

**Wisconsin Bureau of Child Support / UW Institute for Research on Poverty
2014–2016 Child Support Policy Research Agreement
Task 3A: County Performance and the Role of Incarceration**

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December 2018

The research reported in this paper was supported by the Child Support Policy Research Agreement between the Wisconsin Department of Children and Families and the Institute for Research on Poverty at the University of Wisconsin–Madison. Any views expressed in this paper are those of the authors and not necessarily those of the sponsoring institutions. The authors thank Maria Cancian and Emma Caspar for helpful comments; and Pat Brown, Yiyoon Chung, Steve Cook, Katherine Thornton, and Lynn Wimer for expert assistance assembling the original data.

County Performance and the Role of Incarceration

I. EXECUTIVE SUMMARY

This policy report focuses on the extent to which child support performance outcomes for individual counties in Wisconsin vary according to the extent to which payers are incarcerated, or have a recent history of incarceration. In particular, we estimate the extent to which differences in performance may be explained by differences in caseload characteristics, especially incarceration history. Results provide information about the implications of incarceration for Wisconsin's ability to meet federal performance targets for measures used to determine child support program effectiveness. Results also provide insight into factors associated with payment compliance and therefore provide information that may be helpful in county efforts to improve compliance measures.

This analysis accounts for the criminal justice system experience of incarcerated payers by examining how length of incarceration, number of prison spells, and post-release correctional supervision are related to child support arrears, payments, and compliance (calculated as the proportion of current child support owed that is paid). We use a difference-in-difference-in-difference analysis strategy on a sample of 5,022 fathers, and multiple regression and propensity score matching on a subsample of 1,520 fathers in Milwaukee County who were exposed to the policy of suspending child support orders during the period of incarceration. At the time of data collection, this policy, known as the Milwaukee Prison Project, was unique to Milwaukee County. The practice of proactively identifying noncustodial incarcerated parents and suspending child support orders was implemented on a broad scale in the county in April 2005. In the latter subsample, we find:

- Evidence that child support order suspension, defined as a temporary suspension of child support while an individual is incarcerated, is associated with a reduction in arrears (being behind on child support) both at the time of release and in the first year after release. This suggests that policymakers could develop structural programmatic changes in order to lower arrears and improve county child support performance outcomes;
- No evidence that suspension of payments increased the probability that an individual payment was made, the dollar amount of payments, or the proportion of the child support order that was paid at the first or second year after release from prison. This suggests that individual behavior was not affected by a suspension of payments;
- Evidence that post-release supervision is associated with both higher payment amounts and an increased probability that any payment is made in both the first and second years after release. We also find evidence that post-release supervision is positively associated with compliance in the second year after release. Post-release supervision is also associated with a host of factors that could affect compliance, including an increased likelihood of employment, and access to job programs and drug and family counseling. The increased child support payment compliance that we observe for those under post-correctional supervision could be the result of these other factors;¹ and
- Suggestive evidence that a suspension of payment orders for all incarcerated individuals would increase the current child support collections rate in Milwaukee County by approximately 12 to 15 percentage points.

II. POLICY CONTEXT AND RESEARCH

The incarceration rate in the United States has grown substantially since the 1970s (Pettit & Western, 2004; Western, 2006), increasing by roughly fivefold (Wildeman & Western, 2011).). By the end of 2016, approximately 1.3 million individuals were imprisoned in state correctional facilities (Carson, 2018). As incarceration has increased, so has the number of incarcerated parents. Between 1991 and 2007, the number of incarcerated parents in state prisons increased by 79 percent (from 413,100 to 686,000) with most of this growth occurring between 1991 and 1997 (Glaze & Maruschak, 2008). While there is no centralized source of information

¹Our analysis follows people two years past release and considers those who were not reincarcerated. Recent data released by the Wisconsin Department of Corrections suggest that approximately 25 percent of released individuals are reincarcerated in two years. Thus our effect can most aptly be considered a post-correctional supervision effect among those who are not reincarcerated in two years. We consider the potential implications of this selection process in the discussion.

regarding the parental status of incarcerated individuals, a 2007 survey conducted by the Bureau of Justice Statistics found that 53 percent of prisoners have at least one child under 18, and an estimated 1,427,500 children have at least one parent in prison (Glaze & Maruschak, 2008). Over half of incarcerated fathers in state prisons reported not living with their minor children in the month before their arrest or just prior to incarceration in 2004 (Glaze & Maruschak, 2008). This provides an indication of the extent to which incarcerated fathers owe child support. Incarcerated parents have little opportunity to earn income, and are thus typically unable to pay child support.

Some researchers and policymakers have suggested that in order to prevent the accumulation of arrears (past due child support), the child support orders of incarcerated parents should be suspended (Griswold & Pearson, 2005; U.S. Department of Health and Human Services, 2006). In 2016, 36 states allowed incarceration to be a rationale for child support modification (National Conference of State Legislatures, 2016). However, other states considered incarceration to be voluntary unemployment, and thus not eligible to be considered for child support modification (National Conference of State Legislatures, 2016).

In December 2016 the federal Office of Child Support Enforcement released new regulations on the treatment of child support for incarcerated payers. The Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs final rule requires that states must review, and potentially modify, child support orders when they become aware that the child support payer is incarcerated. In addition, as of December 2016, states may no longer consider incarceration to be voluntary unemployment. One of the stated goals of the rule is to increase regular child support payments and to reduce the risk of nonpayment, participation in the underground economy, and potentially reincarceration. States must be in compliance with the rule within one year after the state's next quadrennial review (for Wisconsin, this is 2021).

Although it is too early to evaluate any effects of this new rule, research on child support order modification has been conducted at the state and local level.

Child Support Arrears, Payments, and Compliance

Research has examined the magnitude of child support arrears owed by incarcerated payers. For example, using administrative data from the Division of Corrections and the Child Support Enforcement Administration for a random sample of 2,375 parents with an active child support case, Ovwigho, Saunders, & Born (2005) found that while incarcerated parents accounted for 13 percent of those with child support arrears in Maryland, their child support cases accounted for approximately 25 percent of the total statewide child support arrears (\$367 million). They also found that for currently incarcerated parents, the arrears average was \$22,048 compared to \$17,255 for formerly incarcerated parents, and \$9,392 for never-incarcerated noncustodial parents (Ovwigho, Saunders, & Born, 2005). More recent research indicates a similar difference in the magnitude of child support debt for incarcerated fathers compared to low-income fathers (Haney, 2018). Research has also shown that an accumulation of arrears may negatively affect post-incarceration child support compliance (Pearson, 2004; State of Washington Division of Child Support, 2003; U.S. Department of Health and Human Services, 2006b).

Researchers have also examined associations between suspending or reducing child support orders and outcomes such as the amount of child support paid following release. For example, “Families Forward,” implemented in Racine County, Wisconsin, reduced state-owed child support debt for noncustodial parents (the majority of whom had previously been incarcerated) by 50 percent, and also reduced debt owed to the custodial parent by 50 percent if the custodial parent agreed (Heinrich, Burkhardt, & Shager, 2011). Using a propensity score

matching approach, the researchers found that, compared to nonparticipating parents, noncustodial parents who participated in the program paid \$70 more per month in child support than they did during the period prior to their enrollment in the program (Heinrich, Burkhardt, & Shager, 2011).

A study conducted by the Hennepin County, Minnesota, Child Support Division and the Center for the Support of Families, Inc. (2003) examined incarcerated parents' willingness to cooperate with requests to provide information to review, and potentially modify, their child support order as well as their child support payments following release from prison. Of 102 noncustodial parents included in the project, 25 were released during the study period. While the authors noted that those who did not initiate child support modification proceedings found it difficult to comply with child support order post-release, they also noted that "these small samples are not sufficient to reach robust conclusions about payment patterns" (HCCSD & CSF, 2003, p. 12). Thus while the Hennepin County Project provides preliminary evidence that suspension of orders upon incarceration may produce positive payment outcomes, the sample size limits certainty.

The Colorado Compromise and Cooperation Project, implemented in two counties in Colorado (Denver County and Larimer County), was designed to develop and test procedures to facilitate child support compliance and reduce child support payment arrears (Davis, Thoennes, & Pearson, 2012). Formerly incarcerated individuals who had state-owed child support arrears were randomly assigned to an experimental or control group, and those in the experimental group were contacted to try to negotiate an agreement regarding payment of state-owed child support arrears. If they agreed to a negotiated payment plan, 25 percent of their arrears would be forgiven on entry to the program, and an additional 25 percent would be forgiven after six

months of compliance. Surprisingly, “the project did not improve payment behavior for members of the experimental group in a fundamental way such that arrears balances ceased to grow” (Davis, Thoennes, & Pearson, 2012, p. 55). Possible explanations for this failure included financial problems, unemployment, and low earnings.

However, an evaluation of the Milwaukee Prison Project conducted by Jennifer Noyes, Maria Cancian, and Laura Cuesta (2012) reached more optimistic conclusions about the benefits of modifying or suspending child support orders for incarcerated parents. Milwaukee County is the only county in Wisconsin that has proactively and systematically sought to modify the child support orders of incarcerated parents. Other Wisconsin counties may seek to modify child support orders, but not in a systematic or consistent way, and some do not modify them at all. These differing approaches create the opportunity for a quasi-experimental design that may be used to determine the effects of modifying or suspending child support orders for incarcerated parents on child support payments and the accrual of arrears post-release. The authors used a difference-in-difference-in-difference (DDD) strategy to compare differences in outcomes for incarcerated parents: (1) before incarceration and after release; (2) observed before and after the policy change; and (3) in Milwaukee County relative to the control counties. In addition to the DDD design, the authors used multiple regression to control for differences in the characteristics of those incarcerated in Milwaukee County compared to the control counties, as well as propensity score matching to adjust for differences between those who had their orders suspended in Milwaukee County and those who did not. The authors found that the Milwaukee Prison Project reduced child support arrears through structural programmatic changes, since incarcerated parents did not have child-support debt accruing during imprisonment. They found lower arrears both at the time of prison exit as well as one year after release, relative to

incarcerated parents who were not in the treatment group. However, there was no evidence of individual-level changes in payment behavior or compliance between those who did and did not have their orders suspended within Milwaukee County. A follow-up report examined four-year outcomes for the same cohorts of incarcerated fathers examined in the 2012 report, using the same analytical strategy, with similar findings (Noyes, Cancian, Cuesta, & Salas, 2017). Thus, the positive program outcomes seem largely to have resulted from structural changes rather than from any changes in individual behavior.

III. SCOPE AND METHODS

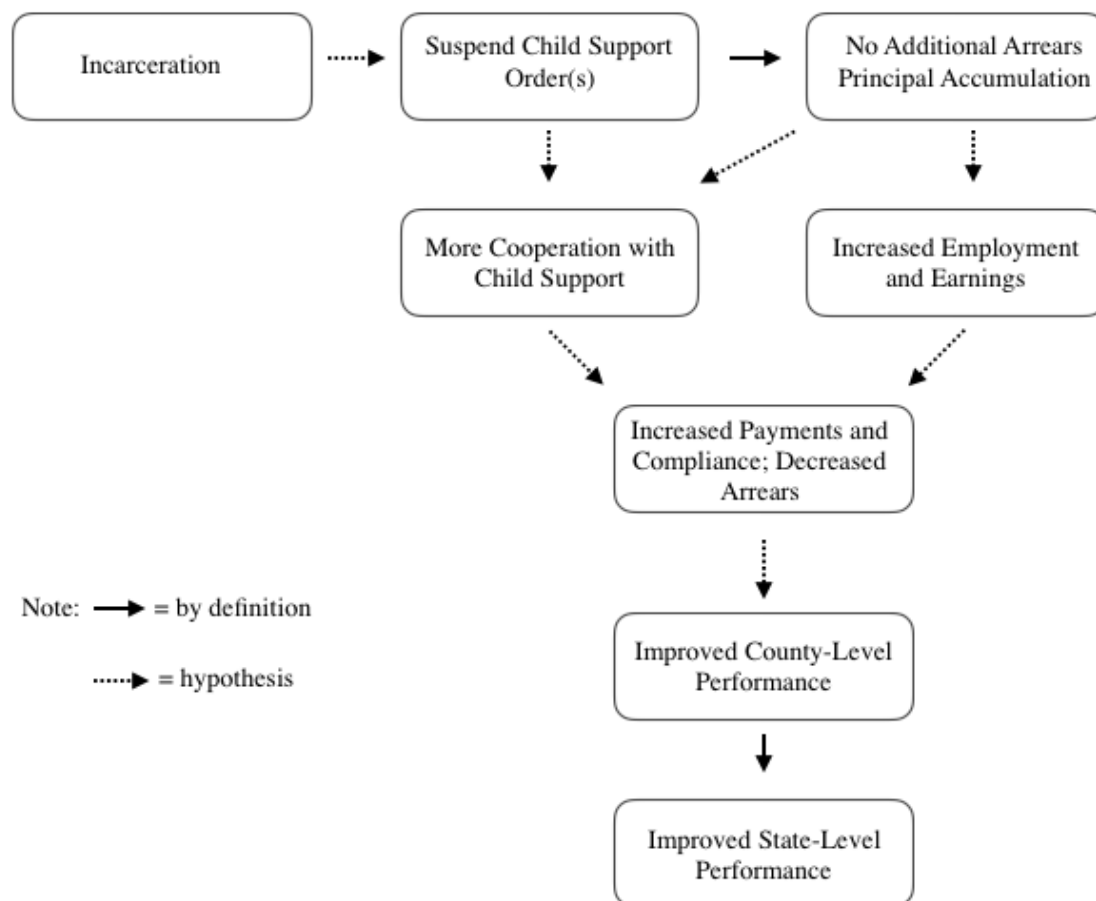
Our report extends analyses completed by Noyes and colleagues on the Milwaukee Prison Project as follows:

- 1) We place an emphasis on features of criminal justice system contact for payers. In particular, we examine correctional supervision—both whether the payer released from prison is subject to correctional supervision, and the duration of that supervision. Such factors are important to examine because those who are supervised may behave differently with regard to the payment of child support, in part because of the additional employment and counseling resources directed to those who are under post-release supervision. We also consider associations between experiencing more than one prison spell, and arrears, payments, and compliance (child support paid as a percentage of the order amount).
- 2) Child support payment and compliance at the individual level for formerly incarcerated payers in the post-release period are used to infer county performance.

This project speaks to the relationship between suspending child support orders at the individual level, child support performance at the county level, and the receipt of federal incentive payments. Furthermore, by accounting for the role of correctional supervision, we can further isolate the potential effects of suspending child support orders on child support payment patterns, and, by extension, on county performance.

Figure 1 illustrates the theoretical path of an incarcerated child support payer in Wisconsin who has their child support order suspended. A direct effect of suspending a child support order is no additional accumulation of arrears. Potential effects of suspending a child support order in the post-release period include more cooperation with child support. Such effects would likely increase child support payments and compliance, and thus decrease arrears. In turn, county-level child support performance should improve, which would then raise state-level performance.

Figure 1. Conceptual Model Illustrating the Suspension of Child Support Orders for Incarcerated Parents and Possible Outcomes



Data and Measures

We use data drawn from the Multi-Sample Person File (MSPF) integrated data system constructed at IRP, including data from the Kids Information Data System (KIDS), Unemployment Insurance data; and the Department of Corrections Master Records system of offenders under control. We also use the Milwaukee County Jail inmate information system. Information regarding those fathers who enrolled in the Milwaukee Prison Project was provided by the Milwaukee County Department of Child Support Enforcement. The key outcomes measured in this analysis are arrears, whether and how much child support is paid, and compliance (child support paid as a proportion of the order amount).

Child support arrears

We measure both whether arrears are owed (a dichotomous variable), and the total amount owed (a continuous variable). Arrears are measured at three different points: at the beginning of the incarceration period (the first month of the quarter in which the father was admitted to prison), the end of the incarceration period (the last month of the quarter in which a father was released), and one year following release (the last month of the fourth quarter following release). We differentiate between total arrears owed (principal plus interest) and principal only. In both cases, the amounts include arrears owed to both the state and the custodial parent.

Child support payments and child support compliance

Measures of child support payments and compliance use the same reference points: the year prior to incarceration (five to two quarters prior to incarceration), the first year (one to four quarters following the first full quarter after release), and second year (five to eight quarters following release). For payments, we employ a measure indicating any payment (a dichotomous

variable), and a continuous measure of the magnitude of the payments. Compliance is a continuous measure of the percentage of the order paid. Payments in excess of the amount due are viewed as fully compliant, represented by a 100 percent compliance rate. Therefore, compliance ranges from 0 to 100 percent.

Control variables

In addition to indicators for pre-/post-incarceration status, county, and cohort, we control for father's education at time of prison release; father educational improvement between prison admission and prison release; age, race, and marital status at release; number of mothers and children at release; the age of the youngest child at release; length of incarceration in years; and number of prison spells. To capture information on the post-incarceration experience with regard to correctional system contact, we also created a measure of correctional supervision following release from prison. This measure indicated whether a father would have no post-release supervision, up to and including one year of supervision, or more than one year of supervision.

County Child Support Performance Data

Information provided by the Wisconsin Child Support Performance Dashboard available from the Wisconsin Department of Children and Families is used to measure county child support performance. This dashboard provides county performance information for counties as far back as 2006 for the following areas: court order establishment rate; current child support collection rate; paternity establishment rate; and arrears collection rate. We consider our findings against these data to consider areas or polices where counties could improve child support collection rates and arrears collection rates. We also estimate the potential impact of the suspension of support orders for all incarcerated individuals on the current child support collection rate.

Cohort Timing and Sample

Outcomes for two cohorts of incarcerated noncustodial fathers are examined in this report:

- 1) Cohort 1. Individuals in this cohort entered prison between January 1998 and December 2002, and were released from prison between January 2003 and December 2005, before the policy of holding child support orders open was implemented in Milwaukee County.
 - 2) Cohort 2. Individuals in this cohort entered prison between January 2001 and December 2005, and released from prison between January 2006 and December 2008, and were therefore potentially exposed to the new policy of suspending child support orders. Table 1 provides information on the time frames selected for each of the two cohorts up to the end of the second year after release.
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- 2) Cohort 2. Individuals in this cohort entered prison between January 2001 and December 2005, and released from prison between January 2006 and December 2008, and were therefore potentially exposed to the new policy of suspending child support orders. Table 1 provides information on the time frames selected for each of the two cohorts up to the end of the second year after release.

Table 1. Timing of Incarceration and Release for Research Sample

	Cohort 1	Cohort 2
Enter Prison	1/98–12/02	1/01–12/05
Release Date	1/03–12/05	1/06–12/08
First Year Post-Release Ends	1/04–12/06	1/07–12/09
Second Year Post-Release Ends	1/05–12/07	1/08–12/10

Within each cohort, child support cases associated with the noncustodial father have been separated into Milwaukee County cases and control county cases, which are located in counties that do not make a proactive effort to inform incarcerated noncustodial fathers that their orders can be modified due to incarceration. Table 2 provides information on the sample, and Figure 2 shows treatment type by county. It should be noted that while there is a one year overlap in the

two cohorts in 2005, an incarcerated payer serving a single sentence could not have been included in both cohorts. This is because individuals released in 2005 did not participate in the program, since the time remaining on their sentence was inadequate for enrollment relative to the April 2005 policy implementation date.

Table 2. Analytic Sample of Fathers Meeting Eligibility Criteria

	Milwaukee County (n = 1)	Control Counties (n = 59)	Total (N = 60)
Cohort 1	1,345	1,009	2,354
Cohort 2	1,520	1,148	2,668
Total	2,865	2,157	5,022

Figure 2. Map of Wisconsin Showing Child Support Case Treatment Type

Table A1 (see Appendix A) shows that some child support cases handled by counties



with mixed policies regarding the suspension of payment for incarcerated payers have been included in the treatment group, and others in the control group. This is because when a child support case is handled by a county with mixed policies regarding child support suspension for incarcerated payers but the individual is imprisoned in Milwaukee County, it is recorded as being in the treatment group. Conversely, when individuals have their child support case handled by a county with mixed policies but they are imprisoned in a control county, it is recorded as being in the control group. For our analysis this means that where the individual was incarcerated is the

determining factor for whether they are included in the treatment or the control group. This approach is consistent with prior reports completed by IRP.

Sample Characteristics

Table 3 displays the characteristics of fathers in Milwaukee County and control counties for each cohort as well as descriptive information about arrears, child support payments, and compliance. Relative to other counties, fathers in Milwaukee County are more likely to be African American, less educated, have never married, have more children, and have more female partners with whom they have a child under 18 years of age. Within Milwaukee Cohort 2, those in the treatment group (who had their child support order suspended) are more likely to be African American, have not obtained level a high school level of education at time of prison release, never have been married, have more children under 18 years of age at the time of release, have more female partners with whom they have a child under 18 years of age, have spent longer incarcerated, and spend longer under post-release supervision.

Table 3. Descriptive Statistics

	Cohort 1		Cohort 2		Milwaukee Cohort 2			
	Milwaukee County	Control Counties	Milwaukee County	Control Counties	Not Treated	Treated		
Age of Father at Release								
18–24	10.5%	13.8%	10.1%	10.2%	11.2%	7.6%		
25–29	24.6	23.4	24.9	26.4	23.2	28.4		
30–34	25.6	19.7	27.2	22.7	25.8	30.3		
35+	39.3	43.1	37.8	40.8	39.8	33.8		
Race/Ethnicity of Father								
			***		***			***
White	11.7%	60.0%	11.4%	57.8%	14.0%	6.0%		
Black	80.1	27.3	79.7	30.6	76.9	85.8		
Hispanic	7.0	6.0	7.8	5.8	8.2	6.8		
American Indian	1.0	6.3	0.8	5.2	0.8	0.8		
Others	0.2	0.3	0.3	0.6	0.2	0.6		
Education Level at Release								
			**		***			***
Less than High School	48.9%	38.0%	47.1%	34.8%	45.1%	51.4%		
High School	37.7	49.0	39.0	51.3	39.9	37.0		
At Least Some								
College/Vocational	9.0	11.1	9.1	11.4	8.8	9.7		
Missing	4.4	1.8	4.9	2.4	6.3	1.9		
Education Improvement between Incarceration and Release								
					*			
No Improvement	79.3%	80.0%	74.0%	77.8%	73.6%	74.7%		
Improvement	20.7	20.0	26.1	22.3	26.4	25.3		
Marital Status								
			***		***			***
Never Married	85.2%	58.9%	85.3%	65.4%	83.6%	88.9%		
Divorced	14.8	41.1	14.7	34.6	16.4	11.1		
Number of Children (Under 18) at Release								
			***		***		***	***
1	27.9%	39.4%	29.1%	42.0%	30.5%	26.1%		
2	28.0	32.3	28.6	31.5	29.2	27.4		
3	20.1	16.1	18.6	15.2	18.8	18.3		
4+	24.1	12.3	23.7	11.3	21.6	28.2		
Age of Youngest Child at Release								
			***					*
<1	7.1%	4.6%	3.0%	2.6%	4.3%	0.4%		
1–2	14.7	10.5	13.0	11.8	13.6	11.7		
3–4	17.1	20.1	19.5	17.8	19.1	20.4		
5–8	27.3	28.9	31.3	33.1	28.6	36.8		
9+	33.8	35.9	33.2	34.8	34.4	30.7		
Number of Mothers with Whom the Father Had a Child Under 18 at Release								
			***		***			***
1	46.8%	60.3%	45.5%	62.9%	48.1%	39.9%		
2	32.3	29.0	31.2	25.9	31.4	30.1		
3	12.2	7.3	12.8	6.3	13.0	12.6		
4+	8.6	3.4	10.5	5.0	7.5	16.9		
Years Incarcerated								
			*		*			***
<1	12.2%	9.1%	11.8%	13.2%	16.6%	1.4%		
1	33.8	35.6	35.2	35.7	40.5	23.9		
2	26.5	25.1	23.8	25.0	21.2	29.2		
3	13.9	14.6	14.7	13.6	11.4	21.6		
4–5	12.3	13.4	13.2	10.7	9.3	21.6		
6+	1.3	2.3	1.4	1.8	1.0	2.3		
Number of Prison Spells								
			**		**			
1	85.1%	88.1%	86.8%	89.6%	86.5%	87.7%		
2	14.9	11.9	13.2	10.5	13.5	12.4		
Years of Post-Release Supervision								
					***			***
None	3.6%	0.8%	4.0%	2.0%	4.5%	3.1%		
Up to 1 Year	10.2	10.0	6.8	5.8	8.5	3.1		
More than 1 Year	86.2	85.5	89.2	92.2	87.0	93.8		

(table continues)

Table 3, continued

	Cohort 1			Cohort 2			Milwaukee Cohort 2	
	Milwaukee County	Control Counties		Milwaukee County	Control Counties		Not Treated	Treated
Total Arrears								
Pre-Incarceration	\$21,028	\$16,821	***	\$24,595	\$18,650	***	\$24,381	\$25,049
At release	32,161	26,939	***	33,432	27,492	***	33,108	34,120
At First Year after Release	35,468	28,554	***	35,676	29,135	***	35,679	35,669
Principal Only Arrears								
Pre-Incarceration	\$15,860	\$12,547	***	\$17,969	\$13,832	***	\$17,631	\$18,691
At Release	22,572	19,042	***	22,394	19,209	***	22,407	22,366
At First Year after Release	24,123	19,347	***	23,024	19,451	***	23,275	22,490
Payments								
Pre-Incarceration	\$729	\$1,819	***	\$710	\$1,626	***	\$758	\$608
At First Year after Release	887	2,191	***	961	1,989	***	984	912
At Second Year after Release	942	2,064	***	962	1,981	***	979	924
Compliance								
Pre-Incarceration	17%	34%	***	16%	35%	***	17%	13% **
At First Year after Release	22	48	***	26	46	***	26	26
At Second Year after Release	24	46	***	26	45	***	26	26
<i>N</i>	1,345	1,009		1,520	1,148		486	1,034

Note: * $p < .10$; ** $p < .05$; *** $p < .01$.

With regard to payments and compliance, fathers in Milwaukee County generally have higher arrears, lower payment amounts, and less child support compliance compared to those in the control counties. Within Milwaukee Cohort 2, those who had their child support order suspended were less compliant with child support prior to incarceration than were those who were not treated.

Analytic Approach

We use a difference-in-difference-in-difference (DDD) strategy identical to that used by Noyes, Cancian, and Cuesta (2012) whereby we compare differences in outcomes for incarcerated parents (1) before incarceration and after release, observed (2) before and after the policy change, as observed in (3) Milwaukee County relative to the control counties. For the DDD analysis, the independent variable is cases that are eligible for treatment. In addition to the DDD strategy, we use multiple regression to control for observed differences in the characteristics of those in Milwaukee County Cohort 2 who did or did not have their child support order suspended, as well as propensity score matching to adjust for differences in

selection into child support order suspension. Propensity models use observed covariates and matching techniques with the aim to create two identical samples, save the “treatment” experience. For the purposes of our analytical approach, the propensity models aim to create two identical groups, who differ only in their participation in the Milwaukee Prison Project and child support order suspension. This allows for a direct assessment of the impact of the Milwaukee Prison Project and child support order suspension on payment outcomes. In both the multiple regression analysis and the propensity score matching analysis, the focal independent variable is a dichotomous variable indicating participation in the Milwaukee Prison Project child support modification process.

IV. RESULTS

We are interested in whether suspending child support orders during incarceration has an effect on post-incarceration child support arrears, child support payments, and compliance (child support payments as a percentage of orders). In this section we discuss the results of our empirical analysis. In addition to reporting results regarding the significance of the key independent variable for each model estimation, we provide information on the significance of variables that capture information about the experience of criminal justice system contact. These variables are incarceration length, number of prison spells, and post-release supervision.

Arrears

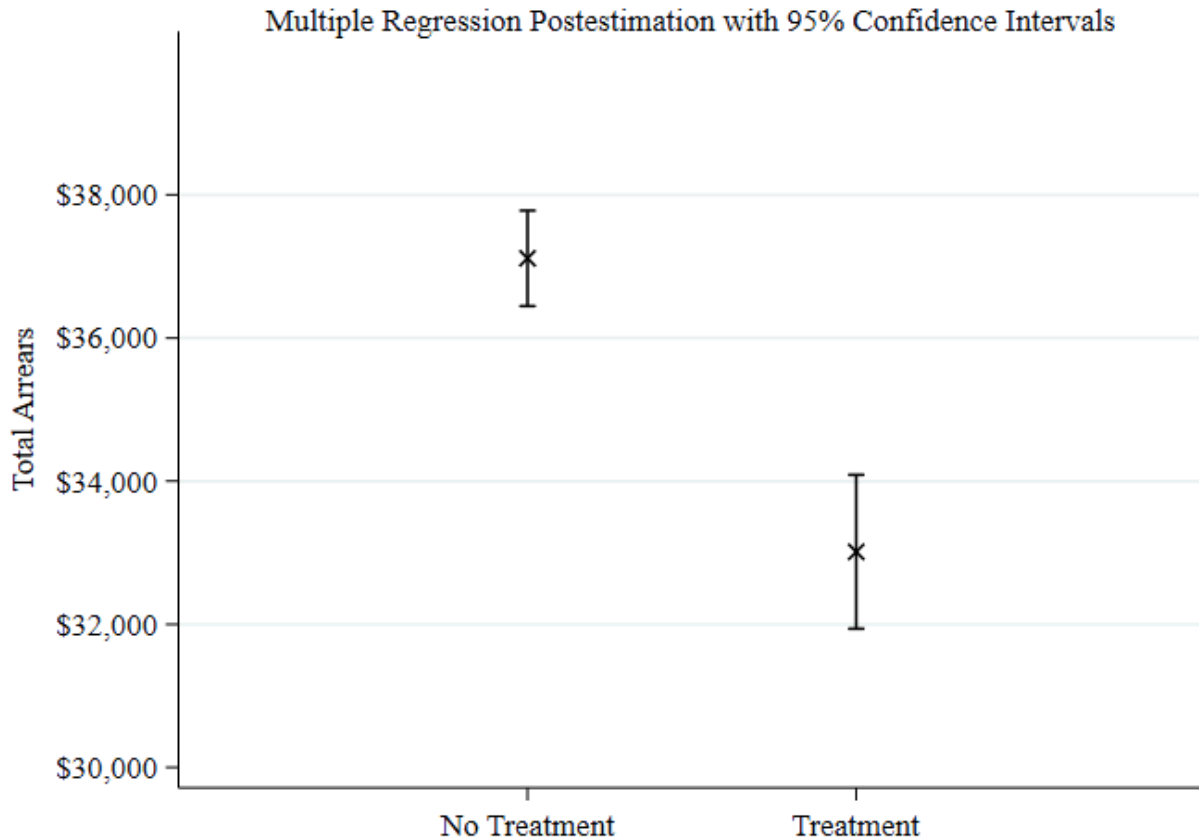
Table 4 shows the results of the analysis for arrears. For the DDD analysis, the independent variable is statistically significant for principal arrears (only) at one year after release from prison. Substantively, this means that incarcerated individuals who were eligible for treatment are estimated to accumulate \$2,016 less in principal arrears at one year after release

than individuals who were not eligible for treatment. Both the multiple regression and the propensity score matching analyses indicate that participation in the Milwaukee Prison Project reduced arrears (both total arrears and principal only). At the time of prison release, fathers who participated in the program are estimated to have owed \$3,079 less in total arrears than those who did not participate, and at one year after release from prison they owed \$4,100 less in total arrears than those who did not participate. Figure 3 shows the results of multiple regression examining associations of participation in the Milwaukee Prison Project (treatment) compared to no participation (no treatment) on total arrears at one year after release with 95 percent confidence intervals. This figure indicates that those who participated in the Milwaukee Prison Project (treatment) had predicted lower total arrears at one year after release compared to those in Milwaukee County who did not participate in the project. The propensity score matching results indicate that at the time of prison release, all else equal, fathers who participated are estimated to have owed \$2,738 less in total arrears than those who did not participate, and one year after release they owed \$3,825 less in total arrears than those who did not participate.

Table 4. Arrears

	Full Sample		Milwaukee County Cohort 2		
	DDD		Multiple Regression	Propensity Score Matching (PSM)	
Total Arrears at Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	-\$1,038		-\$3,079	***	-\$2,738 ***
Incarceration Length	-352	*	3,607	***	
Two Prison Spells	11,165	***	-619		
Total Arrears at First Year of Exit					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	-\$2,092		-\$4,100	***	-\$3,825 ***
Incarceration Length	-701	***	3,561	***	
Two Prison Spells	6,905	***	-1,094		
Principal Only at Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	-\$1,181		-\$2,265	***	-\$2,166 ***
Incarceration Length	-281	**	1,670	***	
Two Prison Spells	6,404	***	-1,065		
Principle Only at First Year of Exit					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	-\$2,016	*	-\$2,846	***	-\$2,798 ***
Incarceration Length	-546	***	1,516	***	
Two Prison Spells	4,031	***	-1,583	***	
<i>N</i>	10,044		1,520		1,520

* $p < .10$; ** $p < .05$; *** $p < .01$.

Figure 3. Total Arrears One Year after Release by Treatment

We observe two additional important findings with regard to criminal justice system experience. First, the DDD results indicate that experiencing two prison spells is associated with an increase in the amount of arrears due, both principal only and total arrears and this relationship is strongest for fathers at the time of prison release. For example, at time of release the total arrears owed by fathers who experience two prison spells is \$11,165 larger than those who experience one prison spell. However, by the end of the first year of prison exit, total arrears for those with two prison spells is only \$6,905 higher than for those with one prison spell. Second, and not surprisingly, incarceration length is associated with a larger amount of arrears owed, both total and principal only. This provides evidence that the prison system and child

suspension policies can affect payment compliance. Those incarcerated more often or for greater duration *without* a suspension or payment have more payment debt.

Payments

Table 5 shows the results of the analysis for child support payments. Results from the DDD analysis indicate a 58 percent greater likelihood that a child support payment would be made in the first year following release from prison for cases eligible for the Milwaukee Prison Project. However, there is no statistically significant association between being eligible for child support order suspension and the payment amount in either the first or second year after release. Therefore, while eligibility is associated with an increase in the likelihood of any payment being made, it is not associated with an increase the payment amount.

Table 5. Child Support Payments

	Full Sample		Milwaukee County Cohort 2		
	DDD		Multiple Regression		Propensity Score Matching (PSM)
Any Payment in First Year after Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	1.58	**	0.91		-0.01
Incarceration Length	1.04	**	1.08	*	
Two Prison Spells	0.97		0.94		
Up to One Year of Post-Release Supervision	1.32	**	1.47		
One to Two Years of Post-Release Supervision	1.88	***	2.43	***	
Any Payment in Second Year after Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	1.26		0.95		0.01
Incarceration Length	1.04	**	1.23	***	
Two Prison Spells	0.80	**	0.90		
Up to One Year of Post-Release Supervision	1.22		1.47		
One to Two Years of Post-Release Supervision	1.68	***	1.92	**	
Amount Paid in First Year after Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	\$81		-\$49		\$9
Incarceration Length	6		62		
Two Prison Spells	-38		79		
Up to One Year of Post-Release Supervision	283	***	13		
One to Two Years of Post-Release Supervision	679	***	521	***	
Amount Paid in Second Year after Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	-\$84		-\$5		\$122
Incarceration Length	-13		78		
Two Prison Spells	-368	***	51		
Up to One Year of Post-Release Supervision	237	**	-49		
One to Two Years of Post-Release Supervision	600	***	364	*	
<i>N</i>	10,044		1,520		1,520

* $p < .10$; ** $p < .05$; *** $p < .01$.

However, our regression results indicate that actual participation in the Milwaukee Prison Project (not just eligibility) is not associated with individual payment behavior, either in terms of making any payments or amounts of payments; none of the coefficients are statistically significant.

When we consider the role of criminal justice experiences on support payments, post-release supervision (such as parole or work release) emerges as an important explanatory variable in both the DDD analysis and the regression analysis. We controlled for the length of post-release supervision in the models for both the first year after release and for the second year after release. Recognizing that future (year two) correction supervision may affect current (year one) payment behavior, we extended our supervision measure out multiple years.

Our results support this supposition. The DDD analysis results indicate that for post-release supervision in year two (compared to no supervision in that year), there is an 88 percent greater likelihood that any child support payment is made in the first year of release from prison. The DDD results also show that for individuals under post-release supervision in year two, there is a 68 percent greater likelihood that any child support payment would be made in the second year after release. Being under post-release supervision in the second year after release is also associated with a \$679 increase in payment during the first year after release, and a \$600 increase during the second year after release.

The multiple regression analysis results indicate that for post-release supervision in year two, there is a 143 percent greater likelihood that any child support payment is made in the first year after release (Table 5, multiple regression model, coefficient 2.43). For post-release supervision in year two, there is a 92 percent greater likelihood that any child support payment would be made in the second year after release. Being under post-release supervision in the

second year after release is estimated to be associated with an increase in the first year after release payment amount of \$521 and an increase of \$364 in the second year after release. In the concluding section we discuss the implications of our findings on the relationship between post-release supervision and payment of child support, including how factors such as employment may affect these findings.

The propensity score matching results indicate no statistically significant association between participation in in the Milwaukee Prison Project and probability of any payment at either the first or second year after release.

Compliance

Table 6 shows the results of the analysis for compliance (the percentage of the current child support order that is paid). The DDD analysis results indicate that being eligible for child support modification is associated with an 8 percent increase in compliance in the first year after release, and a 6 percent increase in compliance in the second year. However, the multiple regression results and the propensity score matching analysis do not suggest a significant association between participation in the Milwaukee Prison Project and child support compliance.

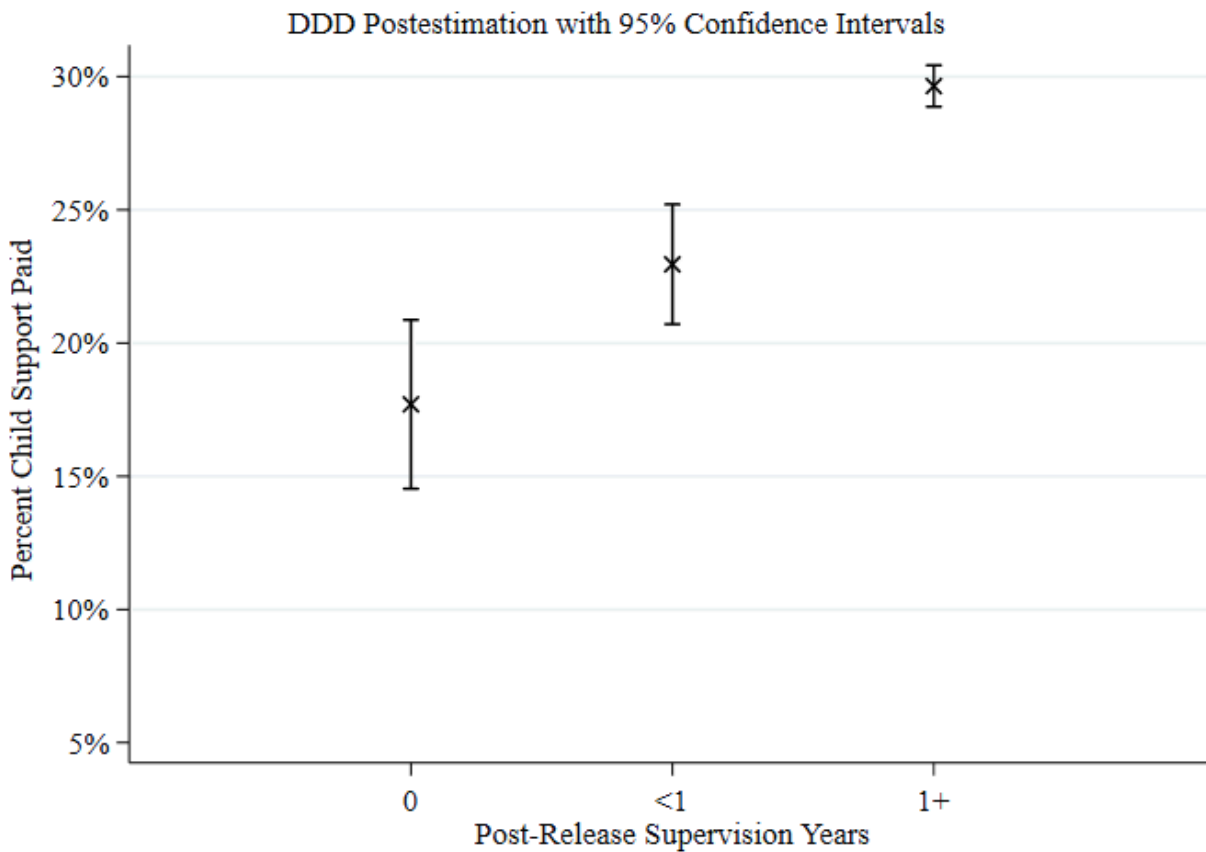
Table 6. Compliance

	Full Sample		Milwaukee County Cohort 2		
	DDD		Multiple Regression		Propensity Score Matching (PSM)
Compliance in First Year After Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	8%	***	1%		1%
Incarceration Length	1	***	3	***	
Two Prison Spells	-2		3	***	
Up to One Year of Post-Release Supervision	6	***	-1		
One to Two Years of Post-Release Supervision	13	***	7		
Compliance in Second Year After Release					
Milwaukee Cohort Two (DDD) or Participation in Milwaukee Prison Project (Multiple Regression and PSM)	6%	**	0%		3%
Incarceration Length	0		2	*	
Two Prison Spells	0		2	*	
Up to One Year of Post-Release Supervision	5	***	-2		
One to Two Years of Post-Release Supervision	12	***	9	**	
<i>N</i>	10,044		1,520		1,520

Notes: * $p < .10$; ** $p < .05$; *** $p < .01$. Compliance is child support paid as a proportion of order amount.

Among eligible cases, up to two years of post-release supervision (such as parole or work release) is associated with a 13 percent increase in compliance in the first year after release, and a 12 percent increase in the second year after release. Figure 4 shows the results of the DDD analysis examining the relationship between eligibility for the Milwaukee Prison Project and compliance in the second year after release, by post-release supervision status. The figure indicates that those who were eligible for the Milwaukee Prison Project (treatment) were predicted to be most compliant at the second year of prison exit if they were exposed to at least one year of post-release supervision.

Figure 4. Compliance at Second Year After Release for Eligible Cases By Post-Release Supervision Status



The multiple regression results indicate that experiencing two prison spells is associated with increased child support compliance by 3 percent in the first year after release, and by 2 percent in the second year after release. Experiencing one to two years of post-release supervision is also associated with a 9 percent increase in child support compliance in the second year after release.² The propensity score matching results indicate no statistically significant

²We directly tested the impact of earnings and employment on the association and the results were not consistent. Effects were significant in some models, but not others, suggesting that the employment counseling support that may accompany post-release supervision could be important. We also find that those on post-release supervision are slightly more likely to be employed than those released without supervision.

association between participation in in the Milwaukee Prison Project and compliance in either the first or second years after release.

County-Level Performance Effects

To illustrate how suspension of child support orders for noncustodial incarcerated payers may affect county-level, and ultimately state-level, child support performance, we estimate the expected effects of full implementation of this policy in Milwaukee County on the current child support collection rate, one of the federal performance indicators used to assess the effectiveness of state child support programs. To do this, we use MSPF data on Milwaukee County child support orders and collections, data from our Cohort 2 sample of 2,668 fathers, and estimates from Milwaukee County staff that between 6,000 and 7,000 incarcerated noncustodial parents in Milwaukee County have child support orders at any given time (Noyes et al., 2012). We thus calculate that suspending child support orders for all incarcerated payers in Milwaukee County, would increase that county's current child support collection rate (currently 65 percent) by approximately 12 to 15 percentage points. While this calculation provides only a rough estimate, it does suggest that full implementation of a child support order suspension policy would substantially improve current child support collection performance both in Milwaukee County and statewide.³

³Note that we use MSPF data on overall Milwaukee County orders and collections from 2007, while our Cohort 2 data are from the year prior to incarceration, which could be any 12-month period from 2000 through 2005. Since we only have data from this study on the 1,520 Milwaukee County fathers who met data availability and program eligibility criteria, we assume both that the Milwaukee County estimate of 6,000 to 7,000 incarcerated noncustodial parents is correct, and that the order and payment amounts for the 1,520 fathers in our sample are representative of those for all incarcerated noncustodial parents in Milwaukee County.

V. SUMMARY AND DISCUSSION

We have examined associations between child support arrears, payments, and compliance, and accounted for the criminal justice system experience of payers with regard to the length of incarceration, number of prison spells, and length of post-release supervision. Similar to previous reports completed by IRP, we have done so by using a difference-in-difference design on a sample of 5,022 fathers, and by estimating results using multiple regression and propensity score matching on a subsample of 1,520 fathers in Milwaukee County Cohort 2. The DDD models include information on whether an individual was *eligible* for treatment (child support order suspension) through the Milwaukee Prison Project, while the multiple regression and PSM models include information on whether an individual actually had their child support order suspended while incarcerated. Because information on the effect of treatment (not merely intent-to-treat) is particularly pertinent, this summary section focuses on the results of estimating the multiple regression and PSM models. For fathers in Milwaukee County Cohort 2, we find:

- Evidence that child support order suspension is associated with a significant reduction in both principal only and total arrears (past due child support), both at the time of release and at one year after release. We also find evidence that incarceration length is positively associated with arrears (both principal only and total) both at the time of release and one year later.
- No evidence that child support order suspension significantly increased either the probability that a child support payment was made or the dollar amount of payments, either in the first or second year after release. Thus, treatment is not associated with individual payment behavior. However, among those who were not reincarcerated and remain on probation for two years, we find evidence that correctional supervision— independent of child support order suspension—is associated with both higher payment amounts and an increased probability that any payment was made in both the first and second years after release.
- That while suspensions do not affect individual payment behavior, the cumulative effect of the suspension of payment orders for incarcerated payers would likely have an impact on county performance measures. More specifically, suspending payment orders for

incarcerated individuals could increase Milwaukee County's current child support collection rate by approximately 12–15 percentage points.

- Suspending payments for incarcerated individuals would not substantially reduce total arrears due for Milwaukee County or statewide—we estimate a decrease of less than 0.5 percent.

Thus, child support order suspension appears to reduce overall amount owed (arrears) but this effect is comparatively minor (approximately \$3,000), and does not modify individual-level payment compliance (child support paid as a percentage of the order amount). While child support suspension appears to have little impact on total arrears, some of the findings on the incarceration experience of noncustodial incarcerated payers may prove useful to policymakers and have potential implications for county performance. In particular, when we examine outcomes in the second year after release for fathers in Milwaukee County who had their child support orders suspended, remaining on post-release supervision is associated with increased probability that any payment will be made, an increase in the amount paid, and increased compliance.

Such a finding needs to be contextualized in at least three ways. First, while employment is a challenge for individuals post release, the data suggest that those on post-release supervision are slightly more likely to be employed than those released without supervision. Employment and earnings are associated with payment compliance. Second, relative to those who are released unconditionally, those who remain on supervision have greater access to family, drug, and employment counseling, all of which are likely to be associated with increased compliance.

Third and finally, because of how our sample was selected, these results may not be generalizable to a larger population. Because our analysis is based on individuals who were not reincarcerated, our effect is best interpreted as *the association between post-correction supervision and compliance for those who remain released*. People who were reincarcerated may

differ in some ways that affect payments, but we anticipate such differences would not alter our key findings for at least two reasons. First, individuals who were incarcerated and those who remained released looked comparatively similar. For instance, across these two groups there are very small race differences and/or differences in offense history, with property offenses being an outlier. More importantly, a significant number of our remaining sample will likely be reincarcerated in subsequent years after release (three and beyond) and therefore our estimates are capturing some of the impact among those who return to prison. Furthermore, recent data released by the Wisconsin Department of Corrections suggests that approximately 25 percent of released individuals will be reincarcerated in two years, and moreover that post-release supervision increases the likelihood of reincarceration (Tatar & Jones 2016). Thus, all else equal, any increase in the use of post-release supervision will result in a rise in incarceration.

Before concluding, we consider the implications of our analysis for policymakers looking to improve overall child support compliance. In particular, the analysis suggests a clear link between correctional policies and payment compliance and arrears. Yet the results from the analysis are nuanced and thus policy considerations are multi-dimensional. On the one hand, our results suggest that compliance with the 2016 Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs requirements on payment suspension will reduce arrears, which remains a pressing issue facing Wisconsin. Currently in Wisconsin, less than 30 percent of counties meet the state standards for arrears rate. Moreover, according to the most recent data the largest counties—Milwaukee and Dane—face some of the greatest challenges, with arrears rates of 59 and 65 percent respectively. Our results clearly suggest that counties can decrease arrears with payment modifications that are consistent with the 2016 regulations.

On the other hand, our findings appear particularly relevant for Wisconsin counties, where only one-third of counties meet state benchmarks for payment compliance. Milwaukee County has the lowest compliance rate in the state, followed by Racine and Rock Counties, all of which are significantly below state benchmarks. Our results suggest that a suspension of payment orders can produce meaningful improvements in county and statewide compliance performance. Such findings also provide reason to continue to look for other policy changes or innovations that might increase payment compliance while being sensitive to the financial importance of timely payments.

Table A.1. County of Imprisonment

County Where Child Support Case is Handled	Control Counties (Father is in control group)	Milwaukee County (Father is in treatment group)	Total
Adams	9	0	9
Ashland	16	0	16
Barron	15	0	15
Bayfield	1	0	1
Brown	160	15	175
Buffalo	6	0	6
Calumet	17	1	18
Chippewa	38	0	38
Clark	9	0	9
Crawford	6	1	7
Dane	366	22	388
Dodge	38	5	43
Door	14	1	15
Douglas	19	0	19
Dunn	12	0	12
Eau Claire	64	0	64
Florence	1	0	1
Fond du Lac	77	2	79
Forest	11	0	11
Grant	13	0	13
Green	6	2	8
Green Lake	11	1	12
Iowa	8	0	8
Jefferson	42	1	43
Juneau	11	2	13
Kenosha	0	3	3
Kewaunee	7	0	7
La Crosse	59	0	59
Lafayette	3	0	3
Langlade	14	1	15
Lincoln	13	0	13
Manitowoc	0	1	1
Marathon	0	3	3
Marinette	35	0	35
Marquette	7	1	8
Menominee	1	1	2
Milwaukee	0	2,705	2,705
Monroe	9	0	9
Oconto	10	0	10
Oneida	15	0	15
Outagamie	102	2	104
Ozaukee	15	4	19
Pepin	5	0	5
Pierce	11	0	11

(table continues)

Table A.1., continued

County Where Child Support Case is Handled	Control Counties (Father is in control group)	Milwaukee County (Father is in treatment group)	Total
Polk	16	0	16
Portage	59	1	60
Price	4	0	4
Racine	358	24	382
Richland	10	0	10
Rock	0	8	8
Rusk	7	0	7
Sauk	36	1	37
Sawyer	12	1	13
Shawano	27	1	28
Sheboygan	57	6	63
St. Croix	15	0	15
Taylor	5	1	6
Trempealeau	3	0	3
Vilas	4	1	5
Walworth	42	1	43
Washburn	0	1	1
Washington	42	4	46
Waukesha	0	32	32
Waupaca	23	1	24
Waushara	15	2	17
Winnebago	98	1	99
Wood	48	5	53
Total	2,157	2,865	5,022

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