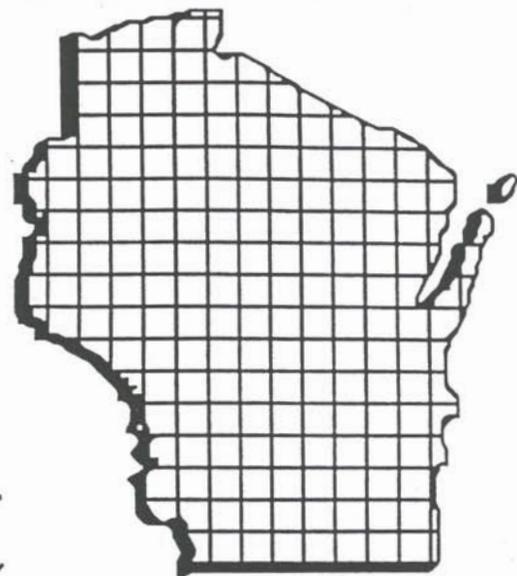


Wisconsin

Policy  
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Report



April 1996

Volume 9, Number 4

**WHO REALLY GOES  
TO PRISON IN  
WISCONSIN?**

*A Profile of Urban Inmates  
in Wisconsin Prisons*

## REPORT FROM THE PRESIDENT:

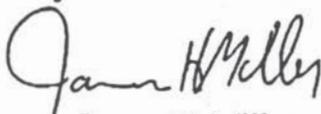
The last several years have produced a major public policy discussion over the issue of crime and prisons. The traditional rhetoric has been that our prisons are overflowing with low-level drug offenders and first-time nonviolent criminals who can be safely released into the community. This study presents data that those arguments are inaccurate and in fact might lead to placing violent criminals back into society long before their prison sentences are up.

This study was co-authored by John J. DiIulio, Jr., professor of politics and public affairs at Princeton University and director of the Brookings Institution's Center for Public Management. Professor DiIulio is a nationally recognized expert on prisons and correctional policy and has authored numerous books and studies on this subject, as well as published several reports dealing with criminal justice issues in Wisconsin. George A. Mitchell, the other co-author of this study, has years of experience involving Wisconsin correctional policy, has authored two previous Institute studies on prisons, and was recently named a member of the Governor's Task Force on Corrections.

The research objective was to examine a representative group of urban inmates in the Wisconsin prison system. Milwaukee County was chosen because it has a disproportionate number of state prisoners and the highest percentage of urban residents in the state. Also, available data on all Milwaukee County prison inmates allowed the sample used for this study to be validated.

What is unusual about this study is that the researchers examined portfolios of Wisconsin prisoners now serving sentences. They were able to trace their criminal histories back into the juvenile justice system. The results are startling.

Simply put, 91% of the inmates had a current or prior conviction for a violent crime. The recidivism rate runs at approximately 90%. The vast majority have violated terms of probation or parole. The descriptions of these criminals given by state officials are indeed frightening and should be read by everyone concerned about criminal justice in Wisconsin.

  
James H. Miller

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# WHO REALLY GOES TO PRISON IN WISCONSIN?

## *A Profile of Urban Inmates in Wisconsin Prisons*

JOHN J. DI IULIO, JR., PH.D., and  
GEORGE A. MITCHELL

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## EXECUTIVE SUMMARY

According to a number of experts, Wisconsin's prisons supposedly are teeming with low-level drug criminals or first-time, non-violent offenders who might be safely released into community supervision. Here are four typical sets of such claims:

There are a large number of [Wisconsin inmates] who are not violent or assaultive [and] who pose little risk of harm to others [under supervision]....

[Forty-two percent of Wisconsin prison admissions] are identified on the "low-risk sentence track"....

- **Wisconsin Correctional System Review Panel,  
Final Report, June 1991.**

Over half the offenders sent to prison in Wisconsin each year have committed a property offense and about fifteen percent have committed a drug offense. About ninety percent of these offenders have not committed any assaultive offense....

While there certainly are some assaultive, dangerous, sophisticated offenders in Wisconsin's prisons, most do not fit this profile.

- **Dollars and Sense, Policy Choices and the Wisconsin Budget, Volume III, 1994,  
Robert M. La Follette Institute of Public Affairs, UW-Madison.**

Prison serves the community well by putting away violent offenders, but it does little to reduce or deter the broad range of lesser crimes that bedevil the criminal justice system.

- **The Milwaukee Journal, March 3, 1995, editorial.**

[N]on-violent offenders and criminals addicted to drugs [are] segments of the prison population that might be better served without long-term incarceration.

- **Milwaukee Journal Sentinel columnist Eugene Kane, February 11, 1996.**

These claims are almost completely at odds with the truth about who *really* goes to prison in Wisconsin. Based on this study, on previous studies focused on Wisconsin, and on relevant national data sets, anyone who continues to make such claims is guilty of ignoring the data or purposefully distorting it.

This study profiles a representative sample of urban inmates in Wisconsin prisons.<sup>1</sup> It is based on a computer-assisted review of data from more than 3,500 pages of official inmate files of the Department of Corrections, including information on juvenile criminal activity. Our purpose is to provide an overall profile of the urban inmate and to focus on inmates in categories which some have identified as including offenders who do not need to be in prison. These include "drug offenders," "non-assaultive" or "non-violent" offenders, "low-risk" offenders, and "first-time" offenders. This study of inmates in those categories refutes the thesis that they have been wrongly incarcerated. A synopsis of the case studies of *all such inmates in the study sample* are presented in this report, including information on the current crime and sentence, recidivism (prior adult and juvenile records), parole or probation violations, and verbatim assessments of the offenders by state officials.

In addition to these profiles, our main findings include the following:

### Violent Crime

- Three of four inmates were in prison for a current violent crime.

- Most inmates in prison for a current non-violent crime previously had committed a violent crime.
- About 91% of inmates had a current or prior adult or juvenile conviction for a violent crime.

#### **Property Crime & Drug Offenders**

- 7% of inmates were in prison for drug trafficking. None was sentenced solely for "possession" or as drug users.
- 17% of inmates were in prison for "property" crimes (burglary, theft, forgery, and arson) or other crimes (prison escape and illegal possession of firearms).
- Drug and property offenders showed a pattern of recidivism, probation or parole violations, and prior violent crime.

#### **Recidivism**

- Nine of 10 inmates had a prior adult or juvenile conviction.
- 77% had violated terms of a prior probation or parole commitment.
- 41% committed their most recent crime while on probation or parole.

#### **Juvenile Crime**

- About 62% of inmates had a documented juvenile crime record, often including serious and violent crime and multiple violations of community supervision rules set by juvenile judges.

#### **First Offenders**

- One in 10 inmates had no prior adult or juvenile conviction.
- Among first offenders, 87.5% were in prison for violent crime.
- First offenders with property or drug offenses were less than 2% of the overall study sample.

#### **Intensive Sanctions**

- Inmates sentenced to this program, which consists primarily of community supervision, did not fit the "low-risk" profile identified for the program when it was proposed and authorized in 1991.
- Several offenders had probation or parole violations or had previously committed violent crimes.
- Reported escapes from Intensive Sanctions were common.

#### **Length of Sentence**

- The median sentence for male inmates (96.5% of the study sample) was 10 years. Historical data suggests they will serve about half their sentences before being paroled.
- The majority of inmates were eligible for discretionary parole (early release) at the time of the study. About 82% will be eligible for discretionary parole by the year 2000.

- More than half of inmates were to reach their mandatory parole date by the year 2000.

### Inmate Background

- Most inmates were raised in dysfunctional families.
- The majority do not have a high school diploma. Most with a General Equivalency Degree (GED) earned it while in a juvenile or adult correctional institution.
- Drug and alcohol abuse is common among inmates, their parents, and siblings.
- Many inmates have fathered children by relationships with different single women.

In addition to reviewing our statistical findings on who really goes to prison in Wisconsin, we urge the readers of the report to study the *verbatim transcriptions* in Appendices B, C, and D. These contain the very words used by social workers, probation and parole officials, and prison intake officials to describe the state's imprisoned "drug offenders," imprisoned "property offenders," and "low-risk" felons.

Consider, for example, two inmates whose latest conviction was for a drug offense and two others sentenced for property crimes. The first "drug offender," sentenced to five years for possession of illegal drugs with intent to distribute while armed had, as an adult, scored three prior arrests and one incarceration (including at least one for a violent crime) as well as parole and probation violations — this following a juvenile record that included armed robbery as well as burglary and auto thefts. The state's pre-sentence investigation reported that the subject did not "express any remorse or emotion for being involved in criminal activity [and] totally lacks self control.... [P]robation was of minimum significance to him." Another, sentenced to 1.8 years for delivery of cocaine, had been arrested five times (and incarcerated twice) as an adult for burglary and robbery as well as drug possession and, as a juvenile, for third degree sexual assault and theft.

The "property offenders" had similarly checkered careers. One, having already earned 17 arrests and five prison terms for forgery, burglary, and theft as an adult, had most recently distinguished himself by severely assaulting an elderly priest while robbing him. "Subject admitted he had been consuming alcohol and smoking cocaine prior to the offense," according to the prison intake report when he began serving his three-year sentence. Another, with a long history of arrests for burglary, battery, and sexual assault, was on parole when arrested for stealing a payroll check at gunpoint, thus adding nine months to his prior three-year sentence.

And that's just what's on their official records! Swept entirely under the rug are more serious crimes that the imprisoned drug and property offenders have plea-bargained away, not to mention undetected, unprosecuted, and unpunished crimes.

How can an average citizen inoculate himself or herself against false claims about who really goes to prison? It's simple. When prospective employers or graduate schools ask for an undergraduate's grade point average (GPA), they want to know the average across all courses the student has taken, not just their latest or best grades. By the

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same token, rather than accepting bogus generalizations about drug offenders or non-violent offenders behind bars, demand to know an imprisoned felon's CGPA — criminal grade point average. Demand to know the totality of the adult and juvenile crimes committed by imprisoned felons against life, liberty, or property, not just their latest or best grades in Plea Bargaining 101.

The increasingly influential network of anti-incarceration criminologists can ignore, distort, and politicize the data all they want. In the end, the actual facts justify release of very few prisoners and require honest policymakers who care about crime control to work in favor of expanding the state's prison capacity. State projections indicate that it will need 6,000-7,000 more beds by the year 2000.

So who really goes to prison in Wisconsin? Based on this study, the answer is violent criminals and criminals with long records who both pose a threat to public safety and deserve to be incarcerated. Based on previous studies, such as the 1990 Wisconsin Policy Research Institute (WPRI) study which found that prisoners committed a median of 12 crimes — excluding all drug crimes — in the year before they were imprisoned, the answer is the same. And based on a 1995 WPRI study of crime and incarceration and the national literature on prisoner offending patterns, again, the answer is plain: those who go to prison in Wisconsin are dangerous men and women who have repeatedly violated the life, liberty, and property of others.

## SECTION I: THE TYPICAL URBAN PRISONER

This Section describes characteristics of the typical urban prisoner, based on profiles of a random, representative sample of 170 inmates. Appendix A describes the sample and how it was developed.

<b>Property</b>			
Burglary	15		
Theft	3		
Auto Theft	2		
Forgery	4		
Arson	1		
<i>Subtotal Property</i>	25	14.7%	
<b>Other</b>			
Escape	2		
Illegal Possession of Firearm	2		
<i>Subtotal Other</i>	4	2.4%	
<b>Drug Offenses</b>			
Intent to Deliver	6		
Manufacture or Delivery	6		
<i>Subtotal Drug Offenses</i>	12	7.1%	
<b>Violent</b>			
Sexual Assaults & Offenses	26		
Robbery & Armed Robbery	38		
Reckless Endangerment	6		
Reckless Injury	6		
Battery ("Aggravated" & "Special")	5		
Hiding a Corpse	1		
Physical Abuse	1		
Homicide (Felony Murder, Murder, Reckless Homicide, etc.)	46		
<i>Subtotal Violent</i>	129	75.9%	
<b>Total</b>	170	100.0%	

Table 1 identifies the most serious current crime for which inmates in the study were incarcerated.<sup>2</sup>

### Criminal Recidivism

The prevalence of criminal recidivism is illustrated by a variety of indicators:

- More than 90% of the inmates (154 of 170) had a prior adult or juvenile conviction.
- More than half of male inmates had at least four adult arrests and had been in prison twice. See Table 2 on the next page.
- Probation and parole violations are the rule. Almost 77% of inmates had a prior violation of probation or parole. *Most significantly, 41% of these inmates had committed their most recent crime while on probation or parole.* See Table 3 on the next page.<sup>3</sup>

### Violent Crime

Of the total sample — as Chart 1, also on the next page, illustrates — 91% currently were sentenced for a violent crime or had previously been convicted of one. Statewide, about 70% of Wisconsin inmates currently are serving time for a violent crime.

TABLE 2

**Prior Adult Arrests  
& Times in Prison,  
Males**

	Age	Adult Arrests	Times First in Incarcer- ation (Adult)	Age at Times First in Incarcer- ation (Adult)
Average	30	6	2	22
Median	29	4	2	21

*n = 164 males*

TABLE 3

**Probation & Parole  
Violators**

	#	%
Current crime committed on probation or parole	69	41%*
Inmates with one or more probation or parole violations	130	77%

*n = 164 males*

\* This figure — 41% — is similar to national estimates. For example, in 1991, 45% of state prisoners were on probation or parole at the time their current conviction occurred.

### First-Time Offenders

This study identified three types of “first-time offenders:”

- Those with no prior adult or juvenile conviction. These numbered 16, or 9% of the sample.
- Those with no prior adult conviction. These numbered 35, or 21% of the sample.
- Adults serving their first sentence in prison. These numbered 73, or 43% of the sample.

As illustrated by Table 4 to the right, the substantial majority of “first-time offenders” were incarcerated for a violent crime. Those few incarcerated for a drug or property crime are analyzed in detail in Section III and the appendices.

### Juvenile Crime

Most discussions of crime omit a very important element — the juvenile years, when many criminal careers begin.<sup>4</sup> Thus, as profiles in this report illustrate, “first-time offenders” might be anything but that. The omission of such information can skew public policy decisions about which adult inmates warrant incarceration.

CHART 1

**Urban Inmates with Current  
or Prior Violent Crime**

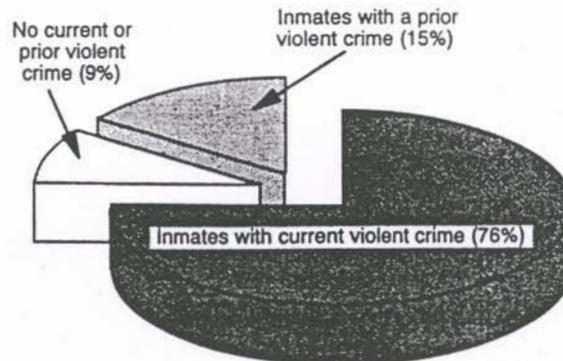


TABLE 4

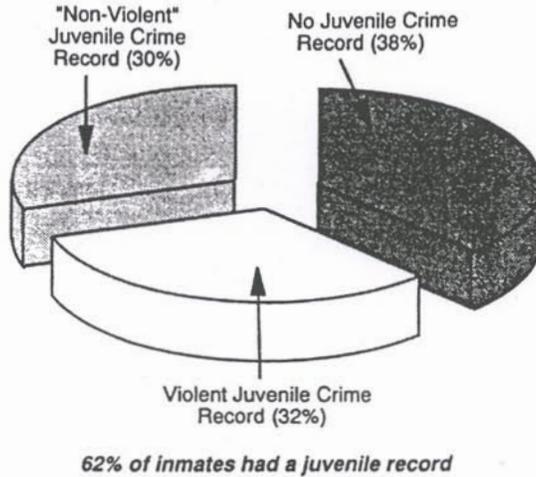
**Crimes Committed by  
First-Time Offenders**

	#	% of Sample	% Current Crime Violent	% Current Drugs or Property
First Conviction	16	9.4%	87.5%	12.5%
First Adult Conviction	35	20.6%	91.4%	8.6%
First Adult Incarceration	73	42.9%	83.6%	16.4%

*n = 170*

This is highlighted by the specific findings of this study, which are that 62% of urban inmates have a documented juvenile crime record. As individual profiles show, these records often include serious and violent crime and multiple violations of rules and conditions laid down by juvenile judges.<sup>5</sup> See Chart 2 on the next page.

**CHART 2 Urban Inmates with a Juvenile Crime Record**



The degree of serious juvenile crime among urban inmates is a major portent of things to come. The most crime-prone age group (18- to 24-year olds) accounts for 37% of prison admissions, about three times its share of the state's population. (Note from Table 2 that the median age of male inmates when first admitted to prison is 21.) This group is beginning to grow for the first time in more than a decade and is projected to grow about twice as fast as the overall state population between 1995 and 2010. The juvenile arrest rate for violent crime doubled in Wisconsin between 1984 and 1993.<sup>6</sup>

*These juvenile crime and demographic trends will have a dramatic impact on the state's corrections system. Significantly, these trends are not*

*reflected in state prison population projections used in calculating the anticipated deficit of about 6,000-7,000 beds by the year 2000.*

**Inmate Background**

The study's data base and archive of documents reveal personal and family histories of inmates.<sup>7</sup> From these voluminous records emerge certain characteristics common to the majority of inmates.

Consider the following two illustrative examples taken from the sample of urban inmates studied for this report. One of the inmates is white; the other is non-white. Case study profiles indicate that disruptive and unstable family life is characteristic of inmates regardless of racial or ethnic background. Each inmate in the examples has a long criminal record. Verbatim quotes are from state documents, primarily Pre-Sentence Investigations.

**Inmate Background — Example #1**

**Current Crime:** Escape (while serving sentence for armed robbery) and Possession of Cocaine

**Age:** 27

**Background:**

"The defendant's father...has been a dishwasher for three years [and] was not around when the defendant was growing up. [Defendant] does not believe his father provided financial support [and while] he had no relationship with his father while he was little [they] now relate like friends...the defendant's mother is about 48 years of age and currently receives [public assistance]... The defendant] was unable to give her current address....The defendant said his father has an alcohol problem and drinks everyday....The defendant said his childhood was pretty much 'OK.' He said his mother had a drinking problem and [he and his siblings] were pretty much on their own. He described [his mother] as being short tempered....She punished them by whippings....She would use switches, belts, and extension cords...."

"The defendant is the third of five children born to his mother. [His] only full sibling is \_\_\_\_\_. [His] oldest half sibling has a drug and alcohol problem....[He] is not aware of [the other fathers' names]....[A] brother was arrested for battery...."

"He had been terminated from school in the 8th grade for not doing the work and not going to class. He was out 4-5 weeks and then went back...but was suspended for fighting...."

"The defendant dropped out of school in the ninth grade....He said he was having problems with gangs while in school, especially Black Gangsters....He said that when he left school he started hanging out in the streets. The transcript [from high school] noted that for the ninth grade he received all 'U's...."

"The defendant stated that he is self-supporting, receiving General Assistance and working for a friend. He said he did not report his work income to his general assistance worker....He has no assets [and debts of hundreds of dollars] to Wisconsin Bell and Wisconsin Gas...."

"The defendant has three living children and one who died of crib death....The defendant said [his relationship with the unmarried mother] has improved because he is not drinking as much....He has no idea why child support has not been ordered...."

"The defendant's explanation of his substance abuse history was that he began drinking at 16....By 19 he was drinking quite heavily and was intoxicated every day on hard liquor...his longest period of sobriety was the four months he spent in the Racine County Jail in 1992...."

### Inmate Background — Example #2

**Current Crime:** Theft by contractor (defrauded an elderly woman who hired him to do home repairs)

**Age:** 31

**Background:**

"The whereabouts of the defendant's natural father are unknown...his step-father died in 1976...[his mother] remarried [a man who later] left the family...she has not been legally divorced from him...."

In addition to eight living siblings and half-siblings, "there were three other children who died: [one] in a fire; [another] from pneumonia; [a third] from crib death...."

"[T]he defendant reported he did not grow up in a happy home, that his mother was out doing her own thing, such as drinking [and] there were too many kids in the home to be taken care of so they did what they pleased....[His] step-father drank and physically abused his mom and siblings...there were no values taught in the home and he learned whatever he learned from a girlfriend...."

His mother reported in an interview that "the defendant was very headstrong and did whatever he wanted to do....[She said] the defendant has always been 'slick' and a 'good manipulator' [and] started getting into trouble around age 12 or 13 [and] was sent to [a home for boys] because she could not control him...."

His mother said "cocaine is the defendant's downfall and he has been using it [since he was a teenager] and began using marijuana at age 13... and] according to Department of Corrections records [he] has a long history of alcohol abuse [and] would just sit in bars and drink for hours [and] refused to participate in drug and alcohol treatment [during a prior incarceration]...."

"File materials indicate the defendant did not graduate from high school...."

His unmarried girlfriend has three children, one of whom is the defendant's. She said the relationship has included "no physical abuse but a lot of emotional abuse...the defendant has never helped her financially...He did buy some things for their new baby but took them back to the store [for a refund] to buy drugs....Her daughter cries at night wanting to see the defendant...."

The "property offender" in this second example will attain his Mandatory Release date in the Spring of 1996, after serving about 15 months of a two-year sentence for theft. His prior record includes two convictions for Endangering Safety by Conduct Regardless of Life, multiple thefts, bar fights, and related disorderly conduct.

**SECTION II: PAROLE**

About nine in 10 offenders sentenced to Wisconsin prisons will be paroled to community supervision before their sentence expires.<sup>8</sup> In general: (1) inmates reach a Parole Eligibility Date (PED) after having served one-quarter of their sentence, when they become eligible for "discretionary parole" (or "early release") upon approval of the Parole Commission; and (2) inmates who do not receive a discretionary parole attain a Mandatory Release (MR) date after serving two-thirds of their sentence.

Primarily due to prison crowding, discretionary paroles have risen, accounting for 26% of releases in 1988 and 74% of releases in 1992.<sup>9</sup> The typical Wisconsin parole violator has had 12 adult arrests and has been incarcerated in a state or federal prison four times.<sup>10</sup>

Inmates profiled for this study underscore the significance of parole as an issue in the debate about corrections and incarceration. Even though almost 76% are serving time for a violent offense, the median sentence is 10 years and most are nearing parole.

Of the entire study sample of 170 inmates, 82% will be eligible for discretionary parole — so-called "early release" — by the year 2000, that is, in four years. See Chart 3 below. (Being eligible for early release does not mean it will be granted. The likelihood is substantially increased if the projected 6,000-7,000 bed capacity deficit in fact comes about by the year 2000.)

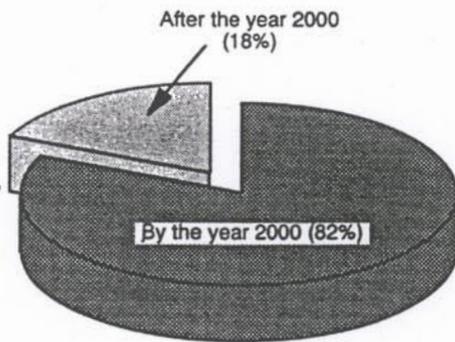
About 85% of inmates studied for this report have an established MR date (the other 15% either have a life sentence or file data are unclear). Of the 144 inmates with an MR date, 65% will reach MR status by the year 2000. See Chart 4 below.

**TABLE 5** Average & Median Year of Parole Eligibility for Study Inmates

	Parole Eligibility Date (PED)	Mandatory Release Date (MR)
Average	1998	2002
Median	1995	1999
	<i>n</i> = 163*	<i>n</i> = 144**

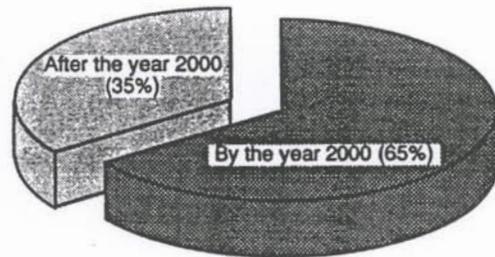
\* PED data unclear for seven of 170 inmates.  
 \*\* MR data available for 144 of 170 inmates; data unclear for six; 20 others with a life sentence ineligible for MR.

**CHART 3** Parole Eligibility Date (PED) of Urban Inmates



*n* = 170; where unclear (6 of 170), it is assumed PED is after 2000

**CHART 4** Mandatory Release (MR) Date of Urban Inmates



*n* = 144 (85% of Inmate sample)

The inevitability of parole, for the vast majority of inmates, highlights the need for:

- Enough prison capacity to minimize early release of dangerous criminals due to crowding.
- A significant increase in spending for parole supervision in the community.

Wisconsin spends only about one-twentieth as much per convicted felon on parole as it does per convicted felon in prison. Data on criminal recidivism make it clear that public protection requires more parole agents and greater flexibility to revoke parole and incarcerate offenders who violate terms of parole.

### SECTION III: WHERE ARE THE "LOW-RISK" PRISONERS?

Violent criminals are defined in this study as inmates convicted of sexual assault or other crime resulting in physical harm to the victim.<sup>11</sup> This includes 75.9% of the inmates in this study (the statewide number is 70.4%).<sup>12</sup> Thus, by excluding violent criminals, the theoretical pool of inmates who potentially should not be in prison is 25% of the inmate population. These consist primarily of inmates whose most recent crime of conviction defines them as "property offenders" or "drug offenders."

Who are these inmates? Should they be in prison?

This study identified 40 inmates — 23.5% of the total sample — for detailed analysis. They include all inmates:

- Sentenced to the Intensive Sanctions Program;
- Whose most recent crime was a "property offense;" or
- Whose most recent crime was a "drug offense."

**TABLE 6** Recent Crimes of Inmates Studied for Prison Release

Type of Crime	#
Property Offenders (inc. 1 "armed burglary")	25
Drug Offenders	12
Other	
Escape	1
Robbery	1
Illegal Possession of Firearm	1
<b>Total</b>	<b>40</b>

Table 6 describes the latest crime for which these 40 inmates were convicted.

What follows in this Section (and in Appendices B, C, and D) is a statistical and descriptive overview of these 40 inmates. The appendices contain detailed information on: (i) current crime and sentence; (ii) adult and juvenile crime history, including violent crime and probation or parole violations; and (iii) other information about the inmates from official state reports.

The cumulative information demonstrates the distorted picture conveyed by shorthand descriptions such as "property offender" or "non-violent offender."

#### Intensive Sanctions — 13 Inmates

The Division of Intensive Sanctions (DIS) program was authorized in 1991 by the Legislature.<sup>13</sup> It was intended to reduce the need for added prison space by identifying low-risk inmates who would serve a minimal portion of their sentence in prison and the rest of it in the community. While in the community, offenders would be more closely monitored than a normal probationer or parolee, through such means as electronic monitoring and more frequent agent contacts.

DIS is now in its fourth year of operation. Statewide, about 480 inmates — roughly 4.3% of the total inmate population — are in the incarceration phase of the program. This initial phase often is carried out in minimum-security prisons. About 1,600 others are in the community supervision phase, often living with a relative or in a supervised residential setting.

**TABLE 7** Data Regarding Intensive Sanctions Inmates

	#	# of Adult Arrests	# of Adult Times in Prison	# w/ Juvenile Crime	# w/ Violent Crime	# w/ Parole Violation
<b>Intensive Sanctions Inmates</b>	13*	6	2	9	8	13
		<i>(median)</i>	<i>(median)</i>	<i>(69% of total)</i>	<i>(62% of total)</i>	<i>(100% of total)</i>

\* 10 current; three terminated for violations.

DIS is intended for the "low-risk" offenders who otherwise would be sentenced to a regular prison term. Initially, program guidelines excluded drug offenders and violent offenders. Drug offenders continue to be excluded, but the goal of excluding violent offenders apparently is not being achieved. Of the 13 DIS inmates included in this study's sample, three have a current offense which the state guidelines term "assaultive" (robbery, armed burglary, illegal weapon possession). When current or prior offenses are included, 46% have a record of violent crime.

As indicated in Table 7 above, none of the Intensive Sanctions inmates in this study is a "first-time offender." All have at least one probation or parole violation. Nine of 13 have a juvenile crime record (some quite extensive). The median number of adult arrests is six.

Overall, the data in Table 7, and the detailed information in Appendix B, describe offenders who do not match the "low-risk," "non-assaultive," "first-time" profile which was used to convince the Legislature to adopt this program.

While no independent evaluation has occurred, state corrections officials describe Intensive Sanctions as a success so far. But eight of 13 DIS inmates in this study had accumulated a total of 12 escapes from the program. Records indicate that up to three of those eight have been terminated and returned to regular prison terms.

The state should commission an independent evaluation of the program to establish a basis for measuring recidivism levels and to specify how much crime is being committed while on "Intensive Sanctions." The state also should review and clarify criteria for admission to the program to determine whether offenders with lengthy records, including violent crime and multiple parole or probation violations, should be eligible.

#### Property Offenders — 25 Inmates

Ten of the 25 current property offenders in this study are in the DIS program and are included in Table 7 and Appendix B. The remaining 15 are included in Table 8 below and Appendix C.

**TABLE 8** Data Regarding Property Offenders (Non-DIS)

	#	# of Adult Arrests	# of Adult Times in Prison	# w/ Juvenile Crime	# w/ Violent Crime	# w/ Parole Violation
<b>Property Offenders (Non-DIS)</b>	15	10	3	10	10	13
		<i>(median)</i>	<i>(median)</i>	<i>(67% of total)</i>	<i>(67% of total)</i>	<i>(87% of total)</i>

Property offenders in this study do not conform to the misleadingly benign "non-violent" label sometimes attributed to them. "Revolving door" and "career criminal" are more accurate phrases, given that 87% have violated probation or parole and that the median number of adult arrests is 10.

As for "non-violent," two of three "property offenders" in Table 8 have committed a violent crime as a juvenile or adult. More to the point, the label "non-violent" would be the last phrase which a sensible person would use to describe even the "property" crimes committed by these offenders. As detailed in Appendix C, the "property offenders" include: (1) a member of a burglary ring which state officials say "terrified" an entire neighborhood; (2) a thief who swindled almost \$2,000 in state Homestead Tax Credits from an elderly resident; and (3) a burglar who followed up the crime by impersonating a security company representative and then stealing an elderly woman's checkbook and credit cards. In the latter case, the victim now will not answer her front door unless the visitor has called in advance to identify himself or herself.

### Drug Offenders — 12 Inmates

Several arguments are advanced for not incarcerating "drug offenders:"

- The nature of the drug business is such that new dealers move in quickly to replace those who are imprisoned and, thus, there is no significant deterrence.
- Drug offenders often are addicts and could best be served by drug abuse treatment.
- Many drug offenders are "non-violent" and incarcerating them means prison space is unavailable for "violent" offenders.

For such reasons, it has been argued that the Intensive Sanctions guidelines should be modified to include drug offenders. When this position was advanced by corrections staff in 1995, it was rejected by Governor Tommy Thompson after negative reaction from elected officials, prosecutors, and the news media.<sup>14</sup>

The 12 drug offenders described in this study include only those sentenced solely for a drug offense. (Another dozen or so violent offenders also are serving sentences for drug offenses.)

All drug offenders in this study were sentenced for trafficking (either "possession with intent to deliver" or "manufacture or delivery"). None was sentenced solely for possession. It is, in fact, quite unusual for drug possession alone to lead to a prison sentence.

These drug offenders are described in Table 9 below and Appendix D. Subjectively, their stories would appear to offer little support for the idea that the general public would not want them incarcerated. Individual readers are encouraged to review the data, and particularly Appendix D, to draw their own conclusion.

**TABLE 9** Data Regarding Drug Offenders

	#	# of Adult Arrests	# of Adult Times in Prison	# w/ Juvenile Crime	# w/ Violent Crime	# w/ Parole Violation
Drug Offenders	12	4	1	8	9	9
		(median)	(median)	(67% of total)	(75% of total)	(75% of total)

## CONCLUSION

TABLE 10 Data on Property, Drug, &amp; Intensive Sanctions Offenders

	#	# of Adult Arrests	# of Adult Times in Prison	# w/ Juvenile Crime	# w/ Violent Crime	# w/ Parole Violation
Property Offenders*	25	6	2	17	17	23
Drug Offenders	12	4	1	8	9	9
Other Offenders*	3	7	3	2	1	3
	40	6	2	27	27	35
	(total)	(median)	(median)	(total)	(total)	(total)

\* Includes Intensive Sanctions Offenders.

This study profiles a representative sample of urban inmates and includes a substantial amount of information on the "least dangerous" inmates. As summarized in Table 10 above, these "low-risk" inmates are mostly career criminals. Almost nine of 10 have violated parole or probation. About two-thirds have a juvenile and/or violent crime record. Most have at least six arrests and have been in prison twice.

The appendices describe these offenders in terms of those who best know them — officials in the Wisconsin Department of Corrections who have reviewed their criminal history and, in most cases, personally interviewed the offenders.

It is difficult to review this information and conclude that Wisconsin's prison policy should be to release large numbers of inmates based on misleading labels. Those who disagree should offer rap-sheet specifics.

This study also describes the dysfunctional families and troubled upbringing which characterize many young urban criminals. While the meltdown in societal values is obviously outside the scope of this report, there is no evidence of it abating. Addressing that problem is not the main job of the Department of Corrections. Protecting society from the resultant crime is. Given the high cost to society of crime, and research on the effectiveness of incarceration, the choices are difficult but increasingly clear.

In assessing the cost to government of incarcerating offenders, a senior Wisconsin corrections official recently asked:

*Does the average citizen really want to spend \$22,000 a year to keep [a "non-violent" inmate] locked up?*

On reading this report, many might say "yes," especially when the cost for a family of four is not \$22,000, but instead about two cents per year.<sup>15</sup>

## NOTES

- 1 Unless noted, hereafter, "inmates" refers to the sample of urban inmates studied for this report. See Appendix A.
- 2 Many inmates were incarcerated for more than one crime. Many more initially were arrested or charged with more than one crime, but charges were either reduced or dismissed. Many inmates had information on dismissed charges "read-in" at the time of sentencing.
- 3 *Probation and Parole Violators in State Prison, 1991*, U.S. Bureau of Justice Statistics, August 1995.
- 4 Under most circumstances, juvenile records are confidential. A limited exception in Wisconsin law is provided (i) if approved by a judge and/or an inmate, or (ii) for researchers, who in certain circumstances may review Pre-Sentence Investigations, which summarize adult and juvenile records and are prepared for judges after an offender is convicted, but before he or she is sentenced.
- 5 The 32% estimate in Chart 2 for inmates with a violent juvenile record is quite conservative, because many juvenile records examined for this study were too general to determine if a violent crime was involved. In all cases where the records were not specific, it was assumed that the juvenile crime was not violent. This includes many crimes which resulted in juvenile incarceration, a relatively rare occurrence which is often associated with violent offenses.
- 6 George A. Mitchell, *Prison Works*, Wisconsin Policy Research Institute Report, August 1995, Vol. 8, No. 6, pp. 19-20.
- 7 The primary source of this information is the individual Pre-Sentence Investigations prepared by probation and parole agents prior to sentencing.
- 8 Those who aren't either: die in custody; serve their entire sentence in prison; or are released by court order. Over time, the percent of inmates paroled will decline slightly, with Wisconsin's relatively new "life means life" sentencing, under which a few particularly violent offenders will be imprisoned at least until old age. See George A. Mitchell, *Parole in Wisconsin*, Wisconsin Policy Research Institute Report, June 1992, Vol. 5, No. 3, p. 6.
- 9 *Parole in Wisconsin*, p. 8.
- 10 *Parole in Wisconsin*.
- 11 The most ill-defined and misused words in corrections are "violent offender" and "non-violent offender." This study defines violent crime as including sexual assault and crime resulting in physical harm to the victim.  
There is a narrower definition of violent crime, one which is highly misleading unless clearly explained. Used by the Federal Bureau of Investigation (FBI) Index of Crime Offenses, it includes "murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault." (See *Crime and Arrests, 1994*, Statistical Analysis Center, Wisconsin Office of Justice Assistance.) There are several limitations to this definition:
- It excludes the vast majority of assaults. In 1994, 84% of Wisconsin arrests for assaults were not classified as "violent" per the FBI Index.
  - It excludes the vast majority of sex offenses. In 1994, 87% of Wisconsin sex offense arrests were not classified as "forcible rape" and thus were not classified as "violent" per the FBI Index.
  - It excludes domestic violence which does not escalate to homicide or aggravated assault or forcible rape.
- 12 Statewide, as of December 31, 1995, 70.4% of all inmates were categorized as "Assaultive Offenders," assaultive being synonymous with violent.
- 13 The rationale and recommendation for DIS are set forth in the *Final Report* of the Wisconsin Correctional System Review Panel, June 1991. The panel was appointed by the then-Speaker of the Wisconsin Assembly, Walter Kunicki, to curtail prison expansions proposed by Governor Tommy Thompson.
- 14 *Prison Works*, pp. 22-23.
- 15 Twenty-five thousand dollars divided by 5,102,000, multiplied by four. Twenty-five thousand dollars is the state Legislative Fiscal Bureau's estimate of the annual cost of prison operating and capital costs per inmate; 5,102,000 was Wisconsin's total population as of January 1, 1995.

### APPENDIX A: STUDY DESIGN

The study's objective was to study a representative group of urban inmates in the Wisconsin State Prison System. Milwaukee County was chosen because:

- A disproportionate number of the state's prisoners are from the county, which constitutes about 20% of the state's population, whereas 44% of 1995 prison admissions were from the county.
- It has a higher percentage of urban residents than other state counties.
- To determine if the study sample was representative, an available 100% data set on urban inmates was needed for comparison. The state routinely disaggregates its data to show Milwaukee County information.

The overall goal and plan of the research project was presented to the Wisconsin Department of Corrections for its review in February 1995. In April 1995, the Department provided an initial printout of Milwaukee County inmates. Subsequently, discrepancies in this list resulted in a second printout being used to draw the representative sample. The second printout, dated October 17, 1995, was a 96-page report containing: 4,779 inmate names, in alphabetical order; their admission date; the controlling statute for the most serious offense; the county in which offense was committed (all Milwaukee); and a brief description of the offense.

The primary source of data for the study was inmate records available at the time of the initial period of research

(Fall of 1995 and Winter of 1995-96) in the Wisconsin Department of Corrections. Inmate files which were not adequate to provide information in the project's research template (see below) were not used. The goal was a 3.5% sample. Anticipating that incomplete files would be encountered, a larger sample was drawn.

Inmates w/ Milwaukee County Sentence	#	%
10/17/95 Total	4,779	100.00
Initial Study Sample	183	3.82
Deletions Due to Incomplete Files	-13	-0.27
Core Sample	170	3.56
<i>(complete except for sentence data)</i>		
Files w/ Incomplete Sentence Data	-6	0.13
Complete Files	164	3.43

The initial sample required that one of every 26 inmate files be reviewed. Based on a coin flip, the selection of inmates to be studied was made by starting at the end of the printout. A random process determined which inmate would be the first selected, resulting in the selection of the 13th inmate in from the end of the printout. Thereafter, a file search was made for the next inmate 26 names higher on the list, and so on. When an inmate file was checked out, the 27th name in the sequence was used. If that file was missing, the 25th name was used.

	All Inmates from Study Milwaukee Sample County (10/17/95)(12/31/95)	
	<i>n = 170</i>	<i>n = 4,760</i>
<b>Male</b>	95.9%	95.4%
<b>Female</b>	3.6%	4.6%
<b>Non-White &amp; Hispanic</b>	83.0%	84.0%
<b>Age</b>		
Male	30	30
Female	33	33
<b>Sentence Length</b>		
Male	14.4	13.7*
Female	8.8	7.9*
<b>Property &amp; Misc. Offenders Only</b>	17.1%	17.4%
Intensive Sanctions	5.9%	4.3*
Drug Offenders Only	7.1%	9.6%
Violent Offenders	75.9%	72.0%

\* Data are for entire state, not just Milwaukee County.

As indicated in the first table to the left, the result of this process was an initial sample of 183 files. Thirteen were substantially incomplete for purposes of providing information on the research template. This left a Core Sample of 170 inmates, representing a 3.56% random sample. Six of the 170 files had ambiguous information on the most current sentence; all other required information was intact.

The second table, to the immediate left, compares demographic and other characteristics of the study sample with all Milwaukee County inmates. This comparison, and other data highlighted in the report itself, confirm that the study achieved its goal of producing a representative sample.

## Research Template

A research template was used to extract information in 19 general categories:

- Inmate Identification Number
- Inmate Name
- Race, Gender, Date of Birth
- Number of Adult Arrests
- Number of Adult Incarcerations in state or federal prisons (not county jails)
- Most recent offense & Date of Offense
- Court Case #, Date of Conviction, Date of Sentence, Sentencing Judge
- Sentence, including commitment to Intensive Sanctions
- Plea Bargain
- Parole Eligibility Date
- Mandatory Release Date
- Information about other prior adult arrests and convictions
- Information about juvenile referrals adjudications by the Milwaukee County Children's Court
- Whether the current or prior offenses included violent crimes, either as adult or juvenile
- Whether the current offense occurred while on probation or parole and whether there were prior probation or parole violations as an adult or violations of juvenile conditions of supervision
- Whether substance abuse (alcohol or drugs) appeared to be a significant factor in (1) the offender's life and/or (2) that of his immediate family
- Information on the inmate's family and upbringing
- Information on the inmate's educational background, i.e., high school graduation, GED, or some college or post-high school work
- Information on the inmate's employment history

Of these categories, one which eventually was not pursued as part of this study was plea bargaining, which would have necessitated a separate review of 170 sentencing transcripts and other records in the custody of Milwaukee County and not regularly available in Department of Corrections files. Anecdotal information from the files indicates that plea bargaining and reduced charges are common.

About 3,500 pages of information were reviewed for this study, which eventually required a master data base using more than 500k of computer memory. For further analysis, this data base was disaggregated into 20 subordinate files using a combined total of more than 2,000k (2MB) of memory.

## Confidentiality

Information in this report uses no names of inmates, relatives, or victims, to assure against inadvertent disclosure of juvenile or other confidential information. A record of all inmate numbers will be made available to the Department of Corrections on request if it, or a third party working through it, wishes to review independently the information summarized in this report.

**APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS"**

<b>1 Most Recent Crime &amp; Sentence</b>	<b>Adult &amp; Juvenile Criminal Record</b>	<b>Other Background</b>
<p><b>Armed Robbery</b> 5 Years - Intensive Sanctions</p> <p>During the crime, "the subject...entered a dry cleaning store. On duty were two employees...The subject stated 'don't move, I swear don't move' [and] grabbed one of the employees and acting as if he had a gun in a paper sack, pressed it into her side...."</p>	<p><i>Adult Arrests = 12</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - Burglary, robbery, unlawful restraint, attempted criminal sexual assault, attempted aggravated criminal sexual assault.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>"The defendant stated he has been on SSI for about one year...that he would use up his entire check smoking crack and drinking.</p> <p>"Prior convictions are for armed robbery, burglary, robbery, attempted criminal sexual assault....</p> <p>"One must question why the judge sentenced such an individual to the DIS program."</p>
<p><b>2 Most Recent Crime &amp; Sentence</b></p> <p><b>Burglary &amp; Auto Theft</b> 5 Years - Intensive Sanctions</p> <p>While on probation for a 1993 battery to a child, the subject (1) burglarized a woman's home and (2) stole the car of another woman.</p> <p>[Less than two months after being sentenced to Intensive Sanctions, he escaped from a minimum security prison in Milwaukee.]</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><i>Adult Arrests = 2</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - Burglary, 3 auto thefts, 1 attempted auto theft, and first degree sexual assault of a child.</i></p> <p><i>Adult - Battery to a child.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><b>Other Background</b></p> <p><i>From state's Pre-Sentence Investigation:</i></p> <p>Burglary victim said it "has affected her life a great deal because her privacy was invaded and she had to move because she was so afraid. She said it felt like being raped without being touched." Auto theft victim said "she has quit going into the area where her van was stolen so she does not visit her friends that live in that area."</p> <p>The subject "was constantly running in the streets and involved with the Black Gangster Disciples gang...Even though [he] admitted...both offenses...he expressed little or no remorse for his actions or empathy for his victims."</p> <p><i>From state's prison intake report:</i></p> <p>The subject "has been involved in various probationary terms [and] juvenile placements...He has been seen as assaultive, not cooperative, and manipulative by various staff in those placements. He has also tended to run away from juvenile placements."</p>

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS" )

3 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Burglary</b> <b>4 Years - Intensive Sanctions</b></p> <p>Subject "and several accomplices [burglarized] a Milwaukee residence [and] confiscated several personal items including jewelry..."</p> <p>[State files show three different escapes from the program in the course of four months during 1993.]</p>	<p><b>Adult Arrests = 8</b> <b>Adult Incarcerations = 3</b></p> <p><b>Juvenile - 2 thefts and a disorderly conduct (amended from original charge of burglary).</b></p> <p><b>Adult - receiving stolen property, drug possession, attempted burglary, robbery, and burglary.</b></p> <p><b>Parole or Probation Violation(s) - Yes</b></p> <p><b>Violent Crime(s) - Yes</b></p>	<p><b>From state's Pre-Sentence Investigation:</b></p> <p>"The defendant has been in the criminal justice system on an almost non-stop basis since 1985. During this time [he] had difficulties reporting to his supervising agents as ordered, became involved in further criminal behavior, and refused to cooperate with drug treatment referrals...He was involved in some incidents of domestic violence and a robbery in which the elderly victims were threatened...."</p> <p><b>From state's prison intake report:</b></p> <p>Subject "fails to learn from his past as he continues to involve himself in criminal-like behavior and drug usage...needs to face the consequences of his unacceptable behavior and be held accountable."</p>
<p><b>4 Most Recent Crime &amp; Sentence</b></p> <p><b>Burglary</b> <b>5 Years - Intensive Sanctions</b></p> <p>"Subject and two accomplices burglarized [a Milwaukee retail store]."</p> <p>[Two months after being sentenced to Intensive Sanctions, escaped from a minimum security prison in Milwaukee.]</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><b>Adult Arrests = 6</b> <b>Adult Incarcerations = 2</b></p> <p><b>Juvenile - Auto theft and operating auto without a license.</b></p> <p><b>Adult - Robbery, burglary, possession of cocaine, fleeing, burglary.</b></p> <p><b>Parole or Probation Violation(s) - Yes</b></p> <p><b>Violent Crime(s) - Yes</b></p>	<p><b>Other Background</b></p> <p><b>From state's Pre-Sentence Investigation:</b></p> <p>"[He] is basically unmotivated...and has no constructive plan to change his life...has demonstrated no motivation in his life and little desire to change."</p> <p>Record on community supervision includes violation of robbery probation in 1982, burglary on probation in 1986, and multiple positive drug tests while on parole in 1988. Three months after being discharged from probation in 1990 he was arrested for cocaine possession and fleeing an officer on city streets at speeds of 75-80 mph.</p>

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS" )

5 Most Recent	Adult & Juvenile	Other Background
Crime & Sentence	Criminal Record	
<p><b>Armed Burglary</b> 5 Years - Intensive Sanctions</p>	<p><i>Adult Arrests = 1</i> <i>Adult Incarcerations = 1</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p>
<p>With two accomplices, "kicked in the front door" of a home to burglarize it and was found by police with "a loaded .380 semi-automatic pistol."</p>	<p><i>Juvenile - Criminal damage to property, drug delivery, auto theft, robbery, theft from person, and battery.</i></p>	<p>"It is...respectfully recommended that [the subject] be sentenced to [prison]...Because of the nature of the crime [armed burglary] the defendant is not appropriate for referral to [Intensive Sanctions].</p>
	<p><i>Adult - No prior adult record.</i></p>	<p>"The defendant drinks excessively [and] doesn't see a problem with drinking eight 16-ounce bottles of beer a day....This attitude alone is a problem that will lead him back into criminal behavior."</p>
	<p><i>Parole or Probation Violation(s) - Yes</i></p>	
	<p><i>Violent Crime(s) - Yes</i></p>	
6 Most Recent	Adult & Juvenile	Other Background
Crime & Sentence	Criminal Record	
<p><b>Burglary</b> 5 Years - Intensive Sanction</p>	<p><i>Adult Arrests = 8</i> <i>Adult Incarcerations = 4</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p>
<p>Stole a shovel and bicycle from an open garage and "stated that he wanted money to buy alcohol and drugs."</p>	<p><i>Juvenile - 9 counts of burglary, burglary and receiving stolen property, drug possession, burglary, burglary, and possession or burglary tools.</i></p>	<p>"The defendant has a long-standing pattern of being irresponsible and mismanaging his life...He has been offered help many times...and has not cooperated or responded in a satisfactory manner...He is quick to blame external factors...for his lack of any success...While he says he can change...this is hard to believe....all this talk [of change] is motivated by the fact that it will help to avoid serious consequences....</p>
<p>[Two separate escapes in 1993 from separate minimum security prisons in Milwaukee.]</p>	<p><i>Adult - burglary (juv. waived to adult court), criminal damage and theft, burglary, battery to a police officer, burglary, entry into locked vehicle, and habitual criminality.</i></p>	<p>"...He has a prior record for assaultive behavior.</p>
	<p><i>Parole or Probation Violation(s) - Yes</i></p>	<p>"The Department of Corrections does not recommend a sentence to" Intensive Sanctions.</p>
	<p><i>Violent Crime(s) - Yes</i></p>	

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS")

7 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Burglary</b> <b>4 Years - Intensive Sanctions</b></p> <p>"The subject entered a residence and stole \$9,500 worth of stereo equipment. The subject had been at the residence earlier working as part of a cleaning crew."</p>	<p><i>Adult Arrests</i> = 4 <i>Adult Incarcerations</i> = 2</p> <p><i>Juvenile</i> - Theft from auto entry into a locked vehicle, attempted theft and obstructing an officer, entry into a locked vehicle, auto theft, burglary, 2 counts of auto theft, escape from custody, armed robbery, burglary, auto theft, and receiving stolen property.</p> <p><i>Adult</i> - Auto theft, drug delivery, and auto theft.</p> <p><i>Parole or Probation Violation(s)</i> - Yes</p> <p><i>Violent Crime(s)</i> - Yes</p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>His "lengthy record of criminal behavior and the fact that treatment needs can best be met while serving a lengthy period of incarceration would make a sentence to [Intensive Sanctions] inappropriate." Supervisor concurred.</p> <p>The subject "first became involved in the correctional system at the age of 11 [and] has established a very lengthy criminal record.... He has substantially ignored the orders of the Court and continued to violate his parole on many occasions."</p> <p>Subject says he got in trouble because "he hung around with the wrong people" and "recent offenses took place due to his trying to support his drug habit."</p> <p><i>From state's prison intake report:</i></p> <p>"He does not yet appear to accept responsibility for his actions."</p>
<p><b>8 Most Recent</b> <b>Crime &amp; Sentence</b></p> <p><b>Auto Theft [3 Counts]</b> <b>5 Years - Intensive Sanctions</b></p> <p>Convicted in connect with three separate auto thefts over a 2-week period. Subject "...explained [that] his acquaintances encouraged him to become involved and he earned easy money by stealing cars."</p>	<p><i>Adult &amp; Juvenile Criminal Record</i></p> <p><i>Adult Arrests</i> = 3 <i>Adult Incarcerations</i> = 1</p> <p><i>Juvenile</i> - No information (raised in Puerto Rico).</p> <p><i>Adult</i> - Auto theft and entering a locked vehicle.</p> <p><i>Parole or Probation Violation(s)</i> - Yes</p> <p><i>Violent Crime(s)</i> - No</p>	<p><i>Other Background</i></p> <p><i>From state's Pre-Sentence Investigation:</i></p> <p>"On 5-1-91 [subject] was placed on probation...four months later he became involved in another offense...he was released from custody and placed on the Electronic Monitoring Program. On 12-23-91 he was again placed on a two-year probation' for entering a locked vehicle while on electronic monitoring. Current offense [3 counts auto theft] occurred while on probation.</p> <p>"His previous terms under probation supervision have not benefited him, due to his rejection of supervision, nevertheless another opportunity may be appropriate...."</p>

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS" )

9 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Auto Theft [3 Counts], Fleeing an Officer, Resisting Arrest, and Escape</b> <b>5 Years - Intensive Sanctions</b></p> <p>Stole a car from the Northridge Shopping Center parking lot; stole a car and led police on 75 mph chase (wrecked car but escaped apprehension), and used a friend's car without permission, and struck an officer in the face attempting to avoid arrest.</p> <p>Following initial sentence to Intensive Sanctions, escaped from a minimum security prison in Milwaukee, was apprehended and convicted and recommitted to Intensive Sanctions.</p>	<p><i>Adult Arrests = 7</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - Burglary, loitering, burglary, shoplifting, burglary, theft, theft, burglary, theft, operating vehicle without license, burglary, entering a locked building, receiving stolen property, auto theft.</i></p> <p><i>Adult - Auto theft, auto theft, retail theft, burglary, auto theft.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>The subject's "criminal history is extensive and dates back to the age of 9...[He] is a criminally oriented individual, who has exhibited no respect for the property of others...He denies or minimizes his involvement in the last two [offenses and] expressed no remorse for the victims....</p> <p>"His 'criminal behavior seems to be ingrained and the substance abuse issue allows him to legitimize his behavior...For the past 16 years [he] has done little to improve himself, his lifestyle, or to become a responsible member within the community. [He] seems to maintain the attitude he had as a child, which was to take whatever he wanted."</p>
<p><b>Forgery, Auto Theft, &amp; Theft</b> <b>7 Years - Intensive Sanctions</b></p> <p>The recent offense of theft (a camcorder and sunglasses) from a residence where he was living occurred while subject was "on escape status" from probation for prior conviction of forgery and auto theft.</p> <p>[Subject has two prior escapes from Intensive Sanctions and has been terminated from Intensive Sanctions and returned to prison.]</p>	<p><i>Adult Arrests = 7</i> <i>Adult Incarcerations = 2</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - Speeding, concealing stolen property, possession of a switchblade, underage drinking, speeding, etc.]....</i></p> <p><i>speeding, speeding, disorderly conduct, speeding, operating vehicle after revocation, theft by fraud, disorderly conduct, theft by fraud, operating after revocation.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>Following most recent escape from Intensive Sanctions, "[c]onfinement in a structured correctional setting is necessary to address the risk concerns of the community. This is evidenced by [his] convictions of 9 new offenses [auto theft, 2 escapes, theft by fraud, etc.]....</p> <p>"...To allow [him] to remain within the community would not only enable his continual pattern of non-compliance, it would also encourage other [Intensive Sanctions] inmates to defy the rules...and seriously jeopardize the integrity of the [Intensive Sanctions] program."</p>

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS")

11 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
Burglary [1 count & 4 "read-ins"] File Unclear as to Sentence	Adult Arrests = 8 Adult Incarcerations = 3	<i>From state's Pre-Sentence Investigation:</i>
While on parole, on 9/23/93, defendant "broke into a home...with two co- defendants...The three men stole 3 clocks, a brass apple, a pair of men's boots, and a leather coat."	Juvenile - None  Adult - Burglary, larceny, possession of controlled substance, armed robbery, obstructing, auto theft, escape.	While serving a sentence for armed robbery and auto theft, subject "was [paroled] from prison...He reported three times for parole supervision and then absconded" and committed current burglaries.
Four other residential burglaries were read-in, but not charged. They occurred over a 5-month period and typically involved stereos, TVs, CD players, and CDs.	Parole or Probation Violation(s) - Yes  Violent Crime(s) - No	As an "Alternative to Revocation," the "Department of Corrections is seeking a formal [commitment] to the Division of Intensive Sanctions due to current convictions for burglary."  In the same report recommending Intensive Sanctions, the state says subject "does not feel directly responsible [for the victims]." Report also says he "has become very skillful in attempting to manipulate the [criminal justice] system to his advantage. He alluded [sic] prosecution for 4 years on his previous armed robbery...and openly admitted to changing jobs so he would not caught for absconding from parole supervision."
		In addition to burglaries, defendant "has been active in purchasing stolen property [from his accomplices] for 6 months...[the accomplices] may have been involved in up to 150 burglaries...and obviously this would not be financially rewarding if there was not an individual willing to buy this property. The end result is that there are many terrified members of the community who are experiencing the same difficulties as the 5 victims interviewed for this report."
		<i>From the state's prison intake report:</i>
		"[H]is motivation to truly change...is somewhat suspect. The subject is in denial...it is thought the presiding judge will sentence him to" Intensive Sanctions, based on the department's recommendation.

## (APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS" )

12 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Burglary [2 counts] 8 Years</p> <p>Following probation and parole violations for burglary, subject "was paroled to the Division of Intensive Sanctions" and subsequently escaped from a Milwaukee halfway house and was found to have stolen property from halfway house and used drugs.</p> <p>[Has been terminated from Intensive Sanctions and returned to prison.]</p>	<p><i>Adult Arrests = 7</i> <i>Adult Incarcerations = 2</i></p> <p><i>Juvenile - Burglary, burglary, and burglary.</i></p> <p><i>Adult - burglary, burglary.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state "Case History Review Summary":</i></p> <p>He was paroled to Intensive Sanctions in 1993, despite this narrative submitted from the state to a judge: the subject "...has a history of burglary offenses dating to 1982. [He] has a burglary 12/1/82 [and] three months later 3/1/83 a second burglary [and] seven months later a third burglary...[He] was placed on adult probation 3/18/89 [followed by] another burglary conviction within six months...at that time [the judge] suggested electronic monitoring...however [the subject] was incarcerated for a new burglary... therefore electronic monitoring was rejected... After serving a one year period in jail...he was placed at the Bridge Halfway House [but] was terminated from the Bridge...after one month and eight days due to his lack of cooperation with the program [and] failed to comply with the AODA Program at DePaul...and withdrew from DePaul without completing the program."</p> <p><i>From a 1989 Pre-Sentence Investigation:</i></p> <p>"The defendant indicated that on the night of the offense he had run into the wrong people....</p> <p>"[He] displays criminal thinking and anti-social values which would appear to be a major contributing factor in his adjustment to society.</p> <p>"...first smoked marijuana at age 16 [and] would smoke 1 or 2 joints a day...began to use cocaine about one year ago...his use increased to \$200 worth of cocaine a week...once he was no longer employed he began to steal to get money to buy cocaine."</p>

**(APPENDIX B: PROFILE OF "LOW-RISK" OFFENDERS SENTENCED TO "INTENSIVE SANCTIONS")**

<b>13 Most Recent Crime &amp; Sentence</b>	<b>Adult &amp; Juvenile Criminal Record</b>	<b>Other Background</b>
<p><b>Possession of Firearm By Felon 4 Years</b></p> <p>While "on active probation supervision for Possession of Short-Barreled Shotgun...[T]he inmate received [an Intensive Sanctions] sentence for Felon in Possession of Firearm...after it was discovered during a routine traffic stop that inmate did not have a valid operator's license...When the vehicle was searched a loaded .22 caliber Derringer [and] ten .22 caliber live rounds of ammunition" were found.</p> <p>Discharge and parole "dates adjusted accordingly" to reflect "escape status" for 22 days from Intensive Sanctions.</p>	<p><i>Adult Arrests = 2</i> <i>Adult Incarcerations = 2</i></p> <p><i>Juvenile - Yes. *</i> <i>* Gang member.</i></p> <p><i>Adult - Possession of short-barreled shotgun.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From the state's prison intake report:</i></p> <p>Subject "associated fairly regularly with gang members and was in fact a gang member...."</p> <p>Earned his high school equivalency degree "in the Wisconsin State Prison System."</p> <p>Subject "has matured and made positive changes in his life...was driving a car with ammunition and a gun due to fear relating to" earlier gang beating.</p>

**APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS"**

<b>1 Most Recent Crime &amp; Sentence</b>	<b>Adult &amp; Juvenile Criminal Record</b>	<b>Other Background</b>
<p><b>Theft 9 Months [added to prior sentence]</b></p> <p>While on parole for burglary, subject was arrested and convicted of theft. His parole was revoked and he received a 9 month extension to his prior sentence of 5 years and 9 months.</p>	<p><i>Adult Arrests = 12</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - Runaway from correctional facility; original crime not documented.</i></p> <p><i>Adult - Theft, theft, burglary, burglary, and escape.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state's prison intake report:</i></p> <p>Subject "is, at times, inclined to function irresponsibly and without regard for consequences....[he] behaves childishly and impulsively...when confronted he denies, makes excuses, and slavishly promises to do better.</p> <p>"...record notes pattern of not reporting [or] absconding while on adult probation." This includes at least three probation revocations and one parole revocation.</p> <p>Escaped from minimum security Milwaukee prison four months after intake report identified "little reason to believe he will be a security risk" [and] describes a pattern of 'snorting' 1-2 times a week...."</p> <p>Subject "admit[s] to a period of using cocaine [and] describes a pattern of 'snorting' 1-2 times a week...."</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

2 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Burglary, Criminal Damage to Property</b> 6.5 Years</p> <p>Used a pry bar to break into a residence, "kicked and smashed two plate glass windows" to enter an apartment.</p>	<p><i>Adult Arrests = 14</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - Robbery and robbery.</i></p> <p><i>Adult - Armed robbery, robbery, escape, battery, battery, violation of domestic abuse restraining order.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>Several earlier crimes committed on parole or probation.</p> <p>Earlier offenses of battery and violating domestic abuse restraining order include following a female "to her bedroom, where he struck her in the mouth, choked her and pushed her to the floor [and] threatened to kill her if she would not continue seeing him." Seven months later he "punched [her] in the face and choked her, causing swelling to her face and neck."</p> <p>Subject drinks a fifth of gin or vodka every day, uses \$50 of cocaine every day, and is an occasional marijuana user.</p>
3 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Theft by Fraud [2 Counts]</b> 20 Years</p> <p>Defrauded employer of more than \$500,000 over a period of several years.</p>	<p><i>Adult Arrests = 1</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - No prior adult record.</i></p> <p><i>Parole or Probation Violation(s) - No</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state's prison intake report:</i></p> <p>"There is no prior history of criminal activity...She has always maintained a responsible lifestyle except for the offenses which brought her to prison...Potential [Intensive Sanctions] eligibility."</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

4 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
Arson [3 Counts] 6 Years	<p><i>Adult Arrests</i> = 3 <i>Adult Incarcerations</i> = 1</p> <p><i>Juvenile</i> - Four separate detentions (crimes not specified).</p> <p><i>Adult</i> - Arson and negligent handling of burning material.</p> <p><i>Parole or Probation Violation(s)</i> - Yes</p> <p><i>Violent Crime(s)</i> - No*</p> <p>* See "Other Background."</p>	<p><i>From state's prison intake report:</i></p> <p>"Subject has an assaultive history and has stated that during a domestic dispute she had stabbed a boyfriend, however, there were no charges.</p> <p>"Subject was placed on probation 6/18/86 for the offense of arson...was again placed on probation for negligent handling of burning materials 11/23/93. She was revoked for failure to complete probation rules and for involving herself in current offense."</p>
5 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
Theft 2 Years	<p><i>Adult Arrests</i> = 10 <i>Adult Incarcerations</i> = 3</p> <p><i>Juvenile</i> - Burglary, burglary, theft, burglary.</p> <p><i>Adult</i> - Criminal damage to property, disorderly conduct endangering safety by conduct regardless of life, unfair home improvement trade, theft by contractor (2 Cs.), bail jumping, theft by contractor theft by contractor, theft by contractor, theft by contractor.</p> <p><i>Parole or Probation Violation(s)</i> - Yes</p> <p><i>Violent Crime(s)</i> - Yes</p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>After conviction and before sentencing, canceled multiple appointments for pre-sentence interview. "On 11/2/94 defendant's girlfriend called stating she had kicked him out because he was back on cocaine."</p> <p>State's probation and parole agent "spoke with the victim. She is extremely upset regarding this offense. [She] is 82 years old and lives on a fixed income. The money she paid the defendant to fix up her residence [sic] were Homestead tax returns."</p> <p>The victim "called this agent crying because she was afraid of losing all the money...she was very upset and had to go to the hospital...for 10 days and therapy for 17 days. She was upset because she thought her children would be angry at her, which they were and did not support her."</p> <p>Based on numerous probation and parole violations, "the defendant has not complied with the goals and objectives of the Department of Corrections...[he] does not accept any responsibility for his behavior [and] has no remorse for the current offense.</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

(5)

**(Other Background)**

"It would appear to this agent the defendant's main concern is one of self-gratification without any regard for those he hurts or misuses...."

**6 Most Recent Crime & Sentence**

**Forgery  
7 Years**

Attempted to purchase several hundred dollars of merchandise with a stolen credit card.

**Adult & Juvenile Criminal Record**

*Adult Arrests = 56  
Adult Incarcerations = 7*

*Juvenile - None*

*Adult - Theft, prostitution, theft, violation of Illinois credit card act, possession of stolen property, criminal trespass, prostitution, theft, prostitution, theft, theft and retail theft, theft, forgery (5 Cs.), obstructing justice, escape.*

*Parole or Probation Violation(s) - Yes*

*Violent Crime(s) - No*

**Other Background**

*From state's Pre-Sentence Investigation:*

A 40-year old female with a 22-year record of adult crime.

She "is a professional thief [who] has covered a lot of the United States doing crimes and has served relatively little time...She is presently wanted by Nevada and Illinois for felony-level offenses...Her life is out of control."

**7 Most Recent Crime & Sentence**

**Retail Theft  
Sentence Unclear**

While on parole for felony and misdemeanor retail theft, stole tools from a parked truck.

**Adult & Juvenile Criminal Record**

*Adult Arrests = 15  
Adult Incarcerations = 5*

*Juvenile - Theft, uncontrollable behavior, drug possession, shoplifting, battery, auto theft, "etc."*

*Adult - Retail theft, retail theft, retail theft, retail theft, retail theft, obstructing, burglary, retail theft, retail theft, theft, attempted theft [habitual], retail theft, "and other arrests [retail thefts, drug possession, credit card violations]."*

*Parole or Probation Violation(s) - Yes*

*Violent Crime(s) - Yes*

**Other Background**

*From state's prison intake report:*

The juvenile and adult record summarized in the previous column is characterized as "low risk."

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

8 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Theft [Repeater] 3 Years</p> <p>While on probation for theft, subject "robbed an elderly priest of \$74...subject shoved [the priest] against a kitchen chair and onto the floor."</p> <p>[The robbery charge and related revocation proceedings were pending at the time of this study, with subject still showing on state records as a current property offender.]</p>	<p><i>Adult Arrests = 17</i> <i>Adult Incarcerations = 5</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - Forgery, forgery, burglary, theft, attempted theft, auto theft, burglary.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes*</i> * Based on pending charge.</p>	<p><i>From state's prison intake report:</i></p> <p>Regarding pending robbery charge, the priest victim of the "theft" was attacked at 12:15 a.m. "and laid there in great back and leg pain until approximately 5 a.m. when he managed to get to a telephone...the victim continues to be in pain and is in a wheelchair unable to walk for more than a few steps.</p> <p>"Subject admitted he had been consuming alcohol and smoking cocaine prior to the offense."</p> <p>Prior to pending robbery, subject's history of 16 arrests and 4 incarcerations was described as "low risk."</p>
9 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Burglary 3.75 Years</p> <p>After having been paroled in early 1994, subject was arrested and parole later revoked for stealing and then forging a payroll check from a temporary help agency.</p> <p>Nine months were added to prior 3 year sentence.</p>	<p><i>Adult Arrests = 10</i> <i>Adult Incarcerations = 4</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - burglary, burglary, battery. "In addition to these convictions, the subject has been arrested on other occasions on charges of burglary, second degree sexual assault, false imprisonment, and battery. The disposition of these charges is unknown."</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From state's prison intake report:</i></p> <p>Prior to current parole violation, subject was deemed a "low risk" offender by the state. Previously, subject was paroled in 1989 for burglary, convicted 18 months later for theft, and "violated his probation on or about 7/28/93 when he entered [an establishment] in the city of Milwaukee and while pointing a gun at an employee did take money belonging" to the business.</p> <p><i>From 1995 state parole revocation report:</i></p> <p>Subject "is a career criminal and continues to pursue illegal behavior regardless of the known consequences...His continuous disregard for the laws of the community needs to be addressed."</p> <p>Notwithstanding the above, "A packet has been submitted to the Division of Intensive Sanctions for review."</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

10 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Forgery</b> 3 Years</p> <p>Subject "impersonated a security company employee and talked to an 81-year old burglary victim about putting bars on the windows and other safety equipment...The subject went to [the victim's] restroom and took blank checks and credit cards from the victim's purse in the bedroom next to the bathroom."</p> <p>Subsequent investigation determined that the suspect recently committed a burglary at victim's home to scare her and make her more receptive to security equipment fraud. A burglary charge was dismissed but "read-in" for purposes of restitution.</p>	<p><b>Adult Arrests = 3</b> <b>Adult Incarcerations = 1</b></p> <p><b>Juvenile - Aggravated assault, theft.</b></p> <p><b>Adult - Theft, retail theft. Also two other arrests for theft, "but neither have a disposition listed" and "municipal tickets for disorderly conduct and resisting" which were permanently stayed.</b></p> <p><b>Parole or Probation Violation(s) - No</b></p> <p><b>Violent Crime(s) - Yes</b></p>	<p><b>From state's Pre-Sentence Investigation:</b></p> <p>The 81-year old burglary and forgery victim "has been extremely nervous about anyone coming to the house. She won't answer the door unless she knows who is coming, and when I went to visit her I had to call right before I got there....The victim has been highly traumatized by the events and it has affected her lifestyle and her physical health.</p> <p>"...I believe the defendant's involvement in the crime is more extensive than she admits to. It was an especially brazen crime involving a vulnerable victim."</p> <p>The defendant "has stolen from at least one other elderly victim."</p>
<p><b>11 Most Recent Crime &amp; Sentence</b></p> <p><b>Burglary &amp; Escape</b> Current Sentence Unclear</p> <p>In 1979, subject and an accomplice burglarized a Milwaukee home while the owner was asleep.</p> <p>[Subject received a 6-year sentence and escaped after two years. He was located in Texas and reincarcerate four years later, in 1984.]</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><b>Adult Arrests = 10</b> <b>Adult Incarcerations = 3</b></p> <p><b>Juvenile - Threat of bodily harm, uncontrollable, criminal damage to property, theft, drinking, endangering health, morale, and welfare, disorderly conduct, runaway, truancy, auto theft, burglary, disorderly conduct, drinking, sexual misconduct, truancy, runaway, obstructing an officer, delinquency.</b></p> <p><b>Adult - Sexual intercourse without consent, disorderly conduct, failure to support wife &amp; child, disorderly conduct, strong arm robbery, forgery, theft, hindering.</b></p>	<p><b>Other Background</b></p> <p><b>From 1979 Pre-Sentence Investigation:</b></p> <p>The subject "has been on both parole and probation supervision. He has not once completed any term successfully...He has not reported to his agents as directed, has failed to keep his agents truthfully informed of his whereabouts and activities, has failed to remit court-ordered financial obligations and continued his involvement in criminal activity."</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

(11)	<p><b>(Adult &amp; Juvenile Criminal Record)</b></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	
<p><b>12 Most Recent Crime &amp; Sentence</b></p> <p><b>Burglary 4 Years</b></p> <p>Subject "broke into a bar in the City of Milwaukee" and was arrested as he was attempting to leave with stolen merchandise. Received 4-year probation sentence.</p> <p>[Pending at the time of this study in 1995 were several charges for offenses while on probation. See next two columns.]</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><i>Adult Arrests = 4</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - Strong arm robbery.</i></p> <p><i>Adult - Carrying a concealed weapon and shoplifting. Also pending is battery and retail theft. See "Other Background."</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><b>Other Background</b></p> <p><i>From the state's prison intake report:</i></p> <p>At time of this study, pending "violations prompting probation revocation proceedings began when the subject committed a substantial battery to an individual by hitting him several times to the head causing massive swelling to the eyes and forehead...subject failed to report to Batterer's Anonymous [a [and] absconded from supervision [and] was arrested for retail theft [and] failed to complete...the Salvation Army Adult Rehabilitation Program."</p> <p>While awaiting revocation proceedings at Milwaukee County's House of Correction, "the subject was observed by an officer striking with his hands and feet another inmate...resulting in injuries severe enough that the inmate required [outside] medical attention...."</p> <p>Identified as "low risk" before current offense.</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

13 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Burglary</b> 8 Years</p> <p>While on probation for retail theft, committed a burglary involving the stealing of women's undergarments for sexual stimulation.</p>	<p><i>Adult Arrests = 25</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - Criminal trespass, burglary, auto theft, theft, battery, theft, disorderly conduct, obstructing an officer, burglary, shoplifting, failure to support a child, burglary, burglary, burglary, battery, battery, burglary, retail theft, drug possession, criminal trespass, retail theft, possession of drugs and burglar tools, burglary.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From state's Pre-Sentence Investigation:</i></p> <p>Beginning "in 1975 [subject] was in need of specialized treatment under the Sex Crimes Law...In 1979 he was released from the Winnebago Mental Health Institution even though he continued to demonstrate many of the adjustment problems that originally brought him to the institution."</p> <p>Victim of a recent burglary of women's undergarments encountered the subject, who fled, when she returned to her residence. She "still feels intruded upon, thinks about it on a daily basis and checks out each floor of her home completely on her return. She has a difficult time being at home alone and is now easily frightened...."</p>
<p><b>14 Most Recent Crime &amp; Sentence</b></p> <p><b>Auto Theft</b> 2 Years</p> <p>While on probation for robbery, a police officer followed an auto that had been reported stolen and it "accelerated to a high rate of speed...the officer pursued the auto at a high rate of speed [until] the fleeing auto collided with a pile of debris...the driver fled on foot and was apprehended."</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><i>Adult Arrests = 2</i> <i>Adult Incarcerations = 2</i></p> <p><i>Juvenile - Recklessly endangering safety.</i></p> <p><i>Adult - Robbery and theft.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><b>Other Background</b></p> <p><i>From the state's prison intake report:</i></p> <p>"In July 1989 [the subject] and two other individuals beat a female victim, took her money and her car...he was convicted of robbery and received a withheld sentence and was placed on 10 years probation [consecutive] to a prison term for theft."</p> <p><i>From state's Pre-Sentence Investigation:</i></p> <p>The 1989 robbery "involved pulling an elderly woman into [her] van and stealing her money...he and his accomplices beat her up and threw her out of the moving van."</p> <p>Despite this and other "assaultive offenses" cited in the report, it said he "is eligible for the Division of Intensive Sanctions" but not recommended for the program.</p>

## (APPENDIX C: PROFILE OF IMPRISONED "PROPERTY OFFENDERS")

15 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Burglary 7 Years</p> <p>Details of 1994 burglary not available in file.</p>	<p><i>Adult Arrests = 3</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - Robbery, runaway, theft, shoplifting, theft, runaway, possession of burglary tools.</i></p> <p><i>Adult - Burglary, escape, burglary.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From 1987 Pre-Sentence Investigation:</i></p> <p>At time of first adult burglary conviction and lengthy juvenile crime record, "he does not seem to understand the seriousness either of his offense history, current offense, or his consistent failure to capitalize on treatment opportunities offered...he has become quite adept at manipulation...Burglarizing for [him] is a way of making a living."</p>

## APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS"

1 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Possession WITD* 2.3 Years</p> <p>While on probation for 1993 drug dealing conviction, arrested and convicted for a new charge of possession with intent to deliver cocaine base.</p>	<p><i>Adult Arrests = 2</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - Battery and auto theft.</i></p> <p><i>Adult - No prior adult record.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From the state's Pre-Sentence Investigation:</i></p> <p>At the time of his first conviction for drug dealing, subject "indicated he thought [selling drugs] was easy, quick money...He takes full responsibility and does show some remorse. He indicated this was the first time he had sold drugs and I wonder if he is not minimizing the situation. This is his first offense as an adult but the defendant has served two probationary periods as a juvenile."</p> <p>In connection with first arrest, "the defendant stated to police officers that this was the first time he had ever sold any drugs and that he needed some quick money to buy a car."</p>

\* WITD = with intent to deliver.

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

2 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Possession WITD While Armed &amp; w/in 1000' of a School. 13 Years</b></p> <p>After being paroled in late 1994 for a drug offense, subject was arrested and convicted in Jan. of 1995 for the same type of crime. Revocation of two separate parole cases is pending.</p>	<p><b>Adult Arrests = 12</b> <b>Adult Incarcerations = 2</b></p> <p><b>Juvenile - Auto theft.</b></p> <p><b>Adult - Burglary, marijuana dealing, numerous domestic violence offenses, criminal damage, bail jumping, probation violations.</b></p> <p>Convicted of dealing cocaine within 1,000 feet of a school. Paroled, then committed current offense.</p> <p><b>Parole or Probation Violation(s) - Yes</b></p> <p><b>Violent Crime(s) - Yes</b></p>	<p><b>From the subject's probation/parole agent:</b></p> <p>"[Subject's] correctional experience has consisted of numerous offenses and negative behavior. He has been involved in the criminal justice system for more than 20 years....[H]e has been charged with a number of domestic charges in Milwaukee Co. for offenses against" his ex-girlfriend.</p> <p><b>From the subject's social worker's report:</b></p> <p>In the drug offense for which subject was paroled in 1994, subject denied he was selling drugs, saying that he was "dropping drugs off at houses and picking up the money for someone else."</p> <p>Prior periods of community supervision "did not curtail his negative behavior within the community as he continued to have numerous contacts with the correctional system."</p>
<p><b>3 Most Recent Crime &amp; Sentence</b></p> <p><b>Possession WITD 2 Years</b></p> <p>Offense occurred while on probation for prior dealing of drugs." According to the Milwaukee Police, the total amount of cocaine found on the subject weighed a total of 0.13 grams."</p>	<p><b>Adult Arrests = 5</b> <b>Adult Incarcerations = 3</b></p> <p><b>Juvenile - Burglary, receiving stolen property, and burglary.</b></p> <p><b>Adult - Armed robbery, resisting/obstructing, auto theft, endangering safety by conduct regardless of life, drug dealing. Numerous violations for operating after revocation. Retail theft.</b></p> <p><b>Parole or Probation Violation(s) - Yes</b></p> <p><b>Violent Crime(s) - Yes</b></p>	<p><b>Other Background</b></p> <p><b>From the state's Pre-Sentence Investigation:</b></p> <p>A habitual parole and probation violator: "[Subject] seems to rationalize his behavior and blames his drug usage as being the reason why he has engaged in new criminal behavior...This agent does feel that the defendant seems to like his current lifestyle and has shown little effort to change it....His past behavior has shown a blatant disregard to the community and the Department by engaging in new criminal activity."</p>

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

4 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Possession WITD 5 Years</p> <p>While on probation for 4th degree sexual assault, subject fled police attempting to question him and was apprehended with baggies containing cocaine and marijuana.</p>	<p><i>Adult Arrests = 3</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - Fourth degree sexual assault, possession of marijuana.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No *</i></p>	<p><i>From the state's Pre-Sentence Investigation:</i></p> <p>"[Subject] stated he got involved with the drug deliveries for the money. It was easy money.</p> <p>"[Subject]...has had people in his short life who have tried to reach out to [him] in an effort to facilitate a positive change. Unfortunately, each time, [the subject] pushed these people away. It appears that [the subject] lacks the maturity and insight needed...."</p> <p><i>From the state's prison intake report:</i></p> <p>The subject "placed too much credit to his family history as a determinant of his present behavior....He stated that he laced his marijuana cigarettes with cocaine approximately two times per week."</p>
<p>5 Most Recent Crime &amp; Sentence</p> <p>Possession WITD While Armed 5 Years</p> <p>Parole violation for similar offense pending. Original offense: while conducting an investigation, the police patted down the subject and "discovered a .38 caliber gun in his coat pocket....[Officers] also recovered 2 plastic bags...containing three bundles of cocaine." At parole revocation hearing law judge said "this is the sixth violation report on the client in seven months of parole supervisions, which includes one month in absconder status."</p>	<p><i>Adult &amp; Juvenile Criminal Record</i></p> <p><i>Adult Arrests = 3</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - Robbery, auto theft (two counts), armed robbery.</i></p> <p><i>Adult - Auto theft, resisting/obstructing an officer, and possession with intent to deliver cocaine while armed.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>Other Background</i></p> <p><i>From the state's Pre-Sentence Investigation:</i></p> <p>"[Subject did not] express any remorse or emotion for being involved in criminal activity....[the subject] had no explanation for failing to follow through with his probation agents' referrals for drug treatment....[H]e totally lacks self control and he fails to consider how his actions could affect his life in the long term....[P]robation was of minimum significance to him."</p> <p><i>From the state's Revocation Decision:</i></p> <p>"The one year and four months the client has served had done little to protect the community from the client's criminal acts."</p>

\* Excluding juvenile sexual assault - 4th degree.

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

6 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Delivery of Cocaine</b> 1.8 Years</p> <p><i>From the state's Revocation Summary:</i></p> <p>While on probation for armed robbery, the subject's "negative adjustment to supervision includes Operating a Motor Vehicle Without a Valid Driver's License, missing appointments with his agent, domestic violence, not disclosing his whereabouts and activities, not fulfilling his court ordered obligations, several positive urines for drug usage...and the current violation of Delivery of a Controlled Substance where [subject] sold the cocaine...to a Police Officer."</p>	<p><i>Adult Arrests = 5</i> <i>Adult Incarcerations = 2</i></p> <p><i>Juvenile - Third degree sexual assault, theft.</i></p> <p><i>Adult - Burglary, robbery, possession of a controlled substance.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From the state's Revocation Summary:</i></p> <p>"[The subject's] violations clearly show his unwillingness to be supervised...he has continually possessed illegal narcotics, had demonstrated assaultive and aggressive behavior towards his girlfriend...."</p>
<p><b>7 Most Recent Crime &amp; Sentence</b></p> <p><b>Drug Delivery &amp; Possession of Firearm by Felon</b> 7 Years</p> <p>Police "executed a search warrant at [subject's] Milwaukee apt., 15 "dime" bags of rock cocaine and a loaded .44 caliber handgun were found in a closet."</p>	<p><i>Adult Arrests = 8</i> <i>Adult Incarcerations = 3</i></p> <p><i>Juvenile - Theft, auto theft, and burglary.</i></p> <p><i>Adult - Burglary, hindering, misc. drug offenses, delivery of controlled substance, resisting, obstructing an officer, criminal damage, criminal trespass.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From the state's prison intake report:</i></p> <p>"When evaluated in 1988 reference was made to...numerous violations for Disrespect, Fighting, Failure to Follow Orders, and [urine analyses] positive for cocaine....Subject relates he was using cocaine (snorting, smoking, and occasionally injecting) and this was 'out of control' this past summer (1993). He denies he was regularly involved in selling drugs."</p> <p>Judged "low-risk" until current firearm offense.</p>

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

8 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Possession WITD 10 Years</b></p> <p>Subject was "approached by officers and fled. During the chase...subject threw a plastic baggie from his pocket, a baggie found to contain 39 clear green gem packs of crack cocaine....He maintains his innocence. He denies the drugs were his or that he was involved in dealing drugs at this time."</p>	<p><i>Adult Arrests = 15 Adult Incarcerations = 4</i></p> <p><i>Juvenile - None</i></p> <p><i>Adult - 5 retail thefts, burglary, injury by conduct regardless of life, 2 resistings, multiple drug offenses.</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><i>From the state's Pre-Sentence Investigation:</i></p> <p>"[T]he defendant primarily associates with people who gamble, drink, do drugs, and look for girls....he is a user and seller of drugs and seems to see no problem with this...."</p> <p>"He minimizes his criminal involvement in past incidences and has an answer for everything...crime is a way of life for [him] and he seems very reluctant to give it up... has been convicted of 13 crimes in as many years."</p> <p><i>From the state's social worker report:</i></p> <p>"In simplest terms [subject] states: 'I ain't chemical dependent on drugs whatever....In my mind I don't need treatment.' "</p>
<p><b>9 Most Recent Crime &amp; Sentence</b></p> <p><b>Possession WITD 2.5 Years [Probation]*</b></p> <p>"Several officers were conducting surveillance of street drug dealing when subject was observed conducting what appeared to be two drug transactions...subject was detained and the search revealed" multiple packets totaling more than 7 grams of marijuana.</p> <p>* Although sentenced to probation, subject was incarcerated at the time of this study with pending charges of auto theft and fleeing an officer in a high speed chase which ended with a crash into a concrete light pole and a bus stop sign.</p>	<p><b>Adult &amp; Juvenile Criminal Record</b></p> <p><i>Adult Arrests = 2 Adult Incarcerations = 1</i></p> <p><i>Juvenile - 4th degree sexual assault, theft, retail theft, battery, disorderly conduct, 4th degree sexual assault.</i></p> <p><i>Adult - Drug trafficking and auto theft and fleeing (pending).</i></p> <p><i>Parole or Probation Violation(s) - Yes</i></p> <p><i>Violent Crime(s) - Yes</i></p>	<p><b>Other Background</b></p> <p><i>From state's prison intake report:</i></p> <p>Excluding the juvenile crime record resulted in a "low-risk" offense rating.</p> <p>"It is unfortunate that subject was not able to complete his probation. Subject violated his supervision only 15 days after being placed on supervision...subject did not take seriously the conditions of his supervision and rapidly re-offended...it is hoped that during this period of incarceration [his first] that subject will successfully participate in the recommended programming and assume a pro-social value system and lifestyle one he is released back into the community."</p> <p><i>From state's Pre-Sentence Report:</i></p> <p>"While on intensive probation [as a juvenile] for 4th degree sexual assault...[he] reported he had violent and sexual hallucinations. He said he imagines himself raping young women." His Safe Path Program for Sex Offenders counselor "is afraid of these hallucinations because he may rape someone."</p>

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

10 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p>Possession WITD 1.5 Years</p> <p>"[T]he subject was observed backing up a vehicle at a high rate of speed by a local police officer. The subject did not have a valid driver's license and a search was conducted [which] discovered 20 corner cut baggies containing cocaine...and 10 additional corner cuts of cocaine...."</p>	<p>Adult Arrests = 2 Adult Incarcerations = 1</p> <p>Juvenile - Reckless driving.</p> <p>Adult - Driving after revocation (3 counts) and felony battery.</p> <p>Parole or Probation Violation(s) - No</p> <p>Violent Crime(s) - Yes</p>	<p>From state's prison intake report:</p> <p>"At age 13 he began involvement with marijuana and alcohol...upon his arrest he continue to use marijuana until the day his cocaine use as situational and does not want to identify himself as a drug dealer....Based [on other self-reported information] he is viewed as someone who uses cocaine and marijuana on a regular basis and as someone who is selling cocaine to support his drug use."</p>
<p>11 Most Recent Crime &amp; Sentence</p> <p>Delivery of Cocaine w/in 1000' of a School; Possession WITD w/in 1000' of a School; Possession of a Short-Barrel Shotgun 13 Years</p> <p>"[A]n undercover officer made a controlled buy at subject's residence...asking to purchase cocaine and a transaction occurred...for cocaine base. The officer observed the subject leave the premises and a no-knock search was conducted...at which time they found a 12 gauge loaded shotgun...the subject returned...and was apprehended."</p>	<p>Adult &amp; Juvenile Criminal Record</p> <p>Adult Arrests = 8 Adult Incarcerations = 1</p> <p>Juvenile - None</p> <p>Adult - Possession of controlled substance, possession WITD cocaine, and multiple arrests (dispositions unclear in file) for carrying a concealed weapon, possession of controlled substance and possession WITD, attempted first degree murder, and battery-domestic abuse.</p> <p>Parole or Probation Violation(s) - No</p> <p>Violent Crime(s) - Yes</p>	<p>Other Background</p> <p>From state's prison intake report:</p> <p>"The offense[s] include the subject having a loaded 12 gauge shotgun in the residence with the safety off. The potential for violence appears very high. By the subject's own admission he made contact with other drug dealers for the purpose of selling and [these] transactions took place on the grounds of North Division High School."</p>

## (APPENDIX D: PROFILE OF IMPRISONED "DRUG OFFENDERS")

12 Most Recent Crime & Sentence	Adult & Juvenile Criminal Record	Other Background
<p><b>Possession WITD w/in 1000' of a School 5 Years</b></p> <p>Police "executed a search warrant [at subject's home]...a person was attempting to get out a dropped a baggie [containing 7.91 grams] of marijuana in paper folds. On the floor of the closet...was a bag with 23 smaller bags...containing... cocaine base. Also in the closet was a sawed-off 12 gauge shotgun and a short-barreled rifle, both which were loaded. Another loaded gun was found under the mattress. This was a .357 magnum revolver...A .38 revolver was found under the mattress...In the living room police found a scale, ziplock bags, two pagers and a 6mm Browning pistol."</p>	<p><i>Adult Arrests = 1</i> <i>Adult Incarcerations = 1</i></p> <p><i>Juvenile - None (arrests, but no disposition for robbery and resisting/obstructing officer).</i></p> <p><i>Adult - No prior adult record.</i></p> <p><i>Parole or Probation Violation(s) - No</i></p> <p><i>Violent Crime(s) - No</i></p>	<p><i>From state's Pre-Sentence Report:</i></p> <p>Referring to the circumstances of the arrest and crime scene, "the defendant admitted he lived there [and] denied any knowledge [of the weapons] and said he did not sell drugs. He said he had been on his way to play basketball at North Division High School, which was within 1,000 feet.</p> <p>"He was able to live in that residence because his grandfather owned the house...From the beginning he said different friends of his hung around and that they had drugs and eventually he realized they were selling drugs from his place.</p> <p>"Because of the amount of drugs involved and the number of weapons, this certainly must be viewed as a serious offense."</p>

## ABOUT THE INSTITUTE

The Wisconsin Policy Research Institute is a not-for-profit institute established to study public-policy issues affecting the state of Wisconsin.

Under the new federalism, government policy increasingly is made at the state and local levels. These public-policy decisions affect the lives of every citizen in the state. Our goal is to provide nonpartisan research on key issues that affect citizens living in Wisconsin so that their elected representatives are able to make informed decisions to improve the quality of life and future of the state.

Our major priority is to improve the accountability of Wisconsin's government. State and local governments must be responsive to the citizenry in terms of the programs they devise and the tax money they spend to implement them. Accountability should apply in every area to which the state devotes the public's funds.

The agenda for the Institute's activities will direct attention to and resources to the study of the following issues: education, welfare and social services, criminal justice, taxes and spending, and economic development.

We believe that the views of the citizens of Wisconsin should guide the decisions of government officials. To help accomplish this, we will conduct semiannual public-opinion polls that are structured to enable the citizens to inform these officials about how they view major statewide issues. These polls will be disseminated through the media and made available to the general public and the legislative and executive branches of state government. It is essential that elected officials remember that all of the programs established and all of the money spent comes from the citizens of Wisconsin and is made available through their taxes. Public policy should reflect the real needs and concerns of all of the citizens of the state and not those of specific special-interest groups.