Incarcerated males with disabilities; how many are there?

Glen M. Fink
Incarcerated Males with Disabilities; How Many are There?

Glen M. Fink

Thesis
Submitted in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Special Education
At Cardinal Stritch University
Milwaukee, Wisconsin
2012
This Thesis
Has been approved for
Cardinal Stritch University by

Dr. Gabrielle Kowalski
Director

Adrienne Navrat
Reader

Date: May, 2012
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter 1</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>4</td>
</tr>
<tr>
<td>Purpose of the Study</td>
<td>5</td>
</tr>
<tr>
<td>Significance of the Study</td>
<td>5</td>
</tr>
<tr>
<td>Definitions</td>
<td>6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 2</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of Literature</td>
<td>9</td>
</tr>
<tr>
<td>Students with Disabilities in High School</td>
<td>9</td>
</tr>
<tr>
<td>Types of Crimes Committed</td>
<td>9</td>
</tr>
<tr>
<td>Fiscal Considerations of Incarceration</td>
<td>10</td>
</tr>
<tr>
<td>Prevention of Incarceration</td>
<td>11</td>
</tr>
<tr>
<td>Summary</td>
<td>17</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 3</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Methodology</td>
<td>18</td>
</tr>
<tr>
<td>Design</td>
<td>18</td>
</tr>
<tr>
<td>Participants</td>
<td>18</td>
</tr>
<tr>
<td>Procedure</td>
<td>18</td>
</tr>
<tr>
<td>Data Collection and Analysis</td>
<td>19</td>
</tr>
</tbody>
</table>
Chapter 4

Results........................................................................................................... 20

Table 1. Wisconsin Department of Corrections Data
2011 Report of Inmates 18-21 With Disabilities................................. 21

Table 2. Wisconsin Department of Corrections Data 2011 Report of Inmates
18-21 With and Without Disabilities....................................................... 21

Figure 1 Wisconsin Department of Corrections Data 2011 Report of Inmates
18-21 With and Without Disabilities....................................................... 22

Table 3 Wisconsin Department of Public Instruction Data 2011 Report
of Children With Disabilities Receiving Special Education............... 22

Table 4 Comparative Data DOC – DPI Inmates and Students
With Disabilities Ages 18-21 ................................................................. 23

Figure 2 FBI Uniform Crime Reporting Statistics .............................. 24

Table 5 FBI Uniform Crime Reporting Statistics .............................. 24
Comparison of Inmates and Students................................................... 24

Figure 3 Wisconsin Department of Corrections Data

Figure 4 Wisconsin Department of Public Instruction Data 2011 Report
of Children With Disabilities Receiving Special Education............... 26

Figure 5 Comparative Data – Inmates to Students................................. 27

Chapter 5

Conclusions and Recommendations.................................................. 28

References................................................................................................... 30
Chapter 1
Introduction

The title of this research, “Incarcerated Males with Disabilities; How Many are There?” was the question this researcher asked when seeing a young man, in front of a judge, on trial for committing some crime. Other questions, beyond the scope of this study, arose such as, Why are people with disabilities serving terms in our correctional institutions? How did these people end up committing crimes that caused them to be incarcerated? Could their paths have been diverted away from crime by proper education and/or a relationship with a mentor? Is incarceration the most fiscally responsible way to deal with these people?

The anticipated result of this research study was to identify the population of male inmates in Wisconsin age 18-21 with disabilities relative to the population of males with disabilities age 18-21 found in public and private educational settings. The Americans With Disabilities Act (ADA) passed in 1990 with revisions passed in 2008 affects not only mainstream society but also prisons and jails. The manner in which a correctional facility works with inmates, job applicants, and employees with disabilities is now regulated by the ADA. The ADA raises significant issues for correctional facilities because of the prevalence of mental disabilities among inmates. Jails across the United States are handling 640,000 to 800,000 detainees with disabilities each year. (Rubin & McCampbell, 1995).

The Federal Bureau of Investigation (FBI) recorded 245,456 arrests in 2010 for crimes such as: property crime, murder and non negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, other assaults, etc. of which 23,380 are inmates serving time in either public or private facilities.
The cost of housing inmates in the state of Wisconsin is an expensive burden on the overall state budget. Finding ways to reduce costs to the state is paramount in the current fiscal environment.

**Purpose of the Study**

The purpose of this study was to examine the number of inmates ages 18-21 with disabilities, the type of their disabilities, the cost of housing inmates and the rate of recidivism. This study also examined the number of students with disabilities ages 18-21, in schools receiving special education services. These ages were chosen to include adults in their earliest years which made it possible to compare populations of inmates to school students. The Individuals with Disabilities Act (IDEA) states that a person must receive special education services until age 21 should they desire it.

This study examined if there is a measurable difference in percentage between students and inmates with the same type of disability. Census data supplied by the Wisconsin Department of Corrections (WDOC) and the Wisconsin Department of Public Instruction (DPI) were used for the comparison. This study also examined the costs of the incarceration of all inmates and any extra costs that might be incurred by those inmates with a disability. Finally, this study examined the rate of recidivism for those with and without education while incarcerated and the effect this had on their return to the judicial system.

**Significance of the Study**

The results of this study were expected to identify pertinent data which may impact efforts to reduce the rate of recidivism among those inmates with disabilities and raise awareness of school leaders and DOC educators about what education needed by those likely to offend as well as those that have committed crimes and are incarcerated has been shown to be effective.
Definition of terms in this study.

**Cognitive disability** means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

**Department of Corrections - DOC** means the administrative infrastructure governing any type of physically restrictive environment housing people found guilty of a crime.

**Department of Public Instruction - DPI** means the administration facility overseeing the public and private educational system in Wisconsin.

**Emotional /Behavioral Disability** means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance: An inability to learn that cannot be explained by intellectual, sensory, or health factors. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers. Inappropriate types of behavior or feelings under normal circumstances. A general pervasive mood of unhappiness or depression. A tendency to develop physical symptoms or fears associated with personal or school problems.

**Other health impairment** means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that-- Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia,
nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and adversely affects a child's educational performance.

**Specific learning disability.** (i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional /Behavioral, or of environmental, cultural, or economic disadvantage. Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.  

IDEA 2004 Regulations: Part 300 / A / 300.8 / c

**Definitions from the FBI's Uniform Crime Reports**

**Property offenses**

**Burglary - breaking or entering** - The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

**Larceny-theft** (except motor vehicle theft) - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-
picking, or the stealing of any property or article which is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Motor vehicle theft** - The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category. (Federal Bureau of Investigation, 2010)

**Violent offenses**

**Aggravated assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

**Forcible rape** - The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape regardless of the age of the victim are included. Statutory offenses (no force used - victim under age of consent) are excluded.

**Murder and non-negligent manslaughter** - the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. Justifiable homicides are classified separately.

**Robbery** - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
Chapter 2

Review of Literature

The literature reviewed for this study came from dissertations, professional journals, governmental reports and studies which examined the impact of incarceration of inmates from a fiscal and social perspective. The primary focus was on whether or not the rate of recidivism of inmates with disabilities could be reduced by proper education. In order to understand the importance of proper education, this chapter presents the different facets of housing and educating inmates in Wisconsin. To begin, this researcher presents information about students in public schools, so that the reader may have background information about the distribution of students with disabilities and comparison between students and inmates with disabilities. In addition this chapter looks at the fiscal considerations of housing inmates and any cost that is associated with training staff in dealing with inmates with disabilities. Finally this chapter deals with possible solutions in reducing the rate of recidivism among those with disabilities.

Students With Disabilities in High School

There are currently a number of students in the public schools that have been identified with some form of non-physical disability that hinders learning for that student, requiring instruction different from general education students. These students receive special education services while in the school setting. Research has shown that students with disabilities are more likely to become involved in the judicial system after their graduation from high school than graduates without a disability (Morris, 2008).

Types of Crimes Committed

Many theories have been proposed to understand why people commit crimes. The classic theory dates back to Cesare Beccaria (1764) implying that individuals act the way they do
because they derive pleasure from committing those acts (Morris, 2008). The biological theory says that criminal actions are due to genetically or biologically influenced personality or emotional characteristics (Morris, 2008), while psychological theories focus on psychological processes as the cause of criminal behavior and delinquent behavior is assumed to be caused by an internal disturbance that probably began in childhood (Morris, 2008). There are many theories about why people commit crimes but economic and social theories suggest that criminals commit crimes because of a breakdown in society, with social factors controlling the behavior of people. For example people with EBD are more likely to act out toward others when they perceive the society around them breaking down. They are affected by this breakdown and may not be able to react in a socially acceptable way so they find themselves breaking the law of society.

The most prolific crimes committed were property crimes such as burglary, theft and vandalism (FBI 2010).

Varese, (2011) reported that violent crime in Wisconsin dropped overall from 14,582 instances in 2009 to 14,120 in 2010. These instances were comprised of 156 murders, 1185 rapes, 4504 robberies and 8275 aggravated assaults. These figures may seem alarming, but violent crime in fact went down 3% in Wisconsin from 2009 to 2010. Property offenses were down 3.7% for this same period as well. However the data showed that violent crime and property crime instances in Wisconsin were still high. With crime happening at such a high rate, young people with disabilities are surely to be affected within their community (Hawkins, 1995).

**Fiscal Considerations of Incarceration**

The 2011 State of Wisconsin Budget presented to then Governor Jim Doyle did not show any costs aligned with services needed for inmates with disabilities. There may have been hidden costs for correctional facilities in training their staffs to deal with inmates with disabilities.
which may vary from mild to severe. Some inmates may have had multiple disabilities. Research has shown that inmates with disabilities have needs for additional services and accommodations over and above that of the general population and they take longer to adjust to the prison environment (Raemisch, 2010).

Costs for the incarceration of persons with disabilities were calculated at $32,000 per person, not accounting for the hidden costs referred to above. The fiscal data from Wisconsin reports were very much in line with that of other states throughout the country. Each inmate cost the taxpayers of Wisconsin $32,000 per year while inmates in Texas cost their taxpayers $33,000 per year. “At least 18 states provide some degree of specialized programming or housing for developmentally disabled inmates, with correctional systems incorporating elements of multidisciplinary approaches, the use of mainstreaming when deemed appropriate, and placement in special units for those deemed to be particularly vulnerable in a general population setting.” (Raemisch, 2010, p. 1) Raemisch went on to say that by 2011, Wisconsin would require all newly hired correctional officers to receive 280 hours of “Correctional Officer Pre-service Training” of which 28 hours were allocated to medical care and 8 hours to suicide prevention. Knowing how to deal with a specific disability may avert confrontations and provide a more positive environment.

**Prevention of Incarceration**

The saying, “You can’t teach an old dog new tricks” may have some truth when referencing teaching inmates with disabilities better decision-making skills. Research has shown that inmates with disabilities need more time to learn appropriate job skills and they need more services and accommodations than the general population. They have difficulty following rules and they can become more unstable and violent. Intelligence can be modified only slightly
during adulthood, but adaptive behavior can be modified more substantially (Raemisch, 2010). This being said, little research has been done regarding which type of approach in keeping these students out of the correctional system is most effective. With a scarcity of research evidence best practice models may provide a road map for program design when recommending care for persons with developmental disabilities. Programs that employ a multidisciplinary approach seemed to work best when including independent living skills, general education, vocational training, coping strategies and release planning (Raemisch, 2010).

The literature (Basile, 2005) suggests offenders have limited education either in formal or vocational skills. Inmates with disabilities have been shown to be at a greater risk than people without disabilities on re-entry into the judicial system. The earlier a person enters the judicial system the more likely that individual is to offend again. Previous research has shown that effective education on a proactive basis, family support and employment had a direct correlation on positive future outcomes.

Hawkins, (1995) found that “Once they have experienced the reinforcing properties of drugs and are convinced of crime’s profitability, young people are difficult to turn around. Once invested in the culture of crime, they reject the virtues attributed to school and family, for reasons that are all too clear. For them, school is not a place of attachment and learning, but of alienation and failure; family is not a source of love and support, but of unremitting conflict.” (p.10) It is difficult to change the moral decision making of the students at this point.

Research has shown that education and rehabilitation are effective ways of reducing the rate of recidivism among inmates. Offenders with disabilities are more likely to commit crimes and then return to prison because of committing further crimes. This "continued criminality jeopardizes stable employment, career, and living options." (Unruh, Gau, & Waintrup, 2008, p.
1) Adjudicated adolescents in Oregon were studied for re-entry outcomes in 2002. The Transition Research on Adjudicated Adolescents Returning to Community Settings (TRACS) study found that 60% of those tracked returned to the criminal justice system. Only 25% enrolled in school and even fewer received any type of high school completion document after leaving the correctional system. Less than 30% were employed. (Unruh, et al., 2008)

Participants with disabilities were even less likely to go to school or stay employed. In addition participants with disabilities were three times more likely to return to the correctional system and two times less likely to become involved in gaining employment or attending some type of school than those without disabilities (Unruh, et al., 2008).

TRACS indicated that it is highly important for interventions to be implemented upon release. Released inmates with disabilities that were in school or employed within the first 6 months of release were 3.2 times less likely to return to the correctional system and 2.5 times more likely to remain working or continue to be enrolled in an educational setting. (Unruh, et al., 2008) It appears that inmates who are motivated to learn will take advantage of the educational system available while incarcerated and they may do well when they return to society, and not return to prison.

“The field of corrections has been polarized by those that view penal systems as a means to seek punishment and retribution, while others seek to rehabilitate inmates and prepare them to be law abiding citizens. However, most scholars agree that rehabilitation is one of the fundamental purposes of the penitentiary.” (Kerper, 1972, p.64) “Efforts to use education as a form of rehabilitation have become increasingly popular among prison systems and, according to many scholars, in-prison education has positive results on the rehabilitation of former inmates” (Slater, 1994-1995, p.103). Previous research reported that the majority of inmates do not have a
high school education. Many scholars argued that they would need such minimal education to function in society (Harlow 2003; Moeller, Day, & Rivera 2004; Stephens 1992; Stephens & Repa, 1992; Visher & Travis, 2003) and found that the top reasons for participation in prison education programs among inmates were self motivation and the encouragement of family, friends, and teachers. Other factors included obtaining skills for employment, increasing self-confidence or esteem, and attending court ordered education programs (Hall 2006; Stephens 1992; Tewksbury & Stengel, 2006). “Schlesinger (2005) also found that several internal and external factors motivated inmates to participate in education programs, including the following: gaining access to friends; getting out of their cells; regretting past failures, such as dropping out of school; increasing self-esteem; and setting examples for children and family.” (King, 2009, p. 189)

The research implies that the impetus for successful learning seems to be internal motivation on the part of the inmate. Reasons vary from internal, self-motivation, to external encouragement of family, friends, and teachers. For criminal justice, the orientation to prevention means establishing partnerships with other organizations, groups, and agencies in the community to identify and reduce risks for crime and violence and to strengthen protective factors that inhibit violence in the community (Hawkins, 1995).

Various studies have shown that offenders lack either a secondary education or a vocational skill. Implementing a treatment plan as early as possible would provide a better opportunity for success upon the inmate returning to society. Allocating financial resources to be proactive and deal with problems that can lead to incarceration before a person commits a crime is certainly expensive and not in many budgets; however re-entry programs are more
expensive programs that are focused on re-entry into society are also necessary for supervision of the offender (Basile, 2005).

The school is uniquely placed in a strategic position to help such students from becoming delinquent, since it is one agent outside the home that can provide assistance in achieving adjustment. Schools can serve as supportive environments that promote resilience where interventions are introduced that reach the largest number of adolescents at the lowest cost to society (Keith, 2002).

Overall, research suggests that schools can be effective change agents if (a) content material is relevant to students’ lives, (b) an environment exists where learning can take place, (c) respect and support are evident in relationships, (d) emphasis is placed on positive reinforcement, and (e) positive relationships are developed with families in order to link home and school. Therefore, researchers, teachers, and parents must identify the ways schools both create and improve delinquent behavior (Keith, 2002).

One of the other ways people with disabilities are positively influenced is by their families. Quite a number of incarcerated students have come from foster care, had family members that were incarcerated or had felony convictions. Programs available throughout the country support the children of parents who are incarcerated. Some of these address bits and pieces of the psychological needs of the children but do not provide the holistic approach that has proven to be successful. That is not to say that these programs are less than helpful. "When a parent is incarcerated, the adolescent often lacks the emotional and social support needed to cope with this stressful event. Even if social support was available to these adolescents, which it is often not, many adolescents isolate themselves and choose not to access social support due to feelings of stigmatization. With feelings of isolation and a lack of social support, these
adolescent males are more likely to turn to gangs and engage in criminal activity. Adolescent
children of incarcerated parents that are placed in foster care are known to experience
interpersonal difficulties and decreased academic performance." (Flack, 2011, p.12) "In order to
attempt to identify factors that lead to early delinquency, Alltucker, et al. (2006) cited in Morris
(2008) found that youths with previous foster care experience were four times more likely to
have an early start. They also found that youths with an immediate family member, including
mother, father, or sibling, that had a felony conviction were two times more likely to be early
start juvenile delinquents. A meta-analysis of the research literature on predictive risk factors for
adolescent and early adult violent or serious delinquent behavior evaluated factors for both
younger children and adolescents." (p. 28)

It has been said “As the twig is bent, so grows the tree.” This is true when observing
children with or without disabilities. Children are influenced by what they see and hear, which
are powerful influences in their early years of development leading them to be more or less likely
to decide to commit a crime in their later years. Children with disabilities who have parents that
are incarcerated are in need of even more intensive programs to help them develop positive self-
esteeem. Their norm is having one or sometimes both parents in prison. Several prevention
programs have been developed to address issues related to parental incarceration. Several of
those target specific factors related to parental incarceration and few appear to address the many
other factors that accompany this experience. Strengths and limitations can be found amongst the
majority of the existing programs.

(Flack, 2011) found “There are several intervention programs specific to the ages of
children of offenders who have endured trauma. The majority of programs for children of
incarcerated parents target young children. These programs tend to focus on the attachment bond
between the mother and child during the early stages of life, and are often in the form of prison nurseries. The Bay Area Crisis Nursery in California targets children ages 0-6 years whose family is experiencing acute stress or crisis because of parental criminal activity. This crisis nursery aims to prevent infants and young children from being exposed to trauma while housing the young children in a full residential child care facility.” (p.51-52) The parents of these children are offered parent support groups, referrals, and follow-up services once the stressful situation has diffused. Prison nurseries appear to offer adequate support to incarcerated mothers and their young children, but it is unknown if these programs are able to address the future struggles that these children are left to endure throughout their parent’s incarceration.

**Summary**

The literature review section of this paper focused on four primary areas. First, research has shown that students with disabilities may become involved in the judicial system. Next, the types of crimes students commit were noted. Third, the fiscal considerations of incarcerating individuals were specified. Finally, the methods and programs available to students and inmates were presented to suggest ways students may be kept out of the judicial system as well as reducing recidivism rates along with risk factors influencing recidivism.
Chapter 3

Methodology

The intent of this research was to determine the number of inmates with disabilities in the Wisconsin prison system. Another question that arose was that of recidivism and the rate of recidivism of those with disabilities. This led to identifying the costs of housing any inmate, and what, if any were the additional costs associated with those inmates with disabilities.

Design

This researcher analyzed State of Wisconsin, and Federal reports and records for data on inmates ages 18 to and including 21 both with and without disabilities. The inmates chosen were adjudicated males. The DOC data may have included males aged 17 who were processed as adults, but this researcher was informed that this was probably not the case. The data reported was a snapshot of inmates and students with disabilities during the year 2010.

Participants

Data were collected on high school students with and without disabilities ages 18 through 21, and inmates ages 18 through 21. The total number of inmates in the state of Wisconsin identified in this study included persons incarcerated ages 18 through 21, with and without disabilities.

Procedure

This researcher planned meetings with each warden at the major prisons in Wisconsin to collect data, but during the initial contact, found that all records collected by each facility were transmitted to the DOC office in Madison. The DOC office in Madison supplied all the data needed during this research project. Regarding the student data needed, this researcher contacted the DPI and found that all the data needed were available from the DPI. All data in this study
were taken by the researcher from reports compiled by DPI offices and placed in Excel format to produce tables and graphs. No personal or identifying information was provided from either the DOC or DPI regarding students and inmates.

**Data Collection and Analysis**

Data were collected by electronic means by the researcher after contact with officials in both the DOC and the DPI. Fiscal data were compiled from detailed reports obtained from the State of Wisconsin which had been submitted during the administrations of Governor Doyle and Governor Walker.

Data were analyzed using comparative numbers and percentages to create a picture of the differences between schools and prisons regarding individuals with disabilities. Fiscal data were analyzed using simple mathematics to determine costs of inmates housed in correctional facilities.
Chapter 4

Results

According to the Legislative Fiscal Bureau (2011) on May 6, 2011, the Wisconsin Department of Corrections had an institutional population of 21,532 and 275 contract beds for a total of 21,807 inmates. Base funding amounts for population-related costs include: (a) food, $25,617,600 GPR; (b) variable non-food (including clothing, laundry, inmate wages, and other supplies), $16,683,100 GPR; and (c) variable non-food health, $57,749,000 GPR. Further, prison contract bed funding is $20,649,000 GPR for 2010-11. This calculates to an annualized contract bed rate of $18,800 per inmate. Inmates aged 18-21 with disabilities, account for 108 beds, which costs the taxpayers $2,030,400 yearly. The fiscal data from the state of Wisconsin reports was very much in line with that of other states throughout the country. Very little data were collected on the extra cost incurred over that of housing and educating inmates without disabilities however one report indicated that staff received 8 of 280 hours of training specifically focused on dealing with inmates with disabilities. Most of the 8 hours dealt with suicide prevention.

Table 1 lists the number of inmates ages 18 through 21 incarcerated in 2011. There were a total of 188 inmates diagnosed with some form of disability. The highest percentage of those inmates at 46% were inmates identified with Emotional/Behavioral Disability, while prisoners having Specific Learning Disabilities were second highest at 29%.
Table 1

<table>
<thead>
<tr>
<th>DISABILITY</th>
<th>INMATES IN WISCONSIN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18-21</td>
</tr>
<tr>
<td></td>
<td>18-21</td>
</tr>
<tr>
<td>COGNITIVE DISABILITY *</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>9%</td>
</tr>
<tr>
<td>SPEECH OR LANGUAGE IMPAIRMENT</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>1%</td>
</tr>
<tr>
<td>EMOTIONAL /BEHAVIORAL DISABILITY</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td>46%</td>
</tr>
<tr>
<td>OTHER HEALTH IMPAIRMENTS</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>SPECIFIC LEARNING DISABILITIES</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>29%</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL (Sum of all the above)</td>
<td>188</td>
</tr>
</tbody>
</table>

* DOC uses "Cognitive Disability" in place of "Mental Retardation"

Table 2 and Figure 1 show the total number of inmates as well as the number of inmates with a disability. There are a total of 1195 inmates without disabilities and 188 diagnosed with a disability or 14% of the total population of 1383 inmates in 2011.

Table 2

<table>
<thead>
<tr>
<th>INMATES IN WISCONSIN</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>188</td>
</tr>
<tr>
<td>DISABLED</td>
<td>1195</td>
</tr>
<tr>
<td>NON-DISABLED</td>
<td>1383</td>
</tr>
<tr>
<td>PERCENTAGE</td>
<td>14%</td>
</tr>
<tr>
<td></td>
<td>86%</td>
</tr>
</tbody>
</table>
Table 3 lists the number of students with disabilities enrolled in Wisconsin public schools in 2011. The DPI categorizes the data for each age, 18-21. 2011 census show 5383 students with disabilities.

<table>
<thead>
<tr>
<th>Disability</th>
<th>Age as of Data Collection Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18</td>
</tr>
<tr>
<td>Cognitive Disability</td>
<td>661</td>
</tr>
<tr>
<td>Speech or Language Impairment</td>
<td>73</td>
</tr>
<tr>
<td>Other Health Impairments</td>
<td>718</td>
</tr>
<tr>
<td>Specific Learning Disabilities</td>
<td>1612</td>
</tr>
<tr>
<td>Emotional/Behavioral Disability</td>
<td>562</td>
</tr>
<tr>
<td>Total (Sum of all the above)</td>
<td>3626</td>
</tr>
</tbody>
</table>
Table 4 shows a comparison of students and inmates with disabilities that was quite interesting. There was a sizable difference in students with Cognitive Disability at 9% of the total inmates and 28% of the students. The largest difference was between students with Emotional/Behavioral Disability, 15% and inmates at 46% of the total population of those with disabilities. See Figure 4. This researcher surmised that the percentage of inmates with Cognitive Disability is lower than the percentage of students because students included those that are wheelchair bound, and/or have severe disabilities that would prohibit them from committing crimes. The percentage of inmates with an Emotional/Behavioral Disability would be higher than that of students because of the nature of the disability. They would be more likely to commit crimes and be in the correctional system. The high percentage of inmates with Emotional/Behavioral Disability, 46% shown in Table 4, may have committed property crimes and possibly violent crimes because the number of crimes reported by the FBI for violent crime was 12864 cases while there were 117276 instances of property crimes.

<table>
<thead>
<tr>
<th></th>
<th>INMATES</th>
<th>STUDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18-21</td>
<td>18-21</td>
</tr>
<tr>
<td>COGNITIVE DISABILITY*</td>
<td>9%</td>
<td>28%</td>
</tr>
<tr>
<td>SPEECH OR LANGUAGE IMPAIRMENT</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>EMOTIONAL/BEHAVIORAL DISABILITY</td>
<td>46%</td>
<td>15%</td>
</tr>
<tr>
<td>OTHER HEALTH IMPAIRMENTS</td>
<td>15%</td>
<td>18%</td>
</tr>
<tr>
<td>SPECIFIC LEARNING DISABILITIES</td>
<td>29%</td>
<td>37%</td>
</tr>
</tbody>
</table>

* DOC uses "Cognitive Disability" in place of "Mental Retardation"
The FBI categorizes crime in two main major types of offenses, Violent Crime or Property Crime. Violent Crime: Murder, Forcible Rape, Robbery, Aggravated Assault, Property Crime; Burglary, Larceny-Theft, and Motor Vehicle Theft. See Figure 2 and Table 5.

**Figure 2**

**Table 5**

<table>
<thead>
<tr>
<th>FBI UNIFORM CRIME REPORTING STATISTICS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violent Crime Total</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>12864</td>
</tr>
</tbody>
</table>

A Comparison of Inmates and Students.

There were 188 inmates in the state of Wisconsin, diagnosed with special needs, aged 18-21 as of 2011. (Eggert, DOC, 2012), These inmates were divided into 5 categories, Cognitive Disability, Emotional/Behavioral Disability, Specific Learning Disability, Other Health
Impaired, Speech/Language. See Table 1. There may have been inmates with other disabilities that are currently incarcerated however the DOC does not categorize any other disabilities. Therefore for the purpose of this study these classifications were the only ones considered. The numbers of inmates with disabilities were divided into: Cognitive Disability, 17-9%; Emotional/Behavioral Disability, 86-46%; Specific Learning Disability, 55-29%; Other Health Impaired, 29-15%; Speech/Language, 1-1%. See Figure 3

![Figure 3]

The total number of inmates, with and without disabilities, in the state of Wisconsin, ages 18-21 total 1383. A total of 188 inmates were identified with disabilities and 1195 inmates were without disabilities. Thus 14% of inmates 18-21 had some form of disability. As was stated earlier, Emotional/Behavioral Disability at 46% and Specific Learning Disabilities at 29% were the most prevalent disabilities by percentage.

There were 6104 students in the state of Wisconsin receiving special education services (Wisconsin Department of Public Instruction 2011). This number reflects 5353 students after subtracting the disabilities that the Wisconsin DOC does not consider which are Orthopedic...
Impairments, Hearing Impairments, Visual Impairments, Deaf-Blindness, Multiple Disabilities, Autism and Traumatic Brain Injury. Students with disabilities fall into these categories: Cognitive Disability, 1501-28%; Emotional/Behavioral Disability, 801-15%; Specific Learning Disability, 2000-37%; Other Health Impaired, 973-18%; Speech/Language Impairment, 78-1%. See Figure 4.

The analysis of data comparing inmates and students receiving special education services is interesting because of the similarities as well as the differences when looking at the percentage of each category of disability in proportion to total population. Inmates with Speech or Language Impairment were exactly the same, with only a 3 point difference for Other Health Impairment. Specific Learning Disabilities showed an 8 point difference which was considered not significant. The largest differences were highlighted when looking at Cognitive Disability and Emotional/Behavioral Disability, with Cognitive Disability at 9% for inmates but 28% for students. This incongruence is most likely due to the fact that most students that are in high
schools are severely handicapped and are educable but not physically able to commit crimes.

See Figure 5.

The telling statistic is revealed within the category of Emotional/Behavioral Disability. 46% of inmates have been identified with this disability while only 15% of students in schools have been identified.
Chapter 5
Conclusions and Recommendations

This thesis, “Incarcerated Males with Disabilities; How Many Are There?” referenced the following: first, inmates have committed some form of voluntary act that broke some law. They were arrested, found guilty and their punishment was meted out by a judicial system that determined they be locked away. Second, the inmates have a disability, which for the purpose of this study was limited to Cognitive Disability, Speech and Language Impairment, Emotional/Behavioral Disability, Other Health Impairment and Specific Learning Disabilities. The question was asked regarding the number of inmates. Previous research indicated that people make choices and sometimes these choices are not in line with laws that govern society. People make choices based on varying factors and morals guiding their lives. These choices may have different outcomes for people with disabilities, including inmates with disabilities. Research has shown that it is difficult to increase a person’s intelligence but it is possible to change their adaptive behavior enabling them to make choices that are in line with laws of society, keeping them out of the judicial system of which there are currently 188 inmates in Wisconsin’s prisons. One of the most compelling observations of this research was that of the incongruity of students with EBD and inmates with this same disability. With students shown at 15% of those with EBD and inmates shown 46% of the total population, the indication is that people that have EBD are more likely to “act out” indicating a need to address educational settings, curricula dealing with this disability in a more effective manner, as well as the cost of housing each inmate at $18,800 per year.
Recommendations

Based on the data presented in this study it appears that education in the public school does prevent contact with the judicial system for some students with disabilities. Research is needed to take a closer look at what factors impact the difference between students with disabilities who are not incarcerated and those who are, including the training teachers have received and the curricula used. Do vocational curriculums, geared toward students give them self confidence and abilities needed to become a part of the workforce, therefore keeping the out of the judicial system? Would vocational training for those already incarcerated give inmates with disabilities the same ability to find a job allowing them to integrate back into society?

Proactive interaction among people with disabilities can have a positive effect on reducing the crime committed by them as juveniles and later on as adults. Research indicates that with proper support from family and the tools that the educational system could give them, individuals with disabilities have a better chance of getting through life, coping with demanding social pressures, and staying out of the correctional system.

Proactive interventions by teachers, schools, community leaders and mentors may be able to reduce the numbers of youth that may be inclined to commit crimes, keeping them from our penal system, saving the taxpayers millions of dollars yearly.

Society is confronted with a conundrum in the choice of spending money. Do we, as a society, become proactive or reactive when dealing with those students that are propelled toward a life behind bars? A reactive decision may lead to another person with disabilities incarcerated with services that are not geared to helping that person gain an education. One of the ways society can help to reduce the number of people with disabilities in prison is through proper education.
References


Wisconsin Department of Public Instruction (2011). *Report of Children with Disabilities Receiving Special Education* (Version OMB NO: 1820-0043) [Data file]. Retrieved from Email from Wisconsin Department of Public Instruction