

Informational Paper 57

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Adult Corrections Program

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# Adult Corrections Program

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# Adult Corrections Program

In Wisconsin, the care and treatment of adult offenders placed under state supervision by the courts is provided by the Department of Corrections. In fiscal year 2005-06, the Department was responsible for an average daily population of 94,377 individuals, including 22,412 incarcerated adults and 71,965 in the community. The Department operates 36 adult correctional facilities, including 20 prisons and 16 correctional centers. Appendix I provides a map of the locations of state correctional facilities and a subsequent listing of each facility. During 2005-06, Corrections contracted for an average of 505 beds per day with Wisconsin counties and at federal facilities in Wisconsin and Minnesota. Finally, the Wisconsin Resource Center in the Village of Winnebago is operated by the Department of Health and Family Services (DHFS), Division of Care and Treatment Facilities, as a 345-bed medium-security facility for inmates in need of mental health treatment.

This paper is divided into the following sections: (a) departmental overview; (b) adult correctional facilities, including facilities for prison contract beds; (c) prison system operating capacity; (d) contracts for housing state prisoners in other facilities; (e) adult inmate populations; (f) Badger State Industries; (g) private business/prison employment work program; (h) correctional farms; (i) community corrections; (j) sex offender registration; and (k) GPS monitoring for certain child sex offenders.

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## Overview

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The Department of Corrections operates three

primary programs: (a) adult correctional services; (b) the Parole Commission; and (c) juvenile correctional services.

The adult correctional services program manages the state's adult correctional facilities, correctional field services, and administrative duties. The Division of Adult Corrections (DAI) operates the state's 20 correctional institutions, 16 minimum-security correctional centers, and oversees in-state and out-of-state prison contracts. Institutional operations include assigning inmate security levels, designating institutional placement and programming needs, and providing health services, employment training, and educational programming. The Division of Community Corrections (DCC) administers correctional field services, including supervising offenders on probation, parole, and extended supervision, providing monitoring and reporting services to offenders, and administering the intensive sanctions program. In addition to DAI and DCC, adult correctional services include departmentwide administrative services provided by: (a) the Secretary's Office, responsible for the overall administration of the Department, evaluation of local detention facilities (jails), and victim services and programs; and (b) the Division of Management Services, responsible for budgeting, fiscal and accounting issues, information technology, the correctional training center, personnel services, procurement, and facilities management. Budgeted funding in 2006-07 for adult correctional services is \$912,217,100 and 9,405.32 positions (all funds).

The Parole Commission, which is attached to the Department, is responsible for making prison parole release decisions for inmates who committed felony offenses on or before December 30, 1999.

The Commission consists of eight members, including a chairperson who is appointed by the Governor for a two-year term. The Commission is the final authority in granting discretionary paroles. Budgeted funding in 2006-07 for the Commission is \$1,194,500 and 14.5 positions.

The juvenile correctional services program manages the state's juvenile facilities, field services, and administrative functions. The Division of Juvenile Corrections operates the state's three juvenile facilities and community corrections programs. Operations include administering treatment programs, determining eligibility for release of juvenile offenders, and overseeing aftercare services. Budgeted funding in 2006-07 for juvenile correctional services is \$177,121,000 and 704.62 positions (all funds).

An organizational chart of the Department can be found in Appendix II. Appendix III shows that the Department's total budget and number of positions for 2006-07, including all sources of funds, is \$1.09 billion with 10,124.44 positions. Of this amount, 87.6% is financed from general purpose revenues (GPR); 12.1% is program revenue (PR) from such sources as funds generated from the daily rates charged to counties for juvenile corrections and the sale of Badger State Industries and farms products; and 0.3% is financed through federal revenue (FED) such as federal drug abuse, educational or job assistance programs and segregated revenue (SEG) from the recycling fund for a computer recycling program.

In Appendix III, individual budgetary units (for example, individual correctional institutions) are separately identified. It should be noted that: (a) rent for the Department's Madison facility (\$4,467,400 GPR) is included under the Division of Management Services' central office; and (b) debt service costs for adult (\$74,530,400 GPR) and juvenile (\$4,500,500 GPR) correctional facilities are included under the central office costs for each division. In addition, funding budgeted for DAI under the central office also includes monies that

will eventually be allocated to individual institutions: overtime salary and fringe benefits (\$20,504,000 GPR) and inmate food and supplies (\$35,674,500 GPR).

This paper provides information regarding the organization, budget and programs of the Department of Corrections related to the adult correctional system. The juvenile justice system and youth aids are addressed in the Legislative Fiscal Bureau's informational paper entitled, "Juvenile Justice and Youth Aids Program." Likewise, the state's felony sentencing and probation process is addressed in the Legislative Fiscal Bureau's informational paper entitled, "Felony Sentencing and Probation."

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## **Adult Correctional Facilities**

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### **State Facilities**

Convicted male adults sentenced to state prisons are received at the Dodge Correctional Institution Reception Center in Waupun, and convicted female adults are received at the Taycheedah Correctional Institution in Fond du Lac. After an assessment and evaluation period lasting between four and six weeks, inmates are classified according to the degree of security risk they present. Depending on their classification, adult inmates are sent to a maximum-, medium-, or minimum-security facility. In addition to the correctional institutions and centers, an inmate may also be sent to the minimum-security Drug Abuse Correctional Center, which is located on the grounds of the Winnebago Mental Health Institute, and to the medium-security Wisconsin Resource Center operated by DHFS.

The maximum-security institutions for adult males include Dodge, Columbia, Green Bay, Waupun, and the Wisconsin Secure Program Facility. The medium-security institutions for adult males

include Oshkosh, Kettle Moraine, Fox Lake (which also includes a minimum-security portion), Jackson, Prairie du Chien, Racine, Redgranite, Stanley, New Lisbon, and the Milwaukee Secure Detention Facility. Certain offenders may be sent to the medium-security Racine Youthful Offender Facility, where inmates may not be younger than 15 years old nor more than 24 years old. The minimum-security facilities for adult males include Oakhill Correctional Institution, the Chippewa Valley Correctional Treatment Center, Sturtevant Transitional Facility, and the 13 male correctional centers.

For adult females, correctional facilities include Taycheedah, a maximum- and medium-security institution, and three minimum-security correctional centers, the Women's Community Correctional Center in Milwaukee, the John C. Burke Center in Waupun, and the Robert E. Ellsworth Correctional Center in Union Grove. In addition, the Department operates a 12-bed challenge incarceration program for female offenders at the St. Croix Correctional Center.

### **Correctional Facility Operational Costs**

Appendix IV identifies the operational costs of adult correctional institutions and minimum-security centers during 2005-06. It should be noted that the costs identified are those attributable directly to the facilities and do not include other departmental costs such as that for administration. In addition, these costs do not include debt service or construction costs associated with facilities.

In 2005-06, daily per capita cost at all correctional facilities (with some exclusions) was approximately \$76 (\$27,800 annually). The highest daily per capita cost occurred at the Wisconsin Secure Program Facility (\$143), which houses inmates who demonstrate serious behavioral problems in other correctional settings. The medium-security Oshkosh Correctional Institution had the lowest daily per capita prison cost (\$60). Appendix IV does not include operational costs associated with the Wisconsin Resource Center operated by DHFS with Corrections providing security services.

### **Contracted Prison and Jail Beds**

In addition to state correctional institutions, the Department of Corrections also utilizes contracted prison and jail space to house state inmates and as temporary lockup (non-punitive lock-up pending an investigation or disciplinary action of an inmate in the Center System). Since 1983, Corrections has been authorized to contract with Wisconsin local governments for the housing of state prisoners. As of December, 2006, the Department had contracts with 13 Wisconsin counties to house state inmates. Further, since 1995, Corrections has been authorized to contract with political subdivisions in other states for prison space. Statutes require that the Legislature or the Joint Committee on Finance approve any contract to transfer more than 10 prisoners in any fiscal year to any one state or any one political subdivision of another state. Currently, the Department does not have any contracts with any other state. In addition to Wisconsin local governments and other states' political subdivisions, the Department is authorized to contract with the federal government to house inmates.

In 1997 Act 27, Corrections was given the authority to enter into one or more contracts with a private corporation for prison beds in other states. Statutes require that contracts with private corporations contain certain provisions, such as a termination date, cost and payment information, and specifications regarding inmate transportation, reporting procedures, and probation and parole procedures. It was further specified that while in a private contract facility in another state, Wisconsin prisoners would be subject to all provisions of law and regulation concerning the confinement of persons in that institution under the laws of the state where the private institution is located. Further, any parole hearings for a prisoner confined under a contract must be conducted by the Wisconsin Parole Commission. Contracts with private companies for prison beds are required to follow current state procurement requirements and current Corrections standards for the purchase of services for offenders. The state has had a contract

with the Corrections Corporation of America (CCA) for which an extension is currently being negotiated.

Further discussion of contracting prison and jail space to house Wisconsin inmates is provided in a later section of this paper.

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### **Prison System Operating Capacity**

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In 1993 Act 16, Corrections was required to promulgate administrative rules providing limits on the number of prisoners at all state prisons. The Act required Corrections to include systemwide limits and limits for each prison, except that a single limit could be established for the minimum-security correctional centers. Further, procedures to exceed any systemwide, institution or center system limit in an emergency situation could be created. As of January, 2007, this rule had not been promulgated.

To address the question of prison capacity, Corrections has, by policy, defined the operating capacity of the prison system as the lesser of: (a) the number of inmates that a correctional institution can house; or (b) an institution's capacity to provide non-housing functions such as food service, medical care, recreation, visiting, inmate programs, segregation housing and facility administration. Medical services and segregation beds (single cells for inmates removed from the general population for behavioral or security reasons) are not counted in housing capacity. Housing capacity is defined as: (a) one inmate per cell at maximum-security facilities, with a 2% cell vacancy rate; and (b) up to 20% double occupancy of cells in medium-security facilities existing as of July 1, 1991, or 50% double occupancy of cells in medium-security facilities constructed after July 1, 1991. No specific standard has been established for minimum-security institutions, but capacities have been determined on an institution-by-institution basis. Corrections' operat-

ing capacity figures also include the current number of actually occupied contracted prison beds. Further, since the Wisconsin Secure Program Facility (WSPF) at Boscobel is utilized for offenders on an as-needed basis with a maximum capacity of 500 beds, the capacity at WSPF is equal to the number of inmates at the facility. In addition, in December, 1998, Corrections further modified the capacity figures to include nine barracks units built at eight institutions and increased doubling at six institutions for which additional staff were provided.

Using the above definition, Corrections has an operating capacity as of December 15, 2006, of 16,783 inmates in state facilities and 621 inmates at contracted facilities, for a total operating capacity of 17,404. Table 1 identifies Corrections operating capacity and prison population by facility. There were no construction projects authorized during the 2005-07 biennium that would expand operating capacity.

On December 15, 2006, the prison system housed 22,436 inmates and was at 129% of Corrections' defined capacity. Excluding contracted facilities, state facilities were at 130% of capacity. Additional inmates were housed by: (a) exceeding the defined number of double occupancy cells; (b) housing more than two inmates in some cells; and (c) utilizing some non-housing space for housing purposes. To the extent that Corrections continues to exceed its defined capacity or modifies the component parts of its definition, the amount that the system is "over capacity" may vary.

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### **Contracts for Housing State Inmates**

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The Department of Corrections may contract for prison or jail bed space, in order to house state inmates. In 2005-06, Corrections expended \$10,839,600 GPR for housing state inmates in contracted facilities; in 2006-07, \$4,521,800 GPR is

**Table 1: Corrections Operating Capacity and Prison Population, December 15, 2006**

	Operating Capacity	Prison Population
<b>Male</b>		
Waupun	882	1,247
Green Bay	749	1,084
Dodge	1,165	1,614
Columbia	541	847
Wisconsin Secure Program Facility	<u>364</u>	<u>364</u>
Total Maximum	3,701	5,156
Racine	1,021	1,586
Fox Lake	691	1,068
Kettle Moraine	783	1,193
Oshkosh	1,494	2,040
Jackson	837	988
Racine Youthful Offender	400	447
Redgranite	990	1,020
Stanley	1,500	1,532
Prairie du Chien	326	512
New Lisbon	950	1,010
Milwaukee Secure Detention Facility	326	301
Wisconsin Resource Center	<u>353</u>	<u>353</u>
Total Medium	9,671	12,050
Oakhill	300	671
Fox Lake Minimum	288	296
Chippewa Valley Treatment Facility	450	469
Sturtevant Transitional Facility	150	141
Center System	<u>1,100</u>	<u>1,673</u>
Total Minimum	2,288	3,250
Federal--Other Facilities	28	28
Wisconsin Counties	<u>593</u>	<u>593</u>
Total Contract	621	621
<b>Total Male</b>	<b>16,281</b>	<b>21,077</b>
<b>Female</b>		
Taycheedah	653	722
Centers	<u>470</u>	<u>637</u>
Total Facilities	1,123	1,359
<b>Total Female</b>	<b>1,123</b>	<b>1,359</b>
<b>Grand Total</b>	<b>17,404</b>	<b>22,436</b>

budgeted for contracts. Table 2 identifies expenditures and the average number of beds purchased through out-of-state and in-state contracts in 2005-06. A description of past and current contracts is provided below.

**Contracts with Wisconsin Counties**

The Department has been authorized since 1983

**Table 2: Prison Bed Contract Bed Expenditures, 2005-06**

Contract	Expended	Average Number of Beds
<b>Corrections Corporation of America</b>		
CCA Facilities	---	---
<b>Federal Bureau of Prisons</b>		
Various Facilities*	<u>\$106,300</u>	<u>31</u>
Total Out-of-State	\$106,300	31
<b>Wisconsin Local Governments</b>		
Columbia County (Males & Females)	\$271,400	14
Manitowoc County	770,600	41
Oneida County	944,700	48
Outagamie County	1,692,500	90
Vilas County	728,900	39
Milwaukee County	1,124,200	60
Florence County	251,100	13
Forest County	282,400	15
Langlade County	720,500	38
Sheboygan County	366,500	19
Winnebago County	593,000	32
Waushara County	907,200	49
Douglas County	423,700	15
Temporary Lockups	116,300	6
<b>Division of Juvenile Corrections (DJC)</b>		
Adult Convictions in DJC	<u>\$382,200</u>	<u>5</u>
Total In-State	\$9,575,200	484
A.C.E. Initiative*	<u>\$1,158,100</u>	<u>---</u>
Total	\$10,839,600	515

\*The Accountability, Consolidation, and Efficiency (A.C.E.) Initiative was created in March, 2005 to pursue "savings in the procurement, information technology (IT), state facilities management, and human resources functions of state government."

to contract with Wisconsin local governments for the housing of state prisoners. Corrections' contracts with Wisconsin local governments are statutorily limited to a maximum of \$60 a day per inmate bed. The Department currently contracts with 13 counties to house state inmates: Columbia, Douglas, Florence, Forest, Langlade, Manitowoc, Milwaukee, Oneida, Outagamie, Sheboygan, Vilas, Waushara, and Winnebago. The contract terms are

the same for all counties, and include the following major provisions:

a. The per diem rate is \$51.46.

b. In return for the per diem rate, the counties provide: (i) transportation to and from jail; (ii) lodging, facilities, services and programs for state inmates; (iii) constant monitoring of jail premises to insure a safe, secure setting; (iv) basic necessities to state inmates, including but not limited to beds, clean bedding, personal hygiene items, toilet facilities, inmate clothing, recreation, canteen, visiting, and library access; (v) access for all state inmates to all programs and activities provided to county inmates, such as religious-directed programs, crisis intervention, and social services treatment; (vi) program space as needed to conduct any supplemental correctional programs; and (vii) medical, dental, psychiatric treatment, including all medications.

c. The Department will not knowingly send inmates with serious medical, dental, or psychological conditions to county facilities. Counties maintain the right to reject any state inmate if the inmate exhibits medical or behavioral problems to make the inmate unacceptable, as determined by the county sheriff.

d. Counties will inventory each inmate's personal property upon receipt, and unauthorized or excess property will be stored or mailed out, consistent with jail rules, at the inmate's expense.

e. Counties are responsible for the confinement of state inmates in an appropriate penal setting, inmate safety and security, and compliance with all federal and applicable state laws, and administrative code governing county jail operations.

f. State inmates will typically be housed in jail for four to six months. Corrections staff will be responsible for insuring compliance.

## **Contracts with Other States and Federal Bureau of Prisons**

While legislative approval is not required for Corrections to contract with Wisconsin counties, the statutes do require the approval of the Joint Committee on Finance or passage of legislation in order to transfer 10 or more inmates to any one state or any one political subdivision of another state. In September, 1996, a contract with certain Texas counties was approved by the Joint Committee on Finance. The contract ended in September, 2000.

The Department of Corrections has had an intergovernmental agreement with the federal Bureau of Prisons since 1990. This agreement was initially used primarily to place a small number of inmates in the federal prison system for security reasons. In March, 1997, Corrections began using the agreement to place 300 male inmates in a federal facility in Duluth, Minnesota and 30 inmates at a facility in Oxford, Wisconsin. In July, 1998, this same agreement was used to place 200 female inmates at a federal facility in Alderson, West Virginia. In December, 1998, authorization was given to place an additional 100 inmates in Duluth and 20 in Oxford. In December, 2000, Corrections ceased utilizing the Alderson, West Virginia, facility. Since August, 2002, Corrections has not placed inmates in Duluth or Oxford. Corrections has approximately 31 inmates placed in various other federal facilities, primarily for security reasons. The contract with the Bureau of Prisons contains the following provisions:

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

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

terminated.

*Payment.* Wisconsin is required to make payment to the BOP for each inmate accepted and housed by BOP. Payment is required to equal the cost per inmate per day of the federal institution at which the inmate is housed.

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

Each application must include the following:

- a. Copies of all relevant documents which relate to the inmate's case history, physical and clinical record;
- b. Certified copies of all judicial and administrative rulings and orders relating to the inmate and the sentence(s) pursuant to which confinement is to be had or continue; and
- c. Reason(s) for the requested transfer.

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

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

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

In the event of an emergency, BOP will proceed immediately with necessary medical treatment. In such an event, BOP will notify Corrections as soon as practicable regarding the nature of the

transferred inmate's illness or injury, the type of treatment provided, and the estimated cost of treatment.

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

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

*Death of Inmate.* In the event of the death of a transferred inmate, BOP will immediately notify Corrections of the death, furnish information as requested, and follow appropriate instructions with regard to the disposition of the body.

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

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

*Retaking of Inmates Upon Release.* Upon the termination of an inmate's commitment, Wisconsin will accept delivery of the inmate at its own expense. However, by agreement between the parties and the inmate, an inmate may be

discharged, conditionally or otherwise, at a mutually agreed-upon location.

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

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

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

### **Contracts with Private Corporations**

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

- a. a termination date;
- b. the costs of prisoner maintenance, extraordinary medical and dental expenses and any participation in rehabilitative or correctional services, facilities, programs or treatment;
- c. specifications regarding any participation in programs of prisoner employment, the disposition or crediting of any payments received by prisoners, and the crediting of proceeds from any products resulting from employment;
- d. specifications regarding the delivery and retaking of prisoners;

e. regular reporting procedures concerning prisoners by the private corporation;

f. procedures for probation, parole and discharge;

g. the use of the same standards of reasonable and humane care as the prisoners would receive in a Wisconsin institution; and

h. any other matters determined to be necessary and appropriate regarding the obligations, responsibilities and rights of Wisconsin and the private company.

Further, 1997 Act 27 specified that while in a private contract facility in another state, Wisconsin prisoners would be subject to all provisions of law and regulation concerning the confinement of persons in that institution under the laws of the state where the private institution is located. Also, any parole hearings for a prisoner confined under a contract must be conducted by the Wisconsin Parole Commission. Contracts with private companies for prison beds are required to follow current state procurement requirements and current Corrections standards for the purchase of services for offenders.

In 1998, the Joint Committee on Finance approved a contract with the private-for-profit Corrections Corporation of America (CCA) for space at facilities in Whiteville, Tennessee, and Sayre, Oklahoma. The contract was expanded in December, 1999, to allow inmates to be placed at CCA facilities in Mason, Tennessee, Appleton, Minnesota, and Tutwiler, Mississippi. In December, 2002, the Joint Committee on Finance approved a new contract with CCA to continue to provide prison beds at its facilities. In addition to the facilities mentioned above, the contract allowed inmates to be placed at CCA facilities in Watonga, Oklahoma, and Lumpkin, Georgia. Placement of inmates in the Lumpkin, Georgia, facility was conditioned on the Department's notification to the Finance Committee that the facility, once construction was completed, meets the Department's specifications.

The contract between Corrections and CCA was for the period of December 22, 2002, through December 21, 2005. In December, 2005, CCA and the Department extended the contract through December 22, 2006. Another extension is currently being negotiated. In order to utilize the extension, however, the Department would be required to receive approval from the Finance Committee prior to sending any inmates out-of-state. Currently there are no inmates in CCA facilities. The major provisions are summarized below.

a. The contract provides for the housing of up to 5,500 inmates in out-of-state facilities. It should be noted, however, that Corrections is only authorized to place up to 4,833 inmates out-of-state. Approval by the Joint Committee on Finance would be required in order for Corrections to send more than 4,833 inmates out-of-state.

b. The contract rate is \$51.46 per day.

c. Corrections may terminate the contract at anytime, with or without cause, and without penalty by giving 30 days written notice to CCA. Corrections is entitled to recover all costs including, without limitation, administrative costs related to obtaining replacement services.

d. Corrections' failure to comply with the contract is the sole cause for which CCA may terminate the contract, unless otherwise allowed by Corrections. CCA must notify Corrections within 30 days of the noncompliance. Corrections has 60 days to cure or proceed to cure the noncompliance. If Corrections fails to cure, CCA may terminate the contract by providing a 120-day written notice. The earliest termination date of the contract by CCA is 181 days.

e. If CCA breaches the contract, Corrections may withhold or collect liquidated damages for each day of the breach. The amount of damages that Corrections can collect depends on the type of breach. Corrections must notify CCA in writing of the breach. CCA has 30 days to cure the breach before damages are assessed. However, any breach

relating to inmate health and safety will be assessed immediately and is not subject to CCA's right to cure. Corrections may withhold or collect damages until CCA cures the breach or Corrections terminates the contract.

f. CCA is responsible for the transportation of inmates in groups of 10 or more, including inmates returned to Wisconsin for medical reasons.

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

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

i. Inmate telephone services at contracted facilities are specified to require collect calls billed to third parties at a rate no greater than those paid by called parties accepting intra-LATA calls originating from Wisconsin prisons. The maximum call set-up fee is \$1.25 with a maximum per minute rate of \$0.22.

j. CCA must have sufficient work and program opportunities for inmates. Every inmate must have the opportunity to participate in work, educational, vocational, or rehabilitative programs outside of their living quarters at least six hours per day, 30 days per week. Involuntary unassigned status is prohibited unless approved by Corrections. An inmate is involuntarily unassigned if he wishes to participate in a program but is not permitted.

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

l. Inmates who need regular, reoccurring off-

site medical care will not be sent out-of-state. Any inmate with HIV/AIDS, end-stage renal disease requiring dialysis, Hepatitis C, a terminal illness where the life expectancy is 12 months or less, or a mental health condition requiring in-patient care will not be sent out-of-state.

m. With regard to medical records, CCA must keep such records confidential as required under Wisconsin law. Further, the contract specifies that: (a) inmates may request release of medical records as under Wisconsin law; (b) inmates will sign a confidential release of information form; (c) inmates do not need to sign a release form if going to a medical provider as directed by the contractor's health care staff; and (e) inmates who review their medical records will do so in the presence of the proper health care staff.

n. Inmates in contracted facilities are required to pay a medical co-pay, as are inmates held in Wisconsin facilities. Under current law, Corrections is required to collect not less than \$7.50 for each inmate-requested medical, dental or nursing service received. The co-pay will be credited to Corrections, less 10% for CCA's administrative costs.

o. CCA may seek reimbursement only for hospital charges (not separate physician or other provider charges) for 60% of costs over \$80,000. The contract also specifies that the costs of transplants are included. However, transplant claims are reimbursed only at the Medicaid rate in the state where the service was provided. Inmates considered for transplants must be approved by Corrections and the Department may return such an inmate.

p. CCA is required to provide Corrections with daily, weekly, monthly, quarterly, and miscellaneous reports. Daily reports provide the daily institution counts. Weekly reports provide institution climate reports, including information on the number of inmate complaints, conduct reports, any gang activity, and the number of

inmates in segregation. Monthly reports include the number hours worked by each medical staff position. Quarterly reports include summaries of: (a) inmate custody status; (b) education activities; (c) inmate treatment programs; (d) disciplinary actions; (e) urinalysis results; (f) commissary sales; (g) inmate grievances filed, applicable dates, and status; (h) inmates in a segregated status, applicable dates, and status; (i) complete copies of any outside agency audit, or inspection conducted during that quarter; and (j) complete copies of any internal or corporate audits and inspections completed. In addition, Corrections may request other reports it deems necessary.

q. CCA must establish a formal grievance procedure for inmates in accordance with American Correctional Association standards.

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

s. CCA is required to provide copies of their safety, emergency, and evacuation procedures. Corrections may initiate a facility emergency response drill upon demand at any time in order to assess staff preparedness. In addition, Corrections may immediately gain entrance to any area of a facility where Wisconsin inmates are housed.

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

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

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

w. CCA is required to conduct background investigations on all employees, including part-time and temporary employees, who have any contact with Wisconsin inmates.

x. Corrections may approve the appointment or require the removal of the warden at any facility that houses Wisconsin inmates.

### Contract Supervision and Monitoring

In order to supervise and monitor the prison contracts, Corrections has a 10-person contract monitoring unit within the Division of Adult Institutions. These positions include 4.0 planning and operations specialists, 1.0 corrections services supervisor, 2.0 offender records specialists, 1.0 record office supervisor, 1.0 financial specialist, and 1.0 social worker. Since there are currently no inmates placed in out-of-state facilities, the unit is responsible for monitoring contracts with the 13 county jails where inmates are placed. The unit is responsible for directing placements, maintaining records, coordinating services, processing inmate payroll and surcharge deductions, and serving as a liaison between inmates and county jail staff. In 2005-06, expenditures associated with the contract monitoring unit were \$603,100 GPR; in 2006-07, \$769,800 GPR is budgeted.

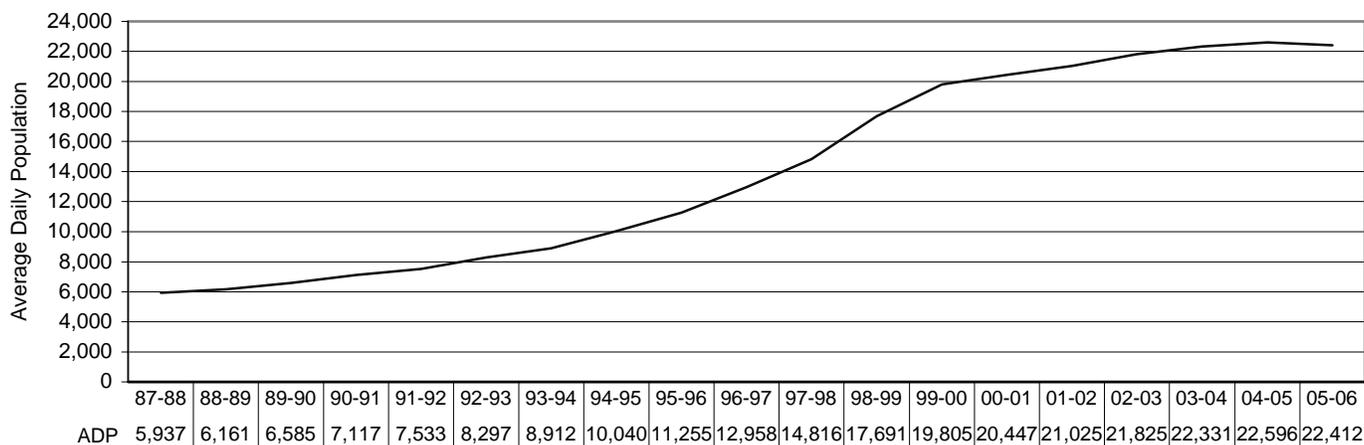
## Adult Inmate Populations

Table 3 indicates the average daily prison population (ADP) by fiscal year since 1987-88. As the table shows, prison populations increased by 277% between 1987-88 and 2005-06. Prison populations include inmates in contracted facilities. Appendix V shows the average daily population for 2005-06 by institution.

### Resident Population

Appendix VI shows the most serious offenses for which inmates incarcerated in the prison system on July 1, 2006, were convicted. These inmates are termed the "resident" population. The predominant offenses by males are sexual offenses, homicide/murder, robbery, burglary, and drug offenses for manufacturing and delivery. The most common by women are forgery, theft, homicide, drug offenses for manufacturing and delivery, and assaults. The average sentence length for inmates in the adult institutions on July 1, 2006, was 17.6 years for males and 10.2 years for females, excluding life sentences and inmates who were unsentenced or for which no data was available (primarily those inmates in the prison system pending the

**Table 3: Average Daily Adult Prison Populations, 1987-88 to 2006-07**



revocation of probation or parole, or as an alternative to the revocation of probation or parole). Exhibit A-1 (page 15) identifies the resident inmate population by sentence length and gender and shows a cumulative percentage. Approximately 4.7% of the male inmate population for which sentencing data was available and 3.2% of the female population for which sentencing data was available were serving life sentences.

Exhibit B-1 identifies the race and ethnicity for the July 1, 2006, resident population by gender. Exhibit C-1 identifies the resident population by age. The average age of male inmates on July 1, 2006, was 35 years; for female inmates the average age was 37 years. As Exhibit C-1 shows, the majority of the resident population is under 35 years old.

### Prison Admissions

Table 4 identifies average monthly admissions to the prison system to the assessment and evaluation center between 1993 and 2005. Over these periods, monthly admissions to state prisons have increased by 41.0% for males and 69.4% for females. However, the increases over the last two calendar years have slowed in comparison with previous years, particularly 1998. For males, admissions actually decreased in 2005 by 2.2% compared to 2004 admissions. For females, 2003 admissions increased by 3.5% in 2004 from the previous year and 3.4% from 2004 to 2005.

Appendix VII shows the most serious offenses for which inmates admitted to the prison system in 2005-06 were convicted. The predominant offenses committed by males were sexual offenses, burglary, drug offenses—manufacturing and delivery, drug offenses—possession with intent to deliver, assaults, and theft; those by women were forgery, theft, drug offenses—manufacturing and delivery and bail jumping/escape. Appendix VII identifies a large number of admissions as "unsentenced" (6,001 males and 411 females) and "no data available" (212 males and six females).

**Table 4: Average Monthly Admissions**

Calendar Year	Males	Females
1993	437	36
1994	453	35
1995	470	39
1996	511	46
1997	498	44
1998	552	61
1999	562	54
2000	568	56
2001	582	51
2002	610	58
2003	607	57
2004	630	59
2005	616	61

"Unsentenced" generally includes admissions to the prison system of individuals who are alleged to have violated their probation, parole, or extended supervision, and offenders serving time in prison as an alternative to the revocation of probation, parole, or extended supervision.

The difference between Appendix VI and Appendix VII should be noted. Since Appendix VI lists the offenses of all inmates incarcerated on July 1, 2006, it tends to emphasize offenses with longer sentences. For example, individuals convicted of homicide/murder made up 10.3% of the male inmate population on July 1, 2006, but accounted for only 1.4% of the admissions in 2005-06.

The average sentence length for males admitted to the prison system in 2005-06 was 8.7 years and for females was 6.5 years. Exhibit A-2 identifies inmate admissions in 2005-06 by sentence length. Of offenders admitted in 2005-06 for whom sentencing data is available, 0.2% of males and 0.1% of females were admitted with life sentences. As with Appendix VII, Exhibit A-2 identifies a large number of admissions as "unsentenced/no data." This category includes admissions to the prison system of individuals who are alleged to have violated their probation, parole, or extended supervision and offenders serving time in prison as an alternative to the revocation of probation, parole, or extended supervision.

Exhibit B-2 identifies the race and ethnicity for admissions to the prison system in 2005-06 by gender. Exhibit C-2 identifies the age for admissions to the prison system in 2005-06 by gender. The average age at admission of a male inmate in 2005-06, was 32 years; for female inmates the age was 36 years. As Exhibit C-2 shows, the majority of male offenders admitted in 2005-06 were under 35 years old, while the majority of female offenders were under 40 years old.

Southern Wisconsin counties committed the majority of inmates to prison during 2005-06. Milwaukee, Dane, Kenosha, Racine, Waukesha, Rock, and Walworth counties committed 63% of male and 65% of female inmates. According to 2006 Department of Administration data, these seven counties represent 42.6% of the state's total population.

### **Prison Releases**

Appendix VIII identifies the offenses committed by all offenders released from prison in 2005-06. The predominant offenses committed by male offenders released in 2005-06 were drug offenses—manufacturing and delivery, burglary, drug offenses—possession with intent to deliver, sexual offenses, theft, and assaults; for female offenders, forgery, theft, and drug offenses—manufacturing and delivery. As with resident population and admissions data, there are a significant number of releases (identified in Appendix VIII as "unsentenced") that are attributable to offenders held in the prison system for probation, parole, or extended supervision violations or as an alternative to the revocation of probation, parole, or extended supervision.

For all offenders released in 2005-06 for which sentencing information is available, the average sentence length was 10.3 years for males and 8.8 years for females. Of offenders released in 2005-06, male offenders served an average of 67.0% of their indeterminate sentence, while females served an average of 55.1%. It should be noted that, while time served in a county jail prior to sentencing may

count toward total time served, the information currently available does not take this time into account. As a result, the total amount of time served may be understated. It should also be noted that the calculation of percent of sentence served excludes offenders sentenced to a bifurcated sentence, unsentenced, offenders, and those serving life sentences.

Under the bifurcated sentencing structure for offenses occurring on or after December 31, 1999, offenders are required to serve 100% of the court-determined confinement time (prison) and 100% of the extended supervision time (community release). As of February 1, 2003, however, offenders may petition the court for modification of a bifurcated sentence after serving at least 85% of the term of confinement for Class C, D, or E felonies, and 75% of the term of confinement for Class F, G, H, or I felonies. [See the Legislative Fiscal Bureau informational paper entitled, "Felony Sentencing and Probation."]

Table 5 identifies all offenders released in 2005-06 by the type of release. The types of release identified in the table are: (a) extended supervision (release after serving 100% of the court-imposed confinement time under a bifurcated sentence); (b) mandatory release, release at 67% of an indeterminate sentence; (c) discretionary parole, which is release prior to an offender's mandatory release date (67% of the court-imposed sentence); (d) direct discharge, release from prison, after serving the entire sentence, without community supervision; (e) alternative to revocation, the release of probation, parole, or extended supervision offenders serving time in prison as an alternative to revocation; (f) probation, parole, or extended supervision hold, release from a state prison after a temporary hold for an alleged probation, parole, or extended supervision violation; (g) revocation hearing, release after a probation, parole, or extended supervision revocation hearing; and (h) other release types, including death and court order.

In 2005-06, 6.6% of the releases of male prisoners and 5.6% of female prisoners were to

**Table 5: Releases from Prison by Type of Release, 2005-06**

Release Type	Male	Percent	Female	Percent	Total	Percent
Extended Supervision	4,986	36.8%	532	48.3%	5,518	37.6%
Probation & Parole Hold	4,249	31.3	298	27.1	4,547	31.0
Mandatory Release	1,757	13.0	106	9.6	1,863	12.7
Alternative to Revocation	1,160	8.6	66	6.0	1,226	8.4
Discretionary Parole	900	6.6	62	5.6	962	6.6
Direct Discharge	433	3.2	29	2.6	462	3.1
Revocation Hearing	11	0.1	6	0.5	17	0.1
Other	<u>71</u>	<u>0.5</u>	<u>2</u>	<u>0.2</u>	<u>73</u>	<u>0.5</u>
<b>Total</b>	<b>13,567</b>	<b>100.0%</b>	<b>1,101</b>	<b>100.0%</b>	<b>14,668</b>	<b>100.0%</b>

discretionary parole. This can be compared with 1997-98, when 75% of the male releases and 81% of the female releases were to discretionary parole.

Exhibit B-3 identifies the race and ethnicity for releases from the prison system in 2005-06 by gender. Exhibit C-3 identifies the age for releases from the prison system in 2005-06 by gender. The average age at release of a male inmate, was 33 years; for female inmates the age was 36 years. As Exhibit C-3 shows, the majority of offenders released in 2005-06 were under 35 years old.

In order to address crowding in the prison system, a special action release (SAR) program was implemented in 1981 for qualified inmates who are parole eligible and who are within 90 days of their mandatory release date. (The mandatory release date generally represents the inmate's court-imposed sentence, less one-third.) In May, 1983, this program was extended to 135 days and in January, 1986, to 12 months. No individuals have been released under SAR since 1991. This provision applies only to inmates sentenced for offenses occurring before December 31, 1999.

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### Badger State Industries

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The Department operates a Badger State Industries (BSI) program at each of the maximum- and medium-security correctional institutions, except at

the Wisconsin Secure Program Facility and Dodge Correctional Institutions. The Department also operates a program at the minimum-security Oakhill Correctional Institution and Chippewa Valley Treatment Facility. The program is funded by program revenue generated from the sale of goods or services produced by the inmates employed by BSI. Sales revenue must, by law, cover the costs of raw materials,

inmate wages, equipment, staff salaries and administrative overhead. For 2006-07, the BSI program has an authorized budget of \$19,978,300 and 105.0 positions.

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

Badger State Industries operates the following industries: laundry, wood and metal furniture, upholstery, textiles, printing, screenprinting, metal stamping (license plates), a sign shop, and a distribution center. During 2005-06, BSI had an average of 471 inmate positions in the various programs. The average wage per hour for inmates is 92¢,

EXHIBIT A	Exhibit A-1				Exhibit A-2			
	July 1, 2006, Prison Population				2004-05 Sentences for Inmates Admitted			
	Male	Cum. %	Female	Cum. %	Male	Cum. %	Female	Cum. %
Sentence Length								
1 year or less	8	0.0%	0	0.0%	15	0.2%	0	0.0%
1 to 2 years	201	1.1	28	2.3	264	3.6	39	5.2
2 to 3 years	504	3.7	67	7.6	575	11.2	79	15.6
3 to 4 years	1,048	9.2	132	18.3	974	23.9	136	33.6
4 to 5 years	1,386	16.4	161	31.2	1,111	38.4	128	50.6
5 to 6 years	1,305	23.2	121	41.0	866	49.8	86	62.0
6 to 7 years	1,051	28.7	89	48.1	629	58.0	58	69.7
7 to 8 years	1,223	35.1	108	56.8	570	65.4	54	76.8
8 to 9 years	825	39.4	54	61.2	395	70.6	32	81.1
9 to 10 years	1,534	47.4	90	68.4	473	76.8	38	86.1
10 to 15 years	3,302	64.7	189	83.7	933	89.0	77	96.3
15 to 20 years	2,239	76.3	85	90.5	410	94.4	19	98.8
20 to 25 years	1,163	82.4	40	93.7	159	96.4	2	99.1
25 to 30 years	939	87.3	34	96.5	109	97.9	2	99.3
30 to 35 years	453	89.7	15	97.7	49	98.5	2	99.6
35 to 40 years	552	92.6	10	98.5	43	99.1	1	99.7
40 to 50 years	508	95.2	11	99.4	28	99.4	1	99.9
50 to 60 years	325	96.9	5	99.8	16	99.6	0	99.9
60 to 70 years	172	97.8	2	99.9	10	99.8	1	100.0
70 to 80 years	105	98.4	0	99.9	5	99.8	0	100.0
80 to 90 years	76	98.7	1	100.0	5	99.9	0	100.0
90 to 100 years	240	100.0	0	100.0	7	100.0	0	100.0
Life	1,012		45		33		1	
Unsentenced/No data*	1,551		100		6,187		415	
Total	21,722		1,387		13,866		1,171	

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

EXHIBIT B	Exhibit B-1				Exhibit B-2				Exhibit B-3			
	July 1, 2006, Prison Population				2005-06 Prison Admissions				2005-06 Prison Releases			
	Male	% of Total	Female	% of Total	Male	% of Total	Female	% of Total	Male	% of Total	Female	% of Total
Race and Ethnicity												
Black	9,837	45.3%	537	38.7%	7,303	52.7%	530	45.3%	7,174	52.9%	516	46.9%
White	9,306	42.8	728	52.2	5,178	37.3	543	46.4	5,089	37.5	491	44.6
Hispanic	1,717	7.9	62	4.5	887	6.4	51	4.4	820	6.0	50	4.5
Native American	611	2.8	48	3.5	388	2.8	38	3.2	368	2.7	39	3.5
Asian	186	0.9	3	0.2	80	0.6	4	0.3	79	0.6	3	0.3
Other	24	0.1	8	0.6	15	0.1	5	0.4	12	0.1	1	0.1
No Data	41	0.2	1	0.1	15	0.1	0	0.0	25	0.2	1	0.1
Total	21,722	100.0%	1,387	100.0%	13,866	100.0%	1,171	100.0%	13,567	100.0%	1,101	100.0%

EXHIBIT C	Exhibit C-1						Exhibit C-2						Exhibit C-3					
	July 1, 2006, Prison Population						2005-06 Prison Admissions						2005-06 Prison Releases					
	Male	% of Total	Cum. %	Female	% of Total	Cum. %	Male	% of Total	Cum. %	Female	% of Total	Cum. %	Male	% of Total	Cum. %	Female	% of Total	Cum. %
Age																		
≤17	51	0.2%	0.2%	3	0.2%	0.2%	117	0.8%	0.8%	6	0.5%	0.5%	26	0.2%	0.2%	1	0.1%	0.1%
18	180	0.8	1.1	7	0.5	0.7	329	2.4	3.2	6	0.5	1.0	165	1.2	1.4	3	0.3	0.4
19	360	1.7	2.7	6	0.4	1.2	502	3.6	6.8	17	1.5	2.5	297	2.2	3.6	8	0.7	1.1
20 to 24	3,944	18.2	20.9	166	12.0	13.1	3,405	24.6	31.4	155	13.2	15.7	3,162	23.3	26.9	143	13.0	14.1
25 to 29	4,124	19.0	39.9	203	14.6	27.8	2,565	18.5	49.9	179	15.3	31.0	2,659	19.6	46.5	169	15.3	29.4
30 to 34	3,212	14.8	54.6	200	14.4	42.2	1,865	13.5	63.3	190	16.2	47.2	1,947	14.4	60.9	181	16.4	45.9
35 to 39	2,682	12.3	67.0	255	18.4	60.6	1,672	12.1	75.4	211	18.0	65.2	1,716	12.6	73.5	212	19.3	65.1
40 to 44	3,031	14.0	81.0	249	18.0	78.5	1,551	11.2	86.6	215	18.4	83.6	1,613	11.9	85.4	185	16.8	81.9
45 to 49	1,975	9.1	90.0	166	12.0	90.5	1,053	7.6	94.2	129	11.0	94.6	1,089	8.0	93.4	121	11.0	92.9
50 to 54	1,160	5.3	95.4	77	5.6	96.0	499	3.6	97.8	45	3.8	98.5	512	3.8	97.2	54	4.9	97.8
55 to 59	518	2.4	97.8	31	2.2	98.3	179	1.3	99.1	14	1.2	99.7	230	1.7	98.9	17	1.5	99.4
60 to 64	254	1.2	98.9	16	1.2	99.4	74	0.5	99.6	3	0.3	99.9	82	0.6	99.5	3	0.3	99.6
65 to 69	135	0.6	99.6	6	0.4	99.9	55	0.4	100.0	1	0.1	100.0	69	0.5	100.0	4	0.4	100.0
70 to 74	59	0.3	99.8	0	0.0	99.9	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0
75 to 79	18	0.1	99.9	2	0.1	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0
80 to 84	12	0.1	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0
85 to 89	7	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0	0	0.0	100.0
Total	21,722	100.0%		1,387	100.0%		13,866	100.0%		1,171	100.0%		13,567	100.0%		1,101	100.0%	

ranging from 62¢ to \$1.29 per hour. In 2006-07, \$618,700 is budgeted for inmate wages. Appendix IX provides a summary of industry locations, number of inmate employees and average wages.

It should be noted that in addition to the BSI program, the Department compensates inmates for institutional jobs, educational, or program assignments. Compensation for these activities ranges from 12¢ to 42¢ per hour depending on experience. Inmates interested in an assignment may be placed on a waiting list when there are no available assignments. These inmates, known as "involuntarily unassigned," are compensated 5¢ per hour, until an assignment becomes available. No compensation is provided to inmates classified as "voluntarily unassigned" (those who refuse any work, education or program assignments). As with other inmate wages, funds are used to meet an inmate's fiscal obligations.

Under the statutes, BSI is allowed to maintain a continuing negative cash balance (the cash balance equals revenues minus expenditures plus the accumulated balance from all previous years) on June 30 of any fiscal year if this negative balance can be offset by program assets. The BSI negative cash balance has been offset by assets, as required by statute, in 10 of the past 15 years. In 1997-98, BSI had a positive closing cash balance for the first time since 1976-77.

Table 6 provides a summary of the financial position of BSI since 1987-88. It should be noted that beginning in 1995-96 and prior to January 1, 1998, expenses and revenues for the private business/prison employment program (addressed in the following section) were included as part of BSI. Table 6 excludes the private business/prison employment program. Appendix X provides a cash balance summary by individual industry for the last three fiscal years for which information by industry is available.

**Table 6: Badger State Industries Financial Status Since 1987-88**

Fiscal Year	Opening Cash Balance	Profit Or Loss	Closing Cash Balance
1987-88	-\$6,169,776	-\$271,652	-\$6,441,428
1988-89	-6,441,428	150,523	-6,290,905
1989-90	-6,290,905	698,524	-5,592,381
1990-91	-5,592,381	1,716,328	-3,876,053
1991-92	-3,876,053	305,989	-3,570,064
1992-93	-3,570,064	-517,395	-4,087,459
1993-94	-4,087,459	1,159,795	-2,927,664
1994-95	-2,927,664	1,248,893	-1,678,771
1995-96*	-1,678,771	239,032	-1,439,739
1996-97*	-1,439,739	1,203,111	-236,628
1997-98*	-236,628	700,686	464,058
1998-99*	464,058	104,236	568,294
1999-00	568,294	1,025,995	1,594,289
2000-01	1,594,289	2,514,707	4,108,996
2001-02	4,108,996	862,648	4,971,644
2002-03	4,971,644	185,574	5,157,218
2003-04	5,157,218	-2,012,077	3,145,141
2004-05	3,145,141	856,552	4,001,693
2005-06**	4,001,693	-3,662,099	339,594

\* Balance modified to reflect BSI only.

\*\* Profit/loss includes -\$1,315,750 transferred from the private business/prison employment program under provisions of 2005 Act 25.

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### Private Business/Prison Employment Program

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Under 1995 Act 27, Corrections was authorized to lease space within state prisons and juvenile correctional institutions to not more than three private businesses that would employ prison inmates to manufacture products or components or to provide services for sale on the open market. In 1997 Act 27, the limit was increased to six businesses. Under 2001 Act 16, this limit was decreased to not more than two private businesses.

In selecting businesses to participate in the program, the Department is required to comply with state procurement laws by soliciting

proposals. The Department must also consult with trade organizations and labor unions prior to issuing requests for proposals and prior to selecting proposals. In addition, before a private business/prison employment project begins, the Joint Committee on Finance must hold a public hearing and approve the contract, and the Prison Industries Board must approve the business.

In accordance with federal law, inmates must be paid at the prevailing local wage for work of a similar nature and may have as much as 80% of total earnings withheld for taxes, room and board, court obligations and victim compensation. Federal law requires that inmates retain at least 20% of earnings.

In 1999 Act 9, the private business/prison employment program was modified to require that any contract or amendment to a contract specify each state prison or juvenile correctional institution at which the private business/prison employment program will operate. Further, Act 9 specified that a private employer may not employ inmates or institution residents under a prison contract if any of the following applies: (a) the inmates or institution residents are to be employed in a skill, craft or trade in which there is a surplus of available labor in the locality of the private employer; (b) the employment of the inmates or institution residents will impair the performance of other contracts to which the private employer is a party; or (c) the inmates or institution residents will replace employees who are on strike against the private employer or locked out of work.

A private employer participating in the program is required to post in all of its workplaces a notice provided by Corrections containing a description of the nature of the prison contract and an explanation of what it means for an employee of a private employer to be displaced and identifying a person at Corrections whom an employee of a

private employer may contact if the employee believes that he or she may have been displaced by a prison contract. The statutes define "displace an employee" as "to lay off an employee in this state as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract or to permanently transfer an employee in this state to another job that reduces the employee's base pay, excluding overtime, differentials and bonuses, by more than 25% as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract."

On April 15, 1996, a public hearing was held by the Joint Committee on Finance and two private business/prison employment projects were approved. One of the projects was with Jorgensen Conveyors of Mequon, at the Waupun Correctional Institution, providing welding services for the company. The Jorgensen project ended in 1999 due to lack of work for inmates. The second project was with Fabry Glove and Mitten Company of Green Bay. In 2001-02, Fabry employed an average of 32 inmates at an average wage of \$7.16. The project ended in November, 2002, due to lack of work for inmates.

Under 1997 Act 27, a separate appropriation for the program was created, which became effective on January 1, 1998. Prior to that time, revenues and expenditures for the program were a portion of the Badger State Industries program. Table 7 provides a summary of the financial position of the private business/prison employment program since it began in 1995-96. It should be noted that unlike BSI and the prison farm system, the private business/prison employment program is not statutorily authorized to maintain a negative cash balance. In order to eliminate the accumulated deficit in the program, 2005 Act 25 transferred the encumbered negative cash balance to the prison industries appropriation.

**Table 7: Private Business/Prison Employment Program Financial Status Since 1995-96**

Fiscal Year	Operating Cash Balance	Profit or Loss	Closing Cash Balance
1995-96	-	-\$5,280	-\$5,280
1996-97	-\$5,280	-984,030	-989,310
1997-98	-989,310	-290,747	-1,280,057
1998-99	-1,280,057	-413,407	-1,693,464
1999-00	-1,693,464	83,701	-1,609,763
2000-01	-1,609,763	-58,169	-1,667,932
2001-02	-1,667,932	-29,128	-1,697,060
2002-03	-1,697,060	215,188	-1,481,872
2003-04	-1,481,872	104,199	-1,377,673
2004-05	-1,377,673	61,923	-1,315,750
2005-06	-1,315,750	1,315,750	0

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**Adult Correctional Farm System**

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The Department currently operates three correctional farming operations using minimum-security inmate employees who are paid an average hourly wage of \$1.08 (between 76¢ and \$1.37 per hour). The farms are located at Oregon, Waupun/Fox Lake, and Oneida. The stated goal of the farm system is to teach skills which allow inmates to obtain and retain employment upon release. In December, 2006, 100 inmate positions were available in the farm system. The farming operations include a creamery, crops, beef and swine production. Farm products are used within the prison system and sold as surplus on the open market. In 2006-07, a total of \$1,130,900 GPR with 16.0 GPR security-related positions and \$4,158,400 PR with 9.0 PR positions were authorized for the correctional farm system.

As with the BSI program, the correctional farms are intended to be self-supporting operations whereby expenditures (farm supplies and equipment, inmate wages and staff salaries) do not exceed revenues generated from the sale of farm products. Negative cash balances must, by statute,

**Table 8: Correctional Farms Financial Status Since 1987-88**

Fiscal Year	Opening Cash Balance	Profit or Loss	Closing Cash Balance
1987-88	-\$4,764,858	-\$255,087	-\$5,001,945
1988-89	-5,001,945	-593,305	-5,595,250
1989-90	-5,595,250	72,012	-5,523,238
1990-91	-5,523,238	-173,225	-5,696,463
1991-92	-5,696,463	142,071	-5,554,392
1992-93	-5,554,392	-31,119	-5,585,511
1993-94	-5,585,511	58,546	-5,526,965
1994-95	-5,526,965	128,576	-5,398,388
1995-96	-5,398,388	15,330	-5,383,058
1996-97	-5,383,058	123,714	-5,259,344
1997-98	-5,259,344	49,386	-5,209,958
1998-99	-5,209,958	229,757	-4,980,201
1999-00	-4,980,201	107,622	-4,872,579
2000-01	-4,872,579	222,620	-4,649,959
2001-02	-4,649,959	48,664	-4,601,295
2002-03	-4,601,295	173,533	-4,427,762
2003-04	-4,427,762	496,355	-3,931,407
2004-05	-3,931,407	911,369	-3,020,038
2005-06	-3,020,038	804,500	-2,215,538

be offset by the value of farm assets. Table 8 shows the correctional farm system's continuing cash balance since 1987-88. Appendix XI provides a more detailed summary of each of the correctional farms since 2003-04.

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**Community Corrections**

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The Division of Community Corrections (DCC) provides community supervision for offenders on probation, parole and extended supervision, and those placed in the intensive sanctions program. Appendix XII identifies the eight community corrections regions in the state. In 2006-07, there are 1,224.73 community corrections agent positions authorized for the regional offices for probation and parole, intensive sanctions, the enhanced probation and parole program, and the absconder unit. The intensive sanctions and probation, parole,

and extended supervision programs are addressed in the following sections.

**Probation, Parole and Extended Supervision**

The probation, parole, and extended supervision program supervises offenders in the community who are completing a sentence of imprisonment by being placed on parole, who have been placed on probation by the court or those serving the extended supervision portion of a bifurcated sentence. After being placed on probation, released on parole or while serving on extended supervision, the person is placed under the supervision of a community corrections agent. Table 9 shows adult probation and parole populations since 1992-93. The figures do not include juveniles supervised by DCC, but do include adults supervised under the Interstate Compact (a mutual agreement among most of the 50 states whereby a state agrees to provide supervision to a probationer or parolee accepted from another state). In 2005-06, the average daily population consisted of 56,002 probationers and 15,936 parolees and persons on extended supervision.

**Table 9: Individuals Under Parole, Probation, and Extended Supervision**

Fiscal Year	Average Daily Population	Percent Change
1994-95	52,078	
1995-96	53,262	2.3%
1996-97	63,403	19.0
1997-98	65,769	3.7
1998-99	64,287	-2.3
1999-00	63,997	-0.5
2000-01	64,906	1.4
2001-02	66,077	1.8
2002-03	67,226	1.7
2003-04	68,145	1.8
2004-05	70,102	2.9
2005-06	71,965	2.7

As indicated previously, DCC has 1,224.73 community corrections agent positions. Of these,

1,159.73 agents are for probation, parole and extended supervision. Based on an estimated end-point population for 2005-06 (73,199 probationers and parolees), each agent has a caseload of approximately 63 offenders. In addition, DCC operates an enhanced probation and parole program in Racine and Dane Counties (with a population of 800 offenders). The program currently has 64 positions (47 agent positions) associated with the program. Further, DCC operates a probation and parole absconder unit for Milwaukee County staffed with 22.0 positions (18 agent positions), to track, locate and apprehend community corrections offenders who have failed to report under conditions of their community release.

Within the first 30 days of being placed on probation, parole, or extended supervision an agent undertakes a "case classification" to determine the level of supervision required by that offender. The offender is scored on a risk scale (which assesses the propensity for further criminal activity) and a need scale (which assesses the services needed by the offender) and is placed into one of six levels of supervision based on the results. The minimum face-to-face contacts established by DCC are identified in Table 10. In addition to the minimum supervision levels, high-risk sex offender supervision requires two collateral contacts every 30 days with individuals such as treatment professionals, spouse/significant others, law enforcement and neighbors. It should be noted that offenders in minimum or administrative supervision may be supervised by a contracted provider.

In addition to client contact standards, the Department has specific expectations for other contacts, such as employment verification, in several of the supervisory levels. Under a provision created in 1995 Act 27, offenders under minimum, medium, maximum, and high-risk supervision are required to pay a probation and parole reimbursement fee based on financial ability. The monthly fee ranges from \$20 to \$60 depending on an offender's ability to pay and supervision level. While the statutes require that Corrections have a

**Table 10: Community Corrections Supervision Requirements**

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

goal to receive at least a \$1 per day from offenders, a non-statutory provision in 2001 Act 109, required the Department set a goal to recover at least \$2 per day, if appropriate, from each person who is on probation, parole, or extended supervision.

Under 1997 Act 283 (the "truth-in-sentencing" legislation), parole was eliminated for all offenders convicted of felonies that occur on or after December 31, 1999. Instead, for these offenders being sentenced to confinement in prison, a judge may sentence them to: (a) prison for a specific number of years; and (b) extended supervision for a specific number of years. Extended supervision is post-incarceration community supervision by Corrections similar to the supervision provided to parolees. Unlike the parole process, however, an offender may not be released from prison prior to the time specified by a judge at the time of sentencing. Further, Corrections may not discharge an offender from supervision prior to the expiration of the extended supervision sentence. Parole will continue to be utilized for offenders convicted of offenses occurring on or before December 30, 1999. The "truth-in-sentencing" legislation is discussed in the Legislative Fiscal Bureau's informational paper entitled, "Felony Sentencing and Probation."

**Intensive Sanctions**

In addition to community supervision for offenders on probation, parole, and extended supervision, DCC administers the intensive sanctions program. The program is designed to

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

A person may be sentenced by the court to the intensive sanctions program for a felony offense occurring between August 15, 1991, and December 30, 1999. A person not sentenced under a bifurcated sentence may, however, also enter the intensive sanctions program if: (a) the person is a prisoner serving a felony sentence not punishable by life imprisonment and the Department of Corrections directs the person to participate in the program; or (b) the Parole Commission grants the person parole and requires the person to participate in the program as a condition of parole. Further, a person may be placed in the program if the Department and the person agree to his or her participation in the program as an alternative to revocation of probation, extended supervision or parole. Finally, a person sentenced for a felony occurring on or after December 31, 1999: (a) may not be sentenced to the program; (b) is not eligible for the program while serving the confinement portion of a bifurcated

sentence; and (c) may be placed in the program as a condition of extended supervision.

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

Judges may, however, continue to sentence persons to the intensive sanctions program for felony offenses committed prior to December 31, 1999. Between September, 1997, and December 31, 1999, 192 offenders were sentenced to intensive sanctions. The number of offenders in the program has decreased from a high of 1,628 offenders in the community on September 5, 1997, to five offenders in October, 2006.

### **Halfway Houses**

In 2006-07, DCC has \$13,548,100 budgeted for 535 halfway house beds throughout the state (418 for males and 117 for females). Halfway houses are community-based residential facilities where probationers, parolees, offenders on extended supervision, or intensive sanctions inmates may be required to reside as a condition of their supervision. These halfway houses are licensed and regulated by DHFS. Halfway houses are nonsecure facilities that house a relatively small number of persons who require some type of supervised living arrangement. In 2006-07, the Department has allocated \$12,637,200 GPR and \$910,900 PR for halfway house beds. On average, the per capita daily cost of placing an individual in a state-contracted halfway house is approximately \$69.

Appendix XIII shows the budgeted cost, location, and bed capacity of placing offenders in each halfway house for 2006-07.

### **Probation and Parole Hold Reimbursements**

The Department reimburses counties up to \$40 per day for felons being held in county jails pending the revocation of their probation, parole, or extended supervision for non-criminal rules violations. Payments are prorated if the number of reimbursable days exceeds the appropriated amount. In 2005-06, \$4,935,600 GPR was expended to reimburse counties in holds in 2004-05. Counties were reimbursed at a rate of \$36 per day. Appendix XIV indicates probation and parole hold reimbursements in 2005-06.

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### **Sex Offender Registration**

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

For 2006-07, the base budget for the sex offender registry program is \$1,300,000 GPR and 16.0 GPR positions (9.0 sex offender registration specialists, 2.0 supervisors, 3.0 program assistants, 1.0 program assistant supervisor, and 1.0 information systems web designer). As of October, 2006, the sex offender registry contained 20,665 records. Of this number, 5,457 offenders were in correctional institutions, 5,028 offenders were in the community under supervision, 8,360 individuals were required to register but released from supervision, and 1,820 were juvenile registrants under the age of 18.

## Registration Requirements

A "sex offense" as a violation, or the solicitation, conspiracy or attempt to commit a violation, of any of the following: (a) sexual contact with a patient or client by a therapist; (b) first-, second- or third-degree sexual assault; (c) incest; (d) sexual assault of a child (a person under 16 years of age); (e) repeated acts of sexual assault of a child; (f) sexual exploitation of a child; (g) causing a child to view or listen to sexual activity; (h) incest with a child; (i) child enticement; (j) soliciting a child for prostitution; (k) sexual assault of a child placed in substitute care; (L) using a computer to facilitate a child sex crime; (m) sexual assault of a student by a school staff person or person who works or volunteers with children; (n) selling, renting, exhibiting, transferring or loaning to a child any harmful material or verbally communicating, by any means, a harmful description or narrative account to a child; (o) possession of child pornography; (p) working or volunteering with children as a child sex offender; (q) abduction of another's child; and (r) false imprisonment or kidnapping, if the victim was a minor and the person is not the minor's parent.

A person must register as a sex offender if the person is any of the following:

a. Convicted of, or adjudicated delinquent on or after, December 25, 1993 (the date on which the provision became effective), for a sex offense;

b. In prison, a juvenile correctional facility, a residential care center for children and youth, or is on probation, extended supervision, parole, supervision or aftercare supervision on or after December 25, 1993, for a sex offense or for a violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law of this state that is comparable to a sex offense;

c. Found not guilty or not responsible by reason of mental disease or defect on or after

December 25, 1993, and committed under an involuntary mental health commitment or as a consequence of being found not guilty or not responsible by reason of mental disease or defect for a sex offense;

d. In institutional care or on conditional transfer from a mental health facility or conditional release from a commitment resulting from a finding of not guilty or not responsible by reason of mental disease or defect on or after December 25, 1993, for a sex offense or for a violation that is comparable to a sex offense;

e. On parole, extended supervision or probation in this state from another state on or after December 25, 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a violation of a law of this state that is comparable to a sex offense;

f. A juvenile in this state on or after May 9, 2000, and is on supervision from another state pursuant to the interstate compact on the placement of juveniles for a violation of a sex offense;

g. Placed on lifetime supervision on or after June 26, 1998;

h. In institutional care under, or on parole from, a commitment for specialized treatment as a sex offender on or after December 25, 1993;

i. In institutional care or on supervised release as a sexually violent person on or after June 2, 1994;

j. Required to register based on a finding that he or she was in need of protection or services for having committed a sex offense and is ordered to continue complying with registration requirements;

k. Registered as a sex offender in another state or with the FBI and is a resident of this state, a

student in this state or employed or carrying on a vocation in this state on or after December 1, 2000; or

1. Convicted of a sex offense in another jurisdiction and, on or after December 1, 2000, is a resident of this state, a student in this state or employed or carrying on a vocation in this state. This provision does not, however, apply if 10 years have passed since the date on which the person was released from prison or placed on parole, probation, extended supervision or other supervised release for the sex offense.

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

Under specific circumstances a court may exempt a person from sex offender registration requirements. Specifically, the court may exempt a person who meets all of the following conditions: (a) the person meets the criteria for registration based on a violation, or on the solicitation, conspiracy or attempt to commit a violation, of sexual assault of a child, repeated acts of sexual assault of a child or sexual assault of a child placed in substitute care, or of a comparable law of another state; (b) the violation did not involve sexual intercourse either by the use or threat of

force or violence or with a victim under the age of 12 years; (c) at the time of the violation, the person had not attained age 19 and was not more than four years older nor more than four years younger than the victim; and (d) it is not necessary, in the interest of public protection, to require the person to register as a sex offender. The court must hold a hearing on a motion for an exemption. At the hearing, the person requesting the exemption must prove by clear and convincing evidence that he or she has satisfied the required criteria for exemption. In addition, the court must allow the victim of the crime to make a statement at the hearing or to submit a written statement to the court. The statutes also specify procedures at the hearing and criteria that the court may consider in making its decision.

In addition, 2003 Act 50 provided that a person is not required to comply with registration requirements in certain circumstances involving sexually motivated invasion of privacy offenses. If a person aged 17 or younger is adjudicated delinquent for a sexually motivated invasion of privacy offense, the juvenile court must expunge the court's record of the adjudication if it was a first time offense and the juvenile satisfactorily complied with the conditions. If a person aged 17 or younger is convicted in adult court for a sexually motivated invasion of privacy offense, the court must expunge the record upon successful completion of the sentence. Once the person's record is expunged, the person is no longer required to comply with the registration requirements, and Corrections must purge all information of that person from the registry.

### **Registry Information**

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

a. The person's name, including any aliases used by the person.

b. Information to identify the person, including date of birth, gender, race, height, weight and hair and eye color.

c. The statute the person violated that requires the person to register as a sex offender, the date of conviction, adjudication or commitment, and the county or, if the state is not Wisconsin, the state in which the person was convicted, adjudicated or committed.

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

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

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

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

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

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

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

Registry information must be provided by Corrections or the Department of Health and Family Services (DHFS), depending upon which agency has supervision over the individual subject to registration requirements. A person who is not subject to the supervision of either agency must directly provide the information to Corrections. The statutes establish specific timelines within which information must be provided to Corrections. An agency supervising a person who must register as a sex offender must notify the person of the need to register. Initially, the person must sign a form stating that he or she has been informed of the requirements of registering as a sex offender.

In addition to the information required above, Corrections may also require a person who is required to register as a sex offender to provide his or her fingerprints, a recent photograph and any other information required for the registry that the person has not previously provided. Also, Corrections may require the person to report to a place designated by Corrections for the purpose of obtaining fingerprints, a photograph or other information. Further, the Department may send a person who is required to register as a sex offender a notice requesting the person to verify the accuracy of any information in the registry. Finally, Corrections must inform a person required to register that they are prohibited from photographing children under the age of 17 (violation of this provision is a Class I felony).

Persons who are required to register as sex offenders must provide updated information to Corrections once each calendar year. However, persons subject to lifetime registration must provide updated information once each 90 days. The statutes also require that a person required to register as a sex offender must notify Corrections of any change in registry information within 10 days after the change occurs. However, if a person is on parole or extended supervision and knows that his or her address will be changing, the person must notify Corrections before the change occurs. If such a

person changes his or her address but did not know of the change before it occurred, the person must notify Corrections within 24 hours after the change occurs. Further, a person required to register as a sex offender and who is either changing his or her residence from Wisconsin to another state, is becoming a student in another state or is to be employed or carrying on a vocation in another state, must, no later than 10 days before moving out of Wisconsin or when starting school or employment or a vocation in another state, notify Corrections of the new address. The person must also inform Corrections of the state in which he or she will be in school or the state in which he or she will be employed or carrying on a vocation. Finally, current law provides that a person required to register as a sex offender and on parole or extended supervision may not establish a residence or change residence unless the person has complied with the requirements to provide Corrections with information for the registry.

### **Required Registration Period**

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

versed, set aside or vacated; or (d) is ordered by the court to register as a sex offender and also ordered to comply with registration requirements the rest of their life.

A person required to register as a sex offender based upon a finding that they have committed a sex offense in another jurisdiction must comply with registration requirements while a resident, a student or employed or carrying on a vocation in Wisconsin or for 10 years from the date of release from prison or date placed on parole, probation, extended supervision or other supervised release for the offense, whichever is less. A person meeting one of the criteria for lifetime supervision must comply with registration requirements while a resident, a student, employed or carrying on a vocation in Wisconsin.

### **Annual Registration Fee**

Under 2005 Act 25, Corrections may establish by rule an annual sex offender registration fee not to exceed \$50 for individuals in its custody or under its supervision. Collected revenues from the fee may be used to partially offset the costs of monitoring. In 2005-06, the fee generated \$27,500 in revenue.

### **Disclosure of Registry Information**

Corrections must generally keep the information in the sex offender registry confidential; however, under specified circumstances the Department may disclose registry information. Current law permits disclosure of registry information in the following circumstances: (a) upon request of the Department of Revenue (DOR), Corrections must disclose information to DOR for the purposes of locating a person, or the assets of a person, who has failed to file a tax return, has underreported taxable income or is a delinquent taxpayer, identifying fraudulent tax returns or providing information for tax-related prosecutions; (b) upon request of the Department of Workforce Development or a county child support agency for purposes of ad-

ministering the child and spousal support program, the Wisconsin Works program and the medical assistance program and for establishing paternity, the Department must provide the name and address of a person registered, the name and address of the person's employer and financial information related to the person; and (c) as needed for law enforcement purposes.

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

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

school if Corrections or DHFS determines that such notification is necessary to protect the public. This notification may be in addition to providing access to information, as described above, or to any other authorized notification.

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

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

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

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

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

### **Internet Access**

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

Under 2005 Act 431, the Department must include the following information on the sex offender registry website:

- a. If the person is a sexually violent person, a notice of that status, written in red letters;
- b. A current color photograph of the person, if available, and a physical description including sex, race, height, weight, eye color, and hair color;
- c. The person's name and home address;
- d. Whether the person has responded to the last contact letter from the Department;
- e. The crime committed for which the person must register;
- f. Any conditions of the person's supervised release, except for any condition that may reveal the identity of the victim of the crime;
- g. The date, time, and place of any scheduled hearings for supervised release or discharge under Chapter 980 of the statutes;

h. The name and court of the judge who authorized the supervised release or discharge; and

i. The most recent date on which the information was updated.

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### **GPS Monitoring for Certain Child Sex Offenders**

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Under 2005 Act 431, the Department of Corrections is required to use global positioning system tracking for certain child sex offenders. The effective date of Act 431 is July 1, 2007. The act's provisions are summarized below.

**Definitions.** The following definitions are created in Act 431:

a. "Exclusion Zone" means a zone in which a person who is tracked using a global positioning system device is prohibited from entering except for purposes of traveling through it to get to another destination;

b. "Global Positioning System Tracking" means tracking using a system that actively monitors and identifies a person's location and timely reports or records the person's presence near or at a crime scene or in an exclusion zone or the person's departure from an inclusion zone. "Global positioning system tracking" includes comparable technology;

c. "Inclusion Zone" means a zone in which a person who is tracked using a global positioning system (GPS) tracking device is prohibited from leaving;

d. "Lifetime Tracking" means GPS tracking that is required for a person for the remainder of the person's life or until terminated;

e. "Passive Positioning System Tracking" means tracking using a system that monitors, identifies, and records a person's location;

f. "Serious Child Sex Offense" is a violation of any of the following, and includes the solicitation, conspiracy, or attempt to engage in conduct in violation of any of the following:

(1) Under the 2003 Wisconsin statutes, first- or second-degree sexual assault of a child, or engaging in repeated acts of sexual assault of a child, if any of the following applies: (i) the actor has sexual intercourse with a person who has not attained the age of 12 years; (ii) the actor has sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence; or (iii) the actor has sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence and the actor is at least 18 years of age when the contact occurs;

(2) For convictions before June 6, 2006, one of the following first-degree sexual assault offenses: (i) sexual intercourse with a person who has not attained the age of 12 years old; (ii) sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence; or (iii) sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence, if the actor is at least 18 years of age when the sexual contact occurs; or

(3) For convictions before June 6, 2006, engaging in repeated acts of sexual assault of a child, if: (i) at least three of the violations were either (2)(i) or (2)(ii) above; or (ii) at least three of the violations were (2)(i), (2)(ii), or (2)(iii) above, but fewer than three of the violations were either (2)(i) or (2)(ii).

g. "Sex Offense" is either: (a) a violation, solicitation, conspiracy, or attempt to commit a violation of one of the following: sexual exploitation by a therapist, first-degree sexual assault, second-

degree sexual assault, third-degree sexual assault, incest, first-degree sexual assault of a child under the age of 13, second-degree sexual assault of a child under the age of 16, engaging in repeated acts of sexual assault with the same child, sexual exploitation of a child, causing a child to view or listen to sexual activity, incest with a child, child enticement, of a computer to facilitate a child sex crime, soliciting a child for prostitution, sexual assault of a student by a school instructional staff person, exposing a child to harmful material or harmful descriptions or abduction of another's child, or false imprisonment or kidnapping if the victim was a minor and the person who committed the violation was not the victim's parent; or (b) a crime under federal law or the law of any state that is comparable to one of the above crimes.

**Who is Covered.** Act 431 requires the Department of Corrections to arrange for lifetime GPS tracking of: (a) any person on probation, extended supervision, or parole for committing a serious child sex offense; (b) any person placed on conditional release after having been found not guilty of a serious child sex offense by reasons of mental disease or mental defect; (c) any person placed on probation or discharged under Chapter 975 of the statutes for a serious child sex offense (Sex Crimes Law); (d) any person placed on supervised release under Chapter 980 of the statutes; or (e) any direct discharge or release of a person who was convicted of, found not guilty by reason of mental disease or defect, or committed under Chapter 980 for a serious child sex offense.

In addition to lifetime GPS tracking for the above described individuals, Corrections must use GPS tracking for individuals, if all the following apply: (a) the individual has been convicted under federal law or the law of another state of a crime that is comparable to a serious child sex offense, or found not guilty of, or not responsible for, such a crime by reason of mental disease or defect; and (b) the individual resides, is employed, is carrying on a vocation, or is a student in Wisconsin. For individuals placed on probation, parole, or extended

supervision for committing a sex offense, the Department may use GPS tracking.

**Department Duties.** For each person subject to GPS tracking, the Department of Corrections must create individualized exclusion and inclusion zones for the individual if necessary to protect public safety. For exclusion zones, Corrections must focus on areas where children congregate, with perimeters of 100 to 250 feet, and on areas where the individual was prohibited from going as a condition of probation, extended supervision, parole, conditional release, or supervised release. In addition to creating exclusion and/or inclusion zones, Corrections is required to ensure that the individual's GPS tracking device or comparable technology immediately alerts the Department and the local law enforcement agency if the person either leaves his or her assigned inclusion zone or stays in an exclusion zone longer than the time needed to travel through the zone to get to another destination.

The act requires Corrections to actively track all individuals subject to the act. For individuals who complete their sentences, including any probation, parole, or extended supervision, Corrections may decide to use passive positioning system tracking instead of maintaining active tracking.

For individuals on supervised release or conditional release who are on GPS tracking, Corrections must notify DHFS, upon request, of any tracking information for the person if: (a) Corrections has been alerted that the individual has improperly stayed in an exclusion zone or improperly left an inclusion zone; or (b) the individual fails to make required payments to Corrections for his or her GPS tracking costs.

For each person subject to tracking, Corrections must determine the costs of GPS tracking for the individual and how much of the costs that the individual is able to pay. The Department may require the person to pay those costs. For individuals on conditional release or supervised release, DHFS must pay the GPS tracking costs to

the extent that costs are not covered by any required payments by individuals. In determining how much of the costs a person is able to pay, Corrections is to consider: (a) the person's financial resources; (b) present and future earning ability of the person; (c) the needs and earning ability of the person's dependents; (d) any other costs that the person is required to pay in conjunction with his or her supervision; and (e) any other factors that Corrections considers appropriate.

Corrections must implement a continuous GPS tracking system, except when authorized to provide for passive positioning system tracking. The system must do all the following:

a. Use field monitoring equipment that supports cellular communications with as large a coverage area as possible and automatically provide instantaneous or nearly instantaneous information regarding the whereabouts of a person who is being monitored, including information regarding the person's presence in an exclusion zone or absence from an inclusion zone;

b. Use land line communications equipment to transmit information regarding the location of persons when they are in areas in which no commercial cellular service is available; and

c. Immediately alert the Department and the local law enforcement agency if the person leaves any inclusion zone or stays in any exclusion zone for any longer period than the time needed to travel through the zone to get to another destination.

Act 431 requires that the Department of Administration delegate authority to Corrections to enter into contracts for GPS tracking services and passive positioning system tracking. Corrections must contract with a vendor to provide tracking services using a competitive process under s. 16.75 of the statutes. In addition, by January 1, 2008, the Department must submit to the Joint Committee on Finance a report on the contract entered into for

tracking service.

Further, Act 431 requires that, as a condition of supervised release, for the first year of supervised release, the court must restrict the person to the person's home, except for outings that are under the direct supervision of a Corrections escort and that are for employment purposes, religious purposes, or for caring for the person's basic living needs.

***Termination of Lifetime GPS Tracking.*** A person subject to lifetime GPS tracking may petition for the termination of lifetime tracking with the circuit court in the county in which he or she was convicted or found not guilty or not responsible by reason of mental disease or defect. However, the person may not file a termination petition earlier than 20 years after the date on which lifetime tracking began. Further, the following individuals are prohibited from filing for termination of lifetime tracking: (a) a person who was convicted of any crime during the period of lifetime tracking; (b) a person who had been placed on supervised release under Chapter 980; or (c) a person placed on parole or discharged under Chapter 975.

Upon receiving a petition to terminate lifetime tracking, the court will send a copy of the petition to the district attorney, who conducts a criminal history records search. No later than 30 days after the date of receiving the petition, the district attorney must report the results of the criminal history search and may provide a written response to the petition. If the individual has not been convicted of a criminal offense during the period of lifetime tracking, the court will: (a) order that the person be examined by a physician or psychologist approved by the court; (b) notify the Department that it may submit a report concerning the individual's conduct while on lifetime tracking and an opinion as to whether lifetime tracking is still necessary to protect the public; and (c) schedule a hearing on the petition. The physician or psychologist who conducts an examination must prepare a report of his or her examination, including an opinion of whether the individual is a

danger to the public, and file the report with the court within 60 days after completing the examination. The report will remain confidential until the physician or psychologist testifies at the hearing. The cost for the examination must be paid for by the individual petitioning for termination of lifetime tracking.

A hearing on a termination petition can not be conducted until the report of the examination has been filed with the court. At the hearing, the court must consider evidence it considers relevant to the petition, and the petitioner and the district attorney may offer evidence relevant to the issue of the person's dangerousness and continued need for lifetime tracking. The court may grant the petition if it determines after the hearing that lifetime tracking is no longer necessary to protect the public. If the petition is denied, the individual may not file a subsequent petition requesting termination of lifetime tracking until at least five years have elapsed since the most recent petition.

In addition, the Department may file a petition for termination of lifetime tracking if the person is permanently physically incapacitated. The petition must include affidavits from two physicians that explain the nature of the person's permanent physical incapacitation. The Department must file the petition in the county in which the person was convicted, found not guilty or responsible by reason of mental disease or defect, or found to be a sexually violent person, and forward a copy of the petition to the district attorney or, for individuals committed under Chapter 980, to the agency that filed the Chapter 980 petition.

Upon its own motion or motion of the district attorney or appropriate agency, the court may order that the individual be examined by a physician who is approved by the court. If an examination is ordered, the physician must prepare a report that includes his or her opinion of whether the person is permanently physically incapacitated, and file the report within 60 days after completing the examination. The report must remain confidential

until the physician testifies at the hearing. Costs of the examination are to be paid by Corrections. The court will conduct a hearing and take evidence it considers relevant to determining whether the person is permanently physically incapacitated so that he or she is not a danger to the public. The court may grant a petition after the hearing if it determined that the permanent physical incapacitation was such that the person was no longer a danger to the public.

In addition, the Department of Corrections may terminate a person's lifetime tracking after 10 years if the victim of the serious child sex offense for which the person is being tracked is a relative of the person tracked. "Relative" is defined as a child, brother, sister, first cousin, second cousin, nephew, niece, grandchild, or great grandchild, or any other person related by blood, marriage, or adoption.

***Tampering with GPS Tracking Device.*** The act creates a felony, providing that whoever, without the authorization of Corrections, intentionally tampers with a GPS tracking device or comparable technology is guilty of a Class I felony (penalty of up to 18 months in prison and two years in extended supervision).

***Initial Applicability.*** On the effective date of the act, July 1, 2007, the lifetime GPS tracking requirements will apply to the following persons: (a) those released by Corrections to parole or extended supervision; (b) those placed on probation by the court; (c) those placed on conditional release by the court; (d) those placed on probation or discharged under Chapter 975 for a serious sex crime; (e) those who are: (i) directly released from prison; (ii) directly discharged from a commitment after being found not guilty by reason of mental disease or defect; or (iii) directly discharged under Chapter 980.

Further, on July 1, 2007, the Department will be required to use GPS tracking on persons for whom all the following apply: (a) the person has been convicted under federal law or law of any other

state of a crime comparable to a serious child sex offense or found not guilty of or not responsible for such a crime by reason of mental disease or defect;

and (b) the person resides, is employed, or carrying on a vocation in Wisconsin.

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## Appendices

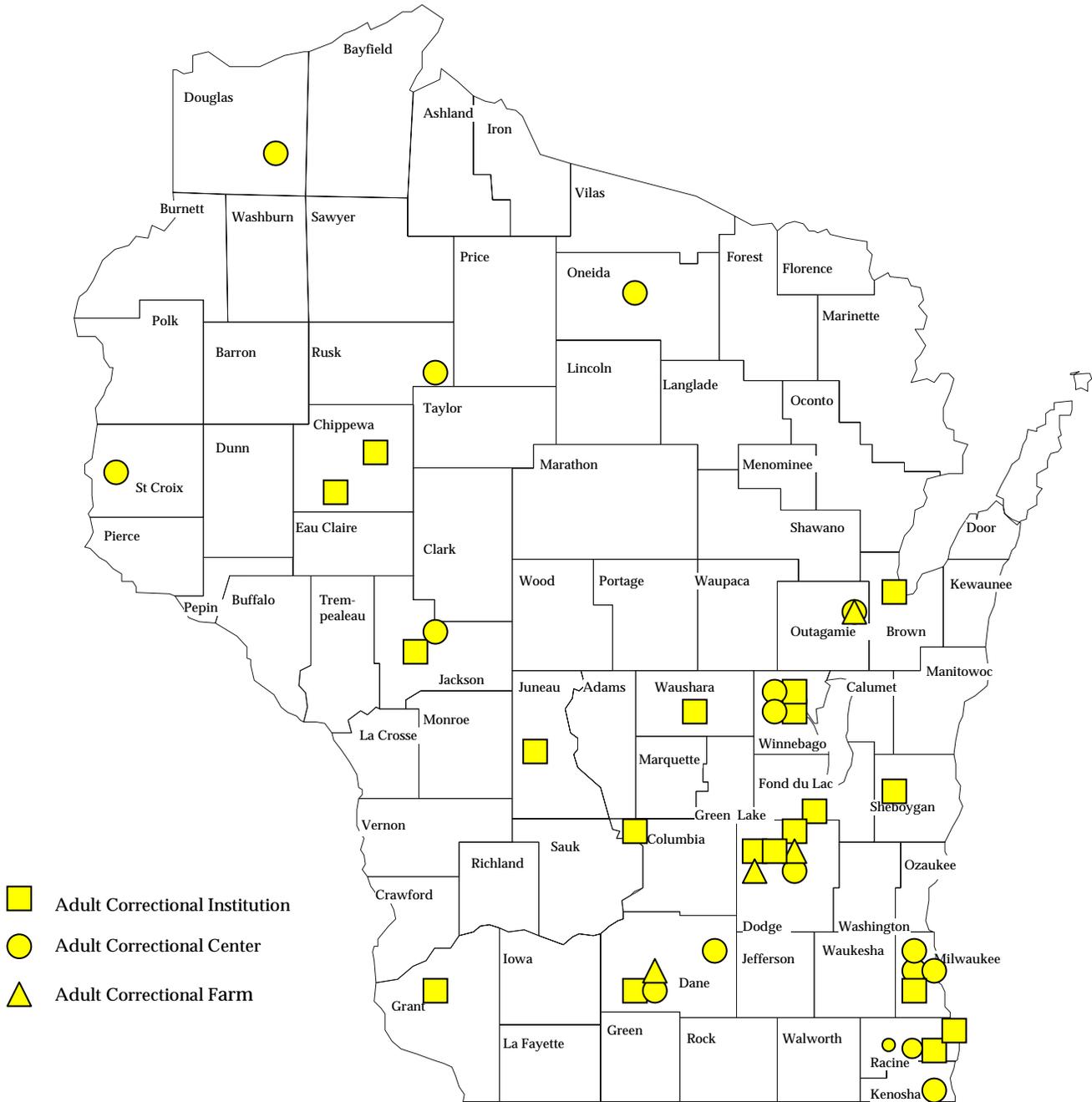
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The following pages contain appendices which provide additional information related to adult corrections:

Appendix I	Wisconsin Adult Correctional Facilities
Appendix II	Department of Corrections Organizational Chart
Appendix III	Department of Corrections 2006-07 Budget
Appendix IV	Correctional Facility Operational Costs, 2005-06 Fiscal Year
Appendix V	2005-06 Average Daily Inmate Population Including Contracted Facilities
Appendix VI	Type of Offenses for Inmates Resident on July 1, 2006
Appendix VII	Type of Offenses for Inmates Admitted to Prison, 2005-06
Appendix VIII	Type of Offenses for Inmates Released from Prison, 2005-06
Appendix IX	Badger State Industries Inmate Employees and Average Inmate Hourly Wages
Appendix X	Badger State Industries and Private Business Prison Employment Program Year-End Continuing Cash Balance Since 2003-04
Appendix XI	Correctional Farms Continuing Cash Balance Since 2003-04
Appendix XII	Division of Community Corrections Regions
Appendix XIII	Halfway House Budgeted Contracts for 2006-07
Appendix XIV	2004-05 Probation and Parole Holds Reimbursed in 2005-06

# APPENDIX I

## Wisconsin Adult Correctional Facilities

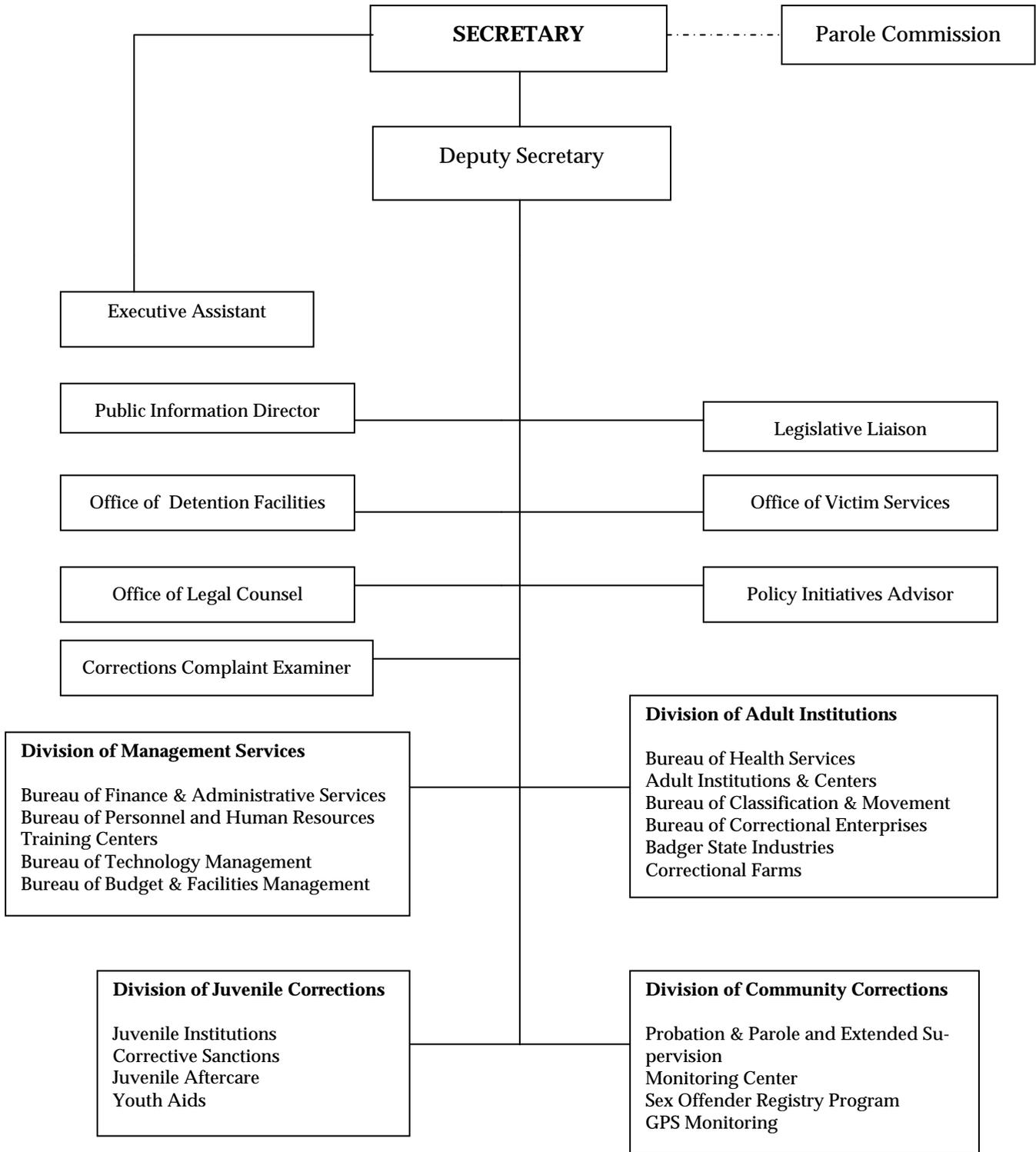


## APPENDIX I (continued)

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

## APPENDIX II

### Department of Corrections Organizational Chart



**APPENDIX III**

**Department of Corrections -- 2006-07 Budget**

	GPR		FED		PR		SEG		TOTAL	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
<b>Division of Management Services</b>										
Central Office	\$4,058,400	4.00	\$0	0.00	\$23,100	0.00	\$0	0.00	\$4,081,500	4.00
Finance and Administrative Services	3,898,900	19.60	0	0.00	11,004,800	9.00	0	0.00	14,903,700	28.60
Personnel & Human Services	3,170,800	44.00	0	0.00	0	0.00	0	0.00	3,170,800	44.00
Training Centers	2,832,700	13.00	0	0.00	2,366,400	5.00	0	0.00	5,199,100	18.00
Technology Management	11,993,000	48.20	0	0.00	561,700	4.00	0	0.00	12,554,700	52.20
Budget & Facilities Management	632,300	7.00	0	0.00	0	0.00	0	0.00	632,300	7.00
Division Total	\$26,586,100	135.80	\$0	0.00	\$13,956,000	18.00	\$0	0.00	\$40,542,100	153.80
<b>Division of Adult Institutions</b>										
Central Office	\$156,913,200	27.00	\$2,473,100	0.00	\$4,892,800	2.00	\$0	0.00	\$164,279,100	29.00
Bureau of Health Services	56,596,300	123.46	0	0.00	413,400	1.00	0	0.00	57,009,700	124.46
Classification and Movement	4,602,500	74.00	0	0.00	0	0.00	0	0.00	4,602,500	74.00
Chapter 980 Offender Program	630,900	7.00	0	0.00	0	0.00	0	0.00	630,900	7.00
Correctional Enterprises	0	0.00	0	0.00	212,000	3.00	288,200	2.00	500,200	5.00
Badger State Industries	0	0.00	0	0.00	20,153,400	104.00	0	0.00	20,153,400	104.00
Correctional Farms	1,130,900	16.00	0	0.00	4,158,400	9.00	0	0.00	5,289,300	25.00
Waupun Correctional Institution	25,542,500	425.75	0	0.00	3,327,600	2.00	0	0.00	29,070,100	427.75
Green Bay Correctional Institution	21,956,300	351.85	0	0.00	173,300	2.90	0	0.00	22,129,600	354.75
Taycheedah Correctional Institution	15,936,800	254.20	0	0.00	100,000	4.80	0	0.00	16,036,800	259.00
Fox Lake Correctional Institution	22,719,900	363.60	0	0.00	29,400	0.90	0	0.00	22,749,300	364.50
Columbia Correctional Institution	19,494,300	323.00	0	0.00	20,100	0.50	0	0.00	19,514,400	323.50
Kettle Moraine Correctional Institution	20,879,700	338.70	0	0.00	87,200	1.60	0	0.00	20,966,900	340.30
Oakhill Correctional Institution	15,352,200	244.60	0	0.00	13,100	0.40	0	0.00	15,365,300	245.00
Dodge Correctional Institution	35,003,000	574.85	86,800	0.00	53,400	1.40	0	0.00	35,143,200	576.25
Racine Correctional Institution	28,437,600	508.10	0	0.00	99,700	0.90	0	0.00	28,537,300	509.00
Wisconsin Resource Center Officers	5,425,800	95.00	0	0.00	0	0.00	0	0.00	5,425,800	95.00
Oshkosh Correctional Institution	30,146,100	496.65	0	0.00	21,600	7.10	0	0.00	30,167,700	503.75
Jackson Correctional Institution	17,509,600	301.00	0	0.00	0	0.00	0	0.00	17,509,600	301.00
Wisconsin Secure Program Facility	15,251,600	273.50	0	0.00	0	0.00	0	0.00	15,251,600	273.50
Racine Youthful Offender Correctional Facility	13,279,600	211.50	0	0.00	0	1.50	0	0.00	13,279,600	213.00
Redgranite Correctional Institution	17,684,500	301.50	0	0.00	0	0.00	0	0.00	17,684,500	301.50
New Lisbon Correctional Institution	18,635,200	343.10	0	0.00	13,800	0.40	0	0.00	18,649,000	343.50
Correctional Center System	40,396,600	585.38	0	0.00	3,785,900	11.25	0	0.00	44,182,500	596.63
Chippewa Valley Correctional Treatment Facility	8,608,800	144.20	0	0.00	0	0.00	0	0.00	8,608,800	144.20
Prairie du Chien Correctional Institution	9,421,900	157.50	0	0.00	0	1.00	0	0.00	9,421,900	158.50
Stanley Correctional Institution	20,821,600	379.95	0	0.00	33,400	0.80	0	0.00	20,855,000	380.75
Milwaukee Secure Detention Facility	25,971,000	390.00	0	0.00	0	0.00	0	0.00	25,971,000	390.00
Contract Beds	4,521,800	0.00	0	0.00	0	0.00	0	0.00	4,521,800	0.00
Unallocated Budget Reductions - 2005 Act 25	-4,281,900	-91.50	0	0.00	0	0.00	0	0.00	-4,281,900	-91.50
JFC Supplemental Funding	19,371,900	0.00	0	0.00	0	0.00	0	0.00	19,371,900	0.00
Division Total	\$667,960,200	7,219.89	\$2,559,900	0.00	\$37,788,500	156.45	\$288,200	2.00	\$708,596,800	7,378.34

**APPENDIX III (continued)**

**Department of Corrections -- 2006-07 Budget**

	GPR		FED		PR		SEG		TOTAL	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
<b>Division of Community Corrections</b>										
Central Office	\$10,821,200	43.25	\$0	0.00	\$5,152,200	7.50	\$0	0.00	\$15,973,400	50.75
Probation, Parole and Extended Supervision	132,335,000	1,753.48	0	0.00	7,803,200	2.75	0	0.00	140,138,200	1,756.23
Monitoring Center	1,155,700	11.30	0	0.00	608,000	6.20	0	0.00	1,763,700	17.50
Sex Offender Registry	1,300,000	16.00	0	0.00	601,600	0.00	0	0.00	1,901,600	16.00
Division Total	\$145,611,900	1,824.03	\$0	0.00	\$14,165,000	16.45	\$0	0.00	\$159,776,900	1,840.48
<b>Secretary's Office</b>										
Central Office	\$2,244,300	20.00	\$0	0.00	\$12,100	0.00	\$0	0.00	\$2,256,400	20.00
Victim Services and Programs	89,000	0.00	0	0.00	361,400	5.00	0	0.00	450,400	5.00
Detention Facilities	594,500	7.70	0	0.00	0	0.00	0	0.00	594,500	7.70
Office Total	\$2,927,800	27.70	\$0	0.00	\$373,500	5.00	\$0	0.00	\$3,301,300	32.70
<b>Parole Commission</b>										
Parole Commission	\$1,194,500	14.50	\$0	0.00	\$0	0.00	\$0	0.00	\$1,194,500	14.50
<b>Division of Juvenile Corrections</b>										
Personnel and Human Services-Juveniles	\$0	0.00	\$0	0.00	\$71,700	1.00	\$0	0.00	\$71,700	1.00
Training Centers-Juveniles	0	0.00	0	0.00	50,800	0.50	0	0.00	50,800	0.50
Health Services-Juveniles	0	0.00	0	0.00	472,800	3.00	0	0.00	472,800	3.00
Secretary's Office	0	0.00	0	0.00	15,800	0.30	0	0.00	15,800	0.30
Central Office	7,498,600	7.45	30,000	0.00	19,141,100	90.85	0	0.00	26,669,700	98.30
Community Intervention Program	3,750,000	0.00	0	0.00	0	0.00	0	0.00	3,750,000	0.00
Serious Juvenile Offenders	14,401,200	0.00	0	0.00	0	0.00	0	0.00	14,401,200	0.00
Community Youth and Family Aids	85,841,000	0.00	0	0.00	0	0.00	0	0.00	85,841,000	0.00
Ethan Allen School	0	0.00	0	0.00	20,577,700	272.00	0	0.00	20,577,700	272.00
Lincoln Hills School	0	0.00	0	0.00	17,020,900	219.35	0	0.00	17,020,900	219.35
Southern Oaks Girls School	0	0.00	0	0.00	8,249,400	110.17	0	0.00	8,249,400	110.17
Division Total	\$111,490,800	7.45	\$30,000	0.00	\$65,600,200	697.17	\$0	0.00	\$177,121,000	704.62
<b>Total</b>	\$955,771,300	9,229.37	\$2,589,900	0.00	\$131,883,200	893.07	\$288,200	2.00	\$1,090,532,600	10,124.44

**APPENDIX IV**

**Correctional Facility Operational Costs, 2005-06**

Facility*	Operational Costs	Average Daily Population	Per Capita Annual Cost	Per Capita Daily Cost
Waupun	\$35,487,954	1,227	\$28,923	\$79.24
Green Bay	31,003,371	1,068	29,029	79.53
Columbia	26,973,158	815	33,096	90.67
Taycheedah	22,658,117	708	32,048	87.80
Dodge	51,236,122	1,509	33,954	93.02
WI Secure Program Facility	18,530,846	356	52,053	142.61
Stanley	33,138,691	1,499	22,107	60.57
Oshkosh	44,507,333	2,019	22,044	60.40
Racine & Sturtevant	41,648,547	1,804	23,087	63.25
Jackson	24,768,190	975	25,403	69.60
Fox Lake	33,454,122	1,307	25,596	70.13
Redgranite	25,190,044	1001	25,165	68.94
Kettle Moraine	30,256,109	1,181	25,619	70.19
Prairie du Chien	13,247,871	399	33,120	90.74
Racine Youthful Offender	16,104,851	443	36,272	99.38
Oakhill	21,406,430	625	34,250	93.84
Milwaukee Secure Detention Facility	30,041,388	1,018	29,510	80.85
New Lisbon	24,230,979	991	24,451	66.99
Chippewa Valley Treatment Facility Centers	11,781,238	441	26,715	73.19
	<u>63,443,864</u>	<u>2,181</u>	<u>29,076</u>	<u>79.66</u>
<b>Total</b>	<b>\$599,109,227</b>	<b>21,567</b>	<b>\$27,776</b>	<b>\$76.10</b>

\*Does not include operational costs or populations associated with the Wisconsin Resource Center operated by DHFS (340 ADP) with Corrections providing security services or contract bed costs (505 ADP).

## APPENDIX V

### 2005-06 Average Daily Inmate Population Including Contracted Facilities

#### Males

Facility	2005-06 Average Daily Population
Waupun	1,227
Green Bay	1,068
Dodge	1,509
Columbia	815
Wisconsin Secure Program Facility	<u>356</u>
Total Maximum	4,975
Racine	1,527
Fox Lake	1,033
Kettle Moraine	1,181
Oshkosh	2,019
Jackson	975
Wisconsin Resource Center	340
Racine Youthful Offender	443
Prairie du Chien	399
Redgranite	1,001
Milwaukee Secure Detention Facility	1,018
Stanley	1,499
New Lisbon	<u>991</u>
Total Medium	12,426
Oakhill	625
Chippewa Valley Treatment Facility	441
Sturtevant Transitional Facility	277
Fox Lake	274
Centers	<u>1,618</u>
Total Minimum	3,235
Federal--Facilities	31
Wisconsin Counties	<u>474</u>
Total Contract	505
Total Male	21,141

#### Females

Taycheedah Reception	97
Taycheedah	611
Centers	<u>563</u>
Total Female	1,271
<b>GRAND TOTAL</b>	<b>22,412</b>

## APPENDIX VI

### Type of Offenses for Inmates Resident on July 1, 2006

#### Males

Offense	Number	Percent
Sexual Offenses*	3,914	18.1%
Murder/Homicide*	2,236	10.3
Robbery*	2,213	10.2
Burglary	1,880	8.7
Drug Offenses--Manufacturing and Delivery	1,475	6.8
Assaults++	1,460	6.7
Drug Offenses--Possession with Intent to Deliver	1,457	6.7
Theft*	1,119	5.2
Operating While Intoxicated	870	4.0
Battery	822	3.8
Bail Jumping/Escape	717	3.3
Forgery	512	2.4
Kidnapping/False Imprisonment	215	1.0
Drug Offenses--Possession	199	0.9
Drug Offenses--Other	113	0.5
Arson	104	0.5
Fraud/Extortion*	80	0.4
Other	743	3.4
No data available	217	1.0
Unsentenced	<u>1,335</u>	<u>6.2</u>
Total	21,681	100.0%

#### Females

Forgery	210	15.2%
Theft*	159	11.5
Murder/Homicide*	153	11.1
Drug Offenses--Manufacturing and Delivery	116	8.4
Assaults++	95	6.9
Operating While Intoxicated	79	5.7
Robbery*	64	4.6
Bail Jumping/Escape	59	4.3
Sexual Offenses	57	4.1
Burglary*	55	4.0
Battery	54	3.9
Drug Offenses--Possession with Intent to Deliver	52	3.8
Drug Offenses--Other	23	1.7
Fraud/Extortion*	22	1.6
Drug Offenses--Possession	19	1.4
Arson	14	1.0
Prostitution/Commercial Vice	13	0.9
Kidnapping/False Imprisonment	2	0.0
Other	37	2.7
No data available	8	0.6
Unsentenced	<u>88</u>	<u>6.4</u>
Total	1,379	100.0%

\* All types or degrees of the offense.

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

## APPENDIX VII

### Type of Offenses for Inmates Admitted to Prison, 2005-06

#### Males

Offense	Number	Percent
Sexual Offenses*	905	6.5%
Burglary*	821	5.9
Drug Offenses--Manufacturing and Delivery	791	5.7
Drug Offenses--Possession with Intent to Deliver	726	5.2
Assaults++	625	4.5
Theft*	593	4.3
Operating While Intoxicated	551	4.0
Robbery*	512	3.7
Battery	437	3.2
Bail Jumping/Escape	429	3.1
Forgery	272	2.0
Drug Offenses--Other	221	1.6
Murder/Homicide*	193	1.4
Kidnapping/False Imprisonment	64	0.5
Fraud/Extortion*	39	0.3
Arson	27	0.2
Drug Offenses--Possession	0	0.0
Other	447	3.2
No data available	212	1.5
Unsentenced	<u>6,001</u>	<u>43.3</u>
Total	13,866	100.0%

#### Females

Forgery	139	11.9%
Theft*	98	8.4
Drug Offenses--Manufacturing and Delivery	85	7.3
Operating While Intoxicated	56	4.8
Bail Jumping/Escape	50	4.3
Assaults++	43	3.7
Battery	38	3.2
Drug Offenses--Possession with Intent to Deliver	35	3.0
Burglary*	34	2.9
Murder/Homicide*	32	2.7
Robbery	26	2.2
Drug Offenses--Possession	20	1.7
Drug Offenses--Other	20	1.7
Fraud/Extortion*	19	1.6
Sexual Offenses*	15	1.3
Prostitution/Commercial Vice	10	0.9
Arson	5	0.4
Kidnapping/False Imprisonment	0	0.0
Other	29	2.5
No data available	6	0.5
Unsentenced	<u>411</u>	<u>35.1</u>
Total	1,171	100.0%

\* All types or degrees of the offense.

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

## APPENDIX VIII

### Type of Offenses for Inmates Released from Prison, 2005-06

#### Males

Offense	Number	Percent
Drug Offenses--Manufacturing and Delivery	972	7.2%
Burglary*	821	6.1
Drug Offenses--Possession with Intent to Deliver	813	6.0
Sexual Offenses*	788	5.8
Theft*	714	5.3
Assaults++	623	4.6
Robbery*	588	4.3
Operating While Intoxicated	560	4.1
Battery	526	3.9
Bail Jumping/Escape	451	3.3
Forgery	301	2.2
Murder/Homicide*	169	1.2
Drug Offenses--Possession	133	1.0
Drug Offenses--Other	71	0.5
Kidnapping/False Imprisonment	56	0.4
Fraud/Extortion*	48	0.4
Arson	36	0.3
Other	453	3.3
No data available	7	0.1
Unsented	<u>5,437</u>	<u>40.1</u>
Total	13,567	100.0%

#### Females

Forgery	137	12.4%
Theft*	107	9.7
Drug Offenses--Manufacturing and Delivery	106	9.6
Drug Offenses--Possession with Intent to Deliver	51	4.6
Operating While Intoxicated	41	3.7
Bail Jumping/Escape	37	3.4
Robbery*	35	3.2
Assaults++	34	3.1
Battery	33	3.0
Burglary*	29	2.6
Murder/Homicide*	22	2.0
Drug Offenses--Possession	20	1.8
Drug Offenses--Other	17	1.5
Fraud/Extortion*	17	1.5
Sexual Offenses*	11	1.0
Prostitution/Commercial Vice	8	0.7
Arson	5	0.5
Kidnapping/False Imprisonment	1	0.1
Other	18	1.6
No data available	0	0.0
Unsented	<u>372</u>	<u>33.8</u>
Total	1,101	100.0%

\* All types or degrees of the offense.

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

**APPENDIX IX**

**Badger State Industries  
Inmate Employees and Average Inmate Hourly Wages  
2005-06**

Institution	Industry	Inmate Employees	Average Hourly Wage
Waupun	Metal Stamping	34	\$0.81
	Metal Furniture	72	0.80
Green Bay	Laundry	18	0.78
	Textiles	24	0.82
Fox Lake	Wood Products	74	0.77
Oakhill	Upholstering	17	1.16
Racine	Printing*	15	0.72
Kettle Moraine	Textiles	10	0.88
Taycheedah	Silkscreening	8	0.79
Oshkosh	Laundry	96	0.71
	Printing*	10	0.78
Columbia	Printing	32	0.79
John C. Burke	Distribution Center	12	1.29
Stanley	Signs	21	0.72
Redgranite	Wheelchair Recycling	9	0.97
New Lisbon	Signs Recycling	7	0.62
Chippewa Valley Treatment Facility	Laundry	<u>12</u>	<u>1.02</u>
Total		471	\$0.85

\*The printing operations at Racine Correctional Institution and Oshkosh Correctional Institution closed in 2005-06.

**APPENDIX X**

**Badger State Industries and  
Year-End Continuing Cash Balance  
Since 2003-04**

Institution	Industry/Business	2003-04	2004-05	2005-06
Waupun	Metal Stamping	\$12,550,797	\$14,290,649	\$14,670,673
	Signs	1,846,998	1,599,313	1,421,427
	Metal/System Furniture	6,286,997	7,900,182	7,718,215
Green Bay	Laundry	380,280	400,214	297,852
	Textiles*	-2,931,802	-2,754,626	-2,361,588
Jackson	Textiles*	-	-	-1,957,042
Fox Lake	Wood Products & Laminating	-9,477,441	-10,304,153	-11,055,569
Racine	Copy Center	-765,426	-984,096	-1,179,752
Taycheedah	Silk Screening	-2,658,699	-2,843,687	-3,154,797
Oshkosh	Laundry	-472,964	-579,813	-770,875
	Copy Center	-179,527	-326,583	-407,357
Columbia	Printing	-664,041	-1,024,511	-1,158,425
Oakhill	Upholstering	-232,119	-134,138	-292,843
Kettle Moraine	Textiles	-222,855	-260,907	-220,660
John C. Burke	Distribution Center	-	-	-1,279
Chippewa Falls	Laundry	-315,057	-527,158	-746,621
New Lisbon	Signs Recycling	<u>-</u>	<u>-448,992</u>	<u>-461,766</u>
BSI Total		\$3,145,141	\$4,001,692	\$339,593

\*In 2003-04 and 2004-05, the cash balances for textiles at both Green Bay and Jackson Correctional Institutions were accounted for jointly at Green Bay.

## APPENDIX XI

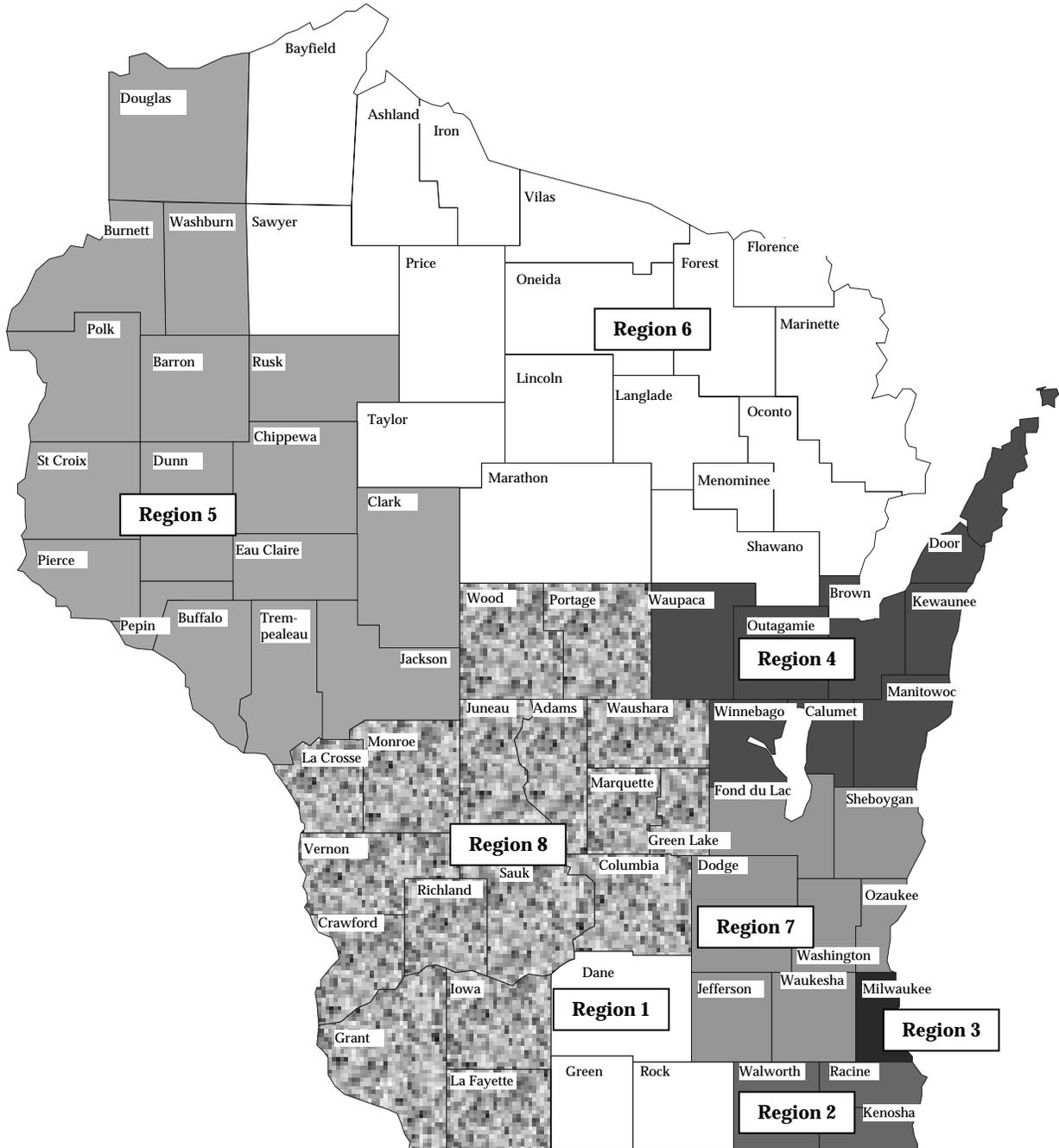
### Correctional Farms Year-End Continuing Cash Balance Since 2003-04

Farm	2003-04	2004-05	2005-06
Central Administration*	-\$2,569,863	-\$2,688,393	-\$3,193,116
Waupun/Fox Lake	2,442,163	3,832,107	5,323,729
Oregon	-2,582,557	-2,984,417	-3,346,484
Oneida	<u>-1,221,150</u>	<u>-1,179,335</u>	<u>-999,667</u>
Continuing Cash Balance	-\$3,931,407	-\$3,020,038	-\$2,215,538

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

APPENDIX XII

Division of Community Corrections Regions



**APPENDIX XIII  
Halfway House Budgeted Contracts for 2006-07**

Name	Location	Beds		Total Number of Beds	GPR	PR	Total Contract Amount	Contracted Daily Cost Per Bed
		Male	Female					
ARC Community Services-Dayton St.	Dane Co.		8	8	\$221,774		\$221,774	\$75.95
ARC Community Services-Mom & Infant	Dane Co.	8 Female + 4 Children	12	12	362,533		362,533	82.77
ARC Community Services-Paterson St.	Dane Co.	15	15	15	448,512		448,512	81.92
Attic Correctional Services-Dwight Dr.	Dane Co.	19	19	19	473,175		473,175	68.23
Attic Correctional Services-Foster	Dane Co.	18	18	18	466,733		466,733	71.04
Attic Correctional Services-Schwert	Dane Co.	15	15	15	459,736		459,736	83.97
Rock Valley Correctional Program	Rock Co.	32	1	33	843,391		843,391	70.02
Genesis Behavioral Services -Options	Kenosha Co.	20		20	227,529	\$223,465	450,994	61.78
Kenosha Human Development	Kenosha Co.	14		14	340,633		340,633	66.66
Genesis Behavioral Services - Chatham House & Crossroads	Racine Co.	12	12	24	632,998		632,998	72.26
Genesis - Dual Diagnosis	Racine	9		9	292,135		292,135	88.93
Genesis Behavioral Services- Independent Living Ctr	Milwaukee	23		23	492,451		492,451	58.66
Genesis Behavioral Services- Interventions	Milwaukee	27		27	608,842		608,842	61.78
Horizon, Inc.- Horizon House	Milwaukee	16		16	424,334		424,334	72.66
Wis. Correctional Service- Bridge	Milwaukee	29		29	745,184		745,184	70.40
Wis. Correctional Service- Joshua Glover	Milwaukee	24		24	625,902		625,902	71.45
Wis. Correctional Service- Thurgood Marshall	Milwaukee	26		26	663,066		663,066	69.87
Wis. Correctional Service- Wings	Milwaukee	13		13	112,974	297,990	410,964	86.61
Dr. Harold L. Fuller Education Foundation	Milwaukee	4		4	75,190		75,190	51.50
Dr. Harold L. Fuller Education Foundation	Milwaukee	4		4	63,160		63,160	43.26
Lutheran Social Services- Nexus	Milwaukee	14		14	353,408		353,408	69.16
Ryan Community	Oshkosh	16		16	397,529		397,529	68.07
Green Bay Halfway House (new, name to be decided)	Green Bay	8		8	247,616		247,616	84.80
Lutheran Social Services- Wazee	Appleton	12		12	306,512		306,512	69.98
Lutheran Social Services-Affinity	Jackson Co.	8		8	139,167	204,541	310,980	53.25
Lutheran Social Services-Fahrman	Eau Claire	8		8	86,980		86,980	47.66
Lutheran Social Services-Fahrman	Eau Claire	5		5	86,980		86,980	47.66
Lutheran Social Services (new, location to be determined)	Unknown	12		12	354,999		354,999	81.05
Recovery Center, Inc. - Residential AODA Facility	Superior	3		3	96,831		96,831	88.43
Triniteam Inc.	Eau Claire	14		14	354,379		354,379	69.35
Mishomis House -Residential AODA Facility	Red Cliff	1	1	2	30,375		30,375	41.61
Koimonia -Residential AODA Facility	Red Cliff	4		4	93,717		93,717	64.19
Lac Courte Oreilles Tribal Govt.	Rhineland	20		20	249,688	176,778	426,466	58.42
ARC Community Services	Hayward	14		14	355,452		355,452	69.56
Blandine House	Fond du Lac	4		4	72,174	8,126	80,300	55.00
Lutheran Social Services - Cephas House	Fond du Lac	12		12	302,439		302,439	69.05
Attic Correctional Services- Brunk House	Waukesha Co.	8		8	230,096		230,096	78.80
Portage County Halfway House	La Crosse	10		10	279,189		279,189	76.49
	Stevens Point							
<b>Total</b>		<b>418</b>	<b>117</b>	<b>535</b>	<b>\$12,637,242</b>	<b>\$910,900</b>	<b>\$13,548,142</b>	<b>\$69.38</b>

**APPENDIX XIV**

**2004-05 Probation and Parole Holds Reimbursed in 2005-06**

County	Reimbursable Days	Reimbursable Amount	County	Reimbursable Days	Reimbursable Amount
Adams	738	\$26,770	Manitowoc	2,208	\$80,110
Ashland	452	16,400	Marathon	4,272	154,990
Barron	1,143	41,470	Marinette	1,868	67,770
Bayfield	178	6,460	Marquette	566	20,530
Brown	10,842	393,350	Menominee	10	360
Buffalo	49	1,780	Milwaukee	2,705	98,140
Burnett	586	21,260	Monroe	1,449	52,570
Calumet	339	12,300	Oconto	1,210	43,900
Chippewa	1,536	55,730	Oneida	1,165	42,270
Clark	401	14,550	Outagamie	9,884	358,590
Columbia	1,580	57,320	Ozaukee	1,214	44,040
Crawford	921	33,410	Pepin	237	8,600
Dane	7,202	261,290	Pierce	374	13,570
Dodge	2,659	96,470	Polk	1,002	36,350
Door	900	32,650	Portage	1,433	51,990
Douglas	997	36,170	Price	280	10,160
Dunn	398	14,440	Racine	6,178	224,140
Eau Claire	3,489	126,580	Richland	196	7,110
Florence	67	2,430	Rock	5,774	209,480
Fond du Lac	3,596	130,460	Rusk	412	14,950
Forest	841	30,510	Sauk	1,495	54,240
Grant	843	30,580	Sawyer	1,216	44,120
Green	444	16,110	Shawano	3,938	142,870
Green Lake	680	24,670	Sheboygan	3,496	126,830
Iowa	226	8,200	St. Croix	1,523	55,250
Iron	322	11,680	Taylor	405	14,690
Jackson	1,174	42,590	Trempealeau	398	14,440
Jefferson	1,042	37,800	Vernon	581	21,080
Juneau	1,414	51,300	Vilas	1,079	39,150
Kenosha	7,939	288,030	Walworth	3,427	124,330
Kewaunee	365	13,240	Washburn	810	29,390
La Crosse	4,427	160,610	Washington	2,134	77,420
Lafayette	9	330	Waukesha	2,707	98,210
Langlade	880	31,930	Waupaca	2,044	74,160
Lincoln	826	29,970	Waushara	1,398	50,720
			Winnebago	5,110	185,390
			Wood	<u>2,312</u>	<u>83,880</u>
			Total	136,015	\$4,934,630