

Pruning Prisons: How Cutting Corrections Can Save Money and Protect Public Safety

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The Justice Policy Institute is dedicated to ending society's reliance on incarceration and promoting effective and just solutions to social problems.

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Introduction

As the United States grapples with harsh economic realities, states and localities continue to cut budgets, shed jobs, and trim institutions that are not cost-effective. Among the least cost-effective are prison and jail systems. Federal, state and local governments are spending a combined \$68 billion dollars a year on a system that does not definitively improve public safety, but, instead, destabilizes communities, harms families, and derails the lives of individuals. Research has shown that over the last 10 years, states that have increased their prison populations have not seen concurrent decreases in violent crime. At the same time, the states that have reduced their incarceration rates have seen some of the largest drops in violent crime.¹

While system changes can be daunting, policymakers can save money and improve public safety by making incremental changes today which use existing, evidence-based strategies to reduce correctional populations and spending. The primary findings in this brief include:

The United States' prison system continues to grow every year. Over 2.3 million people are incarcerated in U.S. prisons and jails. As state prisons hold nearly 60 percent of the people incarcerated, yearly increases in the prison system are most keenly felt by states.

The United States spends billions of dollars on incarceration each year. Over the last 10 years the average yearly increase of state spending on corrections has been approximately 3 percent. If such trends continue, states would be expected to spend more than \$50 billion on corrections per year by 2010.²

Increasing the availability of parole could save government agencies millions of dollars. State and federal agencies would save roughly \$3 billion dollars per year if they reduced the prison population by 10 percent by moving individuals into the parole system.

Improving parole services and supports could save states millions of dollars. Approximately 26 percent of people on parole in 2007 returned to prison for a technical violation. By shifting the modality of supervision to one of support and service, states could send fewer people back to prison for technical violations. If states returned only half as many people to prison for technical violations, the justice system could save approximately \$1.1 billion.

Substance abuse treatment provided in the community is more cost-effective than imprisonment. Substance-involved people have come to compose a large portion of the prison population and substance use may play a role in the commission of certain crimes. Approximately 16 percent of people in state prison and 18 percent of people in federal prison reported committing their crimes to obtain money for drugs. Treatment delivered in the community is one of the most cost-effective ways to prevent such crimes and costs approximately \$20,000 less than incarceration per person per year.

Community-based programs are cost effective and improve public safety. Community-based alternatives to prison can ensure that people stay in the community with educational and employment opportunities, family, and other support systems. For youth, especially, there are a growing number of evidence-based alternatives that cost less and are more effective than incarceration, such as Multisystemic Therapy.

Incarcerating people with mental illnesses is expensive and ineffective. Prisons make poor treatment facilities for people with a mental illness. Increasing investments in community-based treatment, improving diversion from prison, and ensuring that those leaving prison have adequate care, all will reduce the financial burden of imprisoning people with a mental illness.

Reinvesting money now spent on incarceration in other social institutions will improve public safety in the long term. Making smart investments in communities and social institutions is the most effective way of improving public safety and supporting communities. Research shows that states that spend more on education have lower crime rates than states that spend less. Investments in housing also correlate with lower incarceration rates. Making budgetary cuts in services that increase opportunities and strengthen communities could result in increases in crime – and its resultant costs – in the future.

Some states have already started to reduce their prison populations to save money. In order to keep our communities safe, government agencies should take cues from states like Texas, Nevada, New York, New Jersey and Georgia, who have significantly reduced prison populations through increased use of release mechanisms like parole and investments in communities. Thus far, there is no evidence that the reduction of the prison population in those states has negatively impacted public safety.

For several decades, policymakers have tried to spend their way to public safety via “cops, courts and corrections.” This has been a failed strategy. While completely re-engineering these systems will take time, there is much policymakers can do *right now* to safely reduce incarceration rates, making funding available for the investments in education, employment services, housing and treatment that will create safer, healthier communities for years to come.

For details on how to cut costs in the juvenile justice system, please see the Justice Policy Institute’s companion brief, *The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense*, available at www.justicepolicy.org.

The United States spends billions of dollars on incarceration each year

As states and localities face looming budget crises, correctional spending by state governments alone is approximately \$43 billion annually.³ The National Association of State Budget Officers predicts that state corrections spending will have increased 6 percent to 47 billion in 2008.⁴ Over the last 10 years the average yearly increase of state spending on corrections has been approximately 3 percent. Unless states begin to reign in prison expansion, they are on track to spend more than \$50 billion on corrections per year by 2010.⁵

State Prison Populations and Costs, 2007 and 2008

State	Population 2008*	% Change 2007-2008*	Correctional Expenditures in Millions, 2007**	State	Population 2008	% Change 2007-2008	Correctional Expenditures in Millions, 2007
Alabama	28,844	2.0%	\$387	Montana	3,564	3.5%	\$138
Alaska	2,449	-20.6%	\$248	Nebraska	4,244	-1.8%	\$169
Arizona	36,735	6.2%	\$895	Nevada	12,915	-0.9%	\$225
Arkansas	14,484	4.4%	\$313	New Hampshire	2,798	0.1%	\$92
California	173,186	-0.8%	\$8,678	New Jersey	26,490	-3.7%	\$1,504
Colorado	23,130	2.1%	\$576	New Mexico	6,096	-3.2%	\$238
Connecticut	14,389	3.0%	\$631	New York	61,799	-2.1%	\$2,889
Delaware	4,130	-1.5%	\$252	North Carolina	33,775	3.1%	\$1,156
Florida	100,494	5.7%	\$2,707	North Dakota	1,450	1.0%	\$54
Georgia	52,481	-1.4%	\$997	Ohio	51,160	1.5%	\$1,766
Hawaii	4,280	-1.2%	\$201	Oklahoma	24,345	0.4%	\$461
Idaho	7,338	-0.3%	\$175	Oregon	14,035	0.4%	\$637
Illinois	45,215	-0.8%	\$1,230	Pennsylvania	45,770	1.5%	\$1,638
Indiana	27,343	2.0%	\$645	Rhode Island	2,534	4.8%	\$156
Iowa	8,740	-0.7%	\$319	South Carolina	24,074	3.8%	\$438
Kansas	8,633	-2.5%	\$310	South Dakota	3,351	-2.5%	\$74
Kentucky	20,825	-1.6%	\$465	Tennessee	26,998	2.1%	\$572
Louisiana	37,830	2.9%	\$539	Texas	162,578	-0.2%	\$2,811
Maine	1,747	-0.1%	\$138	Utah	6,353	-1.0%	\$324
Maryland	22,636	1.0%	\$1,166	Vermont	1,555	-4.4%	\$116
Massachusetts	10,171	3.6%	\$1,126	Virginia	39,224	3.7%	\$1,136
Michigan	50,482	-0.3%	\$2,064	Washington	17,398	-0.2%	\$823
Minnesota	9,964	0.7%	\$436	West Virginia	6,058	3.8%	\$168
Mississippi	22,009	4.3%	\$227	Wisconsin	21,705	-5.4%	\$1,037
Missouri	30,455	0.2%	\$556	Wyoming	2,073	-1.9%	\$1
				State Totals	1,360,332	0.7%	\$43,904

* Number of sentenced prisoners under jurisdiction of state or federal correctional authorities, June 30, 2008.

Source: Heather C. West and William J. Sabol, *Prison Inmates at Midyear 2008—Statistical Tables* (Washington, D.C.: Bureau of Justice Statistics, 2009) www.ojp.gov/bjs/abstract/pim08st.htm.

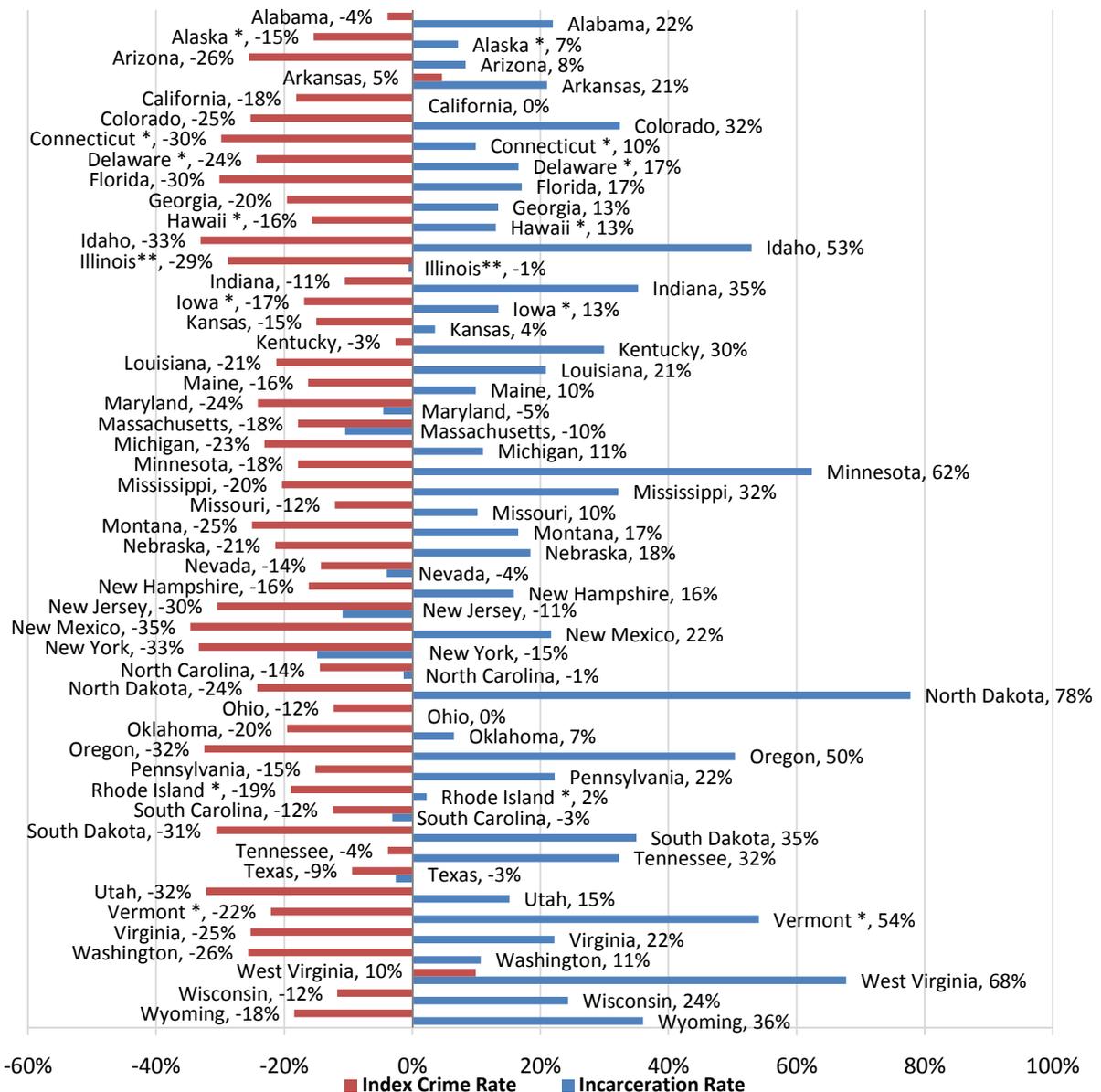
**Source: National Association of State Budget Officers, *2007 State Expenditure Reports*. (Washington, DC: National Association of State Budget Officers, 2007). www.nasbo.org/Publications/PDFs/fy2007er.pdf.

Some evidence suggests that although crime rates do have some impact on increasing incarceration rates, available resources to increase capacity have a similar and significant impact. New research suggests that about 30 percent of the change in incarceration rates over the last 30 years is attributable to increases in state resources to build more prison beds, with crime rates accounting for 32 to 44 percent of the increase.⁶ Thus, decreasing spending on incarceration would have a correlate effect on incarceration rates.

Incarceration does not necessarily benefit public safety

Incarceration has not been definitively shown to reduce crime rates. Bruce Western at Harvard University recently found that only 10 percent of the crime decline in the 1990s was due to increased use of incarceration.⁷ Between 1998 and 2007, states that had the greatest increases in incarceration rates did not necessarily see a corresponding drop in crime rates. Some states (Maryland Massachusetts, Nevada, New Jersey, New York, North Carolina, South Carolina, and Texas) lowered their incarceration rates and still experienced a drop in crime rates.⁸ Such uneven results do not support continued over-reliance on incarceration, particularly in a time of fiscal crisis.

States that increased incarceration rates between 1998 and 2007 did not necessarily experience a decline in crime rates during the same time period.

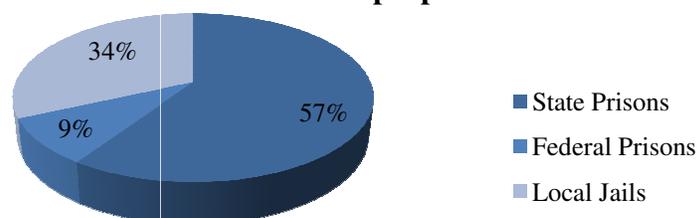


Policies continue to fuel increasing incarceration rates

In 2008, the Bureau of Justice Statistics reported that there were 2,310,984 people in federal and state prisons and local jails.⁹ Between 2007 and 2008, the number of people in federal and state prisons increased 1 percent, or by 15,973 people.¹⁰ Despite reforms in a number of states, the overall number of people held in federal and state prisons continues to increase every year at an average rate of about 2 percent per year. Although these increases have slowed compared to those of the 1990s, the United States still adds thousands of people to the prison system each year. The number of people in prison is nearly 5 times what it was 30 years ago,¹¹ despite crime rates being at historic lows.¹²

State prisons hold about 57 percent of people who are incarcerated, and therefore experience the most growth in numbers. For example, a 2 percent increase over the 200,000 people in the federal system is an additional 4,000 people, whereas a 2 percent increase over the approximately 1.4 million people in state prisons is 28,000 additional people. In 2008, prison populations increased in 38 states.¹³

State prisons hold the largest proportion of incarcerated people.



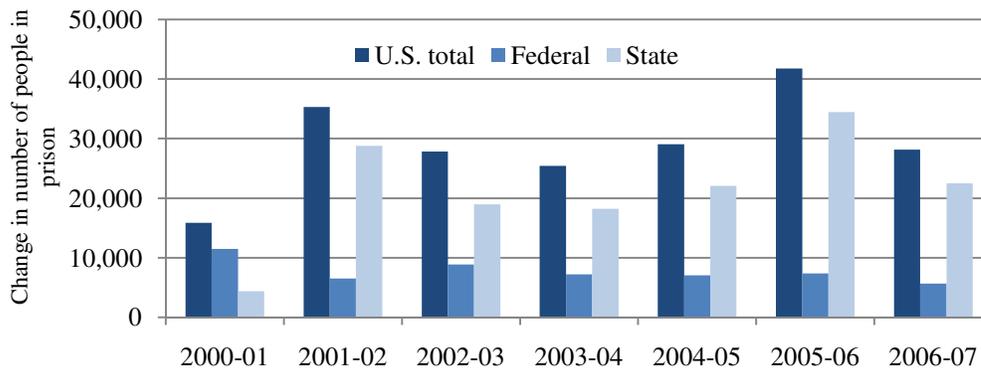
Source: Heather C. West and William J. Sabol, *Prison Inmates at Midyear 2008—Statistical Tables* (Washington, D.C.: Bureau of Justice Statistics, 2009) www.ojp.gov/bjs/abstract/pim08st.htm.

While a variety of policies drove this increase, several stand out as being both significant and ones that policymakers have been effective in changing:

Drug arrests and prosecutions fuel growing prison populations

The number of people in state prisons for drug offenses has increased 550 percent over the last 20 years.¹⁴ A recent JPI report found that the amount spent on “cops and courts” – not rates of drug use -- is correlated to admissions to prison for drug offenses. Counties that spend more on law enforcement and the judiciary admit more people to prison for drug offenses than counties that spend less.¹⁵ And increases in federal funding through the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program have promoted increases in resources dedicated to drug enforcement. As crime continues to fall in many communities, law enforcement will have more time to focus on aggressive policing of drug offenses; this can be expected to lead to even higher drug imprisonment rates and crowded jails and prisons. According to FBI reports, 83 percent of drug arrests are for possession of illegal drugs alone.¹⁶ And regardless of crime in a particular jurisdiction, police often target the same neighborhoods to make drug arrests,¹⁷ which can increase the disproportionate incarceration of people of color.

Since 2002, more people have entered state prisons than federal prisons.



Source: George Hill and Paige Harrison, *Sentenced prisoners under State or Federal jurisdiction* (Washington, D.C.: Bureau of Justice Statistics, 2005); William J. Sabol, Heather Couture, and Paige M. Harrison, *Prisoners in 2006*. (Washington, D.C.: Bureau of Justice Statistics, 2007). www.ojp.usdoj.gov/bjs/pub/pdf/p06.pdf; Heather C. West and William J. Sabol, *Prisoners in 2007* (Washington, D.C.: Bureau of Justice Statistics, 2008) Appendix, table 3

More stringent release policies mean fewer people supervised on parole in the community

On average, the number of people admitted to prisons increases 2.9 percent per year and the number of people released increases 2.6 percent per year.¹⁸ Put another way, states admit around 23,000 more people per year than they release. The difference between admissions and release rates may be attributable to a number of practices, including longer sentences and “truth in sentencing” policies that require individuals to serve more of their sentence behind bars. In addition, many parole boards fail to release to the community individuals who pose little danger to public safety. This is generally because they lack adequate tools to make good decisions, and therefore err on the side of caution, often fearing the political repercussions of releasing someone who might later commit a crime.

Strict parole rules fill prisons with people who have trouble re-entering the community

Parole is a mechanism that removes people from prisons and returns them to communities, while maintaining supervision and accountability through the criminal justice system. People on parole are assigned a parole officer and are given varying levels of supports and services to find and maintain employment and other services like substance abuse treatment.

People on parole supervision face a variety of obstacles to successful re-entry to life in the community. Among these can be conditions of parole, which are rules and requirements that must be met by the person on parole. Violating one of these rules can lead to re-incarceration. Research has found that about three in five people on probation or parole return to prison within three years after the start of their supervision; 70 percent of these returns were not for new crimes but for technical violations like missing appointments and not maintaining employment.¹⁹ Little is known about the relationship between conditions of parole and the likelihood a person on parole will commit a crime. And yet, treating minor rule infractions the same as new offenses is costing states millions in correctional costs.

The increases in drug imprisonment, the decrease in releases from prison, and the re-incarceration for technical parole violations are leading to significant overcrowding and contribute to the growing costs of prisons. Prisons are stretched beyond capacity, creating dangerous and unconstitutional conditions

which often result in costly lawsuits. In 2006, 40 out of 50 states were at 90 percent capacity or more, with 23 of those states operating at over 100 percent capacity.²⁰

New York – Drug Law Reforms May Lead to Lower Prison Populations and Cost Savings

“This agreement is not the end of the Rockefeller Drug Laws, but very well may represent the beginning of the end.” Robert Gangi, executive director, Correctional Association of New York

For over 35 years New York’s draconian Rockefeller Drug Laws have imposed mandatory sentences on people convicted of possession or sale of relatively small amounts of drugs and led to a dramatic increase in New York’s prison population. But recent reforms may affect thousands of individuals arrested for drug offenses annually and greatly reduce the number of people incarcerated. The reforms restore judicial discretion for broad categories of individuals charged with drug offenses. The Correctional Association of New York, a non-profit organization founded in 1844 to monitor prisons and to make policy recommendations to improve the state’s justice system, estimates that between 45 to 55 percent of the people convicted of drug offenses currently confined in New York’s prisons – about 5,400 to 6,600 people – would have been eligible for judicial diversion at sentencing had these laws been in place when they were convicted.²¹

Currently, it costs New York over \$525 million per year to house people convicted of drug offenses in prisons.²² Even if just 25 percent of people currently incarcerated for drug offenses are diverted from prison due to the reforms, New York could save \$131 million per year in prison expenses. The reforms also provide \$70 million in additional funding for alternatives to incarceration and drug treatment programs in prison and in the community, which are proven to be cost-effective methods to reduce crime and recidivism.

In response to the state’s declining prison population, New York also plans to close seven prison annexes and three work camps with an estimated savings of \$25.4 million over the next two fiscal years.²³

What follows in subsequent sections are a set of recommendations policymakers can use now to reduce spending or incarceration while protecting public safety.

Increasing the availability of parole could save government agencies millions of dollars

Despite public perception that people on parole are likely to commit more crimes, the vast majority of people on parole do not return to prison for a new offense. Approximately one in 10 people on parole in 2006 returned to prison on a new offense.²⁴ People on parole are more likely to have the valuable community supports that are not available inside prison walls. State and federal agencies could save roughly \$3 billion dollars per year if they reduced the prison population by 10 percent through increased parole use. A good place to start is paroling more people who are in state prisons for nonviolent offenses. In 2005, there were approximately 609,000 people in prison for nonviolent offenses, 41.5 percent (253,300) of whom were imprisoned for drug offenses.²⁵

Paroling 10 percent of the people who were in prison in 2007 would save state and federal governments approximately \$3 billion.*

Population	Number
Total number of people in prison (state and federal)	1,598,316 ²⁶
10 percent of total prison population	159,831 ²⁷
Description of Expenditure	Cost
Cost of incarceration (per person in prison per year)	\$22,650 ²⁸
Cost of parole (estimated per individual on parole per year)	\$4,000 ²⁹
Money spent on incarcerating 10 percent of people in prison	\$3,620,172,150 ³⁰
Money spent to parole 10 percent of people in prison	\$639,324,000 ³¹
Money saved by releasing 10 percent of the people in prison onto parole supervision	\$ 2,980,848,150

* This table does not take into account that some states no longer have discretionary parole, and that a percentage of the incarcerated population are serving sentences for which parole is either not an option or is granted after a set period of time with little or no flexibility. Policymakers should consider revising statutes that unnecessarily limit parole eligibility.

Given their mandate to protect public safety, parole boards and policymakers need to make informed choices when deciding how to expand the number of people released onto parole supervision. The ways some states are improving their parole release mechanisms include:

- Use of actuarial risk assessment instruments, which can help identify more people who can be safely released on parole and supervised in the community. Some lower-risk populations include people who have been convicted of nonviolent or drug offenses and older individuals
- Improved case planning – beginning at the commencement of their prison term when possible – to ensure people receive the services and treatment they need to be eligible for parole
- Increased use of “good time credits,” which are earned by people in prison through compliance with rules and regulations and completion of treatment and programs

- Development or expansion of medical parole, which allows people who are seriously ill to be released to supervision, where they can receive appropriate care in the community, often using federal funds that are inaccessible when a person is in prison.

Mississippi – Saving money by increasing the availability of parole

In November 2008, the Mississippi Department of Corrections (MDOC) announced that it was submitting 2,900 cases to the parole board for possible early release. As one of the largest state agencies, MDOC faced a significant 2 percent budget cut. By increasing parole availability and removing other people from private prisons and jails in the state, MDOC projected it would save more than \$6.5 million.³²

Improving parole services and supports could save states millions of dollars

Between 2000 and 2007 the number of people on parole or probation grew 12 percent, to over 5 million people.³³ The growth in the use of parole and recent state legislation expanding parole suggests that states and the federal government are focusing on parole in particular as a mechanism to quickly reduce prison population. But states are realizing that using parole more will not successfully reduce correctional populations if individuals end up back in jail or prison, as many do now. In addition to expanding parole eligibility, reforms to these systems can ensure that people already under community supervision are successful in the long term and do not return to prison.

Improving the services, carefully examining the rules people must follow, and changing parole responses to parole behaviors increase the chances that a person on parole will stay out of prison.³⁴ States that have successfully improved outcomes for people on parole have done so through a combination of the following practices, including:

- Shifting the supervision modality from a law-enforcement orientation to one more focused on helping people be successful in the community;
- Developing systems of graduated responses to supervision behavior that include positive incentives, treatment, and non-incarcerative sanctions; and
- Matching intensity of supervision to the level of risk and needs of the individual, so people who have greater needs have more case management, while those with fewer needs aren't excessively burdened with parole requirements.

Nationally, in 2007 there were approximately 121,000 returns to prison at the state level for a technical violation.³⁵ If states reduced by half the number of people sent back to prison for technical violations, state justice systems could save about \$1.1 billion in incarceration costs, taking into account the cost of parole.

States could potentially save \$1.1 billion if half of the people whose parole was revoked for technical violations in 2007 had remained in the community.

State	Number of people who were returned to prison on a parole violation in 2007	Half of the number of people who return to prison for technical violations from parole	Potential cost savings (Cost of incarceration - Cost of Parole)
Alabama	299	150	\$ 2,788,175
Arizona	2,728	1,364	\$ 25,438,600
Arkansas	1,926	963	\$ 17,959,950
California	61,602	30,801	\$ 574,438,650
Colorado	3,283	1,642	\$ 30,613,975
Florida	1,394	697	\$ 12,999,050
Georgia	3,514	1,757	\$ 32,768,050
Hawaii	302	151	\$ 2,816,150
Idaho	389	195	\$ 3,627,425
Iowa	774	387	\$ 7,217,550
Kansas	1,293	647	\$ 12,057,225
Kentucky	2,566	1,283	\$ 23,927,950
Louisiana	1,036	518	\$ 9,660,700
Maryland	769	385	\$ 7,170,925
Michigan	2,101	1,051	\$ 19,591,825
Minnesota	2,064	1,032	\$ 19,246,800
Missouri	7,049	3,525	\$ 65,731,925
Montana	183	92	\$ 1,706,475
Nebraska	245	123	\$ 2,284,625
Nevada	128	64	\$ 1,193,600
New Jersey	2,483	1,242	\$ 23,153,975
New York	9,704	4,852	\$ 90,489,800
North Carolina	105	53	\$ 979,125
North Dakota	136	68	\$ 1,268,200
Ohio	549	275	\$ 5,119,425
Oregon	2,012	1,006	\$ 18,761,900
Pennsylvania	3,359	1,680	\$ 31,322,675
Rhode Island	88	44	\$ 820,600
South Carolina	172	86	\$ 1,603,900
South Dakota	758	379	\$ 7,068,350
Tennessee	909	455	\$ 8,476,425
Texas	2,242	1,121	\$ 20,906,650
Utah	1,320	660	\$ 12,309,000
Vermont	83	42	\$ 773,975
West Virginia	406	203	\$ 3,785,950
Wisconsin	3,080	1,540	\$ 28,721,000
Wyoming	68	34	\$ 634,100
State Total	121,119	60,560	\$ 1,129,434,675

*Data not available for the following states: Alaska, Connecticut, Delaware, Illinois, Indiana, Maine, Massachusetts, Mississippi, New Hampshire, New Mexico, Oklahoma, Virginia and Washington.

Methodology: Potential Cost Savings: (Half of number of people returned to prison for technical violations X Average cost of incarceration for one person for one year (\$22,650)) – (Half number of people returned to prison for technical violations X Average cost of parole per person per year (\$4,000))

Source: Lauren E. Glaze and Thomas P. Bonczar, *Probation and Parole in the United States, 2007 Statistical Tables*. Table 7. (Washington, D.C.: Bureau of Justice Statistics, 2008). www.ojp.usdoj.gov/bjs/pub/pdf/ppus07st.pdf

These six states are increasing the likelihood that people on probation or parole stay out of prison

Texas – A May 2007 law established 3,800 combined beds for residential and out-patient drug treatment for people on probation, maximum sentence lengths for people on probation, maximum case limits for parole officers, and incentives for counties that establish progressive sanctioning models for parole and probation systems.³⁶ By enacting these policies, the state saved \$210.5 million for the 2008–2009 fiscal biennium. If new treatment and diversion programs are successful and no additional prisons are constructed, the state will save an additional \$233 million.³⁷

Kansas – Under 2007 legislation, people in prison are granted a 60-day credit for participation in certain programs designed to facilitate reintegration into the community. The projected savings is approximately \$80 million in the next five years. Prior to the legislation, Kansas had already been changing the philosophy of parole by hiring social workers to be parole officers and asking parole officers to ensure that people on parole stay out of prison, rather than simply monitoring them to catch them if they violate the terms of probation.³⁸

Maryland – The Proactive Community Supervision initiative shifts probation and parole to a customer service modality that enhances the availability of services and resources. Research has shown that people enrolled in PCS are less likely to enter prison either on a new sentence or on a revocation than people that did not participate.³⁹

Nevada – In 2007, the state legislature passed a bill allowing people on probation to earn credits toward the reduction of their sentence. The legislation also establishes a series of graduated sanctions for violation of the terms of parole to prevent the immediate return to prison.⁴⁰

New Jersey – The Halfway Back Program is a community corrections program that works with people on parole who are at risk of returning to prison on technical violations. The program assists people with job placement, family, vocational and educational training, anger management, and substance abuse treatment to keep them from returning to prison.⁴¹ Investments in this program, in combination with the addition of risk assessment centers, are estimated to save New Jersey \$2.2 million in FY2009 and \$14 million in FY2010.⁴²

Georgia - As part of the National Institute of Correction's Transition from Prison to the Community Initiative (TPCI), Georgia began implementing a data-driven, outcome-based approach to parole, with the goal of improving completion rates for people on parole. In order to accomplish this goal, parole officers serve as advocates for people on parole, providing access to treatment, training, and other services. The model includes computer-based reporting systems that support this new approach to supervision and the reports are readily available across districts.⁴³ The TPCI also includes improved risk assessment instruments designed to improve the accuracy of predicting whether a person is at high risk of being reconvicted of a new crime.⁴⁴

Substance abuse treatment in the community costs far less than prison

Substance-involved people compose a large portion of the prison population. Substance abuse frequently plays a part in the commission of certain crimes and resulting admissions to prison. According to the Bureau of Justice Statistics,

- 53 percent of people in state prisons and 45 percent of people in federal prisons meet the criterion for drug abuse or dependence;
- 16.6 percent of people in state prisons and 18.4 percent in federal prisons reported committing their crimes to obtain money for drugs;
- one in three people in state prisons reported using drugs at the time of their offense, and one in four people convicted of violent offenses reported drug use at the time of their crime; and
- 64 percent of people in state prisons who committed a property offense reported drug use in the month prior to arrest.⁴⁵

By reducing the demand for substances by treating addiction, we can reduce the number of offenses involving drugs, the number of people going to prison, and the cost of imprisonment. Although there are costs associated with treatment, they are far less than those associated with imprisonment, and they are more cost-effective from a public safety standpoint than imprisonment.

The cost of substance abuse treatment varies from state to state and also by the type of treatment. Treatment services may vary -- from residential, to outpatient, to drug/medication assisted therapy. A study by the Substance Abuse and Mental Health Services Administration (SAMHSA) showed that the cost of treatment for alcohol and illicit substances nationwide was approximately \$5.5 billion in 1997, with an average of \$1,849 per admission to treatment.⁴⁶ While there is no current data available from SAMSHA, the costs when adjusted for inflation for the same number of admissions in 2008 would be \$7.3 billion.⁴⁷

In 2000, California passed the Substance Abuse and Crime Prevention Act, or Proposition 36, to direct more people into treatment rather than the prison system. The University of California showed that Proposition 36 saved the state approximately \$173 million in the first year alone. The Justice Policy Institute conducted a separate study and found that California saved more than \$350 million from 2000 to 2006.⁴⁸ Although treatment behind prison walls is more cost effective than prison alone, drug treatment administered in the community is by far the most cost effective means of saving money and protecting public safety.

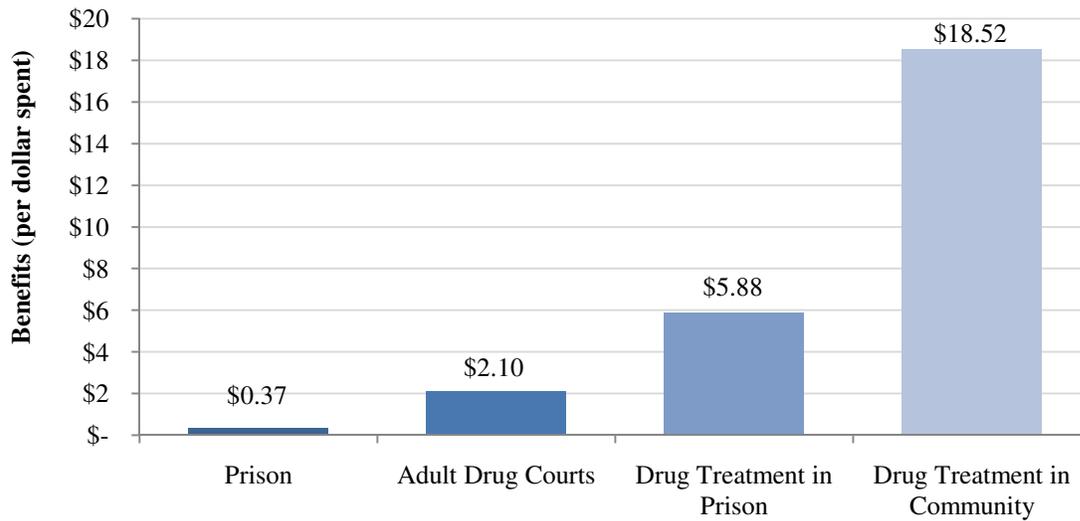
Treatment	Cost
Non-Hospital Residential*	\$ 3,840
Outpatient Methadone*	\$7,415
Outpatient Non-Methadone*	\$1,433
Incarceration**	\$22,650

*Cost per admission, 2002 numbers
 **Annual cost
 Sources: Treatment: Office of Applied Studies, Substance Abuse and Mental Health Services Administration, *The DASIS Report: Alcohol and Drug Services Study (ADSS) Cost Study* (2004) www.oas.samhsa.gov/2k4/costs/costs.pdf; Incarceration: James J. Stephan, *State Prison Expenditures, 2001*. (Washington, D.C.: Bureau of Justice Statistics, 2004).

A Washington State Institute for Public Policy (WSIPP) study found that spending one dollar on drug treatment in prison yields nearly six dollars in savings in terms of increased public safety and monetary savings. In contrast, an investment of one dollar in community-based drug treatment yields over \$18 in

cost savings. Funding programs in the community yields a higher return on the investment. Drug treatment improves life outcomes and increases the chances that a person will not come into contact with the criminal justice system.

Community-based drug treatment provides bigger crime reduction returns than prison. For every \$1 spent on drug treatment in the community, you save \$18.



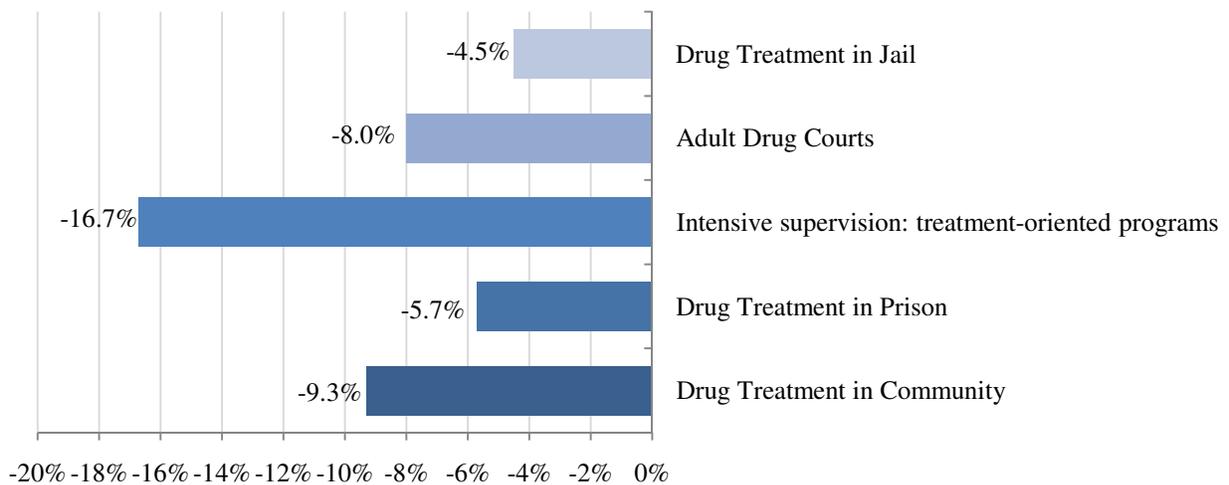
Source: Aos, Steve, Polly Phipps, Robert Barnoski, and Roxanne Lieb. 2001. *The comparative costs and benefits of programs to reduce crime*. Olympia: Washington State Institute for Public Policy.

Community-based programs are cost effective and improve public safety

Community-based alternatives, which do not necessarily include probation or parole, are a cost-effective means of redirecting people away from prison while protecting public safety and maintaining accountability. Community-based alternatives include, but are not limited to, electronic monitoring, work release, day-reporting centers, and half-way houses. Community-based alternatives cost thousands of dollars less than prison, and help improve public safety by ensuring that people remain in the community with their families and support systems, while also maintaining employment and receiving services.

WSIPP found that programs in the community could increase public safety by lowering recidivism rates. Treatment-oriented supervision in the community can lower recidivism rates by 16 percent. This reduction surpasses the results of drug courts and treatment in jails and prisons.

Treatment-oriented supervision lowers recidivism rates more than all other drug treatment programs.

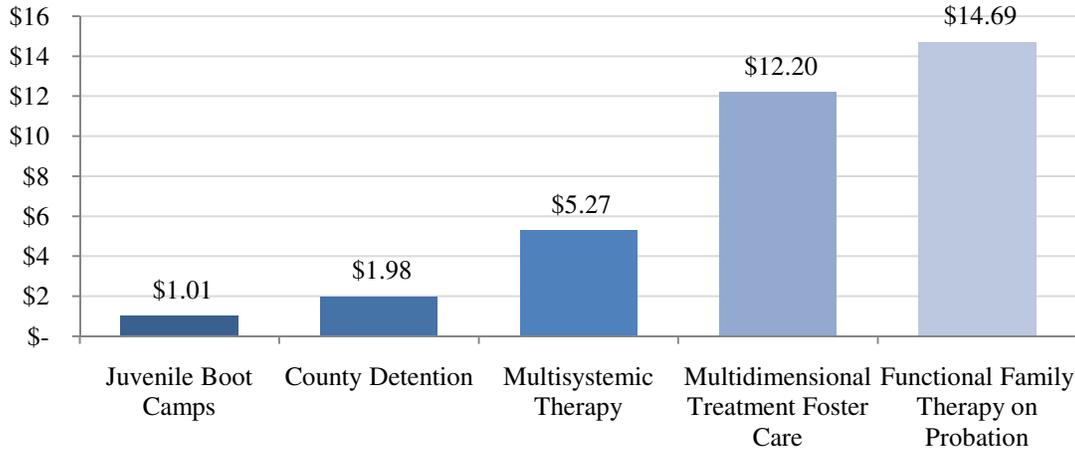


Percent change in recidivism rate

Source: Steve Aos, Polly Phipps, Robert Barnoski, and Roxanne Lieb, *The comparative costs and benefits of programs to reduce crime* (Olympia: Washington State Institute for Public Policy, 2001)

Evidence-based community programs, particularly those designed for youth, yield higher returns than the initial cost. In a program review focused on juvenile justice by the WSIPP, programs designed to provide therapy and family or community oriented services were very effective in reducing the chances that a youth would come into contact with the juvenile or criminal justice system.⁴⁹ Evidence-based practices such as Family Functional Therapy and Multisystemic Therapy yield significant cost savings to states. For every dollar spent on family functional therapy, \$15 is provided in benefits. (See JPI’s companion brief, *Costs of Confinement*, for more information on cost-effective juvenile justice policies.)

For every dollar spent on functional family therapy, \$15 is provided in benefits.



Source: Steve Aos, Marna Miller, and Elizabeth Drake, *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates* (Olympia: Washington State Institute for Public Policy, 2006) www.wsipp.wa.gov.

It should be noted that the table above highlights the impact that various youth programs have on future adult correctional costs, not on juvenile justice costs. Based on future savings to the adult criminal justice system, including elimination of the need for additional prisons, Washington State chose to make a major shift in their spending to support these cost-effective community programs.

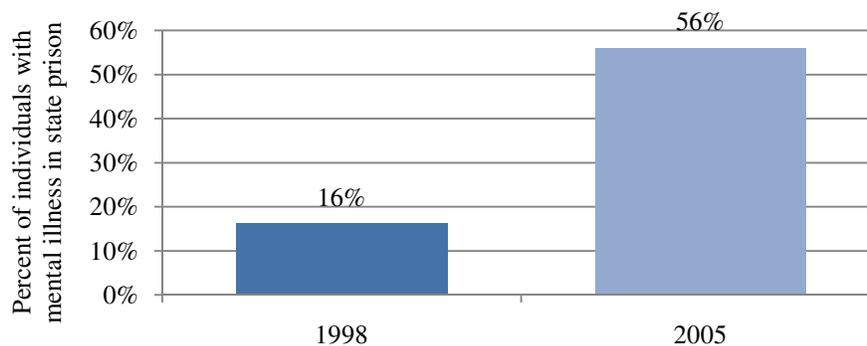
Incarcerating people with mental illness is expensive and ineffective

“It would be better to use taxpayer’s money on mental health crisis centers, not incarceration.” State Rep. Judy Solano, Denver Post⁵⁰

Between 1998 and 2005, the number of diagnosed mental health disorders increased while expenditures on mental health declined. In particular, the number of individuals in the prison system with diagnosed mental health disorders has increased significantly.⁵¹ As many as 56 percent of individuals in state prisons, 45 percent in federal prisons and 64 percent of individuals in local jails are living with a mental health problem.⁵² Comparatively, approximately 26.2 percent of all adults suffer from depression, anxiety, schizophrenia or other diagnosable mental health disorder.⁵³ And mental illness often coincides with substance abuse disorders. As many as 74.1 percent of individuals in state prisons with a mental health disorder are also living with alcohol dependence or an alcohol abuse disorder.⁵⁴

In addition to the lack of effective mental health treatment in prisons, evidenced in the number of lawsuits brought against states, formerly incarcerated people with a mental illness may face limited access to some services because of their criminal record. People with mental illness often cycle in and out of prison due to inadequate services in correctional facilities and their re-entry community. Research indicates that almost two-thirds of people with a mental illness who are released from prison are re-arrested within 18 months.⁵⁵

There are more people with mental health problems in state prisons now than in 1998.



Source: Lauren E. Glaze and Doris J. James, *Mental Health Problems of Prison and Jail Inmates* (Washington, D.C.: Bureau of Justice Statistics, 2006).
www.ojp.usdoj.gov/bjs/pub/pdf/mhppji.pdf

People with a mental illness have a significantly greater chance of being arrested than a person without a mental disorder would for a similar offense.⁵⁶ Undertrained law enforcement officers often are ill-prepared to deal with people who are having a mental health crisis, which often results in arrests, rather than mental health treatment.

The deinstitutionalization of state mental hospitals is often cited as a contributing factor to the rise in prison populations. In the mid-twentieth century, the U.S. engaged in a systematic reduction of state

care for people with mental illness, reducing the number of state mental hospital beds from 600,000 to 40,000.⁵⁷ But the 2,000 community mental health centers that were supposed to supplant these hospitals never materialized; only 700 have been created and many are severely underfunded.⁵⁸

States must pay for mental health treatment while an individual is imprisoned. According to a recent article it costs \$65 per day to keep an individual in jail; as the cost of imprisoning one person for one year averages \$22,650,⁵⁹ the longer a person is in prison, the higher the cost to taxpayers. But, because of the cost and the difficulty of providing appropriate mental health services in a prison setting, less than one third of the people that need mental health treatment in state prison systems receive it;⁶⁰ this has led to costly lawsuits in a number of states.

According to the Department of Justice, people in state prisons living with mental illness stay in prison an average of four months longer than people in prison who do not have a mental health problem.⁶¹ One reason is that people with a mental illness can find the prison environment, with its rules and routines, especially difficult to adjust to; they often accrue demerits that delay their time to release.⁶² Thus the potential cost of admitting people living with mental illness to prison, could cost an average of \$7,550 more per year than admitting a person without mental illness.

Lawmakers should look to investments in community mental health services, which cost on average \$26 a day,⁶³ to reduce prison admissions. In addition, states should provide crisis intervention training for law enforcement in order to divert more people with mental illness from the justice system, and tailor re-entry services to meet the medication and treatment needs of people with a mental illness that are being released to prevent their recycling through the system.

Money spent on incarceration could be reinvested in other social institutions

The cost of incarceration might be best explained in context of the cost of other social institutions and public investments on which many people rely. According to a 2008 Hart poll of voters nationwide, respondents indicated that it is better to attack social problems that lead to crime with better education and job training programs. In another poll sponsored by the John D. and Catherine T. MacArthur foundation, 60 percent of respondents said that they would be in favor of taking money away from incarcerating youth and spending it, instead, on education and job training.⁶⁴ However, in a time of state budget crisis, such decisions are in the hands of policymakers, who believe their constituents want them to appear “tough on crime.” Making smart investments in communities and social institutions is the most effective way to improve public safety and support communities. For every two-person reduction in the incarceration rate, a state could pay the salary of an additional secondary school teacher for one school year.

Costs in context: Select government expenditures ⁶⁵	
Annual cost of incarceration – one year	\$24,655 ⁶⁶
Average salary of a secondary school teacher	\$52,450
Average salary of a substance abuse and behavioral disorder counselor	\$37,830
Average salary of a licensed practical nurse	\$38,940
Average salary of a mental health counselor	\$39,450
Average salary of a social worker (family services)	\$41,920
Average salary of vocational education teacher (postsecondary)	\$49,150
Average tuition and fees of full time public, in-state, post-secondary education ⁶⁷	\$6,585
Drug Treatment ⁶⁸	\$1,849
Supportive Housing ⁶⁹	\$11,272

Recommendations

“Enormous cutbacks – reductions of 50 % or more in the prison population – are not difficult to justify and would probably save the U.S. public billions of dollars each year.” William Spelman, Professor of Public Affairs, University of Texas – Austin.⁷⁰

At a time when states and localities are looking for ways to save money and cut expensive and ineffective programs and policies, implementing policies that reduce the number of people entering and returning to prisons can be an effective means of saving money and keeping communities safe. Reducing prison populations, when done correctly, can result in a long-term increase in public safety rather than an increase in crime. As such, the Justice Policy Institute recommends the following changes to improve public safety and save money.

- States and the federal government should re-examine policies that drive increases in incarceration, such as recommitment for technical violations of parole conditions and incarceration for low level drug offenses and many nonviolent offenses. Non-incarcerative, community-based alternatives should be explored.
- States and the federal government should implement policies that can safely increase releases from prison through parole and other community-based programs.
- As closing prisons realizes the largest financial savings, policymakers should scale their reforms to enable the closure of a facility or, at a minimum, a wing or other discrete portion of a facility.
- Money saved from closing prisons should be redirected to community-based services that have been proven to improve both public safety and the life outcomes of individuals.
- To achieve long-term public safety gains, money saved on incarceration should be invested in social institutions that build strong communities, including education, employment training, housing, and treatment.

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