

DANE COUNTY PRISON ADMISSIONS DATA FROM 2000 THROUGH 2017

A Report Submitted To The Dane County Judiciary
and The Dane County Criminal Justice Council
From Judge Nicholas J. McNamara
revised November 26, 2018

The Research and Policy Unit of the Wisconsin Department of Corrections (DOC) publicly shares prison and corrections data on their website at: <https://doc.wi.gov/Pages/DataResearch/DataAndResearch.aspx>. Dr. Megan Jones, Ph.D., is the Research and Policy Director for the unit, and is always a helpful contact for questions about the DOC data. For this report all data regarding prison admissions comes directly from the DOC Data and Research website, collected from the website in September of 2018. Other data regarding felony case filings and dispositions was collected from the Consolidated Court Automation Programs (CCAP) maintained by the Wisconsin Director of State Courts. All tables and charts in this report were created with Microsoft Excel software, formatted and organized by the author.

The goal of this report is to provide objective, numerical data primarily about Prison Admissions arising from judicial orders of Dane County Circuit Courts. This report starts by presenting 18 years of prison admissions from Dane County, broken out by gender and race (but not age, offense categories or other factors). As one way to track historical versus more recent trends, the report also presents a simple division of the 18 years of data broken down into two, nine-year averages, comparing 2000-2008 averages with 2009-2017 averages. One more section attempts to determine if there is a correlation between prison admissions and the number of criminal felony cases filed. Finally, to give broader perspective on the Dane County numbers, this report includes consideration of the same data in comparison with the eight other most populous counties in Wisconsin.

According to the Wisconsin DOC Data website, the “admissions data presented includes all physical admissions to WI DOC adult prisons. Each admission in a calendar year is counted; therefore an inmate may be counted more than once in a year if he/she is admitted multiple times.” There are four types of prison admissions: 1) New Sentence Only, 2) Revocation Only (with or without pending charges); 3) Revocation with New Sentence, and 4) Other, such as an alternative to revocation, admissions pending revocation hearings or admissions after completing a sentence in another state.

Statewide, over the past 18 years, there have been on average 9,166 total prison admissions each year. Approximately 34% are admissions for Revocation Only, 30% are for a New Sentence Only, 26% are for Revocation with New Sentence, and 10% are admissions for Other reasons. (The breakdown of this data is available on the DOC website but is not presented here since statewide data is not the focus of this report.)

I. Dane County Total Prison Admissions and By Gender

In 2017 Dane County Circuit Courts were responsible for 509 total admissions into adult institutions within the Wisconsin State Prison system. This is the lowest number of admissions over the past 18 years; it is 35% lower than the highest number of prison admissions of 785 recorded in 2008. (Table 1 and Chart 1.)

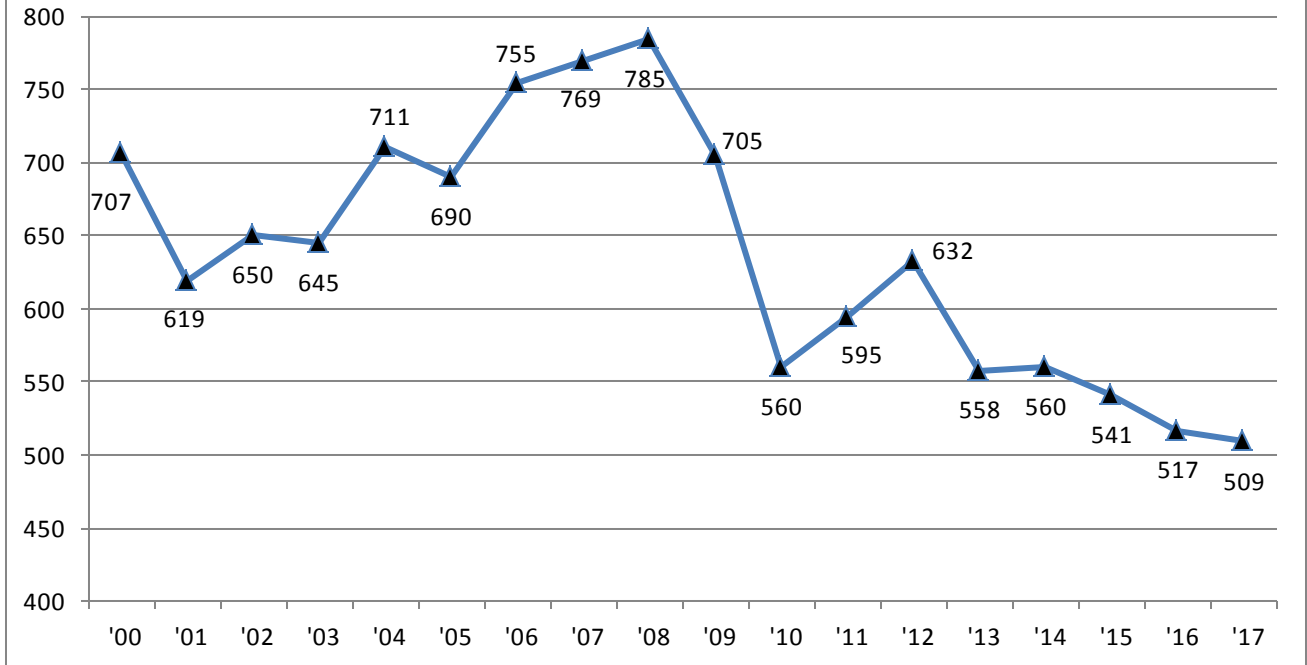
Table 1: Dane County Prison Admissions – By Gender

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Male	643 90.9%	559 90.3%	580 89.2%	596 92.4%	642 90.3%	605 87.7%	679 89.9%	692 90.0%	713 90.8%
Female	64 9.1%	60 9.7%	70 10.8%	49 7.6%	69 9.7%	85 12.3%	76 10.1%	77 10.0%	72 9.2%
Total	707	619	650	645	711	690	755	769	785

	2009	2010	2011	2012	2013	2014	2015	2016	2017
Male	644 91.3%	532 95.0%	541 90.9%	585 92.6%	513 91.9%	511 91.3%	500 92.4%	475 91.9%	475 93.3%
Female	61 8.7%	28 5.0%	54 9.1%	47 7.4%	45 8.1%	49 8.8%	41 7.6%	42 8.1%	34 6.7%
Total	705	560	595	632	558	560	541	517	509

	2000-17 Average	2000-17 Median		2000-08 Average	2009-17 Average	% Change of Averages from 2000-08 to 2009-17
Male	583 91.1%	583 91.1%		634 90.2%	531 92.3%	-16%
Female	57 8.9%	57 8.9%		69 9.8%	45 7.7%	-36%
Total	639	639		703	575	-18%

Chart 1: Dane County Total Prison Admissions



A simple division of the 18-year time span is one way to consider trends. For the first 9-years from 2000 through 2008, Dane County sent on average 703 persons per year to adult prisons; for the subsequent 9-years, from 2009 through 2017, Dane County sent on average 575 persons per year to adult prisons, which is an 18% reduction from the prior 9-year period. (Table 1.)

On average, approximately 91% of adult prison admissions from Dane County are males, 9% are females over the entire study period 2000-2017. (Table 1.) Data on the age of persons admitted to adult prisons is not available on the DOC website.

II. Dane County Prison Admissions By Race

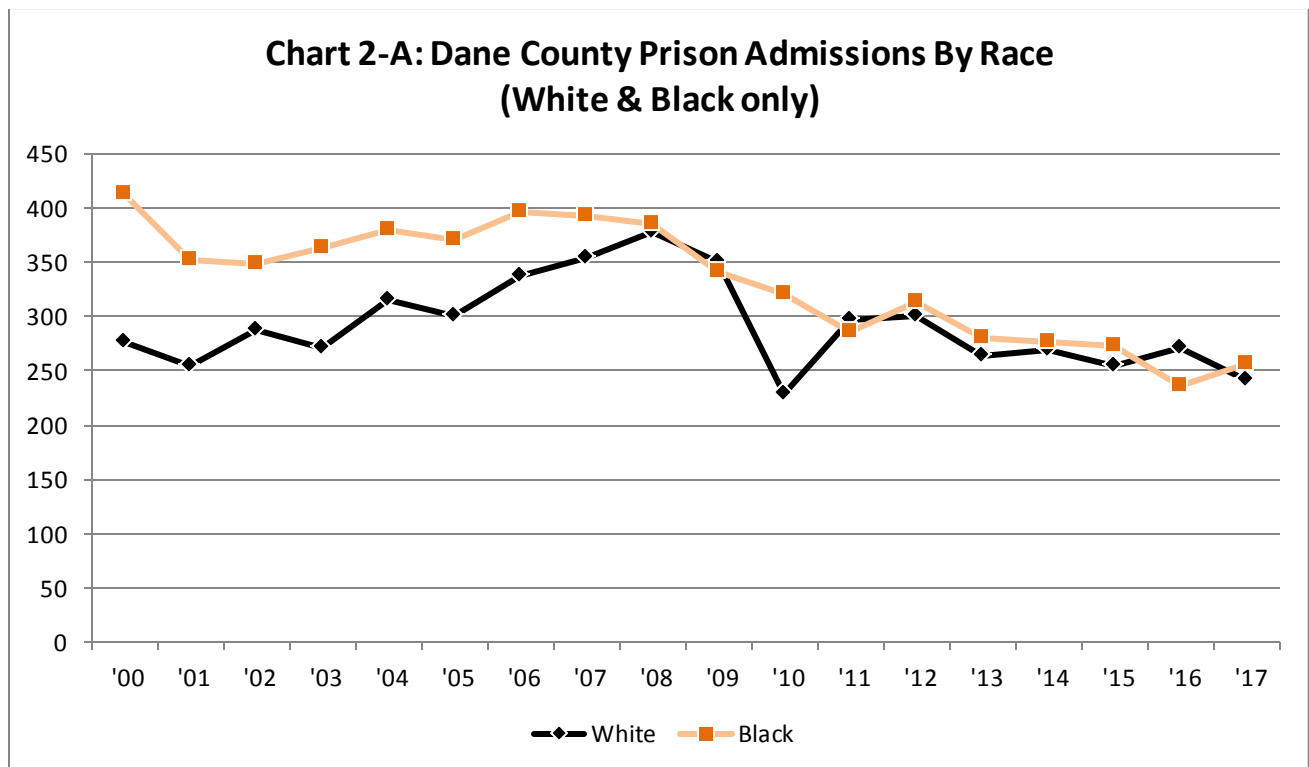
When considered by race, of the 509 persons from Dane County admitted to adult prisons in 2017, 256 (50.3%) were racially identified by DOC as Black, 241 (47.3%) were racially identified as White, 6 (1.2%) were identified as American Indian/Alaskan Native, and another 6 (1.2%) were identified as Asian/Pacific Islander. (Table 2, Charts 2-A & 2-B.) (Ethnicity, such as Hispanic/Latino, is not recorded in the DOC data.)

Table 2: Dane County Prison Admissions – By Race

	2000	2001	2002	2003	2004	2005	2006	2007	2008
White	277 39.2%	255 41.2%	287 44.2%	271 42.0%	316 44.4%	300 43.5%	337 44.60%	354 46.0%	377 48.0%
Black	412 58.3%	353 57.0%	349 53.7%	363 56.3%	380 53.4%	371 53.8%	397 52.6%	392 51.0%	386 49.2%
Am. Indian	10 1.4%	7 1.1%	12 1.8%	8 1.2%	10 1.4%	11 1.6%	12 1.6%	13 1.7%	18 2.3%
Asian	6 0.8%	4 0.6%	2 0.3%	3 0.5%	5 0.7%	6 0.9%	8 1.1%	9 1.2%	4 0.5%
Unknown	2 0.3%	0 0%	0 0%	0 0%	0 0%	2 0.3%	1 0.1%	1 0.1%	0 0%
Total	707	619	650	645	711	690	755	769	785

	2009	2010	2011	2012	2013	2014	2015	2016	2017
White	351 49.8%	229 40.9%	297 49.9%	300 47.5%	264 47.3%	270 48.2%	254 47.0%	271 52.4%	241 47.3%
Black	341 48.4%	320 57.1%	286 48.1%	314 49.7%	280 50.2%	276 49.3%	273 50.5%	236 45.6%	256 50.3%
Am. Indian	9 1.3%	7 1.3%	6 1.0%	9 1.4%	9 1.6%	10 1.8%	11 2.0%	5 1.0%	6 1.2%
Asian	4 0.6%	3 0.5%	6 1.0%	9 1.4%	5 0.9%	4 0.7%	3 0.6%	5 1.0%	6 1.2%
Unknown	0 0%	1 0.2%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Total	705	560	595	632	558	560	541	517	509

	2000-17 Average	2000-17 Median	2000-08 Average	2009-17 Average	% Change of Averages From 2000-08 to 2009-17
White	292 45.6%	282 44.0%	308 43.8%	275 47.8%	-11 %
Black	333 52.0%	345 53.8%	378 53.8%	287 49.9%	-24 %
Am. Indian	10 1.5%	10 1.5%	11.2 1.6%	8.0 1.4%	-29 %
Asian	5 0.8%	5 0.8%	5.2 0.7%	5.0 0.9%	-4.3 %
Unknown	0 0%	0 0%	0.7 0.1%	0.1 0%	-86 %
Total	639	642	703	575	-18 %



The number of persons racially identified as Black who were admitted to adult prisons from Dane County went from an average of 378 per year (from 2000-2008) down to an average of 287 per year (from 2009-2017), a 24% reduction. (Table 2.)

Over the same time periods, the number of persons racially identified as White who were admitted to adult prisons from Dane County went from an average of 308 per year (2000-2008) down to an average of 275 per year (2009-2017), a reduction of almost 11%. (Table 2.)

III. Correlation of Prison Admissions and Felony Case Filings

In general, only criminal felony cases result in an order for a person to be admitted to the Wisconsin State Prisons. If the number of criminal felony cases filed has declined over time, it should not be surprising to see a similar decline in prison admissions from the smaller number of cases filed.

From the date a felony case is filed, both the State and the defendant in the case are entitled to a number of procedural hearings in addition to an opportunity for the collection and exchange of evidence. Some cases require scientific testing of evidence and expert reports, which can be a time-consuming process. Every defendant in a felony case receives an initial appearance, a preliminary hearing, an arraignment, several pre-trial and status conference hearings, as well as an opportunity to present and have decided various evidentiary and Constitutional motions. If the case is not dismissed, every defendant is entitled to a trial or plea hearing. Finally, if there has been a conviction, there will be a sentencing hearing. Occasionally the Court and/or the parties will request a pre-sentence investigation with various reports and interviews of interested persons which easily adds 60 days or more to the time between conviction and the sentencing hearing.

The Director of State Courts for Wisconsin has established as an administrative goal that 85% of criminal felony cases be resolved within 180 days, and that 95% of felony cases be closed within 360 days. This time frame is measured beginning on the date of the defendant's initial appearance and concludes when the case is formally closed by the Clerk of Courts.

Using data collected from CCAP, Table 3 displays that from 2012 through 2016, Dane County Circuit Courts closed 61% of the felony cases within 180 days, and 91% of the felony cases within 360 days. The median age at disposition of a felony case ranged from 144 to 160 days. (Table 3.)

**Table 3: Dane County Felony Cases Age at Disposition
(Duration in Days from Initial Appearance to Closure)**

	Disposed Cases	Within 180 Days		Within 360 Days		Median Age at Disposition
2016	2604	1526	59%	2334	90%	160
2015	2531	1583	63%	2341	92%	146
2014	2355	1540	65%	2160	92%	144
2013	2366	1476	62%	2133	90%	147
2012	2227	1297	58%	2034	91%	157
Totals	12083	7422	61%	11002	91%	avg. 151

Practically speaking, there is no set length of time in a case for when an order for admission to the Wisconsin State Prison will be entered. Such an order could be very quickly after a case is filed, or it could be thousands of days later, such as in a case where the defendant may have absconded from bond for years or in a case where a prison sentence follows revocation of probation after several years. Because there is no set pattern, this enormous variation in time from initial appearance to an order to prison makes it essentially impossible to match groups of cases with particular calendar years of prison admissions.

Nevertheless, because it usually takes six to twelve months for a felony case to close, it would be unlikely that most of the cases filed in one calendar year would result in a prison admission that same calendar year. Likewise, because more than 90% of the felony cases close within one year from filing, most of the prison admissions for any given year were probably cases filed that year or the year before.

Acknowledging that it is far from precise, given how cases typically age and progress, it is reasonable to trace the number of prison admissions in one calendar year to the number of felony cases filed in the *prior* calendar year. For example, the number of prison admissions in 2017 are likely some factor related to the number of felony cases filed in 2016, and 2016 prison admissions are likely a factor related to felony cases filed in 2015, etc. (See Table 4.)

Table 4: Dane County Felony Cases Filed and Prison Admissions

Year	Felony Cases Filed	Prison Admission	Year	% (Prison Admissions ÷ Prior Year Felony Cases)
1999	2,940			
2000	2,738	707	2000	24 %
2001	2,804	619	2001	23 %
2002	3,035	650	2002	23 %
2003	2,945	645	2003	21 %
2004	2,835	711	2004	24 %
2005	2,949	690	2005	24 %
2006	2,986	755	2006	26 %
2007	2,471	769	2007	26 %
2008	2,379	785	2008	32 %
2009	2,042	705	2009	30 %
2010	2,179	560	2010	27 %
2011	2,411	595	2011	27 %
2012	2,405	632	2012	26 %
2013	2,467	558	2013	23 %
2014	2,595	560	2014	23 %
2015	2,810	541	2015	21 %
2016	2,671	517	2016	18 %
		509	2017	19 %
18-Year Average	2,648	639	18-Year Average	24 %
1999-2007 Avg.	2,856	703	2000-2008 Avg.	24.6 %
2008-2016 Avg.	2,440	575	2009-2017 Avg.	23.6 %
Change	-416	-128	Change	
	-14.6 %	-18.2 %		

Chart 4-A depicts the number of felony cases filed in Dane County in a linear graph, showing the number of cases filed from 1999 through 2016. The highest number of felony cases was 3,035 filed in 2002, while the lowest number of felony cases was 2,042 filed in 2009. Like the number of prison admissions, the number of felony cases filed generally trends downward over the past 18 years in Dane County.

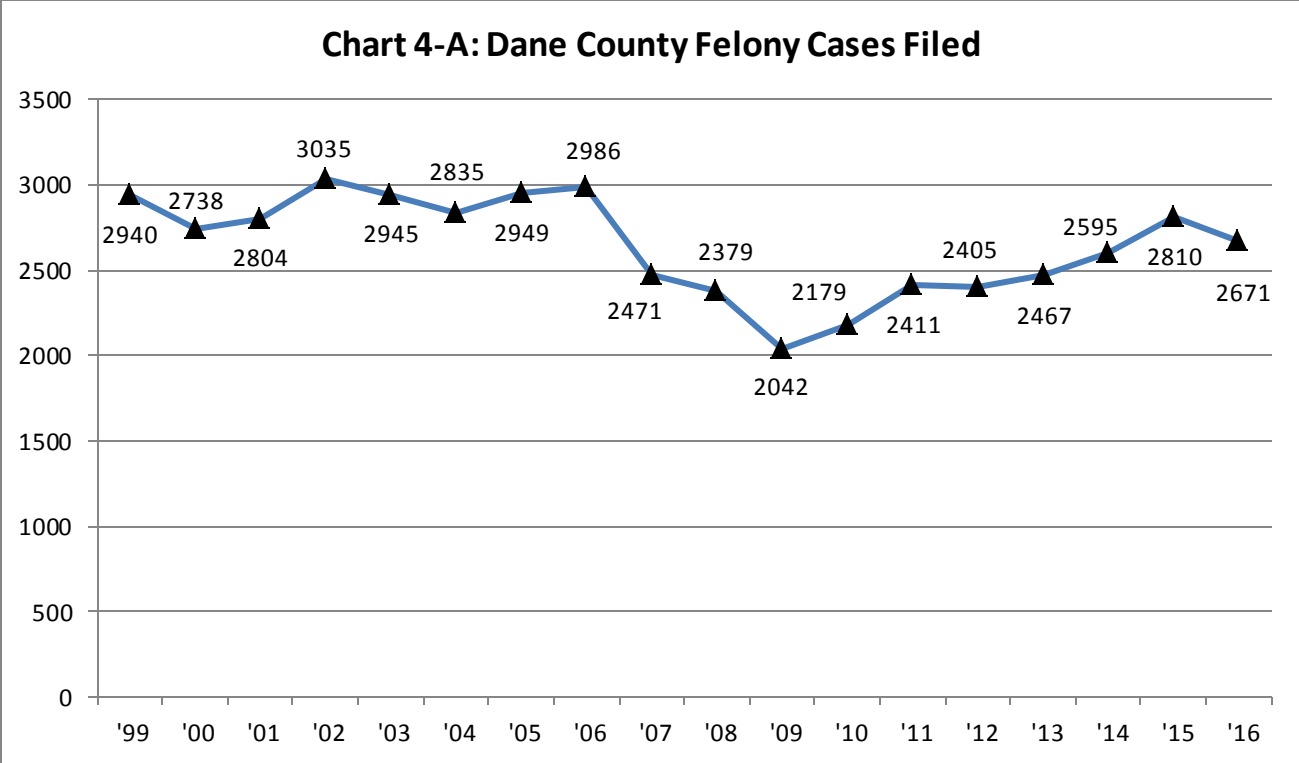


Chart 4-B presents the number of prison admissions from Dane County in a linear graph marked on top of a bar graph of the *prior* year's number of felony cases filed, which is basically Chart 1 and Chart 4-A combined.

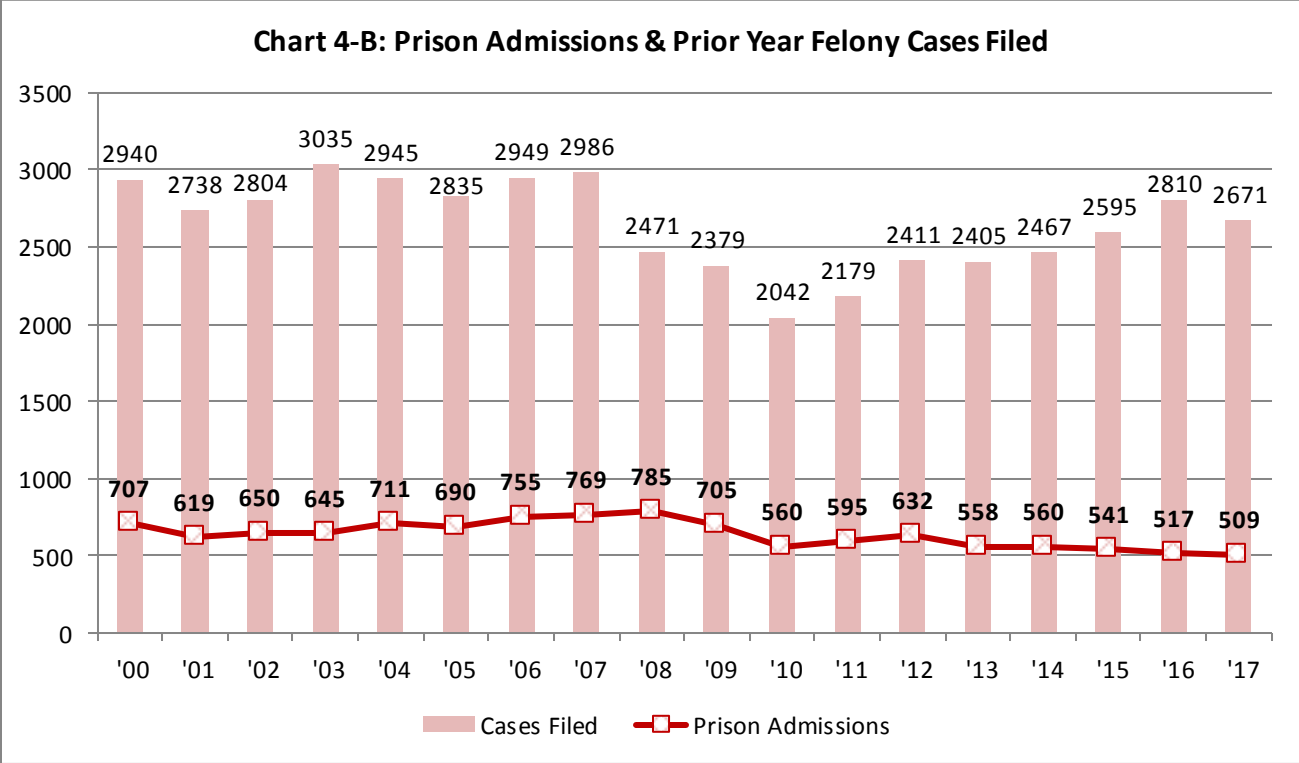
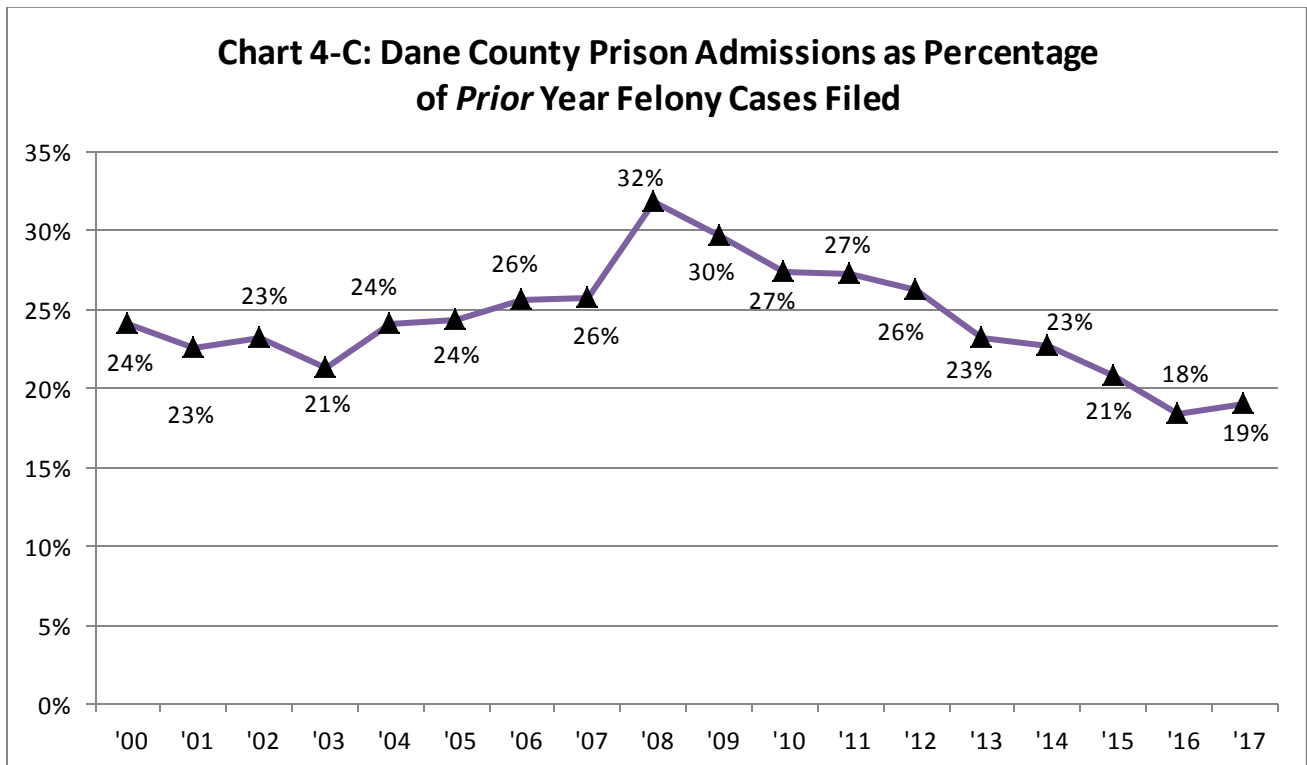


Chart 4-C shows in linear format Dane County prison admissions as a percentage of *prior* year felony cases filed (see Table 4 right-most column). This chart attempts to determine if the number of prison admissions in one calendar year correlates in some obvious way with the number of felony cases filed in the prior calendar year.

As noted already, both data sets have general downward trends. Chart 4-C reveals, however, that, as a percentage of felony cases filed in the prior year, prison admissions from Dane County have declined more significantly in the past five years.

For five years from 2013 through 2017, prison admissions from Dane County averaged 20.8% of felony cases filed in the prior year. For the five years before then, from 2008 through 2012, prison admissions averaged 28.5% of felony cases filed in the prior year. For the five years before then, from 2003 through 2007, prison admissions averaged 24.2% of felony cases filed in the prior year. Chronologically, the 5-year-average of prison admissions as a percentage of felony cases filed in the prior year go from 24.2% to 28.5% then down to 20.8%.

These shifts show that the number of felony cases filed may well be a factor in the declining number of prison admission from Dane County, but also show it is probably not the only factor.



Intuitively it still seems reasonable to expect that fewer felony cases filed will result in fewer prison admissions. The precise relationship is complicated, however, and the data in this report seems to indicate that fewer case filings is not the only explanation for fewer prison admissions. Additional research and investigation is needed to better understand all of the factors that might be contributing to the data reported here.

IV. Dane County Prison Admissions Compared to Other Counties

Even if it is difficult to entirely explain *why* Dane County prison admissions have declined, it might be informative to consider whether these trends are similar to or different than trends from other Wisconsin counties.

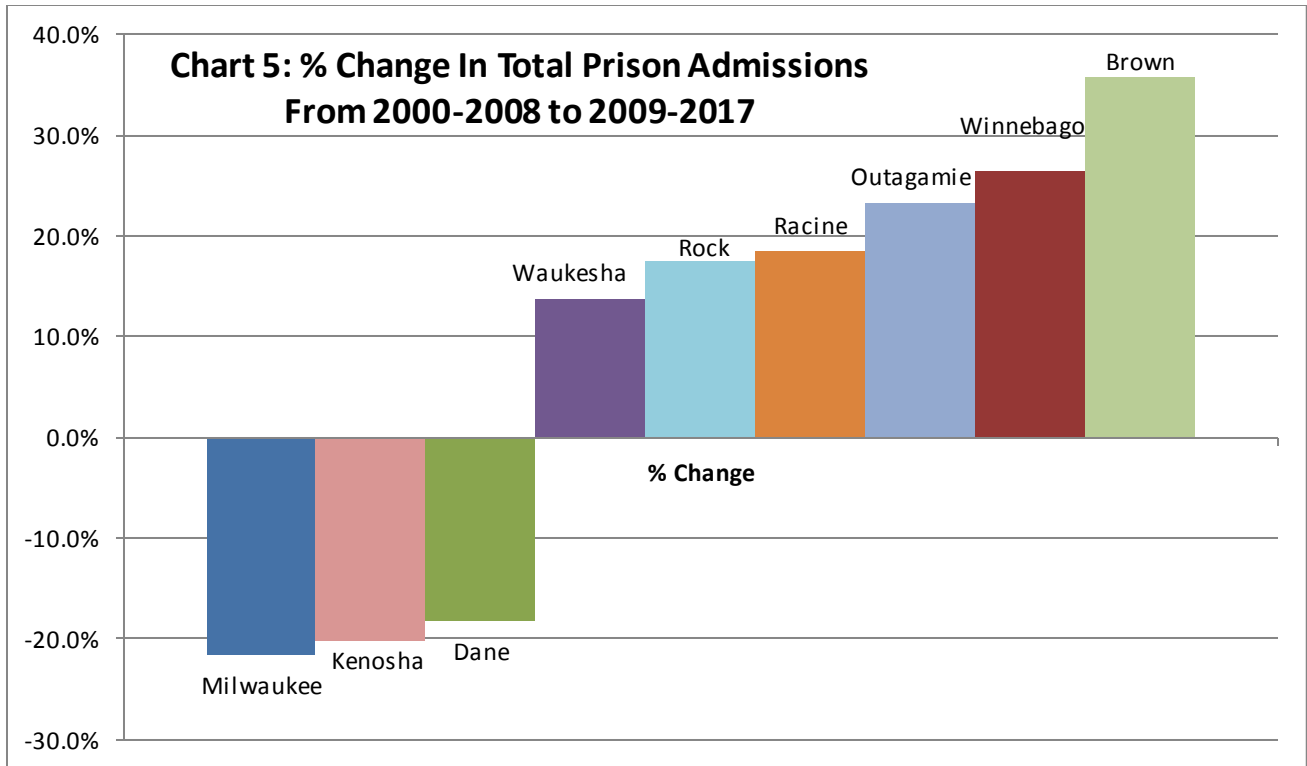
In order of population size, the nine most populous counties in Wisconsin are Milwaukee, Dane, Waukesha, Brown, Racine, Outagamie, Winnebago, Kenosha and Rock. Collectively, over the past 18 years these nine counties have been responsible for 2 out of 3 prison admissions (66%) for the entire annual Wisconsin prison admissions. Milwaukee County alone is generally the origin of 31% of total Wisconsin prison admissions. Dane County averages approximately 7% of the total Wisconsin prison admissions, but last year sent just 5.4% of the total Wisconsin prison admissions.

As can be seen in Table 5 and Chart 5, among the nine most populous counties, only Milwaukee, Dane and Kenosha Counties (when divided into two nine-year sets, over the past 18 years) have downward trends in total prison admissions. For total prison admissions, Milwaukee County reduced admissions 21.7%; Kenosha reduced 20.2% and Dane County reduced 18.2%.

The other six most populous counties, Waukesha, Brown, Racine, Outagamie, Winnebago and Rock Counties, have all seen double digit percentage increases in total prison admissions for the past 9 years (2009-17) compared to the 9 years prior (2000-08). (Table 5 and Chart 5.)

Table 5: Total Prison Admissions County Comparisons

	Milwaukee	Dane	Waukesha	Brown	Racine	Outagamie	Winnebago	Kenosha	Rock
2000	3529	707	332	290	392	135	133	494	223
2001	3433	619	327	255	324	161	161	493	225
2002	2497	650	352	268	360	166	171	534	221
2003	2691	645	367	278	287	152	142	426	225
2004	3616	711	416	278	548	178	161	519	273
2005	3090	690	382	363	573	223	215	495	291
2006	3320	755	441	408	558	205	213	545	336
2007	3693	769	455	403	615	222	211	585	298
2008	3103	785	494	496	605	253	250	506	338
2009	2794	705	449	471	602	247	224	478	406
2010	2675	560	460	448	656	240	237	425	314
2011	2464	595	473	461	568	247	231	386	289
2012	2190	632	410	373	581	223	257	388	303
2013	2481	558	474	460	546	200	203	357	301
2014	2512	560	467	487	493	208	218	398	291
2015	2471	541	436	441	526	223	238	396	317
2016	2643	517	434	484	546	248	248	397	309
2017	2467	509	452	500	530	253	240	442	326
Average	2,871	639	423	398	517	210	209	459	294
2000-2008	3,219	703	396	338	474	188	184	511	270
2009-2017	2,522	575	451	458	561	232	233	407	317
Total Difference from 2000-08 to 2009-17	(697)	(128)	54	121	87	44	49	(103)	47
% Change from 2000-08 to 2009-17	-21.7%	-18.2%	13.7%	35.7%	18.4%	23.2%	26.5%	-20.2%	17.5%



With respect to race of persons admitted to prison, like Dane, both Milwaukee and Kenosha Counties reduced prison admissions for both White and Black defendants. (Tables 6 & 7, and Charts 6 & 7.)

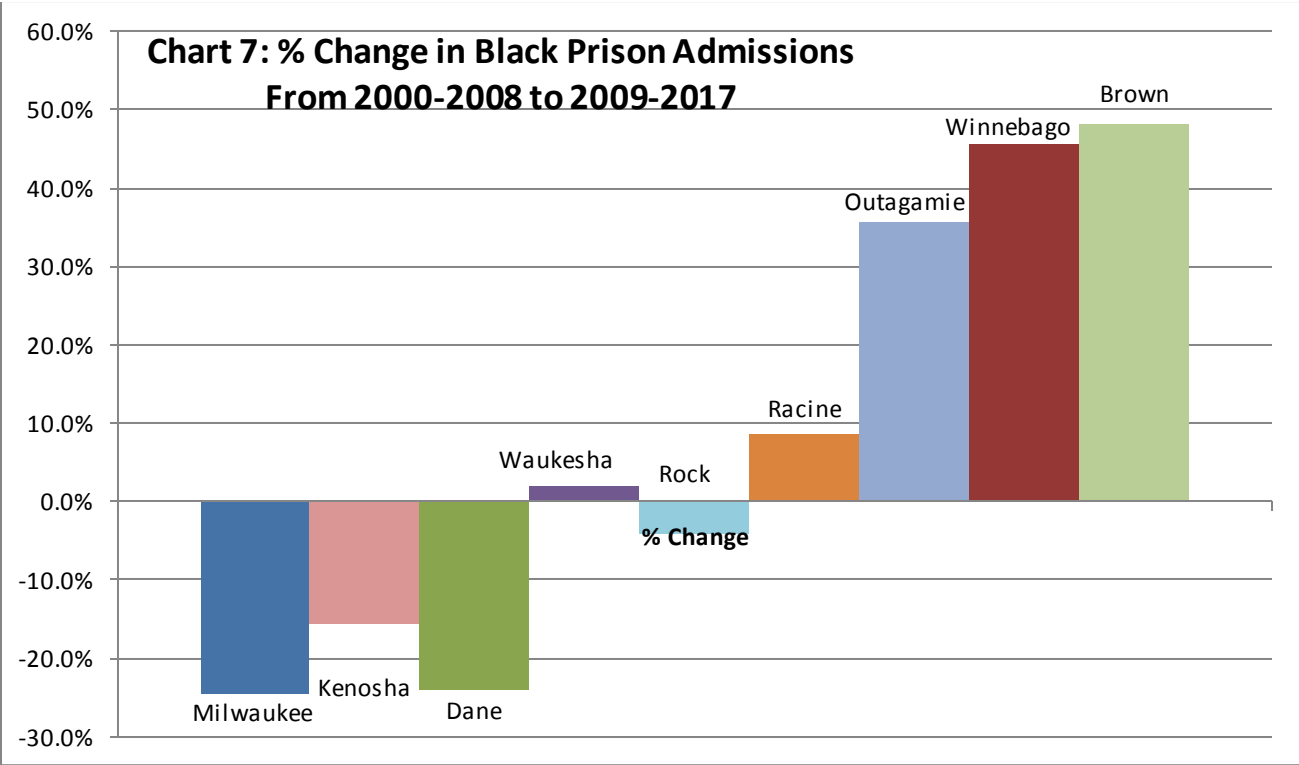
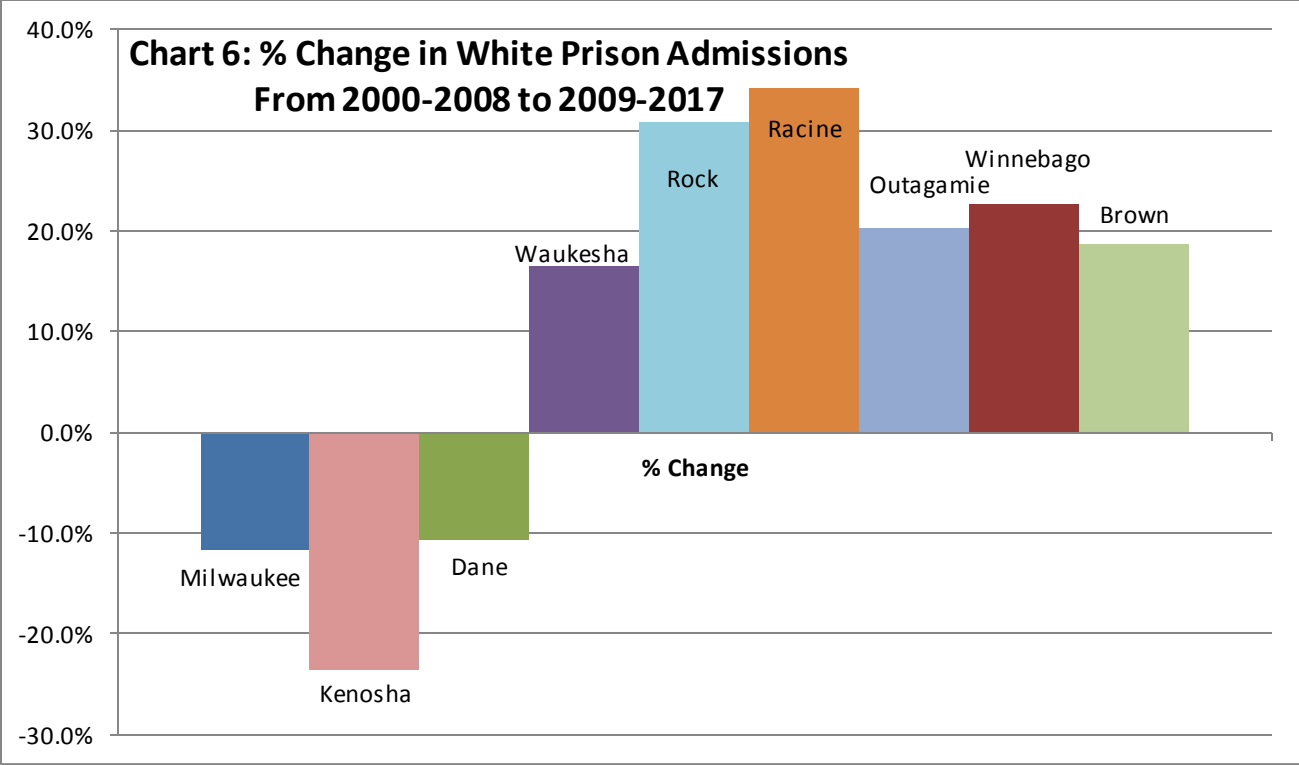
Except for Rock County, the other top-population Wisconsin counties increased both Black and White prison admissions over the past 9 years; Rock County decreased Black prison admissions by 4.3%, but increased White prison admissions by 30.8%, resulting in a net total prison admission increase of 17.5%. For the same 9-year period comparison, Brown County increased Black prison admissions 48.2% and White prison admissions 18.6%, for a net increase of 35.7% in total prison admissions. (Tables 6 & 7, and Charts 6 & 7.)

Table 6: White Prison Admissions County Comparisons

	Milwaukee	Dane	Waukesha	Brown	Racine	Outagamie	Winnebago	Kenosha	Rock
2000	766	277	262	182	147	106	107	266	122
2001	770	255	247	159	134	120	138	288	100
2002	564	287	269	268	145	130	127	295	117
2003	577	271	290	177	112	108	118	242	113
2004	820	316	340	161	209	129	128	295	148
2005	730	300	305	231	223	153	184	280	137
2006	815	337	340	210	201	142	156	309	191
2007	840	354	354	208	239	143	155	342	171
2008	713	377	373	272	245	165	178	287	175
2009	690	351	349	247	275	173	162	267	242
2010	703	229	362	231	276	155	172	247	183
2011	620	297	390	232	255	179	166	211	188
2012	562	300	327	192	255	159	204	225	179
2013	670	264	380	277	235	133	158	186	187
2014	662	270	387	265	220	141	178	217	105
2015	682	254	341	231	233	158	186	208	196
2016	642	271	336	259	248	161	182	205	196
2017	590	241	368	282	223	179	177	224	190
Average	690	292	334	227	215	146	160	255	163
2000-2008	733	308	309	208	184	133	143	289	142
2009-2017	647	275	360	246	247	160	176	221	185
Total Difference from 2000-08 to 2009-17	(86)	(33)	51	39	63	27	33	(68)	44
% Change from 2000-08 to 2009-17	-11.7%	-10.7%	16.5%	18.6%	34.1%	20.2%	22.8%	-23.6%	30.8%

Table 7: Black Prison Admissions County Comparisons

	Milwaukee	Dane	Waukesha	Brown	Racine	Outagamie	Winnebago	Kenosha	Rock
2000	2691	412	62	60	242	13	21	222	97
2001	2607	353	66	51	188	22	17	204	125
2002	1885	349	79	53	213	21	33	232	103
2003	2085	363	73	49	171	28	22	179	109
2004	2720	380	66	57	336	29	29	220	124
2005	2305	371	66	86	346	48	26	209	150
2006	2435	397	83	110	352	39	50	230	142
2007	2784	392	88	129	369	51	47	236	120
2008	2333	386	106	140	351	57	59	206	158
2009	2055	341	85	134	325	49	49	209	159
2010	1923	320	84	133	377	63	60	173	130
2011	1805	286	74	126	304	46	57	172	96
2012	1589	314	74	96	323	36	48	159	121
2013	1780	280	82	113	308	45	41	165	112
2014	1803	276	66	132	265	39	36	175	105
2015	1755	273	81	119	289	40	42	183	118
2016	1952	236	90	122	291	60	56	187	111
2017	1841	256	67	114	305	40	54	212	128
Average	2,130	333	77	101	298	40	42	199	123
2000-2008	2,427	378	77	82	285	34	34	215	125
2009-2017	1,834	287	78	121	310	46	49	182	120
Total Difference from 2000-08 to 2009-17	(594)	(91)	2	39	24	12	15	(34)	(5)
% Change from 2000-08 to 2009-17	-24.5%	-24.1%	2.0%	48.2%	8.5%	35.7%	45.7%	-15.6%	-4.3%



V. Conclusion and Several Questions For Additional Research

Data maintained by the Wisconsin Department of Corrections shows that prison admissions from Dane County have declined over the past 9 years. This trend is also seen in DOC data for Milwaukee and Kenosha Counties, but not in the other six most populous Wisconsin counties.

The number of felony cases filed in Dane County Circuit Courts have also declined over the past nine years, but how this correlates with reductions in prison admissions is difficult to determine.

Several additional areas for further study:

How can we determine what ***other factors***, in addition to declining number of felony cases filed, are likely contributing to lower prison admissions from Dane County?

What is happening in the courts and the communities of Wisconsin counties where prison admissions appear to be declining, versus those counties where prison admissions appear to be increasing?

What factors influence prison admissions from Dane County, and are they the same as or different from the factors that influence similar declining prison admissions from Milwaukee and Kenosha Counties?

How do ***average daily populations in the respective county jails*** influence and/or compare to prison admissions?

With a Black population of around 6%, what is happening in Dane County courts and communities that result in more than 50% of the prison admissions being persons racially identified as Black, even as overall prison admissions seem to be declining?

What are the prison admission rates from Dane County for persons with ***Hispanic/Latino ethnicity***? How can we consistently and accurately track ethnicity data?

Are the ***length of prison sentences*** in Dane County changing over time? And how do the lengths of sentences from Dane County compare to other Wisconsin counties?

Given our current structure for bifurcated prison sentences, (where some portion is incarceration and another portion is community supervision), is there a relationship between the length of the prison sentence and the number of total prison admissions from a particular county, especially when admissions from either ***Revocation Only and Revocation with a New Sentence*** account for 60% of annual prison admissions in Wisconsin?

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