

A close-up photograph of a wooden gavel resting on a white document. The document has the word "Rehabilitation" written on it in a large, black, serif font. The gavel is made of dark wood and is positioned diagonally across the frame. The background is a bright yellow with white wavy lines.

Rehabilitation

HEALTHIER LIVES, STRONGER FAMILIES, SAFER COMMUNITIES
HOW INCREASING FUNDING FOR ALTERNATIVES TO PRISON
WILL SAVE LIVES AND MONEY IN WISCONSIN
NOVEMBER 2012



EXECUTIVE SUMMARY

Jail is like a criminal school. – Formerly imprisoned Wisconsin man

HEALTHIER LIVES, STRONGER FAMILIES, SAFER COMMUNITIES

Increased investment by Wisconsin in problem-solving courts and other programs to keep low-risk, non-violent offenders out of prison would likely reduce crime, strengthen families and communities, improve public health and begin to correct racial inequities in the state criminal justice system, according to a wide-ranging study of the impacts of alternatives to incarceration. More funding for prison alternatives is also likely to reap significant savings on public safety, health care and social services.

Human Impact Partners, in collaboration with WISDOM, conducted a year-long Health Impact Assessment from October 2011 – October 2012 of the predicted results of increasing funding for state Treatment Alternative Diversion (TAD) programs. These programs include drug and alcohol treatment courts, day reporting centers, mental health treatment courts and other initiatives, all based on the principle that public health issues, such as substance abuse and mental health problems, are at the root of many crimes.

TAD pilot programs were established in seven Wisconsin counties in 2007, but currently get less than \$1 million a year in state funding. The pilot programs have been highly effective at reducing prison recidivism as well as treating substance abuse and mental health issues, but they barely scratch the surface of statewide need. As Wisconsin Circuit Court Judge Lisa Stark notes, in Eau Claire County, “For every one person that we treat now through these (alternative diversion) methods, there are 10 more who could be eligible but instead get sent to prison due to lack of resources.”

But the human impacts – prison terms avoided, families kept intact, lives given a second chance – are only part of the story. *Alternatives to prison will make Wisconsin safer and also save Wisconsin money.*

PRISON IS FOUR TIMES MORE COSTLY THAN TREATMENT

According to the Wisconsin Department of Corrections, the average cost of putting someone behind bars for one year is about \$32,000. But a state report³ evaluating TAD’s first four years found that even in the most expensive alternative programs, the average annual cost per participant is \$7,551. The Wisconsin Office of Justice Assistance estimates that every dollar spent on treatment alternative programs saves almost \$2 in criminal justice costs. By that yardstick alone, increased investment of \$75 million in alternatives to prison would yield an annual savings of almost \$150 million.

Human Impact Partners’ research team included advisors from the state Public Defender’s Office, University of Wisconsin Population Health Sciences, and Community Advocates Public Policy Institute. The team conducted an exhaustive survey of peer-reviewed studies and existing data, including on-the-ground results from the seven Wisconsin counties with TAD pilot programs and the more than 2,500 alternative courts nationwide. HIP also conducted focus groups with former prisoners, non-violent offenders enrolled in TAD programs, judges and others in the criminal justice, social services and public health systems.

For every one person in our county we treat now through these methods, there are 10 more who could be eligible but instead get sent to prison due to lack of resources.

– Treatment court judge

¹ **Human Impact Partners (HIP)** is a non-profit, non-partisan organization in Oakland, Calif., that conducts Health Impact Assessments, a research tool that uses data, original investigation and stakeholder input to determine a policy or project’s impact on the health of a population.

² **WISDOM** is a Wisconsin grassroots network of about 145 religious congregations of 19 different faith traditions who work together to speak as a common voice on issues of social justice.

³ **Treatment Alternatives and Diversion (TAD) Program: Advancing Effective Diversion in Wisconsin.** Wisconsin Office of Justice Assistance, Wisconsin Department of Corrections and Wisconsin Department of Health Services, December 2011.

\$75 MILLION FOR WISCONSIN TAD PROGRAMS		
Impact	TAD Program Effect	Projected Outcome
REDUCE COST	Decrease prison admissions	3,100 (nearly 40%) of the 8,000 prison admissions each year will be eligible for TAD programs
	Decrease jail admissions	21,000 (nearly 10%) of the 227,000 jail admissions each year will be eligible for TAD programs
	Decrease re-incarceration	Recidivism would be 12% - 16% lower for non-violent offenders in TAD programs
REDUCE CRIME	Decrease recidivism	20% fewer crimes would be committed by participants in TAD programs (1,100 fewer crimes over 5 years)
INCREASE RECOVERY	Improve access to treatment	All eligible offenders would have access to drug court treatment programs
	Improve efficacy of treatment	Drug court participants would have double the rate of recovery than those in minimal treatment
STRENGTHEN FAMILIES	Increase number of families that remain intact	Between 1,150 – 1,619 parents could stay out of prison and receive treatment
IMPROVE ECONOMIC OPPORTUNITY	Increase likelihood of employment	13% more non-violent offenders with substance abuse issues would be employed

We found strong evidence of an array of likely benefits from increased funding. We are confident in predicting that by raising funding for prison alternatives to \$75 million a year, Wisconsin is likely to:

- **Reduce the prison and jail population.** In September 2012, 21,713 people were in Wisconsin state prisons – 4,600 more than the facilities’ permitted capacity. Of the approximately 8,000 people sent to prison in the state each year, at least 3,115 would be eligible for alternative diversion programs. Of the approximately 227,000 jail admissions per year, about 21,000 would be eligible.
- **Reduce crime.** Graduates of alternative programs commit fewer crimes than ex-prisoners. We project that 20 percent fewer crimes would be committed by the low-risk, non-violent offenders who qualify for expanded TAD programs. Over five years, this would mean about 1,100 fewer crimes committed in Wisconsin.
- **Make Wisconsin safer.** TAD programs are not designed for those who pose a danger or serious threat to others in the community, and graduates of TAD programs are less likely to commit another crime. Expanded TAD programs will not mean fewer violent criminals behind bars. On the contrary, it will let the law enforcement system focus on preventing violent crime.
- **Improve recovery from substance abuse.** Drug offenders and drunk drivers accounted for 80 percent of the growth in Wisconsin prisons since 1996. Drug courts are six times more likely than prison programs to keep offenders in treatment long enough for them to get better.
- **Improve mental health.** Mental health courts, which focus on diagnosing and treating disorders that can lead to crime, have been found to reduce the future likelihood of psychiatric hospitalization and jail time for graduates of their programs.
- **Keep ex-offenders from returning to prison.** After just two years, only half of those released from Wisconsin prisons successfully reintegrate into society, but more than 80 percent of graduates from TAD programs do not return to jail or prison.
- **Strengthen families.** Increased TAD funding would mean that between 1,150 and 1,619 Wisconsin parents would not be imprisoned each year, meaning fewer single-parent families, fewer children placed in foster care and brighter futures for the children of offenders.

“DRUG COURT SAVED MY LIFE”

In focus groups held in Milwaukee and Madison, we asked offenders enrolled in TAD programs, judges and social service providers what they want those who set state policy to know. Resoundingly, they all wanted decision-makers to get the fact that alternatives are cheaper than prison and better at protecting public safety. They said that alternatives to prison are better for offenders, their families, and their communities. Said one judge:

Alternatives to incarceration save money and save lives . . . It's much cheaper to treat people than to lock them up, and you have better outcomes. There is less recidivism, fewer victims, and less use of the justice system. You end up with contributors to society and all of the benefits of that.

One ex-offender said simply: “Drug court saved my life.”

The impact of prison on families is also heart-wrenching.

In our focus groups, parents who had been prisoners reported feeling like failures, and missing large portions of their children's lives. Most also reported that their children had cut off all contact for a portion of time, or forever. In some cases, parents lost custody of children due to the substance abuse and mental health issues that led to their crimes. One judge said: “Keeping kids with parents, even if they're not the best parents, as long as they are safe – the outcomes are always better to remain with parents.”

Tragically, parents who go to prison also endanger their children's life prospects: Studies have found that children with parents in prison are significantly more likely to fail at school or drop out, and nearly half of boys who before age 10 had a parent imprisoned were convicted of a crime as adults.

RECOMMENDATIONS

Based on the overwhelming evidence, the Health Impact Assessment research team and Advisory Committee make these recommendations.

- Beginning in FY 2013, expand state funding of TAD programs to \$75 million a year.
- Allocate an additional \$20 million per year to TAD programs statewide to improve mental health, jobs, substance abuse, and family services.
- Redefine eligibility criteria for TAD programs to include those who have their parole revoked, those with serious substance abuse or mental health issues, and create a sliding risk assessment of addiction and ensuring that all racial groups are given proportional access to their involvement in the criminal justice system.
- Give parents priority access to TAD program slots.
- Continue to conduct annual standardized statewide evaluations of all problem solving courts and diversion programs with more detailed outcome measures.⁴

To read the full Health Impact Assessment, go to www.prayforjusticeinwi.org

To learn more about Treatment Instead of Prison in Wisconsin, contact David Liners at davidl_wisdom@sbcglobal.net

To learn more about this Health Impact Assessment, contact Kim Gilhuly at kim@humanimpact.org

⁴For a complete list of recommendations and further explanation, see Chapter 6.