services in McCloud, Oklahoma, for beds for female inmates. In 2000, Corrections ceased utilizing Texas counties, the federal facility in West Virginia, and the McCloud, Oklahoma facility. In total, Corrections currently has the authority to place 5,157 inmates in out-of-state facilities.

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

**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 females inmates at a federal facility in Alderson, West Virginia. In December, 1998, authorization was given to place an additional 100 inmates in

Table 6: Prison Bed Contracts

Contract	1999-00		2000-01	
	Expended	Average Number of Beds	Budgeted	Average Number of Beds
<b>Corrections Corporation of America</b>				
Tennessee	\$25,014,200	1,628	\$29,372,500	1,869
Oklahoma	20,595,200	1,343	21,965,400	1,440
Minnesota	4,352,200	283	10,026,300	638
Mississippi	372,300	25	6,286,400	400
<b>McCloud Correctional Services</b>				
McCloud, Oklahoma (Females)	\$1,172,500	66	\$1,164,700	79
<b>Federal Bureau of Prisons</b>				
Duluth, Minnesota	\$5,092,900	338	\$6,570,000	354
Oxford, Wisconsin	420,700	18	821,300	50
Alderson, West Virginia (Females)	3,209,600	168	2,118,600	100
<b>Texas Counties</b>	<u>\$7,268,500</u>	<u>505</u>	<u>\$0</u>	<u>0</u>
Total Out-of-State	\$67,498,100	4,374	\$78,325,200	4,930
<b>Wisconsin Local Governments</b>				
Wisconsin Counties*	---	---	\$6,657,600	304
Jefferson County	\$626,300	26	---	---
Manitowoc County	647,400	29	---	---
Rock County	236,200	11	---	---
Outagamie Co. (Males & Females)	3,656,000	166	---	---
St. Croix County (Females)	87,800	4	---	---
Oneida County (Females)	348,000	15	---	---
Vilas County (Females)	563,200	26	---	---
Milwaukee County	8,785,300	454	8,495,300	425
Temporary Lockups	480,500	22	1,752,000	80
<b>Division of Juvenile Corrections (DJC)</b>				
Prairie du Chien	\$8,007,500	297	\$7,479,500	300
Adult Convictions in DJC	<u>367,400</u>	<u>7</u>	---	---
Total In-State	\$23,805,600	1,057	\$24,384,400	1,109
Unallocated	<u>\$0</u>	<u>0</u>	<u>\$5,526,400</u>	---
<b>Total</b>	<b>\$91,303,700</b>	<b>5,431</b>	<b>\$108,236,000</b>	<b>6,039</b>

\*Funding for Wisconsin county jail contracts in 2000-01 (other than Milwaukee County) is budgeted generally rather than to specific counties.

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 \$42.38 at the Minnesota facility and \$60.77 at the Wisconsin facility.

*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:

Duluth and 20 in Oxford. In December, 2000, Corrections ceased utilizing the Alderson, West Virginia, facility. In addition to inmates in Duluth and Oxford, Corrections also has approximately 25 inmates placed in various other federal facilities, primarily for security reasons. The contract with

- 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 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. In December, 1999, additional CCA facilities in Mason, Tennessee, Tallahatchie, Mississippi, and Appleton, Minnesota were included in the contract. The contract between Corrections and CCA is divided into six sections (articles) with an introductory clause.

*Contract Introduction.* The purpose of the contract is stated: to provide housing and care for Wisconsin inmates. The current contract was approved by the Joint Committee on Finance in December, 1999, and revised in December, 2000.

*Article 1 -- Definitions.* This article defines the terms of the contract. The terms include: (a) American Correctional Association (ACA); (b) ACA standards; (c) contract administrator; (d) facilities; (e) inmate; (f) manday; (g) service commencement date; (h) state; (i) unforeseen circumstances; and (j) serious medical condition.

The facilities identified are: (a) Hardeman Correctional Facility and the Whiteville Correctional Facility in Whiteville, Tennessee (approximately 45 miles east of Memphis); (b) the Tallahatchie Correctional Facility in Tutwiler, Mississippi (approximately 75 miles south southwest of Memphis); (c) West Tennessee Detention Facility in Mason, Tennessee (approximately 30 northeast of Memphis); (d) North Fork Correctional Facility in Sayre, Oklahoma (120 miles west of Oklahoma City); and (e) the Prairie Correctional Facility in Appleton, Minnesota (120 miles west northwest of Minneapolis).

*Article 2 -- Term of the Contract.* 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. 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. The original contract became effective December 23, 1999, and was extended for one year, to December 21, 2001, as authorized by the Joint Committee on Finance at its December, 2000, s. 13.10 meeting.

In article 6.3 of the contract, it is reiterated that the contract may not be altered except by mutual consent of all appropriate parties. Even if Corrections and CCA mutually agree, however, statutes require that the Joint Committee on Finance approve any modification of the terms of the contract at a s. 13.10 meeting. This approval includes not only substantive changes, but also the correction of typographical errors or other minor modifications.

*Article 3 -- Inmates.* Under the CCA contract, as amended in December, 2000, the company will house up to 4,833 male inmates from Wisconsin in its six facilities identified in Article 1 at a rate of \$44 per day per inmate. The contract further states that the Department will not transfer inmates to the facilities who have a serious medical condition. The December, 2000, amendment to the contract specifies that CCA may not transfer any inmates to a facility not listed without the prior approval of the Joint Committee on Finance through a modification of the contract.

*Article 4 -- Employees.* 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.

*Article 5 -- Contract Compliance.* Article 5 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 exercise any of the following remedies: (a) seek actual damages and any other remedy available at law or equity; and/or (b) partially withhold the Department's performance 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.

*Article 6 -- Miscellaneous.* 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' August 6, 1999, request for proposals (RFP), CCA's September 2, 1999, response and all written exchanges between CCA and Corrections; (f) force majeure (acts of God); (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 circuit court; CCA waives the 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).

The contract specifies that any disputes between the parties as to the meaning of the agreement between the parties shall be resolved by referring first to the contract and then to other documents in the following order: (a) the RFP; (b) CCA's response to the RFP; and (c) other written agreements.

Article 6.4 of the contract indicates that the request for proposal Corrections used to procure correctional contract beds (#C-519) is considered part of the contract. The RFP contains the following sections: (a) sections 1 and 2 provide general information regarding the proposal and how to prepare and submit a proposal; (b) section 3 identifies the evaluation, selection and award process, and includes sections on the termination of the contract and liquidated damages; (c) section 4 identifies the requirements of proposals including video conferencing and inmate phone services; (d) section 5 identifies technical requirements of the proposal;

(e) section 6 indicates the requirements associated with the cost proposal; and (f) the attachments to the RFP provide detailed information regarding Corrections' policies and procedures with which bidders are expected to comply.

The RFP contains the following major provisions:

a. If CCA commits a breach of the contract, Corrections will be able to collect damages (liquidated damages) on a per day basis, based on a formula which assesses the relative severity of the breach. These amounts will be withheld from Corrections' payment to the contractor if the contractor does not rectify the cause of the breach. The liquidated damages are in addition to any amounts the contractor may owe Corrections as part of the agreement.

b. If inmate property is damaged during transportation, the contractor is required to compensate the inmate based on Corrections' standard repayments.

c. Minimum technical standards are established for video conferencing and visiting. These standards are intended to provide a uniform format for video communications between Corrections and CCA.

d. Inmate telephone services at contracted facilities are specified to require collect calls billed to third parties at a rate no greater than those paid by called parties accepting intra-LATA calls originating from Wisconsin prisons. The RFP indicates that the maximum charges are a call set-up fee of \$3 and a per minute rate of \$0.35.

e. Inmates classified as minimum security may be held and placed in contracted facilities.

f. CCA is required to provide residential alcohol and other drug abuse treatment for inmates. Residential programs are intensive programs targeted to offenders with specific educational, medical or mental health needs.

g. With regard to medical records, the RFP requires contractors to keep such records confidential as required under Wisconsin law. Further, the RFP specifies that: (1) inmates may request release of medical records as under Wisconsin law; (2) inmates will sign a confidential release of information form; (3) inmates do not need to sign a release form if going to a medical provider as directed by the contractor's health care staff; and (4) inmates who review their medical records will do so in the presence of the proper health care staff.

h. Inmates in contracted facilities are required to pay a medical co-pay, as are inmates held in Wisconsin facilities. Under current law, Corrections is required to collect not less than \$2.50 for each inmate-requested medical, dental or nursing service received. The RFP indicates that the co-pay will be credited to Corrections, less the CCA's administrative costs.

i. CCA may seek reimbursement only for hospital charges (not separate physician or other provider charges) for 60% of costs over \$60,000. It also specifies that the costs of transplants are included. However, transplant claims are reimbursed only at the Medicaid rate in the state where the service was provided. Inmates considered for transplants must be approved by Corrections and the Department may return such an inmate.

j. CCA is required to provide a "summary of inmate custody status, grievances filed/processed, disciplinary actions, urinalysis results, vocational/academic activities, inmate treatment involvement, etc. The number of PRC's [program review committee evaluations] completed during the quarter is also required to be reported. In addition, the report shall contain information regarding overall institution climate, and any serious and unusual incidents..." CCA is also required to immediately verbally report any serious and unusual incidents to Corrections.

k. Inmates in contracted facilities are

required to receive the same compensation as inmates in state correctional facilities. Wisconsin institutions pay inmates from \$0.08 per hour to \$0.47 per hour depending on the work or program assignment and experience.

l. CCA is required to keep proper and complete books, records and accounts, and allow for inspection by Corrections, including video tapes of all use of force incidents. CCA is required to provide a copy of that tape to Corrections.

m. CCA may use deadly force but only in accordance with federal law and consistent with Wisconsin Department of Corrections policy.

n. CCA is required to provide adequate, confidential facilities for attorney/client visits and/or telephone conferences.

o. CCA may not assign any interest in the agreement to any other party without the approval of Corrections and no part of the contract or any services associated with the contract may be subcontracted without the approval of Corrections.

p. CCA is required to conduct routine, random drug testing on a minimum of 5% of the inmate population each month.

### **Contract Supervision and Monitoring**

In order to supervise and monitor the prison contracts, Corrections has a 15-person contract monitoring unit within the Division of Adult Institutions. These positions includes 1.0 contract administrator, 6.0 contract monitors, 1.0 records office supervisor, 5.0 offender records specialists, 1.0 financial specialist and 1.0 program assistant. 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 three other positions in the Bureau of Health Services (1.0 contract health services supervisor and 2.0 nurse consult-

ants) dedicated to monitoring health care services at contracted facilities. In 1999-00, expenditures associated with the contract monitoring unit were \$1,152,900 GPR; in 2000-01, \$1,098,500 GPR is budgeted.

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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 the Supermaximum, Dodge and Kettle Moraine Correctional Institutions. The Department 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 2000-01, the Badger State Industries program has an authorized budget of \$21,853,900 and 89.0 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, data entry, silkscreening, metal stamping (license plates and signs) and a distribution center. As of November, 2000, Badger State Industries had 519 inmate positions in the various programs. Wages paid to inmates ranged from 20¢ to \$1.60 per hour. In 2000-01, \$930,300 is budgeted for inmate wages. Based on the November, 2000, payroll report, the average wage per hour for inmates is 77¢. Appendix IX 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 7 provides a summary of the financial position of Industries since 1985-86. 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 7 excludes the private business/prison employment program. Appendix X provides a cash balance summary by individual industry for the last three fiscal years for which information by industry is available.

*Table 7*

**Badger State Industries Financial Status Since 1985-86**

Fiscal Year	Opening Cash Balance	Profit Or Loss	Closing Cash Balance
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	1,203,111	-236,628
1997-98*	-236,628	700,686	464,058
1998-99*	464,058	104,236	568,294
1999-00*	568,294	1,025,994	1,594,288

\* Balance modified to reflect BSI only.

**Private Business/Prison Employment Program**

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.

In 1999 Act 9, the private business/prison employment program was modified to require that any contract or amendment to a contract specify each state prison or juvenile correctional institution at which the private business/prison employment program will operate. Further, Act 9 specified that a private employer may not employ inmates or institution residents under a prison contract if any of the following applies: (a) the inmates or institution residents are to be employed in a skill, craft or trade in which there is a surplus of available labor in the locality of the private employer; (b) the employment of the inmates or institution residents will impair the performance of other contracts to which the private employer is a party; or (c) the inmates or institution residents will replace employees who are on strike against the private employer or locked out of work. A private employer participating in the program is required to post in all of its workplaces a notice provided by Corrections containing a description of the nature of the prison contract and an explanation of what it means for an employee of a private employer to be displaced and identifying a person at Corrections whom an employee of a private employer may contact if the employee believes that he or she may have been displaced by a prison contract. The statutes define "displace an employee" as "to lay off an employee in this state as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract or to permanently transfer an employee in this state to another job that reduces the employee's base pay, excluding overtime, differentials and bonuses, by more than 25% as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract."

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 November, 2000, this project employed 16 inmates in glove and mitten fabrication at the Green Bay Correctional Institution at an average hourly wage of \$6.77 and 23 inmates at the Jackson Correctional Institution at an average hourly wage of \$6.41. The second project is with Jorgensen Conveyors of Mequon, at the Waupun Correctional Institution, providing welding services for the company. The Jorgensen project has been suspended because of a lack of work for inmates. 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 8 provides a summary of the financial position of the private business/prison employment program 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 X identifies the cash balance for each of these projects.

*Table 8*  
**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	-290,747	-1,280,057
1998-99	-1,280,057	-413,407	-1,693,464
1999-00	-1,693,464	83,701	-1,609,763

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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 an average hourly wage of 88¢ (between 20¢ and \$1.60 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 December, 2000, 93 inmate positions were available in the farm system. The farming operations include a creamery, crops, beef and swine production. Farm products are used within the prison system and sold as surplus on the open market. In 2000-01, a total of \$871,700 GPR with 16.0 GPR security-related positions and \$3,374,200 PR with 8.0 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. The correctional farms operations have resulted in cash losses in six of the last fifteen years; however, the farms have shown a profit in the last seven years. Negative cash balances must, by statute, be offset by the value of farm assets. Table 9 shows the Correctional Farm System's continuing cash balance since 1985-86. Appendix XI provides a more detailed summary of each of the correctional farms.

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## Community Corrections

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The Division of Community Corrections provides community supervision for offenders on probation, parole and extended supervision, and

*Table 9*  
**Correctional Farms Financial Status Since 1985-86**

Fiscal Year	Operating Cash Balance	Profit or Loss	Closing Cash Balance
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
1998-99	-5,209,958	229,757	-4,980,201
1999-00	-4,980,201	107,622	-4,872,579

those placed in the intensive sanctions program. The Division also oversees the minimum security correctional centers. Appendix XII identifies the eight community corrections regions in the state. At the end of 2000-01, there will be a total of 1,245 budgeted agent positions for probation and parole, intensive sanctions, the enhanced probation and parole program, and the absconder-unit. The intensive sanctions and probation and parole programs are addressed in the following sections.

### Probation, Parole and Extended Supervision

The probation, parole and extended supervision program supervises offenders in the community who are completing a sentence of imprisonment by being placed on parole, who have been placed on probation by the Court or those serving the extended supervision portion of a bifurcated sentence. After being placed on probation, released on parole or while serving an extended supervision sentence, the person is placed under the supervision of a community corrections agent. Table 10 shows adult probation

*Table 10*  
**Individuals Under Parole and Probation Supervision**

Fiscal Year	Average Daily Population	Percent Change
1990-91	35,143	
1991-92	41,952	19.4%
1992-93	45,890	9.4
1993-94	49,190	7.2
1994-95	52,078	5.9
1995-96	53,262	2.3
1996-97	63,403	19.0
1997-98	65,769	3.7
1998-99	64,287	-2.3
1999-00	63,997	-0.5

and parole populations since 1990-91. 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). In 1999-00, the average daily population consisted of 55,046 probationers and 8,951 parolees. There were no extended supervision cases in 1999-00. The number of persons on extended supervision will increase as those sentenced to prison for felonies committed after December 30, 1999, complete the prison portion of their sentences.

At the end of 2000-01, the Department will have 1,178 agents for probation, parole and extended

supervision. Based on estimated endpoint, populations for 2000-01 (63,210 probationers and parolees), each agent has a caseload of approximately 54 offenders. In addition, Corrections operates an enhanced probation and parole program in Racine and Dane Counties (with a population of 800 offenders). The program currently has 64 positions (47 agent positions) associated with the program. Further, Corrections operates a probation and parole absconder unit for Milwaukee County staffed 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 six levels of supervision based on the results. The minimum face-to-face contacts established by the Division of Community Corrections are identified in Table 11. In addition to the minimum supervision levels, high-risk sex offender supervision (a supervision level created on January 2, 2001) requires two collateral contacts every 30 days with individuals such as treatment professionals, spouse/significant others, law enforcement and neighbors. It should be noted that

*Table 11: Community Corrections Supervision Requirements*

Supervision Level	Minimum Requirements
High Risk-Sex Offender	One client face-to-face contact per week; one home visit per month.
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.

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, 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 ranges from \$10 or \$45 depending on an offender's income and supervision 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 2000-01, \$488,400 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. Monthly monitoring fees range from \$20 to \$30.

Under 1997 Act 283 (the "truth-in-sentencing" legislation), parole was 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 may 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 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. 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 #54, entitled "Felony Sentencing and Probation in Wisconsin."

### **Intensive Sanctions**

The Department of Corrections administers the intensive sanctions program. The program is designed to provide: (a) punishment that is less costly than ordinary imprisonment and more restrictive than ordinary probation or parole supervision or extended supervision; (b) component phases that are intensive and highly structured; and (c) a series of component phases for each participant that is based on public safety considerations and a participant's needs for punishment and treatment. The component phases are required to include one or more of the following sanctions: (a) confinement; (b) intensive or other field supervision; (c) electronic monitoring; (d) community service; (e) restitution; and (f) other programs as prescribed by the Department.

A person may be sentenced by the court to the intensive sanctions program for a felony offense occurring between August 15, 1991, and December 30, 1999. A person not sentenced under a bifurcated sentence may, however, also enter the intensive sanctions program if: (a) the person is a prisoner serving a felony sentence not punishable by life imprisonment and the Department of Corrections directs the person to participate in the program; or (b) the Parole Commission grants the person parole and requires the person to participate in the program as a condition of parole. Further, a person may be placed in the program if the Department and the person agree to his or her participation in the program as an alternative to revocation of probation, extended supervision or parole. Finally, a

person sentenced for a felony occurring on or after December 31, 1999: (a) may not be sentenced to the program; (b) is not eligible for the program while serving the confinement portion of a bifurcated sentence; and (c) may be placed in the program as a condition of extended supervision.

In September, 1997, the Department of Corrections administratively discontinued the use of the intensive sanctions program. As a result, the Department no longer administratively transfers offenders to intensive sanctions or uses the program as an alternative to the revocation of probation or parole. In addition, offenders are no longer paroled to the program.

Judges may, however, continue to sentence persons to the intensive sanctions program for felony offenses committed prior to December 31, 1999. Between September, 1997, and December 31, 1999, 192 offenders were sentenced to intensive sanctions. The number of offenders in the program has decreased from a high of 1,628 offenders in the community on September 5, 1997, to 44 on January 1, 2001. At the end of 2000-01, the Department will have 12.0 GPR positions providing intensive sanctions supervision (1.0 correctional supervisor and 11.0 correctional officers).

### **Halfway Houses**

In 2000-01, the Division of Community Corrections contracted for 452 halfway house beds throughout the state (341 for males and 111 for females). 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 2000-01, the Department allocated \$9,011,000 GPR and \$614,800 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 \$59.

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

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## **Sex Offender Registration**

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Under current law, Corrections is required to maintain a sex offender registry. The registry contains information relating to persons who have been found to have committed a sex offense and persons who have been found to have committed another offense with a sexual motivation. The information in the registry is generally confidential. Information may be disclosed, however, under specified circumstances to law enforcement agencies, victims, certain entities in a community in which a sex offender is living, attending school or working and the general public.

For 2000-01, Corrections has \$706,600 GPR and 15.0 GPR positions (10.0 sex offender registration specialists, 1.0 program assistant supervisor, 3.0 program assistants and 1.0 information systems web designer) budgeted for the sex offender registration program. As of June, 2000 (the latest date for which information was available), the sex offender registry contained 11,475 records. Of this number, 3,759 offenders were in correctional institutions, 4,196 offenders were in the community under supervision and 3,520 individuals were required to register but released from supervision.

### **Registration Requirements**

A "sex offense" as a violation, or the solicitation, conspiracy or attempt to commit a violation, of any of the following: (a) sexual contact with a patient or client by a therapist; (b) first-, second- or third-degree sexual assault; (c) incest; (d) sexual assault

of a child (a person under 16 years of age); (e) repeated acts of sexual assault of a child; (f) sexual exploitation of a child; (g) causing a child to view or listen to sexual activity; (h) incest with a child; (i) child enticement; (j) soliciting a child for prostitution; (k) sexual assault of a student by a school instructional staff person; (l) selling, renting, exhibiting, transferring or loaning to a child any harmful material or verbally communicating, by any means, a harmful description or narrative account to a child; (m) possession of child pornography; (n) working or volunteering with children as a child sex offender; (o) abduction of another's child; and (p) false imprisonment or kidnapping, if the victim was a minor and the person is not the minor's parent.

A person must register as a sex offender if the person meets any of the following conditions: (a) is convicted of or adjudicated delinquent on or after December 25, 1993 (the date on which the provision became effective), for a sex offense; (b) is in prison, a secured juvenile correctional facility, a secured child caring institution or a secured group home or is on probation, extended supervision, parole, supervision or aftercare supervision on or after December 25, 1993, for a sex offense or for a violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law of this state that is comparable to a sex offense; (c) is found not guilty or not responsible by reason of mental disease or defect on or after December 25, 1993, and committed under an involuntary mental health commitment or as a consequence of being found not guilty or not responsible by reason of mental disease or defect for a sex offense; (d) is in institutional care or on conditional transfer from a mental health facility or conditional release from a commitment resulting from a finding of not guilty or not responsible by reason of mental disease or defect on or after December 25, 1993, for a sex offense or for a violation that is comparable to a sex offense; (e) is on parole, extended supervision or probation in this state from another state on or after December 25, 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a

violation of a law of this state that is comparable to a sex offense; (f) is a juvenile in this state on or after May 9, 2000, and is on supervision from another state pursuant to the interstate compact on the placement of juveniles for a violation of a sex offense; (g) is placed on lifetime supervision on or after June 26, 1998; (h) is in institutional care under, or on parole from, a commitment for specialized treatment as a sex offender on or after December 25, 1993; (i) is in institutional care or on conditional release as a sexually violent person on or after June 2, 1994; (j) is required to register based on a finding that he or she was in need of protection or services for having committed a sex offense and is ordered to continue complying with registration requirements; (k) is registered as a sex offender in another state or with the FBI and is a resident of this state, a student in this state or employed or carrying on a vocation in this state on or after December 1, 2000; and (l) has committed a sex offense in another jurisdiction and, on or after December 1, 2000, is a resident of this state, a student in this state or employed or carrying on a vocation in this state. This provision does not, however, apply if 10 years have passed since the date on which the person was released from prison or placed on parole, probation, extended supervision or other supervised release for the sex offense.

A court may also order persons who are convicted of certain offenses, other than the sex offenses listed above, to register as sex offenders if the court determines that the underlying conduct was sexually motivated (one of the purposes for the act was for the person's sexual arousal or gratification) and that requiring the person to register would be in the interest of public protection. This provision applies to convictions for the following offenses: (a) crimes against life and bodily security; (b) crimes against sexual morality; (c) crimes against children; and (d) criminal damage to property or criminal trespass. Similarly, a court may order a person who has been adjudged delinquent, committed or found not guilty by reason of mental disease or defect for an

offense to register as a sex offender.

Under specific circumstances a court may exempt a person from sex offender registration requirements. Specifically, the court may exempt a person who meets all of the following conditions: (a) the person meets the criteria for registration based on a violation, or on the solicitation, conspiracy or attempt to commit a violation, of sexual assault of a child or repeated acts of sexual assault of a child or of a comparable law of another state; (b) the violation did not involve sexual intercourse either by the use or threat of force or violence or with a victim under the age of 12 years; (c) at the time of the violation, the person had not attained age 19 and was not more than four years older nor more than four years younger than the victim; and (d) it is not necessary, in the interest of public protection, to require the person to register as a sex offender. The court must hold a hearing on a motion for an exemption. At the hearing, the person requesting the exemption must prove by clear and convincing evidence that he or she has satisfied the required criteria for exemption. In addition, the court must allow the victim of the crime to make a statement at the hearing or to submit a written statement to the court. The statutes also specify procedures at the hearing and criteria that the court may consider in making its decision.

### **Registry Information**

The sex offender registry maintained by Corrections must contain the following information for each person:

- (a) the person's name, including any aliases used by the person.
- (b) information to identify the person, including date of birth, gender, race, height, weight and hair and eye color.
- (c) the statute the person violated that requires the person to register as a sex offender, the

date of conviction, adjudication or commitment, and the county or, if the state is not Wisconsin, the state in which the person was convicted, adjudicated or committed.

(d) any of the following (if applicable): (1) the date the person was placed on probation, supervision, conditional release, conditional transfer or supervised release; (2) the date the person was or will be released from confinement, whether on parole, extended supervision or otherwise, or discharged or terminated from a sentence or commitment; (3) the date the person entered the state; and (4) the date the person was ordered to comply with registration requirements.

(e) the address at which the person is or will be residing.

(f) the name of the agency supervising the person, if applicable, and the office or unit and telephone number of the office or unit that is responsible for the supervision of the person.

(g) the name and address of the place at which the person is or will be employed.

(h) the name and location of any school in which the person is or will be enrolled.

(i) if the person is required to register because he or she is in institutional care or on conditional release from a sexually violent person commitment, a notation concerning the treatment that the person has received for his or her mental disorder.

(j) the most recent date on which the above information was updated.

Registry information must be provided by Corrections or the Department of Health and Family Services (DHFS), depending upon which agency has supervision over the individual subject to registration requirements. A person who is not subject to the supervision of either agency must

directly provide the information to Corrections. The statutes establish specific timelines within which information must be provided to Corrections. An agency supervising a person who must register as a sex offender must notify the person of the need to register. Initially, the person must sign a form stating that he or she has been informed of the requirements of registering as a sex offender.

In addition to the information required above, Corrections may also require a person who is required to register as a sex offender to provide his or her fingerprints, a recent photograph and any other information required for the registry that the person has not previously provided. Also, Corrections may require the person to report to a place designated by Corrections for the purpose of obtaining fingerprints, a photograph or other information. Finally, the Department may send a person who is required to register as a sex offender a notice requesting the person to verify the accuracy of any information in the registry.

Persons who are required to register as sex offenders must provide updated information to Corrections once each calendar year. However, persons subject to lifetime registration must provide updated information once each 90 days. The statutes also require that a person required to register as a sex offender must notify Corrections of any change in registry information within 10 days after the change occurs. However, if a person is on parole or extended supervision and knows that his or her address will be changing, the person must notify Corrections before the change occurs. If such a person changes his or her address but did not know of the change before it occurred, the person must notify Corrections within 24 hours after the change occurs. Further, a person required to register as a sex offender and who is either changing his or her residence from Wisconsin to another state, is becoming a student in another state or is to be employed or carrying on a vocation in another state, must, no later than 10 days before moving out of Wisconsin or when starting school

or employment or a vocation in another state, notify Corrections of the new address. The person must also inform Corrections of the state in which he or she will be in school or the state in which he or she will be employed or carrying on a vocation. Finally, current law provides that a person required to register as a sex offender and on parole or extended supervision may not establish a residence or change residence unless the person has complied with the requirements to provide Corrections with information for the registry.

### **Required Registration Period**

Individuals on the registry generally must comply with registration requirements for 15 years following release from supervision. A person who meets any one of the following conditions, however, is subject to lifetime registration requirements: (a) convicted or found not guilty or not responsible by reason of mental disease or defect for sex offense, or for the solicitation, conspiracy or attempt to commit a sex offense on two or more occasions; (b) convicted or found not guilty or not responsible by reason of mental disease or defect for a violation, or for the solicitation, conspiracy or attempt to commit a violation of first- or second-degree sexual assault, first- or second-degree sexual assault of a child or repeated sexual assault of a child; (c) found to be a sexually violent person, regardless of whether the person is discharged from the sexually violent person commitment, except that the person no longer must comply with the lifetime registration requirements if the finding that the person is a sexually violent person is reversed, set aside or vacated; or (d) is ordered by the court to register as a sex offender and also ordered to comply with registration requirements the rest of their life.

A person required to register as a sex offender based upon a finding that they have committed a sex offense in another jurisdiction must comply with registration requirements while a resident, a student or employed or carrying on a vocation in Wisconsin or for 10 years from the date of release

from prison or date placed on parole, probation, extended supervision or other supervised release for the offense, whichever is less. A person meeting one of the criteria for lifetime supervision must comply with registration requirements while a resident, a student, employed or carrying on a vocation in Wisconsin.

### **Disclosure of Registry Information**

Corrections must generally keep the information in the sex offender registry confidential; however, under specified circumstances the Department may disclose registry information. Current law permits disclosure of registry information in the following circumstances: (a) upon request of the Department of Revenue (DOR), Corrections must disclose information to DOR for the purposes of locating a person, or the assets of a person, who has failed to file a tax return, has underreported taxable income or is a delinquent taxpayer, identifying fraudulent tax returns or providing information for tax-related prosecutions; (b) upon request of the Department of Workforce Development or a county child support agency for purposes of administering the child and spousal support program, the Wisconsin Works program and the medical assistance program and for establishing paternity, the Department must provide the name and address of a person registered, the name and address of the person's employer and financial information related to the person; and (c) as needed for law enforcement purposes.

When a sex offender first registers, Corrections must immediately make the registry information available to the police chief of any community and the sheriff of any county in which the person is residing, employed or attending school. The Department must also make updated information immediately available to such law enforcement agencies. Law enforcement agencies may also specifically request information concerning any person registered as a sex offender.

Corrections and DHFS are required to notify

law enforcement agencies when a person who is required to register as a sex offender and who has been found to be a sexually violent person or who has committed two or more sex offenses is placed in a community. Notification must be in the form of a written bulletin that contains all of the following: (a) the information to which law enforcement has access, as described above; (b) notice that, beginning in June 2001, information concerning registered sex offenders will be available on an internet site established by Corrections; and (c) any other information that the agency determines is necessary to assist law enforcement officers or to protect the public. This information may include a photograph of the person, other identifying information and a description of the person's patterns of violation. Also, if a person has been convicted or found not guilty or not responsible by reason of mental disease or defect for any sex offense, or for the solicitation, conspiracy or attempt to commit such a violation on one occasion only, Corrections or DHFS may notify law enforcement agencies of the area in which the person will be residing, employed or attending school if Corrections or DHFS determines that such notification is necessary to protect the public. This notification may be in addition to providing access to information, as described above, or to any other notification authorized under current law.

Corrections is required to make a reasonable attempt to notify the victim or a member of the victim's family (the victim's spouse, child, parent, sibling or legal guardian) if the victim or family member has requested such notification when a person initially registers as a sex offender or when the person informs Corrections of a change in registry information. A victim receiving such notice may also request any of the information given to law enforcement agencies.

Under current law, any of the following may request information from Corrections regarding registered sex offenders: (a) a public or private elementary or secondary school; (b) a day care

provider that is licensed, certified or providing before- or after-school care in a public school; (c) a licensed child welfare agency; (d) a licensed group home; (e) a licensed shelter care facility; (f) a licensed foster home or treatment foster home; (g) a county department of social or human services, of community programs or of developmental disabilities services; (h) an agency providing child welfare services; (i) the Department of Justice; (j) the Department of Public Instruction; (k) DHFS; (l) a neighborhood watch program; (m) an organized unit of the Boy Scouts of America, the Boys' Club of America, the Girl Scouts of America or Camp Fire Girls; (n) the personnel office of a sheltered workshop; or (o) any other community-based public or private nonprofit organization that Corrections determines should have access to information in the interest of protecting the public. These entities may request information concerning a specific person registered as a sex offender or the names of and information concerning all registered persons residing, employed or attending school in the community, district, jurisdiction or other applicable geographical area.

In response to a request for information by one of the above entities, Corrections must provide the following: (a) the name of the registered person, including any aliases the person has used; (b) the date of the person's conviction or commitment, and the county or, if the state is not Wisconsin, the state where the person was convicted or committed; and (c) the most recent date the information was updated. Current law specifies, however, that Corrections may not disclose any information concerning a child who is required to register as a sex offender or any information concerning an adult that relates to a juvenile proceeding.

Corrections or a law enforcement agency may provide information concerning a specific person registered as a sex offender to a person not provided access or notice if, in the opinion of Corrections or law enforcement agency, providing the information is necessary to protect the public and the person requesting the information does the

following: (a) submits a request for information in a form and manner prescribed by Correction or the law enforcement agency; (b) specifies by name the person about whom he or she is requesting the information; and (c) provides any other information the law enforcement agency considers necessary to determine accurately whether the person whose name is given is registered as a sex offender. If the Department or law enforcement agency provides information, Corrections or the law enforcement agency must provide all of the following concerning the person specified in the request: (a) the date of the person's conviction or commitment and the county or, if the state is not Wisconsin, the state where the person was convicted or committed; (b) the most recent date the information was updated; and (c) any other information concerning the person that Corrections or law enforcement agency determines is appropriate. Current law specifies, however, that neither Corrections nor a law enforcement agency may provide any information concerning a child who is registered as a sex offender or concerning a juvenile proceeding in which an adult who is registered as a sex offender was involved.

Current law provides immunity from civil liability for any good faith act or omission regarding the release of information authorized under the above provisions. The immunity does not extend, however, to a person whose act or omission constitutes gross negligence or involves reckless, wanton or intentional misconduct.

#### **Internet Access**

By June 1, 2001, Corrections must provide internet access to information concerning persons registered as sex offenders. The information provided on the internet site must be organized in a manner that allows a person using the site to obtain the information that the Department is specifically required to provide. Corrections must keep this information secure against unauthorized alteration.

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## Appendices

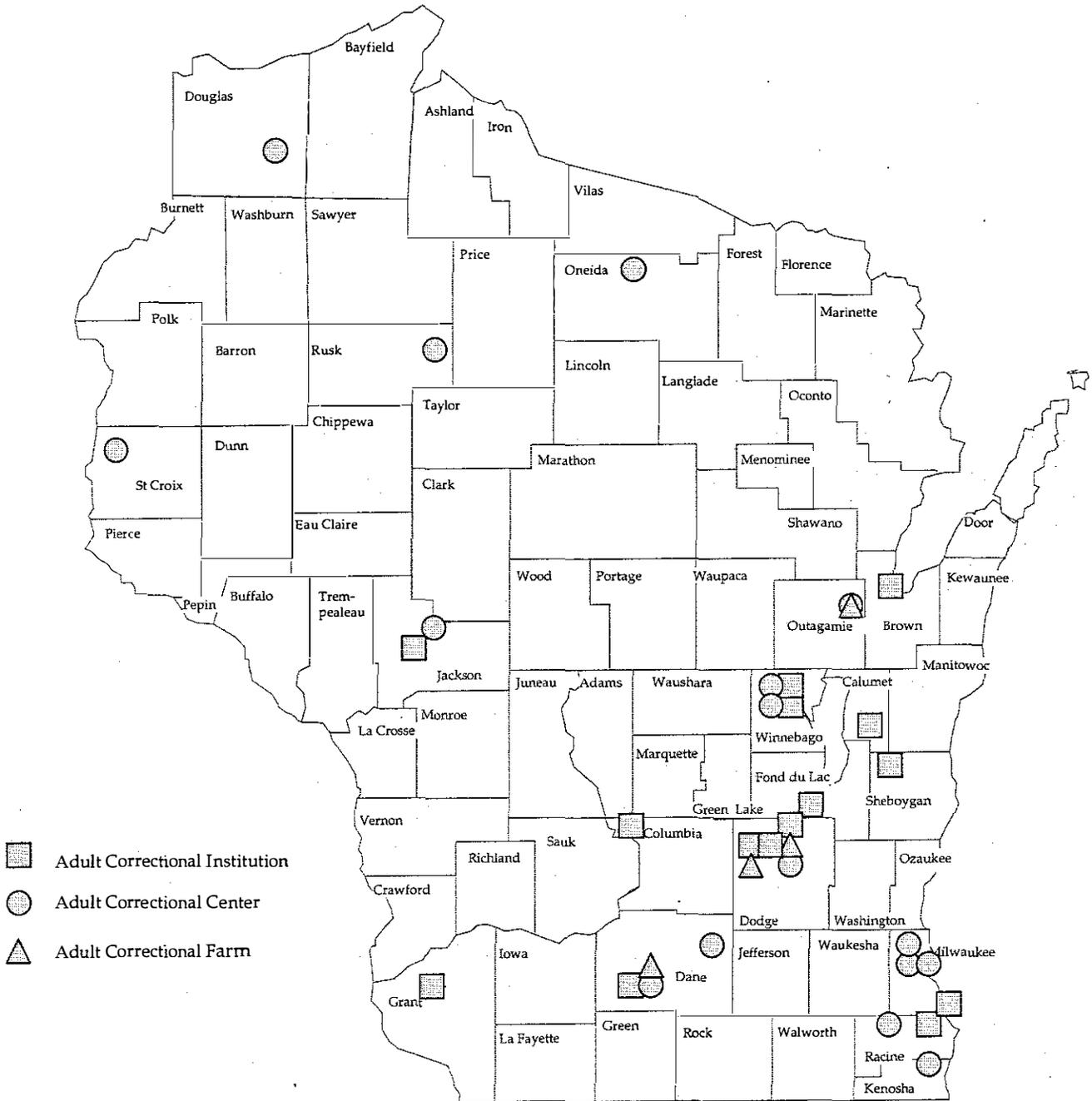
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The following pages contain appendices which provide additional information related to adult corrections:

Appendix I	Wisconsin Adult Correctional Facilities
Appendix II	Department of Corrections Organizational Chart
Appendix III	Department of Corrections 2000-01 Budget
Appendix IV	1999-00 Average Daily Inmate Population Including Contracted Facilities
Appendix V	Type of Offenses for Inmates Resident on July 1, 2000
Appendix VI	Type of Offenses for Inmates Admitted to Prison, 1999-00
Appendix VII	Type of Offenses for Inmates Released from Prison, 1999-00
Appendix VIII	Correctional Facility Operational Costs, 1999-00 Fiscal Year
Appendix IX	Badger State Industries Inmate Employees and Average Inmate Hourly Wages
Appendix X	Badger State Industries and Private Business Prison Employment Program Year-End Continuing Cash Balance Since 1996-97
Appendix XI	Correctional Farms Continuing Cash Balance Since 1997-98
Appendix XII	Division of Community Corrections Regions
Appendix XIII	Halfway House Contracts for 2000-01

# APPENDIX I

## Wisconsin Adult Correctional Facilities

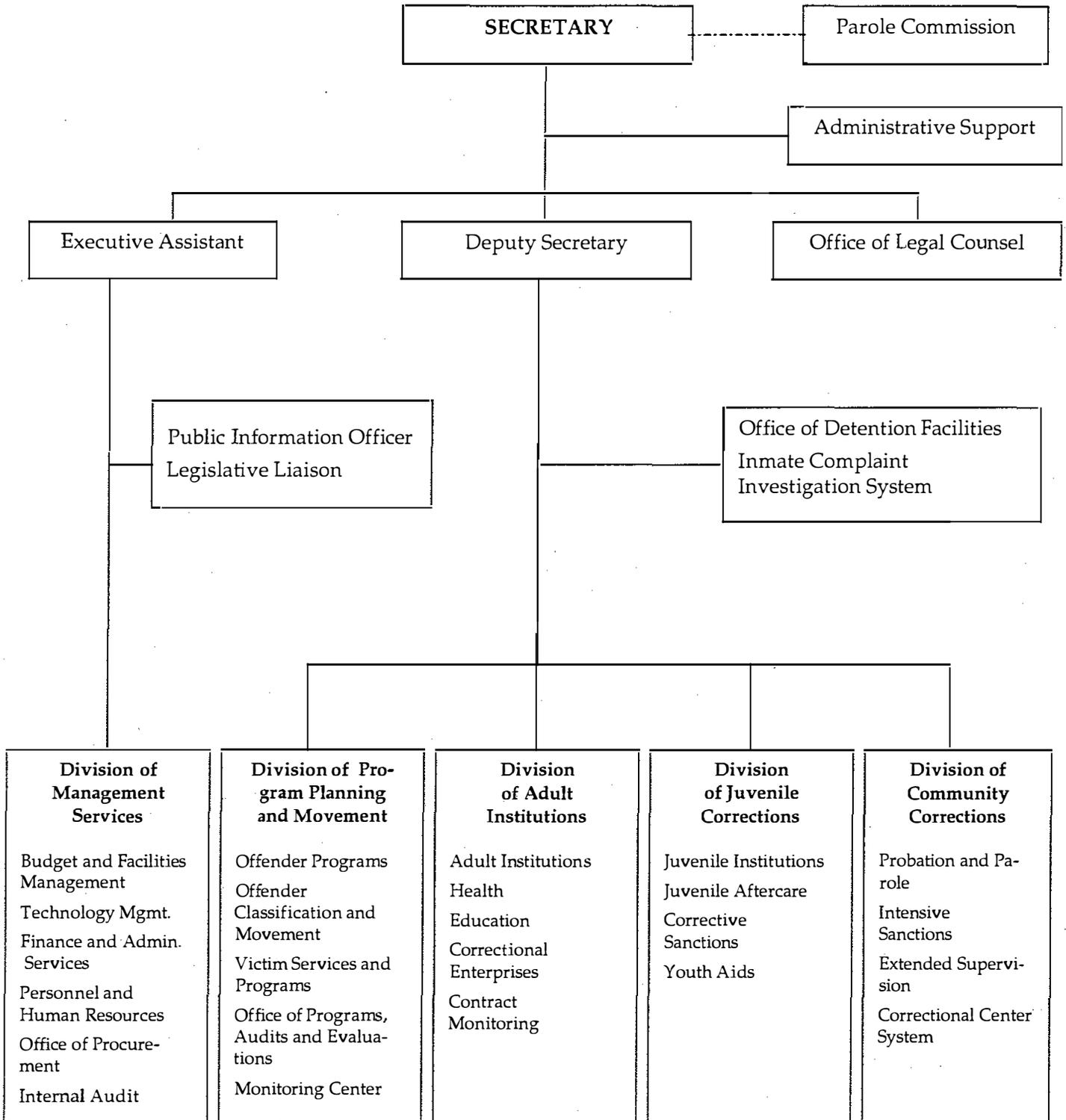


**APPENDIX I (continued)**

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	Med/Minimum
	John C. Burke Center (facility for women)	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
Grant	Supermax Correctional Institution	Boscobel	Maximum
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
	Felmers O. Chaney 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	Medium
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**

**Department of Corrections -- 2000-01 Budget**

	GPR		PR		FED		SEG		Total	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
<b>Division of Management Services</b>										
Central Office	\$424,100	4.00	\$23,200	0.00	\$0	0.00	\$0	0.00	\$447,300	4.00
Bureau of Finance and Administrative Services	3,900,300	28.20	45,100	1.00	0	0.00	0	0.00	3,945,400	29.20
Bureau of Personnel and Human Resources	2,590,700	48.75	0	0.00	0	0.00	0	0.00	2,590,700	48.75
Training Centers	4,228,700	7.00	10,933,100	19.00	0	0.00	0	0.00	15,161,800	26.00
Employee Health and Wellness	383,100	3.00	0	0.00	0	0.00	0	0.00	383,100	3.00
Risk Management	214,400	2.00	0	0.00	0	0.00	0	0.00	214,400	2.00
Bureau of Technology Management	8,154,200	71.50	1,891,100	9.00	0	0.00	1,600	0.00	10,046,900	80.50
Bureau of Budget	667,100	10.00	74,300	0.50	0	0.00	0	0.00	741,400	10.50
Division Total	\$20,562,600	174.45	\$12,966,800	29.50	\$0	0.00	\$1,600	0.00	\$33,531,000	203.95
<b>Division of Adult Institutions</b>										
Central Office	\$97,375,900	31.00	\$1,916,700	1.00	\$2,442,100	0.00	\$0	0.00	\$101,734,700	32.00
Office of Education	546,900	8.45	224,900	3.50	0	2.00	0	0.00	771,800	13.95
Bureau of Health Services	28,953,000	144.66	139,900	1.50	0	0.00	0	0.00	29,092,900	146.16
Bureau of Correctional Services	21,300	0.00	484,700	8.00	0	0.00	498,400	4.00	1,004,400	12.00
Badger State Industries	0	0.00	21,853,900	89.00	0	0.00	0	0.00	21,853,900	89.00
Correctional Farms	871,700	16.00	3,374,200	8.00	0	0.00	0	0.00	4,245,900	24.00
Waupun Correctional Institution	20,001,200	431.09	2,499,400	20.00	0	0.00	0	0.00	22,500,600	451.09
Green Bay Correctional Institution	17,359,600	368.47	154,300	2.90	0	0.00	0	0.00	17,513,900	371.37
Taycheedah Correctional Institution	8,804,800	191.49	70,100	1.30	0	0.00	0	0.00	8,874,900	192.79
Fox Lake Correctional Institution	17,279,200	359.38	35,200	0.90	0	0.00	0	0.00	17,314,400	360.28
Columbia Correctional Institution	15,342,700	330.54	15,000	0.50	0	0.00	0	0.00	15,357,700	331.04
Kettle Moraine Correctional Institution	16,435,900	346.30	83,700	1.60	0	0.00	0	0.00	16,519,600	347.90
Oakhill Correctional Institution	11,771,500	250.80	12,300	0.40	0	0.00	0	0.00	11,783,800	251.20
Dodge Correctional Institution	24,390,100	533.55	13,900	0.40	86,800	0.00	0	0.00	24,490,800	533.95
Racine Correctional Institution	18,649,700	429.74	101,500	0.90	0	0.00	0	0.00	18,751,200	430.64
Wisconsin Resource Center	3,593,100	96.00	0	0.00	0	0.00	0	0.00	3,593,100	96.00
Oshkosh Correctional Institution	23,310,300	512.90	277,900	0.60	0	0.00	0	0.00	23,588,200	513.50
Jackson Correctional Institution	14,084,200	308.51	0	0.00	0	0.00	0	0.00	14,084,200	308.51
Super Maximum Correctional Institution	10,444,000	270.89	0	0.00	0	0.00	0	0.00	10,444,000	270.89
Racine Youthful Offender Facility	9,049,200	219.25	0	0.00	0	0.00	0	0.00	9,049,200	219.25
Redgranite Correctional Institution	7,581,500	276.34	0	0.00	0	0.00	0	0.00	7,581,500	276.34
New Lisbon Correctional Institution	722,700	9.00	0	0.00	0	0.00	0	0.00	722,700	9.00
Prison Contracts	108,236,000	0.00	0	0.00	0	0.00	0	0.00	108,236,000	0.00
Division Total	\$454,824,500	5,134.36	\$31,257,600	140.50	\$2,528,900	2.00	\$498,400	4.00	\$489,109,400	5,280.86

	GPR		PR		FED		SEG		Total	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
<b>Division of Program Planning and Movement</b>										
Central Office	\$299,200	2.00	\$238,700	0.00	\$31,000	0.00	\$0	0.00	\$568,900	2.00
Office of Offender Classification	3,882,400	82.00	0	0.00	0	0.00	0	0.00	3,882,400	82.00
Monitoring Center	1,170,200	12.00	1,481,000	7.20	0	0.00	0	0.00	2,651,200	19.20
Office of Offender Programming	2,589,300	31.00	83,700	2.00	0	0.00	0	0.00	2,673,000	33.00
Office of Victim Services and Programs	<u>0</u>	<u>0.00</u>	<u>220,000</u>	<u>4.00</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>220,000</u>	<u>4.00</u>
Division Total	\$7,941,100	127.00	\$2,023,400	13.20	\$31,000	0.00	\$0	0.00	\$9,995,500	140.20
<b>Division of Community Corrections</b>										
Central Office	\$7,043,400	62.90	\$790,000	1.00	\$0	0.00	\$0	0.00	\$7,833,400	63.90
Probation and Parole	95,535,500	1,768.13	7,172,000	14.75	0	0.00	0	0.00	102,707,500	1,782.88
Intensive Sanction	2,573,400	12.00	526,200	0.00	0	0.00	0	0.00	3,099,600	12.00
Correctional Centers	32,218,300	530.39	1,237,600	18.75	0	0.00	0	0.00	33,455,900	549.14
Milwaukee Secured Detention Facility	<u>6,519,900</u>	<u>395.89</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>6,519,900</u>	<u>395.89</u>
Division Total	\$143,890,500	2,769.31	\$9,725,800	34.50	\$0	0.00	\$0	0.00	\$153,616,300	2,803.81
<b>Secretary's Office</b>										
Secretary's Office	\$1,797,500	15.90	\$12,100	0.00	\$0	0.00	\$0	0.00	\$1,809,600	15.90
Office of Detention Facilities	408,700	7.00	0	0.00	0	0.00	0	0.00	408,700	7.00
Office of Audits, Investigations and Evaluations	<u>386,200</u>	<u>7.50</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>386,200</u>	<u>7.50</u>
Secretary's Office Total	\$2,592,400	30.40	\$12,100	0.00	\$0	0.00	\$0	0.00	\$2,604,500	30.40
<b>Parole Commission</b>	\$894,700	12.00	\$0	0.00	\$0	0.00	\$0	0.00	\$894,700	12.00
<b>Division of Juvenile Corrections</b>										
Management Services--Juveniles	\$493,300	9.00	\$255,200	2.50	\$0	0.00	\$0	0.00	\$748,500	11.50
Office of Education--Juveniles	0	0.00	42,900	1.05	0	0.00	0	0.00	42,900	1.05
Bureau of Health Services--Juveniles	0	0.00	342,600	4.00	0	0.00	0	0.00	342,600	4.00
Program Planning and Movement--Juveniles	0	0.00	47,800	1.00	0	0.00	0	0.00	47,800	1.00
Secretary's Office	123,000	1.00	0	0.00	0	0.00	0	0.00	123,000	1.00
Central Office	6,966,000	9.00	24,483,400	135.05	30,000	0.00	0	0.00	31,479,400	144.05
Community Youth and Family Aids	83,734,500	0.00	2,449,200	0.00	0	0.00	0	0.00	86,183,700	0.00
Serious Juvenile Offenders	13,813,200	0.00	0	0.00	0	0.00	0	0.00	13,813,200	0.00
Community Intervention Program	3,750,000	0.00	0	0.00	0	0.00	0	0.00	3,750,000	0.00
Prairie du Chien Correctional Facility	41,800	1.00	6,566,200	147.00	0	0.00	0	0.00	6,608,000	148.00
Ethan Allen School	0	0.00	21,008,100	415.05	0	0.00	0	0.00	21,008,100	415.05
Lincoln Hills School	0	0.00	17,644,200	331.30	0	0.00	0	0.00	17,644,200	331.30
Southern Oaks Girls School	0	0.00	7,466,400	152.50	0	0.00	0	0.00	7,466,400	152.50
Youth Leadership Training Center	<u>712,800</u>	<u>4.00</u>	<u>2,132,000</u>	<u>47.00</u>	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>2,844,800</u>	<u>51.00</u>
Division Total	\$109,634,600	24.00	\$82,438,000	1,236.45	\$30,000	0.00	\$0	0.00	\$192,102,600	1,260.45
<b>TOTAL</b>	\$740,340,400	8,271.52	\$138,423,700	1,454.15	\$2,589,900	2.00	\$500,000	4.00	\$881,854,000	9,731.67

APPENDIX IV

1999-00 Average Daily Inmate Population Including Contracted Facilities

**Males**

Facility	1999-00 Average Daily Population
Waupun	1,225
Green Bay	1,002
Dodge	1,377
Columbia	808
Supermax	<u>101</u>
Total Maximum	4,513
Racine	1,414
Fox Lake	1,112
Kettle Moraine	1,233
Oshkosh	1,859
Jackson	971
Wisconsin Resource Center	214
Racine Youthful Offender	<u>395</u>
Total Medium	7,198
Oakhill	564
Centers	<u>1,528</u>
Total Minimum	2,092
Federal--Duluth, Minnesota	338
Federal--Oxford, Wisconsin	18
Federal--Other Facilities	25
Texas Counties	505
Corrections Corporation of America--Tennessee	1,628
Corrections Corporation of America--Oklahoma	1,343
Corrections Corporation of America--Minnesota	283
Corrections Corporation of America--Mississippi	25
Wisconsin Counties	202
Prairie du Chien	<u>297</u>
Total Contract	4,664
Total Male	18,467
<b>Females</b>	
Dodge Reception	108
Taycheedah	644
Centers	<u>288</u>
Total Institutions	1,040
Federal -- Alderson, West Virginia	168
McLoud Correctional Services -- McLoud, Oklahoma	66
Wisconsin Counties	<u>64</u>
Total Contract	298
Total Female	1,338
<b>GRAND TOTAL</b>	<b>19,805</b>

## APPENDIX V

### Type of Offenses for Inmates Resident on July 1, 2000

#### Males

Offense	Number	Percent
Sexual Offenses*	3,258	16.7%
Robbery*	2,247	11.5
Burglary*	2,208	11.3
Assaults++	2,197	11.3
Homicide/ Murder *	1,965	10.1
Theft*	1,402	7.2
Drug Offenses--Possession with Intent to Deliver	1,278	6.5
Drug Offenses--Manufacturing and Delivery	1,131	5.8
Forgery	575	2.9
Bail Jumping/Escape	500	2.6
Operating While Intoxicated	215	1.1
Kidnapping/False Imprisonment	175	0.9
Drug Offenses--Possession	142	0.7
Fraud/Extortion*	138	0.7
Drug Offenses--Other	119	0.6
Arson	114	0.6
Other	1,036	5.3
No data available	<u>820</u>	<u>4.2</u>
Total	19,520	100.0%

#### Females

Forgery	247	17.0%
Theft*	169	11.6
Assaults++	155	10.6
Drug Offenses--Manufacturing and Delivery	149	10.2
Homicide/ Murder *	139	9.5
Robbery*	95	6.5
Drug Offenses--Possession with Intent to Deliver	75	5.2
Burglary*	65	4.5
Bail Jumping/Escape	48	3.3
Fraud/Extortion*	47	3.2
Drug Offenses--Other	43	3.0
Sexual Offenses*	38	2.6
Prostitution/Commercial Vice	28	1.9
Drug Offenses--Possession	17	1.2
Other	104	7.2
No data available	<u>37</u>	<u>2.5</u>
Total	1,456	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 Admitted to Prison, 1999-00

#### Males

Offense	Number	Percent
Assaults++	930	11.1%
Theft*	732	8.8
Burglary*	719	8.6
Sexual Offenses*	711	8.5
Drug Offenses--Possession with Intent to Deliver	605	7.2
Drug Offenses--Manufacturing and Delivery	593	7.1
Robbery*	515	6.2
Forgery	239	2.9
Bail Jumping/Escape	233	2.8
Operating While Intoxicated	192	2.3
Homicide/ Murder *	144	1.7
Drug Offenses--Possession	98	1.2
Drug Offenses--Other	59	0.7
Other	777	9.3
No data available	<u>1,803</u>	<u>21.6</u>
Total	8,350	100.0%

#### Females

Forgery	111	15.5%
Theft*	93	13.0
Drug Offenses--Manufacturing and Delivery	84	11.7
Assaults++	77	10.8
Burglary*	32	4.5
Bail Jumping/Escape	31	4.3
Drug Offenses--Other	29	4.1
Drug Offenses--Possession with Intent to Deliver	28	3.9
Prostitution/Commercial Vice	23	3.2
Robbery*	22	3.1
Operating While Intoxicated	22	3.1
Homicide/ Murder *	20	2.8
Fraud/Extortion*	20	2.8
Sexual Offenses*	16	2.2
Drug Offenses--Possession	11	1.5
Other	40	5.7
No data available	<u>56</u>	<u>7.8</u>
Total	715	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

Type of Offenses for Inmates Released from Prison, 1999-00

Males

Offense	Number	Percent
Assaults++	896	12.8%
Theft*	732	10.4
Burglary*	636	9.1
Drug Offenses--Possession with Intent to Deliver	596	8.5
Drug Offenses--Manufacturing and Delivery	518	7.4
Sexual Offenses*	476	6.8
Robbery*	387	5.5
Bail Jumping/Escape	188	2.7
Forgery	179	2.5
Drug Offenses--Possession	104	1.5
Homicide/ Murder *	70	1.0
Fraud	69	1.0
Drug Offenses--Other	65	0.9
Other	633	9.0
No data available	<u>1,475</u>	<u>20.9</u>
Total	7,024	100.0%

Females

Theft*	87	14.9%
Forgery	75	12.9
Assaults++	69	11.9
Drug Offenses--Manufacturing and Delivery	65	11.2
Drug Offenses--Possession with Intent to Deliver	48	8.2
Prostitution/Commercial Vice	29	5.0
Fraud/Extortion*	25	4.3
Robbery*	24	4.1
Burglary*	23	4.0
Bail Jumping/Escape	23	4.0
Drug Offenses--Other	16	2.7
Drug Offenses--Possession	10	1.7
Sexual Offenses*	6	1.0
Homicide/ Murder *	4	0.7
Operating While Intoxicated	4	0.7
Other	36	6.2
No data available	<u>38</u>	<u>6.5</u>
Total	582	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 VIII

**Correctional Facility Operational Costs, 1999-00  
(Based on Preliminary Data)**

Facility*	Operational Costs	Average Daily Population	Per Capita Daily Cost	Per Capita Annual Cost
Waupun	\$32,039,697	1,225	\$71.46	\$26,155
Dodge	43,480,654	1,485	80.00	29,280
Green Bay	25,309,213	1,002	69.01	25,259
Columbia	22,223,070	808	75.15	27,504
Taycheedah	14,462,256	644	61.36	22,457
Fox Lake	25,489,038	1,112	62.63	22,922
Kettle Moraine	25,639,560	1,233	56.82	20,794
Oshkosh	37,867,836	1,859	55.66	20,370
Racine	31,546,970	1,414	60.96	22,310
Jackson	23,705,687	971	66.70	24,414
Oakhill	16,364,595	564	79.28	29,015
Racine Youthful Offender Centers	<u>14,965,992</u>	<u>395</u>	<u>103.52</u>	<u>37,889</u>
	<u>39,561,671</u>	<u>1,816</u>	<u>59.52</u>	<u>21,785</u>
Total	\$352,656,239	14,528	\$66.32	\$24,274

\* Does not include operational costs associated with the following facilities: (a) Supermax Correctional Institution which was not open for a full year in 1999-00; (b) the Redgranite and New Lisbon Correctional Institutions or the Milwaukee Secure Detention Facility which were not open in 1999-00; (d) the Wisconsin Resource Center operated by DHFS with Corrections providing security services; and (e) 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, 2001.

APPENDIX IX

Badger State Industries  
 Inmate Employees and Average Inmate Hourly Wages  
 November, 2000

Institution	Industry	Inmate Employees	Average Hourly Wage
Waupun	Metal Stamping	42	\$0.84
	Signs	30	0.74
	Metal Furniture	66	0.89
Green Bay	Laundry	14	0.87
	Textiles	25	0.66
Fox Lake	Wood Products	94	0.80
	Distribution Center	4	0.64
Oakhill	Upholstering	17	1.36
Racine	Data Entry	51	0.60
Ellsworth	Data Entry	13	0.94
Taycheedah	Silkscreening	10	0.78
Oshkosh	Laundry	95	0.69
Columbia	Printing	36	0.80
Jackson	Textiles	<u>22</u>	<u>0.57</u>
TOTAL		519	\$0.77 *

\*Average wage for inmate employees in November, 2000.

APPENDIX X

**Badger State Industries and  
Private Business/Prison Employment Program  
Year-End Continuing Cash Balance  
1996-97, 1997-98 and 1998-99**

Institution	Industry/Business	1996-97	1997-98	1998-99
<b>Badger State Industries</b>				
Waupun	Metal Stamping	\$9,210,861	\$10,409,571	\$8,701,161
	Signs	-348,212	71,226	162,482
	Metal/System Furniture	4,018,254	6,123,424	2,062,444
Green Bay	Laundry	277,602	502,608	378,616
	Textiles	-1,453,738	-1,744,042	-1,764,224
Fox Lake	Wood Products and Laminating	-9,039,505	-9,910,761	-6,386,712
Racine	Data Entry	-1,107,092	-1,156,782	-1,287,041
Ellsworth	Data Entry	-15,077	2,633	-38,617
Taycheedah	Silk Screening	-801,746	-840,131	-1,201,859
Oshkosh	Laundry	590,905	930,023	494,311
Columbia	Printing	218,842	268,911	29,926
Oakhill	Upholstering	476,951	1,094,803	-87,866
Jackson	Textiles	-174,606	59,347	-439,815
	Management and Support	-7,841	-2,351,676	---
	Solid Waste and Recycling	---	-12,292	-54,512
	Closed Industries	-2,082,226	-2,082,227	---
	Distribution Center	---	-900,578	---
<b>BSI Total</b>		<b>-\$236,628</b>	<b>\$464,058</b>	<b>\$568,294</b>
<b>Private Business/Prison Employment Program</b>				
Green Bay	Fabry Gloves	-\$1,010,242	-\$948,987	-1,148,521
Waupun	Jorgensen Conveyors	20,932	46,842	66,462
Jackson	Fabry Gloves	---	-377,912	-611,405
<b>Private Business Total</b>		<b>-\$989,310</b>	<b>-\$1,280,057</b>	<b>-\$1,693,464</b>

APPENDIX XI

Correctional Farms  
 Year-End Continuing Cash Balance  
 1997-98, 1998-99 and 1999-00

Farm	1997-98	1998-99	1999-00
Central Administration*	-\$1,806,170	-\$1,953,118	-\$2,101,588
Waupun/Fox Lake	-1,404,045	-569,096	-115,879
Oregon	-1,178,114	-1,263,289	-1,265,602
Oneida	<u>- 821,629</u>	<u>-1,149,698</u>	<u>-1,389,510</u>
Continuing Cash Balance	-\$5,209,958	-\$5,259,344	-\$4,872,579

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



APPENDIX XIII

Halfway House Contracts for 2000-01

Name	Location	Beds		Total Number of Beds	GPR	PR	Total Contract Amount	Daily Cost Per Bed
		Male	Female					
Ryan Community	Appleton	12		12	\$256,000		\$256,000	\$58.44
ARC Community Services-Dayton St.	Dane Co.		8	8	184,767		184,767	62.76
ARC Community Services-Mother & Infant Program	Dane Co.		8	8	320,868		320,868	72.66
ARC Community Services-Paterson St.	Dane Co.		15	15	369,288		369,288	66.90
Attic Correctional Services-Dwight Dr.	Dane Co.	19		19	441,545		441,545	61.31
Attic Correctional Services-Foster	Dane Co.	18		18	385,837		385,837	55.92
Attic Correctional Services-Schwert	Dane Co.	15		15	340,052		340,052	62.11
Lutheran Social Services-Affinity	Eau Claire		16	16	103,900	\$176,100	280,000	47.95
Lutheran Social Services-Fahrman	Eau Claire	6		6	89,394		89,394	52.74
Lutheran Social Services-Fahrman	Eau Claire		2	2	26,950		26,950	37.43
Triniteam Inc.	Eau Claire	14		14	252,300		252,300	49.38
ARC Community Services	Fond du Lac		12	12	278,804		278,804	63.65
Blandine House	Fond du Lac	4		4	23,154	8,126	31,280	45.00
Lac Courte Oreilles Tribal Govt.	Hayward	8		8	180,495	152,400	332,895	69.05
Lutheran Social Services- Wazee	Jackson Co.	12		12	254,475		254,475	63.46
Genesis Behavioral Services - Interventions	Kenosha Co.	20		20	403,033		403,033	55.21
Kenosha Human Development	Kenosha Co.	12		12	267,399		267,399	61.05
Attic Correctional Services- Brunk House	La Crosse	8		8	180,427		180,427	61.79
Genesis Behavioral Services- Independent Living Center	Milwaukee	23		23	460,326		460,326	53.24
Genesis Behavioral Services- Interventions	Milwaukee	21		21	533,826		533,826	55.21
Horizon, Inc.-Horizon House	Milwaukee		15	15	346,735		346,735	54.62
Wis. Correctional Service- Bridge	Milwaukee	29		29	578,894		578,894	54.69
Wis. Correctional Service- Joshua Glover	Milwaukee	24		24	445,271		445,271	50.83
Wis. Correctional Service- Thurgood Marshall	Milwaukee	26		26	485,704		485,704	49.69
Wis. Correctional Service- Wings	Milwaukee		13	13	84,281	265,990	350,271	73.82
Lutheran Social Services- Nexus	Oshkosh	14		14	292,601		292,601	57.26
Lutheran Social Services	Racine Co.		16	16	219,730		219,730	75.25
Koinonia	Rhineland	4	1	5	40,281	12,189	52,470	55.00
Rock Valley Correctional Program	Rock Co.	32		32	619,653		619,653	52.62
Portage County Halfway House	Stevens Point	5	5	10	211,150		211,150	57.85
Recovery Center, Inc.	Superior	3		3	87,800		87,800	85.00
Lutheran Social Services - Cephas House	Waukesha Co.	<u>12</u>		<u>12</u>	<u>246,068</u>		<u>246,068</u>	<u>56.18</u>
Total		341	111	452	\$9,011,008	\$614,805	\$9,625,813	\$58.69