

Wisconsin DOC Offense Categorization

All offense statutes currently in WICS were categorized according to the Association of State Correctional Administrators (ASCA) Performance-Based Measures System (PBMS) standards. ASCA's PBMS standards were developed to translate the missions and goals of correctional agencies into a set of uniform measurable outcomes. For each standard there are uniform measures of performance; and for each measure, there are a variety of uniform key indicators of the outcome measure and rules for how to collect the data.

In addition to following the ASCA standards as closely as possible in the categorization of offenses, the DOC developed supplementary categorization rules to aid in categorizing statutes that did not clearly fit into one category or another (see WI DOC Offense Categorization Rules below). The ASCA offense categorization standards can be found on the following pages.

Association of State Correctional Administrators (ASCA) Offense Categories

Part 1 Violent Crime: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for murder, non-negligent manslaughter, rape, robbery, or aggravated assault.

Other Violent Crime¹: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for negligent manslaughter, kidnapping, other sexual assault, simple assault, and other violent offenses including intimidation, illegal abortion, extortion, cruelty toward a child or wife, hit-and-run driving with bodily injury, and other crimes against the person not listed as a Part 1 violent crime. Do not include aggravated burglary or burglary as a violent crime.

Property: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for burglary, larceny, motor vehicle theft, arson, fraud, forgery, embezzlement, stolen property (including receiving, transporting, possessing, concealing and selling stolen property), and other property offenses such as possession of burglary tools, damage to property, smuggling and other miscellaneous property crimes.

Drug Offense: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for drug trafficking, drug possession, and other drug offenses such as possession of drug paraphernalia and forged or unauthorized prescriptions.

Other Public Order Offense: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for weapons offenses (including unlawful sale, distribution, manufacture, alteration, transportation, possession or use of a deadly or dangerous weapon or accessory), traffic offenses, DUI or DWI, probation or parole violations, escape, obstruction of justice, court offenses, non-violent sex offenses, commercialized vice, family offenses, liquor law violations, bribery, invasion of privacy, disorderly conduct, contributing to the delinquency of a minor and miscellaneous public order offenses.

Other Crime²: Number of inmates in the custody of the agency on the last day of a given month whose most serious conviction was for any other crime not listed in the previous five crime categories.

¹ Offenses in the "Other Violent Crime" category were combined with those in the "Part 1 Violent Crime" category to create a new category called "Violent Offense" for the purposes of reporting.

² Offenses in the "Other Crime" category were combined with those in the "Other Public Order Offense" category to create a new category called "Public Order Offense" for purposes of reporting.

WI DOC Offense Categorization Rules

1. **Corpse:** If a statute involves mutilating a corpse it is categorized as ASCA category Other Violent Crime.
2. **Death:** If the behavior described in the statute results in death, and the offense is not Murder/Nonnegligent Manslaughter or Manslaughter by Negligence, then the ASCA category is Other Violent Crime.
3. **Driving While Intoxicated:** Statutes involving driving while intoxicated will be categorized as ASCA category Other Public Order Offense **unless** the statute also involves causing injury or death to a person. If the outcome of driving while intoxicated is injury or death to a person the statute will be categorized as ASCA category Other Violent Crime.
4. **Failure to Prevent/Failure to Report/Failure to Act:** Any statute involving a failure to prevent something, or involving a failure to report something, is categorized as ASCA category Other Public Order Offense.
5. **Firearms:** Statutes involving the illegal possession of a firearm, or operating a firearm while intoxicated, discharging firearms in locations where it is not permitted, etc. will be categorized as ASCA category Other Public Order Offense. Statutes involving intentionally pointing a firearm at a person will be categorized as Other Violent Crime.
6. **Fraud:** If a statute contains the word fraud then the ASCA category is Property. If the name of the statute appears to be incorrect and the actual statute number reflects something other than Fraud the statute number will be used to determine the statute's category. If the offense involves obtaining controlled substances or prescription drugs through fraud then the offense is categorized as ASCA category Drug Offense.
7. **Great Bodily Harm/Great Harm/Substantial Bodily Harm/Substantial Harm:** For statutes that do not involve rape:
 - a. If the statute **DOES** involve **intent** to cause great or substantial harm, the ASCA category is Part 1 Violent Crime.
 - b. If the statute **does NOT** involve **intent**, then the ASCA category is Other Violent Crime.
8. **Hit and Run:** Statutes involving a hit and run, regardless of what the outcome is (injury, death, etc.), are categorized as ASCA category Other Violent Crime.

9. **Neglect of Child:** Statutes involving neglecting a child will be categorized as ASCA category Other Public Order Offense **unless** the result of the neglect is bodily harm, great bodily harm, or death, in which case the statute will be categorized as ASCA category Other Violent Crime.
10. **Other Negligent Manslaughter:** Homicide by vicious animals, by dangerous weapons, by intoxicated use of vehicle, by a type of weapon, etc. (940.07 – 940.10) are categorized as ASCA Other Violent Crime.
11. **Reckless:** Any statutes involving the term “reckless homicide” are considered negligent and are categorized as ASCA category Other Violent Crime.
12. **Threat:** If a statute involves a threat of force, violence, injury, or harm, then the ASCA category is Other Violent Crime. If a statute involves a threat, but not a threat of violence, etc., and if the statute chapter is 947, then the ASCA category is Other Public Order Offense.
13. **Unborn Child:** Statutes involving the death of an unborn child are categorized the same way statutes involving the death of an adult are categorized.
14. **Violate Order/Intimidate:** Statutes involving the term “Violate Order/Intimidate” are categorized as ASCA category Other Public Order Offense.
15. **Wager:** If the word wager is contained in the statute then the ASCA category is Other Public Order Offense.