

# **Health Effects of Wisconsin's Incarceration Policies and Practices**

**Using Health Impact Assessments (HIAs) to Address  
Health Inequities Caused by High Incarceration Rates**

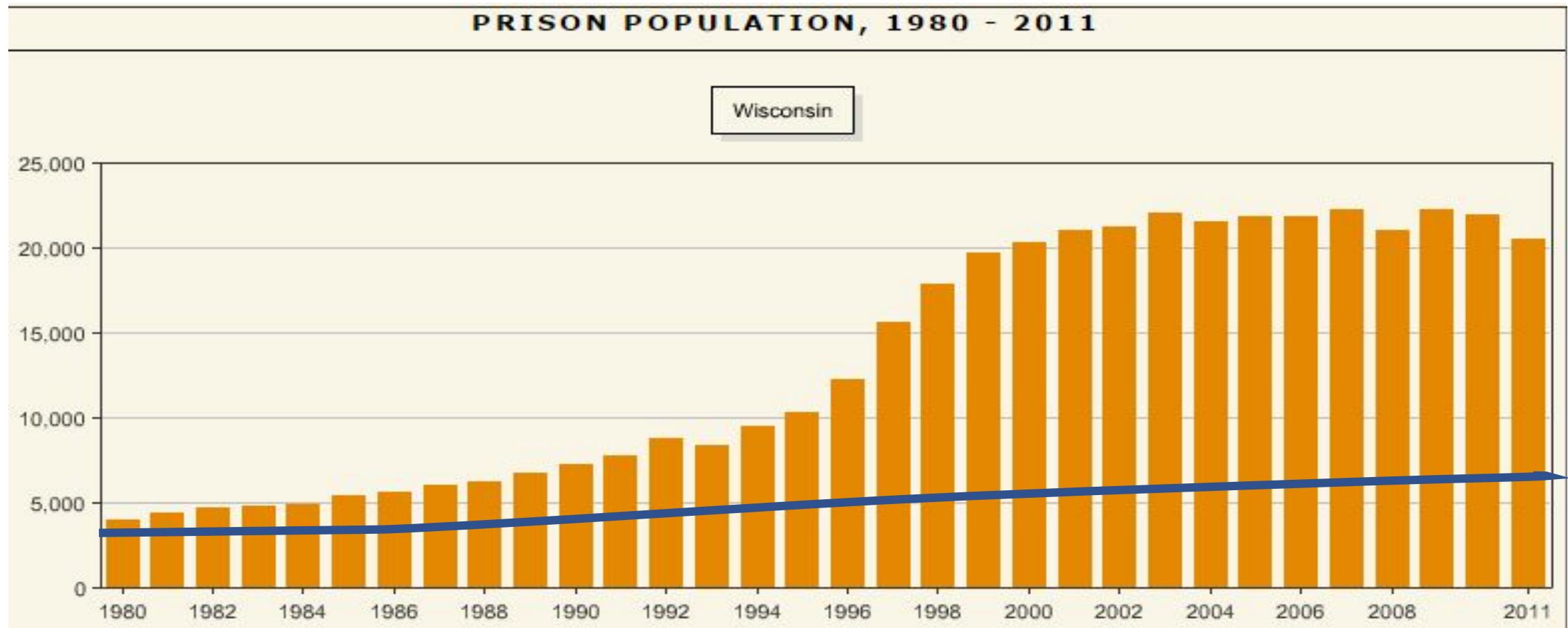
**Geoffrey R. Swain, MD, MPH  
UW School of Medicine & Public Health**

**Revocations HIA Funding Provided By:  
The W.K. Kellogg Foundation, and  
The UW School of Medicine and Public Health  
from the Wisconsin Partnership Program**

# Overview

- What brings me to this work
- Intro to connections between incarceration and health
- Overview: what's a Health Impact Assessment (HIA)?
- Summary of 2012 HIA re WI TAD programs
- Review of 2016 HIA re “crimeless revocations”: findings and recommendations
- Responses by Carl Fields and Bill Lipscomb
- Discussion

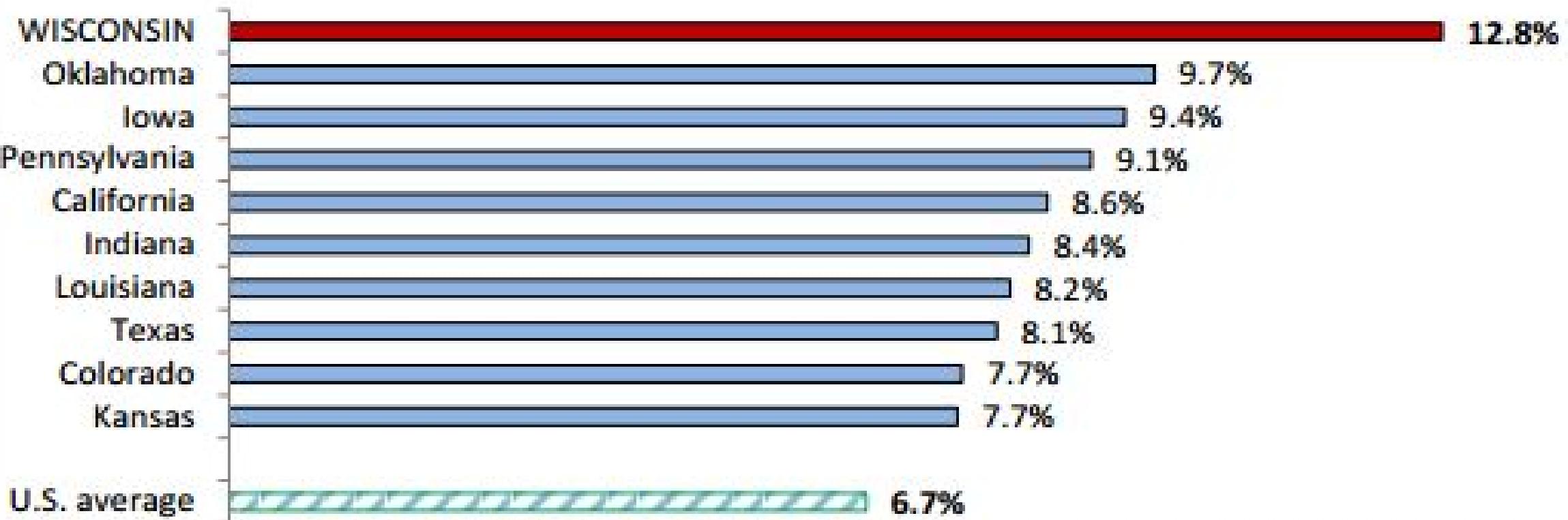
# Incarceration in Wisconsin



Trends in Wisconsin's prison population increase compared to overall population increase.

# Incarceration Inequities in Wisconsin

## Ten Worst States for Incarceration of African American Men (2010 U.S. Decennial Census)



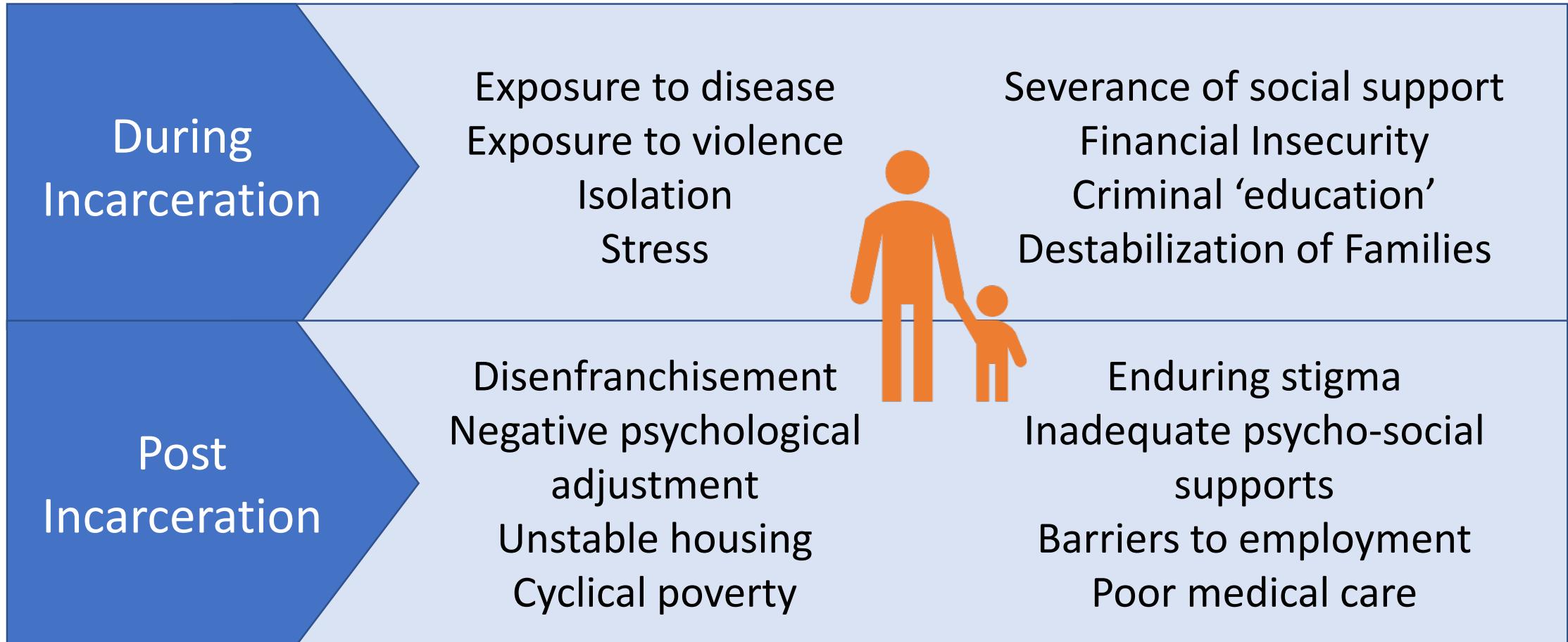
# Incarceration and Health - 1

Patterson EJ. The dose-response of time served in prison on mortality: New York State, 1989-2003. *Am J Public Health*. 2013;103(3):523–528.

- **Each year of incarceration is associated with a 2 year decrease in life expectancy.**

Average time in prison for a revocation without a new offense in WI in 2015: 1.5 years

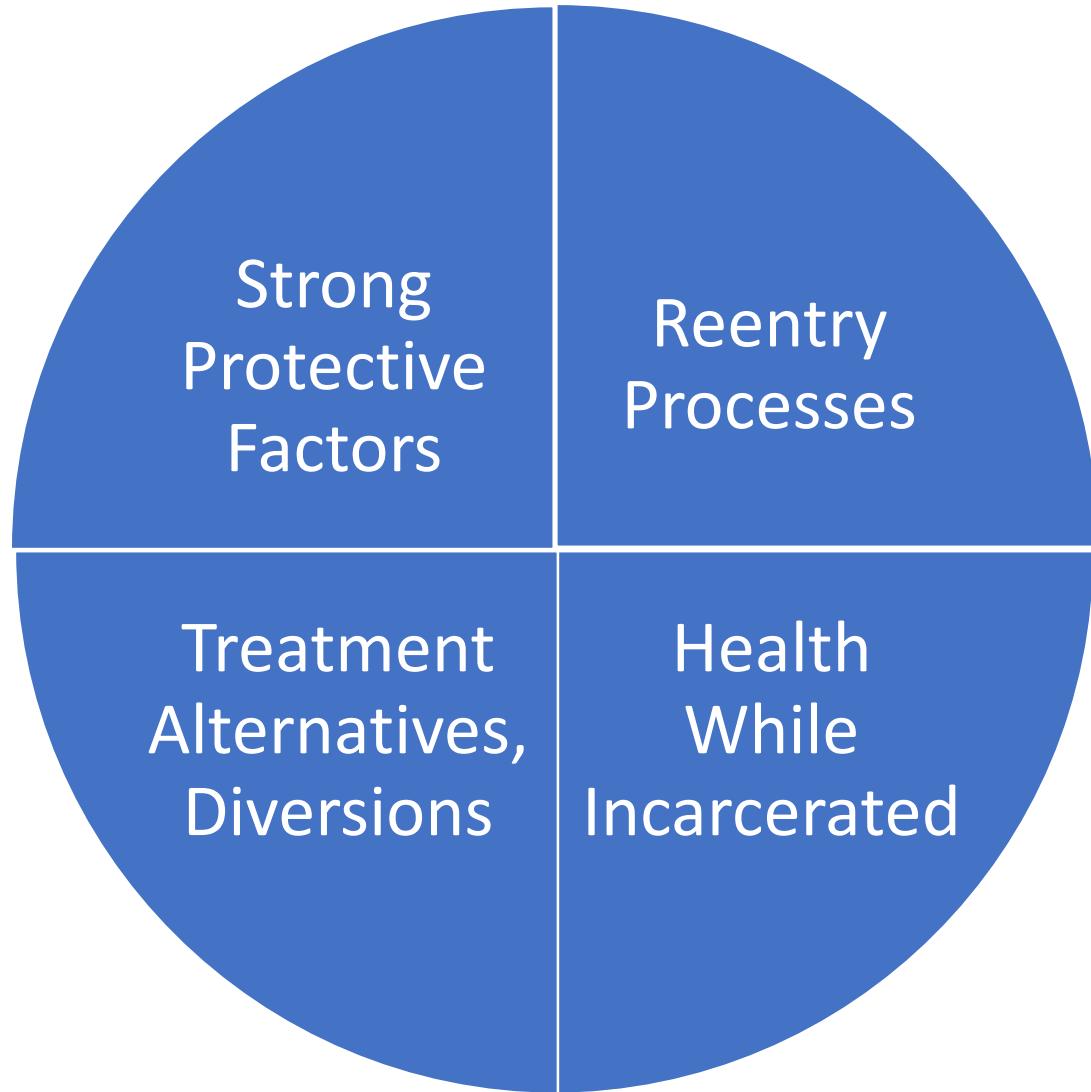
# Incarceration, Health, and Social Determinants of Health





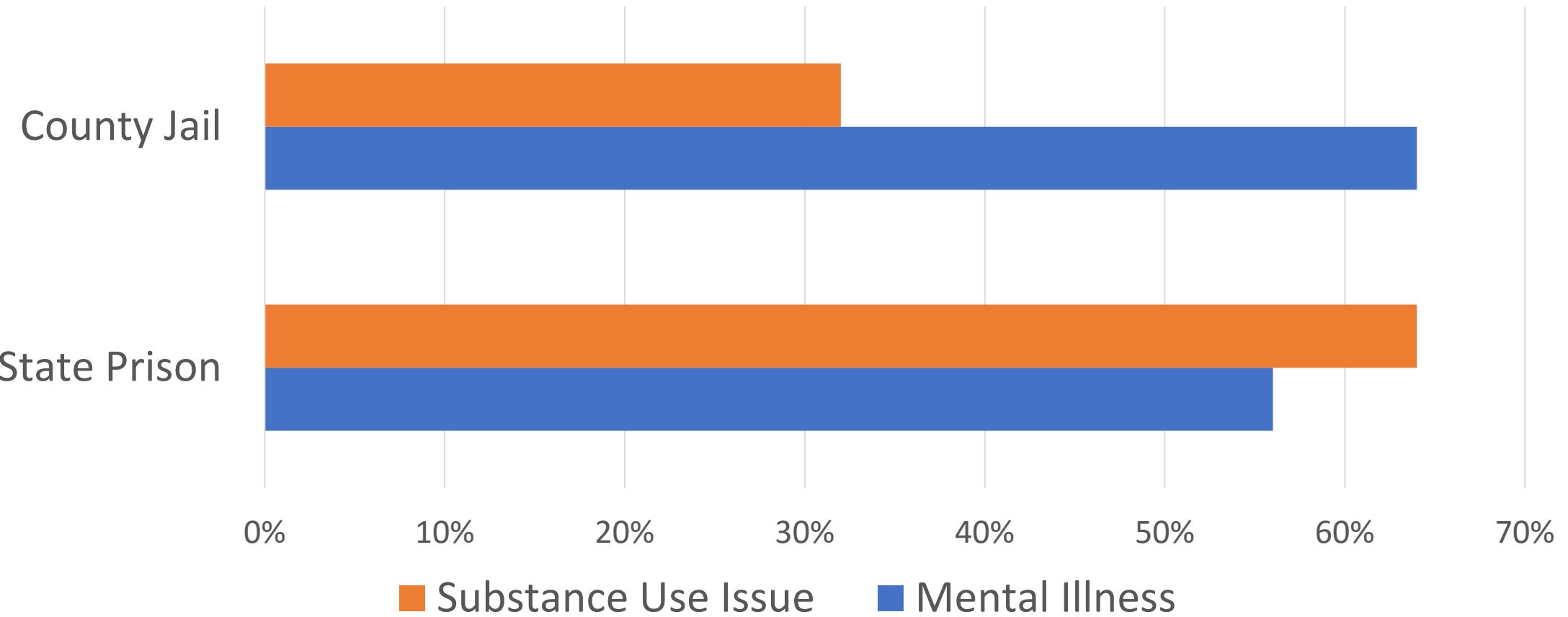
## WHAT IS HIA?

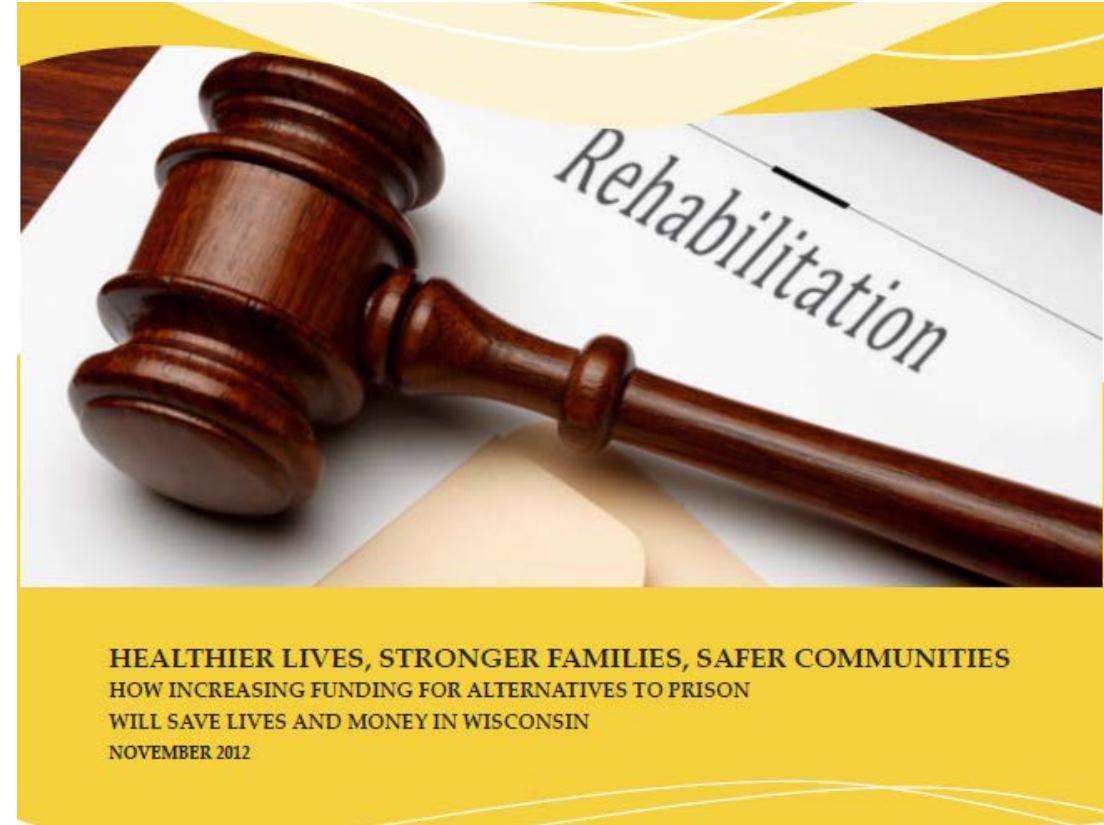
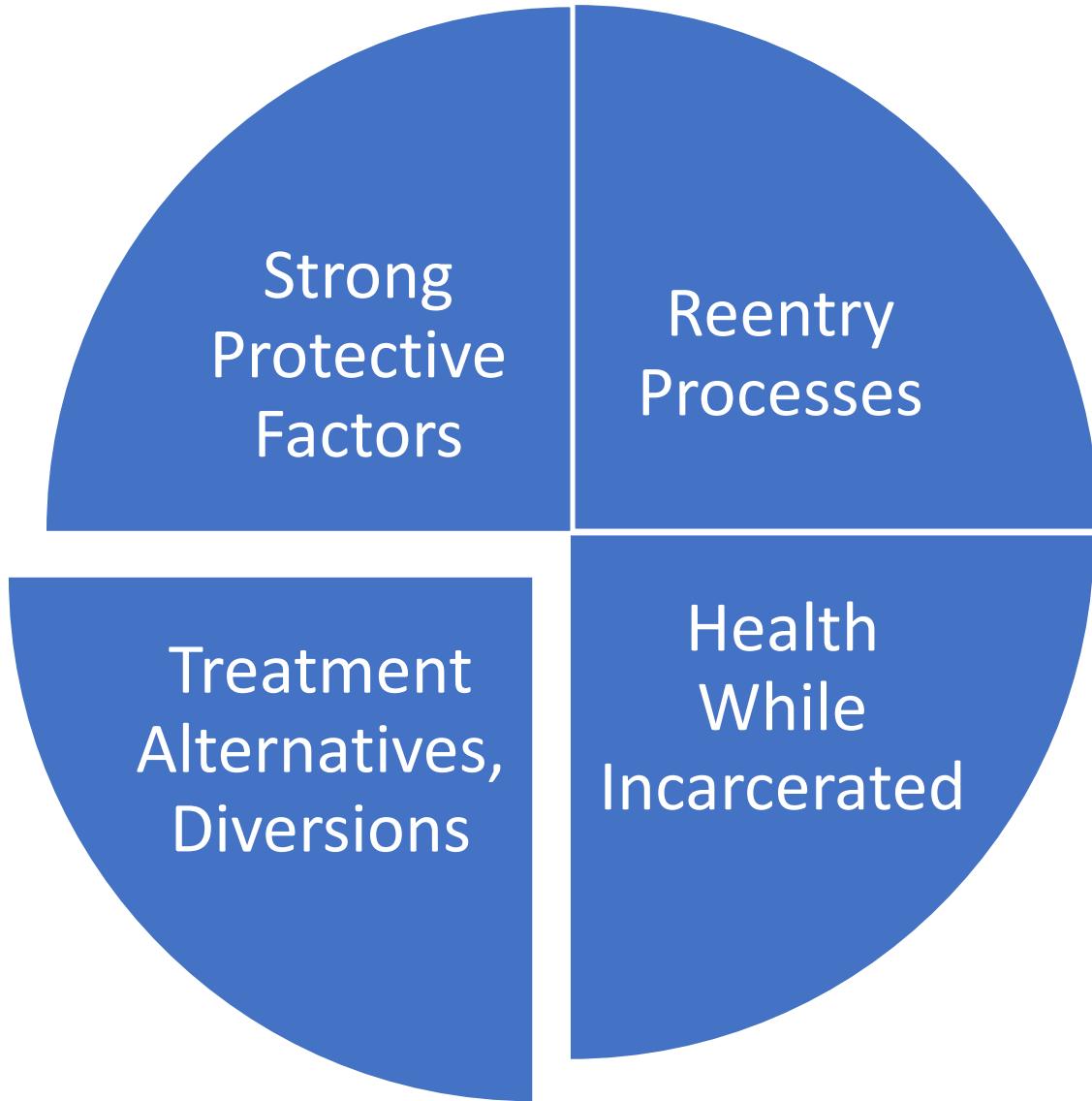
- Health Impact Assessment (HIA) is a structured process that uses a combination of procedures, methods and tools to systematically judge the potential (and sometimes unintended) effects of a proposed project, plan or policy on the health of a population, as well as the distribution of those effects.
- The HIA also produces recommendations to enhance the health benefits of the project/policy/program and to mitigate potential health harms, helping to ensure that policy and project dollars are used efficiently to provide the greatest benefit.



## **Addressing elements of the cycle of mass incarceration from a public health lens**

# Incarceration, Substance Use, and Mental Health in WI



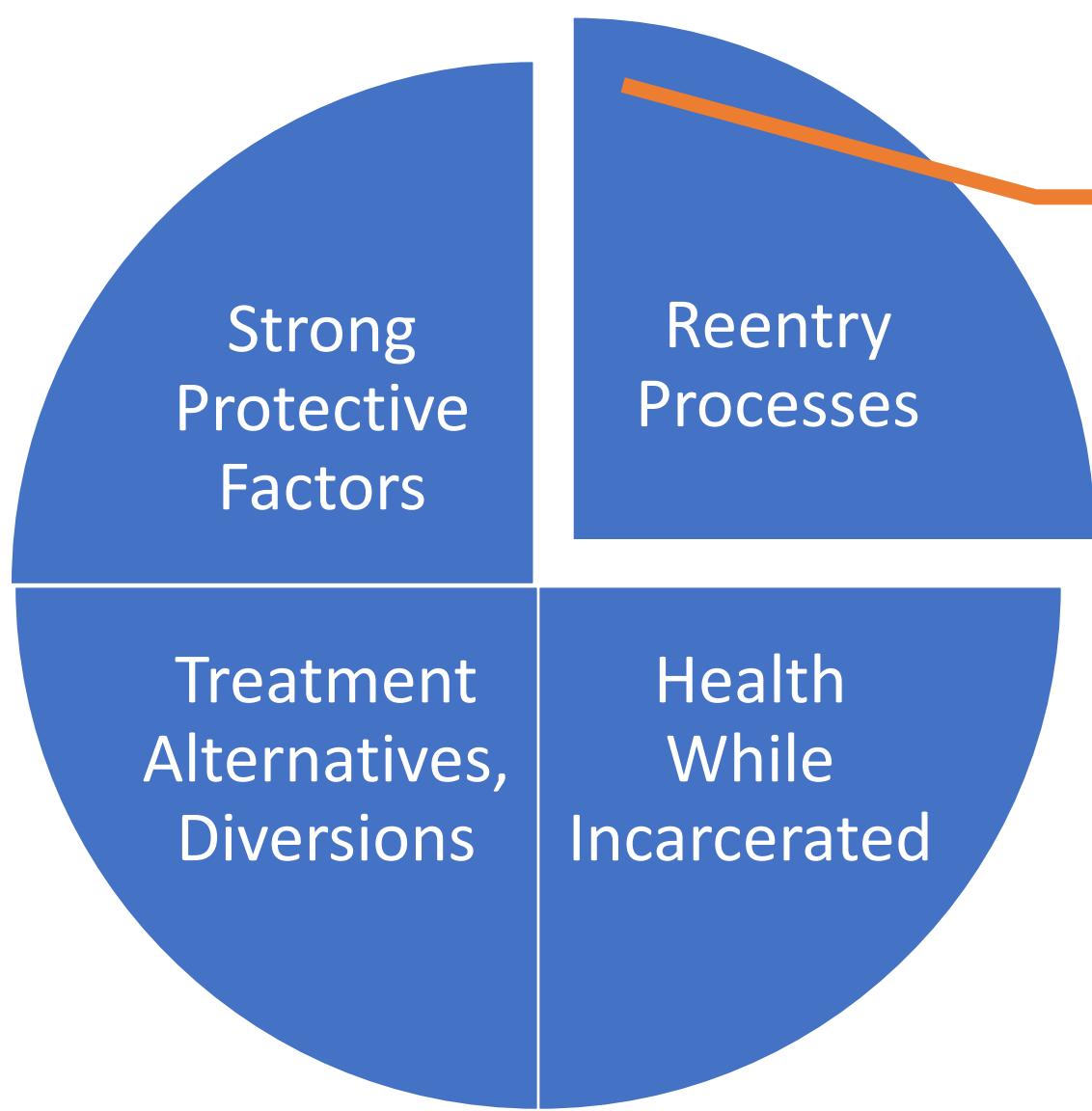


# TAD HIA

- **Question:** *If funding for treatment & diversion was increased to \$75 million, how would that effect crime?*
- Literature: In Wisconsin, 46% of offenders return to prison within 3 years. Of program participants, 19% of those who completed the program returned to prison in under two years.
- For TAD-eligible individuals, incarceration actually increases recidivism when compared to treatment alternatives and diversion programs.

# TAD HIA - Results

- 18,000 problem-solving court slots could be created.
- Drug courts are 6x more likely than prison programs to keep people in treatment long enough for them to get better.
- 20% reduction in new crimes committed in populations participating in treatment and diversion programs would be expected - - i.e., over 200 fewer crimes per year in WI.
- 1100-1600 parents per year could stay out of prison and receive treatment, improving health for families and children.



## 2016 Health Impact Assessment

What happens to individual and family health under the current system in Wisconsin that includes the practice of incarcerating people who do not meet rules of their supervision but have not been convicted of a new crime?

## Wisconsin Rules of Supervision

You shall:

1. Avoid all conduct which is in violation of federal or state statute, municipal or county ordinances, tribal law or which is not in the best interest of the public welfare or your rehabilitation.
2. Report all arrests or police contact to your agent within 72 hours.
3. Make every effort to accept the opportunities and cooperate with counseling offered during supervision to include addressing the identified case plan goals. This includes authorizing the exchange of information between the department and any court ordered or agent directed program for purposes of confirming treatment compliance; and subsequent disclosure to parties deemed necessary by the agent to achieve the purposes of Wisconsin Administrative Code Chapter DOC 328 and Chapter DOC 331. Refusal to authorize the exchange of information and subsequent disclosure shall be considered a violation of this rule.
4. Inform your agent of your whereabouts and activities as he/she directs.
5. Submit a written report monthly and any other such relevant information as directed by DCC staff.
6. Make yourself available for searches including but not limited to residence, property, computer, cell phone, or other electronic device under your control.
7. Make yourself available for tests and comply with ordered tests by your agent including but not limited to urinalysis, breathalyzer, DNA collection and blood samples.

8. Obtain approval from your agent prior to changing residence or employment. In the case of an emergency, notify your agent of the change within 72 hours.
9. Obtain approval and a travel permit from your agent prior to leaving the State of Wisconsin.
10. Obtain written approval from your agent prior to purchasing, trading, selling or operating a motor vehicle.
11. Obtain approval from your agent prior to borrowing money or purchasing on credit.
12. Pay court ordered obligations and monthly supervision fees as directed by your agent per Wisconsin Statutes, and Wisconsin Administrative Code; and comply with any department and/or vendor procedures regarding payment of fees.
13. Obtain permission from your agent prior to purchasing, possessing, owning or carrying a firearm or other weapon, or ammunition, including incapacitating agents. An offender may not be granted permission to possess a firearm if prohibited under federal or state law.
14. Not vote in any federal, state or local election as outlined in Wisconsin Statutes s.6.03(1)(b) if you are a convicted felon, until you have successfully completed the terms and conditions of your felony sentence and your civil rights have been restored.
15. Abide by all rules of any detention or correctional facility in which you may be confined.
16. Provide true, accurate, and complete information in response to inquiries by DOC staff.
17. Report as directed for scheduled and unscheduled appointments.
18. Comply with any court ordered conditions and/or any additional rules established by your agent. The additional rules established by your agent may be modified at any time as appropriate.

# Project Methods - 1

- Descriptive analysis of Department of Corrections quantitative data
- Summaries of academic and grey literature
- Discussions with Department of Corrections Staff
- 6 focus groups and 8 stakeholder interviews (details next slide)

# Project Methods - 2

- 6 focus groups with 44 total participants who:
  - experienced revocation in WI;
  - were on parole, probation or extended supervision in WI;
  - and/or whose family members experienced any of those
- 8 stakeholder interviews with:
  - current or recent parole or probation agent (2),
  - State Public Defender's Office (1),
  - Former defense attorney (1),
  - District attorney (1),
  - Former DOC staff (1),
  - EXPO organizer (1),
  - State representative (1)



**2,954 PEOPLE**  
IN WISCONSIN WERE PUT IN  
PRISON FOR A REVOCATION  
WITHOUT A NEW CONVICTION.  
IMPRISONED FOR AN AVERAGE OF  
**1.5 YEARS**  
COSTING THE STATE  
**\$147M**

## Findings:

- Over 1/3 of WI prison admissions are revocations without a new conviction
- Nearly half of people put in prison for a revocation had a mental health condition
- On average in WI, people spend 1.5 years in prison as a result of a revocation, costing WI nearly \$150M per year.

# Modifiable Determinants of Health

- Access to (and quality of) healthcare – 20%
- Individual health behaviors – 30%
- Social and economic factors – 50%
  - Includes toxic stress

# Chronic Stress and Health

1. Everybody has stress, but some people have power, resources, or circumstances that mitigate that stress.
  - Difference between the stress of, say, a surgeon compared to a minimum-wage custodian.
2. Chronic, toxic, unmitigated stress affects one's biology *directly*
  - Chronic stress hormone elevation (cortisol, adrenaline) affects blood pressure, glucose metabolism, immune system, even fetal issues

# With Regard to Revocations, Whose Health is Affected?

- People under supervision
- People being held for processing of possible revocation (average hold time is ~2 weeks)
- People who have been revoked
- Children of people who have been revoked
- Spouses / partners / families
- Communities at large

*“I'm new to working again and I got a second job, but with everything I have to go to for AIM court, for meetings I have to go to, it's getting overwhelming it's really hard to balance everything and not neglect family and home life.”*

*-Focus group participant*

*“We are living in fear at all times. All it takes is an allegation – that is the reality for everything to be snatched from under your feet, all your success and everything. Even being locked up for 1 day would ruin lives. We have 9-5 jobs and are caretakers – a dent in their circumstances would shock the culture of the family and dynamics of life as we know it.”*

*-Focus group participant*

# Specific Health Impacts of Incarceration (including from Revocation)

## Adults

- Higher mortality rates, shorter lifespans
- Increased risk of mental health disorders (on top of high baseline rates among incarcerated individuals)

## Children: Adverse Childhood Experiences (ACEs)

- Lower GPAs
- Lower graduation rates (HS and college)
- Increase risk of mental health and substance abuse issues

*It is* estimated that  
**3,000 CHILDREN**  
under age 18 in Wisconsin had a  
parent sent to prison for a  
revocation without being convicted  
of a new crime in 2015.

**48%** OF THE PEOPLE  
INCARCERATED  
WITHOUT A NEW CONVICTION  
**ARE PARENTS.**



# Recommendations

- 1 overarching recommendation
- 5 additional broad recommendations
- 20+ related action steps
- Require action from multiple agencies and sectors

# Overarching Recommendation

1. Remove incarceration as a response to non-compliance for non-criminal violations of the rules of parole, probation, or extended supervision.

- Would require action by:
  - DOC & DCC
  - State Legislature / Office of Governor
  - Judges and others responsible for sentencing
  - County and city law enforcement
  - Community groups
  - Others

## Other Recommendations - 1

2. Continue to build on the partially implemented steps of the “short-term sanctions” law and the granting of rewards for compliance (as an alternative to revocation).
3. Provide greater access and navigation into rehabilitative programs (as an alternative to revocation).
4. Evaluate regularly, and share the outcomes regarding the use of alternative measures to revocation.

## Other Recommendations - 2

5. Reduce the number of people – and length of time – people are placed on probation or extended supervision.
6. Provide greater due process rights for people in revocations investigations and proceedings, such as right to bail and a higher standard of evidence.



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**ROC Wisconsin**

Ending mass incarceration in Wisconsin



# Thank You!

- To find the HIA reports, go to
- <http://www.humanimpact.org/projects/past-projects/>
- Also:
- <http://www.humanimpact.org/projects/hia-case-stories/treatment-instead-of-prison-hia/>
- And
- [www.sentback.org](http://www.sentback.org)

# Next Steps

- Responses by Carl Fields and Bill Lipscomb
- Questions / Discussion