

A State Corrections System for 2033

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The American prison system goes back to 1785 in Massachusetts. Historically, prison conditions in America are not a pretty picture. It was not until 1965 with President Johnson's *Commission on Law Enforcement and the Administration of Justice* that our country began to look at reforming the prison system. Sadly, little has been done. In 1977 the *United Nations Standard Minimum Rules for the Treatment of Prisoners* were adopted. In 2020, the UN found the United States "in flagrant violation of these rules."

I have been engaged with the Wisconsin prison system since 1998 in a variety of capacities: planning and participating in job fairs, graduation speeches, part of cognitive change programs, and interagency collaboration initiatives. Sadly, Wisconsin continues to spend an enormous amount of taxpayer dollars on a system that is inhumane and a vicious cycle for those caught up in it. We are also wasting valuable human resources at a time of workforce shortages statewide. The current situation at the Green Bay and Waupun prisons has been gaining a lot of media attention. Staffing shortages and aging facilities are exacerbating already unacceptable conditions.

The Green Bay Correctional Institution (GBCI), originally built for 750, houses 1000 men, and each man stays there at an annual cost of about \$35,000. That totals \$35 million; the *actual* cost is around \$45 million to keep a century-old facility from crumbling. The men living there have been effectively on lockdown mode for more than a year, and most programs are suspended.

Wisconsin Department of Corrections operates 36 adult correctional facilities housing 21,000 men and women. Another 65,000 men and women are on community supervision (i.e., probation and parole). So I ask, "What is the single biggest reason that people are sentenced to prison in Wisconsin?" Seriously, stop and think about the answer before reading further.

The answer is: Revocation. Individuals go to prison for violating a condition of their probation or parole which might not entail committing another crime. As an example, a friend of mine was stopped for DWB (Driving While Black—which is a real thing!) and a breathalyzer test showed he had had one beer, a violation of his probation. Back to prison he went. People get trapped in this system.

Wisconsin Department of Corrections (DOC) reports that, while about 9,000 people are released annually from state prisons, positive interventions toward rehabilitation and hope for a better life are stymied. In August 2022, a top DOC official provided the following annual program information about services being offered inside state facilities:

Anger Management Training enrollments: 134
Waiting list: 4,789

Cognitive Behavioral Change Training enrollments: 784
Waiting list: 10,108

Domestic Violence Intervention Training: 55
Waiting List: 2,527

Sex Offender Treatment: 171
Waiting list: 3,520

Substance Abuse Disorder Treatment: 914
Waiting list: 9,851

Clearly we are housing “justice-impacted individuals” (the current PC language) but not providing the treatment and services they require to be successful upon release. Somewhere around 95% of the people in our state prisons are eventually released. The cost to the taxpayers with the current system, both while prisoners are incarcerated and after their release, is enormous.

So, in view of continuing labor shortages in Wisconsin, what might a better corrections system look like?

The University of Cincinnati Corrections Institute (UCCI) has been a leader in studying and developing “Core Correctional Practices” that are evidence-based and demonstrate real success in reducing recidivism. The intensive research conducted by UCCI has provided significant and validated information about what a more effective justice system would look like. Among the key findings are:

1. Success starts with focusing resources on those with highest risk of reoffending. Mixing high and low risk individuals in programs has shown increased recidivism in the low risk group! Wisconsin currently uses a validated instrument, COMPAS, to determine risk levels.
2. The level of “dosage,” (i.e., program interventions) makes a difference. Studies show that high-risk individuals require at least 200 dosage hours. The theory is that it takes engagement and practice to develop new skills for living.
3. High-risk individuals have multiple needs, but the central focus of treatment needs to be on anti-social cognition, anti-social personality patterns, and anti-social associates. In other words, criminogenic thinking leads to criminal behavior. Interventions based on cognitive-behavioral and social learning theories are most effective with justice impacted individuals.

UCCI has developed and promulgated a 50-hour program using a structured learning approach that has had demonstrated success in changing criminogenic thinking and the behaviors based on it. It is *not* being used in our prisons.

The UCCI data aligns with a 2023 study from San Diego State University, which offers a degree in criminal justice, identifying current trends in the field. These include:

- Focus on rehabilitation
- Technology and innovation
- Increased focus on mental health
- Restorative justice
- Increased attention to racial equity

Another successful program I have personally observed over my years of experience in working with Wisconsin DOC is the existing work release program in which incarcerated individuals are released during the day for real jobs in the community. That work release system has capacity for about 1,550 individuals although only a percentage of them actually have work assignments. This is different from internal work

assignments which pay only pennies per hour. My friend, Joe Hilke, formerly Human Resources Manager at a large manufacturer in Green Bay, used to hire as many people from the Sanger B. Powers work release center in Oneida as he could get. And he was pleased with the results, usually hiring the workers upon release if they were released into the local community. (DOC Release rules are another complicating issue.)

Work release benefits everyone involved. Employers, who are having difficulty finding any workers – let alone reliable ones – have people delivered to their facilities each day who are ready and eager to work. There is a DOC supervisor to address issues at the workplace. The workers are paid standard community wages, allowing them to build financial resources to tap upon release. The money can also go toward child support obligations, restitution, and reimbursing the costs of incarceration. Consider this: 50 fulltime workers making \$15/hour would earn \$1.56 million dollars annually! They would pay federal and state taxes in addition to addressing the obligations above. And, in this labor market, no one would be displaced. Employers also earn the Work Release Tax Credit (WORC) as an incentive.

In 2018 I was invited to the Green Bay prison to give a graduation speech for men who had achieved a high school diploma. At the ceremony, four young men from the prison came in to sing to celebrate the occasion. I spoke with one of those young men to compliment them on their singing, and I asked him when he would be released. He looked right at me and said, "2057." That means that taxpayers will spend more than \$1.4 million to incarcerate this one individual. We can do better.

I believe that investment in research validated treatment programs and expansion of the current work release program in the state are the keys to a more effective future justice system. A focus on cognitive and behavioral change and other treatment for drug and alcohol addiction, combined with real opportunities to be productive citizens, should become features of our state corrections system.