

Seeking Balance: Reducing Prison Costs in Times of Austerity

In spite of a \$21 billion budget deficit, Governor Davis is leaving prison expenditures virtually untouched while contemplating cuts worth \$3 billion in education, and \$2 billion in healthcare.

Budgetary decision making is about responsible tradeoffs. The purpose of this report is to compare and contrast some of the programs in education and healthcare that are slated to be cut, and the equal or greater savings that could be made through the safe reduction of prison expenditures.

Prison Population in Decline

The California prison population has been in steady decline since the peak year of 1999, when the population was at 162,000. Additionally, with the passage of Proposition 36 that diverts low level drug possession offenders into treatment, the prison population will further decline to 155,721 by 2003.

Cutting Prison Spending Before Education and Healthcare

Despite declines, the California Department of Corrections commands a budget of \$3.9 billion, which equates to 5.96% of the General Fund Budget of 2002-2003. The Legislative Analyst Office (LAO) has put 10 different correctional cost-saving options on the table for consideration by legislators as they downsize the state budget. The following recommendations by the LAO indicate a range up to \$697.7 million in savings through the correctional system. Other proposed cuts in corrections could do even more to reduce the need to cut education and healthcare. The following is a comparison between budgetary adjustments that could be made in corrections and currently proposed cuts in education and health :

- **\$270 million in savings from early release of inmates from prison versus \$201.8 million in cuts to Medi-Cal and \$59 million in cuts to the Cal State University system:** reductions of one to 13 months in the time served by nonviolent, non-serious prisoners (FY2003 savings estimates range from \$20.8 million for a one-month reduction, to \$270 million for a 13 month reduction) The

Center on Juvenile and Criminal Justice recommends taking one third of any savings made and using the funds to support parole services.

- **\$81.7 million in savings through rejection of short-term commitments versus \$24.8 million in cuts to the Department of Social Services and \$4.8 million to Department of Mental Health:** nonviolent, non-serious offenders with less than three to 12 months to serve in prison would be sent directly to parole supervision instead (FY2003 savings range from \$1.8 million for those with 0-3 months to serve, to \$81.7 million for those with 0-12 months to serve).
- **\$33.8 million in savings from increased "Work Time" credits versus cuts of \$15.8 million to Public Libraries and \$9.8 million to the Department of Child Support Services:** two-for-one day credits for nonviolent, non-serious prisoners assigned to work camps, day-for-day credits for such prisoners in reception centers or those who are involuntarily unassigned (FY2003 savings of \$15.3 million; \$11.8 million; and \$6.7 million respectively).
- **\$79.3 million in savings by removing state prison as an option for minor felony offenses versus cuts worth \$74 million to the University of California Higher Education System:** eliminate a prison sentence for some property and drug offenses such as "petty theft with a prior," forgery/fraud; receiving stolen property; grand theft (FY2003 savings at \$79.3 million). Such offenders would still be jail eligible.
- **\$98.5 million saved through direct discharge without parole versus cuts of \$98 million to Cal Works Stage 3 Childcare:** eliminate post-release supervision for non-serious, nonviolent, non-drug sale offenders (FY2003 savings of \$98.5 million).
- **Save 1.4 million by offering home detention for specified elderly inmates versus \$1.6 million in cuts for K-12 Information Services:** release of non-serious, nonviolent offenders aged 60 and older to home detention with electronic monitoring (FY2003 savings of \$1.4 million).
- **\$23.4 to \$88.7 million in savings from early discharge from parole versus cuts of more than \$10 million for College Prep and Academic Achievement:** terminate post-release supervision for non-serious, nonviolent, non-drug-sale offenders who have 1 to 12 months of (violation-free) "clean time" on parole (FY2003 savings range from \$88.7 million for those with one "clean" month to \$23.4 million for those with 12 "clean" months).
- **\$3.4 million saved through release to parole for specified elderly inmates versus \$2.5 million in cuts to the Department of Aging:** parole of non-serious, nonviolent offenders aged 60 and older (FY2003 savings of \$3.4 million).
- **\$53.4 million potential savings through early release of Prop 36 eligible defendants to treatment versus \$21.8 million in cuts to the Department of Rehabilitation:** The number of simple drug possession offenders who are eligible for prop 36 treatment currently within the prison system is unknown, however if only 2000 of the estimated 7000 to 9000 who are still admitted to prison for drug possession offenses each year, the savings would total 53.4 million, including treatment provision.
- **Reject civil narcotics addicts** - civil narcotic addicts would not go to prison (no saving estimate available)

- **Allow nonviolent parole violators to remain in the community** - parolees with nonviolent parole violations would remain in the community pending their revocation hearings (no savings estimate available).

Further Cost Savings Recommendations: In light of California's declining prison population, and the imminent need to cut costs in the state budget, two further areas for the safe reduction of prison expenditures should be further explored:

Prison Closures: Of the 32 prisons and camps under the California Department of Corrections, the number of inmates that each facility holds ranges from 2000-4000. As the state prison population declines, prison closures, and the reduction of staff and facility maintenance that follow are the true savings.

From CDC to Counties: In future briefs, the Center on Juvenile and Criminal Justice will explore the feasibility of shifting the duties of parole from the jurisdiction of the Department of Corrections to counties. CJCJ recommends that a portion of the CDC budget should be allocated for this task; however, downsizing the CDC is an immense potential savings to the state general fund.

References:

- 1 The Center on Juvenile and Criminal Justice, *Cutting Correctly: New Prison Policies for Times of Crisis*, 2001
- 2 California Department of Corrections, 2001
- 3 A range up to \$644.3 million in safe cuts to the CDC was recommended by the LAO.
- 4 (It should be noted that the health and education programs selected above were not chosen for the purpose of promoting one over the other. Each was selected by a simple match between potential cost savings in corrections and a similarly priced cut in Governor Davis' Mid-Year Spending Reduction Proposal of December 2002. Numerous worthy projects and services for commerce, the environment, and transportation and housing could easily be substituted in place of those listed here.)
- 5 The \$53.4 saved through early release of P36 eligible inmates was taken from an estimate carried out in *Drug Use and Justice 2002: An Examination of California Drug Policy Enforcement*, November 2002.