

CROSS EXAMINATION

A comprehensive review of Wisconsin's criminal justice system



WISCONSIN
POLICY FORUM

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The Wisconsin Policy Forum was created on January 1, 2018, by the merger of the Milwaukee-based Public Policy Forum and the Madison-based Wisconsin Taxpayers Alliance. Throughout their long histories, both organizations engaged in nonpartisan, independent research and civic education on fiscal and policy issues affecting state and local governments and school districts in Wisconsin. The Wisconsin Policy Forum is committed to those same activities and to that spirit of nonpartisanship.

PREFACE AND ACKNOWLEDGMENTS

This report aims to provide policymakers, stakeholders, and residents with a clearer understanding of Wisconsin's criminal justice system and those involved in it. Our findings are intended to inform thoughtful discussions on how to make the system more transparent, equitable, and effective.

We would like to thank Public Welfare Foundation for commissioning this study. Report authors would also like to thank the public agencies and private organizations that provided data and published reports used for this project, including Loyola University Chicago's Center for Criminal Justice and the Wisconsin Departments of Corrections and Justice and Legislative Fiscal Bureau.

We also gratefully acknowledge the members of our project advisory committee, which included representatives from the Badger State Sheriffs Association, City of Milwaukee Office of the City Attorney, Ex-Incarcerated People Organizing (EXPO) of Wisconsin, Kids Forward, Marquette University Law School, Medical College of Wisconsin, Milwaukee Community Justice Council, Milwaukee County District Attorney's Office, Paradigm Shyft, The Community, University of Wisconsin-Madison Law School, University of Wisconsin-Milwaukee, Wisconsin Chiefs of Police Association, Wisconsin Community Services, Wisconsin Court System, and Wisconsin Departments of Justice, Corrections, Health Services, and Children and Families.



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INTRODUCTION

Wisconsin's criminal justice system is central to maintaining public safety, ensuring accountability and rehabilitation for those convicted of crimes, and supporting community well-being. Yet, public understanding of how the system functions – and of trends and challenges within it – remains limited. To address that gap, this report offers a comprehensive overview and analysis of available data from across Wisconsin's adult justice system and a more limited look at its youth justice system.

In the pages that follow, we explore key questions about how and why people enter and move through the state's justice system, from crimes and arrests to court proceedings, incarceration, community supervision, and reentry. We also examine how demographic factors such as race, age, sex, and geography factor into the system, how the justice system is financed and staffed, and how related state laws have evolved over time.

Our research for this report involved extensive analysis of data obtained from state agencies and other publicly available state and federal sources. Whenever possible, we broke down these data by demographics and geography. We supplemented our analysis with a review of relevant state and national research and media coverage, and an examination of policy changes that have shaped Wisconsin's criminal justice landscape since the 1990s.

Our work was supported by an advisory committee comprised of more than 20 individuals representing state and local government agencies, public safety professional associations, academic institutions, formerly incarcerated people and community organizations (see **Appendix 1** for a list of committee members). We convened this committee several times throughout the research process and leaned on their expertise to shape and refine our analysis and review our findings.

This report serves as a baseline assessment of Wisconsin's criminal justice landscape. We hope it provides policymakers, stakeholders, and the broader public with a foundational resource to support ongoing efforts toward a more transparent, equitable, and effective justice system.



POPULATION AND DEMOGRAPHICS

Key Findings

- Wisconsin’s population has grown over time, but aging residents and declining natural population growth means the number of state residents will likely shrink over the next few decades.
- Milwaukee is home to outsized shares of Wisconsin’s Black, Hispanic, and Asian residents, including more than two-thirds of the state’s Black population.
- More than a quarter of Milwaukee’s residents have incomes below the federal poverty line. Poverty is also concentrated in rural northern and western Wisconsin.

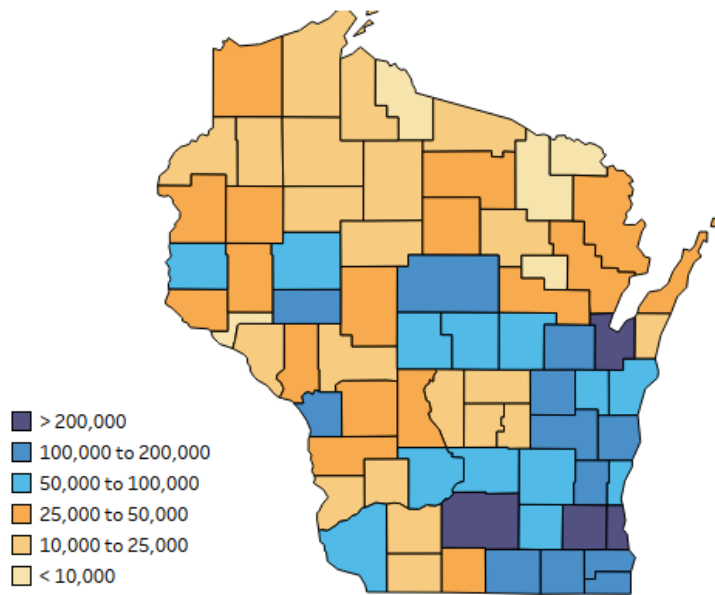
To interpret metrics and trends within Wisconsin’s criminal justice system, it is important first to understand the state’s population and demographics and how they have changed over time. In this section, we delve into state and federal data to examine Wisconsin’s population overall and by age, race, income, geography, and other relevant characteristics.

As of July 2024, Wisconsin’s estimated population was 5.96 million, according to the state Department of Administration. It was the 20th-most populous state in the nation, and the sixth-most populous of the 12 Midwestern states. Its population has grown more slowly than the national average, rising by 34.9% since 1970 and 11.1% since 2000 – rates about half those of the United States as a whole.

Milwaukee is the state’s most populous city, with 577,385 residents who accounted for 9.6% of Wisconsin’s total population in 2024, according to state estimates. However, its population peaked at close to 750,000 during the 1960s and has fallen since then. In 1970, 16.2% of Wisconsin’s population resided in Milwaukee.

Wisconsin has a number of population centers, though a majority of state residents live in just nine of its 72 counties (Figure 1). The largest cities after Milwaukee include Madison – the capitol and home to the state’s flagship public university – as well as Green Bay, Kenosha, and Racine. Smaller cities that function as regional hubs include Eau Claire, La Crosse, Appleton, Oshkosh, Janesville, Sheboygan, and Wausau.

Figure 1: Wisconsin’s Population Concentrated in South, East
Total population by county, 2024 estimates



Source: Wisconsin Department of Administration



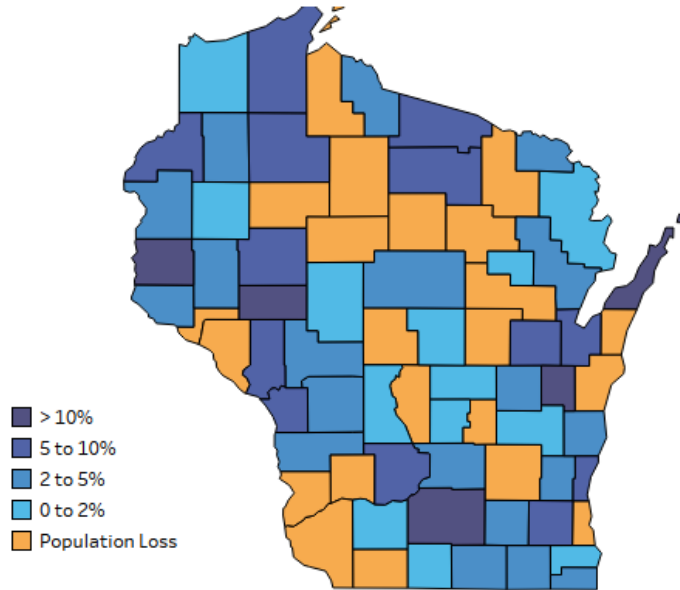
The fastest-growing county in Wisconsin is Dane – home to Madison – which has grown by 19.4% over the last decade, from 502,251 residents in 2014 to 599,930 in 2024. Of the 20 fastest-growing municipalities in the state with a 2024 population of at least 5,000, 10 were located in Dane County, including Madison.

Other fast-growing counties include two in western Wisconsin (Eau Claire and St. Croix, the latter of which is on the outskirts of the Twin Cities metropolitan area) and Calumet in eastern Wisconsin, which includes a portion of Appleton. Conversely, 22 of the state’s 72 counties have lost population since 2014; those counties are mostly rural but include Milwaukee and Manitowoc (Figure 2).

Race and ethnicity.¹

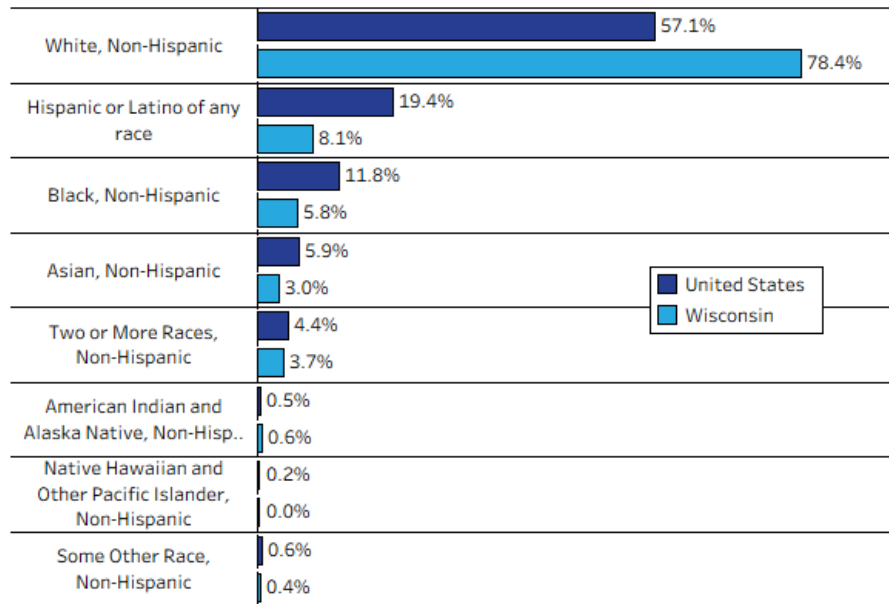
The Census Bureau’s American Community Survey data show that in 2023, 78.4% of Wisconsinites identified

Figure 2: Many Wisconsin Counties Shrinking
Population growth by county, 2014 to 2024



Source: Wisconsin Department of Administration

Figure 3: Wisconsin Has Higher Share of White, Non-Hispanic Residents
Makeup of state and national population by race and ethnicity, 2023



Source: U.S. Census Bureau, American Community Survey Table DP05, 2023 1-Year Estimates

¹ Census Bureau data in this section come from the DP05 American Community Survey table. Most data are from 2023 1-year estimates; break-outs by county and ZIP code are from 2023 5-year estimates.



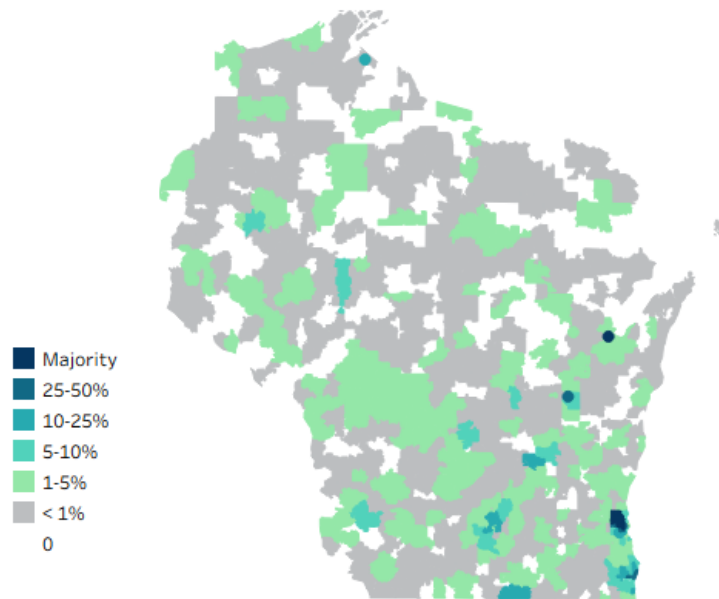
as white and not Hispanic. That was significantly greater than the 57.1% who identified as such nationally. In the same year, 5.8% of Wisconsinites were Black and not Hispanic, compared to 11.8% nationwide, and 8.1% were Hispanic or Latino of any race, compared to 19.4% nationally. Wisconsin also had slightly smaller shares of individuals who identified as Asian, Native Hawaiian or other Pacific Islander, two or more races, or some other race than the United States overall, but a slightly higher share of American Indian and Alaska Native residents than the nation (Figure 3).

Wisconsin, like the nation, has become more diverse in recent years. Census data from 2000 show that 87.4% of state residents were white and not Hispanic, while 5.5% were Black or African American and not Hispanic and just 3.6% were Hispanic or Latino of any race. The proportion of state residents that are Asian and not Hispanic has also grown from 1.5% in 2000. This is in part due to migration patterns, as well as the fact that [fertility rates](#) of the non-Hispanic white population have been below those of other racial and ethnic groups in the country for at least the last few decades.

Wisconsin is a highly segregated state. Despite containing just 15.7% of the state’s population, Milwaukee County is home to nearly two out of every five (38.8%) non-white state residents. That includes more than a quarter (25.7%) of the state’s Asian population, more than a third (33.7%) of the state’s Hispanic or Latino population, and roughly two-thirds (67.0%) of the state’s Black or African American population.

In fact, a majority (52.9%) of the state’s Black or African American residents – more than 187,000 out of 354,279 – lives in one of just ten ZIP codes on the city of Milwaukee’s north and northwest sides (Figure 4). Of the ten majority-Black ZIP codes in the state, nine are in Milwaukee, while the other covers the area of the Green Bay Correctional Institution and nothing else. Other than those in Milwaukee or associated with a state correctional facility, the only ZIP codes in Wisconsin with Black or African American representation of at least 10% are in the municipalities of Kenosha, Racine, Madison, Beloit, Sturtevant, and New Odanah.

Figure 4: Wisconsin’s Black Population Highly Segregated
 % of population identifying as Black or African American alone, by ZIP Code, 2023

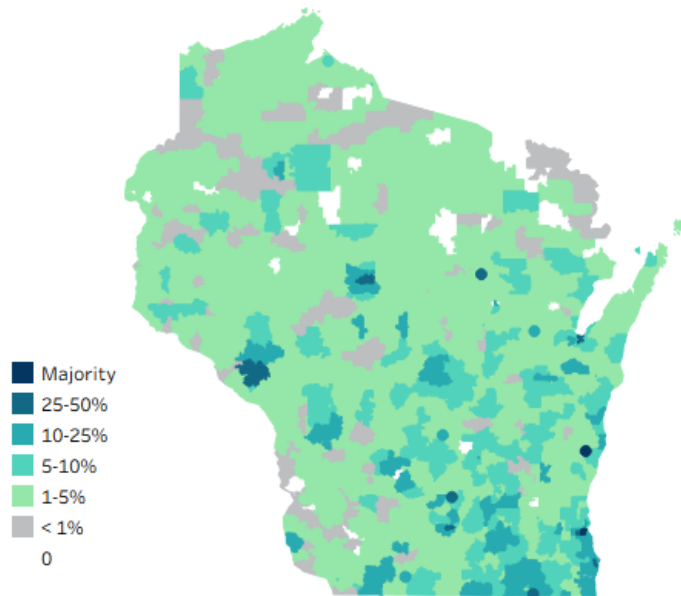


Source: U.S. Census Bureau, American Community Survey Table DP05, 2023 5-Year Estimates



Wisconsin's Hispanic population is more geographically distributed than its Black population (Figure 5). In six counties (Milwaukee, Kenosha, Racine, Trempealeau, Walworth, and Brown), at least 10% of residents are Hispanic. While the populations of only 30 of the state's 781 populated ZIP codes are at least 10% Black, 84 ZIP codes have populations that include at least 10% Hispanic residents. Only nine of the state's 72 counties have Hispanic population concentrations under 2%, compared to 61 of 72 counties with Black population concentrations under 2%.

Figure 5: Wisconsin's Hispanic Population More Distributed
 % of population identifying as Hispanic/Latino of any race, by ZIP Code, 2023



Source: U.S. Census Bureau, American Community Survey Table DP05, 2023 5-Year Estimates

Another segregated racial group in Wisconsin are those identifying as American Indian or Alaska Native, many of whom are members of one of the state's [11 federally recognized tribes](#). For example, the area of Menominee County is contiguous with that of the Menominee Reservation; more than three-fourths of Menominee County residents were American Indian or Alaska Native in 2023. Other areas with larger concentrations of American Indian or Alaska Native residents include counties with tribal land, such as Sawyer (Lac Courte Oreilles Ojibwe), Forest (Forest County Potawatomi; Mole Lake Ojibwe), Ashland (Bad River Ojibwe), Vilas (Lac du Flambeau Ojibwe), Bayfield (Red Cliff Ojibwe), and Shawano (Stockbridge-Munsee).

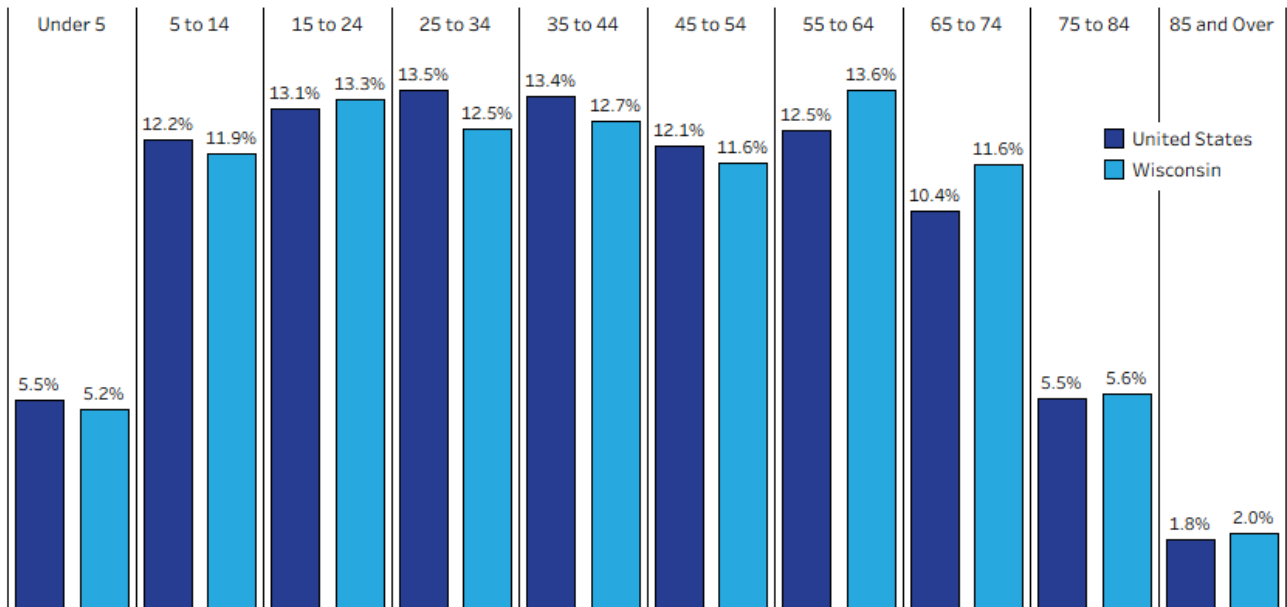
Sex. As of 2023, Wisconsin had slightly more male (50.1%) than female (49.9%) residents. This runs counter to national figures, which show the United States had more women (50.5%) than men (49.5%).

Age. Wisconsin's population is older than that of the United States. In 2023, the median age of state residents was 40.5 – about 3.3% older than the national median of 39.2. Among the 12 Midwestern states, Wisconsin's median age was tied with Michigan for the oldest, and nationally, its median age was tied for 13th-oldest. Age is relevant given that older adults are less likely than younger individuals to commit crimes.

In general, higher percentages of Wisconsin's population are in older age brackets (ages 55 and older) than the nation's (Figure 6). Nearly one in five Wisconsinites (19.2%) was 65 or older in 2023, compared to 17.7% nationally. Wisconsin ranked 17th among the 50 states in the share of its population who were 65 or older that year, and second in the Midwest behind Michigan.



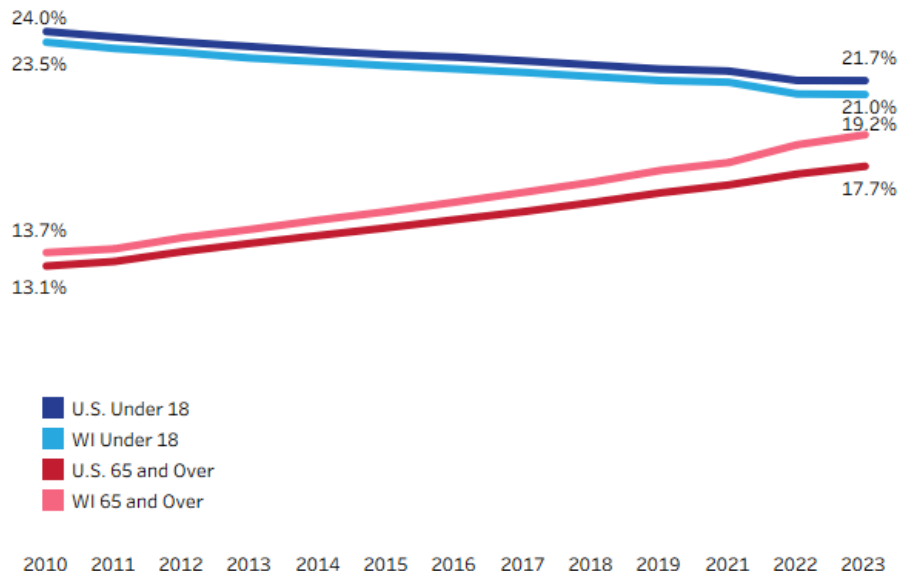
Figure 6: Higher Proportion of Older Adults, Lower Proportions of Younger Adults and Children in Wisconsin
 % of population by age bracket, 2023



Source: U.S. Census Bureau, American Community Survey Table DP05, 2023 1-Year Estimates

The population of the United States has grown older over the last 15 years, a trend that has been more pronounced in Wisconsin than nationally. In 2010, the state’s median age was 38.5 – two full years younger than the median in 2023. The proportion of the state’s population under the age of 18 was 23.5% in 2010 but had fallen to 21.0% by 2023, while the share of state residents aged 65 and older was 13.7% in 2010 but rose to 19.2% in 2023. Compared to the nation as a whole, youth comprised a smaller share of Wisconsin’s population while older adults made up a larger share. The percentage of the population who are older adults has also risen faster in Wisconsin than nationally (Figure 7).

Figure 7: Population Aging in Wisconsin and Nationally
 % of population under 18 or 65+, 2010-2023



Source: U.S. Census Bureau, American Community Survey Table DP05, 2023 1-Year Estimates. Note: 1-year estimates do not exist for 2020.

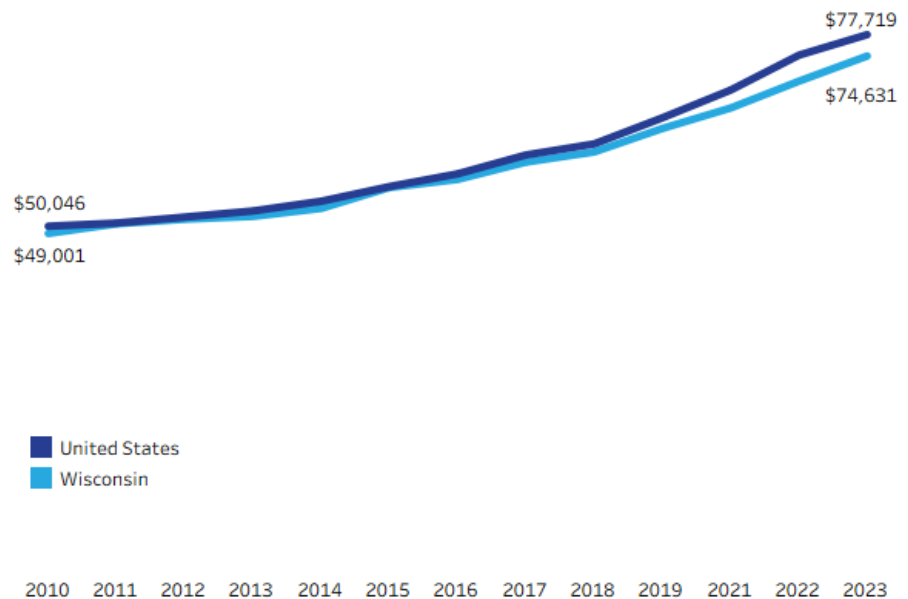
Income, poverty, and unemployment. Among other factors, research has linked poverty and income inequality to higher rates of crime and victimization. For example, the Brookings Institute [analyzed](#) 1.4



million records of people incarcerated in federal and state prisons in 2012 and concluded that three years before their incarceration, only 49% of men in their prime working years were employed – and that their median annual income was just \$6,250. That study also found that boys born into families with incomes in the bottom 10% of the income distribution had a 9.6% chance of being incarcerated on any given day in 2012, compared to 0.5% for boys born into the top 10% of the income distribution.

Figure 8: Median Household Income Nationwide Outpaces Wisconsin

Median household income in Wisconsin versus United States



Source: U.S. Census Bureau American Community Survey Table S1901 1-Year Data. Data for 2020 do not exist.

In 2023, the median household income in Wisconsin was \$74,631 – 4.0% below the national median of \$77,719, according to the American Community Survey. Since 2010, median household income in the state has grown by 52.3%, while the national growth rate during that period was slightly faster. As recently as 2015, Wisconsin’s median household income (\$55,638) was just 0.2% below that of the U.S. (\$55,775; Figure 8).

Since the COVID-19 pandemic began to abate in mid- to late-2021, Wisconsin’s unemployment rate [has remained](#) at or below 3.3%, in line with its performance from 2017 through early 2020. However, unemployment rates [differ](#) across racial groups; in the second quarter of 2025, white Wisconsinites had an unemployment rate of 2.5%, while the rate for Black Wisconsinites was roughly 2.5 times higher at 6.2%. Hispanic Wisconsinites had a rate of 4.4%, and the state’s Asian American and Pacific Islander population had a rate of 2.9%.

As of July 2025, county-level unemployment rates [ranged](#) from 2.4% in Lafayette County to 7.2% in Menominee County. Of the five counties with non-seasonally adjusted employment rates above 4%, four were in northern Wisconsin: Menominee, Iron, Rusk, and Marinette. The fifth was Milwaukee.

Certain Wisconsin counties have a median household income far above or below the state median. In 2023, Waukesha County led the state with a median household income of \$104,100. Largely suburban St. Croix County near the Twin Cities was the only other county with a six-figure median household income. Meanwhile, nine counties – nearly all in the northernmost regions of Wisconsin – had median incomes below \$60,000 (Figure 9). Waukesha County’s median household income was 81.8% higher than the \$57,258 median in Langlade County, the lowest in the state.

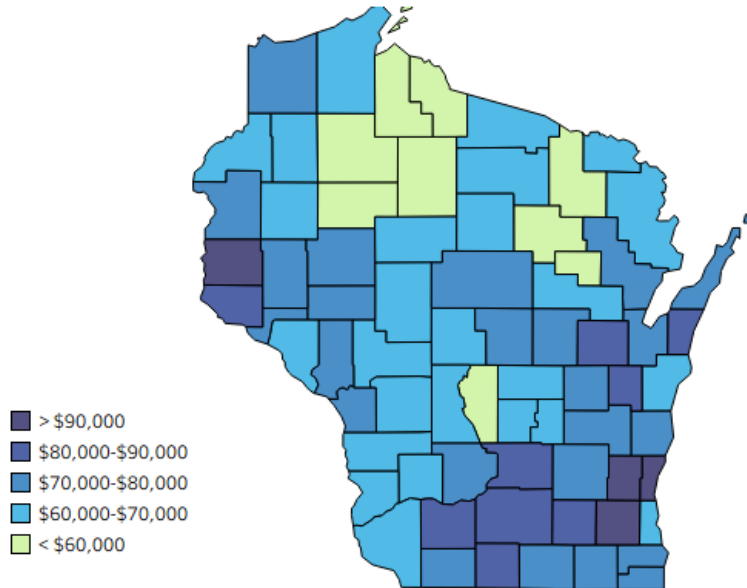


Despite Wisconsin’s median household income being slightly below the nation’s, the state has consistently had relatively low levels of poverty.² In 2023, just 10.7% of state residents lived below the poverty line, compared to 12.5% of U.S. residents. The child poverty rate in Wisconsin (12.8%) was also noticeably below the national rate (16.0%). Mirroring national trends, poverty levels have consistently declined in Wisconsin over the last decade – overall poverty levels have fallen by nearly three percentage points since 2015, while child poverty levels have fallen by more than six percentage points since 2010 (Figure 10).

In Wisconsin, geographical disparities are starker for poverty than income. In 2023, Sawyer County’s 21.2% poverty rate – the highest in the state – was more than four times higher than the rate in Ozaukee County (4.6%), the lowest in the state (Figure 11). A majority of Wisconsin counties had poverty rates between 8% to 12%, but additional outliers existed on either

Figure 9: Rural Northern, Western Wisconsin Have Lower Incomes

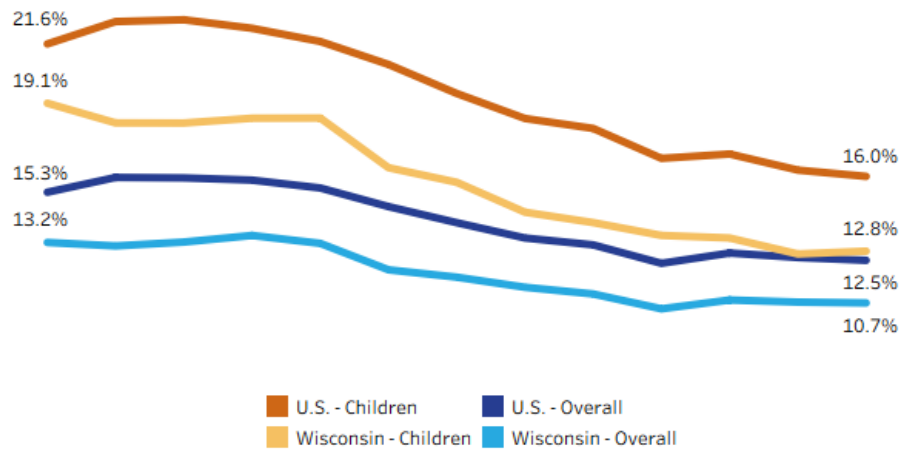
Median household income by county, 2023



Source: U.S. Census Bureau, American Community Survey Table S1901 2023 5-Year Data

Figure 10: Poverty Rates Decline, Lower in Wisconsin than United States

% of overall population and children below poverty line

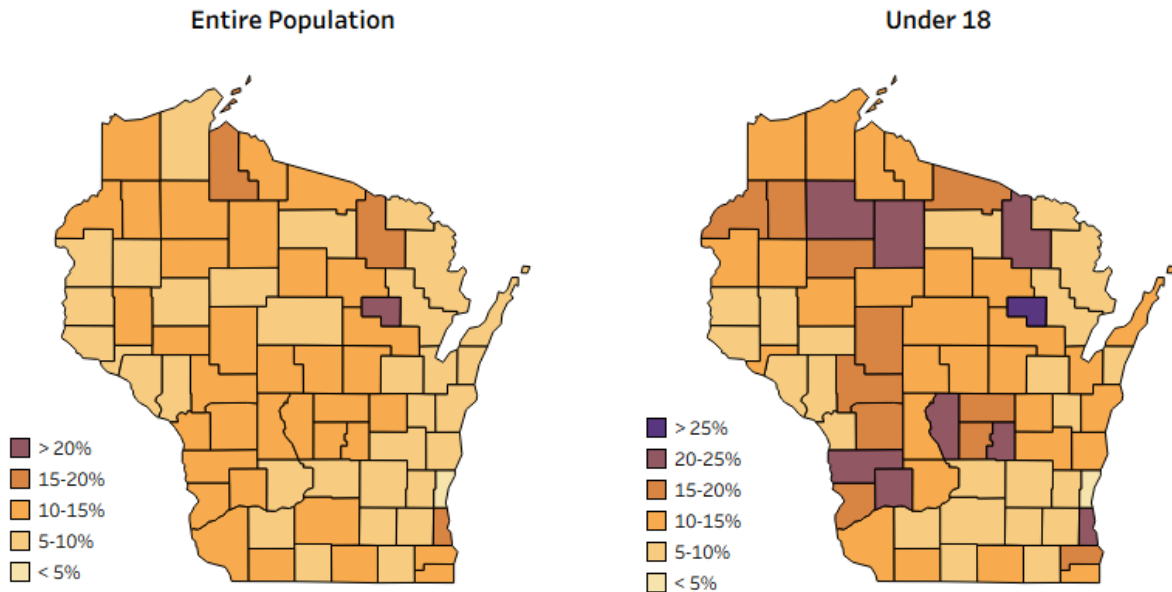


Source: U.S. Census Bureau American Community Survey Table S1701 1-Year Data. Data for 2020 do not exist.

² The poverty line is [updated each year](#) to reflect inflation. The most recent available data show the U.S. has some of its [lowest levels](#) of poverty in recorded history.



Figure 11: High Poverty Rates in Several Northern, Western Counties and Milwaukee
 % of overall population and children below poverty line by county, 2023



Source: U.S. Census Bureau, American Community Survey Table S1701 2023 5-Year Data

side of that bracket. At 17.5%, Milwaukee County had the second-highest poverty rate in the state.

Child poverty similarly varies greatly by county. More than a third (34.5%) of children in Menominee County were below the poverty line in 2023, compared with just 4.7% of those in Ozaukee County. Just under a quarter of children in Price (24.2%) and Milwaukee (24.0%) counties were below the poverty line in 2023, the second- and third-highest in the state.

Homelessness. Following a [seven-year decline](#) in the population of unhoused people in Wisconsin, from 6,055 in 2014 to 4,237 in 2021, Wisconsin’s homeless population [rose to](#) 5,049 in 2024.³ Of that total, 885 unhoused people (or 17.5%) were in Milwaukee County, while 736 (14.6%) were in Dane County and 227 (4.5%) were in Racine County. The remaining 3,201 people (63.4%) were distributed across Wisconsin’s other 69 counties, which have [fewer service providers](#) available for unhoused people despite serving the majority of the state’s unhoused population. An additional 4,539 individuals across the state were housed in either an emergency shelter or transitional housing, while 510 people remained unsheltered.

People who are homeless are often at higher risk of involvement with the criminal justice system than housed individuals, [due in part](#) to [laws](#) against activities such as sleeping in public, loitering, begging, or public urination that [disproportionately affect](#) unhoused people. Individuals without shelter are also more likely to encounter police officers, which may lead to citations, jail stays, or criminal charges. Unhoused people with a substance use or mental health disorder are also [more likely](#) to become entangled in the justice system.

³ Estimated by Wisconsin’s Continuum of Care organizations, which oversee the federal Department of Housing and Urban Development (HUD)’s services to homeless people in the state. Wisconsin has four such organizations: one each in Milwaukee, Dane, and Racine counties, and a fourth that serves Wisconsin’s other 69 counties.



Incarceration itself is also a [risk factor](#) for homelessness after a person is released. According to the [Prison Policy Institute](#), for example, people who have been incarcerated at least once are seven times more likely to experience homelessness than members of the general public, and people who have been incarcerated multiple times are 13 times more likely to experience homelessness. Individuals are particularly at risk of both homelessness and housing insecurity⁴ during the first two years after they are released from incarceration. In 2024, the Wisconsin Department of Corrections [spent](#) \$7.6 million on housing programs for individuals on community supervision.

Substance use. In 2022-2023, an [estimated](#) 18.6% of Wisconsinites had a substance use disorder, which ranked 15th among U.S. states and Washington D.C.⁵ This includes 12% who had an alcohol use disorder (seventh overall), 9.8% who had a drug use disorder (26th), and 2% who had a pain reliever disorder. An estimated 16.1% of Wisconsinites engaged in illicit drug use in the previous month (28th), while an estimated 28.1% of Wisconsinites engaged in binge drinking during the previous month, which ranked second in the nation behind Washington D.C.

Both illicit drug use and excessive alcohol use can be risk factors for involvement in the justice system. As we will discuss later in this report, the Wisconsin Department of Justice reported 31,283 drug and narcotics violations in 2023, which was the second-highest total of any offense category. Drug and narcotics violations made up 24.5% of all arrests, which was the highest percentage of any category. The difference in these rankings reflects the fact that an arrest can involve multiple violations.

This is also evident when looking at people in Wisconsin Department of Corrections custody. As of July 2025, the most serious offense for 11.5% of people in Wisconsin [prisons](#) and 20.6% of people on [community supervision](#) was drug-related, and 28.9% of new admissions to Wisconsin prisons in 2024 [included at least](#) one active drug offense. Among those admitted to Wisconsin prisons in 2024, 14.3% had at least one active offense for operating while intoxicated (OWI), although there may be overlap between the individuals with OWI and drug offenses. Substance use disorders may also be comorbid with mental health disorders, which are an additional risk factor for justice system involvement, but gauging the prevalence of mental health disorders and comorbidity in Wisconsin is beyond the scope of this report.

⁴ The Prison Policy Institute defines this as living in temporary or unstable housing such as hotels or motels.

⁵ All information in this paragraph, unless otherwise specified, comes from the 2022-2023 National Survey on Drug Use and Health, performed by the Substance Abuse and Health Services Administration.



CRIME AND LAW ENFORCEMENT

Key Findings

- Wisconsin's crime rates have been consistently lower than national averages dating back to at least 1979, but violent crime has risen in the state over time despite falling nationally.
- Large shares of offenses, crime victims, and arrests in Wisconsin are concentrated in the city of Milwaukee, including majorities of the state's homicide and robbery cases.
- Compared to their share of the state's population, Black Wisconsinites have a greater likelihood of being arrested and of being the victim of a crime.
- Wisconsin residents under the age of 40 are more likely to be both victims and perpetrators of crime than older adults. However, arrests for older Wisconsinites have risen since 2019.
- Men and women are almost equally likely to be victims of crime, but men are more likely to be victims of violent crimes, and women are more likely to be victims of sex crimes. Men are also much more likely to offend and be arrested than women.

We begin our analysis of Wisconsin's criminal justice system by examining the state's law enforcement landscape and presenting data on offenses, victims and those arrested for crimes, and clearance rates for criminal cases.

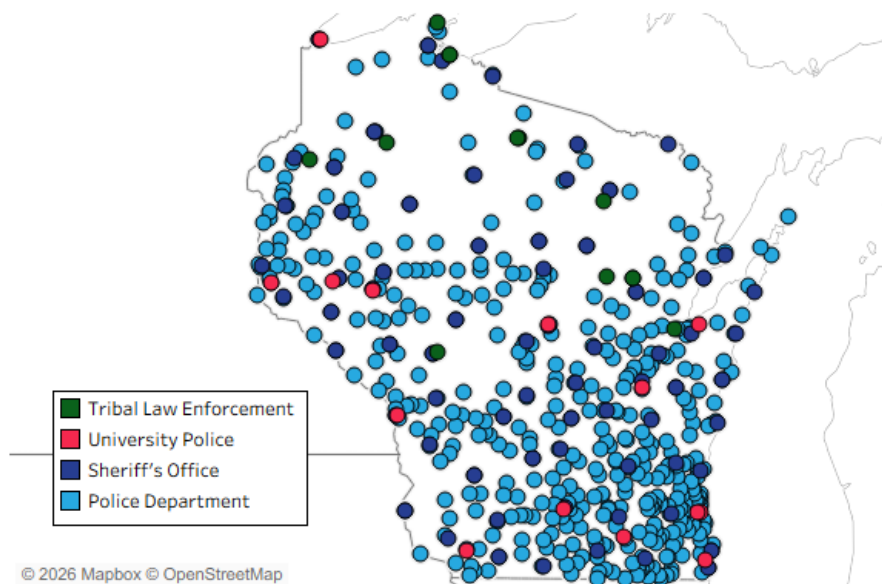
Law enforcement is primarily conducted at the local level, and that is particularly true in Wisconsin. Our previous research [found](#) that in 2017, per capita local spending on police in Wisconsin ranked 12th nationally, while per capita state law enforcement spending ranked last.

As of November 2024, the [state had](#) 444 local police departments, a sheriff's office in each of its 72 counties, as well as 13 tribal, 14 university, and 10 state-level law enforcement agencies, according to the Wisconsin Department of Justice (Figure 12).⁶

Reporting on law enforcement employment is incomplete, but as of January 2025, at least 13,000 state, local, and tribal sworn officers and at least 5,900 civilian

Figure 12: Law Enforcement in All Corners of the State

Law enforcement agencies in Wisconsin by type*



© 2026 Mapbox © OpenStreetMap

Source: Wisconsin Department of Justice. *Excludes state and federal law enforcement and other forms of local law enforcement.

⁶ Includes Lottery Office of Compliance and Enforcement, Department of Natural Resources (DNR) Bureau of Law Enforcement, DNR Forestry Division, DNR Parks and Recreation Division, the State Capitol Police, DOJ Division of Criminal Investigation, Department of Revenue Criminal Investigation Section, the State Patrol, law enforcement for the Kickapoo Valley Reserve, and the State Fair Park Police.



employees conduct or support law enforcement activities in the state. Many (typically rural) counties have a sheriff's office and only a few local police departments, while others – like Milwaukee, Waukesha, and Dane – have large numbers of local law enforcement agencies.

Unless otherwise specified, data in this section come from the Wisconsin Department of Justice's Bureau of Justice Information and Analysis (BJIA). Most state, local, and tribal law enforcement agencies report their data to the Bureau via the Wisconsin Incident-Based Reporting System (WIBRS), a version of the Federal Bureau of Investigation's (FBI) National Incident-Based Reporting System (NIBRS) that is specific to the state. As of 2023, nearly 98% of Wisconsin's population is covered by departments that submit this data to the state.

The Department of Justice began to [publish these data](#) in 2019, and data are currently only available through 2023, which limited our analysis to that timeframe. The system reached the threshold of covering more than 95% of the state's population in 2021, when the FBI set a deadline for agencies that report crime data to transition to an incident-based system and away from summary reporting systems that [contained less detail](#) about the time and location of crimes and less demographic information on individuals who commit crimes, victims, and people who have been arrested.

Demographics in the Wisconsin Incident-Based Reporting System

Readers should note that the state's crime reporting system, in accordance with federal standards, allows arresting or investigating officers to place individuals suspected of committing or falling victim to a crime into one of five racial categories: white, Black/African American, American Indian/Alaska Native, Asian, and Native Hawaiian/Other Pacific Islander. There is also a category that officers can mark if an individual's race is "unknown." For sex, officers may only mark individuals as male, female, or unknown.

Demographic data in WIBRS, therefore, does not allow for many important analytical threads to be followed. For example, recording of an individual's ethnicity is optional. Given that many law enforcement agencies choose not to record this information, we are unable to analyze any crime data pertaining to the state's Hispanic/Latino population. There are no categories for multiracial individuals or those who do not identify with one of the five racial groups currently tracked. Finally, while officers are supposed to use a driver's license or other form of identification to determine race and sex, it is possible that this does not happen in all circumstances. These gaps limit our demographic analysis.

Readers should also note that crime data do not capture all incidents, as many crime victims do not report offenses to law enforcement. National data from the Bureau of Justice Statistics' National Crime Victimization Survey (NCVS) showed that in 2023, less than half of violent crime incidents and less than one-third of property crime incidents were reported to law enforcement. Reporting rates for crimes have declined somewhat over the last decade, particularly for property crime. In 2023, a majority of respondents to the federal survey said that the most important reason they did not report a violent incident to law enforcement was either that they dealt with it another way or they did not trust that law enforcement could or would do anything to help.

With regard to reports of crime, reviews of FBI Uniform Crime Reporting (UCR) data show that Wisconsin has generally followed national trends – the reported number of violent and property crimes spiked in the early 1990s and then fell. While reported property crime has continued to decline since that time, reported violent crime has remained flat and even risen in recent years, though it remains well below its 1990s peak.



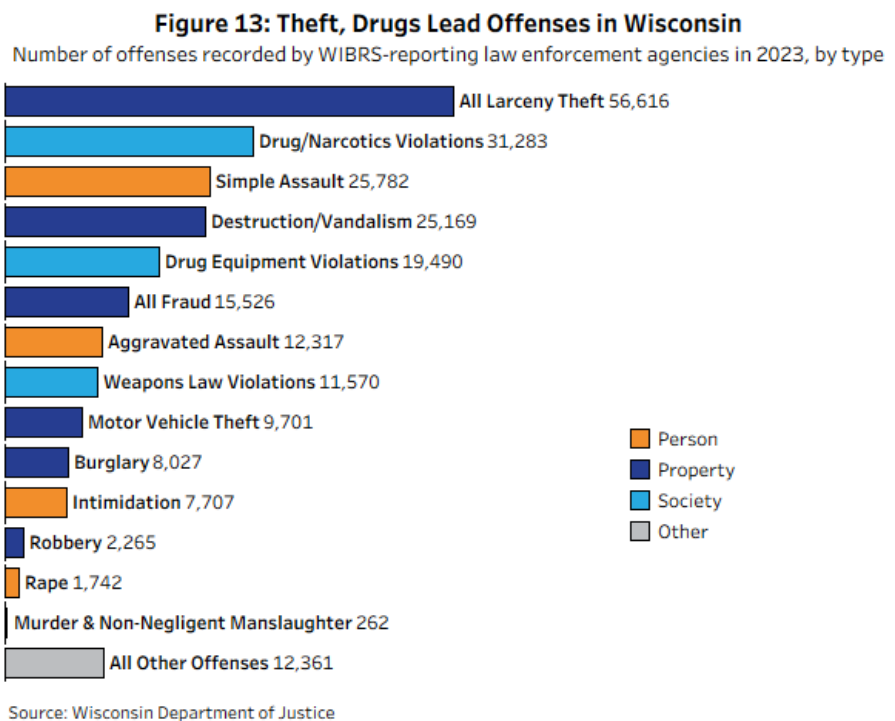
In this section, when we discuss changes from 2019 to 2023, we use only the data from the group of 212 agencies that reported incident-based data to the state of Wisconsin in each of those five years. Together, the agencies that reported incident-based data [covered](#) around 70% of the state’s population in 2019 and higher shares in each subsequent year. When discussing data from 2023 alone, we use the full group of agencies that reported incident-based data that year (408 total covering 97.7% of the state’s population).

While we use DOJ data throughout this section to give us a statewide picture of crime, it is important to note that they do not always align with the figures reported by local police departments in Wisconsin. For example, the Milwaukee Police Department [has reported](#) higher numbers of offenses in Milwaukee than the [DOJ has](#) across many crime categories for several years. It is beyond the scope of this report to determine the cause of these discrepancies and the extent to which they exist for other police departments across the state, but further research on this issue may be needed.

Offenses

Per the National Incident-Based Reporting System’s rules, crimes in the state of Wisconsin’s data are [sorted into two categories](#). Group A crimes are more serious and include offenses such as homicide, sexual assault, aggravated assault, burglary, and bribery.⁷ Both offense and arrest data are available for Group A crimes. Group B crimes include offenses such as writing bad checks, drunken driving, trespassing, and disorderly conduct, for which only arrest data is tracked.⁸

There were 239,818 Group A offenses reported by 408 agencies to the Wisconsin DOJ in 2023, or about 41.5 offenses per 1,000 state residents served by those agencies. As shown in Figure 13, four types of crime accounted for a majority of that total: all forms of larceny/theft (56,616), drug/narcotic violations (31,283), simple assault (25,782), and destruction/vandalism (25,169).



⁷ For a full list of Group A offenses, see https://www.icpsr.umich.edu/web/pages/NACJD/NIBRS/concepts.html#Group_A_Offenses.
⁸ Other Group B crimes include curfew/loitering/vagrancy, disorderly conduct, nonviolent family offenses, liquor law violations, operating while intoxicated, and all other offenses not named. Within the incident-based reporting system, a Group B crime is one in which the offense and victim are not tracked, only arrests.



Incident-based reporting systems, including WIBRS, group crimes into three categories depending on the type of victim: Crimes Against Persons, Crimes Against Property, and Crimes Against Society. Crimes Against Persons include several offenses that were considered “violent crime” under older summary reporting systems, such as homicide, rape, and aggravated assault, and also include other sex crimes, intimidation, kidnapping, simple assault, and human trafficking. Crimes Against Property include all forms of fraud and theft, robbery, burglary, and arson. Crimes Against Society include those that involve drugs, gambling, prostitution, and weapons. A full list of crimes by group can be found in **Appendix 2**.

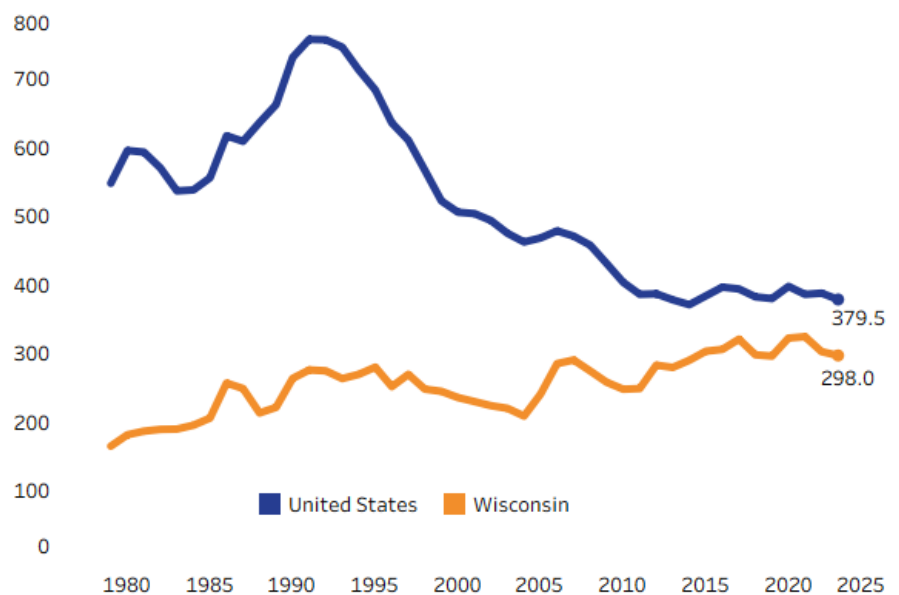
In 2023, Wisconsin law enforcement agencies reported 52,483 Crimes Against Persons, or 9.1 per 1,000 state residents, which accounted for 21.9% of all Group A offenses. Beyond simple assault, which accounted for about half of those crimes, there were 12,317 cases of aggravated assault and 7,707 cases of intimidation. Sex crimes, including human trafficking, made up another 5,154 cases, while there were 1,160 cases of kidnapping and 363 cases of homicide (of which 262 were murder or non-negligent manslaughter).

A slight majority of the total offenses reported in 2023 were Crimes Against Property, with theft and destruction/vandalism accounting for the largest numbers of those offenses. Crimes Against Society accounted for the remaining 27.0% of total offenses, led by drug/narcotic violations.

Over the last several years, one striking trend is a sharp rise and subsequent decline in motor vehicle thefts, which more than doubled from 8,078 in 2020 to 17,038 in 2021 but fell back to 8,559 by 2023. Thefts [spiked](#) nationally in 2021 and 2022 when a vulnerability was discovered in vehicles manufactured by Kia and Hyundai that allowed them to be stolen without a key.

National context. Although the FBI replaced its Summary Reporting System with NIBRS in 2021, it has continued to accept summary data. This allows us to compare Wisconsin’s crime rates with national averages extending back to 1979. Summary reporting systems group crimes differently, as either “violent crime,” which includes homicide, rape, robbery, and aggravated assault, and “property crime,” including burglary, larceny theft, motor vehicle theft, arson, and human trafficking.⁹

Figure 14: Violent Crime Has Risen in Wisconsin, Fallen Nationally
Violent offenses per 100,000 residents



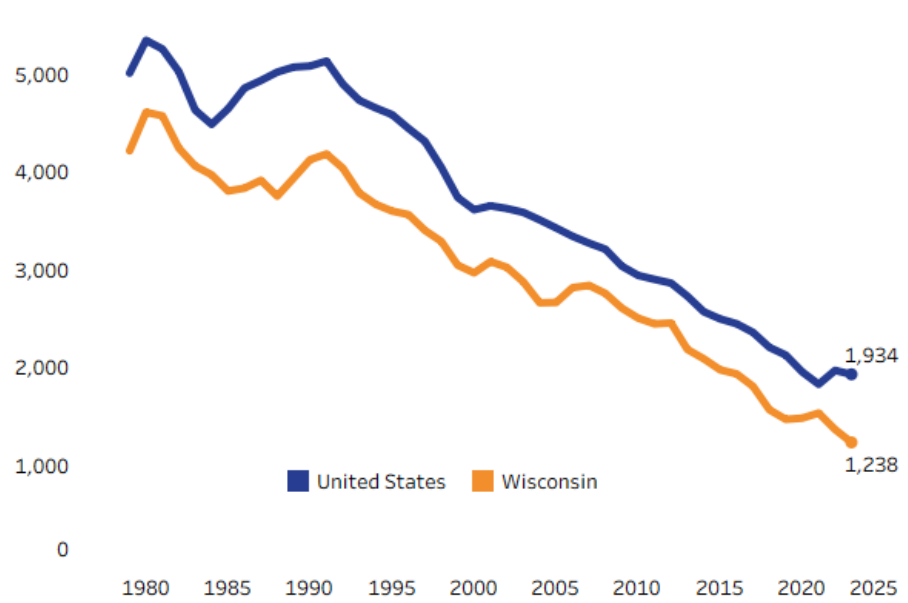
Source: WPF analysis of data from the FBI’s Summary Reporting System

⁹ The FBI’s definitions of violent crime and property crime can be found here: <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/violent-crime>) and here: <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/property-crime>.



Those data show that Wisconsin's violent crime rate has been below the nation's for decades, but the gap has narrowed as violent crime has increased in the state while declining nationally (Figure 14). In 2023, 298.0 violent crimes were reported in Wisconsin per 100,000 residents, which was 21.5% lower than the national average. By comparison, from 1979 to 2004, Wisconsin's violent crime rate was less than half of the national rate.

Figure 15: Property Crime Has Plummeted in Wisconsin and Nationally
Property offenses per 100,000 residents



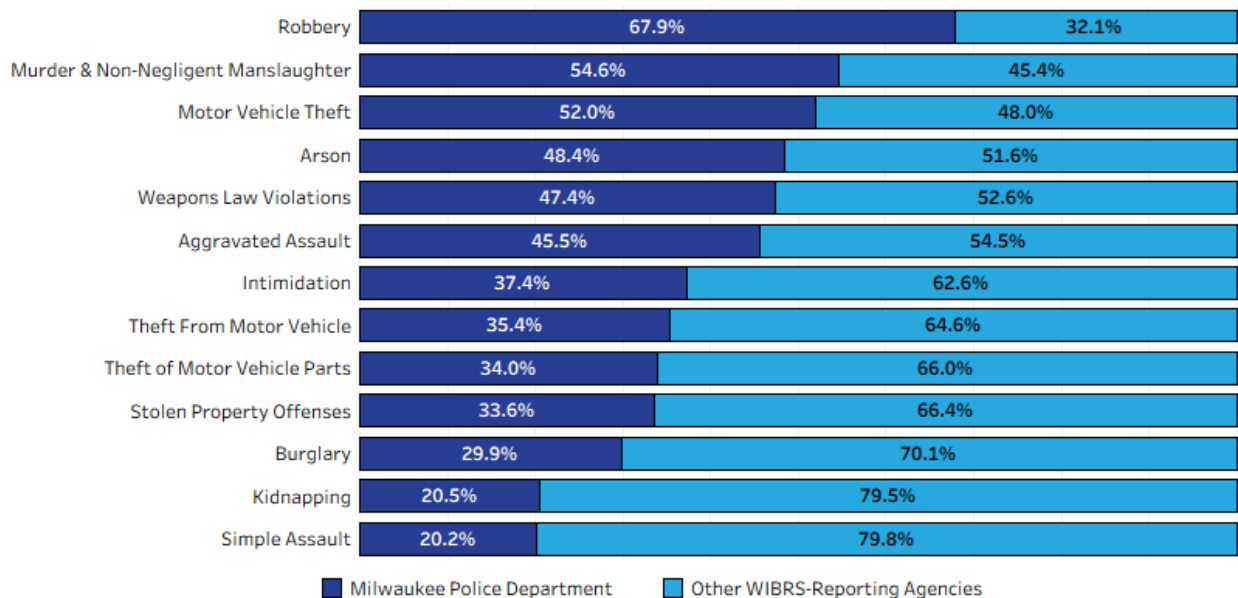
Source: WPF analysis of data from the FBI's Summary Reporting System

In contrast, Wisconsin has tracked closely with the national trend of steadily declining property crime starting in the 1990s, remaining consistently below the national rate (Figure 15). For more information about the definitions of violent and property crime, see **Appendix 2**.

With two exceptions, these trends have been consistent across specific types of crime within the two broad categories of the Summary Reporting System data. In 2021, Wisconsin experienced higher

Figure 16: Milwaukee Police Dept. Sees Outsized Share of Reported Crime in Wisconsin

Percentage of 2023 statewide crime in selected categories, Milwaukee Police Dept. versus all other WIBRS-reporting departments



Source: Wisconsin Department of Justice

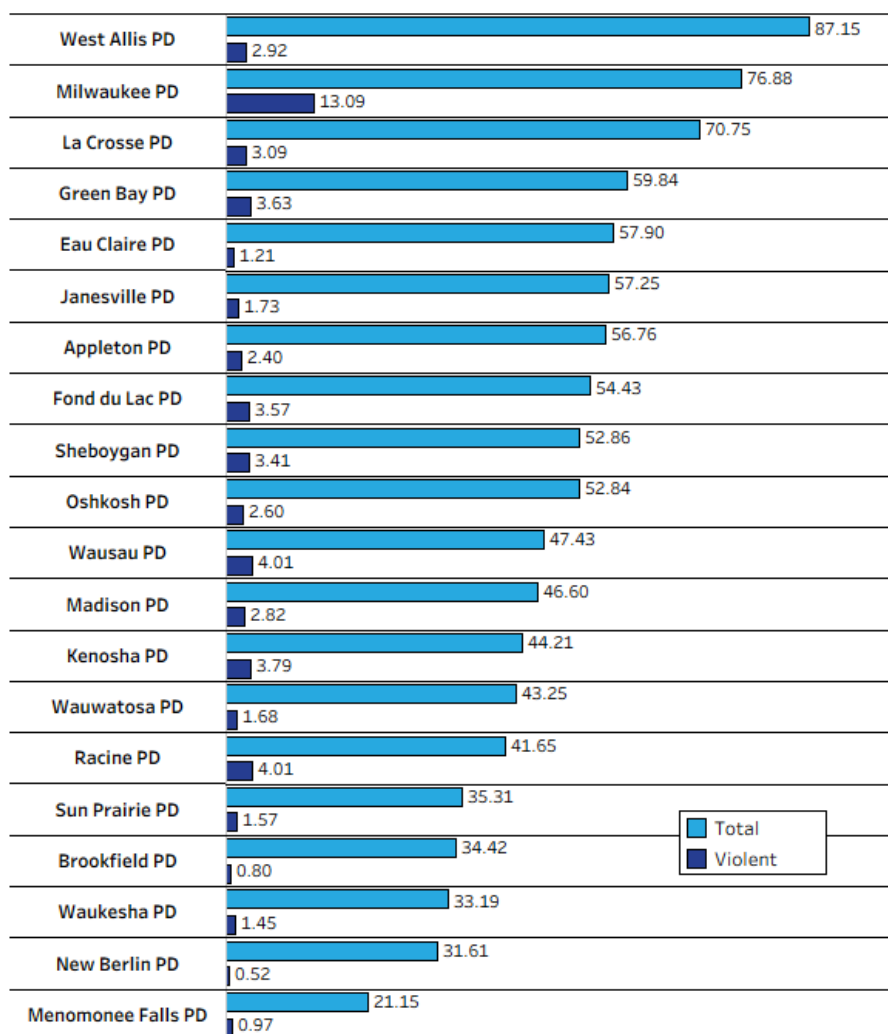


rates of motor vehicle theft and rape than the national averages for those offenses, but the state's rates fell below the nation's again in 2022 and 2023.

By department. In 2023, 22 agencies – 20 police departments and two sheriff's offices – accounted for a majority of the offenses reported to the state of Wisconsin's incident-based reporting system. Nearly one of every five reported offenses in the state fell under the jurisdiction of the Milwaukee Police Department (MPD), which in 2023 recorded 44,391 Group A offenses, or 18.5% of those statewide. As shown in Figure 16, MPD accounted for a much larger share of certain crimes, including a majority of the state's reported motor vehicle thefts (52.0%), homicides (54.6%), and robberies (67.9%). It also accounted for large shares of aggravated assaults (45.5%), arsons (48.4%), stolen property offenses (33.6%), and weapons law violations (47.4%) statewide.

Milwaukee's rate of crime against persons is exceptionally high compared to the state's other population centers. The 20 largest municipalities in Wisconsin together make up about a third of the state's population, and all of their police departments reported incident-based data to the state in 2023. Among that group, Milwaukee's overall reported crime rate per 1,000 residents (77.1) was second only to nearby West Allis (87.5) and much higher than the rates in the state's next largest cities of Madison (47.3) and Green Bay (60.1). As Figure 17 shows, however, Milwaukee's rate of crime against persons in 2023 was 25.8 – nearly 60% higher than the next highest municipality (16.2 in Sheboygan). Crime against persons is driven by both types of assault and intimidation; they accounted for 33.5% of all offenses reported to

Figure 17: Violent Crime Rate Far Higher in Milwaukee than Other WI Cities
Total and violent offenses per 1,000 residents in state's 20 largest cities, 2023



Source: Wisconsin Departments of Justice and Administration. Violent crime includes aggravated assault, rape, robbery and homicide. Data does not account for non-municipal law enforcement agencies.



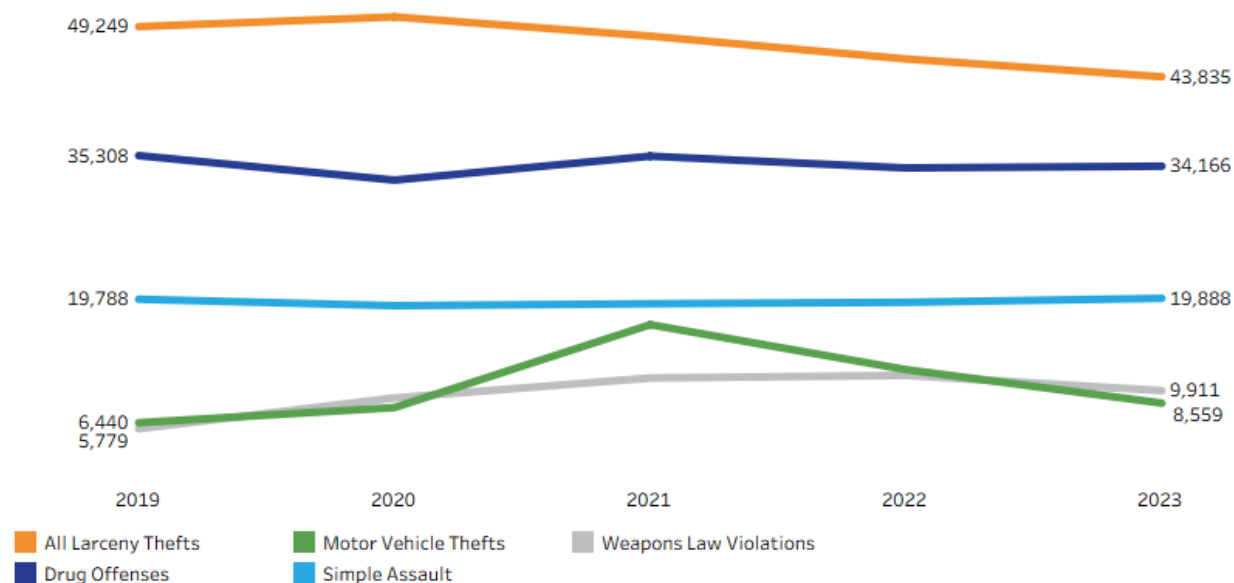
the MPD but fewer than 30% of offenses reported in 18 of the other 19 largest Wisconsin municipalities and 21.9% of reported offenses statewide.

Across the agencies that have reported incident-based data to the Wisconsin DOJ since 2019 or earlier, total reported offenses were down 1.2%, from 185,811 in 2019 to 183,582 in 2023. Driven by an increase in Milwaukee, the number of homicides in the state spiked to 283 in 2021. They subsequently fell to 227 in 2023 but remained 35.9% above the 167 reported in 2019.¹⁰ In 2023, the number of aggravated assaults were similarly 1.8% higher than in 2019 though lower than in 2021, while reported incidents of rape (-5.6%) and robbery (-22.0%) were below pre-pandemic levels.

Total Group A reported offenses were 6.3% higher for MPD in 2023 than in 2019, but 3.4% lower for the other 211 departments combined. Across all departments, weapons law violations (71.5% increase) and motor vehicle thefts (32.9%) in particular were much higher in 2023 than in 2019 (Figure 18), though early data show levels falling in Milwaukee, where most of these crimes took place. Though the cause of the acute increase in weapons law violations is not as clear as the rise and fall in motor vehicle thefts, one possible factor is a [surge in gun purchases](#) during the early months of the pandemic – another nationwide trend that impacted Wisconsin.

Figure 18: Reported Offenses Largely Flat; Weapon Law Violations and Motor Vehicle Thefts Spike

Reported offenses for selected crime categories, 2019-2023*



Source: Wisconsin Department of Justice. *Only among agencies that reported to WIBRS in each year.

Victims of Crime

In 2023, nearly two-thirds of Wisconsin’s crime victims experienced either simple (18.3%) or aggravated assault (8.7%), a form of larceny theft (22.7%), or property destruction, damage, or vandalism (14.7%; see Figure 19). In total, 130,368 individuals¹¹ were victims of 140,822 crime

¹⁰ Uniform Crime Reporting data show that homicides in 2020, 2021, 2022, and 2023 were well above levels from 1985 to 2019.

¹¹ Per the Wisconsin DOJ data, non-human entities that can be victims of crime include businesses, financial institutions, governments, religious organizations, and society/the public.

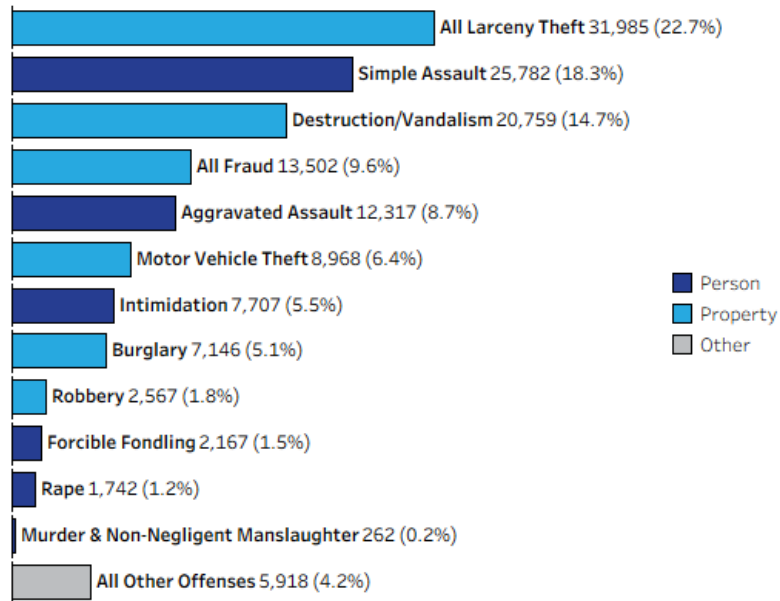


incidents in 2023, according to the Wisconsin DOJ data, for a statewide rate of roughly 24.2 incidents per 1,000 residents.¹² In some cases, the same person was a victim of multiple crimes, and it is possible that the victim of one crime is later the perpetrator of another. In other cases, a single crime results in multiple victims.

Sex. Women accounted for 49.9% of the state's population as of 2023 but

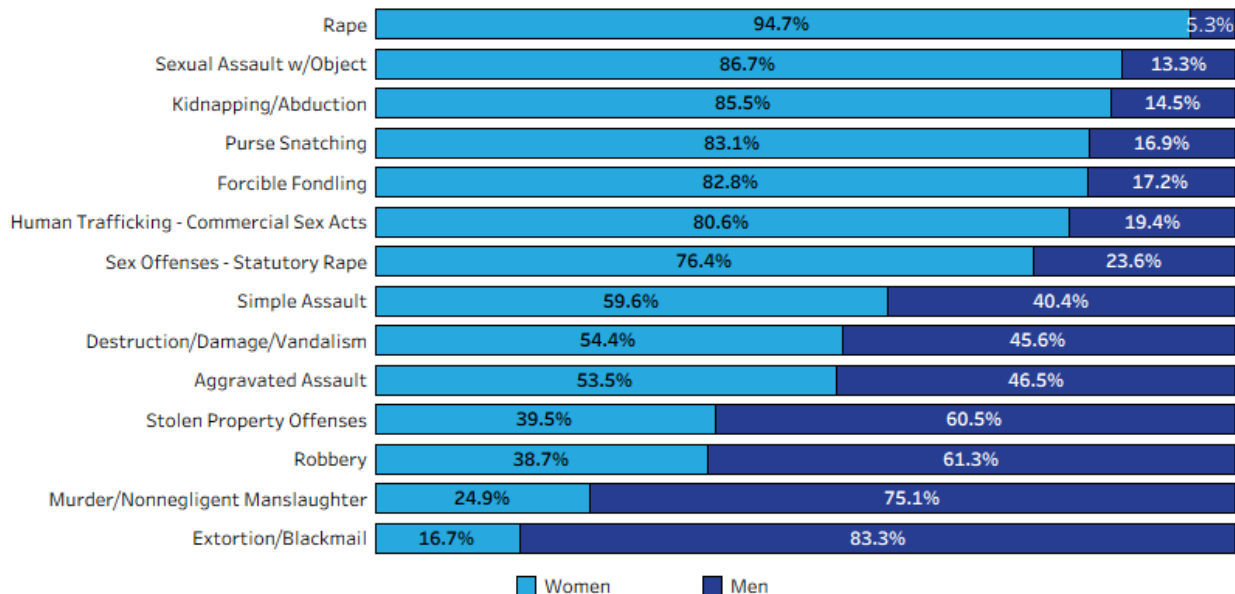
53.7% of the state's crime victims that year. As shown in Figure 20, women were much more likely than men to be victims of certain sex crimes such as forcible (94.7%) and statutory rape (76.4%), human trafficking involving commercial sex acts (80.6%), sexual assault with an object (86.7%), and

Figure 19: Most Crime Victims Report Theft, Assault, Property Damage
Victims of crime by offense and type for WIBRS-reporting agencies, 2023



Source: Wisconsin Department of Justice

Figure 20: Women More Commonly Victims of Sex Crimes, Men of Violent Crimes
2023 victimization by sex and selected crime, WIBRS-reporting agencies



Source: Wisconsin Department of Justice

¹² It is possible for an individual (or non-human entity) to be the victim of more than one crime, and this rate does double-count those cases. Out of the 130,368 instances in which a human was the victim of a crime in 2023, there were 9,622 (7.4%) cases of multiple crimes taking place and 765 (0.6%) of at least three crimes taking place. When we discuss the levels at which certain demographic groups were victimized, we look at the number of individuals that were crime victims, whereas when we look at victimization within a certain category of crime, we look at the number of victims of that specific crime.



forcible fondling (82.8%); they were also much more likely to be victims of kidnapping/abduction (85.5%) and purse snatching (83.1%), a form of larceny theft. For more information about the definitions of rape used in this report, see **Appendix 2**.

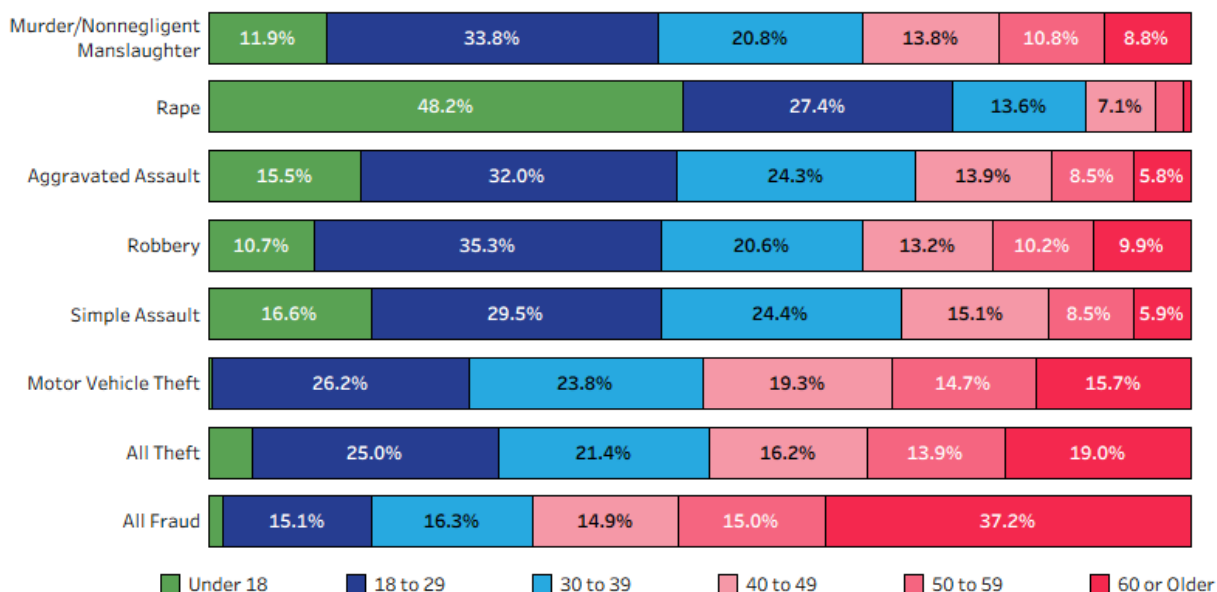
Men, meanwhile, accounted for just over three-quarters of the victims of homicide (75.1%) and the vast majority of extortion or blackmail victims (83.3%). Men were also victims of a majority of stolen property offenses (60.5%) and robberies (61.3%). Women were slightly more likely than men to be victims of assault or destruction, damage, or vandalism, while men were slightly more likely to be victims of overall larceny theft.

Age. A quarter (25.0%) of human victims of crime in Wisconsin in 2023 were between the ages of 18 and 29, and a majority were younger than 40 (Figure 21). Children (those under the age of 18) accounted for a majority of the victims of certain sex crimes, including human trafficking, but for most types of crime they accounted for less than 10% of victims. Minors made up 21.0% of the state’s population in 2023 but accounted for an outsized share of the victims of negligent manslaughter (29.0%) and extortion or blackmail (25.9%). Children accounted for 15.5% of the victims of aggravated assault and 16.6% of the victims of simple assault.

Adults ages 60 and older make up 26.3% of Wisconsin’s population but accounted for at least 30% of the victims of every category of fraud. For nearly every other crime category, however, they accounted for a smaller share of victims than their share of the state’s population. Individuals between the ages of 18 and 39 made up a majority of victims of most major crimes, including homicide, robbery, both kinds of assault, and motor vehicle theft.

Figure 21: Younger Wisconsinites More Likely to be Victimized

Human victims by selected crime and age bracket, 2023



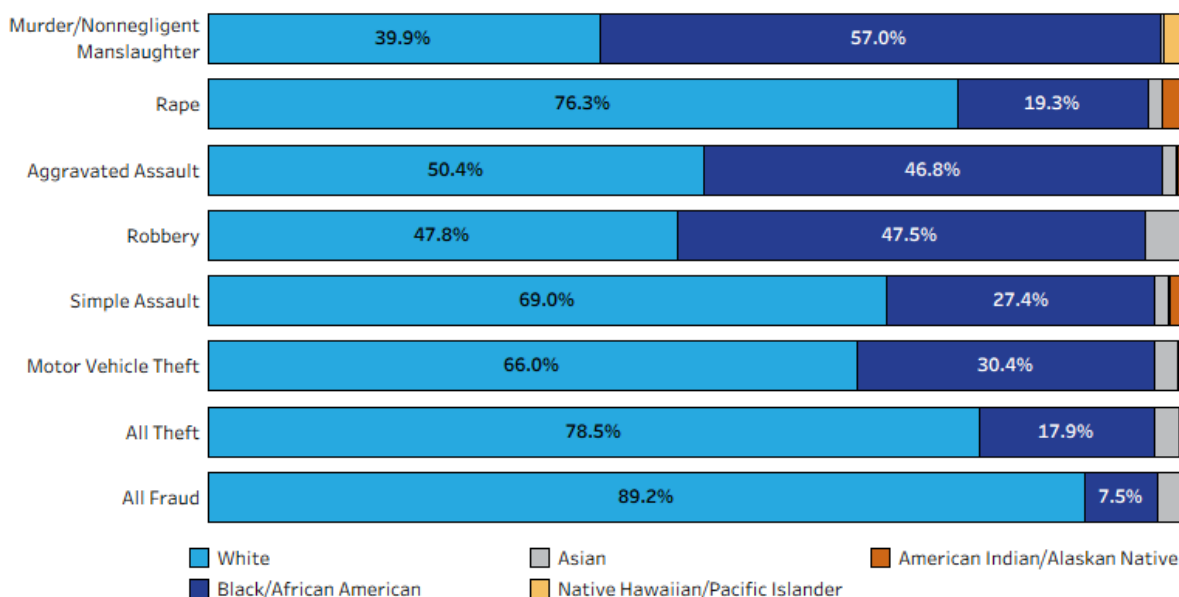
Source: Wisconsin Department of Justice



Race. Black Wisconsinites accounted for a far larger share of the victims of all crime (24.5%) than they did the population of the state (5.9%; see Figure 22 for data on selected crimes). White Wisconsinites (79.9%) were less likely to be victims of crime (72.0%) than their statewide share of the population, though they still accounted for a large majority of crime victims, while the share of crime victims who were Asian (2.1%) was also slightly lower than the percentage of state residents who were Asian (3.0%).

Figure 22: Black Wisconsinites Victimized by Crime Disproportionately

Human victims by selected crime and race, 2023



Source: Wisconsin Department of Justice

Black Wisconsinites constituted a majority (57.0%) of the state’s homicide victims and nearly half of its robbery (47.5%) and aggravated assault victims (46.8%). They also accounted for a larger share of the victims of virtually every category of crime than their share of the state population. American Indian and Alaska Native Wisconsinites also made up a higher concentration of crime victims (1.3%) than their statewide makeup (0.8%), particularly for certain crimes such as rape (2.8%), simple assault (2.1%), and shoplifting (4.0%).

As previously noted, Black Wisconsinites have higher rates of poverty and unemployment than the state’s white population. These and other socioeconomic factors may contribute to this population’s higher rates of victimization and involvement in the criminal justice system.

Clearances

An offense can be cleared either when an initial arrest has been made or the department considers the offense cleared by “exceptional means.”¹³ Across the Wisconsin departments that reported

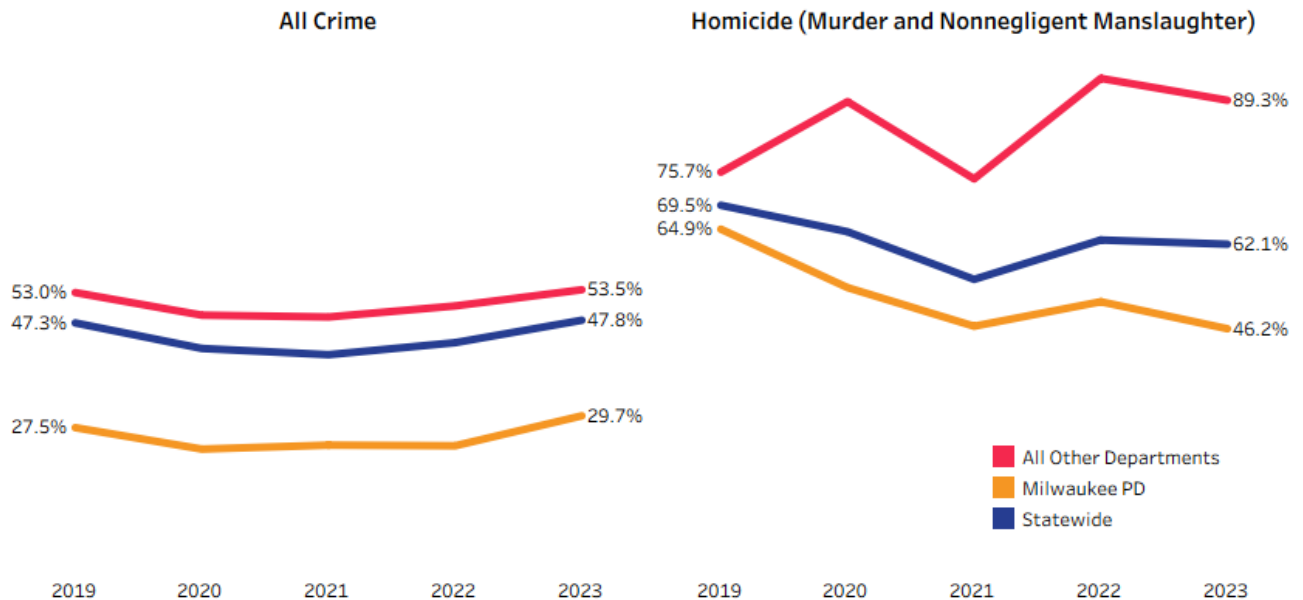
¹³ The FBI’s [criteria](#) for an agency to exceptionally clear an incident are: 1) The agency’s investigation must have clearly and definitively established the identity of at least one individual suspected of committing a crime, AND 2) the agency has enough information to support an arrest, charge, and turning over to the court for prosecution, AND 3) The agency knows the exact location of the individual, BUT 4) There is a reason outside control of the agency preventing the arrest, charging, and turning over for prosecution, due to death, declining of prosecution, the individual being in the custody of another jurisdiction, the victim refusing to cooperate, or the victim being a youth.



incident-based data in all five years we examined, overall clearance rates reached their highest level in 2023, at 47.8%. They were at a similar level – 47.3% – in 2019, but dipped substantially during the early years of the pandemic, falling to 42.4% in 2020 and 41.3% in 2021 (Figure 23). These clearance rates are based on offense dates and whether the incidents have ever been cleared (regardless of when). For example, 27.5% of the offenses reported in Milwaukee in 2019 have been cleared at any time since then.

Figure 23: Clearances Return to Pre-Pandemic Levels, but Smaller Share of Homicides Cleared

Clearance rate among WIBRS-reporting departments for all crime and homicide



Source: Wisconsin Department of Justice

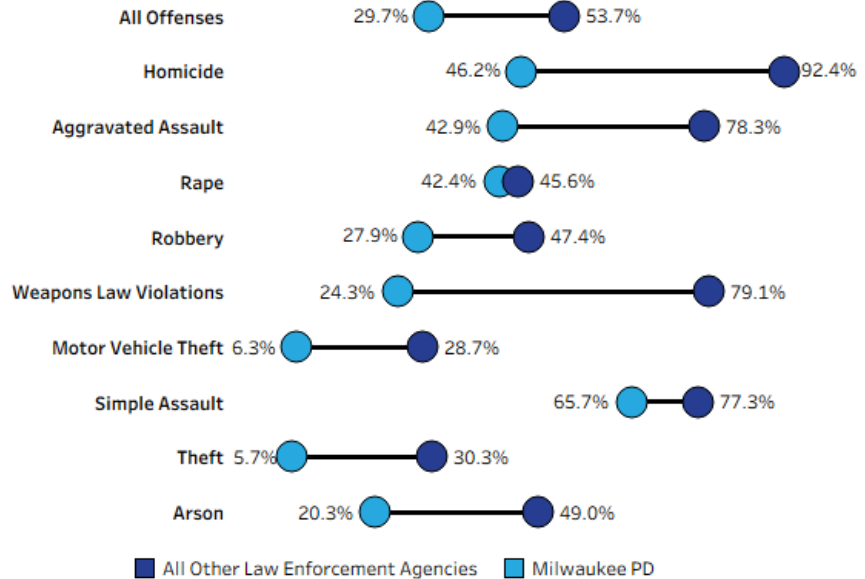
For all departments reporting incident-based data to the Wisconsin DOJ in 2023, the overall clearance rate was a similar 49.3%. Clearance rates differ heavily depending on the category of crime. For some types of crimes, police report very high clearance rates: for example, most drug equipment violations (84.9%) and drug/narcotics violations (82.6%) were cleared in 2023, as were a majority of simple assaults (75.0%), homicides (67.2%), and aggravated assaults (62.2%). Most types of theft and fraud, meanwhile, had clearance rates below one-third. Motor vehicle thefts – a prominent cause for concern in Wisconsin in recent years – saw a clearance rate of just 17.1% in the most recent year of data available.

By department. In 2023, MPD cleared 29.7% of its Group A offenses. For nearly all crime categories, the department cleared offenses at lower rates than other departments reporting to the Wisconsin DOJ; of the 249 departments with at least 100 Group A offenses in 2023, MPD ranked 231st in its clearance rate. Perhaps most notably, non-MPD departments cleared nearly all of their homicides – 75 out of 84, or 89.3%; MPD, however, cleared 66 out of 143 homicides, or 46.2%. Homicide clearance in Milwaukee has declined substantially from 64.9% in 2019. Though Milwaukee has eliminated police positions due to budget challenges over the years, its per capita spending on police is the highest for large cities in Wisconsin, as our [Municipal DataTool](#) shows.



MPD also struggles to resolve other types of serious crime that it sees in large numbers. For example, it cleared just 6.3% of its motor vehicle thefts in 2023, compared to 28.7% cleared by all other departments statewide. It also cleared much lower percentages of cases involving weapons law violations, robberies, thefts, arsons, and aggravated assaults than other agencies (Figure 24).

Figure 24: Milwaukee Police Department Less Likely to Clear Offenses
2023 clearance rate by selected offense type, MPD versus all other agencies in WI



Source: Wisconsin Department of Justice

Clearing crimes in a large city such as Milwaukee with a high poverty rate and other distinct challenges is different from doing so in a small town or suburb. Milwaukee is not unusual in this regard, as other large U.S. cities are also increasingly struggling to [solve major crimes](#). Most other law enforcement agencies in the state also do not have to deal with the volume of homicides that Milwaukee experiences; that volume and the labor-intensive nature of homicide investigations may be factors in why more are not cleared in the city. A detailed comparison between Milwaukee and similarly sized cities in other states would put Milwaukee's clearance rates in better context. Unfortunately, that analysis is beyond the scope of our current study, but we hope to revisit this issue in a future report.

Arrest Data

Law enforcement agencies in Wisconsin recorded 195,862 arrests in 2023. A majority of them were for more minor Group B offenses, with a catch-all category (“All Other Offenses,” which accounted for 23.9% of all arrests) and disorderly conduct (12.4%) constituting the two largest categories of arrests. Among those for Group A offenses, most arrests were for either drug/narcotic violations (12.3%), larceny theft (9.4%), or simple assault (7.8%).

Among agencies reporting incident-based data in all five years, there was a decline in arrests of youth and an increase in arrests of older adults – a trend mirrored in the demographics of the state's prison population, which we examine later in this report. The increase in arrests of older adults is greater than what we would expect even after accounting for the aging of the state's population. In 2023, adults ages 50 or above accounted for a higher share of those arrested for driving under the influence/operating while intoxicated (20.4%) than of those arrested for any offense (13.0%), suggesting potential linkages to substance abuse.

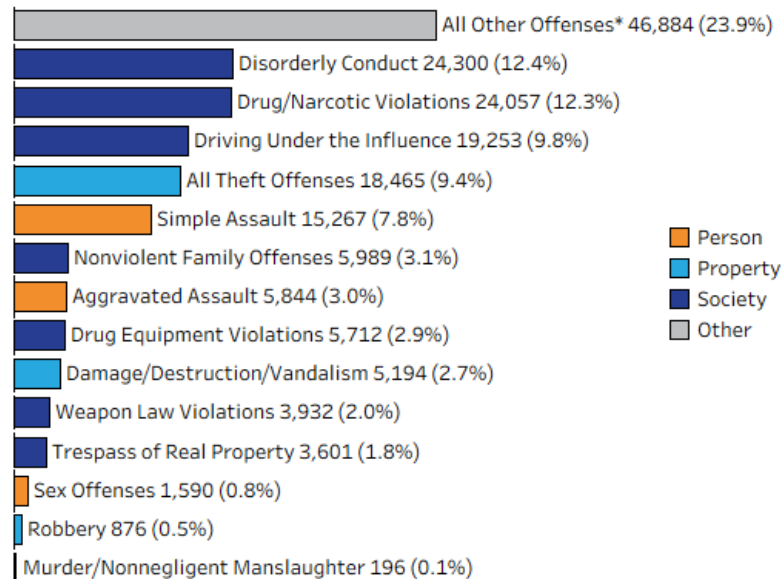


The number of individuals arrested, suspected of committing a crime, and cleared cannot be directly compared, because data on individuals suspected of committing a crime and cleared do not include Group B crimes, and clearance data also count instances where a crime was cleared by “exceptional means” (see Footnote 13 on page 22). Based on our analysis, however, we have little reason to believe that the

demographic shares of individuals arrested versus suspected of committing a crime in Wisconsin differ in any significant way. It is possible, though, that the demographic shares of individuals suspected of committing a crime with no logged demographic data would contribute to meaningful differences between the age, race, sex, and geography of those who reportedly commit crimes versus those who were actually arrested.

Figure 25: Nearly Half of All Arrests for Crimes Against Society

Total arrests for selected crimes by type among WIBRS-reporting departments, 2023



Source: Wisconsin Department of Justice. **All Other Offenses* is a WIBRS category of all crimes not categorized, rather than an encapsulation of all types of crimes not listed above.

As noted above, just a handful of crimes constituted a majority of all arrests in 2023 (Figure 25). Crimes against persons accounted for 13.7% of arrests, with most being for simple assault. Property crimes comprised another 15.9% of arrests, while crimes against society accounted for 46.5%. The remaining 23.9% of arrests were included in the “All Other Offenses” grouping. Group B arrests made up 52.8% of all 2023 arrests, led by “All Other Offenses,” disorderly conduct, and driving under the influence/operating while intoxicated.

Among the 212 law enforcement agencies that reported incident-based data to the state in each year since 2019, arrest totals dipped from a high of 159,108 in 2019 to a low of 129,256 in 2020. They rose in each of the following three years, but at 142,848 in 2023 had not yet returned to pre-pandemic levels.

Sex. More than two-thirds of the individuals arrested in Wisconsin in 2023 were men (69.3%). Welfare fraud (a subcategory of fraud) was the sole crime for which women constituted a majority of arrests; men were arrested for more than 80% of homicides, rapes, robberies, burglaries, and weapons law violations (see Figure 26). Though not a majority, women accounted for higher shares of arrests for fraud (38.8%) and theft (44.1%) than of other offense types.

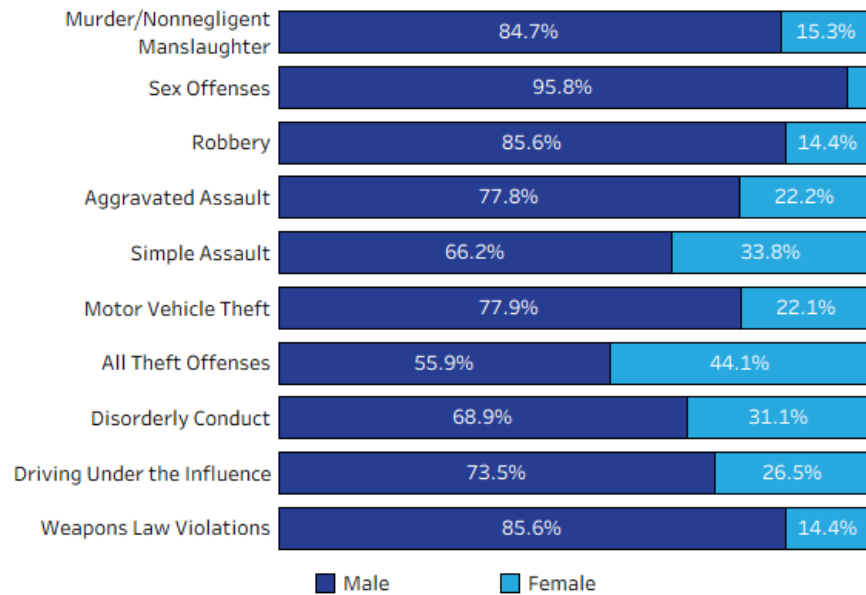


Age. The overall reduction in arrests in Wisconsin between 2019 and 2023 was driven by a 25.3% decline in arrests of those aged 17 to 19 and a 25.2% decrease for those between 20 and 29; youth arrests also declined by 10.8% during this time (Figure 27). Meanwhile, arrests of adults aged 30 or above rose by 3.0% during this period, to 77,604.

In 2023, roughly one-third of the individuals arrested in Wisconsin (33.8%) were between the ages of 17 and 29, and more than two-thirds (71.3%) were under the age of 40 (see Figure 28). The latter group also accounted for a majority of all arrests in each of the 10 most common crime categories. However, there was some variance in the age distribution of those arrested for different types of crime.

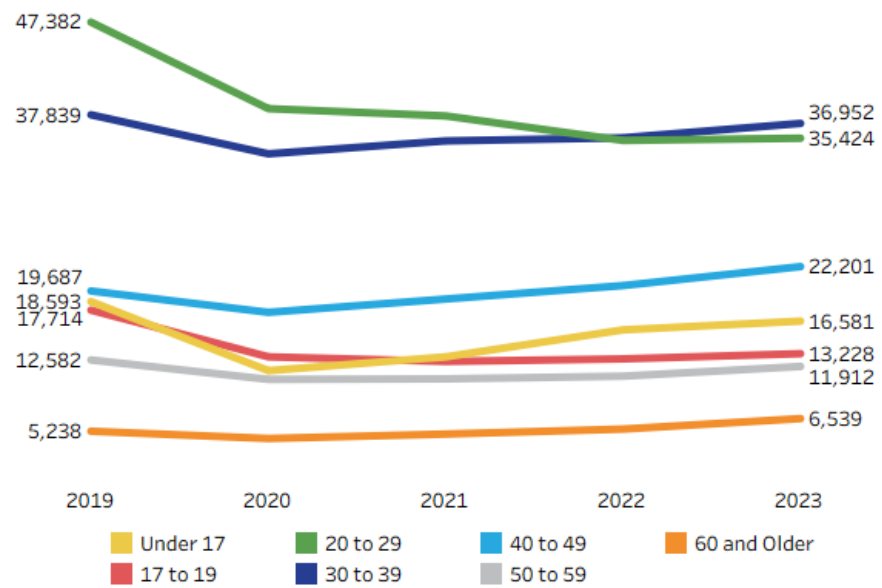
Wisconsin law enforcement agencies that reported incident-based data in 2023 made 22,882 arrests of individuals below the age of 17, or 11.7% of all arrests. The top two crimes for which individuals under 17 were arrested were the same as for the broader adult population (“All Other Offenses” and disorderly conduct), but youths made up an outsized proportion of those arrested for motor vehicle theft

Figure 26: Men Comprise Most Wisconsin Arrests
2023 arrests by selected crime and sex



Source: Wisconsin Department of Justice

Figure 27: Arrests Increase for Older Adults, Drop for Youngest Age Groups
Arrests from WIBRS-reporting agencies by age bracket, 2019 to 2023

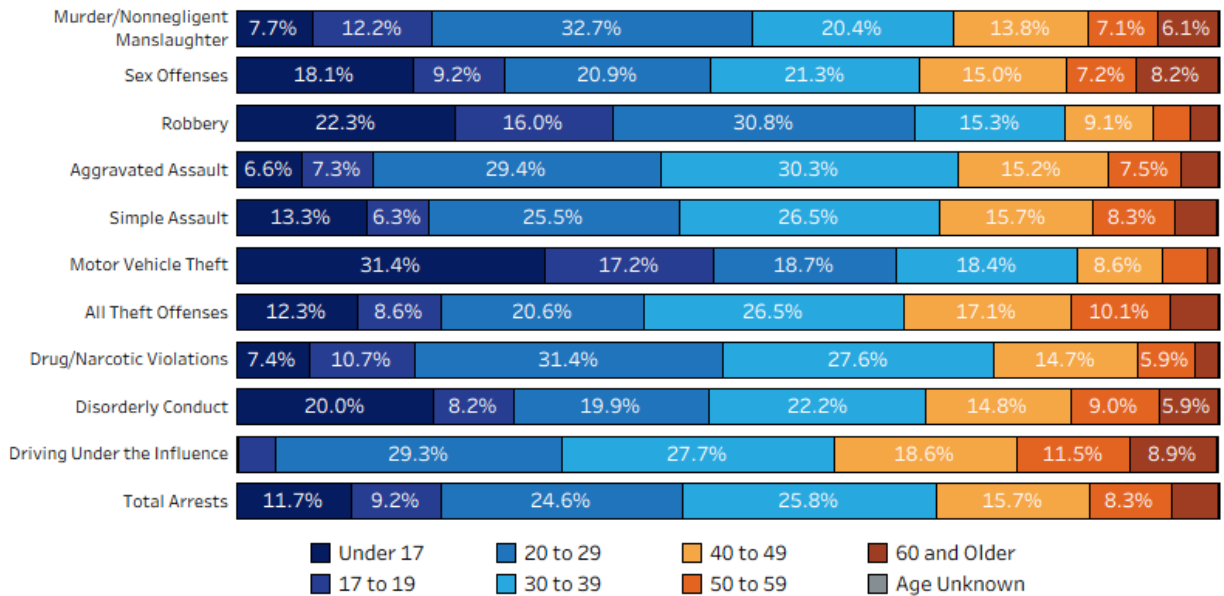


Source: Wisconsin Department of Justice



Figure 28: Younger Wisconsinites More Likely to be Arrested

2023 arrests by age bracket and selected crime



Source: Wisconsin Department of Justice

(31.4%); disorderly conduct (20.0%); curfew, loitering, and vagrancy (58.7%); robbery (22.3%); and damage, destruction, and vandalism (23.5%). Declines in arrests for drug violations – both for possession and usage of drugs and related equipment – were significant factors in arrest declines since 2019 for the youngest age groups; arrests for this crime have dropped by 39.1% among those aged 17 to 19 and by 27.9% among those aged 20 to 29.

Individuals aged 60 and older accounted for only 4.7% of arrests in Wisconsin in 2023. However, arrests of those older adults for drug offenses increased by 56.4% from 2019 to 2023, and their arrests for simple assault and intimidation – often associated with the use of harmful substances – rose at similar rates. Among those aged 60 and older, total arrests rose by 24.8% from 5,238 in 2019 to 6,539 in 2023; those aged 40 to 49 (12.8%) were the only other age group to show an increase in arrests during this period.

Race. Among people arrested in 2023 whose race was logged in the state’s incident-based data, 67.5% were white and 25.3% were Black. The data do not include information about whether individuals who have been arrested are of Hispanic/Latino origin, making analysis of that population’s arrest trends impossible. The only other racial categories the data include are Asian, Native Hawaiian/Pacific Islander, and American Indian/Alaska Native. Each of those three groups saw fewer than 6,500 arrests in 2023, and none accounted for more than 3.2% of all arrests or more than 10% of arrests for any individual crime with at least 10 total arrests.

Black Wisconsinites were more likely to be arrested than individuals of any other race. In 2023, there were 138.2 arrests of Black Wisconsinites for every 1,000 Black state residents, compared to just 27.4 arrests of white Wisconsinites per 1,000 residents. The state’s American Indian/Alaska Native population had the second-highest arrest rate at 125.7 per 1,000. Asian Wisconsinites (14.3) had the lowest arrest rate.

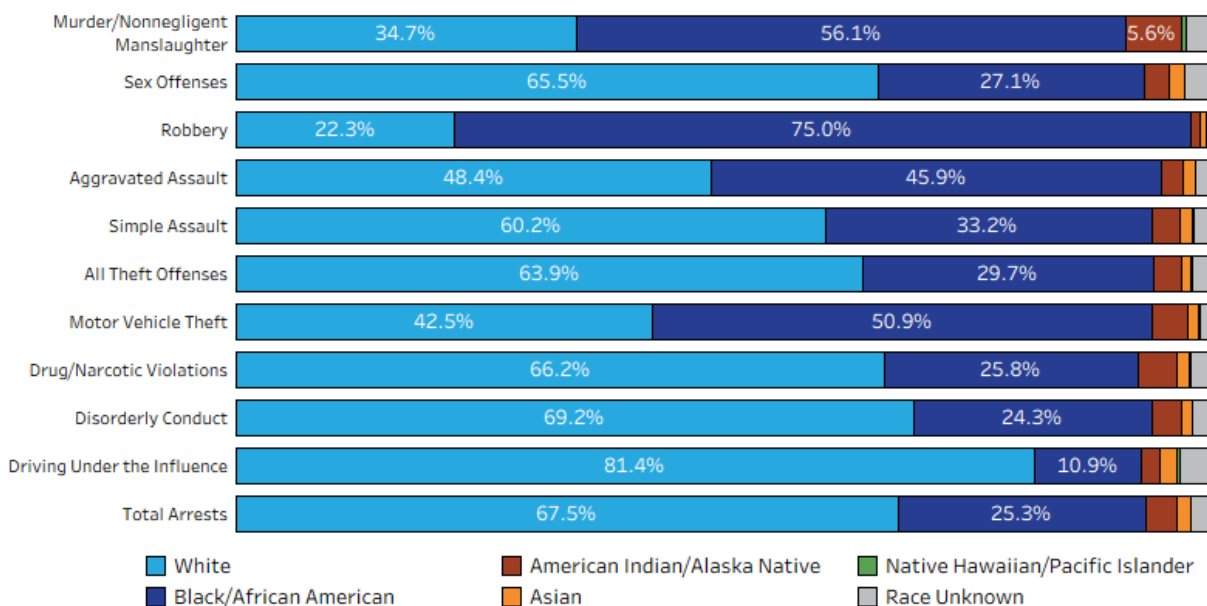


While white Wisconsinites accounted for a majority of all arrests in 2023 (67.5%), their share of arrests was significantly lower than the 79.9% of all state residents identified by the U.S. Census Bureau’s American Community Survey (ACS) as white (of any ethnicity) in the same year. The only crimes for which higher shares of white Wisconsinites were arrested than their share of the state’s overall population – and that had at least 20 total arrests – were pornography/obscene material (84.3%), driving under the influence/operating while intoxicated (81.4%), and nonviolent family offenses (84.0%).

Census data show that in 2023, 5.9% of Wisconsin residents of any ethnicity were Black. However, more than a quarter (25.3%) of all arrests in the state that year were of Black individuals, and Black Wisconsinites accounted for at least 10% of the people arrested for all but two Group B types of crimes for which at least 20 arrests were made. Black individuals constituted a majority of the arrests for certain crimes, including murder and non-negligent manslaughter (56.1%), robbery (75.0%), motor vehicle theft (50.9%), and weapons law violations (54.7%; Figure 29).

Figure 29: Black Wisconsinites Disproportionately Arrested

2023 arrests by race and selected crime



Source: Wisconsin Department of Justice

Between 2019 and 2023, arrests of white individuals declined by 13.1% to 93,927, while arrests of Black individuals dropped by only 4.0% to 39,293. Arrests of American Indian and Alaska Native individuals dropped by 21.4% to 3,754, which contrasts with their rising prison population – a trend we discuss in a later section.

As previously discussed, it is not necessarily true that the share of individuals suspected of committing a crime and arrested for a crime tracks with the true proportion of crime committed by individuals of a certain racial or ethnic group: according to National Crime Victimization Survey data, there are significant amounts of both violent and property crime that go unreported to law enforcement agencies, and it is possible that the deployment of law enforcement personnel to particular municipalities or neighborhoods with larger populations of certain racial or ethnic groups



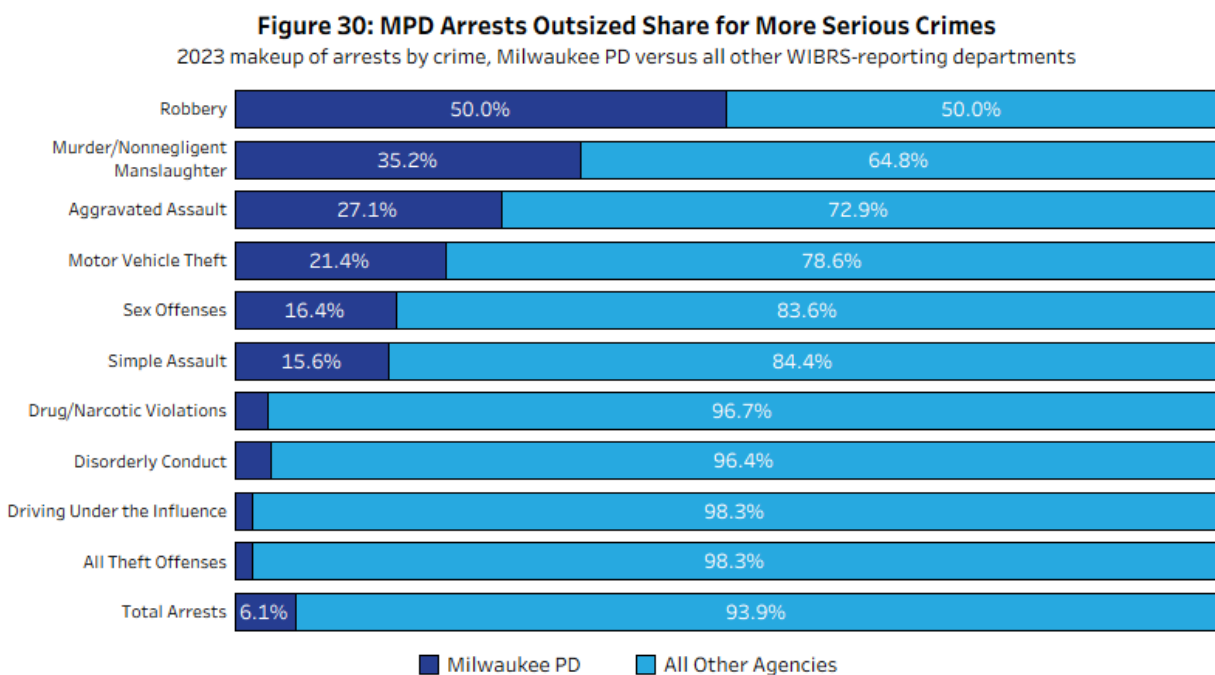
makes it so that crime committed by the individuals who live there is more easily detected than the places where personnel are not deployed.

However, it is also true that clearance rates are relatively low in Milwaukee, where a majority of the state’s Black residents live. Raising clearance rates in the city might also affect the demographics of those arrested in the state as a whole.

Age and race over time. For the departments that reported incident-based data every year from 2019 to 2023, arrests across age groups have trended similarly by race, though rates have been different. For example, there were 0.5% more arrests of Black Wisconsinites aged 50 and above in 2023 (3,906) than in 2019 (3,888). Rates for white Wisconsinites in the same age group rose by 3.7% during that period to 13,700. These increases were mostly isolated to 2023, as there were fewer arrests of both older Black and white adults in 2020, 2021, and 2022 than in 2019. Arrests of older American Indian and Alaska Native residents rose 13.9% to 443.

Arrests have trended downward for those under the age of 30. Arrests of younger Black Wisconsinites fell 12.2%, from 23,940 in 2019 to 21,011 in 2023, though they were below 20,000 in each of the three years in between. For younger white Wisconsinites, arrests declined precipitously during the first two years of the pandemic and in 2023 remained 27.1% below 2019 levels. Because of this shift, Black Wisconsinites made up 32.2% of arrests among those below the age of 30 in 2023, compared to 28.6% in 2019. Arrests of younger American Indian and Alaska Native Wisconsinites declined 33.6% over the same period.

By department. While the Milwaukee Police Department accounted for 18.5% of all Group A offenses in Wisconsin in 2023, it made just 6.1% of total statewide arrests that year. MPD accounted for much greater shares of arrests for the most serious crimes, however, including 35.2% of those for



Source: Wisconsin Department of Justice

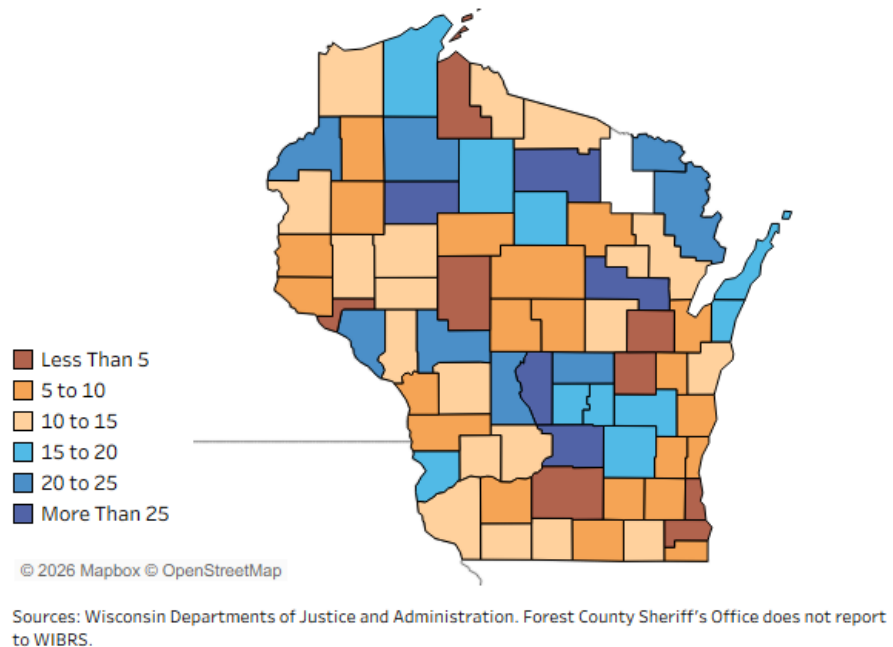


murder and non-negligent manslaughter, 50.0% of robberies, and 27.1% of aggravated assaults. MPD also made 21.4% of motor vehicle theft arrests and 15.6% of arrests for weapons law violations (see Figure 30). It accounted for a much smaller proportion of arrests for more minor crimes that have large arrest totals, such as for all drug crimes (2.8%), all cases of fraud (1.8%), all cases of theft (1.7%), and driving under the influence/operating while intoxicated (1.7%).

Sheriff's offices. Of the 72 sheriff's offices in Wisconsin, 71 reported incident-based data to the Wisconsin DOJ in 2023. In general, the most populous counties in Wisconsin were also those that ranked among the state's highest in total arrests. Waukesha County (2,329) had the highest arrest total that year, with Milwaukee (1,980), Brown (1,885), and Dane (1,753) counties not far behind.

Arrest rates for sheriff's offices tend to be lowest in the most populous counties, however, since municipal departments play a much larger role in urbanized areas. Thirteen sheriff's offices had an arrest rate greater than 20 per 1,000 residents in 2023, but none of their counties had a population larger than 60,000 (Figure 31). Arrest rates by the Milwaukee and Dane county sheriff's offices, meanwhile, were the second- and third-lowest, respectively. At 32.8 per 1,000 residents, the Oneida County Sheriff's Office had the highest rate in the state in 2023; a majority of its arrests were for disorderly conduct, driving under the influence/operating while intoxicated, or "All Other Offenses."

Figure 31: Sheriffs in Most Populous Counties Conduct Fewest Arrests
2023 arrest rate per 1,000 residents by sheriff's offices



Milwaukee: a longer-term trend? Our December 2024 [report](#) showed that MPD's annual arrests declined from 51,176 in 2012 to 9,061 in 2023, or 82.3%. None of the 11 peer cities we analyzed had seen as precipitous of a decline over that time period, and only three had seen a larger decline than Milwaukee (50.0%) from 2018 to 2023. We found similarly plummeting declines in both subject and traffic stops, trends that have been [reflected in other cities](#) since 2019.

For most major crimes, declines in arrests tracked broader declines in offenses – particularly for burglary, robbery, and theft. However, on-view arrests (those made on the basis of an officer or resident seeing a crime take place, with a resulting booking) declined by 64.6%, while summons and citations arrests (those made with future summons and an immediate release on recognizance) dropped by 95.7%, from more than 36,000 to just over 1,500. These summons and citations arrests



are primarily for lower-level offenses, such as simple assault, destruction/vandalism, and drug usage/equipment.

Possible reasons for the decline in arrests in Milwaukee include drops in reported offenses, reduced traffic and subject stops (in part due to the 2018 [Collins Settlement](#), which produced substantial changes to the department's stop-and-frisk practices), declines in the number of sworn officers, increases in low-volume but high-priority calls for service, leadership changes, and more. However, it is possible that other departments have experienced similar trends, as total arrest rates declined in virtually all peer cities we examined, and policing nationwide has undergone changes since high-profile instances of police misconduct in places like Ferguson, Missouri and in response to the killing of George Floyd in Minneapolis. We do not have data to examine the extent of changes in arrests in other places in Wisconsin, as Milwaukee has been reporting its data via NIBRS for much longer than most other Wisconsin-based law enforcement agencies; still, the city's trend is worth taking seriously given its outsized role in the state's criminal justice system.



COURT CASES IN WISCONSIN

Key Findings

- The total number of court cases filed in Wisconsin has decreased significantly since 2014. Cases involving only misdemeanors accounted for most of the decline; however, cases involving at least one felony have increased over time.
- Across all crime categories, a majority of cases were filed in counties that are home to Wisconsin's urban centers, but the highest per capita case rates were in rural counties in northern Wisconsin.
- Black residents made up 5.9% of Wisconsin's population in 2024 but 24.7% of all case filings during our period of study; American Indian individuals were also overrepresented in court filings, while white and Asian people were underrepresented.
- Throughout our period of study, most cases were disposed of within two years. Wisconsin Court System data show over 86% of cases were disposed of within one year of their initial appearance.

In Wisconsin, circuit courts have original jurisdiction over all civil and criminal cases, meaning that cases are first heard and decided at the circuit court level. There are [currently](#) 261 circuit court judges who oversee civil and criminal cases in all 72 Wisconsin counties, although the Menominee Tribal Court has jurisdiction over most civil and criminal cases in Menominee County.¹⁴ Cases may be appealed to the state [Court of Appeals](#), which has 16 judges in four districts across the state, and subsequently to the seven-member [Wisconsin Supreme Court](#).

In addition to these state courts, as of January 2025 Wisconsin had 219 [municipal courts](#) that handle violations of local ordinances and many juvenile cases, as well as traffic and parking violations. Among those courts, 71 have jurisdiction over multiple municipalities. Most municipal courts have only one judge, although the city of Milwaukee – the state's busiest municipal court – has three full-time judges. Wisconsin's ten other federally recognized tribes also maintain their own [tribal courts](#), which have jurisdiction over various types of civil cases depending on the tribe.

This section examines Wisconsin court cases with at least one felony or misdemeanor charge, using two distinct datasets. Wherever possible, we rely on data compiled from publicly available [reports](#) issued by the Wisconsin Court System (WCS) for the years 2014, 2019, and 2024. These reports list the number of court cases filed in different criminal categories, such as drug crimes or property crimes, as well as how those cases were resolved.

However, these reports lack demographic information (e.g. age, sex, race), and WCS declined to share internal data. To provide that context, we use data from WCS's [searchable online database](#), compiled by the Loyola (Chicago) Center for Criminal Justice, covering 2005 to 2024. WCS notes that this dataset is incomplete, excluding some felony and misdemeanor cases that were either never published or later expunged. These data were originally recorded by WCS and include Wisconsin's circuit courts and some self-reporting by municipal governments. They are not directly comparable to

¹⁴ The Menominee Tribe shares jurisdiction for certain crimes with the federal government, depending on the crime and whether the perpetrator or victim are Native American.



our data sourced from WCS’s [public data dashboard](#). Both datasets omit sentencing information and list only the most serious charge per case rather than all charges filed.

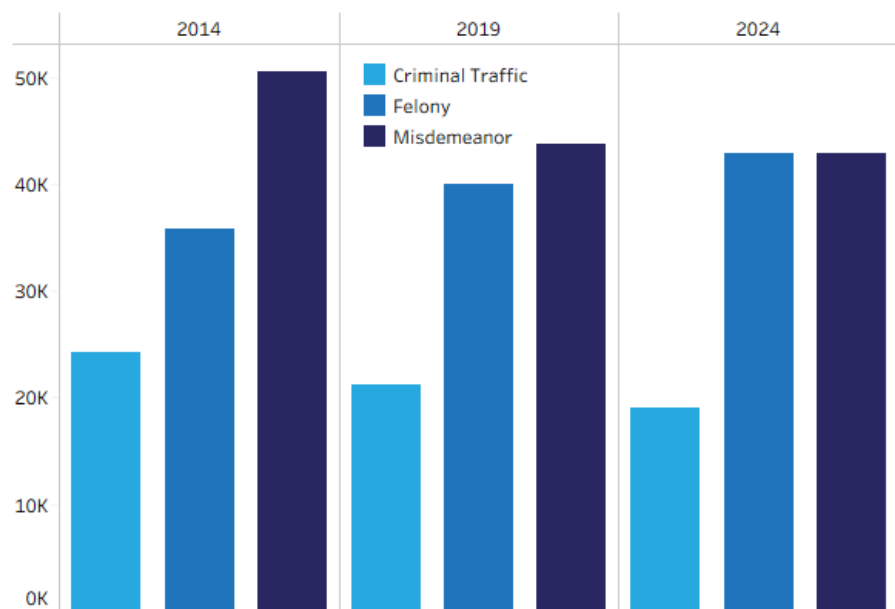
Offense Type

Data from WCS’s publicly filed reports for 2014, 2019, and 2024 include almost 325,000 total criminal cases, including nearly 120,000 non-traffic felonies and nearly 140,000 non-traffic misdemeanors, as well as over 65,000 felony or misdemeanor traffic violations (“criminal traffic”). The number of these cases per year decreased slightly during our period of study, from 110,000 in 2014 to 105,000 in 2024. This is also true on a per capita basis, as Wisconsin’s total criminal cases per 1,000 state residents declined from 19.3 in 2014 to 17.5 in 2024.¹⁵

As shown in Figure 32, this trend is due to a decrease in cases where the most serious offense was a misdemeanor, which dropped from 51,051 in 2014 to 42,936 in 2024, or only a criminal traffic offense, which decreased from 24,623 in 2014 to 19,082 in 2024. These declines were offset somewhat by an increase in cases involving at least one felony, which rose from 36,116 in 2014 to 42,896 in 2024. These trends also mean that the percentage of cases involving at least one felony grew from 30% to 36% of all cases during our period of study.

Fig. 32: Felony Cases Rise, Misdemeanors and Ordinance Violations Decline

Wisconsin Court System cases by most serious offense class



Source: Wisconsin Court System Consolidated Case Automation Programs (CCAP) Annual Reports

Demographics

In this section, we analyze court cases filed in Wisconsin over the past two decades by the age, race, ethnicity, and sex of the people against whom they were filed. All numbers in this section are derived from the data provided by the Loyola Center for Criminal Justice. Unlike the data from the WCS reports, these data cover every year from 2005 through 2024. It is important to note that they are not directly comparable with the WCS data. While the WCS data are limited to felonies and

¹⁵ We use population projections from the [Wisconsin Department of Administration](#) to calculate per capita rates throughout this section.

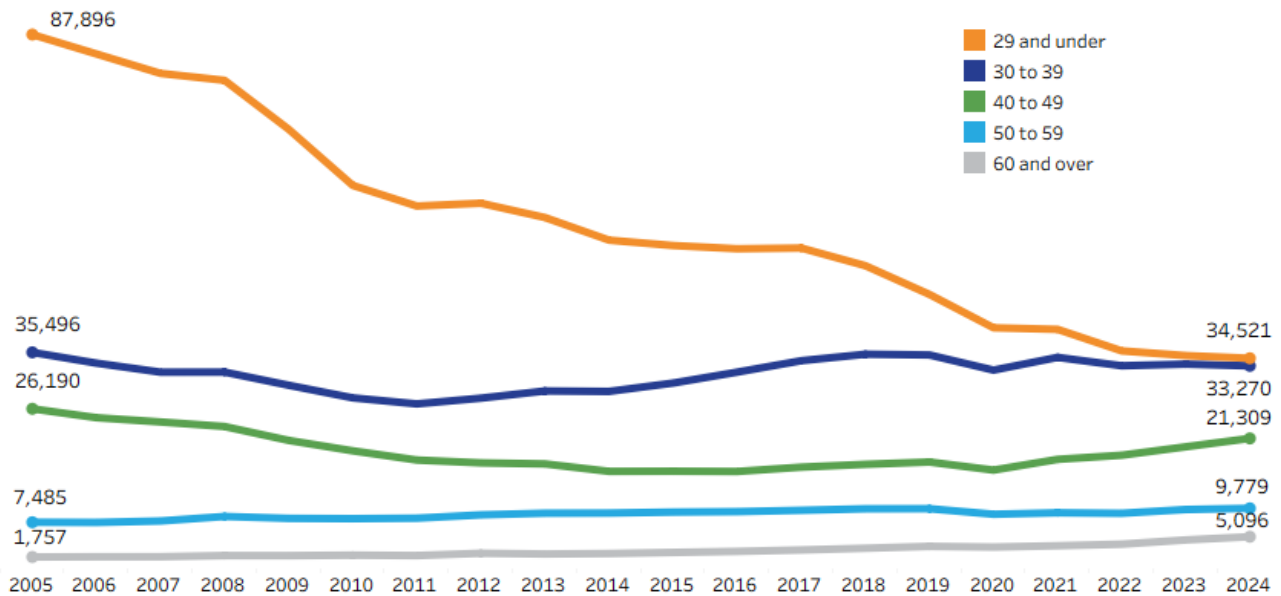


misdemeanors, the Loyola data also include a small number of ordinance violations, which changes the total number of court cases in those data.

Age. Cases filed against individuals aged 29 and under have consistently exceeded those for every other age cohort for many years, but they declined by 60.7% during our period of study and in 2024 barely outnumbered those against individuals aged 30 to 39 (Figure 33). The number of cases filed against people aged 30 to 39 remained relatively constant throughout our period of study, while cases against people aged 40 to 49 crept back above 21,000 in 2024 after remaining around 17,000 each year throughout the 2010s.

Figure 33: Number of Court Cases Has Dropped for Young Adults, Risen for Older Adults

Wisconsin Court System cases by age of person charged with a crime, 2005-2024



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP). Custom archive maintained by the Loyola Chicago Center for Criminal Justice.

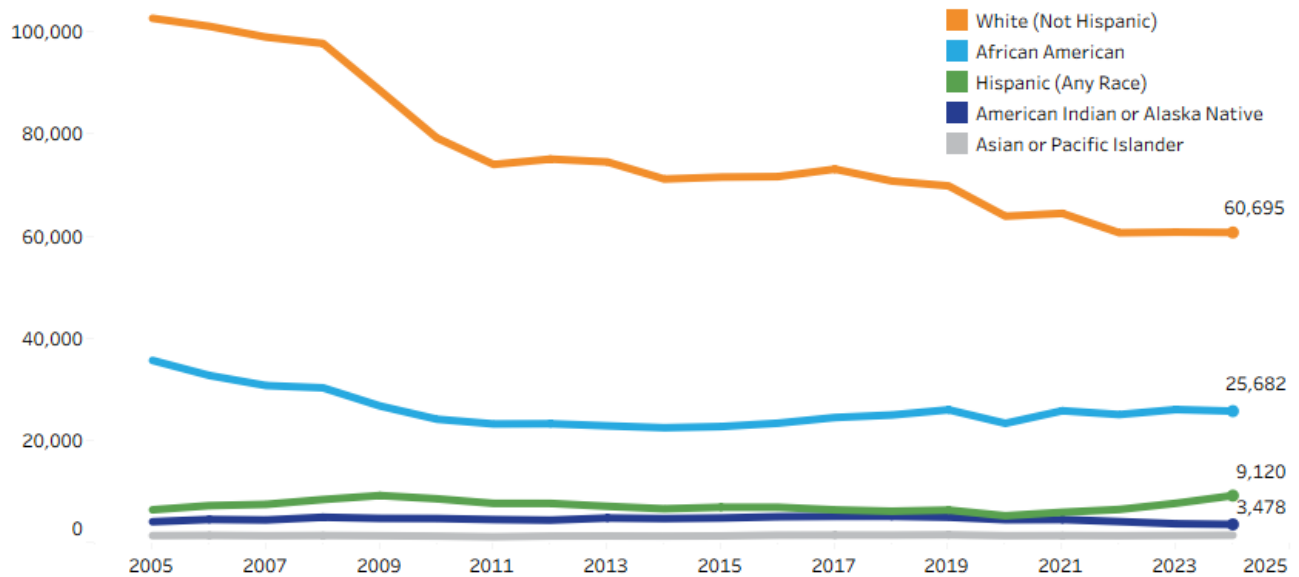
Cases against older adults have been on the rise, echoing our findings in the Crime section. The pandemic interrupted what had been a steady rise in cases against individuals aged 50 to 59, but those cases still increased by 30.7% from 2005 to 2024. Cases against those aged 60 or older increased the fastest – by 190.0% – during that period, far exceeding the state’s population change among those aged 62 and older, which grew by approximately 75%, according to Census estimates. The increase in cases against individuals 60 and over was smaller in absolute terms than the other age categories, reflecting a rise from 1,757 cases in 2005 to 5,096 in 2024, but its magnitude makes it worth noting.

Race and Ethnicity. Cases against white individuals made up the majority of all court cases in Wisconsin between 2005 and 2024, totaling 64.3% across those years and representing a comfortable majority each year. However, the total number of cases against those individuals declined from 102,679 in 2005 to 60,695 in 2024, a decrease of 40.9% (see Figure 34). Cases filed against Black Wisconsinites also declined from 35,616 in 2005 to around 23,000 in each year between 2011 and 2016, but have remained above 25,000 in every subsequent year except 2020.



Figure 34: Cases Against White, Black, and American Indian People Decline

Wisconsin Court System cases by race/ethnicity of person charged with a crime, 2005-2024



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP). Custom archive maintained by the Loyola Chicago Center for Criminal Justice.

Still, the annual number of cases filed against Black individuals declined by 27.9% over those two decades.

Other racial and ethnic groups have seen more idiosyncratic changes during our period of study, although these must be viewed with caution as the sample sizes are much smaller. Cases against Hispanic individuals increased throughout the latter half of the 2000s, reaching a high of 9,135 in 2009, then entered a period of decline that lasted through 2020 before rapidly climbing again in the post-pandemic years. Most recently, 9,120 cases were filed against Hispanic people in 2024, which was similar to the number filed in 2009. From 2009 to 2024, the state's Hispanic population grew by 67%, meaning the per capita number of cases against Hispanic Wisconsinites has declined.

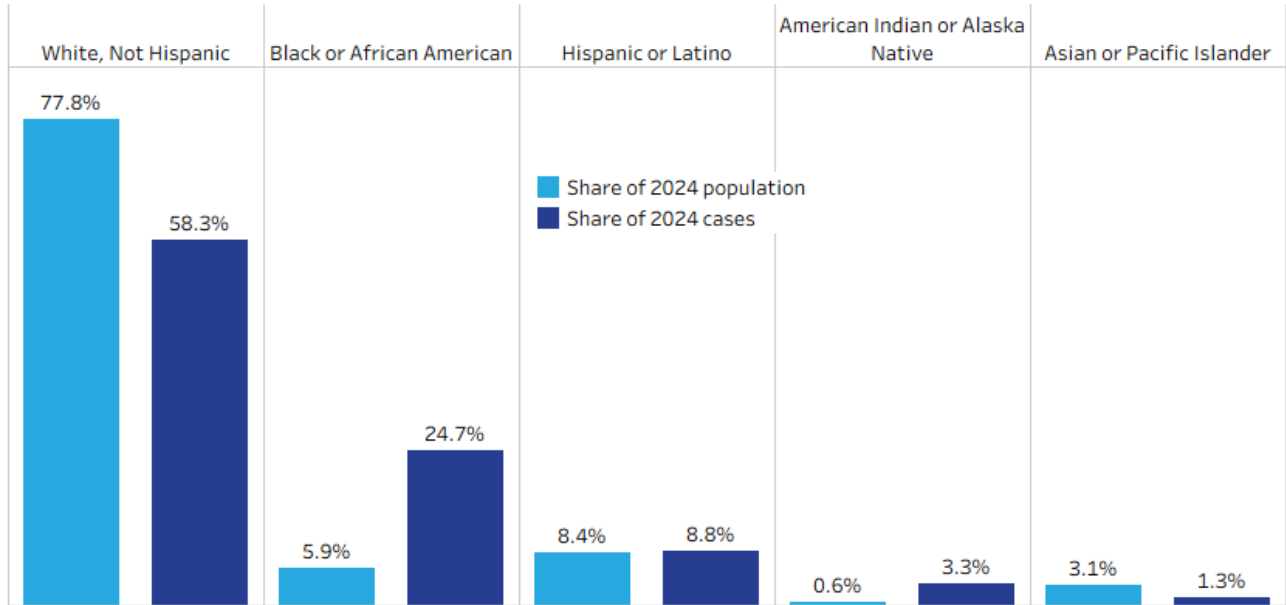
Meanwhile, cases against American Indian and Alaska Native individuals began at 3,998 in 2005 and stayed over 4,000 in every year until 2023. The number of cases against American Indian defendants has subsequently dropped to as low as 3,478 in 2024. However, as noted above, these numbers do not include cases filed in Menominee Tribal Court or other tribal courts.

We also examined the number of cases filed against members of each racial or ethnic group as percentages of the total cases filed in each year, which revealed notable trends. Cases against white individuals made up 65% or more of the total cases in each year from 2006 through 2014, but have steadily declined since then to a low of 58.3% in 2024. Conversely, cases against Black individuals remained around 20% per year from 2007 through 2015, but slowly rose after that point, and were over 24% of total cases in each year from 2021 through 2024. The percentage of cases against American Indian and Hispanic people have also risen during our period of study, although the percentage of cases that were against American Indian people declined from 2021 to 2024, while the percentage of cases that were against Hispanic people sharply rose during that period.



Figure 35: Black and American Indian Defendants Overrepresented in Case Filings

Race or ethnicity of defendants in Wisconsin court cases and state population, 2024



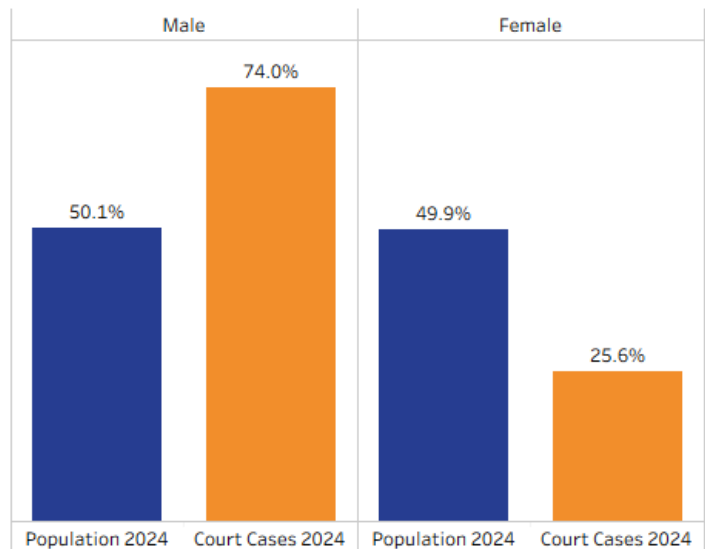
Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP). Custom archive maintained by Loyola Chicago Center for Criminal Justice.

However, there are disparities in the percentages of cases filed against different racial and ethnic groups, as compared to the demographic makeup of the state’s total population. Most notably, white individuals made up 77.8% of Wisconsin’s population in 2024, but represented only 58.3% of cases filed that year; meanwhile, Black individuals made up 5.9% of the Wisconsin population, but 24.7% of all case filings in 2024 (Figure 35). American Indian and Alaska Native individuals were also significantly overrepresented in the case filing data relative to their share of the Wisconsin population, while Asian or Pacific Islander individuals were underrepresented.

Sex. Cases against men made up around three-quarters of total cases in each year throughout our period of study, although the percentage of cases against men declined from 77.5% in 2005 to 74.0% in 2024, while the percentage of cases against women climbed from 21.4% to 25.6%.¹⁶ The absolute number of cases against members of both sexes also declined during that period in line with the overall trend, but not to an identical degree. Cases against men decreased by

Figure 36: Men Account for Outsized Share of Court Cases

2024 makeup of Wisconsin’s population and court cases, by sex



Source: U.S. Census Bureau and WI Court System. Custom CCAP archive maintained by Loyola Chicago Center for Criminal Justice.

¹⁶ These percentages do not sum to 100% because our data also include a small number of cases in each year for which the sex of the defendant was either missing from our dataset or sealed by a court order.

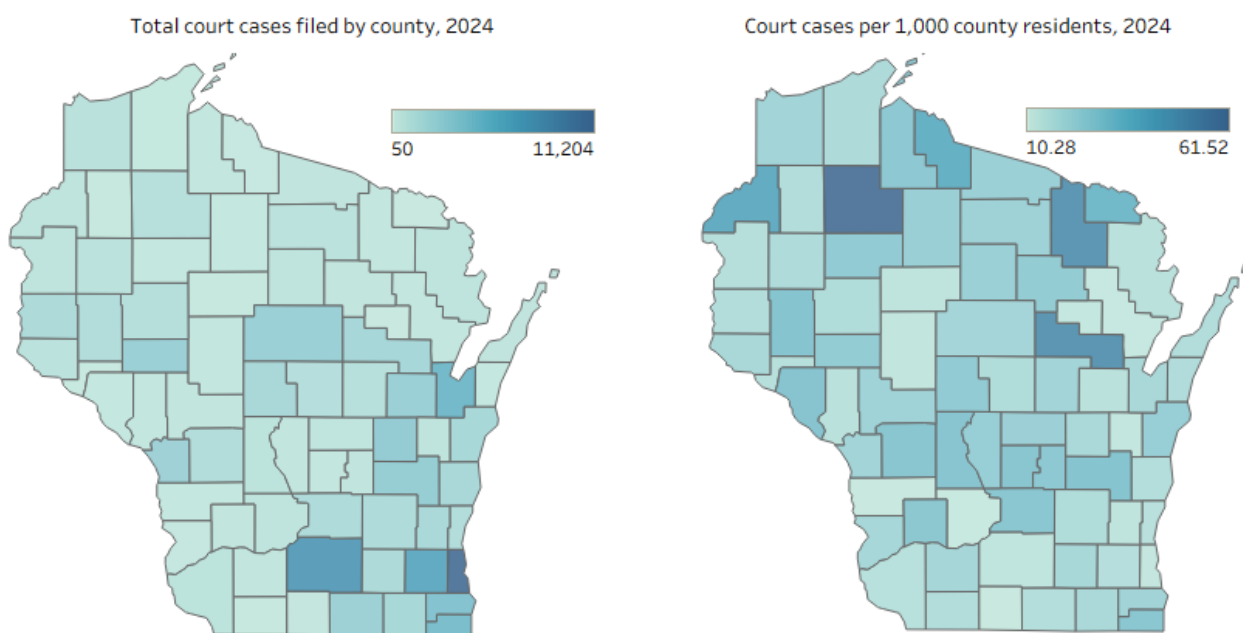


37.6% to 76,696 in 2024, while cases against women dropped by 21.9% to 26,645. As shown in Figure 36, however, men remain substantially overrepresented in the justice system compared to their share of the Wisconsin population.

Geography

We also analyzed the Wisconsin Court System’s case data based on the county where each case was disposed, or resolved, using data compiled from WCS’s public reports. The state’s most populous counties typically have the most case dispositions each year, and 2024 was no exception. That year, 11,204 cases were disposed in Milwaukee County, followed by Dane (7,610), Waukesha (6,445), Brown (5,099), Kenosha (4,646), and Racine (4,201) counties (Figure 37). With the exception of Kenosha County, those are the state’s most populous counties, in order. Eight other counties had at least 2,000 cases disposed in 2024. Together, these 14 counties accounted for a majority (58.0%) of the state’s total criminal cases in 2024 for which county information was available.

Figure 37: Criminal Cases More Concentrated in Certain Counties



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP) Annual Reports

On a per capita basis, however, most counties with the highest number of case dispositions were in rural northern Wisconsin, led by Sawyer (61.5 dispositions per 1,000 residents), Shawano (49.1), Forest (48.5), Burnett (39.4), and Iron (37.5) counties. All of these counties are home to an American Indian reservation. The state’s most populous county, Milwaukee (11.9), was among just six counties with case rates below 12 per 1,000 residents that year. Green County (10.3) had the lowest rate in the state.

Crime Categories

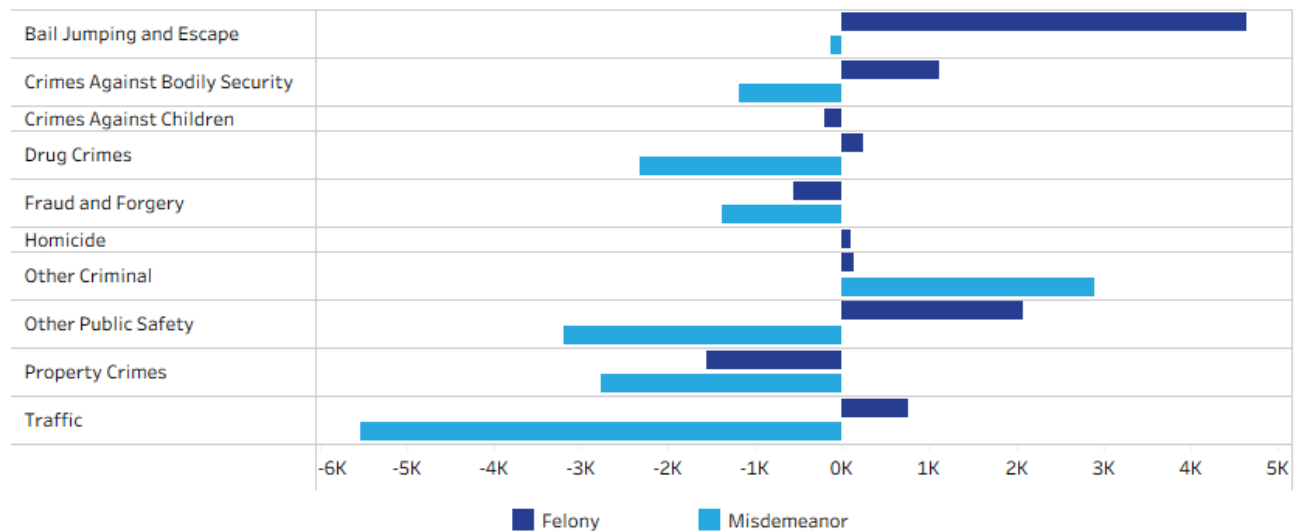
Within the overall trends of increasing cases involving at least one felony charge and declining cases involving only misdemeanors or ordinance violations, those involving specific types of crime have



trended in varying ways. WCS sorts criminal cases into one of several categories, such as property crimes, crimes against bodily security, or homicide. We use the numbers of cases that were resolved (disposed) in 2014, 2019, and 2024 in this section, rather than the number of cases that were opened in each of those years.

Once again, these data include only the most serious charge that was filed in a given case. Because multiple charges can be filed in a case, these data do not represent the total number of criminal charges filed for any given offense, nor do they represent the number of times that a given crime actually happened in Wisconsin during this period. Trends in our data may be influenced by changes in the actual number of crimes happening in Wisconsin, arrest rates, prosecutorial decision-making or priorities, Wisconsin laws, or a combination of the above factors.

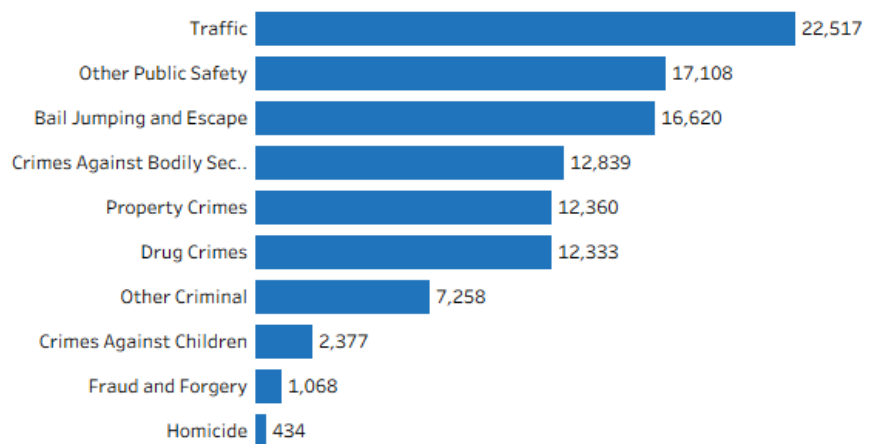
Figure 38: Felony Cases Rise Across Most Categories While Misdemeanors Fall
Change in court cases in Wisconsin by most serious charge, 2014-2024



Source: Wisconsin Court System Consolidated Case Automation Programs (CCAP) Annual Reports

There are eight WCS crime categories that contain both cases where the most serious offense was a felony and cases where that offense was a misdemeanor. Of those categories, five exhibited a pattern of felony cases rising from 2014 to 2024 while misdemeanor cases declined: traffic, other public safety, bail jumping and escape, drug crimes, and crimes against bodily security (Figure 38).

Figure 39: Criminal Traffic, Other Public Safety Led All Crimes in 2024
Wisconsin Court System cases by criminal category, 2024



Source: Wisconsin Court System Consolidated Case Automation Programs (CCAP) Annual Reports

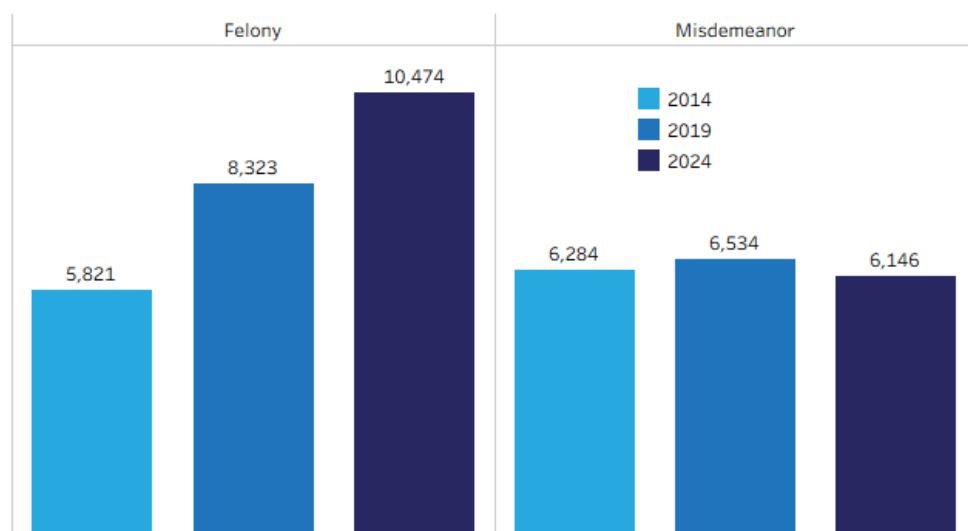


categories by number of cases in 2024 (see Figure 39). Only two categories saw decreases in both felony and misdemeanor cases (property crimes, and fraud and forgery).

Cases where the most serious offense was bail jumping and escape were a particularly notable example of the trend of increasing felony cases. In this category, the number of cases involving at least one felony rose from 5,821 in 2014 to 10,474 in 2024, while bail jumping or escape cases involving only misdemeanors actually decreased slightly from 6,284 to 6,146 during this period (see Figure 40). Moreover, the total number of cases where escape was the most serious charge actually declined from 248 to 113 during our period of study, meaning that the increase in this category was solely due to the rise in felony bail jumping cases. Media outlets have [also noted](#) that the number of bail jumping charges has risen in recent years.

This category illustrates the potential impact of prosecutorial decision-making on the number of court cases that are filed. In Wisconsin, as in other states, district attorneys have [broad authority](#) to decide which potentially criminal actions warrant criminal charges, as well as which charges to file. Prosecutors in Wisconsin can choose to file a bail jumping charge when a person fails to appear for court, but unlike in [43 other states](#),¹⁷ they can also file this charge when a person violates another condition of their pretrial release.

Fig 40: Felony Bail Jumping Cases Increase While Misdemeanors Remain Constant
Wisconsin Court System bail jumping cased by criminal level, 2014-2024



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP) Annual Reports

WCS's data do not allow us to evaluate how often prosecutors are filing these charges for non-appearance rather than for other violations, or the underlying merits of the charges. The Milwaukee County District Attorney's Office told us that they typically file bail jumping cases either for failure to appear in court, or as an additional charge if the person has also committed a new crime while on bail, meaning that it is rare for them to file a bail jumping charge for a non-criminal pretrial violation without any new criminal activity. However, different county prosecutors may have different policies on when to file bail jumping charges.

¹⁷ The other exceptions are Alaska, Colorado, Connecticut, Delaware, Illinois, Maine, and Wyoming.



Dispositions

In this section, we use both the WCS’s summary data and Loyola University’s case-level data to analyze case outcomes. We use WCS’s data to examine dispositions for cases with different charge levels (cases with at least one felony versus cases with only misdemeanors), as well as different criminal categories. We then use Loyola University’s data to examine how case dispositions vary across demographic categories such as age, sex, or race. Loyola University’s data also contain other information not present in the WCS data, including the outcomes of criminal trials and the number of deferred prosecution agreements, so we include those analyses in this section as well.

Summary Data (WCS)

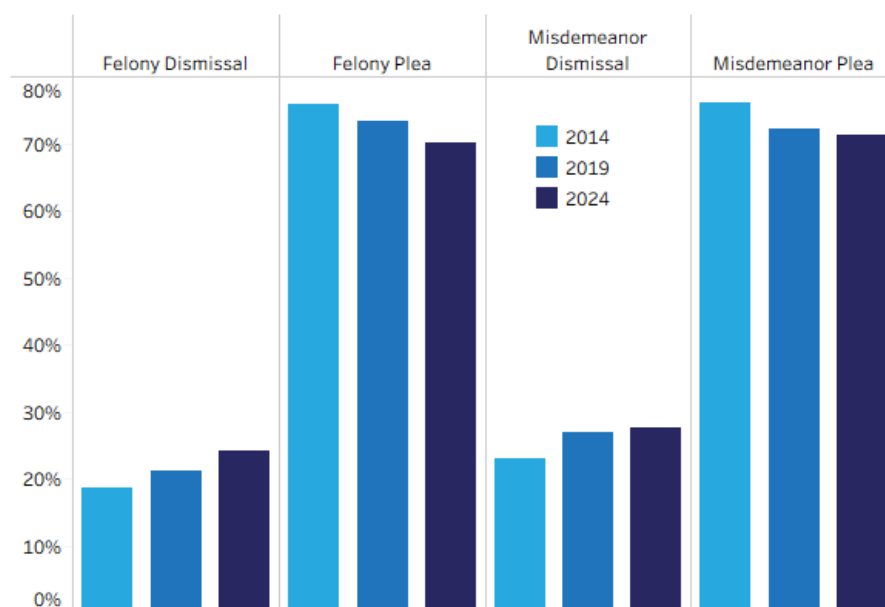
The majority of cases in the WCS data were resolved via plea deals. Across all three years in our dataset, 73.1% of cases involving at least one felony, as well as 73.6% of cases involving only misdemeanors, were resolved via a plea deal. However, these numbers did change somewhat between 2014 and 2024 (Figure 41). Over 76% of both felony and misdemeanor cases were resolved by a plea deal in 2014, compared with 70.2% of

felonies and 71.2% of misdemeanors in 2024. There was a corresponding rise in dismissals during this period, which were more common in misdemeanor-only cases; 22.9% of those cases were resolved via dismissal in 2014, compared to 27.7% in 2024. Felonies saw a similar increase (18.6% to 24.1%.)

Cases involving at least one felony charge were considerably more likely to go to trial than those with misdemeanors only, which is to be expected considering their higher severity. However, the percentages were still a fraction of the number of cases that ended in a plea or dismissal. Just 2.6% of felony cases went to trial during those three years, along with 0.7% of misdemeanor-only cases.

Criminal categories. A majority of cases in every crime category ended in guilty pleas, although there was significant variation across categories. In 2024, cases where the most serious charge was a criminal traffic offense had the highest rate of guilty pleas (79.6%) across all categories, followed by cases where that charge was a drug offense (78.1%), other public safety offense (72.5%), or property

Figure 41: Pleas Decrease Slightly, Dismissals Increase Slightly
Wisconsin court case dispositions, 2014-2024



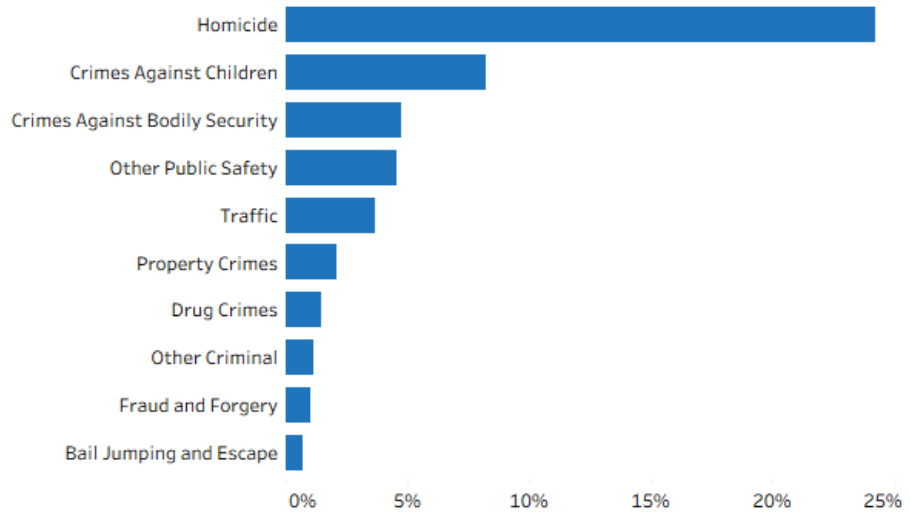
Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP) Annual Reports



crime (71.2%). On the low end of the range, cases where the most serious offense was fraud or forgery were resolved via a plea deal 58% of the time, just ahead of bail jumping or escape (59%).

The second most common case disposition in 2024 (as in most years) was for the case to be dismissed before trial. In almost every crime category, over 90% of cases in 2024 were resolved via a plea or a dismissal, so lower numbers of pleas usually meant higher numbers of dismissals. However, that still left some room for variation in the percentage of cases that went to trial

Figure 42: Homicide, Crimes Against Children Were More Likely to Go to Trial
Share of Wisconsin court case that went to trial by most serious charge, 2024



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP) Annual Reports

(Figure 42). The clear outlier was felony homicide cases, 24.2% of which ended in a trial; this was followed by cases where the most serious offense was a felony crime against children (8.2%), felony crimes against bodily security (4.8%), or felony “other public safety” crimes (4.5%). The felony category with the lowest percentage of cases that went to trial was bail jumping (0.7%), followed by fraud and forgery (1.0%).

Case-Level Data (Loyola University)

Our second dataset contained information on case dispositions between 2005 and 2023. We sorted these into several categories, which included guilty pleas and dismissals, as described above. However, these data also allowed us to see the outcomes of criminal trials, so we included categories for defendants being found guilty or not guilty at trial, as well as a category for miscellaneous other outcomes.

These data also included [deferred prosecution agreements](#), a form of pretrial diversion in which a defendant admits that he or she committed a crime and agrees to a course of either therapy, community supervision, or both. In exchange, the circuit court will dismiss the pending charges upon the defendant’s successful completion of the agreement, meaning that the defendant will not have a criminal conviction on his or her record. These agreements are not present in the WCS data, meaning that the percentages of guilty pleas, dismissals, and other categories in the Loyola data are not directly comparable to those in the WCS data.

For purposes of this analysis, we excluded cases with results still pending when we received the data, which left us with over 2.2 million cases in the period from 2005 to 2023. Most cases in these data ended in either a guilty plea (72.5% during our period of study) or in the case being dismissed



(20.3%). Another 5% of these cases ended in a deferred prosecution agreement, although we do not have information about how often the terms of these agreements were fulfilled and the charges dismissed.

Just 0.9% of the cases we analyzed made it to trial, with 0.7% ending in a guilty verdict and 0.2% ending with a finding of not guilty. However, this dataset did not include appeals or their results.

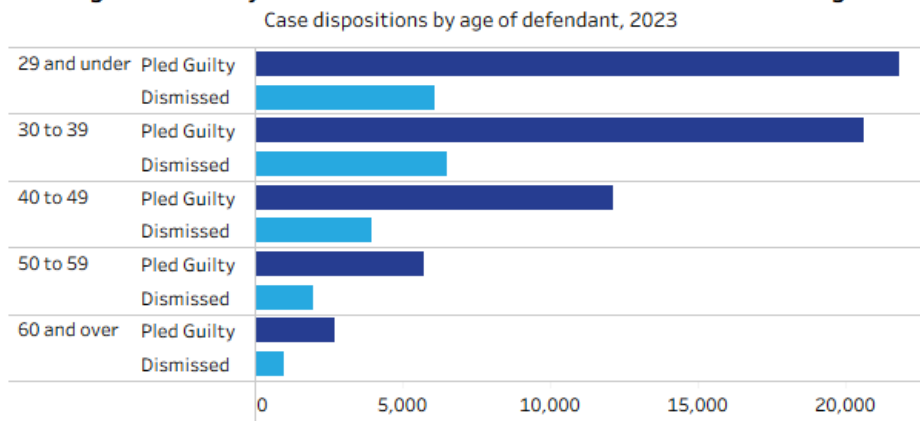
Consistent with the overall 35.4% drop in cases during the period covered by this data, the number of dispositions in each category also generally declined. Cases ending in a guilty plea decreased by 44.9% to 63,033 in 2023, while cases ending in a dismissal also decreased by 42.9% during that period.

Dispositions by Age.

All age groups followed this pattern of guilty pleas being the most common disposition, followed by dismissals, but the number of cases ending in those dispositions sometimes differed between groups (Figure 43). In 2023, 67.6% of cases where

the individual was 60 or older ended in a guilty plea, while the average for all other age groups was 70.2%. Cases against people aged 60 or older also had the highest rate of dismissals among the groups (24.6%), and were slightly more likely to go to trial than other groups (combined 1.4% of cases). Conversely, people under 29 had the highest rates of guilty pleas (70.7%) and deferred prosecution agreements (7.3%), but the lowest rate of cases being dismissed (19.7%).

Figure 43: Guilty Pleas Far More Common than Dismissals for All Ages

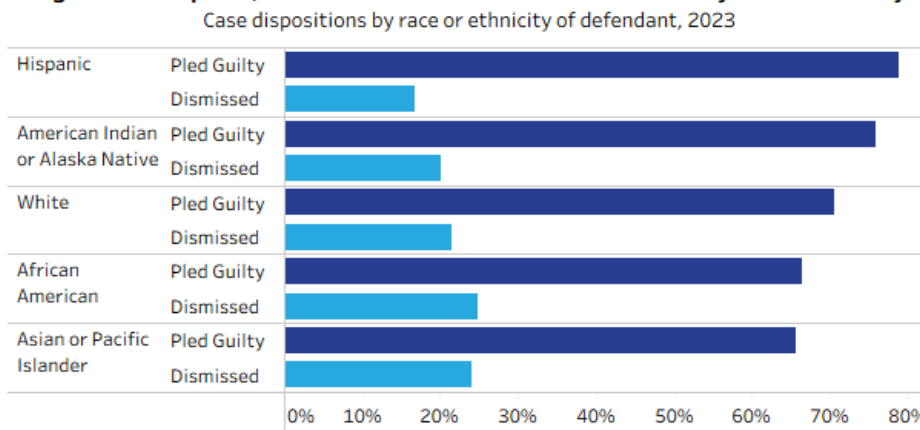


Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP). Custom archive maintained by Loyola Chicago Center for Criminal Justice.

Dispositions by Race.

Black individuals had the lowest percentage of cases end in guilty pleas in 2023, at 66.4%, while Hispanic individuals (78.8%) and American Indian individuals (75.9%) had the highest percentage of those cases (Figure 44). Conversely, Black individuals had the

Figure 44: Hispanic, American Indian Defendants Most Likely to Plead Guilty



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP). Custom archive maintained by Loyola Chicago Center for Criminal Justice.



highest percentage of cases ending in dismissal (24.8%), while Hispanic people had the lowest percentage of those cases (16.7%).

Black people were also slightly more likely to have their cases go to trial (combined 1.7% of cases) than members of other racial groups. Asian or Pacific Islander individuals had the highest percentage of cases with deferred prosecution agreements (7.1%), followed by white individuals (5.9%).

Dispositions by Trial Verdict. As noted above, only 0.9% of cases in our dataset ended in a criminal trial. The percentages of cases that *did* go to trial varied significantly between categories; cases where the most serious crime was fairly minor had lower rates of cases go to trial, such as with larceny (0.4%) or vandalism (0.5%), but more serious crimes went to trial at much higher rates. Highest on the list were cases where the most serious charge was murder or non-negligent manslaughter, which ended in a guilty or not guilty verdict in 27.2% of cases. Cases where the most serious offense was negligent manslaughter, forcible rape, or robbery also had more than 5% of their cases end in criminal trials.

Across almost all categories that we analyzed for this section,¹⁸ cases that went to trial were more likely – sometimes far more likely – to end in a guilty verdict than a verdict of not guilty. Among all cases where the most serious offense was murder or non-negligent manslaughter, 24.7% ended in a trial with a guilty verdict, against just 2.5% where the person was found not guilty at trial. Narrowing in on *only* the 1,026 murder- or non-negligent manslaughter cases in our dataset that went to trial, 933 of them (90.1%) ended in a guilty verdict against 93 acquittals (9.1%). Cases where the most serious offense was negligent manslaughter, forcible rape, or robbery all followed this pattern, although with a notably larger percentage of not guilty verdicts for forcible rape cases.

Deferred Prosecution. Cases that ended in a deferred prosecution agreement varied widely by the category of their most serious offense. Cases where the most serious offense was a family offense, or a [threat](#) to another family member that is not classifiable as another offense, had the highest rate of deferred prosecution agreements, at 17.0%. Other notably large percentages of deferred prosecution agreements included cases where the most serious offense was aggravated assault (12.4%), prostitution and commercialized vice (12.5%), or disorderly conduct (9.8%).

Most other categories had rates between 3% and 9%, although there were also some categories with unusually low rates. Predictably, cases where the most serious offense was a major crime such as murder or non-negligent manslaughter (0.3%) or negligent manslaughter (1.1%) were among the lowest-ranked categories, as were cases where the most serious offense was robbery (1.6%). However, the lowest percentage of deferred prosecutions belonged to cases where the most serious offense was an OWI, with a rate of just 0.2%.

Dismissal. As with cases that ended in a deferred prosecution agreement, the categories with the lowest percentage of dismissals were cases where the most serious offense was negligent manslaughter (3.8%), OWI (5.0%), or murder and non-negligent manslaughter (10.2%). The category with the highest percentage of dismissals was cases where the most serious offense was fraud, at

¹⁸ We excluded cases in the Gambling, Vagrancy, and Liquor Laws categories because of their small sample sizes. We also do not analyze cases that were categorized as Missing or Unknown.



37.7%, which is much higher than any other category; during our period of study, dismissals of these cases were as high as 46.6% in 2005, and gradually declined to between 30% and 33% for most years since 2019. The next highest categories were cases where the most serious offense was in the categories of stolen property (22.3%) or the catch-all category of all “other offenses” (25.4%). Dismissal rates for cases in all other categories were between 13% and 21%.

Time to Disposition

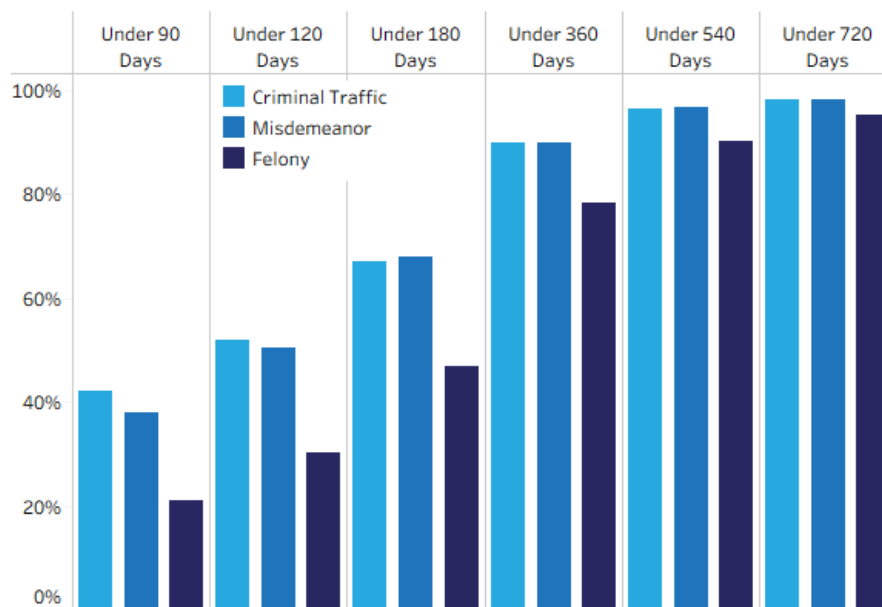
Additionally, we looked at the amount of time between the first hearing in a given case and the date when that case was resolved. WCS’s annual reports include the percentage of cases that were resolved within 90 days of their first hearing, followed by cases resolved within 120 days, and so on up to 720 days. These totals are cumulative; the “Under 120 Days” category also includes cases resolved in under 90 days, allowing us to see how the percentages change over time. Across the three years in our sample, 86.1% of cases were resolved within one year, and 97.3% of all cases were resolved within two years.

Cases where the most serious offense was a misdemeanor or a criminal traffic offense were resolved more quickly on average than cases involving at least one felony. Within 180 days of the first hearing in a case, 67% of criminal traffic cases and 68% of misdemeanor cases were resolved, compared to 47% of felonies; within one year, 90% of both misdemeanor and criminal traffic cases were resolved, compared to 78.3% of felonies (Figure 45). These results are to be expected, considering that felony charges generally involve more severe penalties than misdemeanor or criminal traffic charges, and the pretrial hearings in a felony case may take longer by comparison.

We also found that the percentage of cases resolved within one year decreased during our period of study, as shown in Figure 46. Across all four categories measured by WCS, the percentage of cases resolved within that

time period was at least 15 percentage points lower in 2024 than it had been in 2014; the largest difference came in the number of cases resolved within 180 days, which dropped by 19.4 percentage points. The median age of a case at disposition, measured by the number of days elapsed, also increased during this period; the median age of a misdemeanor case increased from 93 to

Figure 45: Cases With a Felony Charge Show Longer Time to Disposition
Wisconsin Court System cases by time to disposition, 2014-2024



Source: Wisconsin Court System Consolidated Case Automation Programs (CCAP) Annual Reports

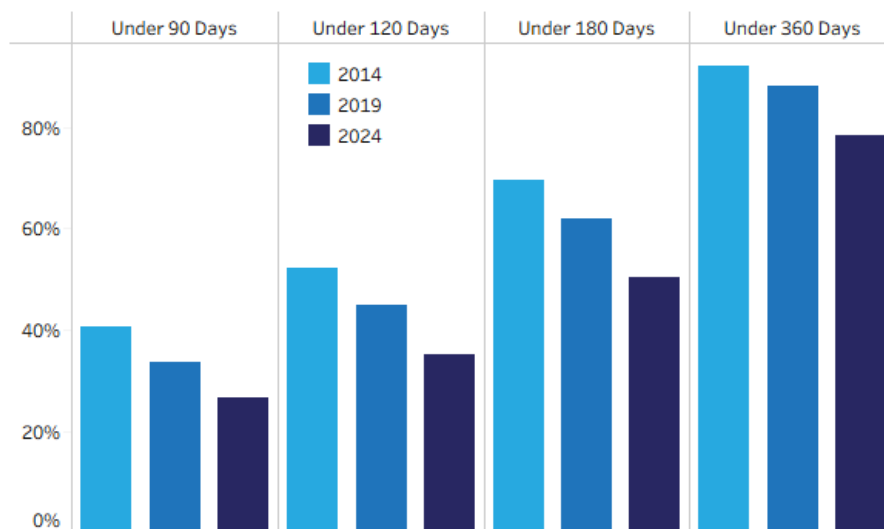


161 days, while felony cases rose from 157 to 252 days.

Some of this increase is certainly due to delays caused by the COVID-19 pandemic, which temporarily shut down courts across the nation and slowed down case processing times for months afterwards. However, WCS’s case processing times also increased between 2014 and 2019, suggesting that other factors may be

at work. According to WCS, these include a [shortage of attorneys](#) and consequent scheduling challenges, delays in crime and hygiene lab processing, and increasingly complex and extensive digital evidence such as security camera footage. We intend to explore these factors more deeply in a future report.

Figure 46: Time to Disposition Increased from 2014 to 2024
Wisconsin Court System cases by time to disposition, 2014-2024



Source: Wisconsin Court System Consolidated Court Automation Programs (CCAP) Annual Reports

Pretrial Diversion

[Pretrial diversion](#) is a [general term](#) for policies or programs that attempt to provide an alternative outcome to incarceration for people who are experiencing a crisis, arrested, or charged with a crime. Deferred prosecution agreements are one type of pretrial diversion that takes place after a prosecutor has filed charges, but before a trial has been conducted or a guilty plea has been entered. Wisconsin law also allows for a “volunteers in probation” [program](#), which applies to people who have pled guilty or no contest to certain misdemeanor charges, and authorizes judges to temporarily withhold their sentence or a judgment of conviction and instead place the person in a volunteer service program. If the person successfully completes the program, the judge will then dismiss the charges. Problem-solving courts,¹⁹ in which defendants are referred to a special court-based program that includes treatment and support services, are another form of diversion.

Other types of pretrial diversion take place before charges are filed, where eligible individuals are directed to treatment services for mental health, substance use, or other needs rather than facing charges. Some programs, such as Milwaukee County’s [Early Intervention Program](#), include multiple types of pretrial diversion with different eligibility criteria.

Our data include cases that resulted in a deferred prosecution agreement, but they do not necessarily include cases referred to the volunteers in probation program, problem-solving courts, or other forms of pre- and post-charge diversion, which are administered at the county level. Because of

¹⁹ Types of problem-solving courts in Wisconsin ([as of 2024](#)) include adult and youth drug courts, OWI courts (and combined OWI/drug courts), mental health courts, opioid courts, family dependency courts, veterans’ courts, and tribal healing to wellness courts.



these limitations, we do not attempt to estimate the scope or success of Wisconsin's pretrial diversion efforts in this report.

Bail Decisions and Pretrial Supervision

When someone is charged with a crime in Wisconsin, judges traditionally use their own judgment to decide whether to keep the person in jail pending their trial or release them on bail. If the judge sets bail conditions, they may include the person paying a sum of money that may be returned to them if they attend court as planned and avoid new arrests (cash bail), or simply a promise to return at the designated time. Unlike most states, Wisconsin does not permit commercial bail bond companies (bail bondsmen) to operate within the state.

Following a 2021 incident in which a man who had been charged with a felony and released on bail intentionally drove an SUV into the Waukesha Christmas Parade, killing six people and injuring 62, the Legislature responded by [passing](#) two constitutional amendments to modify Wisconsin's cash bail system, giving judges more authority to require cash bail in certain cases. Both amendments were later ratified by voters in April 2023 and [survived](#) a subsequent court challenge.

Some jurisdictions also operate pretrial supervision agencies, which provide monitoring and check-in services for people during their pretrial period. These programs allow judges to release individuals without the need for a cash bond, although some judges combine cash bonds with pretrial supervision. Most jurisdictions with this type of program also use a standardized risk assessment to help inform judges' pretrial release decisions. However, judges retain the ability to make their own decisions regardless of the results of the risk assessment.

Several Wisconsin counties have some form of pretrial supervision agency. A [2020 survey](#) by the Wisconsin Supreme Court found that 19 of the 46 counties that responded offered pretrial services through a county-level agency or by contracting with a nonprofit. The [Wisconsin Court System](#) also [assisted](#) seven counties with their pretrial systems in 2020 and 2021. Although some data exist for county-specific pretrial release programs such as the one in [Milwaukee County](#), a comprehensive survey of all Wisconsin counties' pretrial programs was beyond the scope of this report.



ADULT CORRECTIONS

Key Findings

- There has been a sharp rise in incarceration among both older adults and the American Indian population in Wisconsin, and increases in adults convicted of several specific offenses such as intoxicated driving.
- Wisconsin's prison population is aging overall, which likely means growing healthcare needs and has implications for the state Department of Correction's budget.
- The state's overall adult prison population is slightly smaller than it was before the pandemic, and its jail population has declined by a larger margin.
- Incarceration rates for the state's Black and Hispanic populations have declined, but Wisconsin still had the second-largest Black-white disparity in incarceration rates in the nation.
- Two other notable trends are a substantial decrease since 2000 in reincarceration among adults who have been released from prison, and a more recent reduction in the number of adults being incarcerated for revocation only without a new offense.

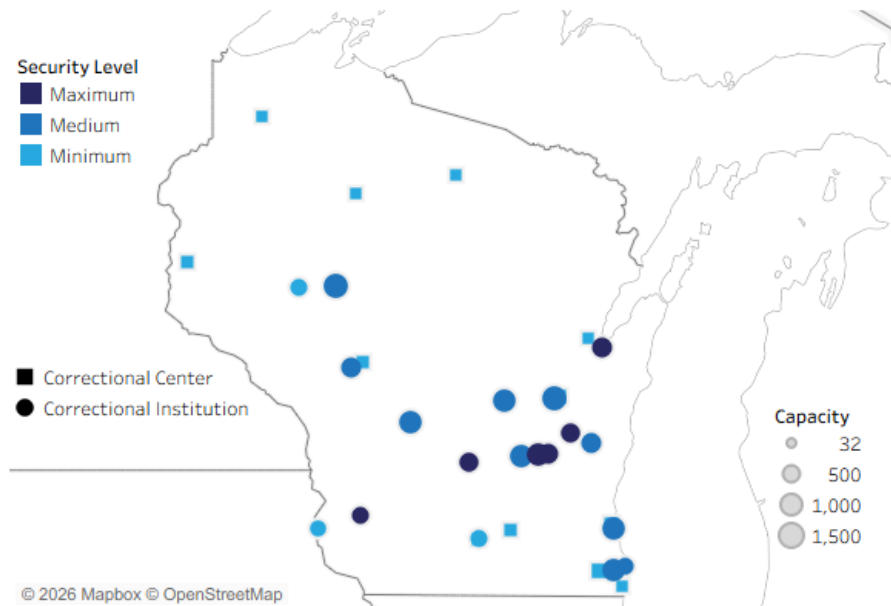
Both state and local governments play major roles in Wisconsin's system of managing adults convicted of criminal offenses. In this section, we explore data and trends within Wisconsin's adult prisons, jails, and community supervision programs, including the characteristics of the prison population and new admissions and the prevalence of recidivism and reincarceration. We also provide context for notable findings, where possible, including factors contributing to the state's adult corrections trends. Unless otherwise noted, all prison and community supervision data presented in this section come from the Wisconsin Department of Corrections (DOC). Jail data come from reports to the DOC by county governments.

Facilities

The DOC manages 20 adult correctional institutions and 16 lower-level adult correctional centers across the state, and the state Department of Health Services manages a mental health treatment center for adults (Figure 47). The DOC also contracts with nonprofit organizations to provide residential service programs and supportive housing services at 24 transitional [housing facilities](#).

Figure 47: State Correctional Facilities Distributed Throughout Wisconsin

Adult correctional facilities by type, security level, and capacity



Source: Wisconsin Department of Corrections



The state's adult correctional facilities are designed to hold up to 17,648 individuals at varying security levels, with nearly 95% of that capacity dedicated to men. As of fiscal year 2024, the transitional housing facilities had a combined capacity of 410 beds, including 281 for men and 129 for women.

Every county government in Wisconsin also maintains a jail for adults, with Brown, Kenosha, Milwaukee, and Shawano counties housing two facilities each. Twelve counties also maintain youth detention centers for youth who have committed lower-level crimes.

Governor's Prison Plan. Since 2023, reporters and advocates have drawn public attention to inadequate care and deaths in custody at two of Wisconsin's maximum-security prisons: Waupun Correctional Institution and Green Bay Correctional Institution. Largely due to [overcrowding and understaffing](#), both prisons were in a state of lockdown for over a year, restricting visitors and the movement of incarcerated people. Staff vacancy rates reached 54.6% at Waupun and 40.9% at the Green Bay facility in November 2023. The prisons were also overcrowded – Waupun was built for 882 people but housed 1,002 in that same month,²⁰ while the Green Bay facility was designed for 749 but held 983 – and physically deteriorating, as at least parts of both were built in the 19th century. [Violence](#), rodent infestations, and lack of access to medical care were all persistent problems. Public pressure reached its peak after four people died at Waupun [within eight months](#), and prosecutors subsequently charged the warden and eight other employees with misconduct and penal abuse.²¹

Governor Tony Evers' proposed 2025-27 biennial budget included a request for an [estimated \\$500 million](#) to close Green Bay Correctional Institution and shrink Waupun through transfers, while adding beds at several prisons and renovating Waupun into a medium-security facility. This plan would leave the state with a total capacity of about 700 fewer correctional beds than at present. However, the Legislature instead [appropriated](#) \$15 million for preliminary planning purposes (as well as \$130.7 million to build a planned youth detention center in Dane County). In response, Evers vetoed the proposed deadline of 2029 for the closure of the Green Bay facility, citing a lack of resources. The future of these two institutions remains uncertain.

Major Legislation

One of the most prominent changes to Wisconsin's criminal code during our period of study was the passage of "truth-in-sentencing" legislation (Act 283, 1998), which took effect at the end of 1999. Before Act 283, individuals sentenced to prison in Wisconsin could apply for parole from the Wisconsin Parole Commission after a portion of their sentence had elapsed,²² in a system known as [indeterminate sentencing](#). Act 283 eliminated this system for all felonies committed since the beginning of 2000 and replaced it with a bifurcated system of imprisonment and extended supervision in the community. The only people in Wisconsin's prisons who are still eligible for parole via the Commission are those who were sentenced prior to Act 283 taking effect in 1999.

²² This proportion varied from case to case, but for people convicted of a felony, parole eligibility usually began when the person had served one-quarter of their sentence.



Under the current system, when sentencing individuals for a felony, a judge will sentence them to a fixed term in prison followed by a fixed length of time in the community under Department of Corrections supervision. Initially, there was no possibility of shortening either part of the sentence, but the Legislature amended this provision in 2002 with Act 109, allowing people to petition the sentencing court for a sentence adjustment²³ after serving the bulk²⁴ of their prison term.

Another major statutory change came in 1993 with the passage of Act 289, commonly known as Wisconsin’s “three-strikes” law. Act 289 provided that people who had previously been convicted of two serious felonies – those with a maximum prison term of over 30 years²⁵ or involving drug manufacture or delivery – would receive life imprisonment without the possibility of parole if they committed a third serious felony offense.

See **Appendix 3** for a more extensive list and descriptions of major legislative changes to Wisconsin’s criminal code since the 1990s.

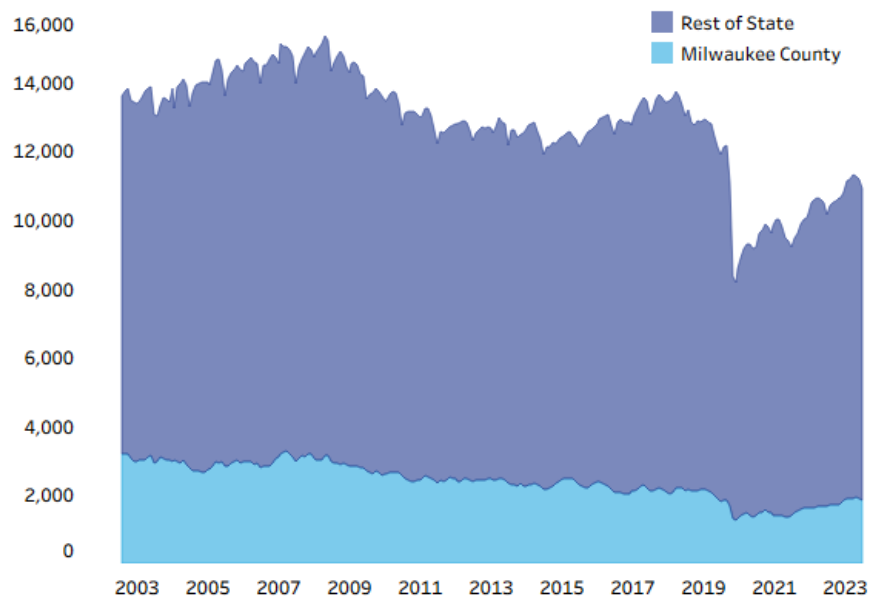
Jails

Aligning with the trend of fewer adults facing court cases for lower-level offenses, the population of county jails in Wisconsin has declined considerably over the last 15 years (Figure 48). After reaching a peak of 15,328 in

October 2008, the state’s total jail population across its 72 counties fluctuated but primarily fell for several years and was at 12,170 in February 2020, the last month before the pandemic. It then fell to a low of 8,163 in May 2020. The jail population has rebounded somewhat since then but was roughly 20% lower during the average month in 2023 compared to 2003.

A primary factor behind the statewide decline was a considerable decrease

Figure 48: Jail Population Has Fallen, Particularly in Milwaukee
Average population by month in WI’s local jails, Jan. 2003 to Dec. 2023



Source: Wisconsin County Jails

²³ These adjustments do not reduce the overall sentence length for any given felony, but instead enable people who have completed most of their term of incarceration to convert the remaining period into extended supervision in the community. All people in prison are limited to one sentence adjustment petition during their term of incarceration, however, and the district attorney who prosecuted the case may veto the petition by expressing their opposition to the court.

²⁴ People convicted of a class F, G, H, or I felony can petition for a sentence adjustment after serving 75% of their prison sentence, while people convicted of a Class C, D, or E felony can petition after serving 85% of their prison sentence. People convicted of a Class A or B felony (the most serious offenses) are ineligible for a sentence adjustment.

²⁵ At the time of passage, these felonies included first-degree intentional or reckless homicide, felony murder, aggravated battery, kidnapping, first- or second-degree sexual assault, arson, and other crimes of comparable severity.



in the population of Milwaukee County’s two jail facilities – the Milwaukee County Jail and the Community Reintegration Center – which held 1,386 fewer individuals in December 2023 than in January 2003. That decline is again likely connected to the reductions that have occurred in both reported offenses and arrests in Milwaukee. The jail population in the balance of the state fell by a slightly smaller number (-1,343) during that period. Milwaukee’s jail population was typically between 2,600 and 3,300 in the mid-2000s but had fallen to the 2,000-2,200 range in the years leading up to the pandemic before dropping again in 2020. It has increased since then but remained between 1,700 and 1,900 throughout 2023.

Statewide data limitations preclude us from examining the demographics of Wisconsin’s jail population and how it has changed over time. The jails are managed by scores of county governments, and the state currently does not collect data that would allow for this type of analysis.

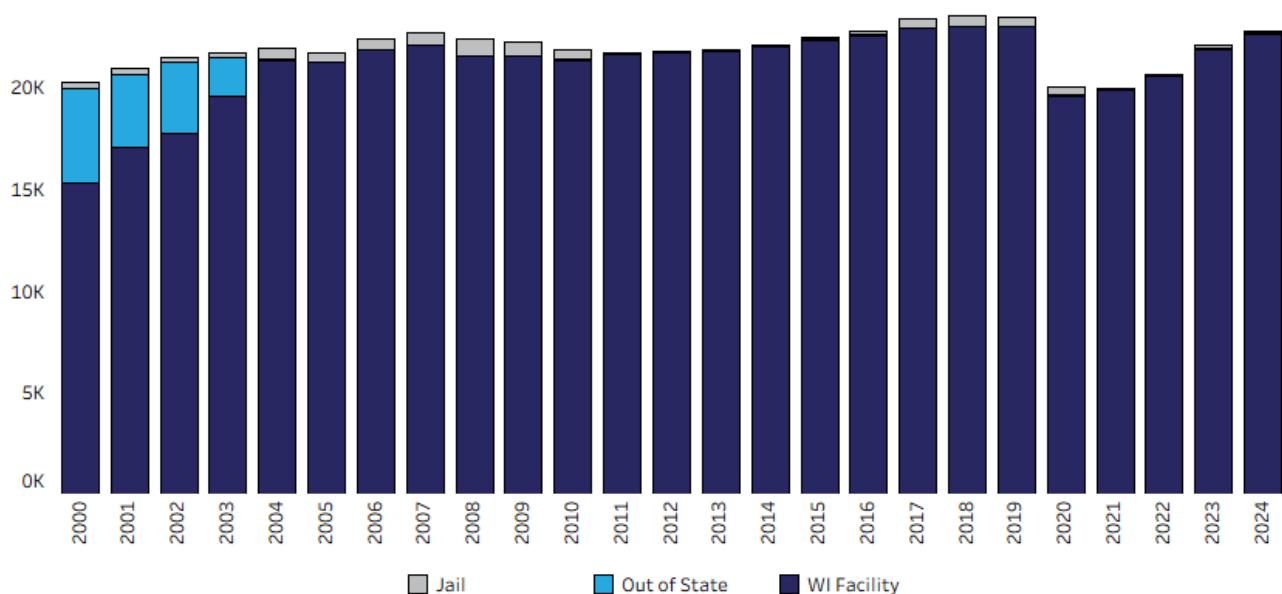
Prison Population and Demographics

The overall population of Wisconsin’s adult prisons grew slowly for several years and peaked at over 23,000 in the late 2010s before falling in 2020 as a result of the COVID-19 pandemic (Figure 49). By 2021, it had fallen below 20,000 for the first time in more than 20 years, but it has since rebounded closer to pre-pandemic levels. Whereas the population was 14.9% lower in 2021 than in 2019, it was just 2.9% below that level in 2024, at 22,801. It is important to note that a major factor behind recent increases in incarceration in Wisconsin is that many criminal cases that were delayed during the height of the pandemic have finally been processed, resulting in a rise in individuals being sentenced.

Until the early 2000s, the state of Wisconsin contracted with private prisons in other states to house some adults, but that practice largely ended in 2004, which explains the dramatic decrease in those

Figure 49: Prison Population Declined During Pandemic but Is Rebounding

December counts for all adult correctional facilities in Wisconsin



Source: Wisconsin Department of Corrections



individuals in Figure 49. Those listed in jails were serving prison sentences and were at a jail either temporarily or through a contract.

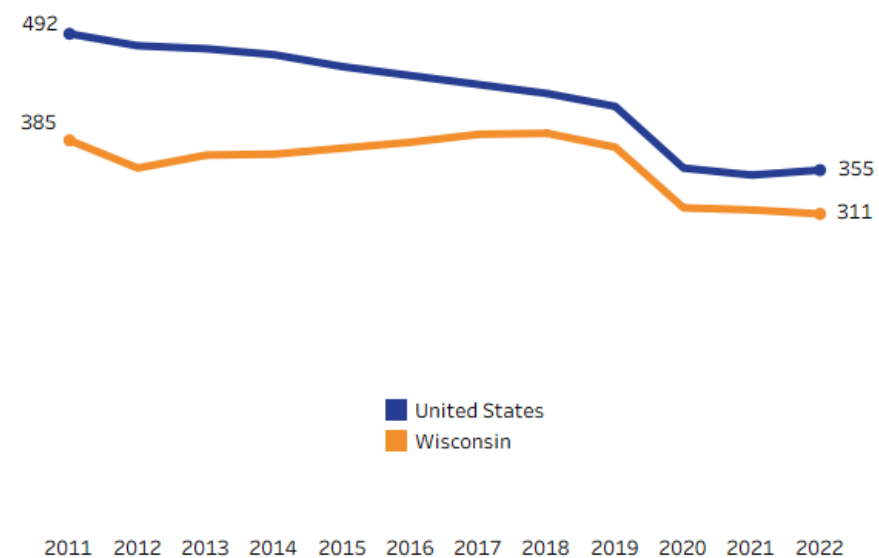
DOC data show that while Wisconsin's overall prison population was 2.9% lower in 2024 than in 2019, the number of individuals in the state's maximum-security prisons was down 9.3%. At 716, the population at the maximum-security Waupun Correctional Institution in Waupun, WI was 42% lower in 2024 than in 2019 and was at its lowest point in data extending back to 2000. However, Waupun's population rebounded to 860 in 2025, again approaching capacity.

Prior to the pandemic, growth in the state's prison population was outpacing growth in the state's total population. Between 2000 and 2019, the prison population grew by 15.5% while the total number of Wisconsin residents rose just 8.6%. The reduced prison population since the pandemic has brought the long-term growth pace of the state's prison and overall populations closer together.

Approximately 311 of every 100,000 Wisconsin residents were incarcerated in state or federal correctional facilities as of December 31, 2022, according to the most [recent data available](#) at the state level from the U.S. Bureau of Justice Statistics (Figure 50). That was below the national rate of 355 per 100,000 and ranked 23rd among the 50 states. The neighboring states of Indiana (349) and Michigan (323) had higher incarceration rates, while the rates in Iowa (264), Illinois (236) and Minnesota (151) were considerably lower. While Wisconsin's rate remained below the national average in 2022, the difference between the state and nation was considerably wider a decade earlier.

Figure 50: State Incarceration Rate Below Nation's, but Gap Has Narrowed

Prison population per 100,000 residents as of December 31 of each year



Source: U.S. Bureau of Justice Statistics

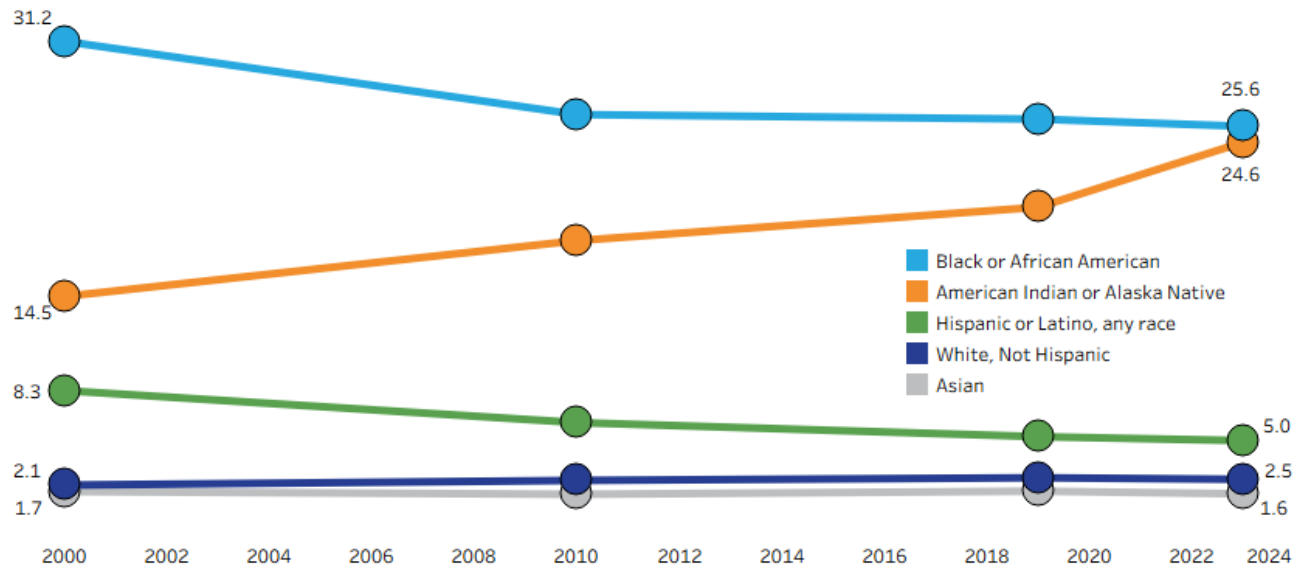
Race and Ethnicity. Considerable demographic shifts have occurred in the state's prison population since 2000, including a sharp increase in the incarceration rate for American Indians, which nearly doubled between 2000 and 2023 (see Figure 51). Meanwhile, the incarceration rates for Black and Hispanic Wisconsinites have fallen considerably, with the rate for African Americans almost below that of American Indians.

Between 2000 and 2023, the number of incarcerated American Indians in Wisconsin whose most serious offense was a violent crime increased by over 75% (from 388 to 686), while those in prison for drug offenses, though relatively small in number, grew sharply from 30 to 181.



Figure 51: American Indian Incarceration Rate Has Nearly Doubled Since 2000

Wisconsin prison population per 1,000 residents, by race and ethnicity



Source: WPF analysis of data from Wisconsin DOC and U.S. Census Bureau. Note: Rates reflect the number of individuals in prison for every 1,000 individuals of the same race or ethnic group in the general population.

Nationally, American Indian males had the [second-highest incarceration rate](#) after Black males as of December 31, 2022, with an estimated 1.4% of American Indian males and 1.8% of Black males incarcerated at that time. That order was reversed for females, with American Indian women registering the highest incarceration rate by far at 0.17%.

Despite the decline in the number of incarcerated Black Wisconsinites since 2000, Black residents were highly overrepresented in Wisconsin's prisons in 2023. The number of Black adults in Wisconsin's prisons decreased from 9,489 in 2000 to 8,965 in 2023, even as the number of white adults grew from 9,983 to 11,627 during the same period. Yet, Black individuals still accounted for more than 40% of those incarcerated in 2023, despite comprising only 5.9% of the state's population that year, according to Census estimates. The Hispanic-white disparity has also narrowed but persisted since 2000.

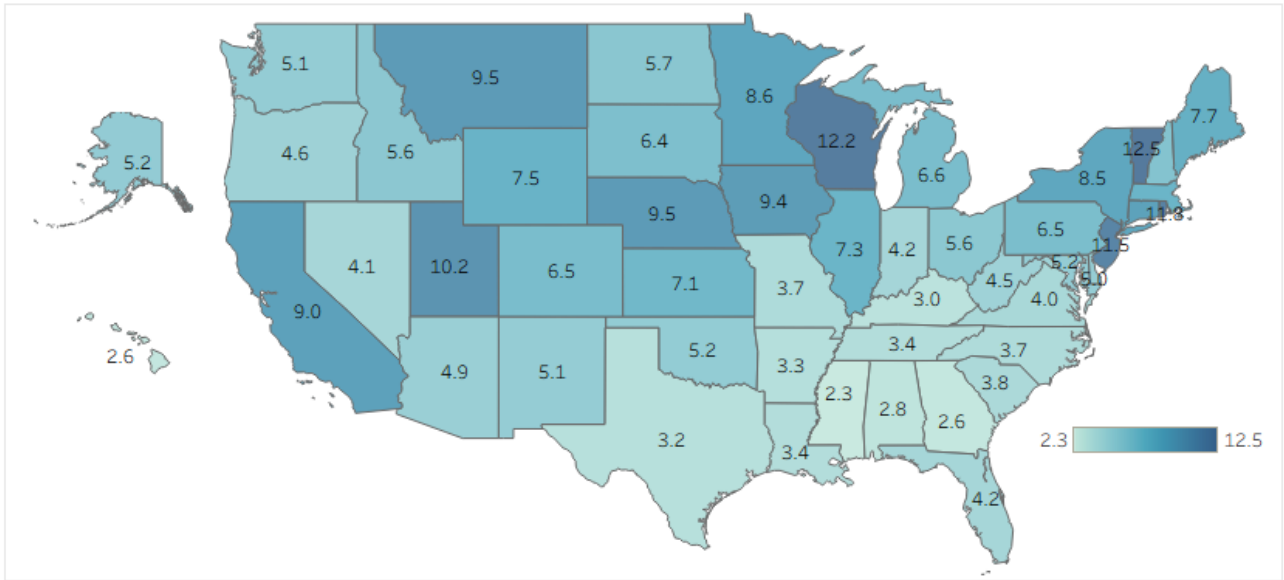
A couple of factors may limit the accuracy of the state's data on race and ethnicity. The DOC enters race and ethnicity information into its system based on what is reported by the courts in an individual's judgment of conviction. Later, when they go through intake at a facility or community supervision office, a DOC staff member has an opportunity to update that information based on what the individual reports. This process may produce inconsistent results. Also, whether individuals are Hispanic or Latino is unknown for a sizable share of the state's prison population, though the share for whom this information is unknown has fallen from 31.7% in 2013 to 17.0% in 2023.

National data show that while Wisconsin's overall incarceration rate was near the middle of the 50 states at 311 per 100,000, its Black incarceration rate (2,405 per 100,000) was the fifth-highest in the country, and the disparity between the state's Black and white incarceration rates was second-highest, after Vermont. Black Wisconsinites were more than 12 times more likely to be incarcerated that year than white Wisconsinites (see Figure 52). Notably, however, several of the states with the



Figure 52: Wisconsin Had Second-Highest Black-White Incarceration Disparity in the Nation

Black incarceration rates relative to white incarceration rates, 2022



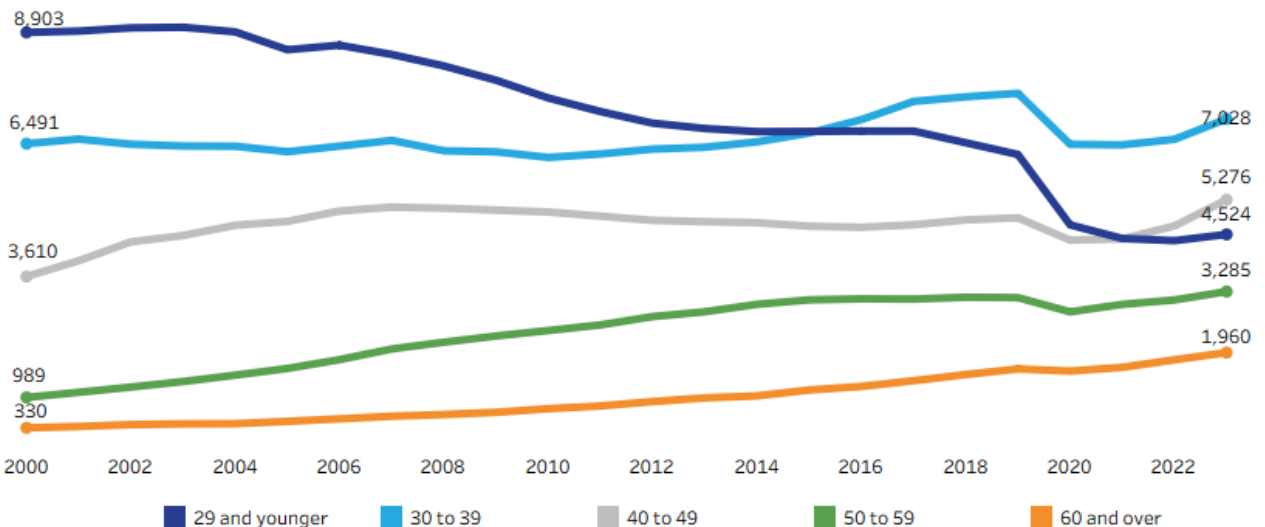
Source: WPF analysis of data from the U.S. Bureau of Justice Statistics ("Prisoners in 2022" report) and U.S. Census Bureau (2022 American Community Survey 1-year estimates)

smallest Black-white disparities have some of the highest overall incarceration rates in the country, including Mississippi, Louisiana, Texas, and Arkansas.

Age. Both in Wisconsin and [nationally](#), the prison population has gotten much older over the last two decades. The number of incarcerated Wisconsin adults under the age of 30 dropped by nearly half between 2000 and 2023, while those in their 40s and older increased dramatically (Figure 53). Perhaps the most striking trend is the sharp rise in those 60 and older. Later in this report, we examine prison admission trends for older and younger adults, including by offense type.

Figure 53: More Older Adults Being Incarcerated in Wisconsin

Wisconsin prison population counts by age cohort, 2000-2023

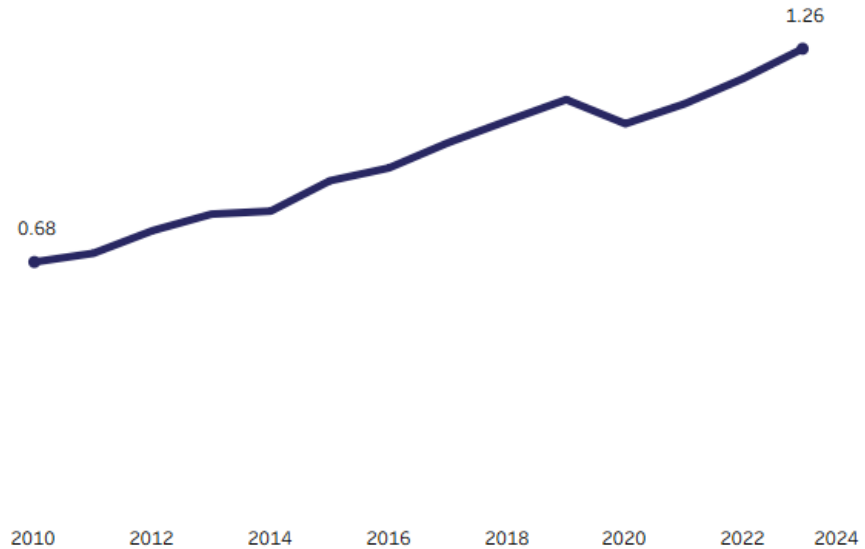


Source: WPF analysis of Wisconsin Department of Corrections data



The share of adults in Wisconsin prisons who were at least 40 years old doubled from roughly one-quarter (24.3%) in 2000 to nearly half (47.7%) in 2023. By 2023, nearly one-quarter (23.8%) of the state's adult prison population were aged 50 and over. While the state's overall population has grown older, that doesn't fully explain these trends. For example, as Figure 54 shows, the incarceration rate for older adults doubled between 2010 and 2023. As a response to this trend, one Wisconsin prison has [constructed](#) an assisted living unit to house people with advanced medical needs, and some institutions have added programs through which incarcerated people volunteer to help their elder peers. As we note later, this trend is adding to prison costs.

Figure 54: Incarceration Rate for Older Adults Has Doubled Since 2010
Adults ages 60+ in Wisconsin prisons per 1,000 state residents in same age range



Source: WPF analysis of Wisconsin Department of Corrections data

Sex. Since 2000, men have typically outnumbered women in Wisconsin's prisons by between 14 and 18 to one. Females have accounted for between 5.2% and 6.8% of the state's adult prison population, including nearly identical rates in 2000 (6.6%) and 2023 (6.7%).

This is roughly in line with national trends. According to a recent [report](#) by the federal Bureau of Justice Statistics, women accounted for 7.1% of individuals under the jurisdiction of state and federal correctional authorities in 2022.

Offense Type. While Wisconsin's overall prison population was 8.6% higher in 2023 than in 2000, those for whom violent crime was the most serious offense category rose 28.0% during that period (see Figure 55). Meanwhile, the number of adults for whom some other type of crime was the most serious offense fell 16.7%. Those for whom property crime was the most serious offense category fell the fastest during that period, dropping by 58.1%, while those with public order offenses as the most serious offense type more than doubled to become the second most common category after violent crime.²⁶ Though public order offenses like drunk driving are distinguished from violent crime in the data, in some cases they can still carry serious consequences and physical harm to victims.

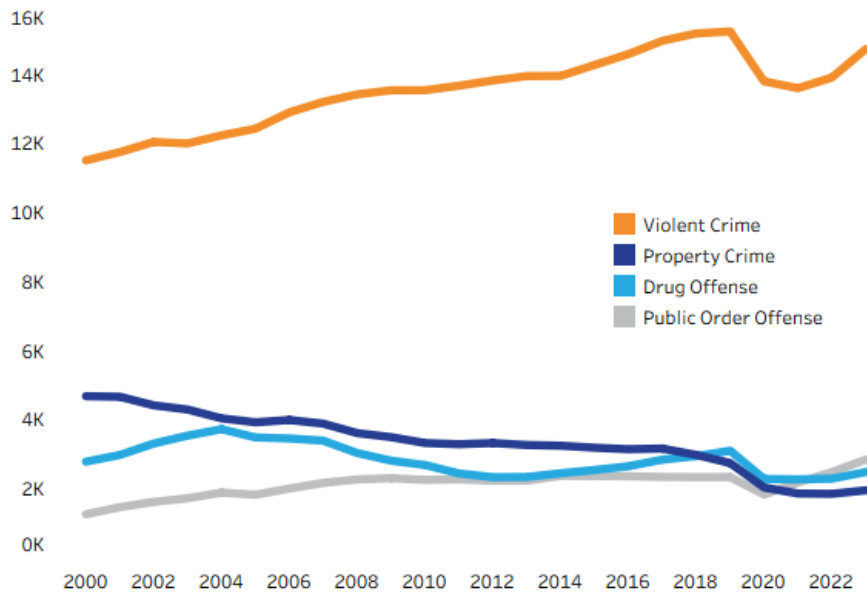
²⁶ Public order offenses include weapons offenses, traffic offenses, DUI or DWI, probation or parole violations, escape, obstruction of justice, court offenses, non-violent sex offenses, prostitution, family offenses, liquor law violations, bribery, invasion of privacy, disorderly conduct, contributing to the delinquency of a minor and miscellaneous public order offenses.
<https://doc.wi.gov/DataResearch/InteractiveDashboards/WisconsinDOCOffenseCategorization.pdf>



In addition to these trends, the numbers of adults held in Wisconsin correctional facilities with sex, drug, and operating while intoxicated (OWI) offenses have all increased over the past two decades (Figure 56). These trends are influenced by many factors including the enactment in 2000 of the state's truth-in-sentencing law. Sex offenses do include some violent offenses, such as sexual intercourse without consent, but also nonviolent offenses such as possession of child pornography.

Figure 55: Incarceration for Violent Crime Has Risen

Wisconsin prison population by most serious offense type

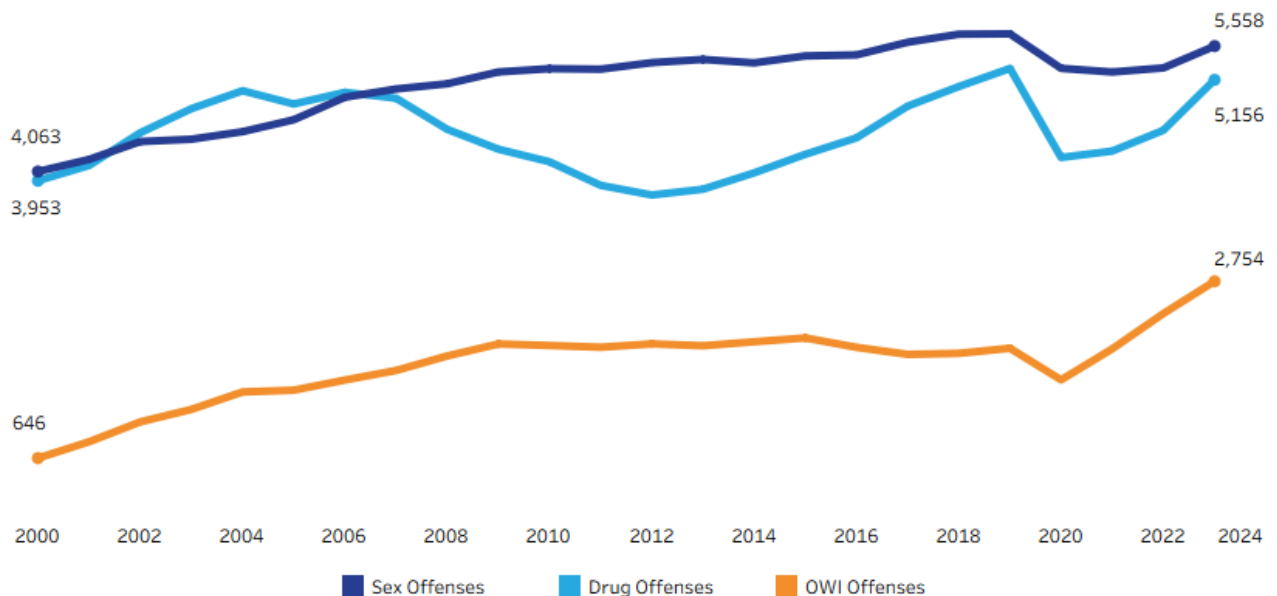


Source: WPF analysis of Wisconsin Department of Corrections data

Beyond the state's truth-in-sentencing law, Wisconsin has also made policy changes during the last two decades that have lengthened prison sentences for many sex offenses. For example, [Jessica's Law](#), enacted in 2007, established mandatory minimum sentences for individuals convicted of sexual predation of children.

Figure 56: Number of Incarcerated Adults with OWI Offenses Has Quadrupled Since 2000

Wisconsin prison population with drug, operating while intoxicated, and sex offenses



Source: WPF analysis of Wisconsin Department of Corrections data

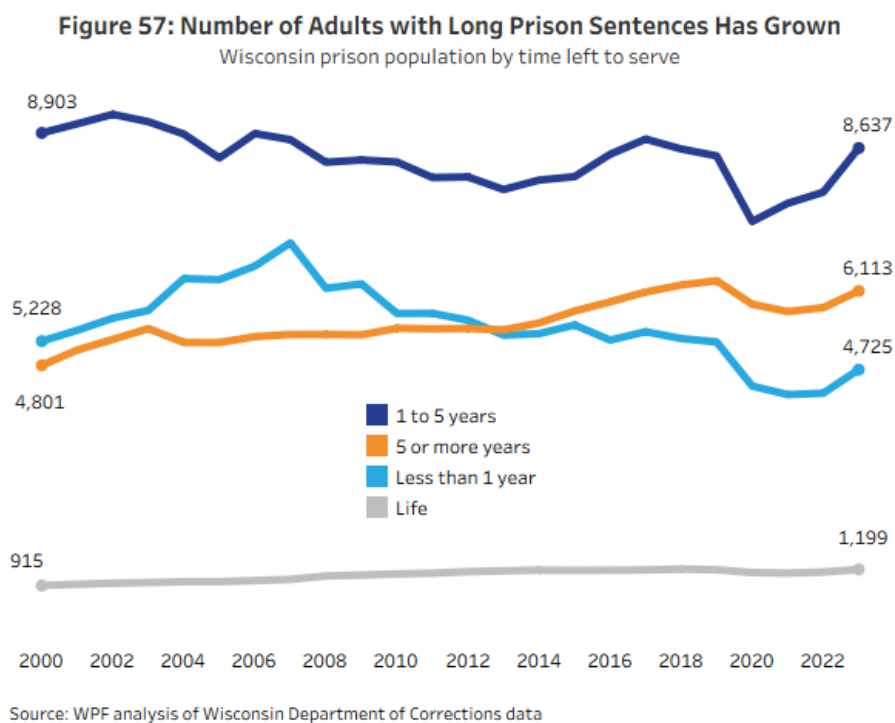


Those incarcerated for intoxicated driving have more than quadrupled since 2000. The OWI figures grew considerably during the first decade of the 2000s and rose even more sharply between 2020 and 2023. The number of incarcerated adults aged 50 and over with those offenses grew even more dramatically, from just 65 in 2000 to 1,149 in 2023.

The state of Wisconsin made a number of changes to its intoxicated driver laws during this period that have contributed to the rise in incarceration for intoxicated driving. In 2003, the state [lowered the standard prohibited blood alcohol concentration](#) from 0.10 to 0.08. In 2016, [Act 371](#) increased the penalties for fourth and all subsequent OWI offenses, including by making all fourth-offense OWI offenses Class H felonies. In 2019, Act 106 [raised the mandatory minimum sentence](#) for a fifth or sixth OWI offense from six months to 18 months.

Additional factors clearly came into play during the pandemic. The sharp increase since 2020 in incarcerated people with OWI and drug offenses may again be influenced by delays in processing cases through the courts during the pandemic. There was also a backlog for crime lab results for intoxicated driving and drug offenses that began prior to the pandemic, which may have contributed to a lag in the incarceration numbers. Previous Wisconsin Policy Forum research also showed a sharp rise in [alcohol consumption](#) and [alcohol-related deaths](#) in Wisconsin during the pandemic, and found that [alcohol was a key factor](#) in a pandemic-era spike in crash fatalities in the state.

Time Left to Serve. Over the past two decades, the number of adults in Wisconsin prisons with longer periods of time left to serve has increased considerably, while the number with shorter periods has fallen somewhat. Those with life sentences rose 31% between 2000 and 2023, with most of that increase occurring in the first decade of the 2000s (Figure 57). Meanwhile, those with at least five years left to serve increased by 27.3% to outnumber those with less than one year left.



As previously noted, Wisconsin’s “truth-in-sentencing” law, which applied to all felony offenses that occurred on or after December 31, 1999 and was modified for those that occurred on or after February 1, 2003, is one major factor contributing to this trend of longer prison terms.



Wisconsin DOC Substance Abuse Programs

The Wisconsin Department of Corrections administers three programs aimed at reducing substance abuse among incarcerated men and women. Each of these programs is facilitated by certified substance abuse counselors and overseen by a clinical supervisor. They include:

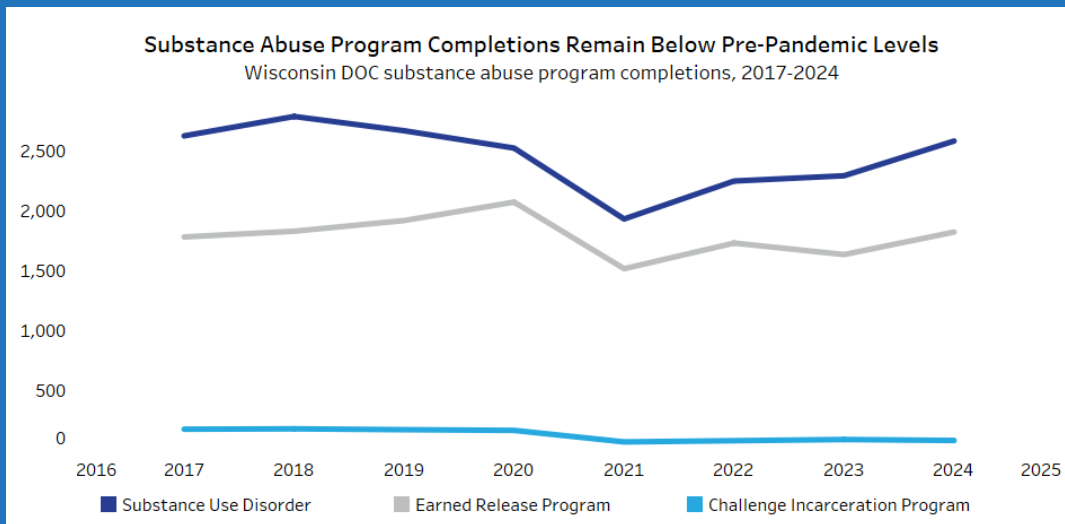
Earned Release Program – addresses criminal thinking and substance use disorder. Community reintegration is a key focus: participants are connected with probation and parole agents throughout the program.

Substance Use Disorder Program – addresses risky thinking that could lead to substance use and criminal behavior. Individuals are assigned to programs based on their identified risk level. This program does not include an early release component.

Challenge Incarceration Program – combines physical fitness and well-being with substance use disorder treatment. This is a much smaller program than the other two.

Judges are allowed to sentence non-violent, non-assaultive individuals with substance abuse needs to the full-time, intensive Earned Release and Challenge Incarceration programs.

The chart below shows that despite the sharp rise in incarceration for OWI offenses since 2020, there has not been a commensurate rise in completions of these DOC programs. Meanwhile, DOC data show more than 11,000 individuals have been on the waitlist for the Substance Abuse Program each month since February 2024.



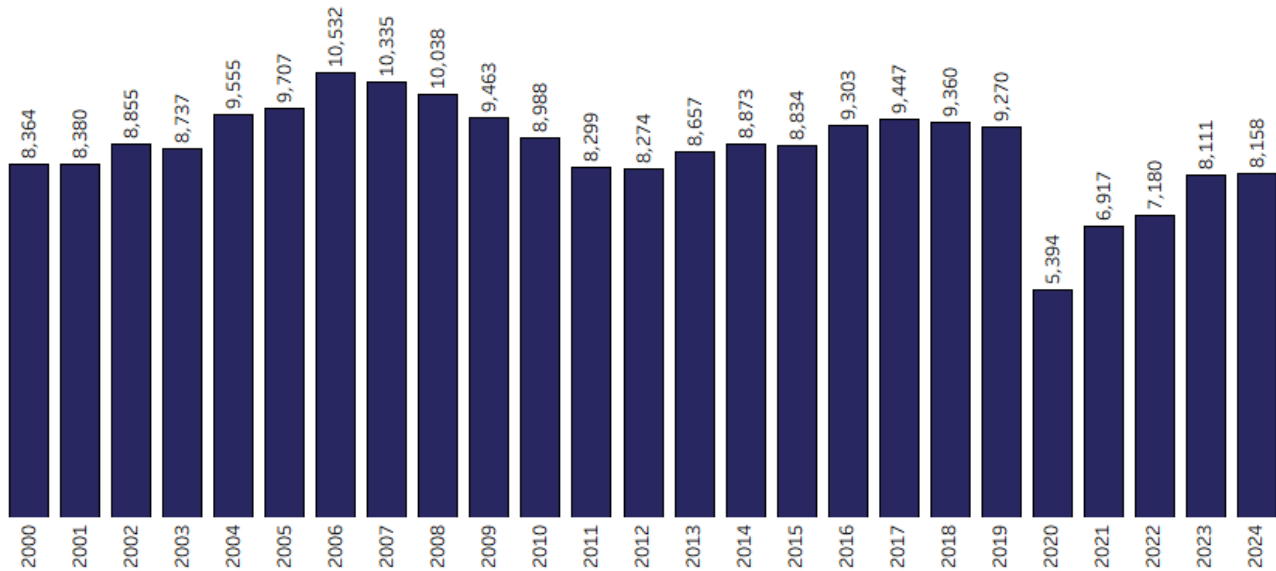
Prison Admissions

Trends in admissions to Wisconsin's prisons largely follow those we observed in the state's overall prison population, but examining them can illuminate more recent trends and give us a better sense of shifts in the characteristics of the state's prison population that may be likely in the future.

In 2020, the onset of the pandemic caused prison admissions in Wisconsin to drop precipitously (by 41.8% from 2019), which was a major factor driving the overall prison population decline. Since then, however, admissions have climbed steadily. As Figure 58 shows, 8,158 individuals were

Figure 58: Prison Admissions Down but Rebounding Toward Pre-Pandemic Levels

Wisconsin prison admissions by year



Source: WPF analysis of Wisconsin Department of Corrections data

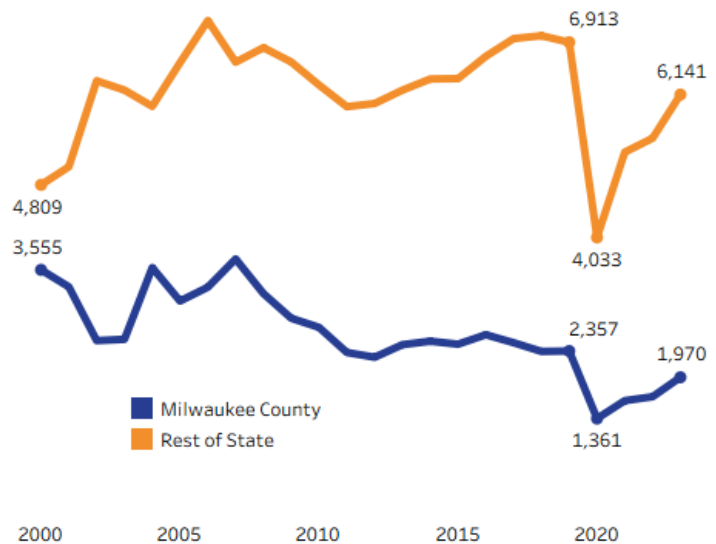
admitted to the state’s prisons in 2024, which remained relatively low compared to most previous years but still within 12% of the number in 2019, the last year before the pandemic.

Conviction location. Since 2000, the numbers of individuals admitted to Wisconsin’s prisons for convictions in Milwaukee County versus the rest of the state have diverged. Admissions from Milwaukee County dropped 44.6% between 2000 and 2023, while those from the balance of the state rose 27.7% (Figure 59). Whereas convictions in Milwaukee County accounted for 42.5% of the state’s total prison admissions in 2000, they only represented 24.3% of statewide admissions in 2023.

In Milwaukee County, convictions for drug and property offenses have dropped dramatically since 2000, while those for violent and public order offenses also have declined. This tracks with our previous [research](#) that found the number of arrests in Milwaukee has fallen dramatically across many offense types since 2012. The first decline in convictions from Milwaukee was during the late 2000s. Then, during the height of the pandemic, Milwaukee County’s courts stopped processing misdemeanor cases to avoid putting people in shared cells, which contributed to the decline in

Fig. 59: Admissions Drop from Milwaukee, Rise Elsewhere

Wisconsin prison admissions by place of conviction



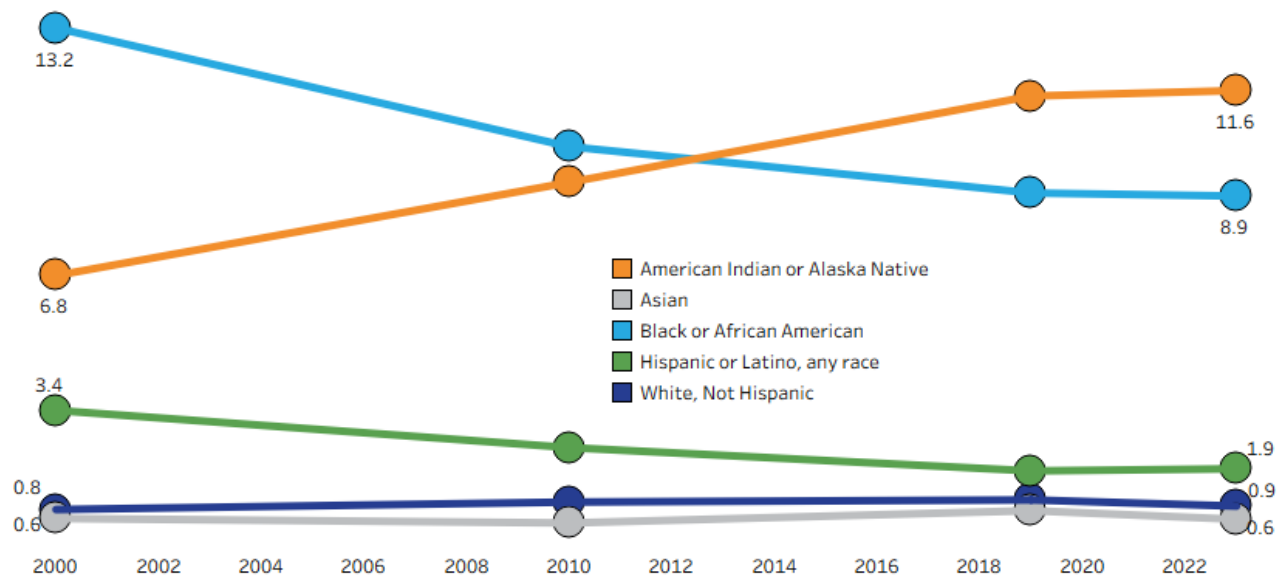
Source: WPF analysis of Wisconsin Department of Corrections data



admissions in 2020. The increases in admissions since 2020 again likely are influenced by the courts catching up in processing those cases. Since 2015, Milwaukee County also has received a [series of grants](#) from the MacArthur Foundation’s Safety and Justice Challenge to support its efforts to reduce unnecessary incarceration through diversion to mental health and substance abuse treatment, deferred prosecution agreements, and early intervention practices, which also may have contributed to the decline.

Race and ethnicity. Prison admissions for American Indians in Wisconsin have risen rapidly over the last two decades – from 684 in 2000 to 1,191 in 2023 – while admissions for Black and Hispanic residents have fallen. As shown in Figure 60, the American Indian admissions rate rose from 6.8 per 1,000 residents in 2000 to 11.6 per 1,000 residents in 2023. Our analysis of these data did not look at every year, but by 2019 American Indians had the highest prison admission rate in the state among all racial and ethnic groups.

Figure 60: Admissions Rise for American Indians, Fall for Black and Hispanic Populations
Wisconsin prison admissions per 1,000 residents by race and ethnicity



Source: WPF analysis of Wisconsin Department of Corrections and U.S. Census Bureau data

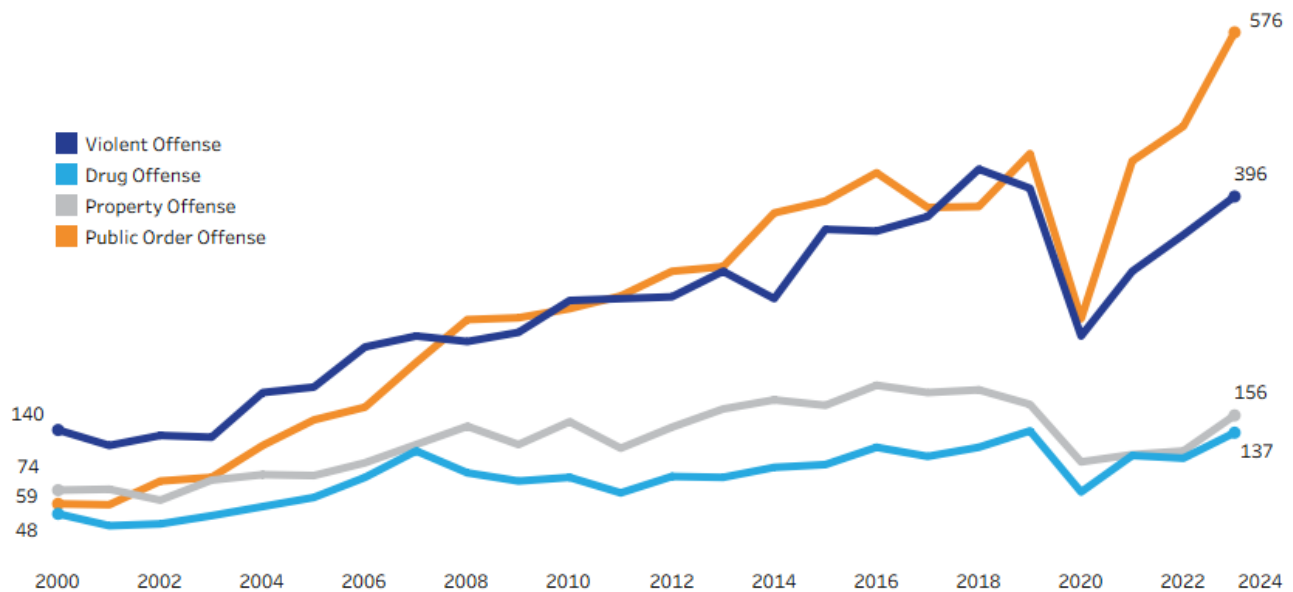
As previously noted, violent crime, drug offenses, and public order offenses have all contributed to the rising incarceration rate for American Indians. The number of American Indians admitted to prison for violent offenses rose from 146 in 2000 to 242 in 2023, while those admitted for drug offenses increased more than fivefold, from 22 to 127, during the same period. American Indians have higher rates of drug abuse and overdose deaths than many other populations, according to [state and federal data](#).

Prison admissions are a leading indicator of how Wisconsin’s prison population is changing. We previously showed how the incarceration rate for American Indians in the state has increased dramatically over time, but Black Wisconsinites still had a higher incarceration rate as of 2023.



Figure 61: More Older Adults Being Admitted to Prison for Public Order, Violent Offenses

Wisconsin prison admissions for adults 50 and older by most serious offense type



Source: WPF analysis of Wisconsin Department of Corrections data

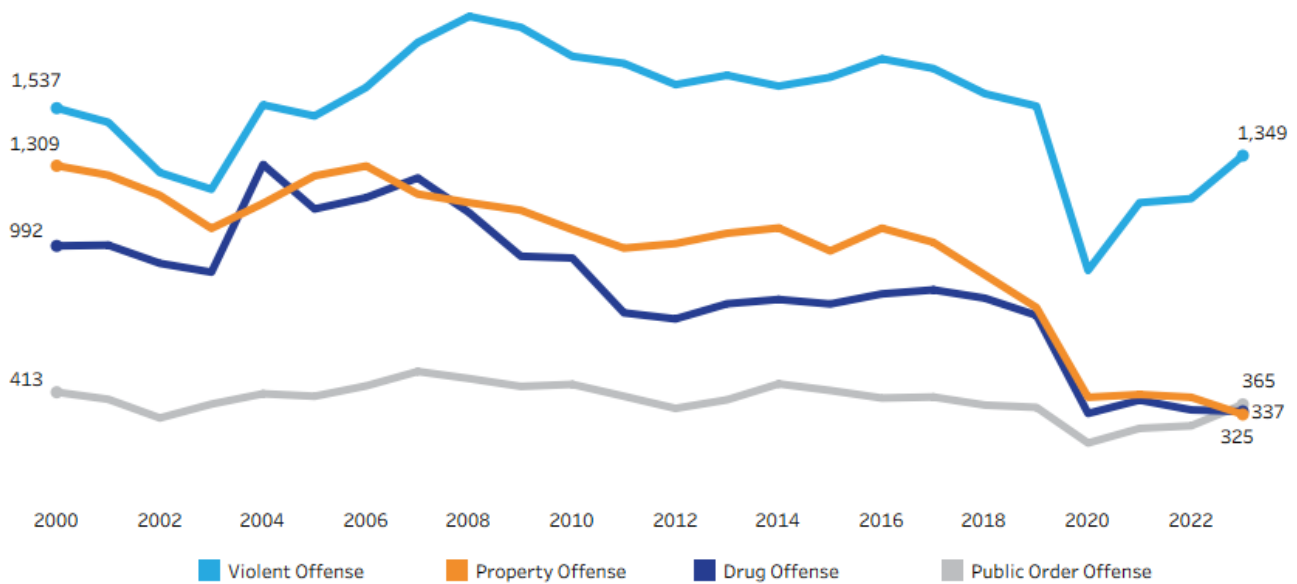
Age. State data show that the aging of Wisconsin’s prison population is not solely due to individuals serving longer sentences and aging in custody. Admissions for older adults also have risen considerably. This is particularly evident for those aged 50 and older (Figure 61), who accounted for just 4.4% of all prison admissions in 2000 but 16.1% of all admissions in 2023. Public order offenses (such as disorderly conduct, drunk driving, and weapons offenses) and violent crime have driven the overall rise in prison admissions for older adults. Admissions for public order offenses grew nearly tenfold from 2000 to 2023, while admissions for violent offenses nearly tripled during the same period.

Conversely, the sharp decline in the state’s prison population of young adults under the age of 30 has been driven by rapidly falling numbers of individuals incarcerated for property and drug offenses (see Figure 62). Admissions for property offenses dropped by roughly 75% between 2000 and 2023, while admissions for drug offenses fell by about 66%. The number of young adults incarcerated for violent offenses and public order offenses fell slightly during that period, though their ranks grew between 2020 and 2023 after dropping at the beginning of the pandemic.

Case and offense type. For many years, concerns have been raised in Wisconsin regarding the large numbers of individuals who are released from prison on parole or extended supervision but then reincarcerated due to revocations rather than new offenses. These “crimeless revocations,” which typically occur when a person violates a rule of their supervision, spiked to 4,053 in 2007 and remained above 2,500 each year until 2020, when the pandemic caused prison admissions to decline in general (see Figure 63).

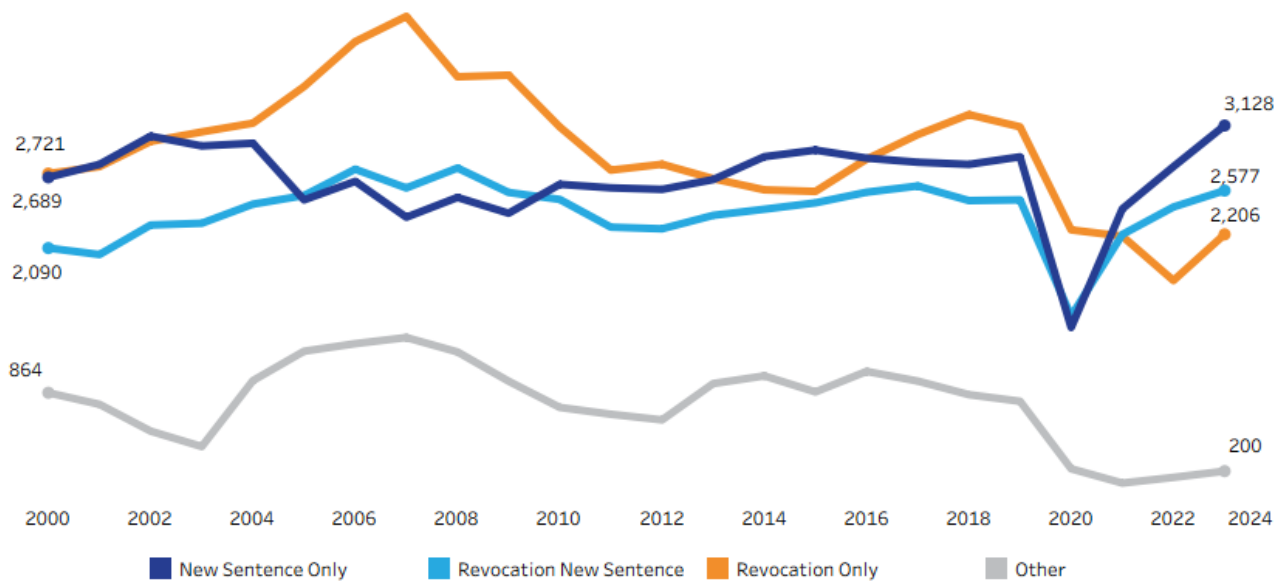


Figure 62: Fewer Young Adults Being Admitted to Prison for Property, Drug Offenses
Wisconsin prison admissions for adults 29 and younger by most serious offense type



Source: WPF analysis of Wisconsin Department of Corrections data

Figure 63: Prison Admissions Up for New Sentences, Down for Revocation Only
Wisconsin prison admissions by case type



Source: WPF analysis of Wisconsin Department of Corrections data

As of 2023, prison admissions due to revocation (and no new sentence) remained below the levels routinely seen prior to the pandemic, though they still accounted for more than one-quarter of all admissions. The reduction since 2018 may have been influenced by the implementation of the DOC's [Evidence-Based Response to Violations program](#) in January 2019, which assigns risk levels to individuals based on their initial offense – and severity levels to different types of supervision rule



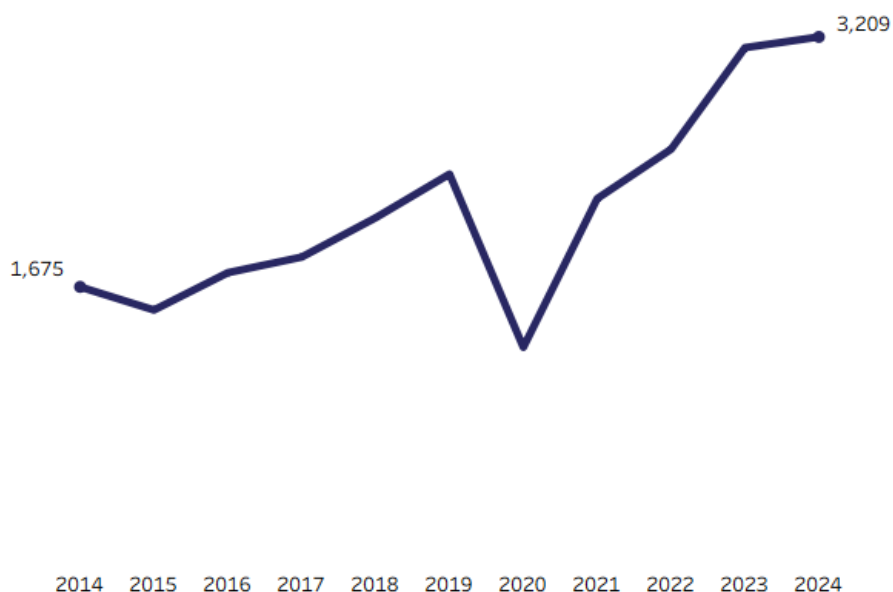
violations. The DOC’s goal then is to reserve “harsher responses (e.g., revocation of the client’s community supervision status) for higher-severity violations” while using less severe responses when possible, particularly for violations related to substance abuse.

Meanwhile, in 2023 the number of admissions only involving sentences for new crimes reached their highest point since at least 2000. Likewise, total admissions for new sentences (including those also involving revocation) were at their highest point that year.

As we observed in the overall prison population, admissions have risen over time for violent crime and for certain offenses such as intoxicated driving, while they have declined for property offenses. Admissions for violent crime reached a high of 3,782 in 2017 and were just below that peak at 3,615 in 2023. Admissions for OWI offenses have skyrocketed from 386 in 2000 to a new high of 1,314 in 2023.

Admissions with weapons offenses also have grown, roughly doubling from 1,675 in 2014 to 3,209 in 2024 (Figure 64). This aligns with state and [national data](#) showing gun sales increased considerably during that period and spiked in 2020. National data show those sales have fallen back to pre-pandemic levels but the number of guns in circulation has risen considerably.

Figure 64: Prison Admissions with Weapons Offenses Double in a Decade
Annual admissions to Wisconsin prisons with weapons offenses, 2014-2024



Source: Wisconsin Department of Corrections

Length of sentence.

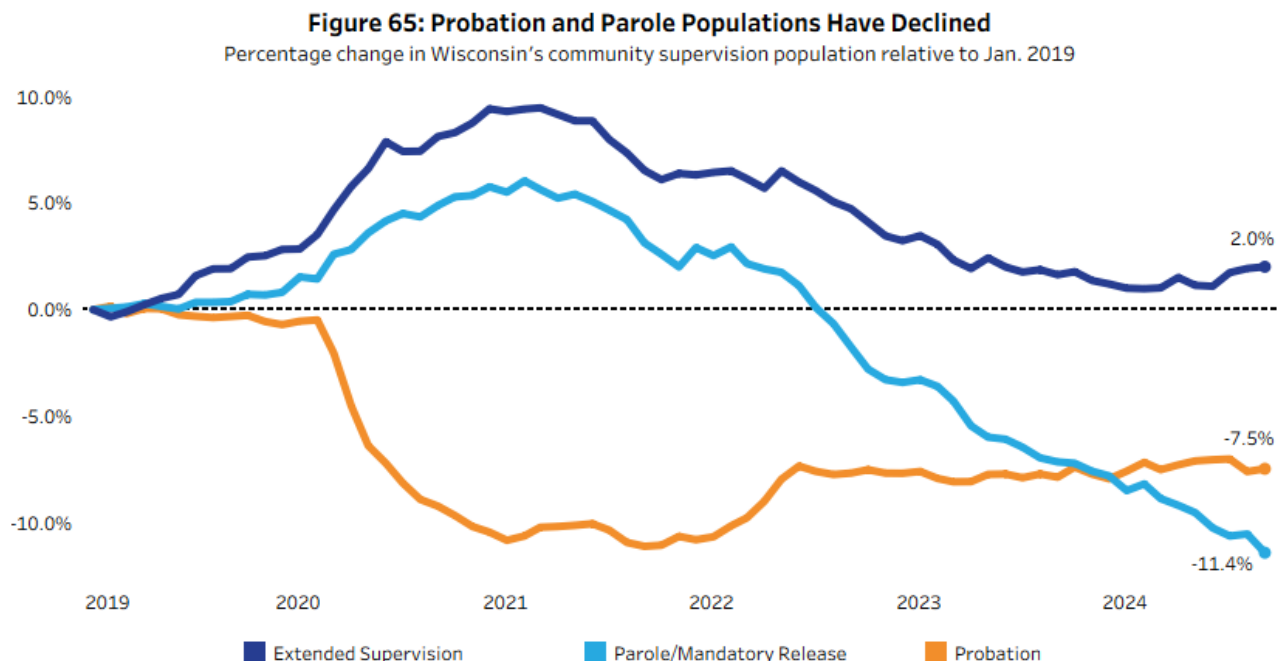
Fewer Wisconsinites are being admitted to state prisons with short sentences than in the past. After rising above 3,200 in both 2006 and 2007, the number of admissions with sentences shorter than one year declined for several years and hovered between 2,000 and 2,400 per year throughout the 2010s. It dropped again in 2020 to 1,703 and has remained at similarly low levels in each year since.

This decline may reflect both reduced criminal activity and shifting public attitudes about policing practices that favored reductions in both police interactions and incarceration for minor crimes. Our [recent research](#) on arrest trends in Milwaukee, for example, found large decreases in reported offenses, police stops, and arrests – particularly for low-level crime – which was influenced in part by local factors (e.g. the 2018 [Collins Settlement](#), which required the Milwaukee Police Department to reform its stop-and-frisk practices) but also appeared to follow a national trend. Judges may also be ordering fewer prison sentences for low-level offenses.



Community Supervision

The number of Wisconsin residents under community supervision (including probation, extended supervision, and parole or mandatory release) has decreased modestly over the last several years, from 66,583 in January 2019 to 63,285 in September 2024, a 5.3% decline. (We were only able to access community supervision data for this time period.) Most of that decline was among those on probation, which is the largest subgroup (Figure 65). There were 40,959 individuals on probation in Wisconsin in September 2024, which was 7.5% lower than in January 2019.



Source: WPF analysis of Wisconsin Department of Corrections data

Note: Parole and probation populations include some individuals under supervision through the interstate compact.

During that same period, the number of individuals on parole or mandatory release declined by a larger percentage (11.4%) to 2,823, while the number on extended supervision (meaning they had completed a prison sentence and were then completing a period of required community supervision) rose 2.0% to 19,080. Judges must sentence people to a term of extended supervision [equal to](#) 25% or more of the time that the person was sentenced to serve in prison. Extended supervision terms are capped at between two and 20 years, depending on the crime. For more information about these and other types of community supervision, see [Appendix 2](#).

The rise in Wisconsin's parole population from 2020 to 2021 corresponds to the COVID pandemic, during which the DOC released hundreds of people from Wisconsin jails and prisons. The Parole Commission [granted](#) 32 requests for parole in 2024, a rate of 4.2%, compared to the 11.7% or greater that it granted each year between 2019 and 2022. Since reaching a high of 3,380 people in February 2021, the state's parole population had fallen to 2,823 as of September 2024.

State data also show that the decline in overall community supervision has primarily occurred among those with misdemeanor rather than felony offenses. There has been a modest increase in those under supervision for violent offenses and decreases in those with property, drug, and public order



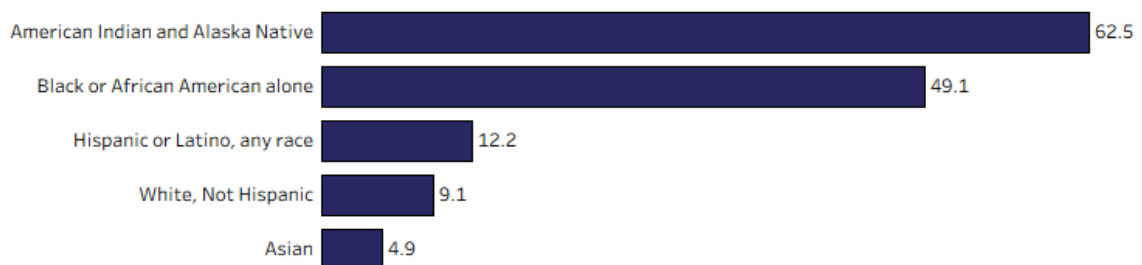
convictions. More individuals were under community supervision for weapons offenses and for murder and manslaughter in 2024 than in 2019, for example, while fewer were supervised for fraud, forgery, and theft.

Race/Ethnicity. The number of white individuals under community supervision in Wisconsin has decreased since 2019, while the numbers of Black, Hispanic, and American Indian individuals have grown. Growth in Black and American Indian individuals under community supervision occurred despite small declines in their overall populations in Wisconsin. The rise in Hispanic individuals under supervision was faster than their overall population growth in the state.

The rates of community supervision among American Indian and Black residents in Wisconsin are far higher than those for other racial and ethnic groups (Figure 66). In 2023, an average of more than 62 American Indian individuals were under supervision for every 1,000 American Indian state residents, while the same was true for about 49 of every 1,000 Black residents. The rates for the Hispanic, white, and Asian populations were much lower.

Figure 66: High Rates of Community Supervision for American Indian, Black Populations

Average monthly population under community supervision in 2023 per 1,000 state residents



Source: WPF analysis of Wisconsin Department of Corrections and U.S. Census Bureau data

Age. As in Wisconsin's prisons, the state's population under community supervision is becoming older. Between January 2019 and September 2024, the number of individuals aged 40 and older rose (see Figure 67), with those 60 and over increasing by the fastest rate (51.2%). At the same time, the number of individuals in their 20s dropped by roughly one-third (33.8%).

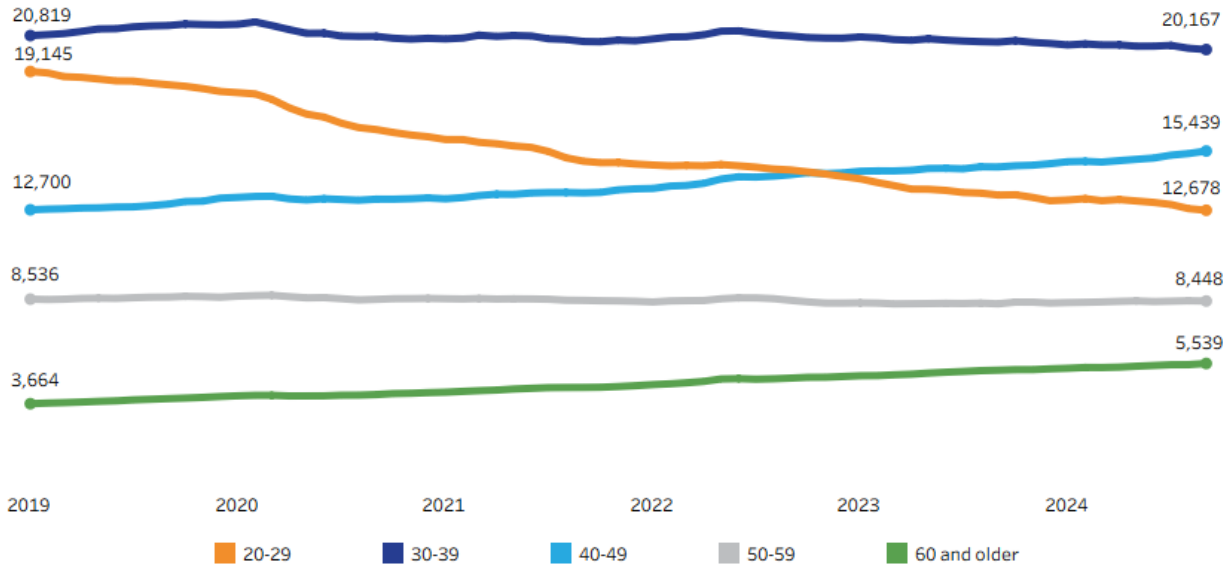
Among those 60 and over under supervision, the offenses that grew the most between January 2019 and January 2024 include intoxicated driving (up 39.6%), assault other than aggravated assault (up 78.9%), and drug abuse violations (up 61.7%). Large reductions in drug and property offenses contributed to the steep decline in individuals in their 20s, including 2,208 (45.2%) fewer of those young adults under supervision for drug abuse violations in January 2024 than in January 2019 and 1,752 (53.7%) fewer for larceny, theft, or burglary. These diverging trajectories for drug violations between younger and older individuals is curious and may be worthy of further exploration.

Sex. Women make up a far greater share of those under community supervision in Wisconsin than those in state prisons. Whereas women have accounted for between 6% and 7% of Wisconsin's prison population since 2019, they have represented roughly 20 to 21% of the state's population under community supervision.



Figure 67: More Older Adults, Fewer Young Adults Under Supervision

Population under community supervision in WI by age group



Source: WPF analysis of Wisconsin Department of Corrections data

Geography. Although fewer individuals are being admitted to Wisconsin’s prisons from Milwaukee County than in the past, the number of individuals under community supervision in the county has remained relatively flat since 2019 at just under 13,000. Meanwhile, those from the balance of the state has decreased, meaning that Milwaukee County now accounts for a larger share of those under supervision. Several other large counties, including Dane, Brown (combined with Outagamie), and Racine all have seen modest reductions.

Release from Supervision. Our analysis of DOC data on all individuals released from community supervision between 2019 and 2024 reveals several observations:

Release reasons. Among the 152,914 individuals released during that six-year period, roughly two-thirds (67.4%) were discharged after completing their sentences (including those released early), while 29.2% were released because they entered prison or jail due to a revocation or new offense. Another 2.8% died while under supervision.

Time served. Nearly three-quarters (72.4%) of those discharged during this period were supervised for between one and three years, including 20.5% who were discharged after exactly one year. More than one-third of releases due to incarceration (38.2%) occurred within the first year of supervision.

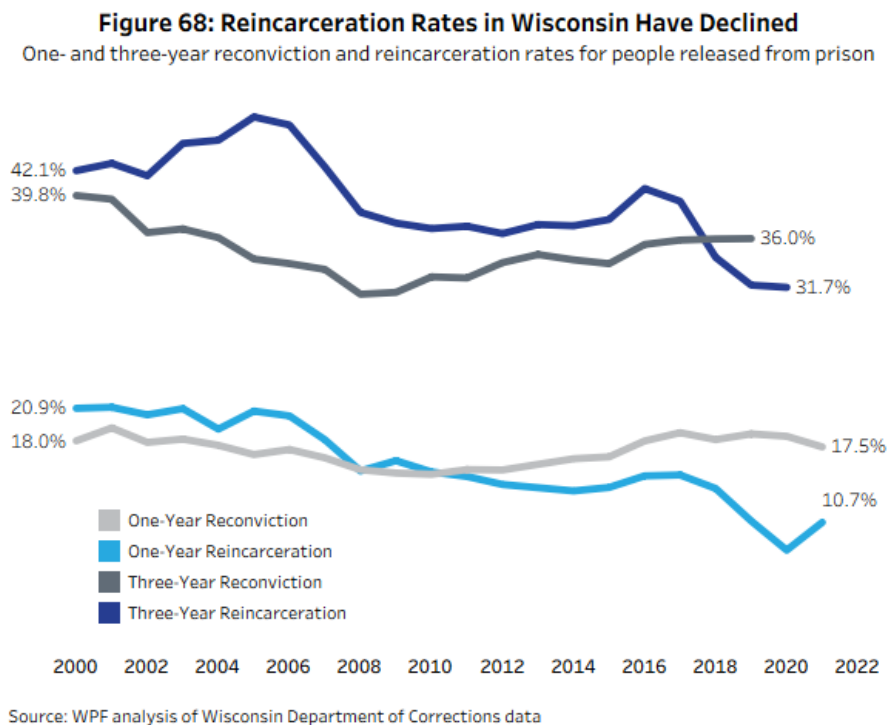
Differences by age and race. Generally speaking, discharge and death were more common reasons for release among older age groups than the overall population under supervision, while reincarceration was more common among younger age groups. Black individuals under supervision were more likely to be younger (35.0% of those under the age of 20 were Black, compared with 26.2% of the supervised population overall) and more likely to be reincarcerated (34.8% of those incarcerated were Black), which suggests that their higher incarceration rates may have been tied at least in part to their relative youth.



Recidivism

Fewer people released from Wisconsin's prisons are being reincarcerated than in the past. The DOC tracks whether each individual is reconvicted or reincarcerated for three years after their release from prison.²⁷ Among those released in 2020, 31.7% were reincarcerated within three years (Figure 68). That was considerably lower than the three-year reincarceration rate of 42.1% for those released in 2000. The one-year reincarceration rate was cut roughly in half during that same period, while the one- and three-year reconviction rates remained much steadier. The differences between the trends in reconviction versus reincarceration likely reflect in part a decrease in reincarceration due to revocations rather than new sentences.

Despite the decline in reincarceration, Wisconsin in 2021 spent more per capita than any other state to incarcerate people for violating rules of their community supervision, according to [analysis](#) by the Council of State Governments. Further reducing the state's reincarceration rate therefore remains a worthy goal.



In interpreting the state's recidivism data, it is important to note one key factor that could limit their accuracy: individuals are only removed from the DOC's tracking if they die before the full tracking period has transpired or are released from prison more than once in a given year (in which case the department only uses the later release). Those who leave Wisconsin (the DOC can no longer track those individuals) or are revoked to a county jail would still be included in the state's tracking. The DOC only uses its own records for these figures, so if an individual is incarcerated in a federal or other state prison, the data would not reflect this.

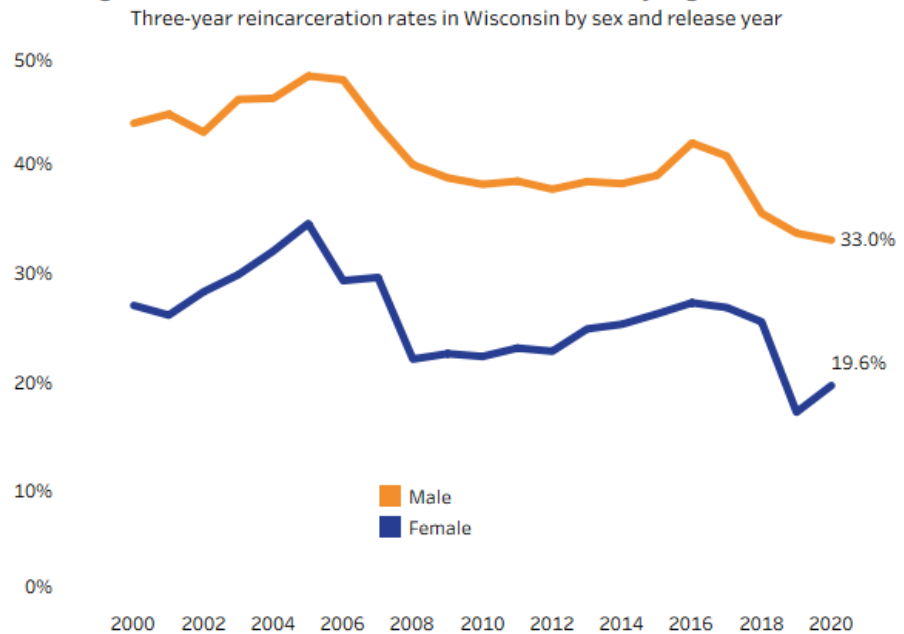
Sex Reincarceration rates for both men and women declined over the last two decades, but the rates for men have remained consistently higher (see Figure 69). Roughly one-third of men released from prison in 2020 were reincarcerated within three years compared with only one in five women.

²⁷ The DOC's measure of reincarceration includes all revocations to prison, while reconviction only includes revocations with a new sentence. Reconviction includes people being newly admitted to community supervision, while reincarceration does not.



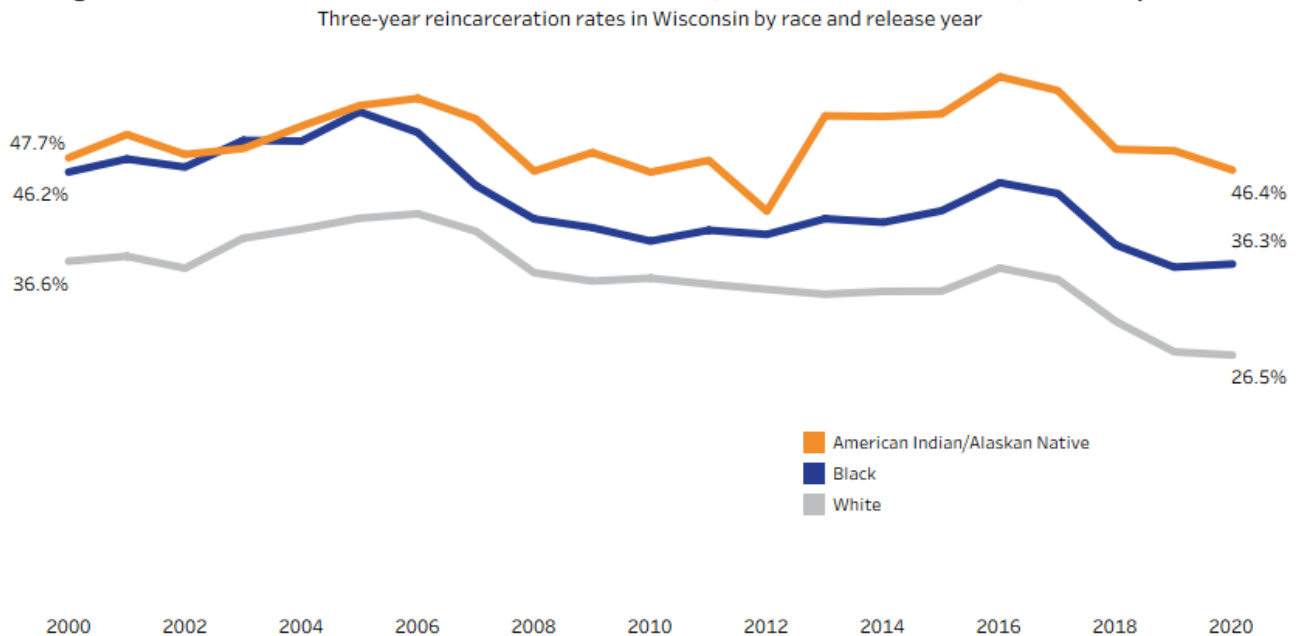
Race. American Indian Wisconsinites have consistently had higher reincarceration rates than other racial groups since 2004, a trend that has been especially pronounced over the last several years as their rates remained elevated while those for the Black and white populations fell (see Figure 70). More than half of American Indians released from Wisconsin prisons between 2013 and 2017 were reincarcerated within three years. The rate fell below 50% for those released since 2018.

Figure 69: Reincarceration Rates Are Consistently Higher for Men



Source: WPF analysis of Wisconsin Department of Corrections data

Figure 70: Reincarceration Common for American Indians; Rate Has Fallen for Black, White Populations



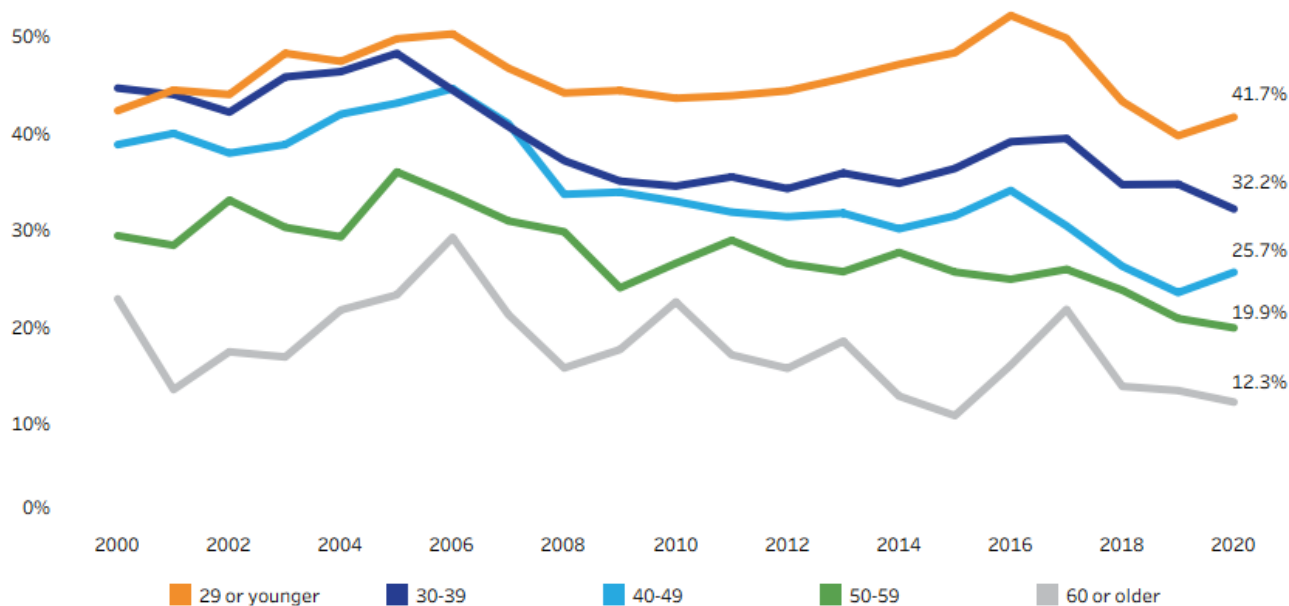
Source: WPF analysis of Wisconsin Department of Corrections data

Meanwhile, the three-year reincarceration rate for Black Wisconsinites – which had been similar to the rate for American Indians in the early 2000s – was roughly 10 percentage points lower for those released in 2020. The rate for white offenders also dropped by roughly 10 percentage points during that period and has been the lowest among the racial groups tracked for several years.



Age. Reincarceration is quite common among younger populations but consistently falls as individuals age. As shown in Figure 71, at least 40% of those 29 or younger released from prison each year are reincarcerated within three years. Among adults 60 and over, however, less than 20% of those released in most recent years have been reincarcerated. Over the past two decades, reincarceration rates have fallen for most age groups but not for those 29 and younger.

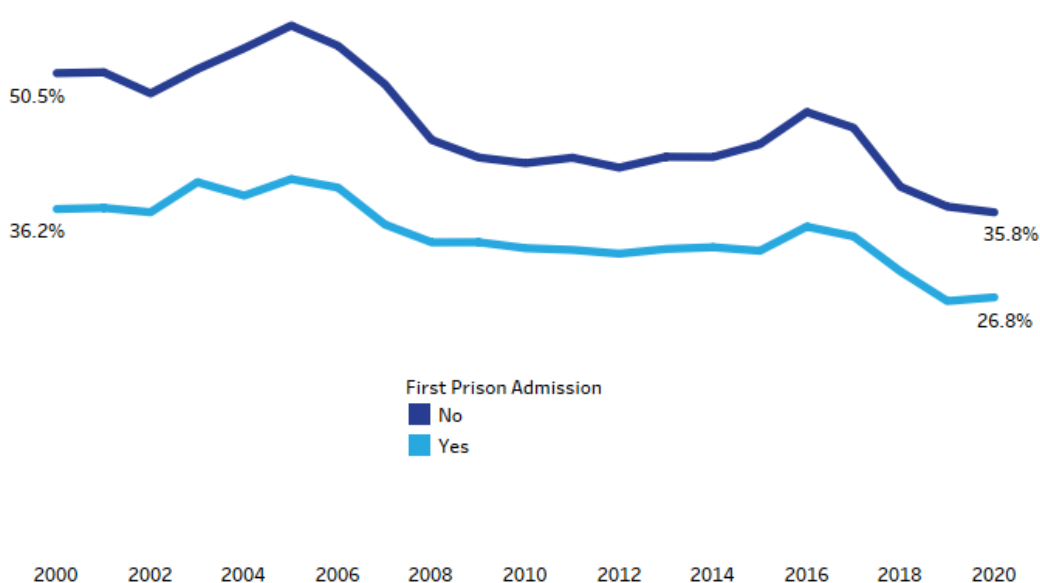
Figure 71: Reincarceration Less Common Among Older Adults
Three-year reincarceration rates in Wisconsin by age upon release and release year



Source: WPF analysis of Wisconsin Department of Corrections data

Previous Incarceration. Reincarceration is consistently less common among individuals who have been incarcerated once than those who have been incarcerated two or more times (Figure 72). Rates of reincarceration have declined more since 2000 among

Figure 72: Reincarceration Less Common Among Individuals Incarcerated for First Time
Three-year reincarceration rates in Wisconsin by release year



Source: WPF analysis of Wisconsin Department of Corrections data

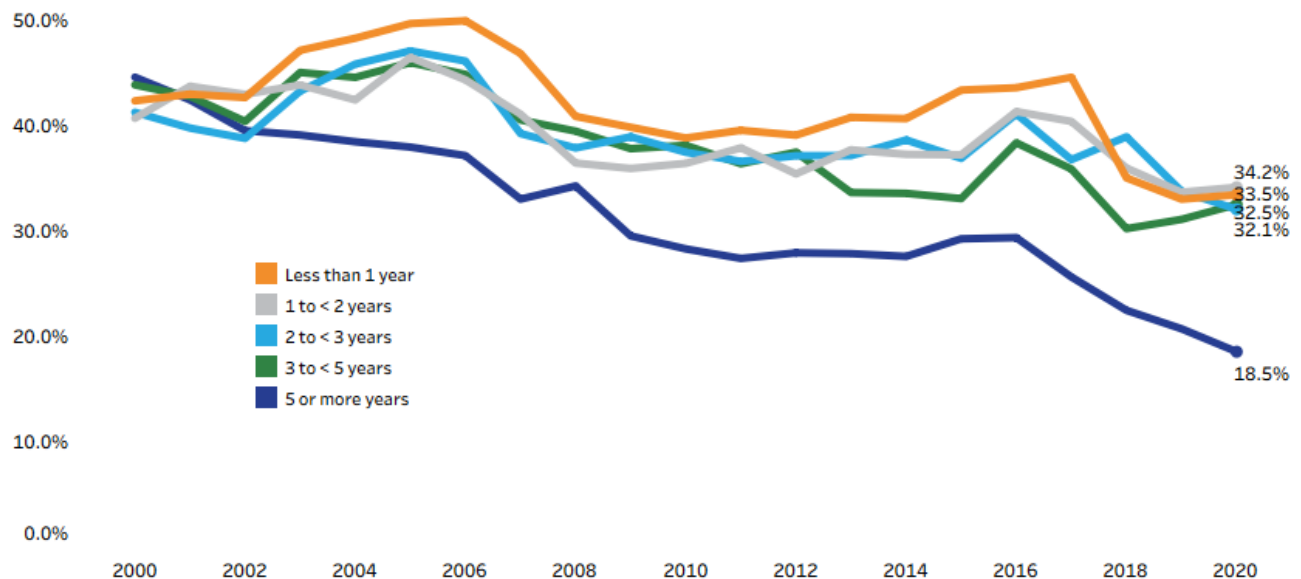


people with repeat offenses, though the decreases for the two groups have followed a similar pattern. Just over one-third of individuals with repeat offenses released in 2020 were reincarcerated within three years, compared with more than half among those released between 2000 and 2006. We were unable to identify why reincarceration rates were higher around 2005 and 2016.

Length of Time Served. Reincarceration also is less common among those who have served long sentences. The reincarceration rate among those who served at least five years and were released in 2020 was 18.5%, compared with over 32% among those who served shorter sentences (Figure 73). This could be influenced by a number of factors, including the fact that people who have served longer sentences are by definition substantially older than when they entered prison, and older individuals are less likely to return to confinement. They may also be more motivated to avoid returning to prison. In interpreting these figures, it is important to note the wider range of sentences included among those who served five years or longer, including many who served multiple decades.

Figure 73: Reincarceration Less Common for Those Who Served More Time

Three-year reincarceration rates in Wisconsin by time served and release year



Source: WPF analysis of Wisconsin Department of Corrections data



YOUTH CORRECTIONS

Key Findings

- Wisconsin’s youth corrections population in state facilities has dropped by roughly 89% over the last two decades.
- Youth held in state facilities are more likely to be there for serious offenses than was the case 20 years ago. Black males and Milwaukee County youth are both overrepresented in those facilities.
- The cost of housing youth at state facilities has skyrocketed since 2017 as the population has plummeted, although Governor Evers greatly reduced the daily rates that will be charged to county governments for housing youth in state facilities over the next two years.

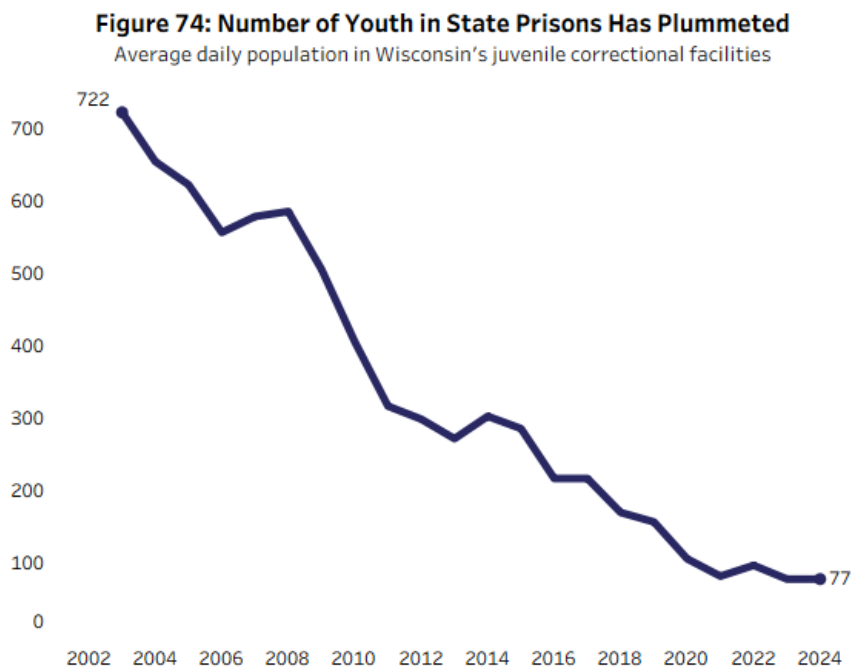
As in the adult corrections system, both state and county governments operate youth correctional facilities in Wisconsin, with state facilities typically housing those referred for more serious crimes. In this section, we examine population and trend data for the state’s youth facilities and county youth detention centers and discuss potential factors contributing to recent trends. All data in this section come from the Wisconsin Department of Corrections. For more information about terminology used in this section, see **Appendix 2**.

State Facilities

The state of Wisconsin maintains two youth facilities in Lincoln County – the Lincoln Hills School for boys and the Copper Lake School for girls – as well as two in Dane County: the Mendota Juvenile Treatment Center (a psychiatric facility) and the Grow Academy (an alternative treatment facility with an educational curriculum focused on agriculture, case management, counseling services, and more). The combined

average daily population of the state’s youth facilities has fallen precipitously over the last two decades, from 722 in 2002 to 77 in 2024, an 89% decline (Figure 74). These data do not account for the Grow Academy, which opened in 2014 and has a capacity of 12.

In 2011, the state’s Ethan Allen School for Boys was closed after operating in Waukesha County since 1959. At that time, its residents were moved to Lincoln Hills, which serves

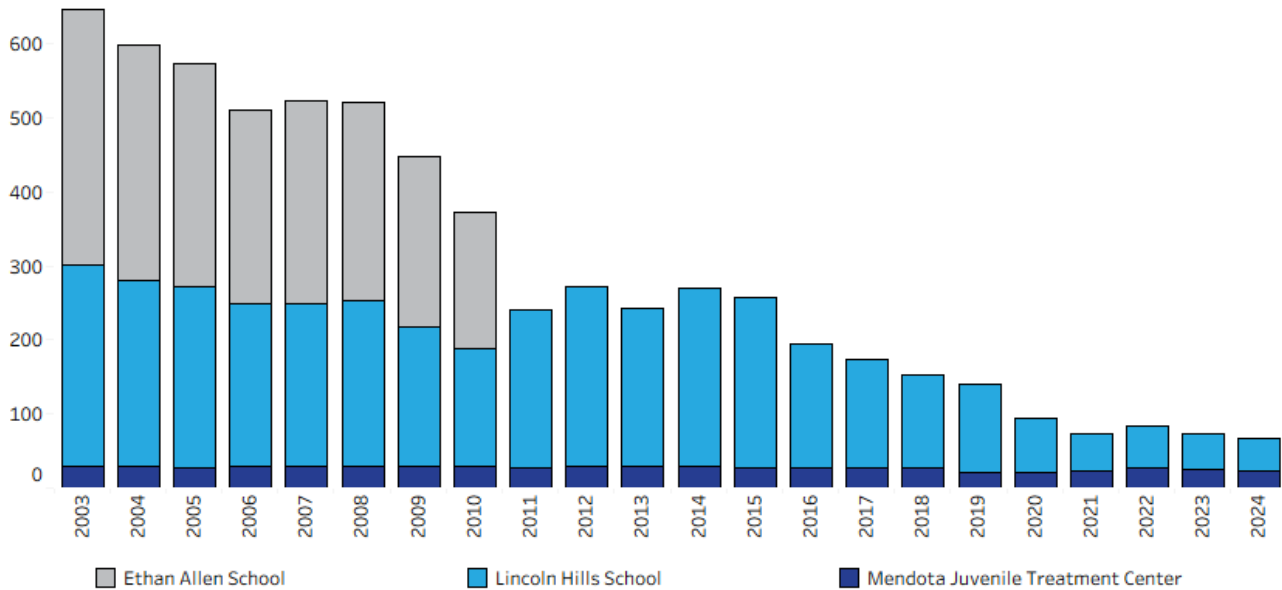


Source: Wisconsin Department of Corrections



Figure 75: Lincoln Hills Population Has Dropped to Fraction of Former Size

Average daily population in Wisconsin's juvenile correctional facilities for boys



Source: Wisconsin Department of Corrections

as the state's Type 1 (high security) correctional facility for boys. Prior to 2011, the youth population at Ethan Allen had declined considerably for several years (Figure 75). After initially growing to roughly 213 in 2011 and remaining above 200 through 2015, the average daily population at Lincoln Hills fell in eight of the following nine years. It averaged approximately 45 boys in 2024.

The Mendota Juvenile Treatment Center's population has remained steadier over the last two decades, though it was at its maximum capacity of 29 every year until 2017 and declined somewhat after that. Its average daily population was 22 in 2024.

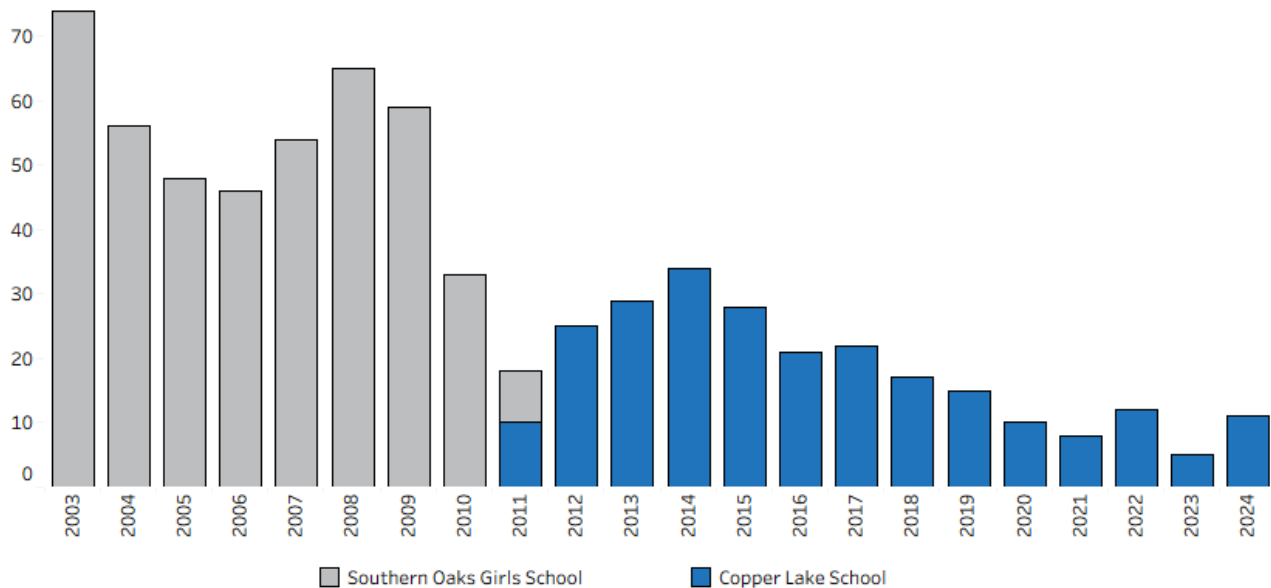
Along with Ethan Allen, the Southern Oaks Girls School in Racine County closed in 2011, at which time all girls in state custody were moved to the Copper Lake School in Lincoln County. The average daily population of girls at state correctional facilities has not exceeded 75 dating back to 2003 (see Figure 76). In 2024, an average of 11 girls were housed at Copper Lake.

These facility closures and consolidation were in some ways an understandable reaction by state officials to the welcome decline in youth incarceration over the past two decades. However, these actions meant youth from southeastern Wisconsin in particular were moved to facilities far from their community and families. In addition, the location of Lincoln Hills in northern Wisconsin has also made it more difficult for the state to recruit professional staff, such as psychiatrists, or bring on staff with similar backgrounds to those of the youth, who are often from urban areas such as Milwaukee.

A number of factors may be contributing to the falling number of incarcerated youths in Wisconsin, including reduced criminal activity, changes in approaches by policymakers and in sentencing decisions by judges, an increase in county programs and facilities to handle youth after sentencing, and a modest reduction in the state's overall population of youth. The biggest change in policy is that since 2017, the state has been [planning to close Lincoln Hills](#). That facility has experienced a number of high-profile problems in recent years, including [staffing shortages](#), concerns over its



Figure 76: Copper Lake Population Also Has Declined Somewhat
Average daily population in Wisconsin’s juvenile correctional facilities for girls



Source: Wisconsin Department of Corrections

disciplinary methods that led to a class action lawsuit and [policy changes](#), and the [death of a staff member](#) following an assault by a 16-year-old boy. These incidents – and the great distance from most communities of origin – have resulted in reduced confidence by some Children’s Court judges in Lincoln Hills and Copper Lake and a preference to keep youth in local facilities. As of the publication of this report, Lincoln Hills remains open,²⁸ though its population has sharply declined since 2014, as described above. In January, a federal [judge lifted an order](#) that for years had placed Lincoln Hills under additional scrutiny as a result of these incidents, marking a milestone in the institution’s history.

The legislation that mandated the closure of Lincoln Hills also provided grants to encourage the construction of county-level youth facilities, including a new boys-only youth prison in Milwaukee County that is [expected to open](#) in 2026. To accommodate girls, the DOC also [expanded](#) the formerly boys-only Mendota Juvenile Treatment Center in Madison. This project was [completed](#) in 2025; that facility now has capacity to house up to 20 girls, in addition to 74 boys.

Commitment Type. The overall reduction in the number of youths in Wisconsin correctional facilities has been driven largely by a sharp decrease in commitments for less serious offenses. As Figure 77 illustrates, “juvenile” commitments have declined from an average of roughly 590 in 2003 to 40 in 2024, a 93% decline. “Serious juvenile” commitments for certain violent offenses, which are defined in [state statutes](#) and require placement in a state facility, also declined substantially during that time but at a slower rate (84%) and from a much lower starting point. Whereas “juvenile” commitments accounted for 82% of all youth commitments in 2003, they represented only 51% in 2024. While policymakers at the county level have some discretion about where “juvenile” commitments are assigned, “serious juvenile” commitments reflect a decision made by a judge at sentencing and

²⁸ The Legislature specified in Act 252 that the facility should be converted into an adult prison rather than closed completely. However, it is currently still being used as a youth prison.



require the youth to be housed at either Lincoln Hills or another state facility such as those being planned to succeed it.

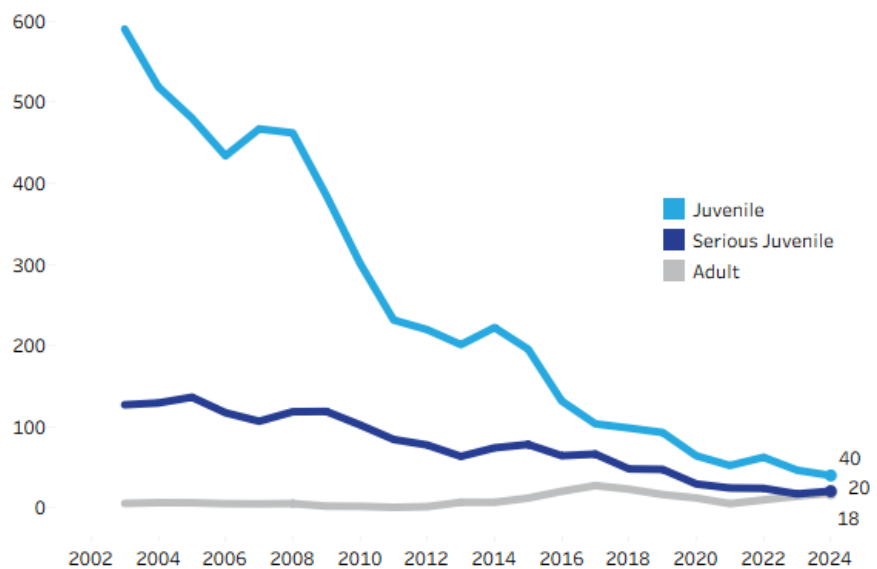
In other words, as the number of youths has fallen sharply in state facilities, the average severity of the cases of those who remain has increased. Concurrent to this trend, Lincoln Hills has come under scrutiny for such practices as solitary confinement and the use of restraints and pepper spray, and has

had to limit or end those practices. The scrutiny includes a [2018 legal settlement](#) and nearly a decade of [court-ordered monitoring](#). Together with staffing and turnover challenges, these developments have put pressure on state officials to come up with new approaches to ensure a safe and positive environment within the facility for both youth and staff.

A small number of youths in state correctional facilities were convicted as adults due to the severity of their offenses. The average daily population of these youths in state facilities has ranged from as low as 0.5 in 2011 to as high as 27 in 2017. In 2024, the average daily population of the state's youth facilities overall was 77, of which roughly 18 were youths convicted as adults.

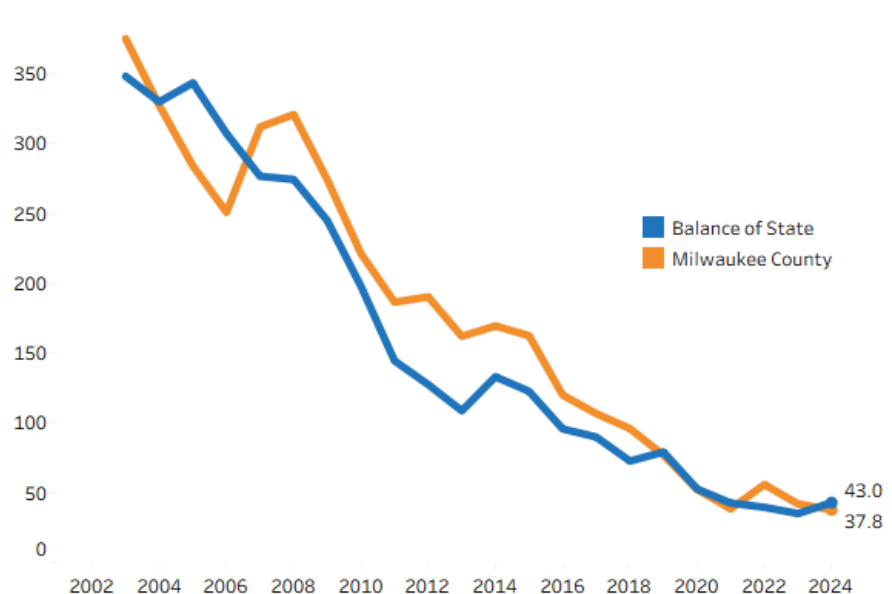
County of Residence. As the overall population of the state's youth correctional facilities has dropped over the last two decades, Milwaukee County youth have consistently accounted for about half of the statewide total. In fact, Milwaukee County youth

Figure 77: Drop in Youth Prison Population Driven by Lower-Level Offenses
Number of youth in Wisconsin correctional facilities by commitment type



Source: Wisconsin Department of Corrections
Note: This only includes state facilities and not county detention centers.

Figure 78: Milwaukee Accounts for Roughly Half of Youth in State Facilities
Average daily population of state juvenile corrections facilities, by county



Source: Wisconsin Department of Corrections



actually outnumbered those from the state’s other 71 counties combined in 15 of the last 22 years (see Figure 78).

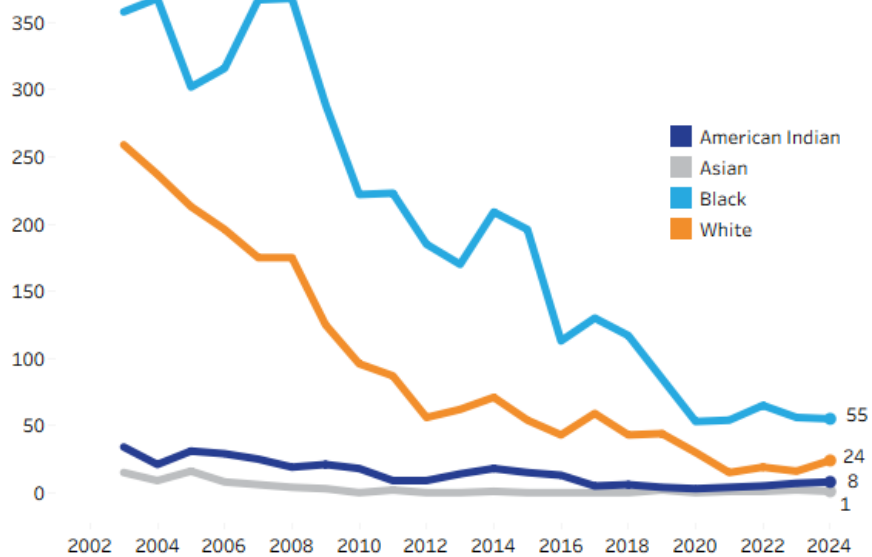
This is despite efforts to keep more Milwaukee County youth at the county’s youth detention center rather than at state correctional facilities far from home, which we discussed in a [previous report](#). The Milwaukee County Accountability Program (MCAP), [created in 2012](#), was designed to do just that by combining shorter periods of confinement in Milwaukee County’s Secure Juvenile Detention Center (as opposed to a state facility) with therapy and education, followed by supervised release back to the community.

Additionally, Wisconsin Act 185 (2017), which took effect in 2021, removed the Milwaukee County Children’s Court’s ability to directly place youth at Copper Lake or Lincoln Hills unless the youth is a “serious juvenile offender” or is assigned through a change of placement hearing. Since that time, judges seeking a placement at a youth correctional institution have first placed a youth in MCAP and from there filed for a change of placement hearing with the district attorney’s office.

Race and Sex. In 2024, Black males accounted for 53 of the 89 youths in state correctional facilities for whom race and sex data are available, or nearly 60%. The next largest demographic groups were white males (15) and

white females (9). Despite representing a relatively small share of the state’s youth population (8.2% as of 2023), Black males have been the largest group in Wisconsin’s youth prisons every year dating back to at least 2003. From 2003 to 2024, Wisconsin’s youth correctional facilities saw major population reductions across all racial groups (Figure 79). That included an 84.6% drop in Black youth and a 90.7% decrease in white youth.

Figure 79: Major Decreases in Youth of All Races in State Facilities
Number of youth in Wisconsin’s juvenile correctional facilities by race



Source: Wisconsin Department of Corrections

Although boys have accounted for an average of roughly 90% of youths in state prisons since 2003, they only represented 80% of the total in 2024, the lowest share during that period. This appears to be primarily influenced by the sharper decline in the number of boys during that time than in the already much smaller population of girls in those facilities.

System Costs. As the state’s youth corrections population has declined amid concerns over the past decade about the quality of care within the state system, the annual cost of housing each youth has



grown rapidly, more than tripling from \$140,224 in state fiscal year 2017 to \$476,902 in 2022, after adjusting for inflation (see Figure 80). Since then, the cost has remained relatively steady, but the rapid cost increase from 2017 to 2022 reflects the fact that in past years, state elected officials have chosen to rely on county payments to finance the operations of Lincoln Hills and Copper Lake and have

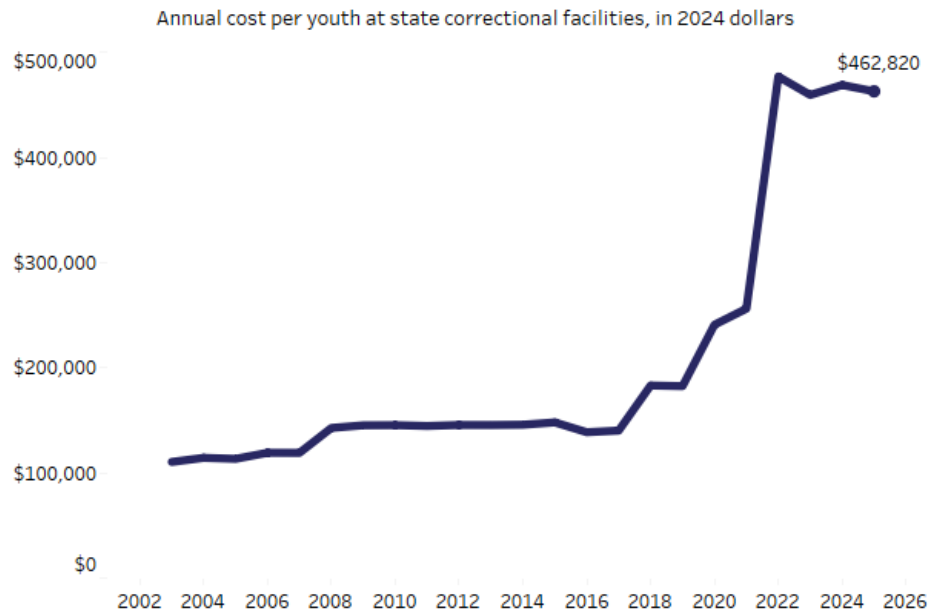
raised the rates repeatedly to cover their fixed costs and recoup revenue losses caused by the diminishing number of incarcerated youths. This approach has yielded a feedback loop in which the skyrocketing state rates have provided a powerful financial incentive to counties to reduce the number of youths that they send to state facilities.

When the Legislature’s proposed 2025-27 state budget reached Governor Evers’ desk, the proposed daily rate in the bill for youth placed at Lincoln Hills or Copper Lake was \$2,501 in 2026 and \$2,738 in 2027, which would have increased the annual cost for a county to \$999,370 in 2027 – more than double the 2025 rate. However, Evers used his partial veto power to reduce those daily rates to \$501 in 2026 and \$738 in 2027, vastly reducing the costs to county governments but raising still unresolved questions as to how the state would make up the difference within its own budget.

County Detention Centers

County governments operate a total of 12 youth detention centers throughout Wisconsin for youth sentenced to secure detention for lower-level offenses.²⁹ Based on reporting by county governments to the state’s Office of Detention Facilities, the combined number of youths housed at those facilities has fluctuated but generally remained lower since 2010 than in the preceding decade, when their numbers often exceeded 300 (see Figure 81). The rolling three-month average population was similar in 2023 to the population a decade earlier in 2013.

Figure 80: Cost of Housing Youth in State Facilities Has Skyrocketed



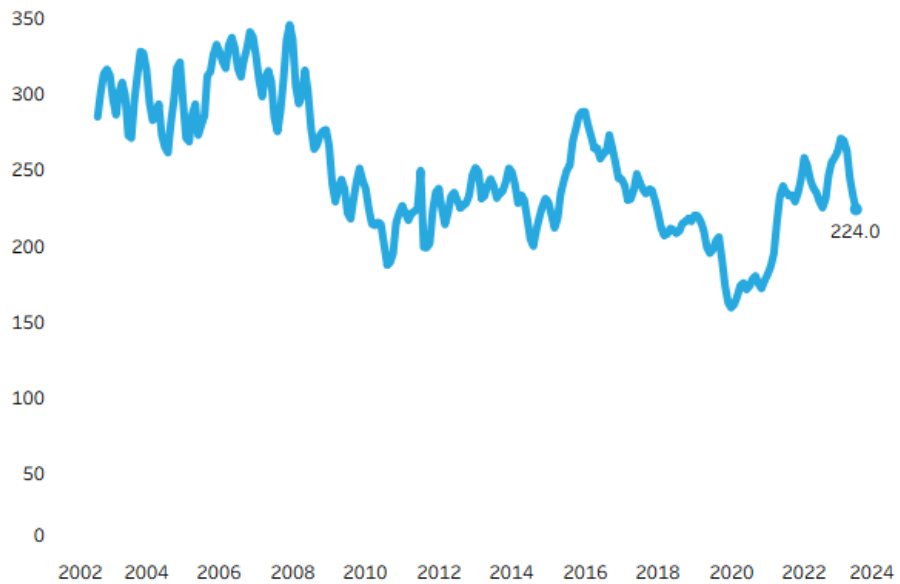
Source: WPF analysis of Wisconsin Legislative Fiscal Bureau data
 Note: Numbers are adjusted for inflation using the Consumer Price Index.

²⁹ These county youth detention centers are located in Brown, Dane, Eau Claire, Fond du Lac, La Crosse, Marathon, Milwaukee, Portage, Racine, Rock, Sheboygan, and Washington counties.



During the pandemic, the youth population in county facilities fell, reaching a low of 159 in July 2020 as county officials tried to limit the number of people held in confinement to reduce the spread of COVID-19. It increased to 215 by October 2021 and since then has remained above that level.

Figure 81: Youth Population in County Facilities Similar to Pre-Pandemic
Wisconsin youth in county detention centers, rolling three-month average

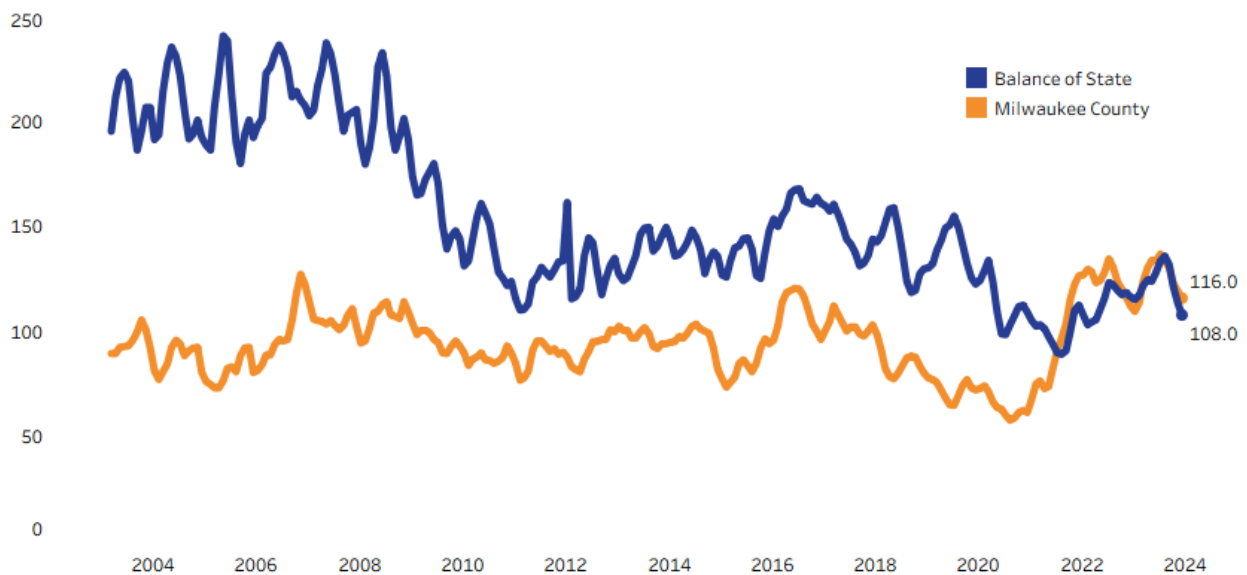


Source: WPF analysis of reporting by county governments to the Wisconsin DOC's Office of Detention Facilities

County of Residence. As with the state facilities, Milwaukee County youth have accounted for roughly half of the total Wisconsin youths in

county detention centers for the last few years (Figure 82). The population of Milwaukee County's Secure Juvenile Detention Center has more than doubled since its 2020 low, while the combined population of the 11 centers in the balance of the state has increased modestly since 2020 and remains below its levels in the years prior to the pandemic. After dropping to 58 in August 2020, the three-month average population of Milwaukee County's detention center rose to a two-decade high of 137 in July 2023 and was 116 in December 2023, slightly exceeding the combined population of the other centers throughout the state at both times.

Figure 82: Juvenile Detention Population Has Risen in Milwaukee, Fallen Elsewhere
Youths in county detention centers, Milwaukee versus balance of state (rolling three-month average)



Source: WPF analysis of reporting by county governments to the Wisconsin DOC's Office of Detention Facilities



The recent rise in Milwaukee County's youth corrections population may be influenced by increases in both [car jackings](#) and violent crime. As previously noted, another factor may be that Milwaukee County has been holding both more youths at its detention center and doing so for longer periods of time to avoid sending them to Lincoln Hills.



JUSTICE SYSTEM FINANCE AND EMPLOYMENT

Key Findings

- On a per capita basis, Wisconsin spends about the same as the national average on its criminal justice system. At the state level, most resources supporting the justice system are devoted to corrections, while local governments focus their criminal justice spending and staffing on law enforcement.
- Despite having an overall incarceration rate that is below the national average, Wisconsin ranks high nationally with regard to corrections spending.
- Changes to both funding and employment levels are sometimes driven by labor challenges. Over the last few years, for example, the state experienced a spike in corrections vacancies, prompting a significant raise for correctional officers that in turn are raising spending levels.

From the budgets of local police, county prosecutors, and county courts to those of state prisons and supervised release programs, taxpayers shoulder significant costs for Wisconsin's system of criminal justice. Depending on the data source and year, the state of Wisconsin and its local governments combined spent between \$4.5 and \$6 billion on criminal justice functions in each of the last several years. At the state level, a majority of spending supports adult correctional institutions, while local spending is focused on law enforcement agencies. In this section, we examine financing and spending within Wisconsin's criminal justice system to understand recent trends and how the state stacks up with its neighbors.

When comparing Wisconsin with other states, we start with data from the Willamette University Government Finance Database, which aggregates data from the Census Bureau's Census of Governments.³⁰ While some of these data are collected each year, they are only gathered for all local governments in years ending in "2" or "7." For this reason, we use fiscal year 2022 data, the most recent full set available. We also use the Census Bureau's Annual Survey of Public Employment and Payroll when analyzing justice system employment in Wisconsin and other states.

For a more detailed analysis and review of longer-term trends, we use state budget data published by the Wisconsin Legislative Fiscal Bureau, as well as local data from Municipal Financial Reports aggregated by the Wisconsin Department of Revenue (for definitions, see these [DOR instructions](#)). Readers should note that spending and employment numbers from different sources do not line up perfectly due to differences such as definitions, reporting, and fiscal year.

Criminal Justice System Spending in Wisconsin and Other States

Most criminal justice system spending falls under three broad umbrellas: law enforcement (municipal police, county sheriff's offices, the State Patrol, and other agencies), the judicial and legal system (municipal courts, circuit courts, and the Court of Appeals and Supreme Court), and

³⁰ For the definitions used in this data, see [this agency manual](#).



corrections (jails, prisons, and community supervision). Figure 83 shows how per capita spending amounts in Wisconsin compare with national averages in each of these categories.

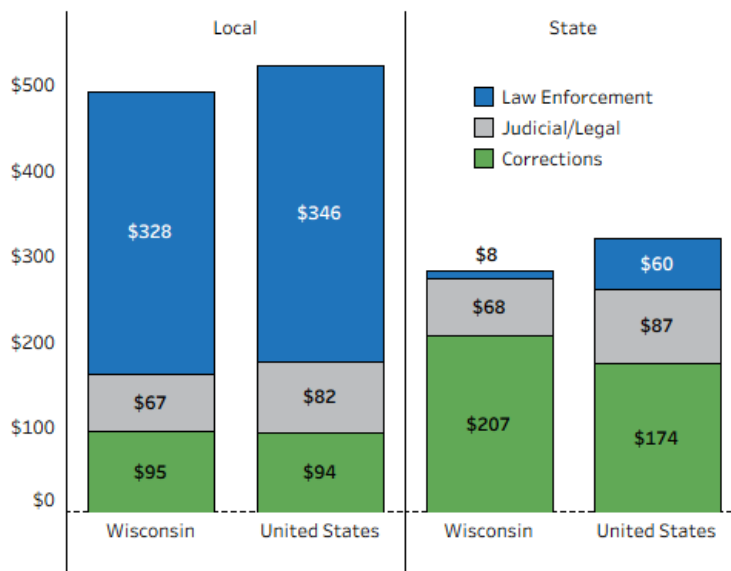
In Wisconsin, almost all law enforcement spending happens at the local level. Census Bureau data show that in 2022, the state spent just over \$8 per resident on law enforcement, compared to \$328 per resident at the local level. While local governments are responsible for a majority of law enforcement spending in virtually all U.S. states, in no state is the split as stark as in Wisconsin, which ranked last in per capita state spending but 15th in per capita local spending. Yet, Wisconsin spent slightly less per capita than the U.S. average at the local level (\$346), as many large U.S. states (such as New York, California, Illinois, and Florida) ranked within the top ten on a per capita basis.

At the state level, on the other hand, Census data show Wisconsin spending far less per capita (\$8) than both the 50-state U.S. average (\$60) and the next-lowest spending state, Florida (\$32). There does appear to be some undercounting of state-level spending on law enforcement within the Census Bureau fiscal year 2022 data. Within that same year, a state [Legislative Fiscal Bureau report](#) shows \$76.4 million (or about \$13 per capita) budgeted for the Wisconsin State Patrol alone before even accounting for other state spending fitting the Census Bureau definition for police protection, including the Wisconsin State Crime Laboratories. For 2022, Census Bureau data show statewide operating spending for law enforcement of about \$47.8 million, making the published Census number appear to be much lower than it should be. Nevertheless, other states may also have missing amounts and adding in these apparently missing amounts for Wisconsin would not change our low ranking among states for state law enforcement spending by much, if at all.

As the Forum discussed in a past [publication](#), it appears that the State Patrol and other state law enforcement agencies have more limited roles than those of similar agencies in other states. In Wisconsin, some functions such as highway traffic and speed enforcement appear to be handled more at the local level. For example, in Milwaukee County, sheriff’s deputies patrol the interstates rather than state officers, effectively limiting the State Patrol’s role in Wisconsin’s largest urban area. In Wisconsin, 97.6% of law enforcement spending in the Census Bureau data is local, compared to 85.3% nationally.

Spending on the judicial and legal system is split nearly evenly between the state and its local governments. In 2022, the state of Wisconsin spent \$68 per capita on the judicial and legal system, which ranked 31st nationally and below the \$87 per capita national average. In the same year, all

Fig. 83: State Spends Less Than Average on Criminal Justice
Per capita operating spending by government and type, 2022



Source: Willamette Government Finance Database, U.S. Census Bureau



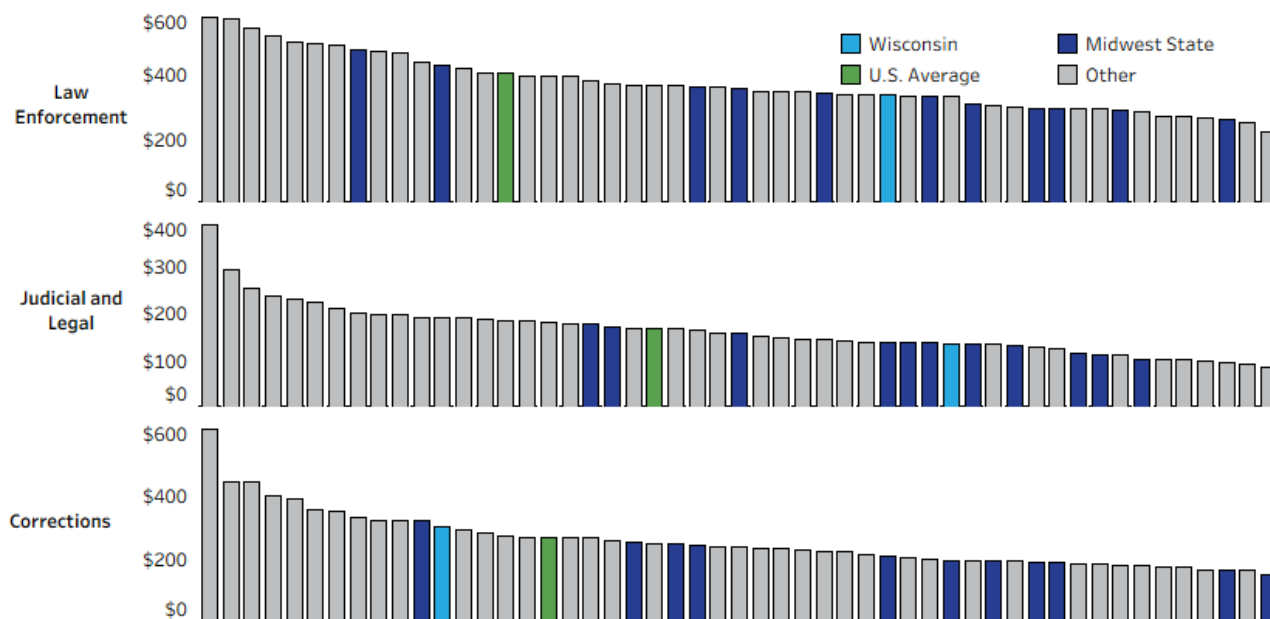
local governments in the state combined to spend \$67 per capita, which similarly fell below the national average of \$82 per capita and ranked 19th among the states.

A majority of corrections spending, both in Wisconsin and nationally, supports state prisons. However, the split between state and local spending on corrections is not nearly as stark as it is for law enforcement, as local corrections spending on jails is also substantial. In 2022, the state of Wisconsin spent \$207 per capita on corrections, exceeding the \$174 national average, whereas all local governments in the state combined to spend \$95 per capita, which was roughly in line with the \$94 average nationally. On a per capita basis, Wisconsin ranked 13th nationally on both state and local corrections spending.

Across all governments, the Census data show Wisconsin in 2022 spent \$336 per capita on law enforcement, \$135 per capita on the judicial/legal system, and \$302 per capita on corrections, for a total of \$773. As shown in Figure 84, combined state and local law enforcement spending in Wisconsin ranked 32nd nationally and its judicial and legal spending ranked 35th, with both falling below the national averages. However, Wisconsin’s corrections spending was above the national average and ranked 12th nationally – greater than all other Midwest states except Nebraska.

Figure 84: Wisconsin Spending Below Average on Courts and Police, Above Average on Corrections

Combined state and local spending per capita by justice system function, 2022



Sources: Willamette Government Finance Database, U.S. Census Bureau

As we discuss in other sections of this report and have mentioned in [previous publications](#), it appears that Wisconsin’s corrections costs are driven both by the number of people being held in state institutions and by the number of people who are monitored after their release within the community corrections system. The state’s total justice system spending ranked 22nd nationally and was below the \$842 average per capita spent nationally, but still above every Midwest state except Illinois (\$816, or 16th).



A Detailed Look at Justice System Spending in Wisconsin

Law Enforcement. As mentioned earlier, law enforcement is largely a local function in Wisconsin. The state Department of Transportation reports that it [devoted](#) \$74 million in operating funds to its Division of State Patrol in both fiscal years 2024 and 2025. Other state law enforcement agencies besides those listed above include the state Capitol Police, the police departments serving University of Wisconsin System campuses, and the Department of Natural Resources game wardens.

Census Bureau data on financial reporting from municipalities and counties shows that these entities spent \$1.91 billion on law enforcement in 2022. A little under one-third of that total, \$592.5 million, was spent by counties to support their sheriff's offices. The rest was divvied up across the more than 700 cities, villages, and towns across the state that spend funds on law enforcement.

As shown in Figure 85, law enforcement spending tends to be highest on a per capita basis in and around the state's largest cities, whereas unincorporated towns in rural areas often spend nothing on law enforcement. In these communities, sheriff's offices are responsible for addressing criminal activity. The majority of law enforcement spending is on personnel – salaries and benefits for sworn and civilian officers – though capital spending on equipment, such as vehicles, is also an important element of law enforcement budgets.

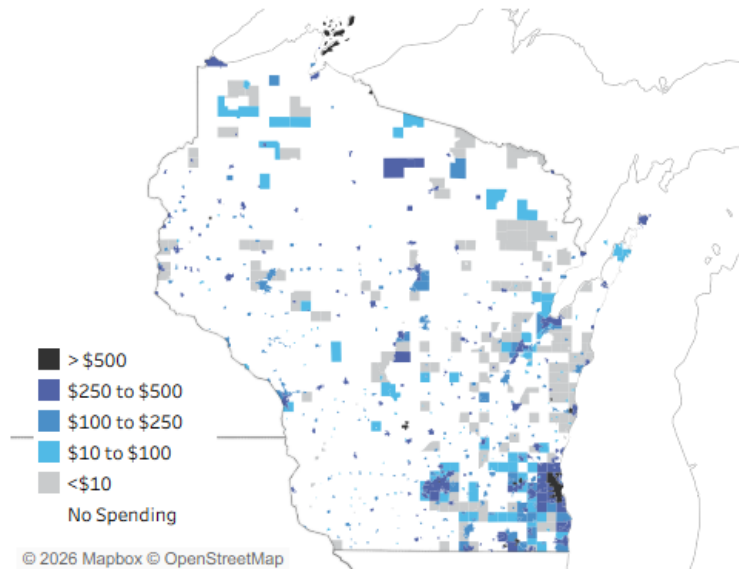
Judicial and legal system. Funding for the judicial and legal systems in

Wisconsin is split nearly evenly between the state and its local governments, according to Census Bureau data. There are elements of these systems that are solely housed at either the state or local level, and other elements – such as the circuit court system – that involve spending at both levels.

Over 90% of judicial spending by Wisconsin's local governments in 2022 was done by counties. Traditionally, circuit courts have been a shared venture between the state government and counties. According to the Legislative Fiscal Bureau, the state pays circuit court judge and court reporter salaries and fringe benefits, as well as the per diem costs for reserve judges, while counties pay most other operating costs. The state supports counties on some of those costs, and it also pays for the Consolidated Court Automation Programs ([CCAP](#)), which provide IT services to courts throughout the state such as court records that can be accessed through the internet.

Municipal courts are a local government function. According to the state court system, “as of January 2025, there were [219 municipal courts](#) and 222 municipal judges in Wisconsin.” Some of these

Fig. 85: Most Law Enforcement Spending in Populated Areas
Per capita spending on law enforcement by municipality, 2022



Source: Wisconsin Department of Revenue

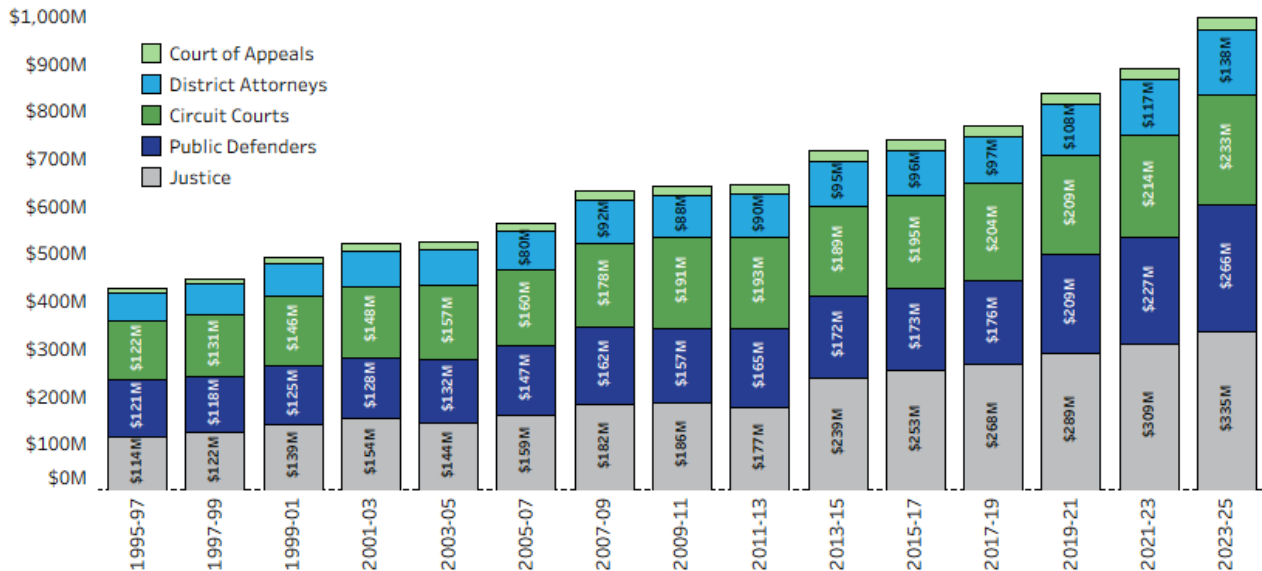
courts serve multiple municipalities, while others serve just one. Milwaukee administers the only municipal court that has multiple judges. Data from the Wisconsin Department of Revenue show that just under 300 Wisconsin municipalities recorded expenditures on the “judicial” function in 2022, which means that the municipality either operated a municipal court or paid another entity such as a neighboring municipality to provide this service. These courts handle [traffic and local ordinance violations](#) (in Wisconsin this includes first-offense drunken driving) as well as youth cases involving truancy, underage drinking, and drug offenses.

The [Legislative Fiscal Bureau \(LFB\) reports](#) that in fiscal year 2024, the state spent \$141.1 million on the circuit court system. LFB further cites data from the Director of State Courts office showing that counties spent \$236.9 million on judicial costs in calendar year 2023, which is similar to the \$233.7 million that counties reported spending on courts in data gathered by DOR.³¹ Milwaukee County spent the most at nearly \$54 million, though some counties spend more on a per capita basis.

Most of the state’s spending on circuit courts covered the salaries and benefits of judges and court reporters – that amount totaled \$92.6 million in fiscal year 2024. The next largest state expenditures were for circuit court support payments to counties (\$19.8 million), the CCAP court data system (\$13.1 million), and guardian ad litem payments at \$7.1 million.³²

Figure 86 shows how the state of Wisconsin has funded its judicial and legal system over time by looking at appropriations over two-year budget cycles. The 2023-25 state budget appropriated \$232.7 million over the two-year period to circuit courts, an increase of 22.8% over the last decade

Figure 86: Cost of Wisconsin’s Judicial and Legal System Approaches \$1 Billion Over a Two-Year Budget
Total all-funds state appropriations across judicial and legal system by two-year budget in millions (not adjusted for inflation)



Source: Wisconsin Department of Administration

³¹ The state of Wisconsin uses fiscal years that run from July 1 to June 30; a single fiscal year refers to the calendar year in which it ends. Local governments in Wisconsin use fiscal years that mirror calendar years.

³² A Guardian ad litem is a court-appointed attorney whose job is to advocate and litigate on behalf of the best interests of children. They typically work in divorce or paternity proceedings.



and a 90.1% increase since the 1995-97 state budget. These increases, which do not account for inflation, are about half the size of the increases for all state spending, which rose by 44.4% over the last decade and 196.6% since 1995-97.

More than 99% of state circuit court funding comes from state general purpose revenues such as income and sales tax collections. In the 2023-25 state budget, circuit courts represented just 0.2% of all spending and 0.5% of general purpose revenue. Both of these shares were at their lowest points since at least 1995.

The state is also the primary provider of funding for district attorneys, assistant district attorneys, and public defenders. While counties shoulder some of the operating costs for district attorneys (such as office spaces within county courthouses and non-attorney staff costs), attorney salary and benefit costs and certain information technology costs are the state's responsibility. Public defenders and their offices, meanwhile, are fully financed by the state.

In the 2023-25 budget, the state's all-funds budget for district attorneys and public defenders was \$138.0 million and \$266.1 million, respectively. Readers should note, however, that the figures for the public defenders represent their entire budget, while the counties also pay some costs for district attorney offices which are not included in these state totals and for which less data are available. Combined, these totals were 17.4% higher than in the 2021-23 budget, which boosted starting salaries for public defenders and assistant district attorneys. General purpose revenue pays more than 90% of these costs, and together, district attorneys and public defenders comprise 0.4% of all-funds spending and 0.9% of general purpose revenue spending.

The Wisconsin Department of Justice also plays a key role at the state level. The DOJ's divisions include Criminal Investigation, Legal Services, Law Enforcement Services, Forensic Sciences, and Crime Victim Services. The DOJ represents the state in court, investigates crimes "that are statewide in nature," and provides technical assistance to law enforcement agencies throughout the state; for example, the Wisconsin Incident-Based Reporting System (WIBRS) program is run by the DOJ. In the 2023-25 budget, lawmakers approved \$334.8 million for the DOJ, a 40.1% increase relative to a decade prior and nearly triple the \$114.4 million the department received in the 1995-1997 budget. More funding for the DOJ comes from general purpose revenues than from other areas, though more than \$100 million in the 2023-25 budget came from program revenue and more than \$50 million came from the federal government.

Corrections. Corrections in Wisconsin is primarily a state-level function. The state Department of Corrections (DOC) budget in fiscal year 2025 totaled just under \$1.54 billion. Relative to fiscal year 2005, this was an increase of 54.9%. As with other justice system functions, most corrections spending goes toward personnel costs.

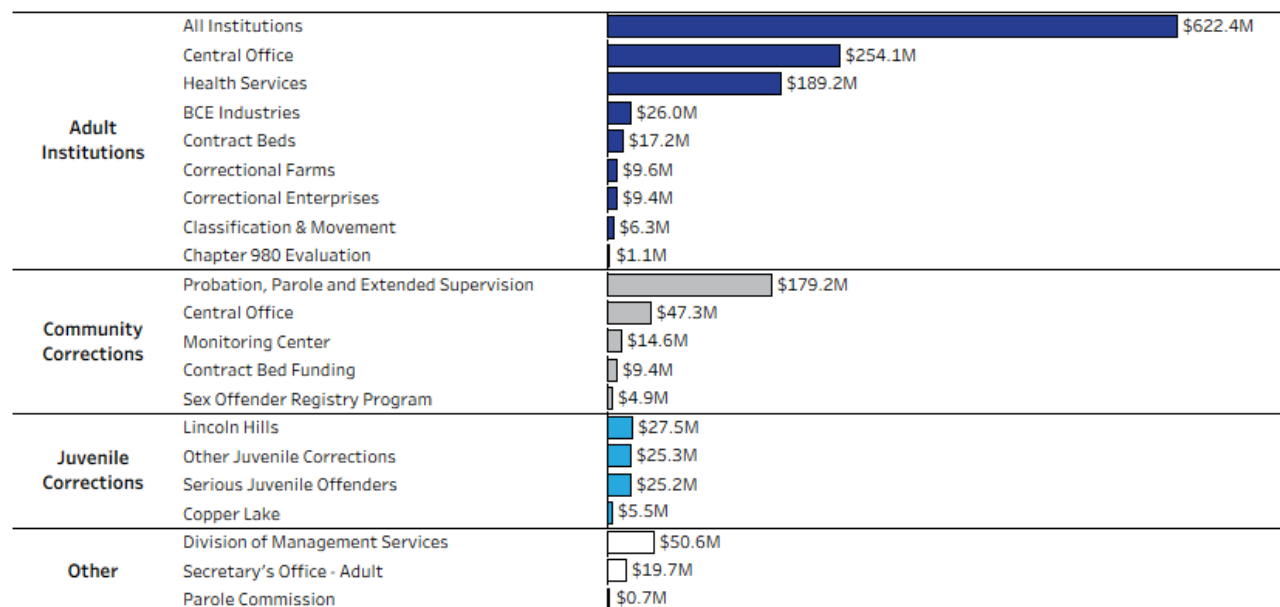
From the 1995-97 to the 2007-09 state budgets, the DOC saw its appropriations, or budgeted spending, more than double from \$1.01 billion to \$2.45 billion. Since that time, though, it has risen more slowly, and in the 2023-25 budget was \$3.05 billion. In the most recent budget, the DOC made up 3.5% of the state's all-funds appropriations and 7.7% of its budgeted GPR spending; these represented declines from peak shares of 4.3% of the all-funds budget in 2007-09 and 8.1% of the GPR budget in 2009-11.



Figure 87 provides a detailed summary of the DOC’s fiscal year 2025 budget, [based on LFB data](#). As one might expect, most of the agency’s budget goes toward operating its prisons for adults, though significant funds also go toward monitoring individuals who have been released back into the community as well as youth facilities and central office functions.

Figure 87: Most of the Department of Corrections Budget is Devoted to Adult Institutions

Department of Corrections 2025 all-funds budget by line item



Source: Legislative Fiscal Bureau

Costs for adult institutions have risen at a somewhat faster clip (64.7%) than the overall DOC budget since 2005, despite prison populations increasing only slightly over the same time period. This is likely because the state has not recently closed any adult institutions, and most institutions remain [overcrowded](#); staff costs have risen, and the state recently [raised salaries](#) for prison guards in an effort to curb high vacancy rates, which we discuss further below.

After the budgets of the individual adult prisons and the Division of Adult Institutions’ Central Office (\$254.1 million), the next largest DOC line item – making up 12.2% of the agency’s all-funds budget in 2025 – was health services for adult institutions. Including all funding sources, this item involved a \$189.2 million budget, nearly triple the \$64.8 million spent in 2005; this was the highest percentage increase in spending for any line item in the DOC’s budget over that time period. Beyond the large price increases for medical services in general, the aging of the state’s prison population and a shift in focus toward mental health and substance abuse as primary factors contributing to incarceration likely have contributed to this increase, which has primarily happened over the last decade.

Probation, parole, and extended supervision – the core functions of the DOC’s Division of Community Corrections – were allocated \$179.2 million in 2025, or 11.6% of the DOC’s overall budget. As discussed earlier, more than 63,000 individuals were under community supervision in Wisconsin as of the beginning of 2024; as is the case with adult institutions, the vast majority of expenditures for



community supervision cover the salaries of probation and parole agents. Since hitting \$175.3 million in 2015, the overall budget for this function has increased only slightly.

These four line items – adult institutions, the Division of Adult Institutions’ central office, health services costs for adult institutional populations, and community supervision – together make up about 80% of the DOC’s budget. The remaining 20% goes to the Division of Juvenile Corrections (which operates Lincoln Hills, Copper Lake, and the Serious Juvenile Offenders program), the Division of Management Services, other aspects of the Division of Adult Institutions such as contract beds at non-DOC institutions, the central office function for the Division of Community Corrections, and more.

Local spending on corrections is almost solely the responsibility of county governments, as counties accounted for 98.9% of the \$658 million spent by local government on corrections in 2023. Almost all of the remaining local corrections spending was reported by the city of Milwaukee.

Every county in Wisconsin devoted at least some revenue toward corrections in 2022, with more than a third of all local corrections spending done by Milwaukee County (\$208.8 million). Twelve additional counties spent at least \$10 million on corrections, and all but five spent at least \$1 million. County spending on corrections pays for local jails, which tend to hold pretrial populations and those that have been convicted of crimes with sentences of one year or less.

Justice System Revenue Sources

In addition to appropriations from the Legislature and from municipal or county governments, different branches of the justice system also collect or derive revenue from members of the public or people who are incarcerated. This revenue takes the form of fines, fees, forfeitures, and surcharges, revenue from prison labor and fees for service in state institutions, and the civil forfeiture of assets seized by police departments. Because of the breadth of this topic and the large number of jurisdictions that can collect revenue, we cannot provide a comprehensive statewide accounting of justice system revenue in this report. Instead, we use available data to describe some of the mechanisms of justice system revenue collection in Wisconsin below.

Courts. In Wisconsin, both circuit and municipal courts may issue judgments that include criminal fines, forfeitures, fees, restitution for damages, and surcharges for specific purposes [such as](#) court support services.³³ Criminal fines and state forfeitures are deposited in the state school fund, and a portion can also be shared with both the state transportation fund or the relevant county, [according to the Legislative Fiscal Bureau \(LFB\)](#).

Local forfeitures go to the county or municipality assessing them, but fees and surcharges can go to [a variety of destinations](#). For example, the Crime Lab and Drug Law Enforcement Surcharge (\$13 per count) goes to the Department of Justice for drug law enforcement and crime labs, but the Jail Surcharge (various amounts) goes to the county. Both fees are frequently imposed in violations of state law, municipal ordinances, and county ordinances. Other fees are assessed for specific

³³ Forfeitures are fines for non-criminal actions, such as traffic offenses, or local ordinances



violations, as with the GPS Tracking Surcharge (\$200 per count), which may be imposed when a person violates a restraining order or injunction.

One longstanding issue for fines, forfeitures, and surcharges is whether defendants can and will pay them. As a result, the state and counties cannot necessarily rely on these revenues to cover budgeted justice system spending. The [LFB has documented](#) cases in which surcharge revenues have fallen well short of their targets and quotes the Director of State Courts Office as stating the following: “The collection process in most counties is already strained from efforts to collect the statutorily-mandated restitution, fines, forfeitures and surcharges ... the continued proliferation of surcharges jeopardizes access to the court system and significantly increases the amount of money a violator must pay.”

The LFB budget paper cites the state’s \$10 drug offender diversion surcharge, which is imposed on individuals in cases of incarceration or probation for a property crime conviction under Chapter 943 of state law. At the time of legislation being implemented in the 2005-07 legislative session, it was estimated this surcharge would generate \$265,000 annually based on the number of property crime convictions under that section of state law in the previous year. However, over the past two decades the revenues have never equaled this original estimate, and the appropriation concluded the 2024 fiscal year with a deficit of more than \$1.4 million and revenues of only \$37,100.

During calendar year 2023, DOR finance data show that \$75.4 million in fine and forfeiture revenue went to county, city, village, and town governments in Wisconsin, including \$23.8 million at the county level and \$51.6 million at the municipal level. These amounts include fines for parking and other ordinance violations that are not criminal in nature.

In fiscal year 2023, the latest year for which data are available, various state funds and departments [reported collecting](#) \$107 million from fines, forfeitures, court fees, and surcharges. We caution that the county and state revenue numbers above cannot be directly added together due to overlap between them,³⁴ the difference in data collection periods, and inconsistency in how the data are reported to two different departments.³⁵ Some of these revenues are retained by counties to help pay for the costs of the justice system.

The consequences to individuals of not paying their fines, fees, forfeitures, and surcharges vary by jurisdiction and by case. Courts may forgive or reduce debt if a person explains that he or she is unable to pay or requests a poverty hearing. If the person does not take these steps and the money remains unpaid, courts may pursue steps such as wage garnishment, a levy on bank accounts, a civil judgment, the transfer of unclaimed property, or incarceration through the [issuance](#) of arrest warrants or writs of commitment. Notably, many municipal courts in Wisconsin [no longer use](#) incarceration as a consequence for failure to pay.³⁶

Corrections: prison labor, fees, and products. The main financial cost to those held in jails and prisons is the lost opportunity to work and earn wages. Wisconsin’s prison system employs

³⁴ Specifically, the county revenue includes a share of the state’s revenue from state troopers issuing tickets within that county.

³⁵ The Director of State Courts Office and the state Department of Revenue both collect information from counties, but there are differences in the types of information each agency collects and in the time period for which they collect data.

³⁶ This finding from the ACLU may relate to the issuance of reports from the Director of State Courts Office [in 2018](#) and from the Chief Judges’ Subcommittee on Jail for Nonpayment of Legal Financial Obligations [in 2019](#).



incarcerated people to [perform](#) work such as cooking food, doing laundry, or janitorial duties. Incarcerated people employed at these tasks receive between 5 and 44 cents per hour for up to 40 hours of work per week.³⁷ This work, performed for much less than the state’s \$7.25 minimum wage, provides a limited income for some individuals in the system and may lower the state’s costs for certain jobs.

The DOC also runs the Bureau of Correctional Enterprises, which employs incarcerated people in dairy farming, other agricultural work, and the creation or refurbishment of numerous products including furniture, license plates, durable medical equipment, and textiles, all of which are sold to customers. Wages for these positions are slightly higher; in 2020, the Bureau’s wages [averaged](#) \$0.97 for industrial work and \$1.22 for agricultural work. In fiscal year 2023, the Bureau [employed](#) an average of 384 people on any given workday, for a yearly total of 677,148 hours worked, and paid its workers a total of \$684,870 – an hourly average of about \$1.01. The Bureau generated \$34.6 million in revenue from the sale of its products in that year. This revenue is mostly spent on wages and equipment maintenance, or invested in capital improvements such as new agricultural equipment.³⁸

Charges are also associated with services provided to incarcerated people and their families, either by the DOC or through vendors. The DOC uses two systems, called CorrLinks and Getting Out, which allow incarcerated people to send and receive electronic messages with people outside the prison [at a cost](#) of \$0.15 per message. Phone calls cost \$0.06 per minute, of which the DOC [receives](#) four cents, with the other two cents going to vendor IC Solutions; as of 2024, a 25-minute video call cost \$5, although the DOC covers half of that cost, so individuals are charged \$2.50 per call.

DOC facilities also maintain “canteens,” or prison stores, where those being held in the prison can purchase food, medication, hygiene products, food, and other necessities to supplement official DOC supplies. Family members can [deposit money](#) into an incarcerated person’s account to spend at the canteen through vendors Access Corrections and CashPayToday, although they generally must pay a service fee to do so, or [order items](#) for a person through canteen vendor Union Supply Group.

Police: civil asset forfeiture. Police departments in [Wisconsin](#) and across the United States may [seize](#) property that is allegedly being used in the commission of a crime – such as a car that is allegedly transporting drugs or a large sum of cash that police suspect was derived from criminal activity – through a process known as civil asset forfeiture. The police department may then [file a civil judicial action](#) against the property itself rather than its owner, making it more difficult for the owner to regain the seized property, even when the owner is ultimately not charged with a crime. Depending on the jurisdiction, police may be allowed to keep the property or any proceeds from the sale for their agency. Federal agencies may also conduct a civil asset forfeiture, and in cases where federal law enforcement officers cooperate with state or local agencies to investigate a crime, the federal agency may split the proceeds with those agencies in a process known as “[equitable sharing](#).” In fiscal year 2023, equitable sharing payments to Wisconsin law enforcement agencies [totaled](#) \$5.1 million, according to the U.S. Department of Justice.

³⁷ They can also work additional hours if they choose, but they will not be paid for them.

³⁸ BCE is almost entirely funded by its self-generated revenue; in fiscal year 2023, it was appropriated only \$60,600 of general purpose revenue in the state budget.



In 2018, the Legislature and then-Gov. Scott Walker added numerous procedural safeguards intended to protect innocent people from forfeitures. The legislation, 2017 Wisconsin [Act 122](#), requires prosecutors to secure a criminal conviction before a civil asset forfeiture can take place, although property may be seized and held while charges are pending, and there are some circumstances where a criminal conviction is not required.³⁹ It also states that the property of an innocent owner may not be forfeited, shifts the burden of proof onto prosecutors to prove that the person is not innocent,⁴⁰ and requires a federal or state criminal conviction for state or local agencies to accept money through equitable sharing, among other provisions.

Since Act 122, both [left-leaning](#) and [right-leaning](#) observers have cited Wisconsin as a leader among the states in making changes to civil asset forfeiture, while pointing out that the state can still make more progress. For example, Act 122 requires that the proceeds from civil asset forfeiture be deposited in the state school fund, [making](#) Wisconsin one of only six states (plus D.C.) that formally bans law enforcement from gaining resources from civil asset forfeiture. However, it also allows law enforcement agencies to keep up to 50% of the proceeds from the sale of seized property to offset [documented](#) expenses, which many agencies report doing. In calendar year 2024, Wisconsin law enforcement agencies [reported](#) \$1.6 million in seized property and more than \$893,000 in expenses. Moreover, even with Act 122 in place, there is still potential for controversy over the use of the civil asset forfeiture system, as with the [2022 case](#) of the Wisconsin State Patrol seizing \$9,620 in cash from a Minnesota man traveling through Wisconsin.

Staffing

The largest spending items within Wisconsin's justice system are the salaries and benefits of law enforcement officers, prosecutors, public defenders, judges, correctional officers, probation and parole agents, and other staff. The Census Bureau provides data on state and local staffing broken out across the same categories of "Police Protection," "Judicial and Legal," and "Corrections" used in the Census of Governments for all states, allowing for national comparisons.

These data show that in 2024, 33,187 full-time equivalent (FTE) staff were employed in Wisconsin's justice system at the state and local level. Of those, 15,716 state and local workers were in police protection (of which 12,016 had the power of arrest), 5,672 were in the judicial or legal system, and 11,799 were in corrections.

In the same year, Wisconsin had 281,221 total state and local government employees, so 11.8% of those employees were in justice system roles. That share ranked 22nd among the 50 states and exactly equaled the national average of 11.8% of state and local employees devoted to justice system functions. Wisconsin ranked 17th nationally in its share of state and local employees devoted to police protection, 36th in the share devoted to judicial and legal systems, and 11th in the share devoted to corrections.

On a per capita basis, Wisconsin ranked slightly lower. For every 1,000 state residents, 5.6 FTEs were employed in justice system roles, ranking 32nd nationwide and below the 6.0 FTEs per 1,000

³⁹ Specifically, the judge may waive the criminal conviction requirement if the prosecutor shows by clear and convincing evidence that the defendant has died, been deported, been granted immunity by law enforcement for testifying, or fled the jurisdiction, or the property has been unclaimed for at least nine months.

⁴⁰ However, the person must first prove by clear and convincing evidence that they own or have an interest in the seized property.



residents nationally (Figure 88). Wisconsin devoted 2.6 FTEs per 1,000 residents to police protection, which ranked 30th; 1.0 FTEs per 1,000 residents to judicial and legal systems, which ranked 45th, and 2.0 FTEs per 1,000 residents to corrections, which ranked 17th. Our state devoted fewer per capita FTEs to judicial and legal systems than any other Midwest state except Iowa, though we ranked in the middle of the 12 Midwest states in most other employment metrics.

At the state level, our employment findings track what we saw when examining justice system finance:

Very few state-level employees work in police protection, while Wisconsin employs a larger share than most states in corrections. Only 0.2 FTE per 1,000 residents were employed in state-level police protection in 2024, which ranked last nationally. At the same time, 11.5% of Wisconsin’s state-level FTEs were in corrections, which ranked below only Florida and well above the U.S. average of 8.7%.

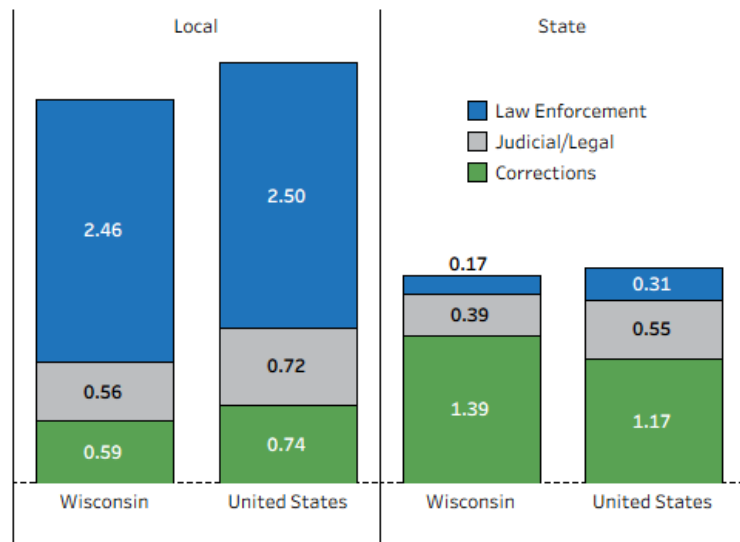
Publicly available Annual Survey of Public Employment and Payroll data exist going back to 2017. From then until 2024, Wisconsin saw its state and local justice system worker levels decline by 4.6%, from 34,781 FTE to 33,187. Nationally, justice system staffing has also fallen, but to a lesser degree of 1.9%. On a per capita basis, justice system employment in Wisconsin dropped 6.6%, only slightly more than the 5.8% decline nationally.

Both nationally and in Wisconsin, jobs in corrections have declined more rapidly than in other justice system areas. Corrections FTEs in Wisconsin declined from 13,348 in 2017 to 11,799 in 2024 – an 11.6% drop overall and a decline of 13.4% on a per capita basis. Nationally, staffing declined 8.8% for total FTEs and 12.4% on a per capita basis over the same time period.

Wisconsin state budget. Information from state budget documents tells a slightly different story, though the budget process looks at authorized positions rather than those actually filled. In the 1995-97 budget, the state authorized 9,776 justice system FTEs across departments, including circuit courts, corrections, the court of appeals, district attorneys, justice, and public defenders but not state law enforcement agencies. The overwhelming majority of these jobs were, and still are, in corrections. Since that time, FTEs grew by 29.8% to 12,694 in the 2023-25 budget; however, they are down slightly from a peak of 12,728 in the 2009-11 budget (see Figure 89).

From the mid-1990s until the early-2000s, corrections FTEs grew rapidly, from 7,776 in 1995-97 to 10,957 in 2001-03. However, they have since plateaued, staying between 10,000 and 11,000 in each budget since that time.

Figure 88: Wisconsin Devotes Fewer Staff to Justice System
Full-time equivalent state and local employees per 1,000 residents by justice system function, 2024

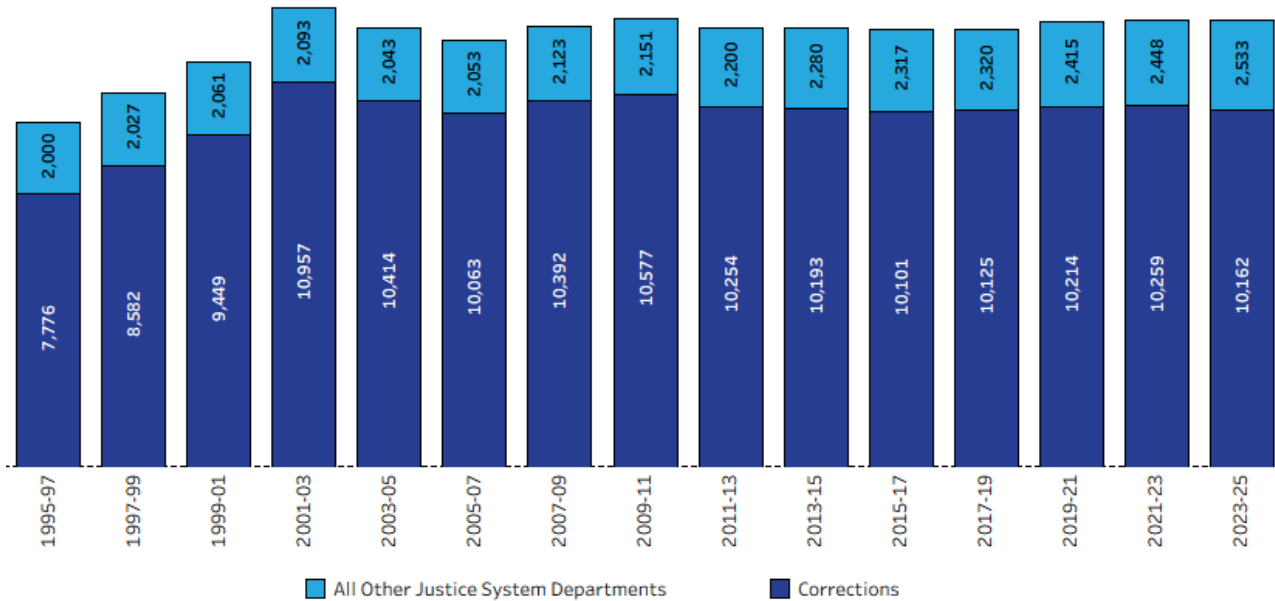


Source: U.S. Census Bureau Annual Survey of Public Employment and Payroll



Figure 89: State Justice System Employment* Relatively Flat for Two Decades

Authorized full-time equivalent positions by state agency and two-year budget

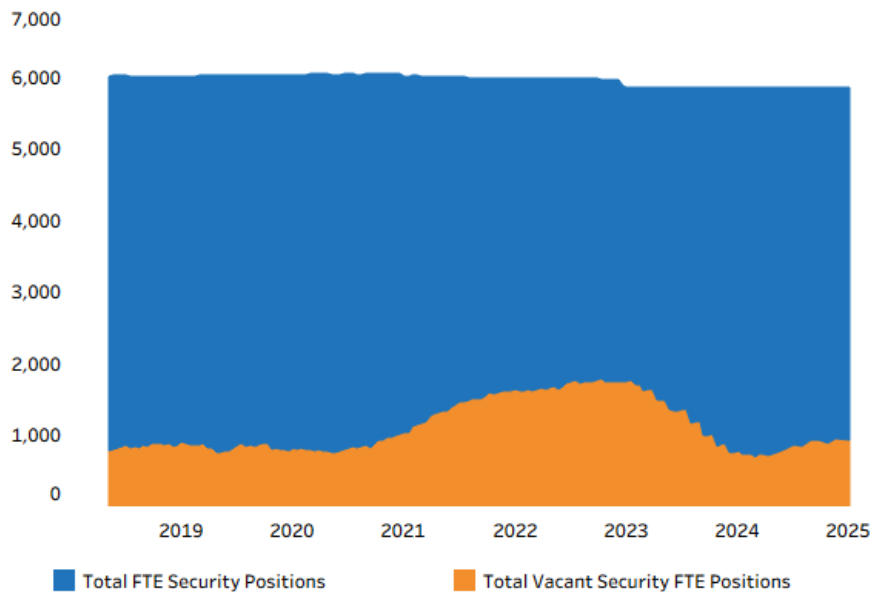


Source: Wisconsin Legislative Fiscal Bureau; *Does not include law enforcement agencies.

Over the last few state budgets, the number of authorized FTEs in circuit courts, district attorney offices, and public defender offices have all risen modestly. Circuit court FTEs grew from 527 in 2019-21 to 551 in 2023-25. District attorney positions rose from 420 in 2017-19 to 521 in 2023-25, while public defender FTEs grew from 615 in 2019-21 to 651 in 2023-25. The Forum has previously discussed the issue of [turnover](#) for both assistant district attorney and public defender positions in Wisconsin, and there has been some bipartisan agreement over the last decade that courts statewide face shortages in these areas.

Figure 90: Corrections Vacancies Rose in 2022 and 2023, Fell in 2024

Wisconsin DOC security staffing* and vacancies, Dec. 2018 to Aug. 2025



Source: WI Dept. of Corrections; correctional officers & sergeants, probation & parole agents, & youth counselors

While the justice system does not account for a very large proportion of total expenditures in the state budget, it takes up a larger share of state staffing. Across all justice system functions (not including law enforcement officers and agencies), the share of general purpose revenue-funded FTEs employed by the justice system grew from one-quarter in 1995-97 to one-third in 2023-25.



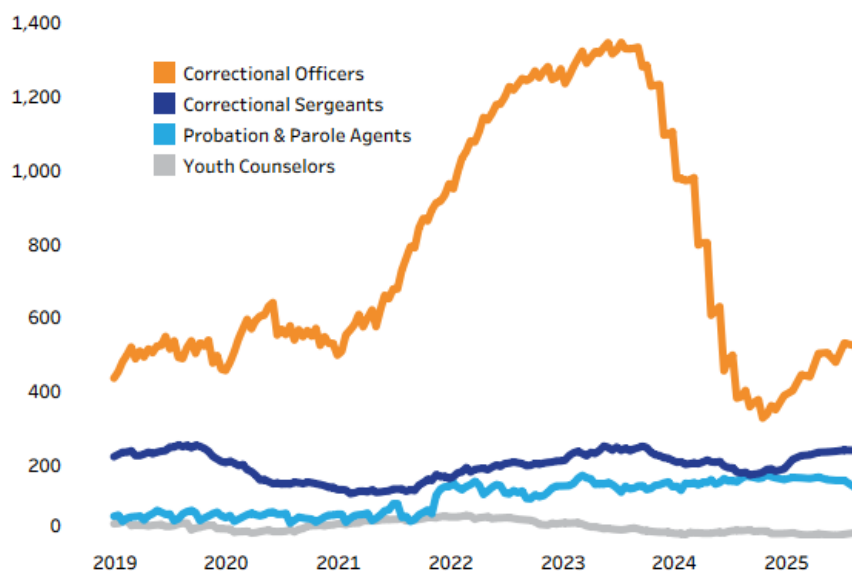
Corrections vacancies. Vacant positions within the DOC made headlines and [caused serious problems during the pandemic](#). After having fewer than 900 staffing vacancies for security positions throughout 2019 and 2020, vacancies at the department increased rapidly in 2021 and 2022 and were above 1,700 vacant FTE positions throughout most of 2023 (see Figure 90). The agency’s vacancy rate that year rose to nearly 30% for several months – roughly double the department’s typical vacancy rate. These high rates contributed to prolonged lockdowns at two maximum-security prisons, as we discussed in the Adult Corrections section.

In response to this problem, the state raised salaries for corrections security staff starting in July 2023, which included [increasing the starting base pay](#) for correctional officers (those who supervise adults in state correctional facilities) from \$20.29 to \$33 per hour. Vacancies for correctional security staff subsequently declined dramatically, falling below 700 in October 2024.

Since then, however, the number of vacant positions has crept back up as some facilities have [struggled to retain](#) correctional workers. Updated DOC data show total staffing vacancies of correctional officers, sergeants, youth counselors, and probation and parole agents at 915 FTEs as of the first week of August 2025.

Correctional officer positions have been the driving force behind the department’s surge, drop, and recent uptick in vacant positions (Figure 91). Vacancies have remained relatively stable for correctional sergeants (who oversee correctional officers and ensure the overall security of state prisons) and fallen for youth counselors over the past several years, but have risen somewhat for probation and parole officers.

Fig. 91: Correctional Officer Positions Drove Spike, Drop in Staff Vacancies
Select Wisconsin Department of Corrections vacancies in FTE positions, by title



Source: Wisconsin Department of Corrections



CONCLUSION

In this report, we present a broad overview of Wisconsin's criminal justice system and to identify current trends and pressing challenges through our examination of data from agencies throughout the system. Much more remains to be written about specific topics within the justice system, such as the prevalence and success of pretrial diversion programs, and we will address this and other topics in a future report. However, our analysis reveals several notable trends that carry implications for policymakers, which we summarize below.

An increasing number of older adults are involved in the state's justice system. People aged 60 and over make up a minority of those arrested or incarcerated in Wisconsin, as they do nationwide, but the numbers of those adults who have been arrested and have faced court cases have grown considerably. Perhaps most concerning is that Wisconsin's prison population is growing older both due to incarcerated people aging in place and increased admissions of older adults into the system. Among other factors, these trends have been driven by growth in violent crime, OWI, and other public order offenses among that population. The long-term impact of truth-in-sentencing and people serving longer sentences may also be contributing to this trend.

This poses budgetary and policy challenges for policymakers. Older adults are more likely to require medical care and special accommodations in prison, and state data show an increase in those costs for the DOC. The agency has already built an assisted living unit at one state prison to care for individuals with advanced medical needs. At the same time, state data show that older adults are far less likely to be involved in violent crimes or to be reconvicted and reincarcerated after being released from prison than their younger counterparts, which may be a consideration as state leaders grapple with overcrowding in many adult correctional facilities. In 2024, state prisons held a total of 22,801 adults – far more than the 17,648 individuals those facilities were designed to house.

Racial disparities are another clear and persistent trend across Wisconsin's justice system. Black Wisconsinites are overrepresented among crime victims, people arrested, those facing court cases, and those under incarceration and community supervision. Wisconsin also has the second-largest disparity of any state between its Black and white incarceration rates. These trends are exacerbated by high rates of poverty in the city of Milwaukee, where over two-thirds of Black Wisconsinites reside.

Some of these racial disparities have narrowed during the period covered by our data, such as prison admissions. The per capita rate for Black individuals entering prison has fallen from 13.2 per 1,000 residents in 2000 to 8.9 in 2024. This amounts to a notable shift, although Black Wisconsinites remain substantially overrepresented in prison compared to white residents.

However, this same metric shows that admissions for American Indian individuals grew from 6.8 per 1,000 to 11.6 over the last quarter-century. American Indians also continue to be overrepresented among those arrested and incarcerated, with violent crime, drug offenses, and public order offenses contributing to the trend.

The state's prison population has undergone significant changes during our period of study. The size of Wisconsin's prison population has remained relatively constant over the past two decades – save for a sudden drop during the pandemic that has since been reversed – but the composition of the



state's prison population has changed during our period of study. The number of incarcerated people whose most serious offense was a violent crime rose between 2000 and 2023. Additionally, the number of individuals incarcerated for intoxicated driving has more than quadrupled during that time, driven by increased penalties for OWI offenses as well as behavioral changes. While the overall number of court cases decreased during our period of study, we also observed a rise in the number of cases involving at least one felony across most crime categories. These trends have contributed to Wisconsin's prison and community supervision rates remaining high even as overall crime rates fell between 2019 and 2023, including an ongoing decline in property crimes.

Wisconsin's correctional system carries significant financial and human costs. State and local spending on corrections ranked 12th among the states in 2022, and Wisconsin had the highest cost per capita in 2021 to reincarcerate people for violations of community supervision conditions, although these reincarcerations have decreased in recent years. Corrections costs are likely to increase both from the significant wage hikes for prison staff that were approved by the Legislature in 2023 to combat persistent understaffing, and from growing medical costs to care for the aging prison population.

The overcrowding, understaffing, and aging infrastructure of prisons such as Green Bay and Waupun Correctional Institutions has also led to several deaths and prolonged lockdowns in recent years, though the DOC has made progress on some issues such as staff turnover and vacancies. The question of whether and when to close prisons at Green Bay and Waupun has yet to be settled. Governor Evers [proposed](#) a plan to transfer the people held in those maximum-security prisons to other facilities, with an eventual goal of closing Green Bay and renovating Waupun while increasing capacity at other prisons, but that plan was eventually removed almost entirely from the 2025-27 budget. However, even if the governor's proposal had been approved in its entirety, the problems of a large, increasingly expensive, and increasingly elderly prison population would remain.

Falling population has led to rising per child costs at state correctional facilities. Wisconsin's youth correctional system faces a different set of challenges. The state facility at Lincoln Hills has come under significant scrutiny for unsafe conditions and practices such as solitary confinement for youths, resulting in pressure to close the facility and a decrease in the number of children being sent there. In January, a federal [judge lifted an order](#) that for years had placed Lincoln Hills under additional scrutiny for past incidents, marking a milestone in the institution's history.

However, counties have opted to house more youth in new or existing county facilities, such as the Milwaukee County Center for Youth, which [opened](#) in March 2026. While these facilities keep youth closer to their families, the decline in youths being sent to Lincoln Hills has spread its fixed costs over fewer individuals and pushed the cost per youth up to over \$400,000 in 2025. A partial veto by Evers to the 2025-27 budget prevented the cost to counties from rising further, but raised questions about the adequacy of state funding for the facilities. In addition, Lincoln Hills and its sister facility remain open, nearly five years after the deadline for their closure set by 2017 Act 185.

Policymakers and other stakeholders may wish to consider how to address these challenges as they balance public safety, budget pressures, legal and constitutional obligations, and critical outcomes for those involved in the justice system and the state as a whole. We hope that this report provides



analysis and insights that help to inform their efforts and those of other stakeholders working to improve the state's justice system.



APPENDIX 1

Project Advisory Committee members:

Adam Plotkin	Director of State Courts Office
Connie Kostelac	Medical College of Wisconsin; Milwaukee Community Justice Council
Catoya Roberts	Milwaukee Community Justice Council
Carte'cia Weaver	Kids Forward
Theodore Lentz	University of Wisconsin-Milwaukee/Marquette University
Holly Szablewski	Wisconsin Court System
Sara Carpenter	Wisconsin Community Services
Jerome Dillard	Ex-Incarcerated People Organizing (EXPO) of Wisconsin
Jim Palmer	Wisconsin Professional Police Association
Mary Triggiano	Marquette University Law School
Evan Goyke	City of Milwaukee, Office of the City Attorney
Jeff Altenburg	Milwaukee County District Attorney's Office
Shannon Ross	The Community; Paradigm Shyft
Cecelia Klingele	University of Wisconsin-Madison Law School
Nate Keeley	Wisconsin Department of Health Services
Alana Peck	Wisconsin Department of Children and Families
Chris McKinney	Wisconsin Department of Justice



APPENDIX 2

This section contains definitions of some commonly used terms in Wisconsin’s criminal justice system, as well as additional detail about the terminology used in this report.

Crime Categories

The FBI’s National Incident-Based Reporting System (NIBRS) designates crimes into Group A (more serious) and Group B offenses. Each offense type also is categorized as a crime against persons, property, or society. A full list of offenses and how they are grouped and categorized can be found [here](#).

Community Supervision

There are five main types of community supervision in Wisconsin: probation, deferred prosecution, parole, mandatory release, and extended supervision.

- *Probation* means that someone has been convicted of or pled guilty to a crime, but is allowed to remain in the community under DOC supervision.
- [Deferred prosecution](#) means that a person has admitted to a crime and agreed to therapy or community programs, and in exchange, the prosecutor has paused the prosecution and will dismiss the charges if the person completes the terms of the agreement. It is not a plea deal, and the person has not been convicted. However, prosecution may resume if the person violates the terms of the deferred prosecution agreement.
- *Parole* means that someone has been convicted of or pled guilty to a crime and served prison time; they have additional prison time remaining on their sentence, but the Parole Commission has decided to let them serve that time on community supervision. In Wisconsin, this only applies to people who were sentenced before the state’s truth in sentencing law took effect.
- [Mandatory release](#) applies to some people who were sentenced prior to Wisconsin’s truth in sentencing laws, and means they must be released onto parole to serve the rest of their sentence in the community unless the Parole Commission decides otherwise. Because it is a requirement imposed at sentencing, parole via mandatory release is slightly different from normal parole, which is a privilege extended by the Parole Commission for good behavior.
- *Extended supervision* applies for people sentenced under truth in sentencing. It is part of Wisconsin’s bifurcated sentencing system, in which a person serves a fixed period of time in prison and then serves a fixed period of community supervision.



Rape

Until the early 2010s, the FBI's Unified Crime Reporting system [used the term](#) "forcible rape," which was defined as non-consensual "carnal knowledge" of a woman which involved the use of force. Cases of rape that did not involve additional force were recorded as "statutory rape." The agency's [new definition](#), introduced in 2011 and adopted in 2013, is gender-neutral and includes rapes that both do and do not include additional uses of force. Wisconsin's data follows this convention. Our period of study (2005-2025) includes periods where both terms were in use, and the data we received from the Department of Corrections uses both terms. We generally use the term "rape" in this report, except in some charts where it is not possible to recategorize older offenses and still maintain the accuracy of the data.

Race and Ethnicity

In this report, we employ the racial categories used by the United States Census Bureau, which include [white](#), Black or African-American, American Indian or Alaska Native, Asian, and Native Hawaiian or Pacific Islander. In some analyses, we combine the latter two categories and refer to the combination as 'Asian and Pacific Islander.' Where necessary, we also shorten American Indian or Alaska Native to 'American Indian.'

In addition to the above racial categories, the Census allows people to describe themselves as Hispanic or Latino, which is classified as an ethnicity. For clarity, we generally use the term Hispanic in this report.

Sex and Gender

Our data categorize individuals by biological sex rather than gender identity, so we refer to sex rather than gender in this report. The data also do not identify individuals as non-binary or other gender identities, and therefore we are unable to address this issue.

Youth versus Juvenile

When referring to people under the age of 18, we generally use the term "youth" as opposed to "juvenile" except when referring to a specific program or facility (such as the Serious Juvenile Offenders Program), or when relying on data provided by the Wisconsin Department of Corrections which uses the term "juvenile."



APPENDIX 3

Over the past 35 years, Wisconsin has made a number of changes to its criminal code and system. Below, we summarize some of the most consequential of those changes, including many that have increased penalties for existing crimes or established new crimes. We include links to memos summarizing each act whenever possible, and when not, we provide links to the actual legislation.

Crimes Against Children or Elders			
Session	Act	Date of Enactment	Description of Legislation
1997	Act 326	7/1/1998	“Two strikes” legislation. Requires the court to sentence an individual to life imprisonment without parole if the person is convicted on two separate occasions of certain sexual crimes involving children
2015	Act 320 Memo	3/30/2016	Increases penalties for invasion of privacy if the victim is a minor
	Act 366 Memo	4/19/2016	Establishes a new crime of repeated acts of physical abuse to the same child
2017	Act 129 Memo	12/8/2017	Bans adults from soliciting explicit pictures from children
2021	Act 76 Memo	8/6/2021	Establishes a new crime of physical abuse of an elder, and increased maximum terms of imprisonment for other crimes against elders
Drug Laws			
Session	Act	Date of Enactment	Description of Legislation
2011	Act 31	6/24/2011	Bans synthetic marijuana, classifying it as a Schedule I controlled substance
2013	Act 196 Memo	4/7/2014	Raises the penalty for attempted possession of a Schedule I or II narcotic substance, such as opium or heroin, from a Class A misdemeanor to a Class I felony
2017	Act 60 Memo	11/3/2017	Adds all fentanyl analogs to the list of Schedule I controlled substances
2019	Act 68 Memo	11/26/2019	Modifies state law in accordance with the 2018 Farm Bill, including allowing for the possession of hemp containing THC levels of 0.3% or less



2021	Act 179 Memo	3/16/2022	Creates a specific penalty structure for prohibited acts involving fentanyl and fentanyl analogs
Firearms			
Session	Act	Date of Enactment	Description of Legislation
2015	Act 109 Memo	11/11/2015	Imposes a three-year mandatory minimum sentence for possession of a firearm by some individuals convicted of a felony, as well as mandatory minimum sentences for people with a previous violent felony conviction who commit a new violent felony using a firearm
2017	Act 145 Memo	3/28/2018	Requires gun dealers to run background checks on prospective buyers, created a new Class H felony for providing false information in the background check, and expanded previous laws against straw purchases
Justice System Structure			
Session	Act	Date of Enactment	Description of Legislation
2013/ 2015	Constitutional Amendment	4/15/2015	Amends the Constitution to provide that the Chief Justice of the Supreme Court be elected to a two-year term by a majority of the justices, instead of being chosen based on seniority
2015	Act 64 Memo	10/23/2015	Narrows the authority of judges to order John Doe investigations, in which a judge determines whether a criminal complaint is warranted, by excepting certain categories of crime
2021/ 2023	Constitutional Amendment Memo	4/4/2023	Expands judges' authority to set conditions of supervision during the pretrial period, including cash bail, and required judges to impose cash bail for some people charged with violent offenses
Juvenile Justice System			
Session	Act	Date of Enactment	Description of Legislation
1995	Act 27	7/26/1995	Lowers the age of adult court jurisdiction from 18 to 17 and created the Serious Juvenile Offender Program for youth that have violated state/federal criminal law
2017	Act 59 Memo	9/21/2017	Raises the minimum age for placement in an adult prison from 16 to 18



	Act 185 Memo	3/30/2018	Orders the closure of the Lincoln Hills youth prison and the creation of a new Type 1 youth prison, and provides grants for the development of county-level facilities
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Law Enforcement Policy

Session	Act	Date of Enactment	Description of Legislation
2013	Act 348 Memo	4/23/2014	Requires that all officer-involved deaths must be investigated by at least two investigators, neither of whom are employed by an agency that employs any officer involved in the death
2021	Act 48 Memo	6/22/2021	Bans the use of chokeholds by police officers except in self-defense
	Act 75 Memo	4/6/2021	Establishes a use-of-force standard for police officers, as well as “duty to report” and “duty to intervene” standards for officers witnessing unlawful use of force
2023	Act 12 Memo	6/20/2023	Requires all Wisconsin cities with a population of 200,000 or more to maintain a “level of law enforcement” equal to or greater than the previous year, requires the Milwaukee Police Department to employ 1,725 officers by 2033, and removes authority from the Milwaukee Fire and Police Commission

Operating While Intoxicated

Session	Act	Date of Enactment	Description of Legislation
2003	Act 30	7/3/2003	Reduces the maximum blood-alcohol concentration allowed for a person to operate a vehicle from 0.10% to 0.08%
2009	Act 100 Memo	12/22/2009	Makes a first OWI-related offense a criminal offense if a child younger than 16 is in the vehicle at the time. Makes a fourth OWI-related offense a felony instead of a misdemeanor if it occurs within five years of a prior OWI-related offense
2015	Act 371 Memo	4/25/2016	Increases penalties for conviction of a fourth OWI to a Class H felony minimum, and increases penalties for conviction of all subsequent OWI offenses
2017	Act 309 Memo	4/16/2018	Increases the mandatory minimum period of confinement for serious violent crimes to five years and adds several crimes to the definition of “serious violent



			crime”
	Act 172 Memo	3/28/2018	Requires the DOT to revoke the licenses of individuals convicted of a fourth or subsequent OWI offense and makes them ineligible for occupational licenses
2019	Act 107 Memo	2/28/2020	Modifies Act 172 (2017) by requiring the license revocation of a person convicted of a fourth or subsequent OWI offense <i>except</i> if 15 years have passed since the last conviction

Sexual Crimes

Session	Act	Date of Enactment	Description of Legislation
1993	Act 479	5/26/1994	Creates civil commitment procedures for people convicted of a sex offense, allowing people to be designated as a sexually violent person and committed to a treatment facility
1995	Act 440	6/24/1996	Creates Wisconsin’s public sex offender registry
2005	Act 431 Memo	5/22/2006	Limits the locations where people convicted of sexual offenses could be placed post-release, and mandates GPS tracking for some individuals convicted of child sexual offenses
2015	Act 292 Memo	11/11/2015	Expands existing protections against photos/videos taken without consent, and created additional penalties for invasions of privacy

Sentencing and Mandatory Minimums

Session	Act	Date of Enactment	Description of Legislation
1993	Act 289	4/13/1994	“Three strikes” legislation. Requires the court to sentence an individual to life imprisonment without parole if the person is convicted on three separate occasions for any serious felony
1997	Act 283	6/15/1998	“Truth-in-sentencing” legislation. For crimes committed on or after Dec. 31, 1999, offenders will receive a bifurcated sentence that includes a term of confinement in prison and a term of extended supervision in the community



	Act 326	7/1/1998	“Two strikes” legislation. Requires the court to sentence an individual to life imprisonment without parole if the person is convicted on two separate occasions of certain sexual crimes involving children
2001	Act 109	7/26/2002	Makes several changes to truth-in-sentencing legislation (“truth-in-sentencing II”)

Victim Rights and Compensation

Session	Act	Date of Enactment	Description of Legislation
2017/ 2019	Constitutional Amendment Memo	4/7/2020	Marsy’s Law, also known as the Victims of Crime Constitutional Amendment. Expands the existing constitutional rights of crime victims, including the rights to privacy, timely disposition of cases, and opportunities to be heard during criminal proceedings
2021	Act 116 Memo	12/6/2021	Creates procedures that govern the transmission, processing, and storage of sexual assault kits
2023	Act 58 Memo	12/6/2023	Creates deadlines for the state crime laboratories to process sexual assault kits

