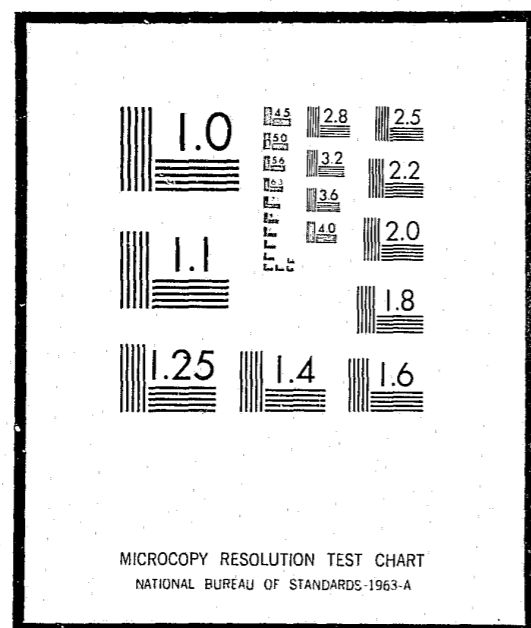


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REPORT TO THE HEALTH AND SOCIAL SERVICES BOARD

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ACQUISITIONS

AN ANALYSIS OF THE INCREASING POPULATIONS
IN THE
STATE ADULT MALE CORRECTIONAL INSTITUTIONS
Wisconsin

January 1975

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32538

AN ANALYSIS OF THE INCREASING POPULATIONS
IN THE
STATE ADULT MALE CORRECTIONAL INSTITUTIONS

MAJOR FINDINGS

- A. After experiencing fairly stable populations in the late 1960's and early 1970's in the State adult male correctional institutions, the populations rapidly declined in 1972 (an 18% decline from 1971). This rapid decline was caused by a substantial decline in admissions (27% in 1971 as compared to 1970) and an increase in the percentage of parole hearings resulting in a grant of parole.
- B. The decline in populations ended in late 1973 and populations have been increasing steadily ever since (28% increase from September 1973 to December 1974).
- C. An increase in admissions has been the most important factor in the recent increase in population. Admissions have increased 27% between 1972 and 1974.
- D. A substantial majority of the recent increase in admissions are from Milwaukee County and are new admissions (as opposed to probation and parole revocations).
- E. The increase in admissions from Milwaukee County is not due to any discernable "get tough" policy on the part of the judges there, but rather reflects a substantial increase in violent crimes in the City of Milwaukee, particularly robberies.
- F. A decrease in the number and rate of parole grants is also contributing to the increase in populations, although it is not as important a factor as the increase in admissions. The Parole Board appears to have returned to its pre 1971 rate of parole approval (28-35%) after a period during 1971-72 when their approval rate increased to 38-50%.
- G. Interviews and statistical analysis indicates that current Parole Board members are less ready to take risks with marginal cases, based mainly on a concern about client failures under the former, more liberal rate of parole grants.
- H. The vast majority of the knowledgeable individuals interviewed feel that the trend of increasing populations will continue in the foreseeable future.

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SECTION I
OVERVIEW AND SUMMARY

After experiencing fairly stable populations in the late 1960's and early 1970's in the State adult male correctional institutions, the populations rapidly declined in 1972. The decline ended in late 1973 and populations have been increasing steadily since then.

At its October, 1974 meeting the Health and Social Services' Board requested that the Department study and report on the causes of the recently increasing population in the adult male correctional institutions. This study was undertaken by the Bureau of Planning and Analysis. In the course of the study, interviews were held with administrators, superintendents and field staff of the Division of Corrections, members of the State Parole Board, judges and law enforcement personnel in Milwaukee County and court administrators. In addition, statistics of the Division of Corrections, State Parole Board, State Departments of Justice and Industry, Labor and Human Relations and the Milwaukee County District Attorney's office were analyzed. Finally, a brief survey of adult correctional population trends in other jurisdictions was conducted.

Average Daily Population Trends

The following table summarizes the pattern of sudden decline and then steady growth in population of Wisconsin's adult male correctional institutions.

TABLE 1
AVERAGE DAILY POPULATIONS
Calendar Years 1966 to 1974
Adult Male Correctional Institutions¹

Year	Average Daily Populations
1966	2,678
1967	2,559
1968	2,540
1969	2,650
1970	2,722
1971	2,635
1972	2,152
1973	2,004
1974 January	2,073
March	2,158
June	2,281
September	2,335
December	2,484

¹Unless otherwise noted, source of data is Division of Corrections' statistical reports.

A. Reasons for 1972 Decline

An analysis of the recent increase in adult male correctional institution populations should first explore the reasons for the sudden drop in populations in 1972 (an 18% decline from 1971). Factors related to that decline may help explain the recent upswing in population.

Individuals including Division of Corrections' administrators and superintendents and State Parole Board members suggested a number of possible reasons for the decline in populations in 1972. A major factor cited was that within Wisconsin and the nation considerable public study and discussion of prison systems and alternatives to prisons was occurring. During this period the Wisconsin Governor's Task Force on Offender Rehabilitation was studying correctional institutions and their programs and were often critical of them. At the same time prison disturbances such as those that occurred at Attica and Soledad were bringing the public's attention to conditions in prisons. Many of the observers feel that all of this left a general impression that correctional institutions failed to rehabilitate offenders, were dehumanizing and were "schools of crime." At the same time that correctional institutions and their programs were being severely criticized, an increasing number of community based programs and organizations came into operation, claiming to offer successful alternatives to imprisonment.

It was also suggested that legal challenges, in this State as well as throughout the nation, to many aspects of court and correctional procedures increased the number of "due process" safeguards and probably increased the sensitivity of courts and corrections' administrators in this respect.

While it is difficult to provide concrete cause and effect evidence of these suggested factors, there are some data which appear to be significant relative to the decline in population. In simplest terms, correctional institution populations decrease (or increase) because of one or both of two factors, a change in admission trends or a change in release trends.

Declining Admissions (1971-1972):

As shown in the following table, admissions to adult male institutions declined by 27% during 1971 (from 1,572 to 1,150) as compared to 1970.

TABLE 2
ANNUAL ADMISSIONS
Calendar Years 1966 to 1972
Adult Male Correctional Institution

Year	Annual Admissions	Average Daily Population
1966	1,692	2,678
1967	1,548	2,559
1968	1,668	2,540
1969	1,440	2,650
1970	1,572	2,722
1971	1,150	2,635
1972	1,070	2,152

Not only did the courts reduce the number of adult males sentenced as new admissions (from 607 in 1970 to 432 in 1972 or a 29% decline) but the number of adult males sent to prison for violation of their probation or parole showed an even greater decline (from 959 in 1970 to 638 in 1972 or a 33% decline). Court decisions such as Hahn vs. Burke, Gusohis vs. Gagnon, and Johnson vs. Cady which occurred in 1970 and 1971 and granted due process rights for probationers and parolees who violate the conditions of their community placement undoubtedly contributed to the more significant decline in admissions to institutions of individuals who have violated probation or parole.

Crime statistics during the period of 1970 to 1972 do not explain the decline in admissions to the adult correctional institutions. The number of crime index offenses (murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, theft and auto theft) in Wisconsin increased by 11% from 1970 to 1972 according to statistics of the Wisconsin Department of Justice. The number of violent crimes (murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault) increased by 14% from 1970 to 1972.

Increasing Releases by Parole (1971-72):

Releases of adult males from the correctional institutions also appear to be a significant factor in the 1972 decline in population as shown in the following table.

TABLE 3
RELEASES FROM INSTITUTIONS BY PAROLE
Calendar Years 1966 to 1972
Adult Male Correctional Institutions

Year	Annual Releases	Released By Parole	(Percent)
1966	1,980	1,500	(76%)
1967	1,836	1,116	(61%)
1968	1,860	1,092	(59%)
1969	1,632	996	(61%)
1970	1,476	924	(63%)
1971	1,584	1,068	(67%)
1972	1,464	1,140	(78%)

As can be seen, a majority of individuals are released by parole. Other means of release are mandatory releases (maximum sentence minus good time earned), pardons, conditional pardons, commutations, expiration of maximum sentences, discharges by courts, releases after voluntary returns, releases from temporary holds pending revocation hearings and deaths. Releases by parole increased from 924 in 1970 to 1,140 in 1972 or a 23% increase. The increase in those being released by parole was partially offset by a significant decline in releases by other means from 1971 to 1972, and more specifically a decline in releases at mandatory release date and releases by the courts. It appears that in 1971 and 1972 the State Parole Board began granting** a greater number of paroles. Analysis of the records of the Parole Board also shows that it began to grant a larger percentage of paroles during this period. For example, parole was granted in 50% of the hearings during the second quarter of 1972 compared to 29-38% during 1970.

TABLE 4
PERCENT OF PAROLE BOARD HEARINGS RESULTING IN PAROLE GRANTS
First Quarter, 1970 to Second Quarter, 1972
Adult Correctional Institutions

Quarter	Number of Hearings Resulting in Parole*	Percent of Hearings Resulting in Parole*
1970-First	231	29%
Second	268	38%
Third	220	31%
Fourth	227	31%
1971-First	183	28%
Second	306	38%
Third	283	40%
Fourth	297	40%
1972-First	309	41%
Second	389	50%

*Includes both adult male and female parole hearings.

**Technically, the statutes state that the Secretary of the Department is the paroling authority and the Parole Board recommends parole.

The Board's recommendations are almost always followed by the Secretary

Interviews were conducted with individuals who were members of the Parole Board during 1971 and the first half of 1972 in order to identify reasons for the increase in the number and rate of parole grants during that period. It was felt that during this period Parole Board members were influenced by the negative image of correctional institutions and the development of community based alternatives, since Parole Board members see themselves as an extension of the community and must balance their understanding of the desires and attitudes of the public with the need of the individual. As a result of these prevailing attitudes the members were somewhat more likely to parole a marginal case than they previously had been.

B. Reasons for Population Increases in 1974

As has been previously noted (Table 1, page 1), the population of adult male correctional institutions has been steadily increasing, since it reached a low of 1,937 in September, 1973. By December 1974 the average daily population had reached 2,484, an increase of 28%. This study examined the possible reasons for the recent upturn. Again, admissions and releases were examined in order to determine the causes of the increase.

Admission Increase (1973-74):

Table 2A shows that after a decline in 1971 and 1972, admissions began to increase in 1973 and 1974.

TABLE 2A
ANNUAL ADMISSIONS *
Calendar Years 1966 to 1974
Adult Male Correctional Institutions

Year	Annual Admissions	Average Daily Population
1966	1,692	2,678
1967	1,548	2,559
1968	1,668	2,540
1969	1,440	2,650
1970	1,572	2,722
1971	1,150	2,635
1972	1,070	2,152
1973	1,173	2,004
1974	1,360	2,273

It has been determined that the increase in admissions is the major cause of the recent increase in population.

In order to determine the causes of the increase in admissions to the adult correctional institutions which have been experienced in late 1973 and 1974, a number of basic characteristics were examined and compared to the basic characteristics of those admitted in previous years. It is reasoned that any significant change in characteristics

*Excludes Temporary Holds pending Revocation Hearings.

might explain the causes of the recent trend of increased admissions. Included in the characteristics that were examined were admission status (new admission versus probation or parole revocations), age of the individual being admitted, race of the individual being admitted, types of offense, county of commitment, previous adult probation experience, and previous adult and juvenile institution experience of those being admitted. A review of all this data (see Section II) showed that the most significant change has been the increase in new admissions from Milwaukee County. Milwaukee County has accounted for nearly two-thirds of the 1972-1974 increase in admissions. Milwaukee County provided 190 of the 290 increase in admissions from 1972 to 1974.

Because the increase in admissions first occurred in Milwaukee County (in 1973) and because the increase in admissions from Milwaukee County has been the major contributor to the total increase in admissions and hence the increase in populations, it was decided to conduct interviews with judges and personnel within the criminal justice system in Milwaukee.

The most frequent reasons offered for the increase in admissions from Milwaukee County is the increase in violent crimes - especially robbery. To a lesser degree, some individuals felt that public attitudes and frustration with offenders who fail in community programs may also be a contributing factor, although the overwhelming opinion of those interviewed was that there had not been a change in the sentencing practices of the judges in Milwaukee County.

Crime data from Milwaukee County does, in fact, show a significant increase in violent crimes and especially robbery. The City of Milwaukee experienced a 30% increase in violent crimes from 1972 to 1973. Robberies during the same period increased by 45%. This same trend is continuing in 1974. Violent crimes in the city of Milwaukee for the first nine months of 1974 have increased by 34% as compared to the same period in 1973 and robberies have increased 54% during this time span.

Admissions to the adult male correctional institutions from Milwaukee County for robbery have increased 93% from 1972 to 1974 (74 males were admitted for robbery in 1972 from Milwaukee County while in 1974, 143 were admitted).

Data from the Milwaukee County District Attorney's office shows that in 1972 of the 752 cases disposed of by the Milwaukee County courts involving charges of robbery and burglary, 226 cases or 30% resulted in confinement in State or County institutions. In 1973 of the 948 cases disposed of by the courts involving the same charges, 308 cases or 32% resulted in confinements in State or County institutions. This data suggests that there has been little change in the rate of confinement from 1972 to 1973 and hence little change in sentencing practices.

The judges who were interviewed stated that they usually give prison sentences in cases of robberies involving weapons and/or physical harm because of the violent nature of these offenses and because those now committing these crimes are repeat offenders.

Although it was beyond the scope of this study to systematically analyze reasons for the increase in crime and especially violent crimes, persons interviewed suggested that the worsening economy and unemployment might partially explain the increase in robberies but does not explain the violence that accompanies these crimes. More basic changes in society are suggested as underlying causes by most of the judges, interviewed. New lifestyles and value systems that have little respect for the law and human dignity are some reasons suggested. Failures of the juvenile justice system to treat the juvenile in need of treatment and the educational system to teach and train are other reasons given by these judges. Media dramatizing crime but underplaying punishment received by individuals for committing crimes was also suggested. Several judges also criticized the Department for granting parole too quickly and failing to recognize that certain individuals will always be dangerous criminals and should be incarcerated the rest of their lives.

Decreasing Releases (1973-74):

While the primary reason for the recent increase in adult male correctional institution populations is the increase in admissions there is also a decline in the rate and numbers of paroles (as shown in Tables 3A and 4A) which has contributed to the build-up in the population.

TABLE 3A
RELEASES FROM INSTITUTIONS BY PAROLE
Calendar Years 1966 to 1974
Adult Male Correctional Institutions

Year	Annual Releases	Released By Parole	(Percent)
1966	1,980	1,500	(76%)
1967	1,836	1,116	(61%)
1968	1,860	1,092	(59%)
1969	1,632	996	(61%)
1970	1,476	924	(63%)
1971	1,584	1,064	(67%)
1972	1,464	1,140	(78%)
1973	1,020	720	(71%)
1974	872	582	(67%)

TABLE 4A
PERCENT OF PAROLE BOARD HEARINGS RESULTING IN PAROLE GRANTS
First Quarter, 1970 to Second Quarter, 1974
Adult Correctional Institutions

Quarter	Number of Hearings Resulting in Parole *	Percent of Hearings Resulting in Parole*
1970-First	231	29%
Second	268	38%
Third	220	31%
Fourth	227	31%
1971-First	183	28%
Second	306	38%
Third	283	40%
Fourth	297	40%
1972-First	309	41%
Second	389	50%
Third	274	39%
Fourth	222	36%
1973-First	197	34%
Second	203	34%
Third	168	29%
Fourth	161	27%
1974-First	167	28%
Second	154	30%

* Includes both adult male and female parole hearings.

As noted in Table 3A actions of the Parole Board have a major bearing on the number of persons released from the institutions. Following the increase in releases by parole during 1971 and 1972, there were fewer releases by means of parole during 1973 and 1974.

The hearing records of the State Parole Board (Table 4A) show that in the last half of 1973 and the first half of 1974, the Board granted parole in less than 30% of the parole hearings. In contrast, the Board was granting parole in 40% (and in one quarter 50%) of its hearings during late 1971 and early 1972. These variations in the percent of parole grants, which result from an accumulation of individual parole decisions during these periods, produces a pattern which was found to be significant enough to warrant further examination.

We first interviewed each Parole Board member to obtain their views on the reasons for the decrease in the numbers and frequency of parole grants. The consensus of members with the longest experience is that the Board was influenced by the criticism of the correctional institutions during 1971 and 1972 as well as the claims of the developing community based programs and they were more willing to take risks on marginal cases. Now, however, the Board is seeing many of these marginal cases who have failed in the community and often have committed violent crimes. Consequently, they state that they are becoming more cautious in granting parole.

Data on the admissions to adult male correctional institutions were examined to determine whether they showed growth in the number of "higher risk" individuals. There were some factors that would support this contention:

- Increase in admission for crimes against persons.
- Increase in the length of sentence (indicating seriousness of crime).
- Increase in adjustment problems within the institution.
- Increase in previous adult probation experience before time of admission.

Other data (such as previous felony convictions and previous adult and juvenile institution experience) are not conclusive or suggest a lower risk individual is being admitted to the institutions.

A number of members as well as others, that were interviewed, felt that the substantial change in membership has had an effect on how the Board grants parole. They reason that each new Board member brings his or her own philosophy and perspectives to the Board. They feel that the number of changes in membership that have occurred in the last two years may have changed the general philosophical make-up of the Board. It is difficult to statistically ascertain the precise impact of new members due to the administrative practice of using three member panels with changing membership and the requirement for consensus decisions in the majority of cases.

The task of the Parole Board is to make individual judgements on individual cases, balancing the rights and opportunities of each resident of our institutions against the need to protect society. Any statistics dealing with the actions of the Parole Board must be viewed as an aggregate of these individual judgements based on individual factors in individual cases. It is our impression that Wisconsin's Parole Board is honestly seeking to make informed decisions that are fair to both the resident and to society in the face of uncertain information and trends. Support for this conclusion is found in a recent study of parole practices in the United States by the Brookings Institute of Washington, D.C., in which the following observation on the Wisconsin Parole Board is made: "We can contribute an impression from observing parole hearings. The Colorado board and the Wisconsin board took more time with inmates than other paroling authorities did. They worked more intensively in trying to get the inmate to perceive his problems realistically and do something about them."

Trends in Other Jurisdictions

As one part of this study a number of other states were surveyed to determine trends in population in their adult correctional institutions. Besides surveying states adjacent to Wisconsin, several other states were surveyed which either have a population distribution similar to Wisconsin, were in the mid-west or have a correctional system similar to Wisconsin. A survey of population trends in the Federal Bureau of Prisons was also conducted.

Of the nine jurisdictions that were surveyed only one did not report recent increases in populations in their adult correctional institutions. It is concluded from this data that Wisconsin is not unique in its recent experience of increasing populations.

Conclusions

As the result of this study it has been concluded that the major cause of the increase in populations in the adult male correctional institutions is the increase in first admissions (as opposed to probation and parole revocations). Geographically, a substantial majority of the increase in admissions is from Milwaukee County. This increase from Milwaukee County is not due to any discernable "get tough" policy on the part of the judges but rather reflects a substantial increase in violent crimes in the city of Milwaukee, particularly a substantial increase in robberies.

In addition to the increase in admissions it has been determined that the decrease in the number and rate of parole grants is also contributing to the increase in populations, although it is not as important a factor as admissions. The Parole Board appears to have returned to its pre 1971 rate of parole approval (28-35%) after a period during 1971-72 when their approval rate increased to 38-50%. Interviews with Board members and others indicate that current Board members are less ready to take risks with marginal cases and have been discouraged by client failures under the former, more liberal rate of parole grants.

The vast majority of the individuals interviewed and in particular the individuals from Milwaukee County feel that the trend of increasing admissions will continue, given the economic conditions and the underlying causes of violence as suggested by the judges. It seems likely that populations in our adult male correctional institutions will not decrease in the foreseeable future but rather will continue to increase. If populations do continue to increase in 1975 at the same rate that they increased in 1974 (34 per month) our existing adult facilities (including the Wisconsin Home for Women as a coeducational facility) will be at total capacity before the end of 1975. Any increase beyond that could not be satisfactorily accommodated in existing facilities.

The following three sections of this report contain a more detailed presentation of the data and the interviews of the Parole Board members and Milwaukee County officials which were the basis for the comments and conclusions presented in this overview and summary.

SECTION II

ADMISSIONS AS A FACTOR AFFECTING INCREASED POPULATIONS

As has been previously reported, admissions to the adult male institutions have been increasing since October, 1973. Average monthly admissions during a base period of January, 1972 through September, 1973 were compared to average monthly admissions for the period of October, 1973 through October, 1974, and the difference annualized. This indicated that the annual number of admissions was up 300 over the base period. From September, 1973 through October, 1974 institution populations increased by approximately 400. Therefore, if all other factors affecting population size were constant during this period, it could be assumed that about 75% of the increase in populations was due to increased admissions. Clearly, it is reasonable to conclude that the major reasons for the recent population increases is growth in admissions.

The time period of January, 1972 through September, 1973 was used as the base period because this was when the population significantly declined. October 1, 1973 was utilized as the dividing point because this was the point in time when the population in the institutions began its recent trend of increase.

The portion of the increased population which is not the result of the increase in admissions is of course due to a decrease in separations. The causes of the decline in separations will be discussed in Section III.

Having established that an increase in admissions is the most significant cause of the recently increasing population, it is important to determine why admissions have been increasing since October, 1973, reversing a trend of declining admissions which Wisconsin had been experiencing from 1966 to 1973. To do this, the basic characteristics of those recently admitted to institutions was examined and compared to the basic characteristics of those admitted in previous years. It is reasoned that any significant change in characteristics might provide insight regarding the causes of the recent trend of increased admissions. Included in the characteristics that were examined but were determined to have not significantly changed in the past few years was admission by race, admission by previous adult and juvenile institution experience and admission by previous felony convictions. The following characteristics that were examined were found to have demonstrated some change in the past few years.

A. Admissions by Admission Status

An offender can be admitted to an adult male correctional institution in a number of ways, as a new admission, as a probation violator with a new sentence, as a probation violator without a new sentence or as a parole violator. A significant change in the relative proportion of those being admitted as new admissions, as probation violators with or without new sentences, or as parole violators can be an indicator of changes in policy, procedures or sentencing practice. Significant changes in numbers being admitted with a particular admission status can also have an important effect on the total number being admitted.

Table 5 shows the admissions to the adult male institutions by admission status for calendar years 1967 to 1974. The 1974 figures are based on actual data for nine months with estimated data for the remaining three months.

TABLE 5

ADMISSIONS TO INSTITUTIONS BY ADMISSION STATUS
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	New Admission- Non Violator		Probation Violator*		Parole Violator	
	#	%	#	%	#	%
1967	517	36%	401	28%	526	36%
1968	712	44%	426	27%	459	29%
1969	546	40%	419	31%	399	29%
1970	607	39%	508	32%	451	29%
1971	468	41%	398	34%	288	25%
1972	432	40%	355	33%	283	27%
1973	572	49%	364	31%	237	20%
1974	636	47%	452	33%	272	20%

*Includes probation violators with or without new sentence and juvenile aftercare violators.

It is clear from Table 5 that there was a rapid decline in the number of admissions of probation and parole violators from 1970 to 1972. Although new admissions declined 29% during this same period, admissions of probation violators declined 30% and admissions of parole violators declined by 37%. It appears that the relatively larger decline of admissions of probation and parole violators can partially be attributed to court decisions such as Hahn v. Burke, Gusohis v. Gagnon, and Johnson v. Cady which occurred during 1970 and 1971 and granted due process rights for probationers and parolees undergoing the revocation process.

Table 5 also indicates that the new admissions accounted for the majority of the increase in admissions. From 1972 to 1974 those admitted as new admissions increased by 47%, while those admitted as probation violators increased by 27% and those admitted as parole violators decreased by 4%. About two-thirds of the recent increase in admissions can be attributed to the increase in those being admitted as first admissions. About one-third of the recent increase in admissions is due to an increase in revocation of those on probation, and none of the increase can be attributed to increases in revocation of those on parole.

B. Admission by Age

Significant changes in the age of those admitted to the institutions can also provide insight into the causes of increased or decreased admissions. Changes in law, sentencing practices and court decisions can often have an effect on numbers in a certain age group being admitted to institutions.

Table 6 depicts admissions to the adult male institutions by age for calendar years 1967 to 1974. As was the case on the previous table, 1974 data is based on actual experience for nine months and estimated data for three months.

TABLE 6
ADMISSION TO INSTITUTIONS BY AGE
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Less Than 20 Years	20 Years to 25 Years	25 Years to 30 Years	30 Years to 40 Years	40 Years and Over
1967	28.6%	28.1%	13.7%	14.6%	15.0%
1968	32.0%	28.8%	13.6%	14.9%	10.7%
1969	27.4%	31.7%	14.9%	15.2%	10.8%
1970	25.6%	34.0%	16.3%	14.8%	9.3%
1971	20.2%	35.4%	18.7%	15.3%	10.4%
1972	18.1%	36.8%	20.5%	14.6%	10.0%
1973	19.6%	37.0%	18.7%	15.5%	9.2%
1974	18.3%	41.1%	19.9%	11.7%	9.0%

Table 6 shows a significant decrease from 1968 to 1972 in the proportion of offenders being admitted to institutions who are less than 20 years old. A large part of this decline can be attributed to the Wisconsin Supreme Court decision which prohibited the Department from transferring or admitting boys and girls under juvenile commitments to the Wisconsin State Reformatory and the Wisconsin Home for Women.

Another significant indicator in this data is that since the lowering of the age of majority there has not been an increase in admissions of 17, 18 and 19 year olds as might have been expected with this change. Generally, the relative proportion of admissions have increased for individuals between the ages of 20 and 30 while it has declined for those individuals under 20 and over 30.

C. Admission by Type of Offense

Changes in the relative proportion of those being admitted to institution by types of offense often reflect changes in laws, court decisions, sentencing practices, or economic and social conditions. Significant changes in any of these factors can result in increased or decreased admissions. The relative proportion of those being admitted to institutions by type of offense was examined in order to determine whether any significant change might have occurred which could help explain the recent increase in admissions.

Table 7 shows admissions to the adult male institutions by two broad categories of offenses as defined by the former vice-chairman of the State Parole Board; crimes against persons (including murder, manslaughter, robbery, assault, rape, sexual intercourse with a child, concealed weapons, arson, etc.) and crimes not against persons (including burglary, theft, embezzlement, forgery, worthless checks, narcotics, attempts (except rape), etc.

The 1974 figures include nine months of actual data and three months of estimated data.

TABLE 7
ADMISSIONS TO INSTITUTIONS BY TYPE OF OFFENSE
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Crimes Against Persons		Crimes Not Against Persons	
	Number	Percent	Number	Percent
1967	368	25%	1,083	75%
1968	488	31%	1,087	69%
1969	436	32%	903	68%
1970	436	28%	1,112	72%
1971	308	27%	846	73%
1972	370	35%	700	65%
1973	413	35%	760	65%
1974	485	36%	875	64%

As it can be seen from this data, since 1971 there has been an increase in the number of those admitted for crimes against persons after a substantial decline from 1970 to 1971. Admissions for crimes not against persons continued its trend of decline in 1972 but then began to increase in 1973 and 1974. From 1972 to 1974 the number of those admitted for crimes against persons increased by 115 while the number of those admitted for crimes not against persons increased by 175. Therefore, 40% of the increase in admissions is for crimes against persons and 60% of the increase in admissions is for crimes not against persons. This would seem to indicate that a higher proportion of individuals

being admitted to institutions are being admitted for crimes against persons. As will be discussed later, this proportion may be even higher than these statistics indicate if the use of plea bargaining is becoming much more predominate in the judicial system as some claim. We would assume that a growing number of individuals who are involved in crimes against persons (such as armed robbery) have the charge reduced to a crime not against persons (such as theft).

D. Admission by County of Commitment

In addition to determining who is being admitted to the institutions, how they are being admitted, and for what reasons, it also seems important to determine where they come from. Changes in local conditions such as unemployment, crime rate and local sentencing practices can cause an increase or decrease in admission from certain geographic areas.

Table 8 depicts admissions to the adult male institutions by county of commitment. Admissions during calendar years 1967 to 1974 are compared for Milwaukee County, Racine and Kenosha Counties, Dane County, Rock County, the Fox River Valley area (Brown, Outagamie, and Winnebago Counties) and the rest of the State. 1974 figures include nine months of actual data and three months of estimated data.

TABLE 8
ADMISSION TO INSTITUTIONS BY COUNTY OF COMMITMENT
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Milwaukee County		Racine-Kenosha Counties		Dane County		Fox River Valley Area		Rock County		All Other Counties	
	#	%	#	%	#	%	#	%	#	%	#	%
1967	622	37%	112	7%	59	4%	134	8%	38	2%	702	42%
1968	782	42%	137	7%	75	4%	122	6%	50	3%	711	38%
1969	678	44%	103	7%	60	4%	94	6%	51	3%	553	36%
1970	781	46%	106	6%	63	4%	118	7%	52	3%	584	34%
1971	482	40%	81	7%	50	4%	77	7%	34	3%	455	39%
1972	413	39%	82	8%	50	5%	56	5%	41	4%	428	39%
1973	536	46%	83	7%	65	6%	61	5%	23	2%	406	34%
1974	603	44%	120	9%	45	3%	60	4%	33	2%	499	38%

As can be seen from Table 8 the trend in the number of admissions from all the reported geographic areas from 1970 through 1972 was one of decline. Except for Milwaukee County admissions remained constant or declined from 1972 to 1973. Admissions from Milwaukee County, however, increased by 30% from 1972 to 1973. This same trend of increasing admissions from Milwaukee County continued

in 1974. Admissions to the institutions from Milwaukee County will have increased by 46% when comparing the 1974 number of admissions to the 1972 figures. Milwaukee County has accounted for two-thirds of the total state increase in admissions in 1973 and in 1974.

It is also significant that admissions from Racine and Kenosha Counties have reversed their trend of declining and steady admissions during 1974. It is now estimated that admissions from these two counties will increase by 46% from 1973 to 1974.

From an analysis of the four preceding characteristics it is concluded that the recent increase in admissions has been caused by an increase in admissions of those who were (1) admitted as first admissions, (2) admitted between the ages of 20 and 30, (3) admitted for crimes against persons more so than for crimes not against persons, and (4) admitted from Milwaukee County.

Since a great majority of the recent increase in admissions have originated from Milwaukee County, it was decided to concentrate further efforts to determine reasons for increased admissions on Milwaukee County. Answers were sought to the question of why admissions from Milwaukee began to increase in 1973 after a two year decline. Interviews were held with several assistant district attorneys from Milwaukee County, officers in the Milwaukee County Sheriffs Department and in the Milwaukee City Police Department, and State Probation and Parole Agents from the Milwaukee Regional Intake Unit.

The general consensus among those interviewed was that the increase in commitments to the State correctional institutions was being caused by the substantial increase in the crime rate in Milwaukee, more specifically the increase in violent crimes; particularly robberies. Observations such as the following were made. One assistant district attorney said that the increasing populations are due to the rapid increase in robberies in Milwaukee, and he did not think the situation would get better before it gets much worse. A detective in the Milwaukee City Police Force stated that robbery, especially armed robbery, is on the increase. He thought that the difference between today's robber and the robber of previous times, is that today he is more likely to shoot someone. It seemed to him that robbers are more vicious now than they were in the past. Also, a great majority of the people arrested for robbery are on drugs according to this individual. A Probation and Parole agent also said that the increase in admissions from Milwaukee County can be explained in terms of the substantial increase in robberies, especially armed robberies. He said that it is a rare case when a judge in Milwaukee will give probation to someone who is convicted of armed robbery. Conviction of armed robbery usually means incarceration according to this agent.

All those who were interviewed agreed that they had not seen any substantial evidence that the judges in Milwaukee County were getting any "tougher". There were several comments that indicated that the judges were getting a great deal of public pressure, through letters, to not continue the permissive handling of

offenders. Several of the State Probation and Parole agents in the Intake Unit stated that generally the judges considered an individual offender's total situation and did not sentence capriciously. There was one indication among all of the interviews, however, that certain judges were "hung up" on certain, usually violent, offenses and would sentence to the institutions no matter what the extenuating circumstances might be.

The Wardens and Superintendents in the adult correctional institution, that were interviewed, felt that one of the causes of the recent rise in admissions was due to sophisticated offenders being diverted, time and time again to community based programs but continuing their criminal behavior. As a result key individuals in the criminal justice system began to shift back to the feeling that the only viable alternative available was incarceration. This theory was discussed with a number of individuals in the district attorney's office and police department in Milwaukee. Although they felt that more offenders were repeat offenders who had previously been on probation, they still maintained that the rapid increase in violent crimes in Milwaukee was the basic reason for the increase in admissions to the institutions. One assistant district attorney stated that he had a general feeling that more of the current offenders are repeat offenders but he could not substantiate his feelings. It seemed to him that the argument that increased prison populations are caused by the failures of the community based programs was an argument used by those who are opposed to community based programs. He felt that all offenders who could remain in the community should be placed in community based programs.

In summary, the general feelings of the individuals interviewed in the Milwaukee County District Attorney's Office, Milwaukee County Sheriff's Department, City of Milwaukee Police Department and Milwaukee Region Probation and Parole Intake Unit were that the recent increase in admissions to the adult correctional institutions was due to a significant increase in violent crimes especially robbery. They also felt the increase was due somewhat to repeat offenders again committing crimes, but that it was not due to a "get tough" policy on the part of the Milwaukee County judges.

The Crime Index Data produced by the Crime Information Bureau of the Wisconsin Department of Justice substantiates that crime in Wisconsin, especially violent crimes (murder, non-negligent manslaughter, forcible rape, robbery, and aggravated assault), are on the increase. Table 9 shows the crime rate in Wisconsin for calendar years 1966 to 1973 for the crime index offenses. The data included in this table are the number of offenses known to Wisconsin law enforcement agencies and reported under the Uniform Crime Reporting Program. The crime index offenses include the violent crimes previously itemized and the crimes against property of burglary, theft and auto theft.

TABLE 9
NUMBER OF CRIME INDEX OFFENSES
Calendar Years 1966 to 1973
State of Wisconsin²

Year	All Crime Index Offenses	Violent Crimes	Property Crimes
1966	79,039	1,984	77,055
1967	93,504	2,948	90,556
1968	100,534	3,400	97,134
1969	104,974	3,411	101,563
1970	120,128	3,837	116,291
1971	134,614	3,973	130,641
1972	133,380	4,358	129,022
1973	145,151	5,273	139,878

The number of crime index offenses have increased by 9% from 1972 to 1973 after declining from 1971 to 1972. Crime index offenses per 100,000 population increased by 8% over 1972. The number of violent crimes in Wisconsin increased by 21% from 1972 to 1973. Violent crimes per 100,000 population increased by 20% from 1972 to 1973. Property crimes increased 8% from 1972 to 1973, while property crimes per 100,000 population increased 7% from 1972 to 1973.

While the number of crime index offenses were increasing 9% from 1972 to 1973 in Wisconsin, the national increase in crime index offenses was 6%. Violent crimes in Wisconsin increased 21% from 1972 to 1973 but only 5% nationally. While property crimes in Wisconsin were increasing 8% in this period, the national increase was 6%.

While the number of crime index offenses in the State increased by 9% from 1972 to 1973, the number of crime index offenses increased by 7% in the City of Milwaukee. However, the number of violent crimes increased by 30% in the City of Milwaukee from 1972 to 1973, compared to 21% in the State as a whole. Robberies increased in the State by 34% from 1972 to 1973 making it the fastest growing offense of all the crime index offenses. Robberies in the City of Milwaukee at the same time were increasing by 45%.

Table 10 provides more recent data on crime rates in Wisconsin and the City of Milwaukee. This table compares crime rates from January, 1973 through September, 1973 with crime rates from January, 1974 through September, 1974.

² Crime and Arrests - 1973, Crime Information Bureau, Division of Law Enforcement Services, Department of Justice, June, 1974.

TABLE 10

PERCENT CHANGE IN CRIME INDEX OFFENSES
January-September, 1973 Compared to January-September, 1974
State of Wisconsin, City of Milwaukee³

	All Crime Index Offenses % Change	Violent Crimes % Change	Property Crimes % Change	Robbery % Change
State of Wisconsin	+11%	+21%	+11%	+35%
City of Milwaukee	+ 5%	+34%	+ 3%	+54%

As can be seen from this data, although the rate of crime increase in the City of Milwaukee continues to be lower than the State as a whole, the rate of increase of violent crimes and more specifically robbery in the City of Milwaukee continues to be higher than the State as a whole.

Table 11 shows the admissions to the adult male correctional institutions for robbery from Milwaukee County for the fiscal years 1972 to 1974.

TABLE 11

ADMISSIONS TO INSTITUTIONS
FROM MILWAUKEE COUNTY FOR ROBBERY
Fiscal Year 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	Number Admitted	Percent of Admissions
1972	74	18%
1973	107	23%
1974	143	25%

As can be seen from this table the number of admissions to the adult male correctional institutions from Milwaukee County for robbery have increased by 69 from fiscal year 1972 to fiscal year 1974, a 93% increase.

The available crime statistics and admission data from Milwaukee County appear to confirm the opinions of the local officials in Milwaukee that violent crimes in Milwaukee have been increasing rapidly and that robberies have been the key factor in this growth. The data also supports the contention that there has

³ Crime in Wisconsin Third Quarter Release, Crime Information Bureau, Division of Law Enforcement Services, Department of Justice, 1974.

been an increase in admissions to the adult male correctional institutions for robbery and that this is a major contributor to the increased admissions from Milwaukee County.

Most of the individuals interviewed from Milwaukee County felt that more individuals now appearing in court for new offenses had been on probation one or more times but they could not substantiate this feeling with hard data.

One indicator that more individuals are being given probation on more than one occasion is shown in Table 12, which details the number and percent of the total caseload of probation and parole cases that are multiple cases. This means that even though these individuals are counted as one case, they are serving either more than one consecutive probation term or a combination of consecutive probation and parole terms.

TABLE 12

MULTIPLE PROBATION AND/OR PAROLE CASES
Selected Months for 1971 Through 1974
State Probation and Parole⁴

Month	Number of Multiple Cases	Percent of Multiple Cases	Average Daily Caseload
January, 1971	329	3.3%	9,925
July, 1971	373	3.7%	10,070
January, 1972	462	4.4%	10,582
July, 1972	544	4.8%	11,283
January, 1973	623	5.5%	11,273
July, 1973	925	7.2%	12,882
January, 1974	1,229	8.8%	13,965
July, 1974	1,555	10.2%	15,242

It is apparent from this data that many more individuals are being given probation terms for new offenses when they are already on probation or parole rather than being incarcerated.

It would seem to follow from that conclusion that more individuals being admitted to our adult male correctional institutions have had one or more "chances" before being sent to an institution. Table 13 shows the percent of those individuals admitted to the adult male correctional institutions who had no prior adult probation

⁴

Data obtained from the records of the Bureau of Probation and Parole, Division of Corrections.

experience, one prior adult probation experience or two or more prior adult probation experiences for the fiscal years 1972 through 1974.

TABLE 13

ADMISSION TO INSTITUTIONS BY PREVIOUS
ADULT PROBATION EXPERIENCE
Fiscal Years 1972 Through 1974
Adult Male Correctional Institutions⁵

Fiscal Year	No Prior Probation Terms	One Prior Probation Term	Two or More Prior Probation Terms
1972	21%	26%	53%
1973	17%	22%	61%
1974	14%	35%	51%

It appears clear from this data that a larger percentage of those being admitted to the adult male correctional institutions have had prior adult probation terms. In fiscal year 1972, 21% had no prior adult probation terms while 79% did. In fiscal year 1974, 14% had no prior terms while 86% did. Although the percent of those admitted to institutions with two or more prior probation terms increased from fiscal year 1972 to 1973, that percentage has decreased in fiscal year 1974. It seems reasonable to assume that during the low admission period of fiscal year 1973 that courts were less likely to incarcerate an individual who had no prior or just one prior probation term and the majority of those who were incarcerated were those that had "failed" in the community based program of probation two or more times. It can also be reasoned that although courts more recently are less likely to incarcerate an individual who has had no prior probation terms they are also more likely to incarcerate an individual who has had one prior "chance" and failed. The reason for this could be that these individuals are committing more violent or serious offenses than they were in the past.

In order to test the opinions of the Milwaukee officials concerning the causes of the increase in admissions, six Circuit Court Judges from Milwaukee County were interviewed. All six judges sit full time in the Criminal Division and deal with felony cases. Three of the judges interviewed are the regular elected judges in the Criminal Division, two are reserve judges assigned full time to felony cases and one judge was reassigned full time from the Civil Division to the Criminal Division.

⁵ Data was obtained by sampling case records of those admitted to adult male correctional institutions during the fiscal years indicated.

All six judges indicated that the increase in admissions from Milwaukee County is being caused by the substantial increase in violent crimes, especially robberies that involve the use of weapons and/or physical harm. Several judges stated that they seldom give individuals committing these types of crimes probation but rather give sentences involving incarceration. Although several other judges stated that they might give probation to a first offender who commits robbery, recently a great majority of the individuals they are seeing who are arrested for robbery are repeat offenders. These individuals, they feel, must be incarcerated because they have proven that they are a danger to the community.

All of the judges agreed that there had not been a change in sentencing practices. They felt that they continued to utilize probation and other community based programs to the fullest extent possible while using incarceration only for those individuals who have demonstrated that they can not function in the community or are a danger to society. They disagreed with the idea that they were sentencing more individuals to the institutions because of the failure of community based programs or as a reaction to a public "backlash" against "permissive" handling of the offender. Rather, they maintain that they are seeing more individuals who have committed very serious and violent offenses, many of whom are repeat offenders. They feel that these individuals must be incarcerated to protect the public.

The judges were queried as to their opinions of why crime and especially violent crime had been increasing so rapidly, although any systematic analysis of that question was beyond the scope of this study. The majority felt that the worsening economy and rising unemployment rate were contributing to the increase in property crimes, but that these factors do not have a direct bearing on the increase in admissions to institutions. The judges felt that although the worsening economy contributed to the increase in crime generally, it does not explain the increase in violent crimes and in violence accompanying robberies and other property offenses. It is this increase in violence, they say, that is playing an important part in the increase in admissions to the institutions.

The Milwaukee judges attribute the increase in violent crimes to more basic causes than the fluctuation of the unemployment rate. Several judges see it as related to a growing rebelliousness in certain segments of our society which has resulted in a whole new lifestyle with a different value system and a lack of respect for the law and human dignity. The new heroes of these "streetpeople", as one judge called them, are the "pimps" and "drug pushers", because they have the money and the fancy cars. This judge stated that young children can not wait to grow up so that they too can be "pimps" and "pushers" and have a lot of money.

A number of judges also attributed the increase in crime to the failure of our society's "institutions". They blame the lack of a juvenile justice system which can effectively treat juvenile offenders, the failure of schools to really educate children, and

the media for dramatizing crime but underplaying punishment received by the individual committing crime. Several judges also felt that offenders are paroled too quickly and that the State has failed to recognize that certain individuals will continue to be dangerous criminals no matter what is attempted and that maybe these individuals should be incarcerated the rest of their lives.

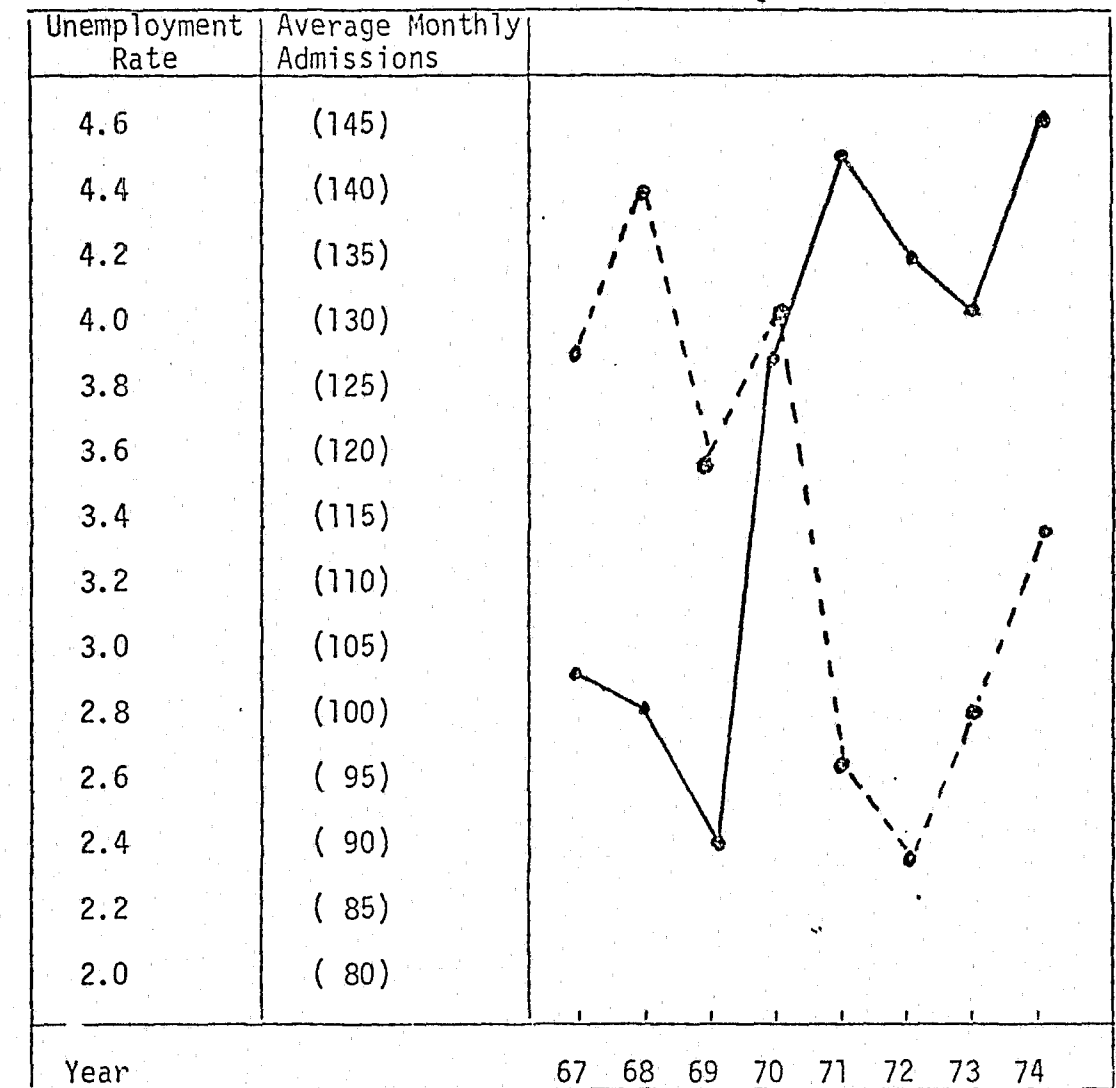
The general concensus among the judges was that the trend of increasing admissions to the institutions would continue and most likely accelerate. Even an upturn in the economy would not reverse the trend, they felt, because of the more basic causes of the increase in violent crimes.

Previously reported data supports the judges opinions that Milwaukee has experienced a substantial increase in violent crimes, robberies and admissions to institutions for robbery. Data obtained from the Milwaukee County District Attorney's Office shows that in 1972 of the 752 cases disposed of by the Milwaukee County Courts involving charges of robbery and burglary, 226 cases or 30% resulted in confinement in State or County institutions. In 1973 of the 948 cases disposed of by the Courts involving the same charges, 308 cases or 32% resulted in confinements in State or County institutions. This data suggests that there has been little change in the rate of confinement from 1972 to 1973 and hence little change in sentencing practices.

It was not within the scope of this study to deal with the causes of the increase in violent crimes or to test the opinions of the judges as to the causes, beyond the point of showing in Table 14 that from 1967 to 1974 there has not been a strong correlation between the rate of unemployment in the State and admissions to the adult male correctional institutions.

TABLE 14

STATE OF WISCONSIN UNEMPLOYMENT RATE
 COMPARED TO AVERAGE MONTHLY ADMISSIONS
 TO THE
 ADULT MALE CORRECTIONAL INSTITUTIONS
 Calendar Years 1967 to 1974⁶



Key ——— Unemployment
 - - - Admissions

⁶Unemployment data obtained from the Wisconsin Department of Industry, Labor and Human Relations.

SECTION III

SEPARATIONS AS A FACTOR AFFECTING INCREASED POPULATIONS

As can be seen from this graph, there has not been a consistent relationship between unemployment and institution admissions in recent years. This appears to support the judges' feelings that the increase in violent crimes and institution admissions can not be explained in terms of increasing unemployment.

From a review of all the data presented in this section, it appears clear that the major cause of increasing populations in our adult correctional institutions is an increase in admissions, and that a substantial portion of the increased admissions are from Milwaukee County. Available data appears to substantiate the opinion of officials in Milwaukee County that the cause of increased admissions is the rapid increase in violent crimes, especially robbery, and is not a new "get tough" policy on the part of the courts. There is some evidence to show that more people currently incarcerated have previously had probation experience and failed. But the evidence does not substantiate the theory that more people being incarcerated now have been diverted time and time again from incarceration, but now are being incarcerated because that is the only viable alternative left.

As stated in Section II, statistically it would be possible to attribute roughly 75% of the increase in population to an increase in admission, if all other influences remained constant. Clearly, growth in admissions, not the decline in separations, is the main reason for the population growth. But because "all other influences" have not remained constant, it has not been possible within the scope of this study to develop a definitive statistical analysis that specifies exactly what percentage of the population growth is due to admissions growth and what percentage is due to the decline in separations. This is because the number and rate of separations in any given period is affected by a great many variables such as previous fluctuations in numbers of admissions, length of sentences, and Parole Board philosophy and practice. It is impossible to select a single base period against which current separations experience can be measured that would not be somewhat misleading or mask an important consideration regarding one or more of the variables.

As was discussed in Section I (Table 3A and 4A, pages 7&8) there has been a decline in the percent of those released from the institutions that were released by parole, as well as a decline in the percentage of State Parole Board hearings resulting in parole grants. While these figures might suggest a "tougher" attitude on the part of the members of the Parole Board, at the same time the median length of stay in the institutions has been declining slightly in the past few years. In addition, when time served is related to length of sentence, the proportion of sentence served was 45.0 percent for fiscal year 1972 releases, 44.5 percent for fiscal year 1973, and 44.8 percent for fiscal year 1974, thus showing only a gradual change. Table 15 shows the median length of stay for adult males released from the State correctional institutions from calendar years 1966 through 1974. As in other tables, 1974 data represents nine months of actual data projected on an annual basis.

TABLE 15

MEDIAN LENGTH OF STAY IN MONTHS
Calendar Years 1966 to 1974
Releases From Adult Male Correctional Institutions

Year	Median Length of Stay First Releases	Median Length of Stay Re-releases	Median Length of Stay All Releases
1966	14.9	13.2	14.4
1967	15.5	14.5	15.3
1968	15.9	13.9	15.3
1969	16.9	14.2	16.2
1970	18.4	13.4	18.2
1971	18.6	15.0	18.3
1972	20.2	17.1	19.3
1973	19.0	14.6	18.6
1974	18.5	13.6	18.3

Because of the recent declining length of stay, which contradicts a theory of a "tougher" State Parole Board policy, it was felt that possibly the parole grant rate (grants divided by hearings) were skewed downward by unrelated factors that had nothing to do with any change in the philosophy of the Parole Board. After examining many variables in the data and determining that they were not exerting a downward effect on the rate the one remaining possibility was the impression of the former Vice-chairman of the Parole Board that the Board was seeing individuals more often before granting parole. To test this impression a 10% sample of individuals granted parole in 1972 was analysed and compared to a 10% sample of individuals granted parole in 1974. It was found that the number of hearings (including the final hearing resulting in parole being granted) was 3.0 in 1972 but only 2.1 in 1974. It is therefore concluded that the number of hearings necessary before parole is granted is not a factor that can help explain lower parole rates.*

Helping to substantiate the conclusion that the percent of parole hearings resulting in parole grants is declining and that this is not due to the downward skewing of the data is the fact that the average length of deferments of those denied parole (excluding those deferred to mandatory release) has increased for adult males. The growth has been from 6.97 months in fiscal year 1972 to 7.43 months in fiscal year 1973 to 7.90 in fiscal year 1974. If the number of times the Parole Board was seeing a man before granting parole was increasing instead of decreasing as it is, and the average length of stay was declining as it is, it would be assumed that the average length of deferments would be declining. But instead it is increasing. Likewise, the percent of those adult males heard who were deferred to mandatory release has increased from 5.05% in 1972 to 7.56% in 1973. The opposite trend would have been expected if the number of hearings per parole grant was increasing.

As previously stated, the findings related to the activities of the State Parole Board are hard to reconcile with the fact that the average (median) length of stay is declining. However, it would appear that average length of stay for releases will increase during this calendar year and more closely reflect the actions of the Parole Board. It is logical to expect that those individuals most affected by the recent actions of the Parole Board are still residing in the institutions and hence their longer lengths of stay are not yet reflected in the release data. This view is supported by a number of individuals in the Division of Corrections and Department of Administration who have examined the same issue.

From the preceding analysis the conclusion was reached that the Parole Board is in fact, granting a smaller percentage of paroles compared to previous periods and this is contributing to the increase in populations in the institutions. The question to be examined, then, is why this is occurring.

*This finding was the reverse of earlier figures released by the Parole Board that were based on a smaller sample and a comparison of 1972 to 1973.

Parole Board Views

As part of this study each member of the Board was interviewed. Also, interviewed were several former members of the Board who now hold other positions in the Division of Corrections. Their interviews focused on two main themes; the major criteria for granting parole and factors that would cause the change in the rate of parole grants.

All of the members stated that each case is decided on its own individual merits. Some factors are more important in some cases while other factors are more important in other cases. It was the general consensus, however, that the offense itself was very important. The Board does not look just at the offense of record for which the individual was admitted but also considers the act itself and the manner in which it was committed. For example, the offense of record for an individual being considered for parole may be theft. However, by reviewing the case file the Board may learn from the presentence investigation or the transcript of the sentencing hearing that the individual was really involved in armed robbery and "pistol-whipped" his victim in the process. But through the process of plea bargaining the original charge may have been reduced to theft. In considering this individual for parole, the Board would consider the total act.

Another important consideration in deciding whether parole is granted, according to Board members is the individual's prior record and past and current behavior. Several members stated that no one has found a better predictor of future behavior than past behavior. Of particular concern would be the manner in which an individual had handled himself on previous terms of probation and parole. If an individual has failed every time he was under field supervision, the Board would tend to hold this man longer.

The Board also considers the length of sentence the individual receives as an indicator of the seriousness of the offense, previous criminal behavior, and the attitude of the court and the community at the time of sentencing. Equally important is the time an individual has served on a sentence. Several Board members felt that the Courts and the public expected that individuals committing very serious offenses serve an adequate amount of time as a deterrent.

The Board members also stated that personal adjustment in the institution as well as involvement in institution programs was important. This information is provided to the Board members by the individual's social worker at the time of the parole hearing, although institution personnel do not make recommendations to the Board regarding whether an adult should receive parole. All the members agreed that they do not and have never discussed individual cases with institution personnel in order to solicit their opinions on granting parole.

An individual's parole plan is also an important consideration in the parole decision-making process. The prospects for employment upon release are taken into account. Numerous studies have shown that an individual who has steady employment while on parole has a much better chance of succeeding than does an individual with employment difficulties.

The Parole Board members were queried as to the reasons why the percent of hearings resulting in parole grants had declined from a rate in excess of 40% during the period of July, 1971 through June, 1972 to a rate of less

than 30% during recent months. The general consensus of those members who were on the Board during both time periods was that during the earlier period when the grant rate was very high, they were influenced by the study of the institutions by the Governor's Task Force on Offender Rehabilitation, prison riots and other incidents, studies and reports involving prisons. In addition to a general feeling that long institution stays were undesirable, there also was a feeling that the newly developing community based programs should be given the opportunity to demonstrate their effectiveness. As a result the Board would usually parole a marginal case. Several former Parole Board members who were members during this period confirmed this opinion. Now, however the Board is seeing those individuals who have failed in the community on a number of occasions and have been incarcerated because there was no other realistic alternative. The members are saying that as a result of this many of the offenders they are now seeing who have demonstrated that they can not easily succeed in the community, are multiple or repeat offenders, committed more violent crimes, and are adjustment problems in the institutions. Hence, the Board in recent months has been less likely to parole an individual with a marginal case.

Another change that was cited was the recent modification making parole revocation more difficult to accomplish. Before this change the Board was more likely to parole someone with a marginal case because they knew that if the individual began to slip into his former pattern of behavior, the agent could revoke his parole and send the individual back to the institution before he committed a new offense. Now, however, with this practice made significantly more difficult the Board is less likely to parole a marginal case.

Finally, most members who have been on the Board for a few years feel that the substantial change in membership has had an effect on how the Board grants paroles. It is reasoned that each new Board member brings his or her own philosophy, perspectives and biases to the Board. It is felt that the number of changes in membership that have occurred in the last two years has changed the general philosophical make-up of the Board.

Inmate Characteristics

Table 7, Admissions to Institutions By Type of Offense (page 14) shows that in 1971, 27% of those being admitted to the institutions were being admitted for crimes against persons. In 1972 and 1973 this increased to 35%. In 1974 this increased again to 36%.

Table 16 shows the number and percent of adult males residing in the correctional institutions on a given date, by admitting offense.

TABLE 16

RESIDENT POPULATION BY OFFENSE
Selected Dates From 1969 to 1974
Adult Male Correctional Institutions

Date	Crimes Against Persons		Crimes Not Against Persons	
	Number	Percent	Number	Percent
12-31-69	1009	38.4	1621	61.6
6-30-70	1021	37.5	1704	62.5
12-31-70	1052	37.1	1785	62.9
6-30-71	1019	39.0	1596	61.0
12-31-71	961	40.3	1423	59.7
6-30-72	889	42.4	1207	57.6
12-31-72	868	44.2	1094	55.8
6-30-73	877	44.2	1108	55.8
12-31-73	914	44.1	1157	55.9
6-30-74	1039	45.2	1262	54.8

Although there has been a general increase in the percent of men residing in the institutions who are admitted for crimes against persons, there has not been as significant increase as one might have expected. From December 31, 1972 to June 30, 1974 there has been a 20% increase in terms of actual numbers of men residing in the institutions who were admitted for crimes against persons. During the same period, however, there has also been a 15% increase in terms of actual numbers of men in residence who were admitted for crimes not against persons. As a result, the proportion of the total population admitted for crimes against persons went up only 1% during this period.

After reviewing this data a number of Parole Board members indicated they feel the data is misleading because of the increasing use of plea bargaining which tends to reduce the seriousness of the offense for which the man is finally admitted. Because of this, they claim the data is really not comparable from one period to another.

The Milwaukee Journal recently produced statistics from Milwaukee County which give an indication of the increasing use of plea bargaining. Table 17 is a reproduction of the data presented by the Journal.

TABLE 17

USE OF PLEAS BARGAINING IN FELONY CASES
Calendar Years 1968 to 1973
Milwaukee County 7

Year	Total Convictions	Percent of Convictions on Original Charges	Percent of Convictions on Reduced Charges
1968	1967	88.9%	11.1%
1969	1752	80.1%	19.9%
1970	1866	81.2%	18.8%
1971	1746	73.7%	26.3%
1972	1638	68.4%	31.6%
1973	1793	60.8%	39.2%

7 "Impact of Plea Bargains on Sentences Disputed", Judging Justice - A Report on Our Criminal Courts, Milwaukee Journal, November 3, 1974.

The data indicates a substantial increase in the percent of individuals who were convicted on reduced charges which in turn is an indication of the increased use of plea bargaining.

As a part of this study an attempt was made to determine the extent to which plea bargaining has affected the individuals being admitted to the institutions. A 6% sample was obtained for admissions to the adult male correctional institutions for fiscal years 1972, 1973 and 1974. A search of the case files was conducted in an effort to locate incidents of plea bargaining. Incidents of plea bargaining were found in 19% of the cases sampled in fiscal year 1972. Plea bargaining was found in 9% of the cases in 1973 and 14% of the cases in 1974. The reliability of these findings are questionable, however, because there probably are times when known incidents of plea bargaining are not recorded in the case files and there are cases in which plea bargaining occurred but were not known to the probation and parole agent who conducted the pre-sentence investigation.

It has previously been shown that an increasing percent of those individuals being admitted to the institutions have had prior terms of probation. Other indicators of past patterns of behavior are shown in Tables 18, 19 and 20 which reports first admissions by previous felony convictions, by previous adult institution experience and by previous juvenile institution experience for fiscal years 1972, 1973 and 1974.

TABLE 18

PERCENT OF FIRST ADMISSIONS BY PREVIOUS FELONY CONVICTIONS
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Previous Convictions	One Previous Conviction	Two or More Previous Convictions	Total With Previous Convictions	Not Reported
1972	51.8%	21.9%	24.9%	46.8%	1.4%
1973	52.2%	25.3%	22.4%	47.7%	0.1%
1974	51.5%	27.4%	21.1%	48.5%	0%

TABLE 19

PERCENT OF FIRST ADMISSIONS BY PREVIOUS ADULT INSTITUTION EXPERIENCE
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Experience	At Wisconsin Adult Institutions	Adult Institutions Other Than Wis.	At A Jail	Total With Experience	Not Reported
1972	44.7%	25.3%	8.9%	19.7%	53.9%	1.4%
1973	48.4%	23.3%	9.0%	19.2%	51.5%	0.1%
1974	50.3%	21.5%	7.8%	20.4%	49.7%	0%

TABLE 20

PERCENT OF FIRST ADMISSIONS BY PREVIOUS JUVENILE INSTITUTION EXPERIENCE
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Experience	At State Institution	At Non-State Institution	Total With Experience	Not Reported
1972	65.2%	29.4%	4.0%	33.4%	1.4%
1973	66.2%	29.1%	4.6%	33.7%	0.1%
1974	67.1%	29.5%	3.4%	32.9%	0%

These three criteria which are measures of previous behavior show very negligible changes over the last three fiscal years. There is some increase in the percent with previous felony convictions which would correspond with the increase in the percent of admissions of individuals with previous probation experience. There is some decrease in admissions with previous adult and juvenile institution experience which corresponds with decreased use of institutions, both adult and juvenile, in the early 1970's. These trends, however do not reflect a significant change in previous criminal behavior on the part of those being admitted for the first time to the adult male correctional institutions.

Table 21 depicts the length of sentence of those being admitted to the adult male institutions from calendar years 1967 to 1974. The 1974 figures represent nine months of actual data projected on an annual basis.

TABLE 21

ADMISSIONS TO INSTITUTIONS BY LENGTH OF SENTENCE-IN YEARS
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Less Than 1	1 to 3	3 to 5	5 to 7	7 to 10	10 and More	Indeterminate
1967	0%	38%	29%	16%	5%	9%	3%
1968	0%	34%	29%	18%	5%	10%	4%
1969	0%	33%	27%	17%	6%	12%	5%
1970	0%	32%	31%	17%	6%	14%	0%
1971	0%	35%	28%	18%	6%	13%	0%
1972	1%	29%	28%	20%	6%	16%	0%
1973	1%	29%	32%	17%	8%	13%	0%
1974	1%	29%	29%	19%	7%	15%	0%

Although there is no clear pattern to this data there is a slight trend toward increase in the length of sentences for those admitted to the institutions. In 1971, 63% of those admitted had sentences of less than five years. In 1974, 59% of those admitted had sentences of less than 5 years.

Although there is no precise definition of what appropriate adjustment means and what inappropriate adjustment means, Tables 22, 23 and 24 are indicators of changing behavior in the institutions. Table 22 is a count of conduct reports issued (more appropriately called misconduct reports) for selected months from 1972 to 1974 for the adult male correctional institutions. The ratio expresses the number of conduct reports per average daily population. Table 23 is a count of incidents resulting in terms in the segregation units in the adult male correctional institutions. These incidents are reported as assaultive incidents (fighting, physical attacks on staff, homosexual assaults and escapes), insubordination (refusal to work and refusal to obey a direct order) and other incidents. The percentages represent the ratio of incidents to average daily population. Table 24 reports the number of escapes as a ratio of the average daily population.

TABLE 22

NUMBER OF CONDUCT REPORTS AS A RATIO TO A.D.P.
Select Months from 1972 to 1974
Adult Male Correctional Institutions⁸

Month	Number of Conduct Reports	Average Daily Population	Conduct Reports As a Percent Of ADP
July, 1972	411	2045	20%
January, 1973	406	1955	21%
July, 1973	540	1987	27%
January, 1974	822	2082	39%
July, 1974	798	2299	35%

TABLE 23

NUMBER OF INCIDENTS RESULTING IN SEGREGATION
AS A PERCENTAGE OF AVERAGE DAILY POPULATION
Calendar Years 1972 to 1974*
Adult Male Correctional Institutions

Year	Percent of Assaultive Acts	Percent of Acts of Insubordinate	Percent of Other Acts	Total Acts Resulting In Segregation
1972	2.75%	4.03%	7.22%	14.00%
1973	2.35%	4.33%	7.50%	14.18%
1974	2.70%	5.57%	9.03%	17.30%

*1974 data represents 9 months of actual data projected on an annual basis.

⁸ Data reported in Tables 22 and 23 were obtained from the records of the adult male correctional institutions.

TABLE 24

ESCAPES AS A PERCENT
OF AVERAGE DAILY POPULATION
Calendar Years 1968 to 1974*
Adult Male Correctional Institutions

Year	Number of Escapes	Average Daily Population	Ratio of Escapes to ADP
1968	50	2540	1.97%
1969	64	2650	2.42%
1970	82	2722	3.01%
1971	72	2635	2.73%
1972	110	2152	5.11%
1973	79	2004	3.90%
1974	102	2278	4.50%

* 1974 data represents nine months of actual data projected on an annual basis.

The data shows a substantial increase in conduct reports from July, 1972 to July, 1974. In terms of conduct reports as a percentage of average daily population there was a 75% increase in conduct reports during this period.

Although the data does not show a significant change in assaultive incidents resulting in terms of segregation from 1972 to 1974 there was an increase in acts of insubordination during this period and an increase in all acts resulting in terms of segregation.

From 1971 to 1972 there was a substantial increase in escapes but then a decrease in 1973. However, there has again been an increase in escapes in 1974 as compared to 1973.

If the three measures of conduct reports, incidents resulting in segregation and escapes are an accurate measure of the adjustment and behavior in the adult correctional institutions there can be little question from the data presented that the adjustment and behavior of residents in these institutions has worsened during the past few years.

Summary of Separations

Although it was found to be statistically impossible to calculate the actual increase in population caused by a more restrictive parole practice, it is clear that a decline in the number of hearings resulting in parole is contributing to the increase in populations. The members of the Parole Board maintain that this is primarily due to an increase in admissions of assaultive individuals, with a longer length of sentence, a longer history of criminal activity, and a greater problem of adjustment in the institution. The data reported showed some increase in admissions for crimes against persons, some increase in the length of sentence, little change in previous felony convictions, adult institution experience and juvenile institution experience and a substantial change in conduct in the institution. It is felt, however, that the data itself is not totally sufficient to explain the substantial decrease

in the percent of hearing resulting in parole. According to individuals who were interviewed the significant change in Parole Board membership has changed the general philosophy of the Board. This factor may be contributing to the decline in the rate of parole grants.

SECTION IV

TRENDS IN OTHER JURISDICTIONS

As a part of this study a number of other states were surveyed to determine trends in population in adult correctional institutions. Besides surveying states adjacent to Wisconsin, several other states were surveyed which either have a population distribution similar to Wisconsin's, are in the mid-west, or have a correctional system similar to Wisconsin's. A survey of population trends in the Federal Bureau of Prisons was also conducted. This review of other jurisdictions was made to determine whether the recent trend of increasing populations in Wisconsin's correctional institutions was unique to our State or part of a national trend.

The following are the results of this survey:

A. Iowa⁹

In September, 1972 populations in the Iowa adult male correctional institutions hit a low point of 1,320. By December, 1972 the populations had risen to 1,442 and by June, 1974 they had risen to 1,519. The population at the beginning of December, 1974 was 1,522 which represented a 15% increase since September, 1972.

B. Missouri

The average daily population in Missouri's adult male correctional institutions during fiscal year 1972-73 was 3,480. In fiscal year 1973-74 it had risen slightly to 3,500. However, the population in October, 1973 was 3,473 while the population in October, 1974 had risen to 3,720 or a 7% increase in a one year period.

C. Oregon

In November, 1973 Oregon reached a low point in their adult correctional institutional populations at a level of 1,425. The population in November, 1974, however, had risen to 1,855 or a 30% increase in a period of only one year.

D. Ohio

The average daily population in Ohio's adult male correctional institutions during the period of April through June of 1973 was 7,922. The average daily population during the period of July through September, 1973 had dropped to 7,698, the lowest average daily population which has been recorded in Ohio during the past 30 years. However, the population on September 30, 1974 was 8,906 representing an increase of 16% in a period of about one year.

⁹ Population data from other jurisdictions was obtained from officials in those jurisdictions.

E. Illinois

The average daily population in Illinois in the adult male correctional institutions was 7,049 in 1971. The populations declined to 6,582 in 1972, 5,982 in 1973 and 5,908 in January, 1974. In June, 1974 the population had risen to 6,063 and to 6,342 in October, 1974 or an increase of 7% in ten months.

F. Michigan

In 1971 the average daily population in the adult male correctional institutions was 9,600. In 1972 this declined to 9,400 and to 8,300 in 1973. The population in January, 1974 was 7,950 and had risen to 8,700 in October, 1974 or a 9% increase in ten months.

G. North Carolina

Between 1966 and 1972 the average daily population in the adult correctional institutions in North Carolina remained fairly steady, fluctuating between 9,600 and 9,900. The average daily population in 1972 was 9,776. That increased to 11,561 in 1973.

The population in their institutions on December 16, 1974 was 12,100.

H. Minnesota

Minnesota was the only jurisdiction surveyed that reported a declining population in their adult male correctional institutions. In 1971 they had an average daily population of 1,688. The population declined in 1972 to 1,516, and to 1,259 in 1973. The population in August, 1974 had further declined to 1,194. Officials in Minnesota attributed the decline not to reduced admissions but to a substantial decline in length of stay caused by a change in parole board organization and practices.

I. Federal Bureau of Prisons

Table 25 shows the end of the fiscal year populations for the Federal Bureau of Prisons' adult correctional institutions.

TABLE 25
END OF FISCAL YEAR POPULATION, 1965-1974
FEDERAL BUREAU OF PRISONS

Fiscal Year	End of Year Population
1965	22,346
1966	21,040
1967	19,822
1968	20,170
1969	20,208
1970	20,686
1971	20,820
1972	21,280
1973	22,436
1974	23,365

As it can be seen the Federal institutions had a general trend of declining and stable population from 1965 through 1972. However, in 1973 the population increased by more than 5%. From 1972 to 1974 population has increased by 10%.

It is apparent from a review of the data from other jurisdictions that the trend of increasing populations in Wisconsin's correctional institutions is not unique to our State. Of all the jurisdictions that were surveyed only one did not report a recent increase in populations.

REPORT TO THE HEALTH AND SOCIAL SERVICES BOARD

AN ANALYSIS OF THE INCREASING POPULATIONS
IN THE
STATE ADULT MALE CORRECTIONAL INSTITUTIONS

January 1975

BY: Steve Kronzer
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AN ANALYSIS OF THE INCREASING POPULATIONS
IN THE
STATE ADULT MALE CORRECTIONAL INSTITUTIONS

MAJOR FINDINGS

- A. After experiencing fairly stable populations in the late 1960's and early 1970's in the State adult male correctional institutions, the populations rapidly declined in 1972 (an 18% decline from 1971). This rapid decline was caused by a substantial decline in admissions (27% in 1971 as compared to 1970) and an increase in the percentage of parole hearings resulting in a grant of parole.
- B. The decline in populations ended in late 1973 and populations have been increasing steadily ever since (28% increase from September 1973 to December 1974).
- C. An increase in admissions has been the most important factor in the recent increase in population. Admissions have increased 27% between 1972 and 1974.
- D. A substantial majority of the recent increase in admissions are from Milwaukee County and are new admissions (as opposed to probation and parole revocations).
- E. The increase in admissions from Milwaukee County is not due to any discernable "get tough" policy on the part of the judges there, but rather reflects a substantial increase in violent crimes in the City of Milwaukee, particularly robberies.
- F. A decrease in the number and rate of parole grants is also contributing to the increase in populations, although it is not as important a factor as the increase in admissions. The Parole Board appears to have returned to its pre 1971 rate of parole approval (28-35%) after a period during 1971-72 when their approval rate increased to 38-50%.
- G. Interviews and statistical analysis indicates that current Parole Board members are less ready to take risks with marginal cases, based mainly on a concern about client failures under the former, more liberal rate of parole grants.
- H. The vast majority of the knowledgeable individuals interviewed feel that the trend of increasing populations will continue in the foreseeable future.

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SECTION I

OVERVIEW AND SUMMARY

After experiencing fairly stable populations in the late 1960's and early 1970's in the State adult male correctional institutions, the populations rapidly declined in 1972. The decline ended in late 1973 and populations have been increasing steadily since then.

At its October, 1974 meeting the Health and Social Services' Board requested that the Department study and report on the causes of the recently increasing population in the adult male correctional institutions. This study was undertaken by the Bureau of Planning and Analysis. In the course of the study, interviews were held with administrators, superintendents and field staff of the Division of Corrections, members of the State Parole Board, judges and law enforcement personnel in Milwaukee County and court administrators. In addition, statistics of the Division of Corrections, State Parole Board, State Departments of Justice and Industry, Labor and Human Relations and the Milwaukee County District Attorney's office were analyzed. Finally, a brief survey of adult correctional population trends in other jurisdictions was conducted.

Average Daily Population Trends

The following table summarizes the pattern of sudden decline and then steady growth in population of Wisconsin's adult male correctional institutions.

TABLE 1
AVERAGE DAILY POPULATIONS
Calendar Years 1966 to 1974
Adult Male Correctional Institutions¹

Year	Average Daily Populations
1966	2,678
1967	2,559
1968	2,540
1969	2,650
1970	2,722
1971	2,635
1972	2,152
1973	2,004
1974 January	2,073
March	2,158
June	2,281
September	2,335
December	2,484

¹Unless otherwise noted, source of data is Division of Corrections' statistical reports.

A. Reasons for 1972 Decline

An analysis of the recent increase in adult male correctional institution populations should first explore the reasons for the sudden drop in populations in 1972 (an 18% decline from 1971). Factors related to that decline may help explain the recent upswing in population.

Individuals including Division of Corrections' administrators and superintendents and State Parole Board members suggested a number of possible reasons for the decline in populations in 1972. A major factor cited was that within Wisconsin and the nation considerable public study and discussion of prison systems and alternatives to prisons was occurring. During this period the Wisconsin Governor's Task Force on Offender Rehabilitation was studying correctional institutions and their programs and were often critical of them. At the same time prison disturbances such as those that occurred at Attica and Soledad were bringing the public's attention to conditions in prisons. Many of the observers feel that all of this left a general impression that correctional institutions failed to rehabilitate offenders, were dehumanizing and were "schools of crime." At the same time that correctional institutions and their programs were being severely criticized, an increasing number of community based programs and organizations came into operation, claiming to offer successful alternatives to imprisonment.

It was also suggested that legal challenges, in this State as well as throughout the nation, to many aspects of court and correctional procedures increased the number of "due process" safeguards and probably increased the sensitivity of courts and corrections' administrators in this respect.

While it is difficult to provide concrete cause and effect evidence of these suggested factors, there are some data which appear to be significant relative to the decline in population. In simplest terms, correctional institution populations decrease (or increase) because of one or both of two factors, a change in admission trends or a change in release trends.

Declining Admissions (1971-1972):

As shown in the following table, admissions to adult male institutions declined by 27% during 1971 (from 1,572 to 1,150) as compared to 1970.

TABLE 2
ANNUAL ADMISSIONS
Calendar Years 1966 to 1972
Adult Male Correctional Institution

Year	Annual Admissions	Average Daily Population
1966	1,692	2,678
1967	1,548	2,559
1968	1,668	2,540
1969	1,440	2,650
1970	1,572	2,722
1971	1,150	2,635
1972	1,070	2,152

Not only did the courts reduce the number of adult males sentenced as new admissions (from 607 in 1970 to 432 in 1972 or a 29% decline) but the number of adult males sent to prison for violation of their probation or parole showed an even greater decline (from 959 in 1970 to 638 in 1972 or a 33% decline). Court decisions such as Hahn vs. Burke, Gusohis vs. Gagnon, and Johnson vs. Cady which occurred in 1970 and 1971 and granted due process rights for probationers and parolees who violate the conditions of their community placement undoubtedly contributed to the more significant decline in admissions to institutions of individuals who have violated probation or parole.

Crime statistics during the period of 1970 to 1972 do not explain the decline in admissions to the adult correctional institutions. The number of crime index offenses (murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, theft and auto theft) in Wisconsin increased by 11% from 1970 to 1972 according to statistics of the Wisconsin Department of Justice. The number of violent crimes (murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault) increased by 14% from 1970 to 1972.

Increasing Releases by Parole (1971-72):

Releases of adult males from the correctional institutions also appear to be a significant factor in the 1972 decline in population as shown in the following table.

TABLE 3
RELEASES FROM INSTITUTIONS BY PAROLE
Calendar Years 1966 to 1972
Adult Male Correctional Institutions

Year	Annual Releases	Released By Parole	(Percent)
1966	1,980	1,500	(76%)
1967	1,836	1,116	(61%)
1968	1,860	1,092	(59%)
1969	1,632	996	(61%)
1970	1,476	924	(63%)
1971	1,584	1,068	(67%)
1972	1,464	1,140	(78%)

As can be seen, a majority of individuals are released by parole. Other means of release are mandatory releases (maximum sentence minus good time earned), pardons, conditional pardons, commutations, expiration of maximum sentences, discharges by courts, releases after voluntary returns, releases from temporary holds pending revocation hearings and deaths. Releases by parole increased from 924 in 1970 to 1,140 in 1972 or a 23% increase. The increase in those being released by parole was partially offset by a significant decline in releases by other means from 1971 to 1972, and more specifically a decline in releases at mandatory release date and releases by the courts. It appears that in 1971 and 1972 the State Parole Board began granting** a greater number of paroles. Analysis of the records of the Parole Board also shows that it began to grant a larger percentage of paroles during this period. For example, parole was granted in 50% of the hearings during the second quarter of 1972 compared to 29-38% during 1970.

TABLE 4
PERCENT OF PAROLE BOARD HEARINGS RESULTING IN PAROLE GRANTS
First Quarter, 1970 to Second Quarter, 1972
Adult Correctional Institutions

Quarter	Number of Hearings Resulting in Parole*	Percent of Hearings Resulting in Parole*
1970-First	231	29%
Second	268	38%
Third	220	31%
Fourth	227	31%
1971-First	183	28%
Second	306	38%
Third	283	40%
Fourth	297	40%
1972-First	309	41%
Second	389	50%

*Includes both adult male and female parole hearings.

**Technically, the statutes state that the Secretary of the Department is the paroling authority and the Parole Board recommends parole.

The Board's recommendations are almost always followed by the Secretary.

Interviews were conducted with individuals who were members of the Parole Board during 1971 and the first half of 1972 in order to identify reasons for the increase in the number and rate of parole grants during that period. It was felt that during this period Parole Board members were influenced by the negative image of correctional institutions and the development of community based alternatives, since Parole Board members see themselves as an extension of the community and must balance their understanding of the desires and attitudes of the public with the need of the individual. As a result of these prevailing attitudes the members were somewhat more likely to parole a marginal case than they previously had been.

B. Reasons for Population Increases in 1974

As has been previously noted (Table 1, page 1), the population of adult male correctional institutions has been steadily increasing since it reached a low of 1,937 in September, 1973. By December 1974 the average daily population had reached 2,484, an increase of 28%. This study examined the possible reasons for the recent upturn. Again, admissions and releases were examined in order to determine the causes of the increase.

Admission Increase (1973-74):

Table 2A shows that after a decline in 1971 and 1972, admissions began to increase in 1973 and 1974.

TABLE 2A
ANNUAL ADMISSIONS *
Calendar Years 1966 to 1974
Adult Male Correctional Institutions

Year	Annual Admissions	Average Daily Population
1966	1,692	2,678
1967	1,548	2,559
1968	1,668	2,540
1969	1,440	2,650
1970	1,572	2,722
1971	1,150	2,635
1972	1,070	2,152
1973	1,173	2,004
1974	1,360	2,273

It has been determined that the increase in admissions is the major cause of the recent increase in population.

In order to determine the causes of the increase in admissions to the adult correctional institutions which have been experienced in late 1973 and 1974, a number of basic characteristics were examined and compared to the basic characteristics of those admitted in previous years. It is reasoned that any significant change in characteristics

*Excludes Temporary Holds pending Revocation Hearings.

might explain the causes of the recent trend of increased admissions. Included in the characteristics that were examined were admission status (new admission versus probation or parole revocations), age of the individual being admitted, race of the individual being admitted, types of offense, county of commitment, previous adult probation experience, and previous adult and juvenile institution experience of those being admitted. A review of all this data (see Section II) showed that the most significant change has been the increase in new admissions from Milwaukee County. Milwaukee County has accounted for nearly two-thirds of the 1972-1974 increase in admissions. Milwaukee County provided 190 of the 290 increase in admissions from 1972 to 1974.

Because the increase in admissions first occurred in Milwaukee County (in 1973) and because the increase in admissions from Milwaukee County has been the major contributor to the total increase in admissions and hence the increase in populations, it was decided to conduct interviews with judges and personnel within the criminal justice system in Milwaukee.

The most frequent reasons offered for the increase in admissions from Milwaukee County is the increase in violent crimes - especially robbery. To a lesser degree, some individuals felt that public attitudes and frustration with offenders who fail in community programs may also be a contributing factor, although the overwhelming opinion of those interviewed was that there had not been a change in the sentencing practices of the judges in Milwaukee County.

Crime data from Milwaukee County does, in fact, show a significant increase in violent crimes and especially robbery. The City of Milwaukee experienced a 30% increase in violent crimes from 1972 to 1973. Robberies during the same period increased by 45%. This same trend is continuing in 1974. Violent crimes in the city of Milwaukee for the first nine months of 1974 have increased by 34% as compared to the same period in 1973 and robberies have increased 54% during this time span.

Admissions to the adult male correctional institutions from Milwaukee County for robbery have increased 93% from 1972 to 1974 (74 males were admitted for robbery in 1972 from Milwaukee County while in 1974, 143 were admitted).

Data from the Milwaukee County District Attorney's office shows that in 1972 of the 752 cases disposed of by the Milwaukee County courts involving charges of robbery and burglary, 226 cases or 30% resulted in confinement in State or County institutions. In 1973 of the 948 cases disposed of by the courts involving the same charges, 308 cases or 32% resulted in confinements in State or County institutions. This data suggests that there has been little change in the rate of confinement from 1972 to 1973 and hence little change in sentencing practices.

The judges who were interviewed stated that they usually give prison sentences in cases of robberies involving weapons and/or physical harm because of the violent nature of these offenses and because those now committing these crimes are repeat offenders.

Although it was beyond the scope of this study to systematically analyze reasons for the increase in crime and especially violent crimes, persons interviewed suggested that the worsening economy and unemployment might partially explain the increase in robberies but does not explain the violence that accompanies these crimes. More basic changes in society are suggested as underlying causes by most of the judges, interviewed. New lifestyles and value systems that have little respect for the law and human dignity are some reasons suggested. Failures of the juvenile justice system to treat the juvenile in need of treatment and the educational system to teach and train are other reasons given by these judges. Media dramatizing crime but underplaying punishment received by individuals for committing crimes was also suggested. Several judges also criticized the Department for granting parole too quickly and failing to recognize that certain individuals will always be dangerous criminals and should be incarcerated the rest of their lives.

Decreasing Releases (1973-74):

While the primary reason for the recent increase in adult male correctional institution populations is the increase in admissions there is also a decline in the rate and numbers of paroles (as shown in Tables 3A and 4A) which has contributed to the build-up in the population.

TABLE 3A
RELEASES FROM INSTITUTIONS BY PAROLE
Calendar Years 1966 to 1974
Adult Male Correctional Institutions

Year	Annual Releases	Released By Parole	(Percent)
1966	1,980	1,500	(76%)
1967	1,836	1,116	(61%)
1968	1,860	1,092	(59%)
1969	1,632	996	(61%)
1970	1,476	924	(63%)
1971	1,584	1,064	(67%)
1972	1,464	1,140	(78%)
1973	1,020	720	(71%)
1974	872	582	(67%)

TABLE 4A
 PERCENT OF PAROLE BOARD HEARINGS RESULTING IN PAROLE GRANTS
 First Quarter, 1970 to Second Quarter, 1974
 Adult Correctional Institutions

Quarter	Number of Hearings Resulting in Parole *	Percent of Hearings Resulting in Parole*
1970-First	231	29%
Second	268	38%
Third	220	31%
Fourth	227	31%
1971-First	183	28%
Second	306	38%
Third	283	40%
Fourth	297	40%
1972-First	309	41%
Second	389	50%
Third	274	39%
Fourth	222	36%
1973-First	197	34%
Second	203	34%
Third	168	29%
Fourth	161	27%
1974-First	167	28%
Second	154	30%

* Includes both adult male and female parole hearings.

As noted in Table 3A actions of the Parole Board have a major bearing on the number of persons released from the institutions. Following the increase in releases by parole during 1971 and 1972, there were fewer releases by means of parole during 1973 and 1974.

The hearing records of the State Parole Board (Table 4A) show that in the last half of 1973 and the first half of 1974, the Board granted parole in less than 30% of the parole hearings. In contrast, the Board was granting parole in 40% (and in one quarter 50%) of its hearings during late 1971 and early 1972. These variations in the percent of parole grants, which result from an accumulation of individual parole decisions during these periods, produces a pattern which was found to be significant enough to warrant further examination.

We first interviewed each Parole Board member to obtain their views on the reasons for the decrease in the numbers and frequency of parole grants. The consensus of members with the longest experience is that the Board was influenced by the criticism of the correctional institutions during 1971 and 1972 as well as the claims of the developing community based programs and they were more willing to take risks on marginal cases. Now, however, the Board is seeing many of these marginal cases who have failed in the community and often have committed violent crimes. Consequently, they state that they are becoming more cautious in granting parole.

Data on the admissions to adult male correctional institutions were examined to determine whether they showed growth in the number of "higher risk" individuals. There were some factors that would support this contention:

- Increase in admission for crimes against persons.
- Increase in the length of sentence (indicating seriousness of crime).
- Increase in adjustment problems within the institution.
- Increase in previous adult probation experience before time of admission.

Other data (such as previous felony convictions and previous adult and juvenile institution experience) are not conclusive or suggest a lower risk individual is being admitted to the institutions.

A number of members as well as others, that were interviewed, felt that the substantial change in membership has had an effect on how the Board grants parole. They reason that each new Board member brings his or her own philosophy and perspectives to the Board. They feel that the number of changes in membership that have occurred in the last two years may have changed the general philosophical make-up of the Board. It is difficult to statistically ascertain the precise impact of new members due to the administrative practice of using three member panels with changing membership and the requirement for consensus decisions in the majority of cases.

The task of the Parole Board is to make individual judgements on individual cases, balancing the rights and opportunities of each resident of our institutions against the need to protect society. Any statistics dealing with the actions of the Parole Board must be viewed as an aggregate of these individual judgements based on individual factors in individual cases. It is our impression that Wisconsin's Parole Board is honestly seeking to make informed decisions that are fair to both the resident and to society in the face of uncertain information and trends. Support for this conclusion is found in a recent study of parole practices in the United States by the Brookings Institute of Washington, D.C., in which the following observation on the Wisconsin Parole Board is made: "We can contribute an impression from observing parole hearings. The Colorado board and the Wisconsin board took more time with inmates than other paroling authorities did. They worked more intensively in trying to get the inmate to perceive his problems realistically and do something about them."

Trends in Other Jurisdictions

As one part of this study a number of other states were surveyed to determine trends in population in their adult correctional institutions. Besides surveying states adjacent to Wisconsin, several other states were surveyed which either have a population distribution similar to Wisconsin, were in the mid-west or have a correctional system similar to Wisconsin. A survey of population trends in the Federal Bureau of Prisons was also conducted.

Of the nine jurisdictions that were surveyed only one did not report recent increases in populations in their adult correctional institutions. It is concluded from this data that Wisconsin is not unique in its recent experience of increasing populations.

Conclusions

As the result of this study it has been concluded that the major cause of the increase in populations in the adult male correctional institutions is the increase in first admissions (as opposed to probation and parole revocations). Geographically, a substantial majority of the increase in admissions is from Milwaukee County. This increase from Milwaukee County is not due to any discernable "get tough" policy on the part of the judges but rather reflects a substantial increase in violent crimes in the city of Milwaukee, particularly a substantial increase in robberies.

In addition to the increase in admissions it has been determined that the decrease in the number and rate of parole grants is also contributing to the increase in populations, although it is not as important a factor as admissions. The Parole Board appears to have returned to its pre 1971 rate of parole approval (28-35%) after a period during 1971-72 when their approval rate increased to 38-50%. Interviews with Board members and others indicate that current Board members are less ready to take risks with marginal cases and have been discouraged by client failures under the former, more liberal rate of parole grants.

The vast majority of the individuals interviewed and in particular the individuals from Milwaukee County feel that the trend of increasing admissions will continue, given the economic conditions and the underlying causes of violence as suggested by the judges. It seems likely that populations in our adult male correctional institutions will not decrease in the foreseeable future but rather will continue to increase. If populations do continue to increase in 1975 at the same rate that they increased in 1974 (34 per month) our existing adult facilities (including the Wisconsin Home for Women as a coeducational facility) will be at total capacity before the end of 1975. Any increase beyond that could not be satisfactorily accommodated in existing facilities.

The following three sections of this report contain a more detailed presentation of the data and the interviews of the Parole Board members and Milwaukee County officials which were the basis for the comments and conclusions presented in this overview and summary.

SECTION II

ADMISSIONS AS A FACTOR AFFECTING INCREASED POPULATIONS

As has been previously reported, admissions to the adult male institutions have been increasing since October, 1973. Average monthly admissions during a base period of January, 1972 through September, 1973 were compared to average monthly admissions for the period of October, 1973 through October, 1974, and the difference annualized. This indicated that the annual number of admissions was up 300 over the base period. From September, 1973 through October, 1974 institution populations increased by approximately 400. Therefore, if all other factors affecting population size were constant during this period, it could be assumed that about 75% of the increase in populations was due to increased admissions. Clearly, it is reasonable to conclude that the major reasons for the recent population increases is growth in admissions.

The time period of January, 1972 through September, 1973 was used as the base period because this was when the population significantly declined. October 1, 1973 was utilized as the dividing point because this was the point in time when the population in the institutions began its recent trend of increase.

The portion of the increased population which is not the result of the increase in admissions is of course due to a decrease in separations. The causes of the decline in separations will be discussed in Section III.

Having established that an increase in admissions is the most significant cause of the recently increasing population, it is important to determine why admissions have been increasing since October, 1973, reversing a trend of declining admissions which Wisconsin had been experiencing from 1966 to 1973. To do this, the basic characteristics of those recently admitted to institutions was examined and compared to the basic characteristics of those admitted in previous years. It is reasoned that any significant change in characteristics might provide insight regarding the causes of the recent trend of increased admissions. Included in the characteristics that were examined but were determined to have not significantly changed in the past few years was admission by race, admission by previous adult and juvenile institution experience and admission by previous felony convictions. The following characteristics that were examined were found to have demonstrated some change in the past few years.

A. Admissions by Admission Status

An offender can be admitted to an adult male correctional institution in a number of ways; as a new admission, as a probation violator with a new sentence, as a probation violator without a new sentence or as a parole violator. A significant change in the relative proportion of those being admitted as new admissions, as probation violators with or without new sentences, or as parole violators can be an indicator of changes in policy, procedures or sentencing practice. Significant changes in numbers being admitted with a particular admission status can also have an important effect on the total number being admitted.

Table 5 shows the admissions to the adult male institutions by admission status for calendar years 1967 to 1974. The 1974 figures are based on actual data for nine months with estimated data for the remaining three months.

TABLE 5
ADMISSIONS TO INSTITUTIONS BY ADMISSION STATUS
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	New Admission- Non Violator		Probation Violator*		Parole Violator	
	#	%	#	%	#	%
1967	517	36%	401	28%	526	36%
1968	712	44%	426	27%	459	29%
1969	546	40%	419	31%	399	29%
1970	607	39%	508	32%	451	29%
1971	468	41%	398	34%	288	25%
1972	432	40%	355	33%	283	27%
1973	572	49%	364	31%	237	20%
1974	636	47%	452	33%	272	20%

*Includes probation violators with or without new sentence and juvenile aftercare violators.

It is clear from Table 5 that there was a rapid decline in the number of admissions of probation and parole violators from 1970 to 1972. Although new admissions declined 29% during this same period, admissions of probation violators declined 30% and admissions of parole violators declined by 37%. It appears that the relatively larger decline of admissions of probation and parole violators can partially be attributed to court decisions such as Hahn v. Burke, Gusohis v. Gagnon, and Johnson v. Cady which occurred during 1970 and 1971 and granted due process rights for probationers and parolees undergoing the revocation process.

Table 5 also indicates that the new admissions accounted for the majority of the increase in admissions. From 1972 to 1974 those admitted as new admissions increased by 47%, while those admitted as probation violators increased by 27% and those admitted as parole violators decreased by 4%. About two-thirds of the recent increase in admissions can be attributed to the increase in those being admitted as first admissions. About one-third of the recent increase in admissions is due to an increase in revocation of those on probation, and none of the increase can be attributed to increases in revocation of those on parole.

B. Admission by Age

Significant changes in the age of those admitted to the institutions can also provide insight into the causes of increased or decreased admissions. Changes in law, sentencing practices and court decisions can often have an effect on numbers in a certain age group being admitted to institutions.

Table 6 depicts admissions to the adult male institutions by age for calendar years 1967 to 1974. As was the case on the previous table, 1974 data is based on actual experience for nine months and estimated data for three months.

TABLE 6
ADMISSION TO INSTITUTIONS BY AGE
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Less Than 20 Years	20 Years to 25 Years	25 Years to 30 Years	30 Years to 40 Years	40 Years and Over
1967	28.6%	28.1%	13.7%	14.6%	15.0%
1968	32.0%	28.8%	13.6%	14.9%	10.7%
1969	27.4%	31.7%	14.9%	15.2%	10.8%
1970	25.6%	34.0%	16.3%	14.8%	9.3%
1971	20.2%	35.4%	18.7%	15.3%	10.4%
1972	18.1%	36.8%	20.5%	14.6%	10.0%
1973	19.6%	37.0%	18.7%	15.5%	9.2%
1974	18.3%	41.1%	19.9%	11.7%	9.0%

Table 6 shows a significant decrease from 1968 to 1972 in the proportion of offenders being admitted to institutions who are less than 20 years old. A large part of this decline can be attributed to the Wisconsin Supreme Court decision which prohibited the Department from transferring or admitting boys and girls under juvenile commitments to the Wisconsin State Reformatory and the Wisconsin Home for Women.

Another significant indicator in this data is that since the lowering of the age of majority there has not been an increase in admissions of 17, 18 and 19 year olds as might have been expected with this change. Generally, the relative proportion of admissions have increased for individuals between the ages of 20 and 30 while it has declined for those individuals under 20 and over 30.

C. Admission by Type of Offense

Changes in the relative proportion of those being admitted to institution by types of offense often reflect changes in laws, court decisions, sentencing practices, or economic and social conditions. Significant changes in any of these factors can result in increased or decreased admissions. The relative proportion of those being admitted to institutions by type of offense was examined in order to determine whether any significant change might have occurred which could help explain the recent increase in admissions.

Table 7 shows admissions to the adult male institutions by two broad categories of offenses as defined by the former vice-chairman of the State Parole Board; crimes against persons (including murder, manslaughter, robbery, assault, rape, sexual intercourse with a child, concealed weapons, arson, etc.) and crimes not against persons (including burglary, theft, embezzlement, forgery, worthless checks, narcotics, attempts (except rape), etc).

The 1974 figures include nine months of actual data and three months of estimated data.

TABLE 7

ADMISSIONS TO INSTITUTIONS BY TYPE OF OFFENSE
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Crimes Against Persons		Crimes Not Against Persons	
	Number	Percent	Number	Percent
1967	368	25%	1,083	75%
1968	488	31%	1,087	69%
1969	436	32%	903	68%
1970	436	28%	1,112	72%
1971	308	27%	846	73%
1972	370	35%	700	65%
1973	413	35%	760	65%
1974	485	36%	875	64%

As it can be seen from this data, since 1971 there has been an increase in the number of those admitted for crimes against persons after a substantial decline from 1970 to 1971. Admissions for crimes not against persons continued its trend of decline in 1972 but then began to increase in 1973 and 1974. From 1972 to 1974 the number of those admitted for crimes against persons increased by 115 while the number of those admitted for crimes not against persons increased by 175. Therefore, 40% of the increase in admissions is for crimes against persons and 60% of the increase in admissions is for crimes not against persons. This would seem to indicate that a higher proportion of individuals

being admitted to institutions are being admitted for crimes against persons. As will be discussed later, this proportion may be even higher than these statistics indicate if the use of plea bargaining is becoming much more predominate in the judicial system as some claim. We would assume that a growing number of individuals who are involved in crimes against persons (such as armed robbery) have the charge reduced to a crime not against persons (such as theft).

D. Admission by County of Commitment

In addition to determining who is being admitted to the institutions, how they are being admitted, and for what reasons, it also seems important to determine where they come from. Changes in local conditions such as unemployment, crime rate and local sentencing practices can cause an increase or decrease in admission from certain geographic areas.

Table 8 depicts admissions to the adult male institutions by county of commitment. Admissions during calendar years 1967 to 1974 are compared for Milwaukee County, Racine and Kenosha Counties, Dane County, Rock County, the Fox River Valley area (Brown, Outagamie, and Winnebago Counties) and the rest of the State. 1974 figures include nine months of actual data and three months of estimated data.

TABLE 8
ADMISSION TO INSTITUTIONS BY COUNTY OF COMMITMENT
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Milwaukee County		Racine-Kenosha Counties		Dane County		Fox River Valley Area		Rock County		All Other Counties	
	#	%	#	%	#	%	#	%	#	%	#	%
1967	622	37%	112	7%	59	4%	134	8%	38	2%	702	42%
1968	782	42%	137	7%	75	4%	122	6%	50	3%	711	38%
1969	678	44%	103	7%	60	4%	94	6%	51	3%	553	36%
1970	781	46%	106	6%	63	4%	118	7%	52	3%	584	34%
1971	482	40%	81	7%	50	4%	77	7%	34	3%	455	39%
1972	413	39%	82	8%	50	5%	56	5%	41	4%	428	39%
1973	536	46%	83	7%	65	6%	61	5%	23	2%	406	34%
1974	603	44%	120	9%	45	3%	60	4%	33	2%	499	38%

As can be seen from Table 8 the trend in the number of admissions from all the reported geographic areas from 1970 through 1972 was one of decline. Except for Milwaukee County admissions remained constant or declined from 1972 to 1973. Admissions from Milwaukee County, however, increased by 30% from 1972 to 1973. This same trend of increasing admissions from Milwaukee County continued

in 1974. Admissions to the institutions from Milwaukee County will have increased by 46% when comparing the 1974 number of admissions to the 1972 figures. Milwaukee County has accounted for two-thirds of the total state increase in admissions in 1973 and in 1974.

It is also significant that admissions from Racine and Kenosha Counties have reversed their trend of declining and steady admissions during 1974. It is now estimated that admissions from these two counties will increase by 46% from 1973 to 1974.

From an analysis of the four preceding characteristics it is concluded that the recent increase in admissions has been caused by an increase in admissions of those who were (1) admitted as first admissions, (2) admitted between the ages of 20 and 30, (3) admitted for crimes against persons more so than for crimes not against persons, and (4) admitted from Milwaukee County.

Since a great majority of the recent increase in admissions have originated from Milwaukee County, it was decided to concentrate further efforts to determine reasons for increased admissions on Milwaukee County. Answers were sought to the question of why admissions from Milwaukee began to increase in 1973 after a two year decline. Interviews were held with several assistant district attorneys from Milwaukee County, officers in the Milwaukee County Sheriffs Department and in the Milwaukee City Police Department, and State Probation and Parole Agents from the Milwaukee Regional Intake Unit.

The general consensus among those interviewed was that the increase in commitments to the State correctional institutions was being caused by the substantial increase in the crime rate in Milwaukee, more specifically the increase in violent crimes, particularly robberies. Observations such as the following were made. One assistant district attorney said that the increasing populations are due to the rapid increase in robberies in Milwaukee, and he did not think the situation would get better before it gets much worse. A detective in the Milwaukee City Police Force stated that robbery, especially armed robbery, is on the increase. He thought that the difference between today's robber and the robber of previous times, is that today he is more likely to shoot someone. It seemed to him that robbers are more vicious now than they were in the past. Also, a great majority of the people arrested for robbery are on drugs according to this individual. A Probation and Parole agent also said that the increase in admissions from Milwaukee County can be explained in terms of the substantial increase in robberies, especially armed robberies. He said that it is a rare case when a judge in Milwaukee will give probation to someone who is convicted of armed robbery. Conviction of armed robbery usually means incarceration according to this agent.

All those who were interviewed agreed that they had not seen any substantial evidence that the judges in Milwaukee County were getting any "tougher". There were several comments that indicated that the judges were getting a great deal of public pressure, through letters, to not continue the permissive handling of

offenders. Several of the State Probation and Parole agents in the Intake Unit stated that generally the judges considered an individual offender's total situation and did not sentence capriciously. There was one indication among all of the interviews, however, that certain judges were "hung up" on certain, usually violent, offenses and would sentence to the institutions no matter what the extenuating circumstances might be.

The Wardens and Superintendents in the adult correctional institution, that were interviewed, felt that one of the causes of the recent rise in admissions was due to sophisticated offenders being diverted, time and time again to community based programs but continuing their criminal behavior. As a result key individuals in the criminal justice system began to shift back to the feeling that the only viable alternative available was incarceration. This theory was discussed with a number of individuals in the district attorney's office and police department in Milwaukee. Although they felt that more offenders were repeat offenders who had previously been on probation, they still maintained that the rapid increase in violent crimes in Milwaukee was the basic reason for the increase in admissions to the institutions. One assistant district attorney stated that he had a general feeling that more of the current offenders are repeat offenders but he could not substantiate his feelings. It seemed to him that the argument that increased prison populations are caused by the failures of the community based programs was an argument used by those who are opposed to community based programs. He felt that all offenders who could remain in the community should be placed in community based programs.

In summary, the general feelings of the individuals interviewed in the Milwaukee County District Attorney's Office, Milwaukee County Sheriff's Department, City of Milwaukee Police Department and Milwaukee Region Probation and Parole Intake Unit were that the recent increase in admissions to the adult correctional institutions was due to a significant increase in violent crimes especially robbery. They also felt the increase was due somewhat to repeat offenders again committing crimes, but that it was not due to a "get tough" policy on the part of the Milwaukee County judges.

The Crime Index Data produced by the Crime Information Bureau of the Wisconsin Department of Justice substantiates that crime in Wisconsin, especially violent crimes (murder, non-negligent manslaughter, forcible rape, robbery, and aggravated assault), are on the increase. Table 9 shows the crime rate in Wisconsin for calendar years 1966 to 1973 for the crime index offenses. The data included in this table are the number of offenses known to Wisconsin law enforcement agencies and reported under the Uniform Crime Reporting Program. The crime index offenses include the violent crimes previously itemized and the crimes against property of burglary, theft and auto theft.

TABLE 9

NUMBER OF CRIME INDEX OFFENSES
Calendar Years 1966 to 1973
State of Wisconsin²

Year	All Crime Index Offenses	Violent Crimes	Property Crimes
1966	79,039	1,984	77,055
1967	93,504	2,948	90,556
1968	100,534	3,400	97,134
1969	104,974	3,411	101,563
1970	120,128	3,837	116,291
1971	134,614	3,973	130,641
1972	133,380	4,358	129,022
1973	145,151	5,273	139,878

The number of crime index offenses have increased by 9% from 1972 to 1973 after declining from 1971 to 1972. Crime index offenses per 100,000 population increased by 8% over 1972. The number of violent crimes in Wisconsin increased by 21% from 1972 to 1973. Violent crimes per 100,000 population increased by 20% from 1972 to 1973. Property crimes increased 8% from 1972 to 1973, while property crimes per 100,000 population increased 7% from 1972 to 1973.

While the number of crime index offenses were increasing 9% from 1972 to 1973 in Wisconsin, the national increase in crime index offenses was 6%. Violent crimes in Wisconsin increased 21% from 1972 to 1973 but only 5% nationally. While property crimes in Wisconsin were increasing 8% in this period, the national increase was 6%.

While the number of crime index offenses in the State increased by 9% from 1972 to 1973, the number of crime index offenses increased by 7% in the City of Milwaukee. However, the number of violent crimes increased by 30% in the City of Milwaukee from 1972 to 1973, compared to 21% in the State as a whole. Robberies increased in the State by 34% from 1972 to 1973 making it the fastest growing offense of all the crime index offenses. Robberies in the City of Milwaukee at the same time were increasing by 45%.

Table 10 provides more recent data on crime rates in Wisconsin and the City of Milwaukee. This table compares crime rates from January, 1973 through September, 1973 with crime rates from January, 1974 through September, 1974.

² Crime and Arrests - 1973, Crime Information Bureau, Division of Law Enforcement Services, Department of Justice, June, 1974.

TABLE 10

PERCENT CHANGE IN CRIME INDEX OFFENSES
January-September, 1973 Compared to January-September, 1974
State of Wisconsin, City of Milwaukee³

	All Crime Index Offenses % Change	Violent Crimes % Change	Property Crimes % Change	Robbery % Change
State of Wisconsin	+11%	+21%	+11%	+35%
City of Milwaukee	+ 5%	+34%	+ 3%	+54%

As can be seen from this data, although the rate of crime increase in the City of Milwaukee continues to be lower than the State as a whole, the rate of increase of violent crimes and more specifically robbery in the City of Milwaukee continues to be higher than the State as a whole.

Table 11 shows the admissions to the adult male correctional institutions for robbery from Milwaukee County for the fiscal years 1972 to 1974.

TABLE 11

ADMISSIONS TO INSTITUTIONS
FROM MILWAUKEE COUNTY FOR ROBBERY
Fiscal Year 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	Number Admitted	Percent of Admissions
1972	74	18%
1973	107	23%
1974	143	25%

As can be seen from this table the number of admissions to the adult male correctional institutions from Milwaukee County for robbery have increased by 69 from fiscal year 1972 to fiscal year 1974, a 93% increase.

The available crime statistics and admission data from Milwaukee County appear to confirm the opinions of the local officials in Milwaukee that violent crimes in Milwaukee have been increasing rapidly and that robberies have been the key factor in this growth. The data also supports the contention that there has

³ Crime in Wisconsin Third Quarter Release, Crime Information Bureau, Division of Law Enforcement Services, Department of Justice, 1974.

been an increase in admissions to the adult male correctional institutions for robbery and that this is a major contributor to the increased admissions from Milwaukee County.

Most of the individuals interviewed from Milwaukee County felt that more individuals now appearing in court for new offenses had been on probation one or more times but they could not substantiate this feeling with hard data.

One indicator that more individuals are being given probation on more than one occasion is shown in Table 12, which details the number and percent of the total caseload of probation and parole cases that are multiple cases. This means that even though these individuals are counted as one case, they are serving either more than one consecutive probation term or a combination of consecutive probation and parole terms.

TABLE 12

MULTIPLE PROBATION AND/OR PAROLE CASES
Selected Months for 1971 Through 1974
State Probation and Parole⁴

Month	Number of Multiple Cases	Percent of Multiple Cases	Average Daily Caseload
January, 1971	329	3.3%	9,925
July, 1971	373	3.7%	10,070
January, 1972	462	4.4%	10,582
July, 1972	544	4.8%	11,283
January, 1973	623	5.5%	11,273
July, 1973	925	7.2%	12,882
January, 1974	1,229	8.8%	13,965
July, 1974	1,555	10.2%	15,242

It is apparent from this data that many more individuals are being given probation terms for new offenses when they are already on probation or parole rather than being incarcerated.

It would seem to follow from that conclusion that more individuals being admitted to our adult male correctional institutions have had one or more "chances" before being sent to an institution. Table 13 shows the percent of those individuals admitted to the adult male correctional institutions who had no prior adult probation

⁴

Data obtained from the records of the Bureau of Probation and Parole, Division of Corrections.

experience, one prior adult probation experience or two or more prior adult probation experiences for the fiscal years 1972 through 1974.

TABLE 13

ADMISSION TO INSTITUTIONS BY PREVIOUS
ADULT PROBATION EXPERIENCE
Fiscal Years 1972 Through 1974
Adult Male Correctional Institutions⁵

Fiscal Year	No Prior Probation Terms	One Prior Probation Term	Two or More Prior Probation Terms
1972	21%	26%	53%
1973	17%	22%	61%
1974	14%	35%	51%

It appears clear from this data that a larger percentage of those being admitted to the adult male correctional institutions have had prior adult probation terms. In fiscal year 1972, 21% had no prior adult probation terms while 79% did. In fiscal year 1974, 14% had no prior terms while 86% did. Although the percent of those admitted to institutions with two or more prior probation terms increased from fiscal year 1972 to 1973, that percentage has decreased in fiscal year 1974. It seems reasonable to assume that during the low admission period of fiscal year 1973 that courts were less likely to incarcerate an individual who had no prior or just one prior probation term and the majority of those who were incarcerated were those that had "failed" in the community based program of probation two or more times. It can also be reasoned that although courts more recently are less likely to incarcerate an individual who has had no prior probation terms they are also more likely to incarcerate an individual who has had one prior "chance" and failed. The reason for this could be that these individuals are committing more violent or serious offenses than they were in the past.

In order to test the opinions of the Milwaukee officials concerning the causes of the increase in admissions, six Circuit Court Judges from Milwaukee County were interviewed. All six judges sit full time in the Criminal Division and deal with felony cases. Three of the judges interviewed are the regular elected judges in the Criminal Division, two are reserve judges assigned full time to felony cases and one judge was reassigned full time from the Civil Division to the Criminal Division.

⁵ Data was obtained by sampling case records of those admitted to adult male correctional institutions during the fiscal years indicated.

All six judges indicated that the increase in admissions from Milwaukee County is being caused by the substantial increase in violent crimes, especially robberies that involve the use of weapons and/or physical harm. Several judges stated that they seldom give individuals committing these types of crimes probation but rather give sentences involving incarceration. Although several other judges stated that they might give probation to a first offender who commits robbery, recently a great majority of the individuals they are seeing who are arrested for robbery are repeat offenders. These individuals, they feel, must be incarcerated because they have proven that they are a danger to the community.

All of the judges agreed that there had not been a change in sentencing practices. They felt that they continued to utilize probation and other community based programs to the fullest extent possible while using incarceration only for those individuals who have demonstrated that they can not function in the community or are a danger to society. They disagreed with the idea that they were sentencing more individuals to the institutions because of the failure of community based programs or as a reaction to a public "backlash" against "permissive" handling of the offender. Rather, they maintain that they are seeing more individuals who have committed very serious and violent offenses, many of whom are repeat offenders. They feel that these individuals must be incarcerated to protect the public.

The judges were queried as to their opinions of why crime and especially violent crime had been increasing so rapidly, although any systematic analysis of that question was beyond the scope of this study. The majority felt that the worsening economy and rising unemployment rate were contributing to the increase in property crimes, but that these factors do not have a direct bearing on the increase in admissions to institutions. The judges felt that although the worsening economy contributed to the increase in crime generally, it does not explain the increase in violent crimes and in violence accompanying robberies and other property offenses. It is this increase in violence, they say, that is playing an important part in the increase in admissions to the institutions.

The Milwaukee judges attribute the increase in violent crimes to more basic causes than the fluctuation of the unemployment rate. Several judges see it as related to a growing rebelliousness in certain segments of our society which has resulted in a whole new lifestyle with a different value system and a lack of respect for the law and human dignity. The new heroes of these "streetpeople", as one judge called them, are the "pimps" and "drug pushers", because they have the money and the fancy cars. This judge stated that young children can not wait to grow up so that they too can be "pimps" and "pushers" and have a lot of money.

A number of judges also attributed the increase in crime to the failure of our society's "institutions". They blame the lack of a juvenile justice system which can effectively treat juvenile offenders, the failure of schools to really educate children, and

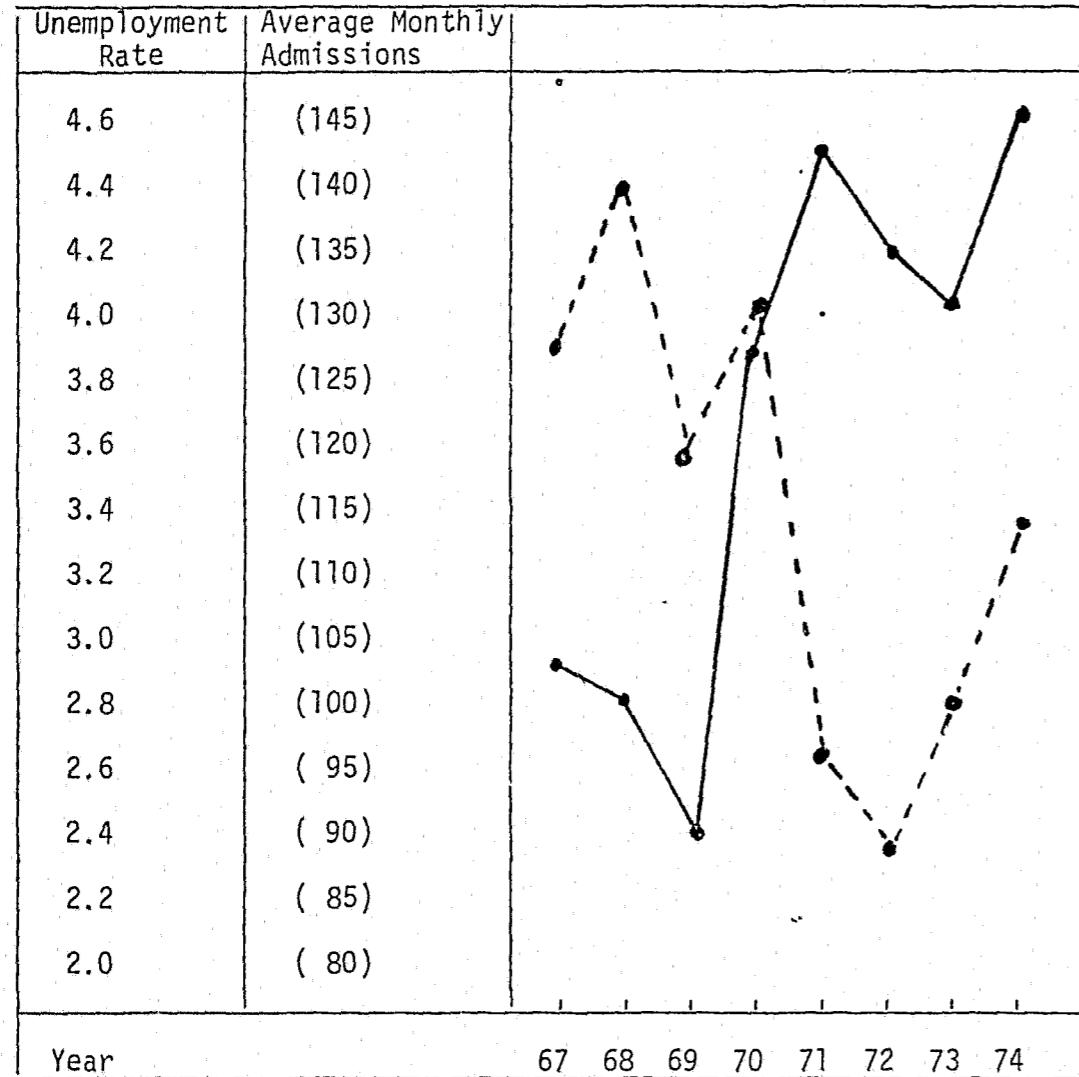
the media for dramatizing crime but underplaying punishment received by the individual committing crime. Several judges also felt that offenders are paroled too quickly and that the State has failed to recognize that certain individuals will continue to be dangerous criminals no matter what is attempted and that maybe these individuals should be incarcerated the rest of their lives.

The general consensus among the judges was that the trend of increasing admissions to the institutions would continue and most likely accelerate. Even an upturn in the economy would not reverse the trend, they felt, because of the more basic causes of the increase in violent crimes.

Previously reported data supports the judges opinions that Milwaukee has experienced a substantial increase in violent crimes, robberies and admissions to institutions for robbery. Data obtained from the Milwaukee County District Attorney's Office shows that in 1972 of the 752 cases disposed of by the Milwaukee County Courts involving charges of robbery and burglary, 226 cases or 30% resulted in confinement in State or County institutions. In 1973 of the 948 cases disposed of by the Courts involving the same charges, 308 cases or 32% resulted in confinements in State or County institutions. This data suggests that there has been little change in the rate of confinement from 1972 to 1973 and hence little change in sentencing practices.

It was not within the scope of this study to deal with the causes of the increase in violent crimes or to test the opinions of the judges as to the causes, beyond the point of showing in Table 14 that from 1967 to 1974 there has not been a strong correlation between the rate of unemployment in the State and admissions to the adult male correctional institutions.

TABLE 14
 STATE OF WISCONSIN UNEMPLOYMENT RATE
 COMPARED TO AVERAGE MONTHLY ADMISSIONS
 TO THE
 ADULT MALE CORRECTIONAL INSTITUTIONS
 Calendar Years 1967 to 1974⁶



Key ——— Unemployment
 - - - Admissions

As can be seen from this graph, there has not been a consistent relationship between unemployment and institution admissions in recent years. This appears to support the judges' feelings that the increase in violent crimes and institution admissions can not be explained in terms of increasing unemployment.

From a review of all the data presented in this section, it appears clear that the major cause of increasing populations in our adult correctional institutions is an increase in admissions, and that a substantial portion of the increased admissions are from Milwaukee County. Available data appears to substantiate the opinion of officials in Milwaukee County that the cause of increased admissions is the rapid increase in violent crimes, especially robbery, and is not a new "get tough" policy on the part of the courts. There is some evidence to show that more people currently incarcerated have previously had probation experience and failed. But the evidence does not substantiate the theory that more people being incarcerated now have been diverted time and time again from incarceration, but now are being incarcerated because that is the only viable alternative left.

⁶Unemployment data obtained from the Wisconsin Department of Industry, Labor and Human Relations.

SECTION III

SEPARATIONS AS A FACTOR AFFECTING INCREASED POPULATIONS

As stated in Section II, statistically it would be possible to attribute roughly 75% of the increase in population to an increase in admission, if all other influences remained constant. Clearly, growth in admissions, not the decline in separations, is the main reason for the population growth. But because "all other influences" have not remained constant, it has not been possible within the scope of this study to develop a definitive statistical analysis that specifies exactly what percentage of the population growth is due to admissions growth and what percentage is due to the decline in separations.* This is because the number and rate of separations in any given period is affected by a great many variables such as previous fluctuations in numbers of admissions, length of sentences, and Parole Board philosophy and practice. It is impossible to select a single base period against which current separations experience can be measured that would not be somewhat misleading or mask an important consideration regarding one or more of the variables.

As was discussed in Section I (Table 3A and 4A, pages 7&8) there has been a decline in the percent of those released from the institutions that were released by parole, as well as a decline in the percentage of State Parole Board hearings resulting in parole grants. While these figures might suggest a "tougher" attitude on the part of the members of the Parole Board, at the same time the median length of stay in the institutions has been declining slightly in the past few years. In addition, when time served is related to length of sentence, the proportion of sentence served was 45.0 percent for fiscal year 1972 releases, 44.5 percent for fiscal year 1973, and 44.8 percent for fiscal year 1974, thus showing only a gradual change. Table 15 shows the median length of stay for adult males released from the State correctional institutions from calendar years 1966 through 1974. As in other tables, 1974 data represents nine months of actual data projected on an annual basis.

TABLE 15
MEDIAN LENGTH OF STAY IN MONTHS
Calendar Years 1966 to 1974
Releases From Adult Male Correctional Institutions

Year	Median Length of Stay First Releases	Median Length of Stay Re-releases	Median Length of Stay All Releases
1966	14.9	13.2	14.4
1967	15.5	14.5	15.3
1968	15.9	13.9	15.3
1969	16.9	14.2	16.2
1970	18.4	13.4	18.2
1971	18.6	15.0	18.3
1972	20.2	17.1	19.3
1973	19.0	14.6	18.6
1974	18.5	13.6	18.3

Because of the recent declining length of stay, which contradicts a theory of a "tougher" State Parole Board policy, it was felt that possibly the parole grant rate (grants divided by hearings) were skewed downward by unrelated factors that had nothing to do with any change in the philosophy of the Parole Board. After examining many variables in the data and determining that they were not exerting a downward effect on the rate the one remaining possibility was the impression of the former Vice-chairman of the Parole Board that the Board was seeing individuals more often before granting parole. To test this impression a 10% sample of individuals granted parole in 1972 was analysed and compared to a 10% sample of individuals granted parole in 1974. It was found that the number of hearings (including the final hearing resulting in parole being granted) was 3.0 in 1972 but only 2.1 in 1974. It is therefore concluded that the number of hearings necessary before parole is granted is not a factor that can help explain lower parole rates.*

Helping to substantiate the conclusion that the percent of parole hearings resulting in parole grants is declining and that this is not due to the downward skewing of the data is the fact that the average length of deferments of those denied parole (excluding those deferred to mandatory release) has increased for adult males. The growth has been from 6.97 months in fiscal year 1972 to 7.43 months in fiscal year 1973 to 7.90 in fiscal year 1974. If the number of times the Parole Board was seeing a man before granting parole was increasing instead of decreasing as it is, and the average length of stay was declining as it is, it would be assumed that the average length of deferments would be declining. But instead it is increasing. Likewise, the percent of those adult males heard who were deferred to mandatory release has increased from 5.05% in 1972 to 7.56% in 1973. The opposite trend would have been expected if the number of hearings per parole grant was increasing.

As previously stated, the findings related to the activities of the State Parole Board are hard to reconcile with the fact that the average (median) length of stay is declining. However, it would appear that average length of stay for releases will increase during this calendar year and more closely reflect the actions of the Parole Board. It is logical to expect that those individuals most affected by the recent actions of the Parole Board are still residing in the institutions and hence their longer lengths of stay are not yet reflected in the release data. This view is supported by a number of individuals in the Division of Corrections and Department of Administration who have examined the same issue.

From the preceding analysis the conclusion was reached that the Parole Board is in fact, granting a smaller percentage of paroles compared to previous periods and this is contributing to the increase in populations in the institutions. The question to be examined, then, is why this is occurring.

*This finding was the reverse of earlier figures released by the Parole Board that were based on a smaller sample and a comparison of 1972 to 1973.

Parole Board Views

As part of this study each member of the Board was interviewed. Also, interviewed were several former members of the Board who now hold other positions in the Division of Corrections. Their interviews focused on two main themes; the major criteria for granting parole and factors that would cause the change in the rate of parole grants.

All of the members stated that each case is decided on its own individual merits. Some factors are more important in some cases while other factors are more important in other cases. It was the general consensus, however, that the offense itself was very important. The Board does not look just at the offense of record for which the individual was admitted but also considers the act itself and the manner in which it was committed. For example, the offense of record for an individual being considered for parole may be theft. However, by reviewing the case file the Board may learn from the presentence investigation or the transcript of the sentencing hearing that the individual was really involved in armed robbery and "pistol-whipped" his victim in the process. But through the process of plea bargaining the original charge may have been reduced to theft. In considering this individual for parole, the Board would consider the total act.

Another important consideration in deciding whether parole is granted, according to Board members, is the individual's prior record and past and current behavior. Several members stated that no one has found a better predictor of future behavior than past behavior. Of particular concern would be the manner in which an individual had handled himself on previous terms of probation and parole. If an individual has failed every time he was under field supervision, the Board would tend to hold this man longer.

The Board also considers the length of sentence the individual receives as an indicator of the seriousness of the offense, previous criminal behavior, and the attitude of the court and the community at the time of sentencing. Equally important is the time an individual has served on a sentence. Several Board members felt that the Courts and the public expected that individuals committing very serious offenses serve an adequate amount of time as a deterrent.

The Board members also stated that personal adjustment in the institution as well as involvement in institution programs was important. This information is provided to the Board members by the individual's social worker at the time of the parole hearing, although institution personnel do not make recommendations to the Board regarding whether an adult should receive parole. All the members agreed that they do not and have never discussed individual cases with institution personnel in order to solicit their opinions on granting parole.

An individual's parole plan is also an important consideration in the parole decision-making process. The prospects for employment upon release are taken into account. Numerous studies have shown that an individual who has steady employment while on parole has a much better chance of succeeding than does an individual with employment difficulties.

The Parole Board members were queried as to the reasons why the percent of hearings resulting in parole grants had declined from a rate in excess of 40% during the period of July, 1971 through June, 1972 to a rate of less

than 30% during recent months. The general consensus of those members who were on the Board during both time periods was that during the earlier period when the grant rate was very high, they were influenced by the study of the institutions by the Governor's Task Force on Offender Rehabilitation, prison riots and other incidents, studies and reports involving prisons. In addition to a general feeling that long institution stays were undesirable, there also was a feeling that the newly developing community based programs should be given the opportunity to demonstrate their effectiveness. As a result the Board would usually parole a marginal case. Several former Parole Board members who were members during this period confirmed this opinion. Now, however the Board is seeing those individuals who have failed in the community on a number of occasions and have been incarcerated because there was no other realistic alternative. The members are saying that as a result of this many of the offenders they are now seeing who have demonstrated that they can not easily succeed in the community, are multiple or repeat offenders, committed more violent crimes, and are adjustment problems in the institutions. Hence, the Board in recent months has been less likely to parole an individual with a marginal case.

Another change that was cited was the recent modification making parole revocation more difficult to accomplish. Before this change the Board was more likely to parole someone with a marginal case because they knew that if the individual began to slip into his former pattern of behavior, the agent could revoke his parole and send the individual back to the institution before he committed a new offense. Now, however, with this practice made significantly more difficult the Board is less likely to parole a marginal case.

Finally, most members who have been on the Board for a few years feel that the substantial change in membership has had an effect on how the Board grants paroles. It is reasoned that each new Board member brings his or her own philosophy, perspectives and biases to the Board. It is felt that the number of changes in membership that have occurred in the last two years has changed the general philosophical make-up of the Board.

Inmate Characteristics

Table 7, Admissions to Institutions By Type of Offense (page 14) shows that in 1971, 27% of those being admitted to the institutions were being admitted for crimes against persons. In 1972 and 1973 this increased to 35%. In 1974 this increased again to 36%.

Table 16 shows the number and percent of adult males residing in the correctional institutions on a given date, by admitting offense.

TABLE 16

RESIDENT POPULATION BY OFFENSE
Selected Dates From 1969 to 1974
Adult Male Correctional Institutions

Date	Crimes Against Persons		Crimes Not Against Persons	
	Number	Percent	Number	Percent
12-31-69	1009	38.4	1621	61.6
6-30-70	1021	37.5	1704	62.5
12-31-70	1052	37.1	1785	62.9
6-30-71	1019	39.0	1596	61.0
12-31-71	961	40.3	1423	59.7
6-30-72	889	42.4	1207	57.6
12-31-72	868	44.2	1094	55.8
6-30-73	877	44.2	1108	55.8
12-31-73	914	44.1	1157	55.9
6-30-74	1039	45.2	1262	54.8

Although there has been a general increase in the percent of men residing in the institutions who are admitted for crimes against persons, there has not been as significant increase as one might have expected. From December 31, 1972 to June 30, 1974 there has been a 20% increase in terms of actual numbers of men residing in the institutions who were admitted for crimes against persons. During the same period, however, there has also been a 15% increase in terms of actual numbers of men in residence who were admitted for crimes not against persons. As a result, the proportion of the total population admitted for crimes against persons went up only 1% during this period.

After reviewing this data a number of Parole Board members indicated they feel the data is misleading because of the increasing use of plea bargaining which tends to reduce the seriousness of the offense for which the man is finally admitted. Because of this, they claim the data is really not comparable from one period to another.

The Milwaukee Journal recently produced statistics from Milwaukee County which give an indication of the increasing use of plea bargaining. Table 17 is a reproduction of the data presented by the Journal.

TABLE 17

USE OF PLEAS BARGAINING IN FELONY CASES
Calendar Years 1968 to 1973
Milwaukee County⁷

Year	Total Convictions	Percent of Convictions on Original Charges	Percent of Convictions on Reduced Charges
1968	1967	88.9%	11.1%
1969	1752	80.1%	19.9%
1970	1866	81.2%	18.8%
1971	1746	73.7%	26.3%
1972	1638	68.4%	31.6%
1973	1793	60.8%	39.2%

⁷ "Impact of Plea Bargains on Sentences Disputed", Judging Justice - A Report on Our Criminal Courts, Milwaukee Journal, November 3, 1974.

The data indicates a substantial increase in the percent of individuals who were convicted on reduced charges which in turn is an indication of the increased use of plea bargaining.

As a part of this study an attempt was made to determine the extent to which plea bargaining has affected the individuals being admitted to the institutions. A 6% sample was obtained for admissions to the adult male correctional institutions for fiscal years 1972, 1973 and 1974. A search of the case files was conducted in an effort to locate incidents of plea bargaining. Incidents of plea bargaining were found in 19% of the cases sampled in fiscal year 1972. Plea bargaining was found in 9% of the cases in 1973 and 14% of the cases in 1974. The reliability of these findings are questionable, however, because there probably are times when known incidents of plea bargaining are not recorded in the case files and there are cases in which plea bargaining occurred but were not known to the probation and parole agent who conducted the pre-sentence investigation.

It has previously been shown that an increasing percent of those individuals being admitted to the institutions have had prior terms of probation. Other indicators of past patterns of behavior are shown in Tables 18, 19 and 20 which reports first admissions by previous felony convictions, by previous adult institution experience and by previous juvenile institution experience for fiscal years 1972, 1973 and 1974.

TABLE 18

PERCENT OF FIRST ADMISSIONS BY PREVIOUS FELONY CONVICTIONS
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Previous Convictions	One Previous Conviction	Two or More Previous Convictions	Total With Previous Convictions	Not Reported
1972	51.8%	21.9%	24.9%	46.8%	1.4%
1973	52.2%	25.3%	22.4%	47.7%	0.1%
1974	51.5%	27.4%	21.1%	48.5%	0 %

TABLE 19

PERCENT OF FIRST ADMISSIONS BY PREVIOUS ADULT INSTITUTION EXPERIENCE
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Experience	At Wisconsin Adult Institutions	Adult Institutions Other Than Wis.	At A Jail	Total With Experience	Not Reported
1972	44.7%	25.3%	8.9%	19.7%	53.9%	1.4%
1973	48.4%	23.3%	9.0%	19.2%	51.5%	0.1%
1974	50.3%	21.5%	7.8%	20.4%	49.7%	0 %

TABLE 20

PERCENT OF FIRST ADMISSIONS BY PREVIOUS
JUVENILE INSTITUTION EXPERIENCE
Fiscal Years 1972 to 1974
Adult Male Correctional Institutions

Fiscal Year	No Experience	At State Institution	At Non-State Institution	Total With Experience	Not Reported
1972	65.2%	29.4%	4.0%	33.4%	1.4%
1973	66.2%	29.1%	4.6%	33.7%	0.1%
1974	67.1%	29.5%	3.4%	32.9%	0 %

These three criteria which are measures of previous behavior show very negligible changes over the last three fiscal years. There is some increase in the percent with previous felony convictions which would correspond with the increase in the percent of admissions of individuals with previous probation experience. There is some decrease in admissions with previous adult and juvenile institution experience which corresponds with decreased use of institutions, both adult and juvenile, in the early 1970's. These trends, however do not reflect a significant change in previous criminal behavior on the part of those being admitted for the first time to the adult male correctional institutions.

Table 21 depicts the length of sentence of those being admitted to the adult male institutions from calendar years 1967 to 1974. The 1974 figures represent nine months of actual data projected on an annual basis.

TABLE 21

ADMISSIONS TO INSTITUTIONS BY LENGTH OF SENTENCE-IN YEARS
Calendar Years 1967 to 1974
Adult Male Correctional Institutions

Year	Less Than 1	1 to 3	3 to 5	5 to 7	7 to 10	10 and More	Indeterminate
1967	0%	38%	29%	16%	5%	9%	3%
1968	0%	34%	29%	18%	5%	10%	4%
1969	0%	33%	27%	17%	6%	12%	5%
1970	0%	32%	31%	17%	5%	14%	0%
1971	0%	35%	28%	18%	6%	13%	0%
1972	1%	29%	28%	20%	6%	16%	0%
1973	1%	29%	32%	17%	8%	13%	0%
1974	1%	29%	29%	19%	7%	15%	0%

Although there is no clear pattern to this data there is a slight trend toward increase in the length of sentences for those admitted to the institutions. In 1971, 63% of those admitted had sentences of less than five years. In 1974, 59% of those admitted had sentences of less than 5 years.

TABLE 24

ESCAPES AS A PERCENT
OF AVERAGE DAILY POPULATION
Calendar Years 1968 to 1974*
Adult Male Correctional Institutions

Year	Number of Escapes	Average Daily Population	Ratio of Escapes to ADP
1968	50	2540	1.97%
1969	64	2650	2.42%
1970	82	2722	3.01%
1971	72	2635	2.73%
1972	110	2152	5.11%
1973	79	2004	3.90%
1974	102	2278	4.50%

* 1974 data represents nine months of actual data projected on an annual basis.

The data shows a substantial increase in conduct reports from July, 1972 to July, 1974. In terms of conduct reports as a percentage of average daily population there was a 75% increase in conduct reports during this period.

Although the data does not show a significant change in assaultive incidents resulting in terms of segregation from 1972 to 1974 there was an increase in acts of insubordination during this period and an increase in all acts resulting in terms of segregation.

From 1971 to 1972 there was a substantial increase in escapes but then a decrease in 1973. However, there has again been an increase in escapes in 1974 as compared to 1973.

If the three measures of conduct reports, incidents resulting in segregation and escapes are an accurate measure of the adjustment and behavior in the adult correctional institutions there can be little question from the data presented that the adjustment and behavior of residents in these institutions has worsened during the past few years.

Summary of Separations

Although it was found to be statistically impossible to calculate the actual increase in population caused by a more restrictive parole practice, it is clear that a decline in the number of hearings resulting in parole is contributing to the increase in populations. The members of the Parole Board maintain that this is primarily due to an increase in admissions of assaultive individuals, with a longer length of sentence, a longer history of criminal activity, and a greater problem of adjustment in the institution. The data reported showed some increase in admissions for crimes against persons, some increase in the length of sentence, little change in previous felony convictions, adult institution experience and juvenile institution experience and a substantial change in conduct in the institution. It is felt, however, that the data itself is not totally sufficient to explain the substantial decrease

in the percent of hearing resulting in parole. According to individuals who were interviewed the significant change in Parole Board membership has changed the general philosophy of the Board. This factor may be contributing to the decline in the rate of parole grants.

SECTION IV

TRENDS IN OTHER JURISDICTIONS

As a part of this study a number of other states were surveyed to determine trends in population in adult correctional institutions. Besides surveying states adjacent to Wisconsin, several other states were surveyed which either have a population distribution similar to Wisconsin's, are in the mid-west, or have a correctional system similar to Wisconsin's. A survey of population trends in the Federal Bureau of Prisons was also conducted. This review of other jurisdictions was made to determine whether the recent trend of increasing populations in Wisconsin's correctional institutions was unique to our State or part of a national trend.

The following are the results of this survey:

A. Iowa⁹

In September, 1972 populations in the Iowa adult male correctional institutions hit a low point of 1,320. By December, 1972 the populations had risen to 1,442 and by June, 1974 they had risen to 1,519. The population at the beginning of December, 1974 was 1,522 which represented a 15% increase since September, 1972.

B. Missouri

The average daily population in Missouri's adult male correctional institutions during fiscal year 1972-73 was 3,480. In fiscal year 1973-74 it had risen slightly to 3,500. However, the population in October, 1973 was 3,473 while the population in October, 1974 had risen to 3,720 or a 7% increase in a one year period.

C. Oregon

In November, 1973 Oregon reached a low point in their adult correctional institutional populations at a level of 1,425. The population in November, 1974, however, had risen to 1,855 or a 30% increase in a period of only one year.

D. Ohio

The average daily population in Ohio's adult male correctional institutions during the period of April through June of 1973 was 7,922. The average daily population during the period of July through September, 1973 had dropped to 7,698, the lowest average daily population which has been recorded in Ohio during the past 30 years. However, the population on September 30, 1974 was 8,906 representing an increase of 16% in a period of about one year.

⁹ Population data from other jurisdictions was obtained from officials in those jurisdictions.

E. Illinois

The average daily population in Illinois in the adult male correctional institutions was 7,049 in 1971. The populations declined to 6,582 in 1972, 5,982 in 1973 and 5,908 in January, 1974. In June, 1974 the population had risen to 6,063 and to 6,342 in October, 1974 or an increase of 7% in ten months.

F. Michigan

In 1971 the average daily population in the adult male correctional institutions was 9,600. In 1972 this declined to 9,400 and to 8,300 in 1973. The population in January, 1974 was 7,950 and had risen to 8,700 in October, 1974 or a 9% increase in ten months.

G. North Carolina

Between 1966 and 1972 the average daily population in the adult correctional institutions in North Carolina remained fairly steady, fluctuating between 9,600 and 9,900. The average daily population in 1972 was 9,776. That increased to 11,561 in 1973.

The population in their institutions on December 16, 1974 was 12,100.

H. Minnesota

Minnesota was the only jurisdiction surveyed that reported a declining population in their adult male correctional institutions. In 1971 they had an average daily population of 1,688. The population declined in 1972 to 1,516, and to 1,259 in 1973. The population in August, 1974 had further declined to 1,194. Officials in Minnesota attributed the decline not to reduced admissions but to a substantial decline in length of stay caused by a change in parole board organization and practices.

I. Federal Bureau of Prisons

Table 25 shows the end of the fiscal year populations for the Federal Bureau of Prisons' adult correctional institutions.

TABLE 25
END OF FISCAL YEAR POPULATION, 1965-1974
FEDERAL BUREAU OF PRISONS

Fiscal Year	End of Year Population
1965	22,346
1966	21,040
1967	19,822
1968	20,170
1969	20,208
1970	20,686
1971	20,820
1972	21,280
1973	22,436
1974	23,365

As it can be seen the Federal institutions had a general trend of declining and stable population from 1965 through 1972. However, in 1973 the population increased by more than 5%. From 1972 to 1974 population has increased by 10%.

It is apparent from a review of the data from other jurisdictions that the trend of increasing populations in Wisconsin's correctional institutions is not unique to our State. Of all the jurisdictions that were surveyed only one did not report a recent increase in populations.

END