The New Hampshire Center for
PUBLIC POLICY STUDIES

"…to raise new ideas and improve policy debates through quality information and analysis on issues shaping New Hampshire's future."

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LOCKED UP:

CORRECTIONS POLICY IN NEW HAMPSHIRE

Paper 1: The Fiscal Consequences of Incarceration Policies, 1981 to 2001

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This September 27 edition refines the discussion of the fiscal impact of parole violations and revises two calculations that had appeared on page 18 of the original publication.

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Paper 1: The Fiscal Consequences of Incarceration Policies, 1981 to 2001

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1. Findings and Recommendations

The cost of incarceration is one of the largest and fastest-growing drivers of state-government spending in New Hampshire, yet it is not obvious why costs should be rising while crime rates nationally are falling. This paper is the Center's first effort to illuminate various aspects of the state's corrections policies and to raise a set of questions for discussion among legislators, corrections officials, attorneys, judges, policy makers, and the broader public.

1. The New Hampshire Department of Corrections' operating budget rose from $5 million in FY 1981 to more than $66 million in FY 2001. Virtually all of the inflation-adjusted increase can be accounted for by one driving force: incarceration and sentencing policies that have increased the size of the state's prison population from 337 in 1981 to 2,370 in 2001. Figure 1 (on page 5) shows that the amount the state has spent per inmate per year has remained nearly flat for two decades, after adjusting for inflation. The growth in spending is a result of more people being behind bars for longer sentences. Particular cost drivers within the Department of Corrections' budget have included building and staffing three new prisons since 1981 to accommodate more prisoners for longer sentences. The department and the Legislature have recently made significant investments in staff to supervise those on probation and parole, and in treatment for the high percentage of inmates with problems with alcohol and other drugs. New Hampshire's 10 counties spent a total of $33.1 million on their jails and houses of correction in FY 2001, bringing spending for state and county jails and prisons to more than $99 million.

2. The action most likely to result in a state-prison term in New Hampshire today is a violation of a probation or parole order (see Figure 2 on page 5). Half of all admissions to the state prison system in 2000 were for those violations, suggesting that the best way to reduce the number of people in the state's prisons may be to do more to help those on parole make the transition back to civil society. A medical problem—drug and alcohol dependency—plays a critical role in many of the parole and probation violations that result in incarceration. Additional research and policy-making should focus on those challenges.

3. The Department of Corrections has published formal and extensive reports for the Legislature periodically since the department's creation in 1983. Those reports have changed little over the years and have offered lawmakers and the public only limited insights into the management and challenges of the corrections system. Corrections Commissioner Phil Stanley has indicated that the FY 2001 report, which is now being drafted, will provide a five-year perspective on important trends and be available both in print and online.[1] Doing so could make the reports a vehicle for sharing important information about a vital public function. The annual reports should present budget data and prison statistics as trends over time. The annual report should focus on the department's programs to reduce recidivism, the rate at which former inmates commit new crimes and return to prison. The reports should present accurate measures of those

[1] Personal interview with Department of Corrections Commissioner Phil Stanley, August 23, 2001.

programs' impact over time. The reports should also flag important policy changes or management challenges. Information and analysis of that kind would help New Hampshire's citizens and policy makers see the impact of their decisions and the choices ahead.

2. Behind the Bars

Over the last decade, only two functions of New Hampshire's state government saw General-Fund spending increases that exceeded the Department of Corrections': Medicaid payments for the poor, and nursing-home payments for the elderly and disabled.[2] Because the corrections system has become such a significant draw on the state's General Fund, the New Hampshire Center for Public Policy Studies has begun a long-term project to help policy makers and the public better understand the components of the system and the fiscal and social impacts of current policies.

The corrections "system" in New Hampshire has several distinct pieces. The Legislature is the source of statutes that shape the system and set broad policies: state laws define crimes and determine the magnitude of the punishment for committing specific crimes. The Legislature also determines how much money will be available each year for the state's Department of Corrections, which runs the state prisons, a secure psychiatric unit, and field services for overseeing individuals on probation or parole. Other key players in the corrections system are the prosecutors who play a large role in determining which crimes to prosecute and judges who determine how and, to some extent, where people convicted of crimes will serve their sentences. The state's police departments play a critical role in setting priorities for investigations and arrests, and networks of volunteers in parts of the state are active in diversion programs that enable some first-time offenders to make amends for their actions without going through the courts and prisons at all.

This paper focuses primarily on one part of the system—prisons and jails—and puts most of its emphasis on the state prisons, probation, and parole. The Center expects to examine other parts of the corrections system in subsequent reports to be released over the next year or two. This first paper focuses on incarceration because it is the most expensive function of the corrections system and because it is one of the few aspects of the system about which state and county agencies have gathered and published relevant data over an extended period of time.

The New Hampshire Department of Corrections has grown at a phenomenal rate over the last 20 years. Its budget has risen from just over $5 million in FY 1981 to more than $66 million in FY 2001. Even after adjusting for inflation and the growth of the state's population, General-Fund spending on the Department of Corrections has increased by 404 percent between FY 1981 and FY 2001. The number of men and women in state custody has increased from 337 to 2,370. The state opened three prisons during the period and designed the newest one—a 500-bed facility in Berlin—so that it would be relatively easy to add 500 more beds, should the need

[2] Douglas Hall, "Shifting Priorities in the New Hampshire General Fund, 1991 to 2001: Higher Education Loses Ground to Rising costs for Health Care and Prisons," New Hampshire Center for Public Policy Studies, Concord NH, April 2001.

arise. Commissioner Stanley said recently that he is pursuing strategies to make that expansion unnecessary.

Each of New Hampshire's 10 counties also has its own corrections system including a jail for detaining those under arrest and awaiting trial, and a house of correction for incarcerating people convicted of misdemeanors by the county's district courts. County houses of correction also house inmates sentenced by superior courts to terms of a year or less, and some house inmates from other jurisdictions including the federal Immigration and Naturalization Service.

The state's 10 county jails and houses of correction have experienced considerable growth in their capacity and incarceration rates as well. In FY 2000, counties spent a total of $32 million on their jails and houses of correction. In 1970, that total was just $718,199. In 30 years, the counties' spending on corrections rose some 912 percent, *after adjusting for inflation*, and by 544 percent after adjusting for both inflation and the growth in the state population.[3] The counties' annual reports to their residents have reported on their inmate populations in such a variety of ways over the years that it is impossible to determine how many people they have typically had in their custody at any given time (an average daily population), though the total appears to be roughly half the size of the average daily population in the state prisons.

Consideration of the last 20 years of corrections data raises several basic policy questions:

- Should New Hampshire anticipate continued growth in the number of people it must—or chooses to—place in custody?
- Are there more cost-effective alternatives to incarceration for nonviolent offenders that would still satisfy the public's interest in punishment and deterrence?
- To what extent could more effective treatment for alcohol and other drug problems reduce the number of criminal acts committed in New Hampshire—including violations of parole and probation orders—and thus reduce both the number of crime victims in the state and the size of the state's incarcerated population?
- Are New Hampshire's corrections programs and other interventions doing all they can to prevent crime and reduce recidivism?
- Has the "Truth in Sentencing Act" been worth its cost to the state treasury: perhaps as much as $184 million over the last 17 years?

Most of the data in this paper come from two sources: the Department of Corrections' annual or biennial reports to the Legislature and the public from FY 1981 to FY 2000[4], and county government reports to the public and the New Hampshire Department of Revenue Administration. The Department of Corrections has also generously provided the Center for

[3] County data here, and elsewhere in this paper, were compiled by the Center from individual county reports. Spending data are from 1970 county reports and FY 2000 MS-42s, a standard reporting form submitted by each county to the NH Department of Revenue Administration. The Consumer Price Index was used to deflate current dollars.

[4] The department issued biennial reports through FY 1996 and annual reports thereafter. In the biennial reports, the department published expenditures for each year of the biennium, so all of the spending numbers analyzed here are annual figures. Through FY 1990, the department released most data related to crimes and sentences in two-year aggregations. For the purpose of illustrating trends across the two decades in a consistent graphical format in this paper, we have assumed that half of the prisoners were sentenced to the prison system in the first half of the biennium and half in the second.

Public Policy Studies with unpublished data allowing us to put the annual-report information in context and to include several snapshots of the prison population as it appeared at the close of FY 2001.

With only a few exceptions, those published reports contain no trend data. The state reports are filled with numbers, but virtually all of them are for the single year or the two years of the biennium in question. The only information in the state reports that has been consistently reported over time tracks the size of the prison population from 1812 to the present. There is no continuous—or consistent—measurement of the capacity of the prison facilities over the last 20 years, though the reports make compelling arguments that the state's prisons have been consistently overcrowded.

This paper considers not only the data presented in the reports but also the data the reports do not present: information the Legislature and the department itself could use to make decisions about corrections policy. Measures of the effectiveness of various department programs in reducing recidivism or helping released inmates find productive roles in their communities are among the missing pieces.

3. A Brief Chronology of the Department and the State Prisons

The New Hampshire State Prison opened at its current site in Concord in 1878 with room for about 245 prisoners. In 1982, the first of a series of facility expansions opened on the site. In 1983, the Department of Corrections was born with the merger of the New Hampshire State Prison and the Department of Probation and Parole. In 1986, the secure psychiatric unit moved from the old State Hospital to the prison compound and became part of the department's budget.

In the 1970s, the state opened half-way houses in Concord (Shea Farm) and Manchester (Calumet House) for inmates near the end of their prison terms. In 1993, the department opened another piece of its "community corrections" system: a half-way house in Concord called North End House. In 1989, the state opened the New Hampshire State Prison for Women in Goffstown. In 1992, the state began a gradual process of reopening an old facility in Laconia as the "Lakes Region Facility" for state prisoners involved in drug- and alcohol-treatment programs. In 1994, the state equipped the facility with fencing and other renovations enabling it to house up to 300 medium-security prisoners. In 1998, the Legislature decided to expand the Lakes Region Facility to house up to 600 inmates. The same year, the Legislature authorized the creation of two more community-based half-way houses and the construction of a 500-bed prison for men in Berlin. The Berlin prison, known as the Northern Correctional Facility, was built with a core infrastructure capable of handling 1,000 prisoners. The Northern Correctional Facility opened in April 2000; the half-way houses have not yet opened.

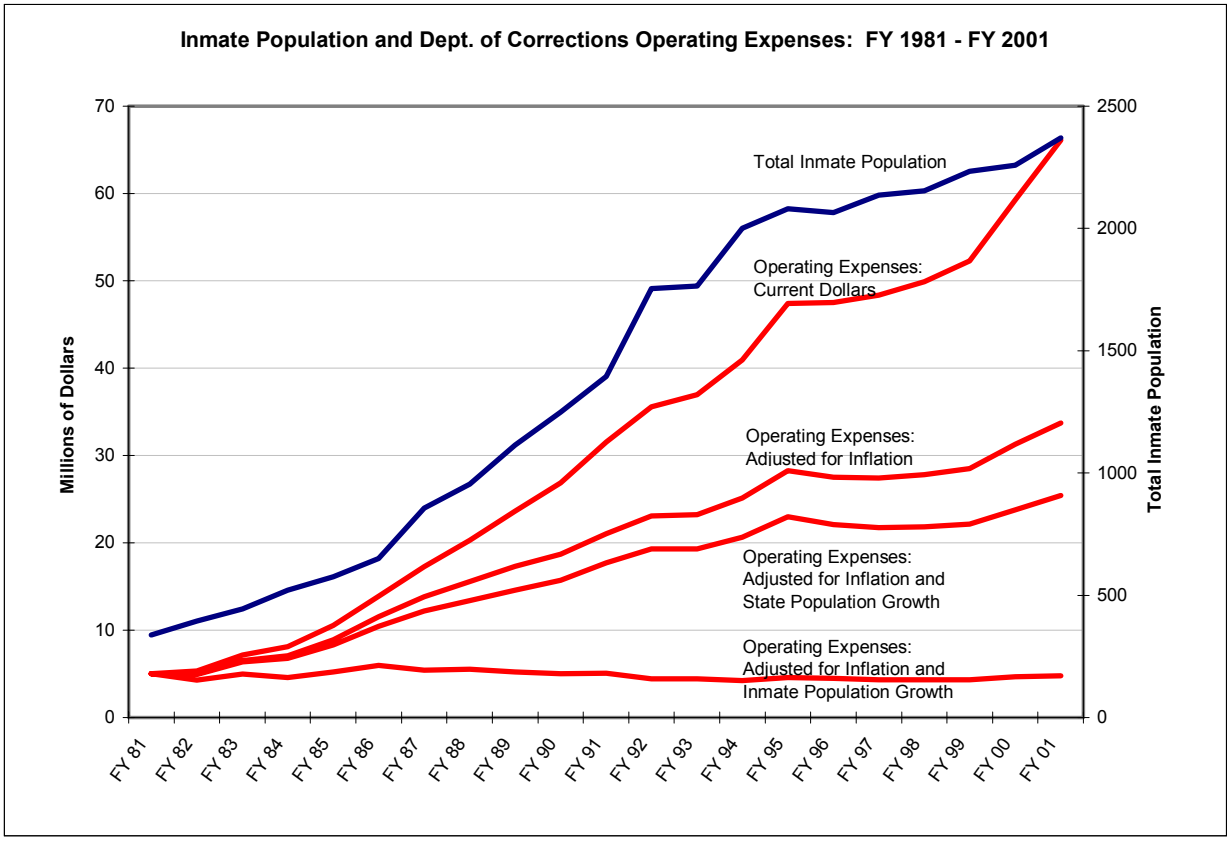
Prison expansions have been common all across the country, fueled by changes in state and federal policies and priorities. Between 1981 and 2000, New Hampshire's state prison population increased by 570 percent, while the state's total population increased by just 31 percent. New Hampshire's explosive growth in incarceration rates was unusual only in that it was relatively *low*, compared to most other states in the nation. New Hampshire's state-prison incarceration rate ranked 47th in the nation in 1999 and the spending per capita on state and

local corrections ranked 48th, according to *Governing* magazine.[5] The Bureau of Justice Statistics reported that at the end of 2000, New Hampshire had an incarceration rate of 185 sentenced inmates per 100,000 residents, the fourth lowest rate in the nation (behind Minnesota, Maine, and North Dakota). The national incarceration rate was 478.[6] (More detailed comparisons with other states will be a subject for a subsequent paper.)

Phil Stanley became commissioner of the department in May 2000. He was the fifth commissioner or interim commissioner within a six-year period.

4. The Prison Population Drives Operating Expenses

Figure 1: Inmate Population Drives Dept. of Corrections Spending



The growth of spending on corrections is a direct result of the growth in the inmate population. Figure 1 illustrates that point. The figure tracks the department's total expenditures over each of the last 19 years in four ways:

- in "current" dollars, unadjusted for inflation: these are the figures in each of the department's reports
- in "real" dollars, adjusted for inflation using the Consumer Price Index, the most familiar measure of inflation

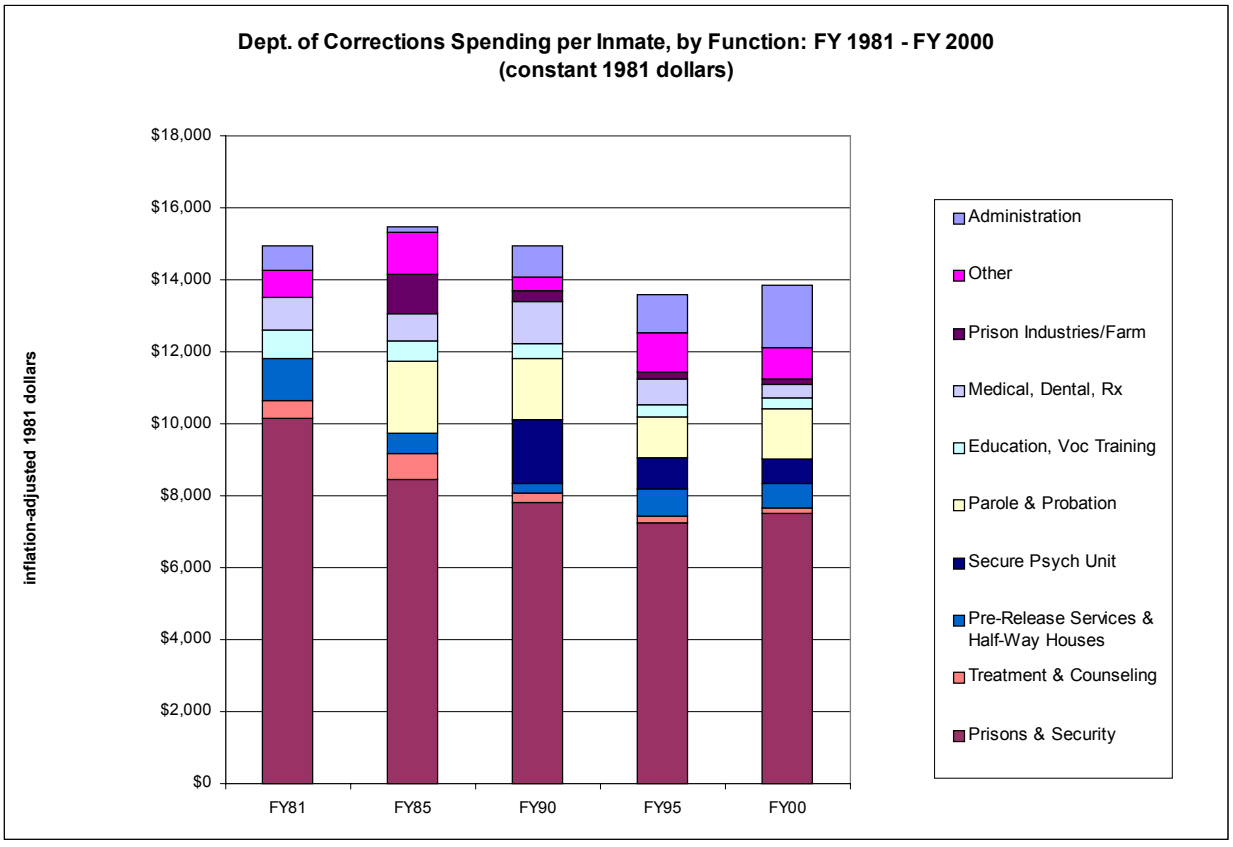
[5] *Governing* Magazine*, State & Local Sourcebook 2001,* Washington DC, 2001.
[6] Allen J. Beck and Paige M. Harrison, "Prisoners in 2000," (NCJ 188207), U.S. Department of Justice, Bureau of Justice Statistics, Washington DC, August 2001.

- in dollars adjusted for inflation and for the growth of the state's population, and
- in dollars adjusted for inflation and for the growth of the inmate population.[7]

The last measure—the bottom line in the graph—shows that spending per inmate has remained nearly flat for two decades. Thus, the climbing cost of corrections has been driven not by increasingly expensive programs for inmates but by policies that have increased the number of people behind bars.

Figure 2 breaks the department's operating expenditures down into 10 functions and adjusts for both inflation and the size of the prison population. Over the two decades, annual spending per prisoner has fluctuated around a median value of $13,700 (in 1981 dollars).[8] "Prisons and security," the largest function, includes correctional officers and facility maintenance; the upturn in FY 2000 reflects the additional operating costs per inmate that accompanied the opening of the Berlin prison. (Actual FY 2001 expenditures were not yet available and are not estimated in this graph.) The "treatment and counseling" function includes a variety of programs and grants the department has operated for the treatment of alcohol and drug abuse and sex offenders; the function does not capture expenditures on all related programs, such as "Summit House," when the department has lumped those expenses into the general "prisons and security" category.

Figure 2: Spending Per Inmate Has Remained Nearly Constant



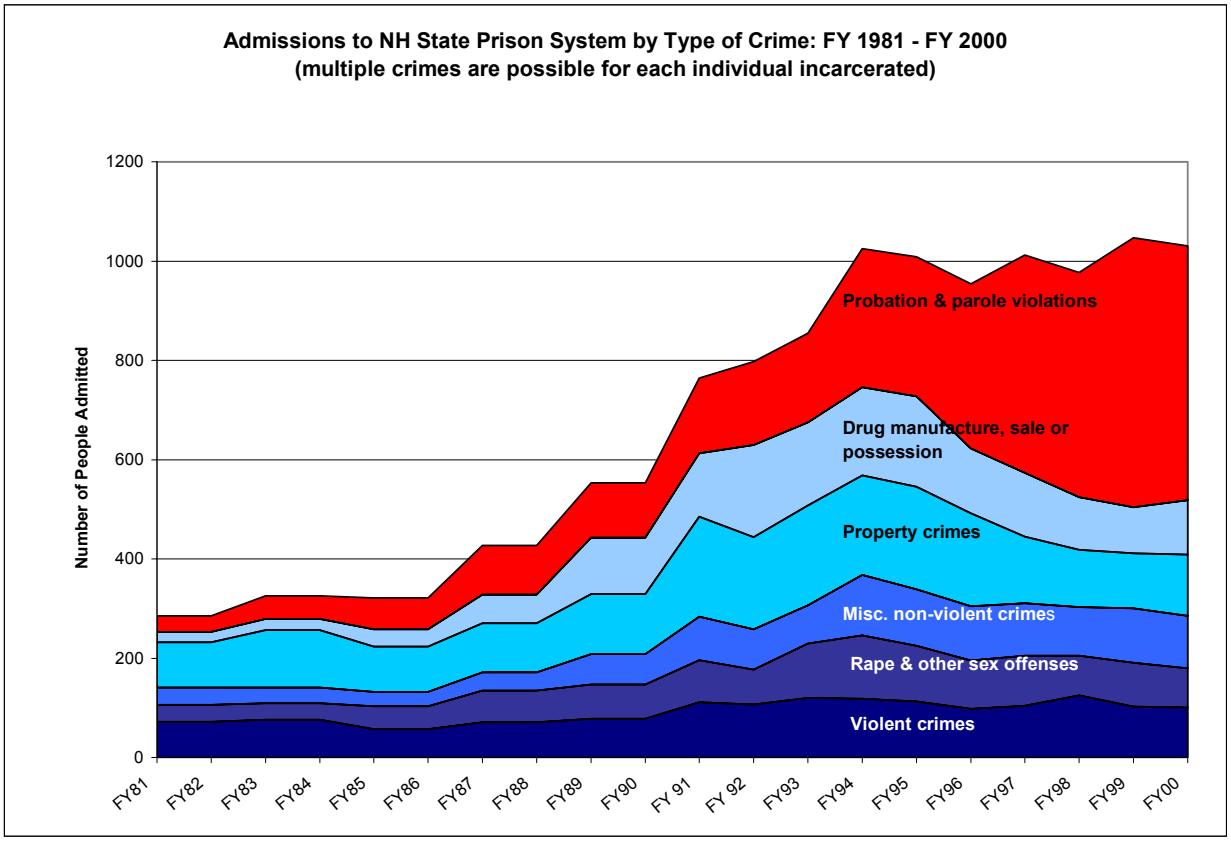
[7] The indices used to produce this graph are explained in Appendix B.
[8] In current (2000) dollars, operating expenditures per inmate totaled $26,225 in FY 2000.

None of the figures or calculations in this paper includes the cost of debt service for the construction of the state's prisons. In 1992, the Office of Legislative Budget Assistant calculated the annual debt service on the $66 million in capital improvements the department had made through that date, and concluded that annual payments in the 1990s ranged from roughly $5 million to $8 million.[9] Subsequent bonding for projects, including the renovation of the Lakes Region Facility and the construction of the North Country Facility, has added $39.9 million to the total amount of bonds approved by the Legislature. A list of the capital projects approved by the Legislature between 1985 and 2000 is included in Appendix A.[10] Neither the Department of Corrections nor the Office of the Treasurer has a current estimate of the annual cost of prison-construction debt.

5. There Are Fewer New Criminals Than a Decade Ago

The number of admissions to the state prison system for all crimes other than parole or probation violations peaked seven years ago and declined through FY 1999 before turning up again in FY 2000 and FY 2001. In FY 1994, 746 individuals were sentenced to prison for crimes other than parole or probation violations; in FY 2000, that number had dropped by 30 percent to 518. In FY 1999 and 2000, fewer people were convicted of "new" crimes and sent to New Hampshire's state prisons than at any time since FY 1991.

Figure 3: Half of Recent Admissions Are for Parole and Probation Violations



[9] "State of New Hampshire Prison Expansion Performance Audit Report," NH Office of Legislative Budget Assistant, Concord NH, April 1992.
[10] NH Office of the Treasurer.

Meanwhile, however, parole and probation violations have resulted in an increasing number of incarcerations. Parole and probation violations accounted for just 11.2 percent of the total number of offenses the department listed in the biennium ending in FY 1982; in FY 2000 they were 49.7 percent. Figure 3 illustrates the dramatic change in the profile of crimes for which people have been sent to prison over the last 20 years.[11]

Crime rates have dropped nationally during the last 10 years or so, so it is not surprising that that the number of people being sentenced to New Hampshire's state prisons for new crimes has fallen as well. Note, however, that the Department of Corrections reports include no information on crime rates in New Hampshire: only the number of people sentenced to state prison. Understanding the relationship between crime and incarceration is of critical importance to determining corrections policy, but New Hampshire has not gathered the data needed to generate state-specific conclusions. Reporting on crime rates is the responsibility of local police departments in New Hampshire, not the Department of Corrections, and because of the voluntary nature of the reporting system, New Hampshire's crime statistics are unable to support useful analysis. Only 54 of the state's police departments reported arrest statistics to the U.S. Department of Justice in 1999, and those communities constituted barely a third of the state's population.[12]

Because they receive longer sentences, those admitted to the state prison system for violent crimes make up a larger percentage of the prison population than the admissions numbers graphed in Figure 3 would suggest. As of June 1, 2001, nearly half of those in the state's prisons had been convicted of a violent offence, as shown in Table 1.

Table 1: Distribution of Prison Population by Type of Crime, June 2001[13]

Type of Crime	Number of Inmates	Percentage of Prison Population
Violent	1113	47.3%
Non-Violent	798	33.9%
Drugs	298	12.7%
Other NH	4	.2%
Secure Psychiatric Unit Patients	33	1.4%
Other Jurisdictions	124	5.3%
Total	2370	100.0%

[11] Many individuals commit multiple crimes, are convicted of multiple offenses, and receive multiple sentences. The department bases many of its statistical reports on the most serious crime with the longest prison term. Thus an individual convicted in 1999 of a serious violent crime *and* several drug charges or property crimes would be represented in the department's reports, and this analysis, as a single "violent-crime" admission. Table 7 on page 28 presents the data from which Figure 3 is drawn. The Department of Corrections' standard data reports do not link probation or probation violators back to their original crimes, so it is impossible here to break down those violations into more specific categories.

[12] Ten other states and the District of Columbia reported only partial arrest data to the federal government, according to data compiled by the U.S. Department of Justice and the Federal Bureau of Investigation and published by the *Sourcebook of Criminal Justice Statistics Online* (Table 4.5), available at the U.S. Bureau of Justice Statistics' website, www.ojp.usdoj.gov. The *Sourcebook* notes that because of the poor data quality from these 11 states, it is inappropriate to make direct comparisons of crime rates across years.

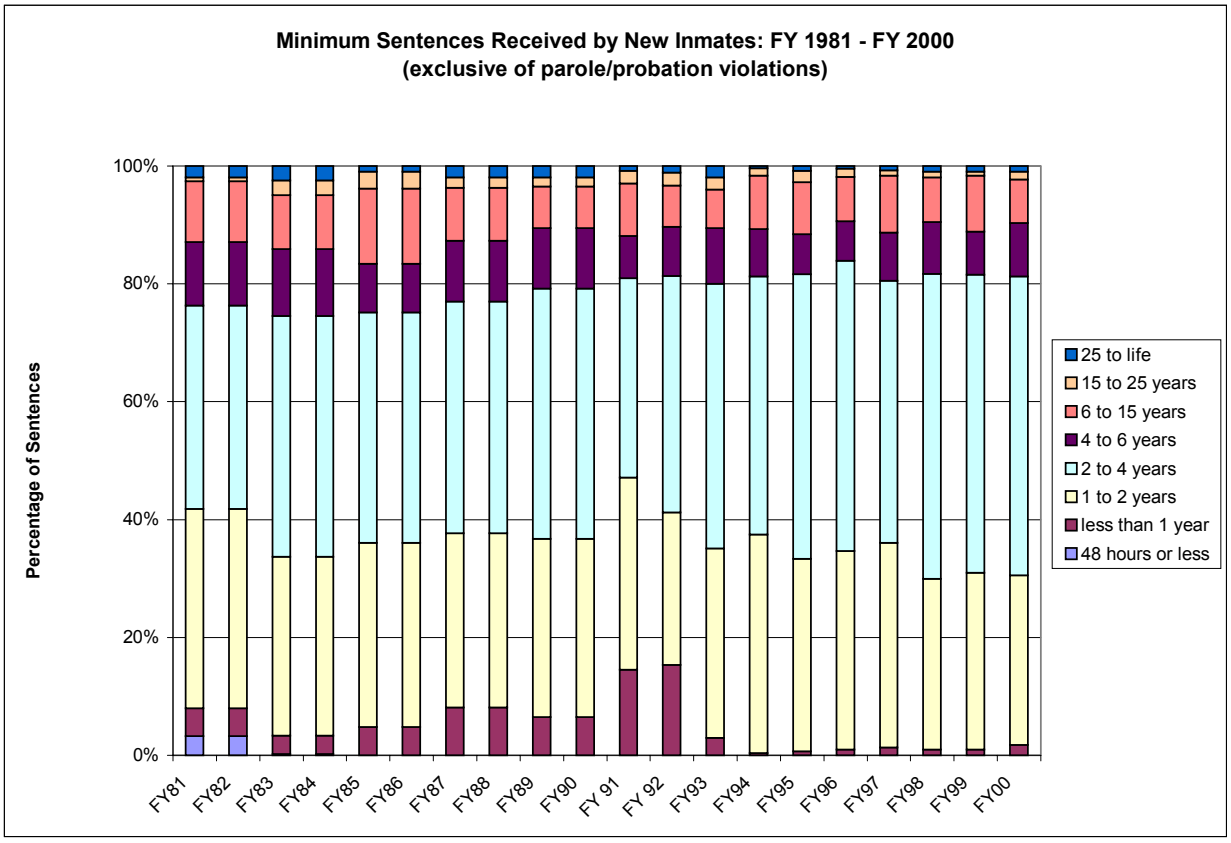
[13] These data are from an internal DOC document, NH Department of Corrections Statistical Report for Prison Facilities From 01/01/2001 to 6/31/2001." The DOC annual reports have not included breakdowns of this type.

The statistics presented in Table 1 and the other tables and graphs in this paper include male and female inmates. At the end of FY 2000, 115 of the people in state prison were women who had been sentenced by a New Hampshire court to either the New Hampshire State Prison for Women, the Lakes Region Facility, or a half-way house. The State Prison for Women also housed inmates from several New Hampshire counties, several other states, and the federal Immigration and Naturalization Service, bringing the Goffstown facility's total population to 111 at the end of FY 2000 and the total number of women in the state's prisons to 181.

6. Longer Sentences Increase the Population Behind Bars

The sentences imposed on inmates in the state prisons have gotten longer over the last 20 years. In the early 1980s, a few offenders were being sent to the state prison for sentences of 48 hours or less, and almost 7 percent of the new inmates were sentenced for less than 1 year. In FY 1992, 12 percent of the new admissions—exclusive of those for parole and probation violations—received sentences of less than a year.[14] By FY 1994, the state prisons admitted just three people with sentences of less than a year, a total of less than 0.3 percent of the new admissions. Figure 4 illustrates that shift.[15]

Figure 4: Minimum Sentences of Two to Four Years Predominate



[14] The DOC sentencing data includes the number of sentences issued for parole and probation violations but not the length of time for those sentences, so those data are excluded here.

[15] State law directs that offenders sentenced to terms of a year or less shall be incarcerated at county houses of correction (RSA 651:17), and that those sentenced to more than a year shall be incarcerated at the state prison (RSA 651:15).

The near-elimination of the shorter terms was a result of an effort by the Department of Corrections to inform judges and prosecutors of the impact of their sentencing decisions. Some courts had erroneously thought that an offender sentenced to a nine-month term could complete the department's "Summit House" program for alcohol and other drug dependencies. Some courts occasionally sentenced offenders to very short terms at the state prison to show the offenders what it would be like to receive a longer sentence if they continued to commit crimes.[16]

In FY 1981 and FY 1982, 34 percent of all the new admissions to state prison were sentenced for terms of 1 to 2 years. That figure stayed fairly constant throughout the period, but the percentage of sentences of 2 to 4 years increased significantly, from about 34 percent in FY 1981 to more than 50 percent in FY 2000.

Figure 5: Few Minimum Sentences Exceed 15 Years

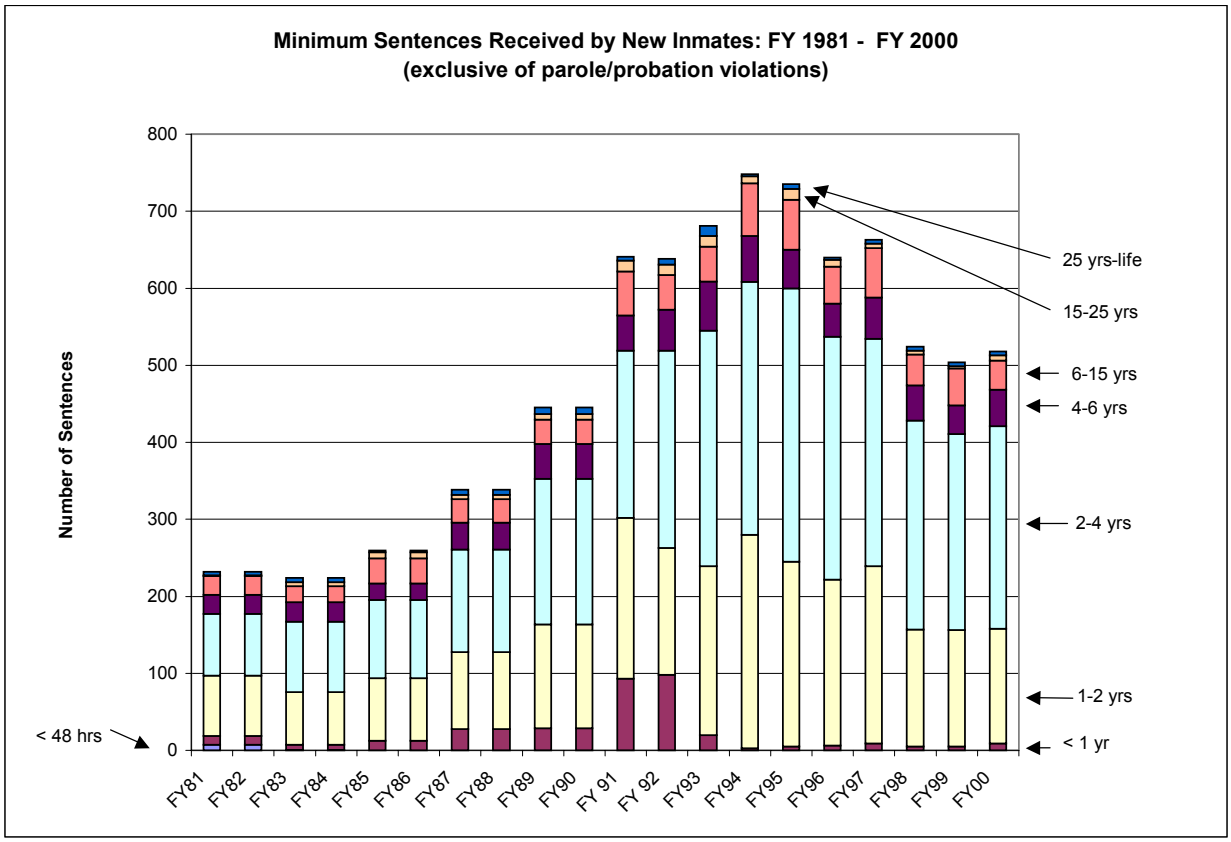


Figure 5 presents the sentencing data in absolute terms, rather than as percentages. Again, the graph excludes sentences for those convicted of parole and probation violations. Those receiving the longest sentences—more than 25 years and life without parole—are difficult to make out in the bar graph because the numbers are so small. With few exceptions over the period, courts have sentenced one or two people each year to life without parole. In 1999 there

[16] Personal communication with Edda Cantor, former deputy commissioner, New Hampshire Department of Corrections.

were three; in 1994 and 1995 there were none; over the 19 years, there were 37 life sentences. Over the same period, there were 75 sentences for more than 25 years but less than life, and 12 of those were in FY 1993.

The predominance of terms of four years or less means that the prison population is constantly changing: in the first half of 2001, the Department of Corrections released an average of 95 inmates each month, including those released on parole or probation, and admitted an average of 105 new inmates per month, including those admitted for parole or probation violations. (Both averages exclude those transferred in and out of the prisons from other jurisdictions.)

One reason the prisons have stayed full even as admissions have declined is that minimum sentences are longer and prisoners are serving more time before being paroled. Twenty years ago, the Legislature passed a law that has become known as the "Truth in Sentencing Act." The department's report to the Legislature for the biennium ending June 1984 summarized the change as follows:

> "Among the accomplishments for this biennium were the development of a new method of sentence computation as required by House Bill 20 effective May 22, 1982. This tremendously increased workload since inmate sentences are now computed and updated on a monthly basis as good-time is earned. This also increased the inmate population because more time is served on each year of the minimum sentence than in the past. RSA 651:2 changed good-time credits so that no deductions are made from the minimum sentence, but added instead the former good-conduct deductions to the minimum sentence. Previously each prisoner was credited with 150 days of good-conduct credits which were deducted from each year of his sentence in advance. Now the basic sentence must be served and in addition any of the 150 "disciplinary days" not earned must be served."

The report included the following table showing the impact of the change on "minimum time served if all credits are earned."

Table 2: Truth in Sentencing

Sentence	New System	Old System
1 year	1 year	7.5 months
3 years	3 years	1 year 10.5 months
10 years	10 years	6 years 3 months

In other words, for each year of the minimum sentence, inmates now were required to serve 365 days rather than 215. That statute has had a profound impact on the department's budget.[17]

[17] In his report to the Legislature in FY 1988, Commissioner Ronald Powell wrote of the rising inmate population: "This explosive increase seems to be a function of a number of factors including a general nationwide public sentiment to make the streets safer by incarcerating larger numbers of offenders; a change in the NH sentencing statutes in 1982, removing good conduct credits which previously were deducted from sentences, and adding disciplinary days instead; the population growth in NH especially along the southern edge; the incursion of urban crime into the state, also along the southern edge; increased enforcement efforts by police agencies and probation and parole authorities; and judicial sentencing practices especially as they related to sex crimes, drunken driving, drug offenses, and personal injury crimes. Restated, there are more crimes, more people sentenced to prison, they

Table 3 illustrates one way to approximate the financial impact of the Truth in Sentencing Act by using the data from the Department of Corrections' reports to estimate the number of additional years of prison time the statute has generated. The calculation starts with the assumption that the average sentence of "less than 1 year" was for 6 months, and that all sentences of 1 to 2 years had a "minimum" sentence of one year, and so on. Over the 18 years since the law was implemented, the state has sentenced people to serve a minimum of about 23,000 inmate-years in state prisons. Under the old system of counting jail time, each year had only 215 days (365 days minus 150 days for good time). Under the old system, then, the state's sentences for the same set of crimes would have generated a minimum of only about 13,600 inmate-years of time. The Truth in Sentencing Act has thus added roughly 9,495 inmate-years to the state's prison population. That translates into an average of about 423 inmates per year.[18]

Table 3: The Impact of Truth in Sentencing: 1983-2000

Minimum Sentence	Number of Sentences	Inmate-Years (New System)	Inmate-Years (Old System)	Increase in Years Served
.5 years	405	203	119	83
1 year	2,775	2,775	1,635	1,140
2 years	3,891	7,782	4,584	3,198
4 years	755	3,020	1,779	1,241
6 years	515	3,090	1,820	1,270
8 years	43	344	203	141
10 years	191	1,910	1,125	785
15 years	147	2,205	1,299	906
25 years	71	1,775	1,046	729
Total years		23,104	13,609	9,495

The department's annual report for FY 2000 says that it cost $19,388 to keep one person in prison for one year[19] so the cost to the state of the additional 9,495 inmate-years may have been more than $184 million (in 2000 dollars). Approximately $36 million of that figure are costs that will be incurred in years to come as those who were more recently sentenced serve out their full minimum terms. The figure, however, does not include any of the prison time that is now being served by all of those people who have violated probation and parole.

The $184 million estimate also excludes the capital costs and debt service for the new prison facilities required to accommodate those additional inmate-years. New Hampshire might not have needed to build the new prison in Berlin if the Truth in Sentencing Act had not added several hundred people per year to the total incarcerated by the state.

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are staying longer, and are more likely to return to prison because they are younger, more drug involved, and more thoughtless." Powell did not attempt to quantify any of those growth factors. The FY 1989-1990 report includes a unique set of tables showing average time actually served by men and women convicted of different types of crime and by different minimum sentences.

[18] This final calculation, the average number of additional inmates in the state prison population over the past 18 years, is derived from an estimate of the number of inmate-years that includes only those sentences whose full minimum would be completed before the end of FY 2000.

[19] "Fiscal notes" submitted by the Department of Corrections to the Legislature in FY 2001 reported an average cost per inmate in FY 2000 of $20,557.

The actual financial impact of the Truth in Sentencing Act could be substantially *higher or lower* than the $184 million estimate, depending on the rate at which inmates earn their good-time release days, the number and type of concurrent vs. consecutive sentences, the impact of parole and probation violations, and the extent to which judges and prosecutors may have compensated for the statutory change by ordering shorter sentences for particular crimes than they did before the law was enacted. The data the department has provided the Legislature in the annual and biennial reports does not allow for a more precise calculation; in subsequent work, the Center will attempt to refine that cost estimate or at least develop a plausible high and low bound.

The Truth in Sentencing Act appears to have bound the state on a course of longer incarcerations, but policies and practices not governed by statute may have influenced inmate tenure as well. In the biennium ending in FY 1982, 336 inmates were paroled, 57 were released on court order, two died, and eight people—less than 2 percent of the group released from prison that year—"maxed out" or completed their maximum sentence. Over the years, the percentage maxing out increased dramatically. In 1997 for example, 636 inmates were paroled, 104 were released on court order, five died, and 164 maxed out—more than 18 percent of the group. The department's reports do not call attention to this trend or attempt to explain it. It is possible that the Parole Board is less lenient than it used to be, or that the inmates—particularly sex offenders and people with alcohol or other drug-addiction problems—are more prone to recidivism. It seems likely that those being returned to prison for parole violations would be given fewer second chances by the Parole Board, and thus end up serving their full term. Subsequent reports will focus on parole and probation functions.

7. Prison: It's Not Just for Young Men Anymore

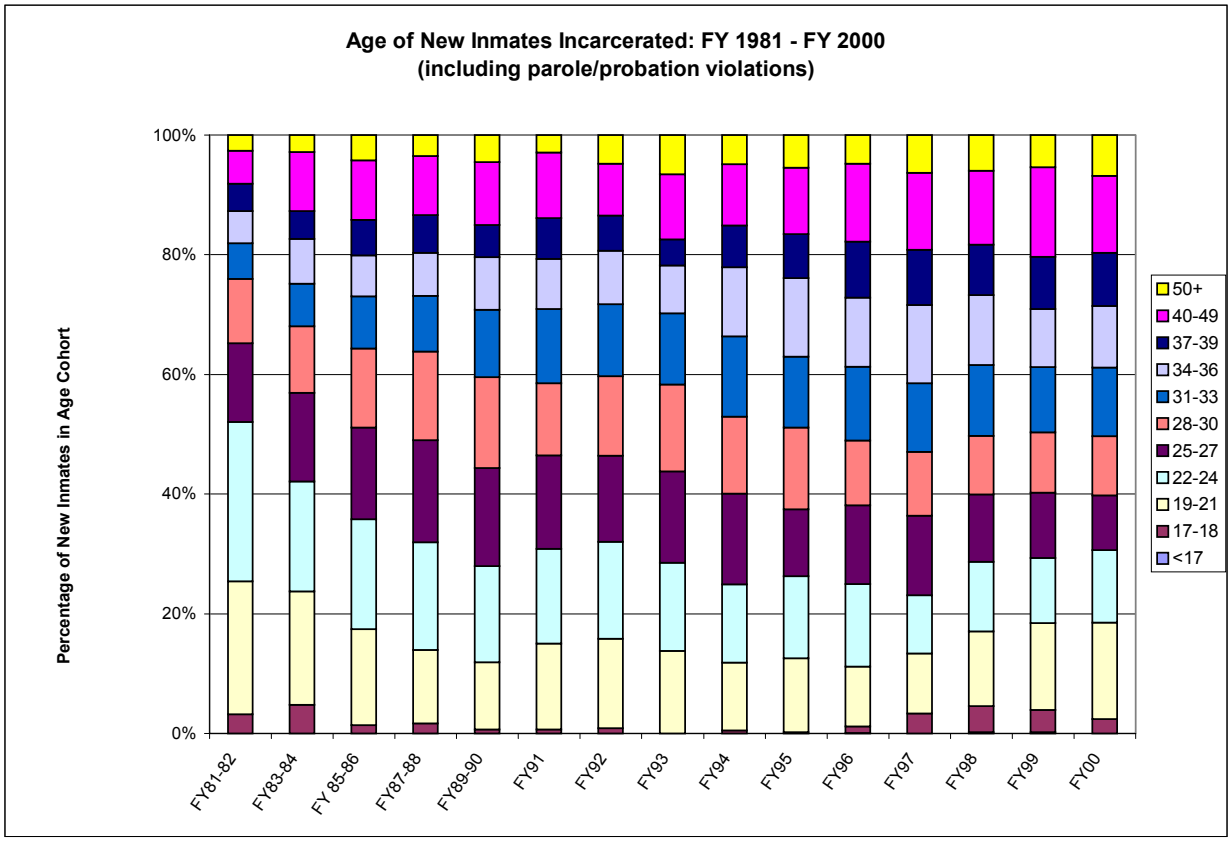
Twenty years ago, the people being sentenced to prison were mostly teenagers and young men. Today, those being sentenced to state prison are mostly over 30. Figure 6 illustrates the striking change in the demographics of those being admitted to the state prisons.

In FY 1983, 25 percent of sentences were handed out to inmates under age 22 and only 8 percent to those over 40. In FY 2000, only 18.5 percent of sentences went to inmates under age 22 and almost 20 percent to those over 40. In 1983 more than half of the sentences went to inmates 24 or younger; by 2000, sentences to that age group had dropped to 30 percent of those being sentenced and more than half were for those over 30.

Those figures do include those people being sentenced for parole and probation violations, so many of the individuals in the older cohorts were probably those being sent back to prison.

The department's annual and biennial reports provide information about those admitted to the prisons each year, but the reports present very little information about the demographics or criminal history of the state-prison population as a whole. Since the mid-1990s, the section of the report dealing with health-care services and costs has noted that costs are rising because "our population is getting increasingly older," but that is as precise as the data in the reports get.

Figure 6: More Than Half of New Inmates Are Over 30



A separate report prepared monthly for use within the department provides a snapshot of the state prisons' population as of June 1, 2001.[20] On that date, there were far more people in custody over age 40 than under age 26, as shown in Table 4.

Table 4: Age Distribution, NH State Prison Population, as of June 1, 2001

Age	Number of Inmates	Percentage of Prison Population	Cumulative Percentage of Prison Population
under 17	0	0%	0%
17-21	212	9%	9%
22-25	359	15%	24%
26-30	329	14%	38%
31-40	713	30%	68%
41-50	492	21%	89%
51-60	196	8%	97%
over 61	69	3%	100%
Total	2370	100%	

[20] NH Department of Corrections, "Statistical Report for Prison Facilities From 01/01/2001 to 06/31/01."

8. County Facilities Increase in Size and Cost

Each of New Hampshire's 10 counties runs a facility that includes a jail to hold people awaiting trial or under protective custody, and a "house of correction" to incarcerate people convicted of crimes by district and superior courts. Each of the counties has seen its inmate populations and expenses rise in ways comparable to the state prison. In 1970, the counties spent a total of $712,199 on their corrections programs; in 2000, they spent $32.3 million. After adjusting for inflation, that growth translates into a 912 percent increase over the 30 years. Even after adjusting for the growth in the state's population as well as inflation, the counties spent 544 percent more on corrections in 2000 than in 1970. Figure 10 in Appendix A at the end of this report graphs the spending increases for each county over the 30 years.

In language reminiscent of some of the older state reports, the Hillsborough County report on Fiscal Year 1981 included the following explanation of the first of what would be several dramatic increases in the department's budget:

> "The year 1981 was one of radical change for most correctional institutions throughout the nation. Hillsborough County was itself a victim of such change, with periods of overcrowding, increases in the severity of crimes inmates were sentenced for, and increases in incarceration periods.
>
> "While the numbers of inmates sentenced to the House of Correction increased by 9.9%, the quantity of total time spent in the institution in terms of man days increased an unusual 79.6%. The number of women sentenced decreased by 47.8%, but the total confinement time increased by 19.5%. These factors increase greatly the expenditures necessary for the average inmate, with food services increasing by 55.6%."[21]

Hillsborough and Rockingham Counties run the largest of the county facilities. In 2000, Rockingham County admitted 3,602 inmates: 2,832 of whom were charged with a crime—including murder—and awaiting trial in either district or superior court, and 770 of whom were convicted of crimes and sentenced to the county house of correction. Thirteen percent of the total were female; 44 percent of the total were repeat offenders. As illustrated in Figure 7, the average daily inmate population in the Rockingham County facility increased by 60 percent between 1990 and 2000.[22]

Carroll County's facility admitted fewer than one-third as many inmates in 2000 as Rockingham County, but it has experienced similar trends over time. Figure 8 graphs four measures that the county has tracked for at least three decades: the number of individuals admitted to the jail and the house of correction, and the number of inmate-days in the jail and house of correction. Although the house of correction had fewer new inmates and fewer inmate-days in 2000 than in 1999, the jail saw increases in both measures.

[21] Hillsborough County 1981 Annual Report.
[22] Rockingham County Department of Corrections.

Figure 7: Rockingham County Inmate Population Grew 60 Percent in Last Decade

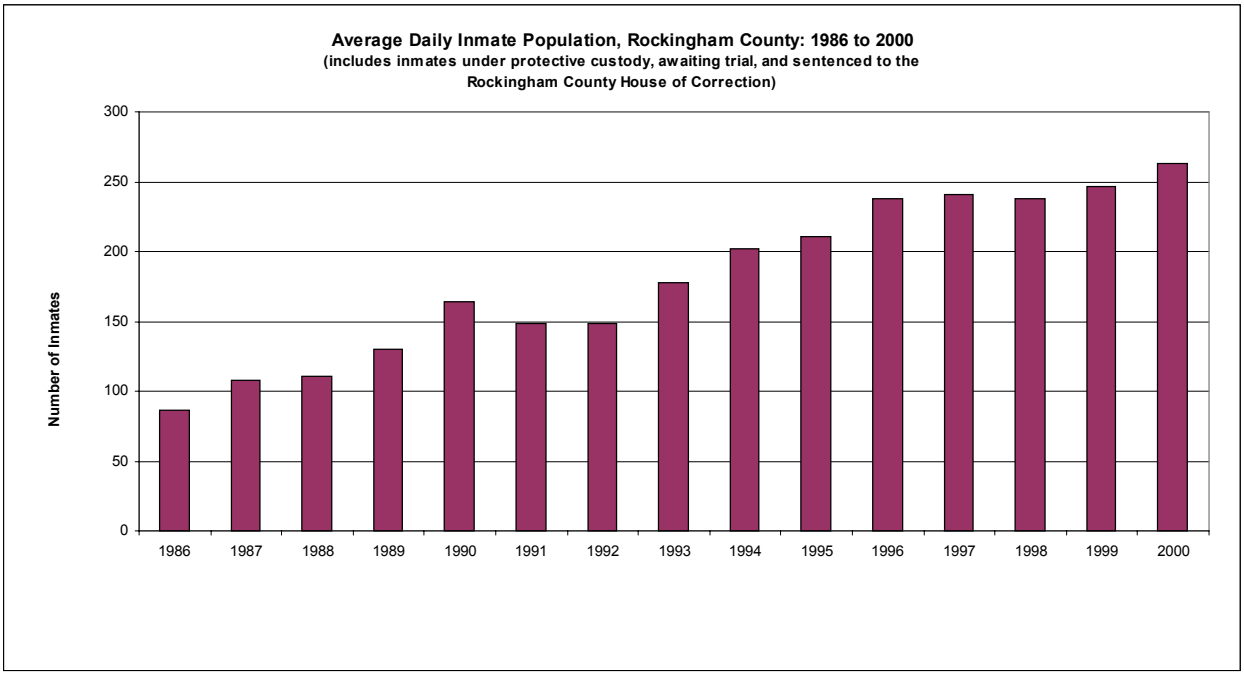
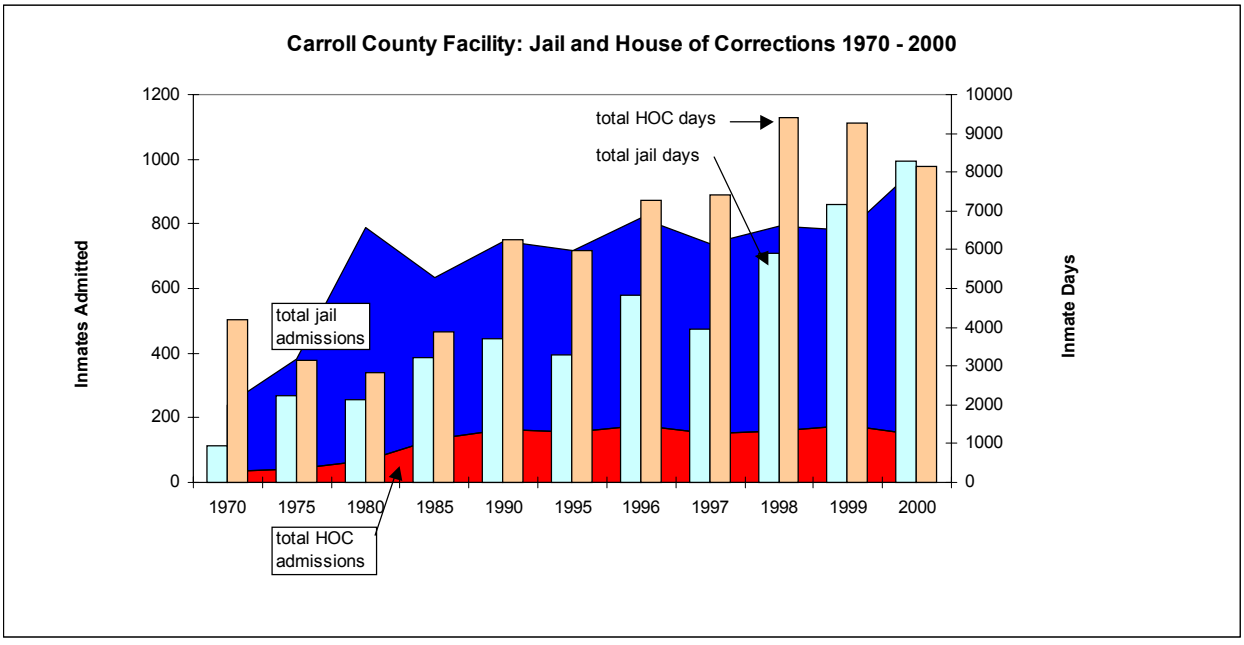


Figure 8: Inmate Populations Grew Sharply in the 1980s at County Facilities



Throughout the period, some of the counties have had enough excess capacity in their houses of correction to lease cells to the state, to other states, or to the federal government, so some of the county costs have been offset by the income that came from housing prisoners from other jurisdictions. Conversely, some counties have had to pay other jurisdictions to house their prisoners when overcrowding or lack of facilities for female inmates demanded. The Center has

not yet attempted to track those transfers, so the gross county expenditures on corrections offer only a partial picture of the situation.

In FY 2001, the combined state and county expenditures on corrections approached $100 million for the first time. Counties spent $33.1 million and the state spent $66.1 million, for a total of just over $99.2 million. Assuming that the amount the Department of Corrections paid the counties is relatively small, county taxpayers—that is, property taxpayers—covered about 33.3 percent of the total cost of incarceration, probation, and parole in New Hampshire. Thirty years ago, the counties' share was almost 40 percent[23], though since 1995 it has ranged between 34.2 percent and 37.2 percent of the total.

9. Probation, Parole, and Back Again

The prison population in New Hampshire is constantly changing as inmates leave and new prisoners are admitted. Many of those being admitted, however, have been there before. As Figure 3 illustrated, roughly half of all people admitted to the state prisons in recent years were incarcerated for parole or probation violations. The department's data shed some light on this phenomenon and suggest the need for more research.

Probation and parole are two of the tools the state uses to encourage better behavior by people convicted of crimes. Courts may sentence people to a period of probation rather than incarceration and use the threat of requiring the individual to serve the time in jail as a deterrent for subsequent criminal acts. If an individual breaks the terms of his or her probation, however, he or she may end up serving the remainder of the sentence in state prison. The Adult Parole Board uses parole in a similar way. As inmates approach the end of their minimum sentences, the board may release them to a community and require random drug testing, some kind of counseling, supervision by a probation-parole officer, and certain restrictions on where the parolees can go and whom they can see. Parole and probation offer the Department of Corrections a way to maintain some controls over those who are still technically under the state's custody even as they begin to re-establish themselves outside the prison walls. Those who max out of their sentences leave the prison with no such constraints and no supervision.

From 1993 to 2000, the state paroled 4,941 inmates from state prison. During the same period, some 2,450 parolees returned to prison in New Hampshire for parole violations, most within 10 months of their release, according to data gathered by the Adult Parole Board.[24] Roughly 60 percent of those violations were associated with drug or alcohol abuse. Nearly half of all the parole revocations were for "technical" violations of the terms of the parole—not new crimes—and some 70 percent of those violations were related to substance abuse. The Department of

[23] This calculation probably understates the counties share because it relies on data from slightly different periods. The county total of $718,199 is from 1970; the state total of $1,094,101 is from FY 1971.

[24] Unpublished data set gathered by John Eckert, Executive Assistant, State of NH Adult Parole Board. The Parole Board's data identify 2,408 parole revocations from January 1, 1993 through December 31, 2000. The department reports violations based on fiscal years and reports a total of 2,450 parole violations from FY 1993 through FY 2000. The board receives evidence and conducts formal hearings before revoking anyone's parole, so its data on the nature of violations are particularly reliable.

Corrections reports that during the same period there were 568 cases of probation violation that sent people to state prison.[25]

Most of those leaving prison on parole have a year or so left in their sentences. Roughly 90 percent of the people admitted to the prison for parole violations subsequently have their parole revoked by the Adult Parole Board and end up serving an average of about 343 days for their violations. Those incarcerated for probation violations serve an average of 493 days. Those admitted for parole violations but allowed by the Parole Board to continue on parole spend an average of about 23 days in the prison awaiting their hearing.[26]

The fiscal impact of parole and probation violations is significant. In the last four fiscal years, the state revoked the parole of 1,263 offenders and briefly incarcerated 137 others for parole violations. The cost of incarcerating them (assuming average stays of 343 days and 23 days respectively and an annual cost of $19,388 per inmate per year) was about $23.2 million. Incarcerating the 596 probation violators admitted between FY 1998 and FY 2001 for an average of 493 days cost almost $15.6 million. The prevalence of alcohol and other drug-dependency problems among the violators raises a question for New Hampshire's policy makers to consider: would investing in treatment programs for people on parole or probation prove to be a cost-effective way to reduce the overall costs of incarceration in New Hampshire?

One of the biggest changes documented in the department's reports to the Legislature has been a significant investment in the number of probation-parole officers and a gradual reduction in their caseload over the last few years. Figure 9 illustrates those changes.

The graph's vertical bars represent the total prison and parole populations; the flowing lines track the number of positions authorized for four Department of Corrections functions: probation-parole officers; corrections officers; psychologists and social workers; and medical personnel (doctors, nurses, and physician assistants).

In FY 1984, 31 full-time probation-parole officers supervised a population that totaled 2,970 people per month, creating an average caseload of about 96 per officer.[27] The number of parolees and probationers increased rapidly through the 1980s and 1990s, and additional staff followed, though slowly at first. By 1988, there were 47 officers supervising roughly 5,121 people at the end of the fiscal year, producing an average caseload of 111 cases per officer. By FY 2000, the department employed 76 probation-parole officers and they were supervising a population of 4,499 people at the end of the fiscal year. The caseload appears to have dropped

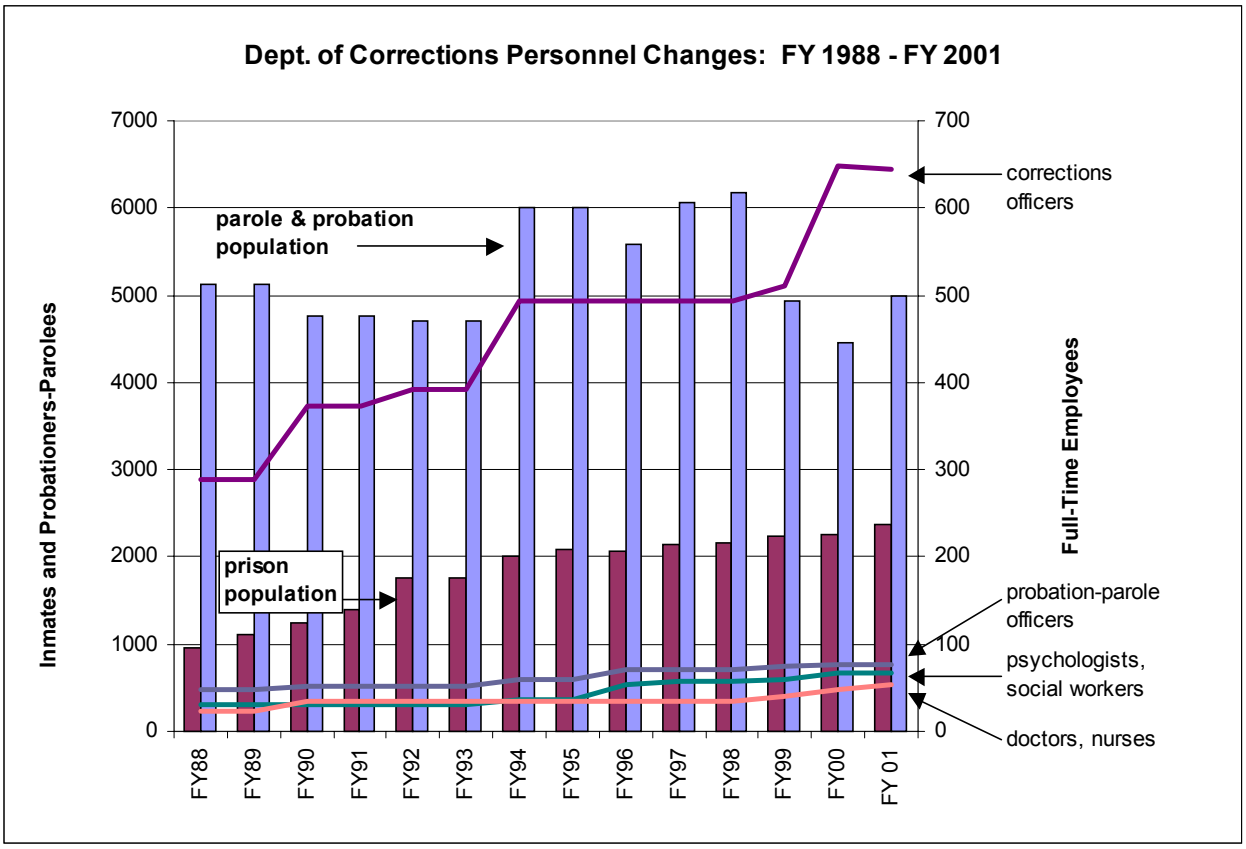
[25] In November 1999, DOC began using a new computer system to keep track of the people it supervises on probation and parole. At least through July 2001, problems with the new system have left the department's computers without the capacity to generate statistical reports on probation and parole populations. The department has relied on hand counts of cases and manual processing of restitution collections and payments.

[26] These figures are the average lengths of stay for those parole and probation violators released from the state prison between July 1, 1999, and June 30, 2001. The data are from the Department of Corrections' unpublished facility statistics.

[27] The number of cases is the sum of those people the department reports it was supervising at the end of the fiscal year who had been released on parole, probation, bail, or who were under administrative home confinement. The number of cases does not include those listed as "administrative" or "collection-only" cases, where the division collects fines to pay court-ordered restitution.

to an average of about 59 per officer, though it bounced back up to about 66 per officer in FY 2001.[28] The department reports do not explain the sudden drop in the size of the parole and probation population starting in FY 1999. Department staff acknowledge that problems with a computer system starting in FY 1999 make estimates of the size of the population under Field Services' supervision unreliable.

Figure 9: Investments in Staff Reduce Inmate-to-Officer Ratios[29]



The smaller case loads increase the per-capita cost of probation and parole supervision. In FY 1998, the cost of probation and parole operations was about $768 per person under supervision; in FY 1999, that figure jumped to $1,077; and in FY 2000, it jumped to $1,301.[30] Those increases were the first significant changes in the per-capita cost of supervision in 17 years.[31] The department has used a different approach to calculating those costs; the department reported

[28] The probation-parole officers also have administrative responsibilities for supervising the collection of restitution fees from thousands of former inmates and probationers. When those cases are included in the calculation, the department reports that the average caseload per officer in 2001 was 110.
[29] The FY 2001 data are from as-yet unpublished Department of Corrections reports.
[30] These figures are derived from the data in the department's annual reports. The per capita cost assumes that the total cost is represented by the total budget of the Division of Field Services; the number of cases is the sum of those people the department reports it was supervising at the end of the fiscal year who had been released on parole, probation, bail, or who were under administrative home confinement. The number of cases does not include those listed as "collection-only" cases, where the division collects fines to pay court-ordered restitution.
[31] In constant 1981dollars, the per-capita spending for supervision had stayed close to the average of $427 until jumping by 60 percent in FY 1999 and FY 2000 to $687.

to the Legislature that the cost of supervising an individual on probation or parole was $824 in both FY 1998 and FY 1999, and $842 in FY 2000.

Figure 9 also illustrates the relationship between prison inmates and corrections officers. The largest employment growth in the department has come in the number of full-time corrections officers. The three big upward spikes correspond to the opening of three new prisons: the State Prison for Women in 1989, the Lakes Region Facility in 1994, and the Northern Correctional Facility in 2000. Note that Figure 9 tracks the number of authorized staff rather than the actual number on the job. At the end of FY 2001, there were two vacant probation-parole officer positions, and 44 vacant corrections officer positions.

Further research should attempt to determine whether the smaller parole and probation case loads result in reduced recidivism (because the more intense supervision helps parolees break out of the cycle of crime and incarceration) or if it actually increases the number of violations that are detected and hence increases the number of parolees returning to prison.

10. Focusing on Facilities Rather than Recidivism

In the introductions to their reports to the Legislature, the department's commissioners have tended to focus on the need for more prison space, more uniformed corrections officers, and more field staff to supervise a growing population of people on probation or parole, and half-way houses to help manage the re-entry of prisons to the community. In the FY 1997 report, for example, Interim Commissioner N.E. Pishon wrote:

> "The prison facilities capacities remain essentially unchanged and populations continue to exceed the design capacity. Construction of new facilities will be a priority for legislative action in the 1998 legislative year, as will a resolution of the Lakes Region Facility issue. Such construction is necessary, even with the diversion efforts and space rented from the county facilities, since the actual prison population is rising at the rate of about 100 prisoners per year after deduction of the diverted numbers. Additional operation and personnel assets will be necessary, not only to staff additional facilities but also to enhance the supervision level provided to probation and parolees. This latter point is especially important as it relates to the large number of sex offenders now in prison who will eventually be released."

The reports have consistently included two measures of the prisons' success at containing and controlling prisoners: the number of escapes and "walkaways" each year, and the number of assaults within the prisons. However, the reports have offered the Legislature little information about recidivism, a measure that many would consider a key indicator of the success of corrections programs. Once in all 19 years, did the commissioner use the report to advise the Legislature that the annual publication would be more meaningful and useful if it contained a different kind of information. Commissioner Hank Risley wrote in the FY 1998 report:

> "Preliminary efforts have been initiated at focusing on the effectiveness of all correctional programs. It is our intent to have relevant data that provide meaningful outcome measures concerning relative success of the department's programs. Within two years, we expect to be able to demonstrate the level of effectiveness of our correctional

> services. This will permit more informed decision-making in the future based on what works and what does not."

Neither the 1999 nor 2000 reports made reference to performance measurement.

Over the years, the various divisions of the department have reported in considerable detail on other matters. For example, the FY 1998 report documents the number of repair slips filed in an average month at the state prison and the details of the prison laundry:

> *"How many loads of laundry are done on an average day?*
> "On an average day 50 loads of laundry are done with an approximate yearly poundage of 1,200,000 lbs. This requires approximately 9500 lbs. of detergent and 3400 lbs. of bleach at an average cost of $1.59 per load."

The FY 1983-84 report made no claim to measure the effectiveness of the prison programs, but it included a piece of data that might, if it had been reported over time, have shed some light on the dynamics of the state's criminal population. The report noted that of those sentenced to the state prison system in the biennium, 362 had prior convictions as adults or juveniles, and 199 had no prior convictions.

Only a few of the reports in the entire 19-year series include a mention of recidivism. The Lakes Region Facility's report in 1998 describes the results of its "Transformation" program, including the number of graduates since the program's inception and a potentially significant measure: "less than 12 percent recidivism," among graduates. The report offers no comparisons with the rest of the prison population, however, so it is impossible to make much use of that number. The 1999 and 2000 reports include similar statistics for people who were released after participating in a program for sex offenders.

The department has not had a precise definition of recidivism to work with, though a process to establish such a definition was under way as this report was being finished. Under one of the draft definitions being considered, however, only those former state-prison inmates who commit crimes serious enough to earn new terms in the *state* prison would show up as recidivists. Those former inmates who commit misdemeanors and are sentenced to county facilities (for up to a year) would appear as state-prison success stories.

The recidivism problem highlights one of the consequences of the autonomy of the state and county systems: the counties and state are unable to share data effectively and thus unable to track repeat offenders as they move from one jurisdiction to another. The department, like many in state government, has not made a priority of gathering, analyzing, and publishing information that would help managers manage and policy makers fine-tune policy. For more than two years, the department's computer system has been unable to produce an accurate list of the people it is supervising on probation and parole. Until May 1999, the department had that capacity and every month it would send local police departments tailored lists of the people on probation and parole living in each town. The department hopes to have systems in place by the end of 2001 to track the field-services population.

Commissioner Stanley is leading an internal process to review and improve the effectiveness of the department's programs for offenders. He said in a recent interview that over the next few years the department will develop performance measures to assess its progress.

11. Conclusions

The data analyzed here—particularly, the data the Department of Corrections has sent to the Legislature for the past two decades—raise numerous public-policy questions. Arguably, the most important questions relate to the efficacy of the department's practices in reducing recidivism among those people the state returns to the community, yet the annual reports are virtually silent on the issue. Other compelling questions relate to the relative cost-effectiveness of various practices for housing, supervising, training, and treating inmates, parolees, and people on probation. Are state and county experiments with "alternatives to incarceration" working? Does New Hampshire need to build the second half of the prison in Berlin? Has "truth in sentencing" been worth the cost?
Answering—or even framing—those questions requires a different kind of reporting to New Hampshire's policy makers and the public at large.

Many of the statistics in the annual reports gain meaning when presented as part of a trend line, as this analysis has done. Subsequent Department of Corrections reports should present spending levels, employment levels, and the changing demographics of the prison and parole populations in graphs that would help readers see short- and long-term trends.

The department's reports should provide information not only about new admissions but also about the prison population as a whole. In the pages above, the Center used the reports' data to track the changing prevalence of sentences for different types of crime. Only with the addition of unpublished data could the Center also describe *how many* violent criminals, sex offenders, or drug dealers were incarcerated at any point in time. Similarly, the analysis could explore the changing lengths of sentences, but not changes in actual time served by people convicted of different crimes. The Center could generalize about the cost per inmate for incarceration or parole, but not relate the specific costs of incarcerating someone convicted of using illegal drugs to the costs of treating that person's addiction. The annual reports to the Legislature need not include endless data tables nor be the department's sole publication of useful data, but they should present a coherent analysis of the demands on the corrections system.

The portion of the annual reports that presents the department's expenses should include annual debt service for prison construction. That information would allow policy makers to see the full costs of incarceration.

The department's report could perform a valuable service by including an appendix presenting information submitted by the 10 county systems showing the average daily population incarcerated in each county jail and house of correction, the number of people in each facility on the last day of the state's fiscal year, and each county's annual expenditure for corrections. The counties should use consistent and comprehensive report forms designed to mesh with the department's reporting conventions. Presenting such data would in no way compromise the autonomy of the county systems, but it would illuminate the respective roles, responsibilities, and challenges of the state and county systems.

The fact that there is no consolidated report on state and county incarceration is a reminder that the Department of Corrections is just one piece of a fragmented set of institutions dealing with crime, public safety, and justice. The department could not possibly provide answers to every question about crime and punishment in New Hampshire, but by publishing more focused and relevant information, it could help legislators, policy makers, and the public at large to understand the costs and consequences of New Hampshire's current approach to incarceration and the policy choices ahead.

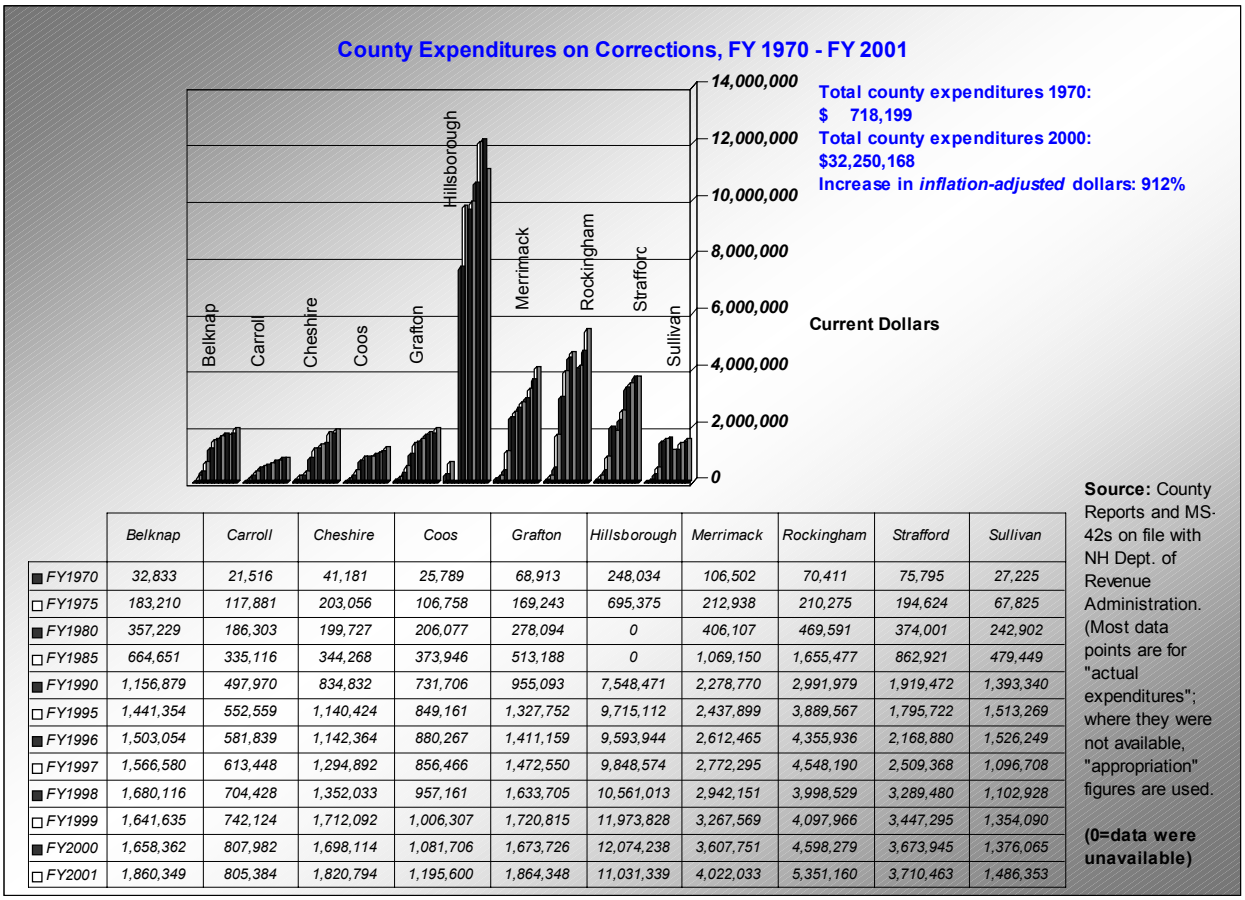
Appendix A: Additional Tables and Graphs

Table 5: Capital Projects, NH Department of Corrections 1985-2000

Budget Year	Project	Bonds Authorized	Bonds Issued
1985	PUR/REN WRHSE.FAC/PRISON	300,000	300,000
1985	PRISON FARM IMPRV./PRISON	43,519	43,519
1985	PHASE IV CONST./PRISON	3,982,700	3,982,700
1987	DSGN/RNV.GRASMERE CTY F/F	1,281,768	1,281,768
1987	PHASE IV-B/PRISON	17,012,965	16,928,390
1988	PHASE V	15,401,375	15,359,875
1993	CONCORD UPGRADE SECURITY	250,000	250,000
1993	REPAIR SEC FENCE-CONCRD	99,893	99,893
1993	REPAIR BOILER - LAKES	130,334	130,334
1993	REPAIR SEWER - LAKES	155,159	155,150
1993	EQUIPMENT PURCHASE	77,400	77,400
1995	PRISON WAREHOUSE	2,500,000	2,500,000
1995	SEC FENCE UPGRD/CONCORD	244,910	95,000
1995	ROOF CALUMET HOUSE-MANCH	24,500	24,500
1995	ROOF/SPRINKLR/CONCORD	61,000	60,870
1995	ROOF/TOLL BLDG LAKE REG	237,000	237,000
1995	SPRINKLER LAKES REGION	38,570	38,500
1995	ADM BLDG RENOV/CONCORD	36,500	36,500
1995	KEYES BLDG ROOF/LAKE REG	30,000	30,000
1995	ROOF/SPRINKLR STATE PRIS	77,000	76,850
1995	LNDRY BLDG ROOF/LAKE REG	17,491	17,491
1995	AUTOMATED SYSTEM UPGRADE	239,927	202,600
1995	DESIGN FACILITY EXPANSION	500,000	311,600
1995	BOILERS/GOFFSTOWN PRISON	250,000	27,300
1997	UPGRD HOT WATER-CONCORD	98,000	0
1997	REP ROLL UP DOORS-CONCORD	46,522	36,500
1997	SPRINKLER SYST-CONCORD	67,210	0
1997	PRISON AUTOMATION-*5YR	749,664	58,800
1998	BERLIN PRISON	33,000,000	21,155,350
1999	REPLC BOILER-WOMENS PRISON	200,000	0
1999	2000 EQUIP REPL UPGRADE	146,000	0
1999	EXPAN OF DEPT WAN	126,000	0
1999	NEW HALF-WAY HOUSE SOUTHERN	500,000	0
	Total Bonding, 1985-2000	$77,925,408	$63,517,890

SOURCE: NH Office of the Treasurer, May 2001. All figures are in current dollars.

Figure 10: County Corrections Expenditures Increase 912 Percent in 30 Years



	Belknap	Carroll	Cheshire	Coos	Grafton	Hillsborough	Merrimack	Rockingham	Strafford	Sullivan
FY1970	32,833	21,516	41,181	25,789	68,913	248,034	106,502	70,411	75,795	27,225
FY1975	183,210	117,881	203,056	106,758	169,243	695,375	212,938	210,275	194,624	67,825
FY1980	357,229	186,303	199,727	206,077	278,094	0	406,107	469,591	374,001	242,902
FY1985	664,651	335,116	344,268	373,946	513,188	0	1,069,150	1,655,477	862,921	479,449
FY1990	1,156,879	497,970	834,832	731,706	955,093	7,548,471	2,278,770	2,991,979	1,919,472	1,393,340
FY1995	1,441,354	552,559	1,140,424	849,161	1,327,752	9,715,112	2,437,899	3,889,567	1,795,722	1,513,269
FY1996	1,503,054	581,839	1,142,364	880,267	1,411,159	9,593,944	2,612,465	4,355,936	2,168,880	1,526,249
FY1997	1,566,580	613,448	1,294,892	856,466	1,472,550	9,848,574	2,772,295	4,548,190	2,509,368	1,096,708
FY1998	1,680,116	704,428	1,352,033	957,161	1,633,705	10,561,013	2,942,151	3,998,529	3,289,480	1,102,928
FY1999	1,641,635	742,124	1,712,092	1,006,307	1,720,815	11,973,828	3,267,569	4,097,966	3,447,295	1,354,090
FY2000	1,658,362	807,982	1,698,114	1,081,706	1,673,726	12,074,238	3,607,751	4,598,279	3,673,945	1,376,065
FY2001	1,860,349	805,384	1,820,794	1,195,600	1,864,348	11,031,339	4,022,033	5,351,160	3,710,463	1,486,353

Source: County Reports and MS-42s on file with NH Dept. of Revenue Administration. (Most data points are for "actual expenditures"; where they were not available, "appropriation" figures are used.

(0=data were unavailable)

Notes on the data in Figure 10:
Most of the data from 1970 through 1997 were transcribed from the annual reports published by each county at the end of the fiscal year. The figures are the actual expenditures for the previous fiscal year. Most county reports are on file at the State Library. Several reports are not in the State Library collection, however, and in those cases county officials provided data over the telephone. The Center was unable to locate Hillsborough County data for the years 1980 and 1985; those missing entries show up as zeros in the table. The Hillsborough County report for 1975 was also unavailable so the table shows the actual expenditure for 1974 instead of 1975.

For the years 1998 to the present, most of the figures are taken from the counties' formal reports to the New Hampshire Department of Revenue Administration. Most of those are MS-42s; some are MS-45s. The forms seem to provide fairly consistent definitions of "corrections" though it is possible that some counties combine expenses for the county farm with their corrections report while most do not. The figures are actual expenditures in most cases; in some counties—particularly those with fiscal years starting July 1, the forms report appropriations, not expenditures. This is consistently true for Hillsborough and Merrimack counties. The figures on the MS-42s do not consistently match those in the county reports for the same years, so there may be some minor inconsistencies in Figure 10.

Appendix B: Notes on Data and Calculations

Figure 1: Inmate Population Drives Dept. of Corrections Spending

To produce this graph, the Center used three separate indices: the familiar Consumer Price Index allows us to convert current dollars for each year into constant 1981 dollars. (For example, by 2000, a dollar would buy only about half as much as it did in 1981, so we divide the current 2000 expenses by 1.89 to derive an inflation-adjusted figure.) Applying the CPI across the time period produces the second line down in the graph, "total spending: adjusted for inflation." We used a similar approach to index spending to the growth in the state population (which increased 31 percent over the period), and the prison population (which increased by almost 700 percent during the period). The resulting lines in the graph show a somewhat abstract relationship between spending and changes in the state's population. These lines should not be read as spending per capita or spending per prisoner, however. The indices are reproduced here in Table 6.

Table 6: Adjustments for Inflation, Population Growth, and Prison Population

Year	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
CPI deflater	1.000	1.062	1.096	1.143	1.184	1.206	1.250	1.301	1.364	1.438
NHPop (81)	1.000	1.021	1.029	1.049	1.071	1.102	1.134	1.165	1.188	1.191
CPI*NHPop	1.000	1.084	1.128	1.199	1.268	1.329	1.418	1.516	1.621	1.712
Prison Pop	337	395	445	520	576	650	857	954	1114	1250
Prison Pop (81)	1.000	1.172	1.320	1.543	1.709	1.929	2.543	2.831	3.306	3.709
CPI*PrPop (81)	1.000	1.244	1.447	1.764	2.023	2.326	3.178	3.684	4.509	5.333

Year	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
CPI deflater	1.498	1.543	1.590	1.630	1.677	1.726	1.766	1.793	1.833	1.894	1.960
NHPop (81)	1.188	1.195	1.204	1.217	1.230	1.246	1.259	1.273	1.289	1.314	1.326
CPI*NHPop	1.781	1.844	1.914	1.984	2.061	2.150	2.223	2.282	2.363	2.489	2.600
Prison Pop	1395	1754	1764	2000	2080	2064	2136	2154	2233	2259	2370
Prison Pop (81)	4.139	5.205	5.234	5.935	6.172	6.125	6.338	6.392	6.626	6.703	7.033
CPI*PrPop (81)	6.202	8.033	8.321	9.676	10.348	10.572	11.191	11.461	12.144	12.699	13.787

The FY 2001 spending figure is the amount appropriated by the Legislature, not the actual amount spent in the fiscal year. The CPI adjustment for 2001 is an estimate.

Figure 2: Spending Per Inmate Has Remained Nearly Constant

This graph uses the same inflation index described above and the actual prison population figure for each year, rather than the prison-population index. The various functional categories illustrated in the graph depart somewhat from those presented in the department reports. The groupings of accounts are as follows, with the line item labels used in the department reports grouped under the broader categories graphed in Figure 2:

Administration: Commissioners Office; Fiscal Management; Offender Records, Bureau of Information Services; Adult Services Administration

Prisons and Security: Bureau of Security; Kitchen Subdivision; Maintenance; NH State Prison for Women; Lakes Region Facility; Northern Correctional Facility

Probation and Parole: Field Services

Education and Vocational Training: Educational/Vocational Training, Adult Vocational Program; Vocational Training Grant; Per Student/Today's Marketplace; Basic Reading Skills;

Adult Basic Education; LSCA Library Grant; Women's Facility Library; Adult Basic Education/Women

Prison Industries/Prison Farm: Prison Industries; Agriculture

Treatment & Counseling: Substance Abuse Counseling; Mental Health; Treatment for Women Violent Offenders; Summit House; DOC/LRF Transition Services; Sex Offenders Treatment Grant

Pre-Release Services & Half-Way Houses: Pre-Release; Minimum Security Unit; Shea Farm House; Calumet House; North End House; Correctional Pathways

Medical, Dental, and Prescriptions: Medical/Dental; Pharmacy

Secure Psychiatric Unit: Secure Psychiatric Unit

Other: Pilot Diversion Program; Alien Assistance; Laundry; Chaplaincy; and a variety of other small grants and line items

Figure 3: Half of Recent Admissions Are for Parole and Probation Violations
The department reports used a variety of terms to define crimes. Table 7 on the following page presents the raw data for the graph and shows how the Center grouped them to produce the six categories in the graph.

Table 7: Admissions to State Prison by Type of Crime (categories used in Figure 3)

Description (from DOC report)	FY81-82	FY83-84	FY 85-86	FY87-88	FY89-90	FY 91	FY 92	FY93	FY94	FY95	FY96	FY97	FY98	FY99	FY00
violation of parole (including drug use)	64	90	124	178	216	126	156	173	277	274	314	349	331	372	360
violation of probation		3	2	20	5	25	12	6	2	7	18	90	122	171	152
Probation & Parole Violations	64	93	126	198	221	151	168	179	279	281	332	439	453	543	512
Drug Offenses	42	45	71	116	227	128	185	167	178	182	130	128	106	93	109
rape, "sex offenses" from 96 on	69	63	51	117	137	78	69	109	127	111	97	101	80	89	78
other sexual offenses		3	42	11	1	7	1		1	1					
Sex Offenses	69	66	93	128	138	85	70	109	128	112	97	101	80	89	78
armed robbery	12														
robbery	48	70	47	55	54	39	37	39	36	49	39	23	39	22	25
aggravated assault	38	44	31	32	51	34	45	44	55	42	41	63	66	58	51
murder	14	18	9	26	28	12	13	18	9	12					
homicide											16	17	18	15	21
negligent homicide	8	7	20	20	14	14	8	12	9	3					
manslaughter	8	5	3	4	4	4	2	3	1	2					
kidnapping	10	9	3	5	5	8	2	4	8	5	2	1	2	7	4
accomplice to robbery	2														
accomplice to robbery w/ deadly weapo	1														
attempted robbery	1														
attempted murder	1														
attempted assault	1														
Violent Crimes	144	153	113	142	156	111	107	120	118	113	98	104	125	102	101
burglary	107	109	136	141	183	141	135	125	112	152	86	68	43	43	52
forgery & counterfeiting	12	17	17	31	26	34	25	28	22	16	18	14	13	13	9
stolen property	12	29	16	17	24	21	19	20	22	24	30	29	42	38	47
arson	9	11	10	9	9	4	7	7	9	14	8	4	7	5	6
larceny		58	1								40	12	5	6	8
motor vehicle theft			1					1	0		2	1		1	1
unauthorized use of food stamps		1	1			1	0								
theft, theft by unauthorized taking	37							21	35						
attempted burglary	2														
attempted arson	1														
criminal mischief	1	6													
theft of high explosive	1														
embezzlement											2	2			
property damage											1	4	3	5	1
malicious explosion		1													
extortion													2		
Property Crimes	182	232	182	198	242	201	186	202	200	206	187	134	115	111	124
criminal liability	4	7	9	15	7	20	14	16	13	12					
witness tampering	3	3	2	1	6	4	2	2	1	1					
conduct after accident	1		2	3	3	6	0	1	2						
conspiracy	6	2	4	2	1	1	1	3	0	1					
felonious use of firearm	7														
jumping bail	3							1	0						
hindering apprehenshion	2														
criminal solicitation	1														
leaving the scene of accident	1														
habitual offender	13	6	13	27	55	38	44	34	80	61					
traffic offenses											80	58	62	73	74
driving while intoxicated						0	2								
misc										1					
obstructing the police											5	8	8	8	6
riot											2				
trespassing											1				
failure to appear												3	4	3	2
hit and run		1													
criminal restraint		4													
weapons: carrying, possession		11	12	7	22	11	9	5	10	19	11	12	9	12	12
escape, aiding & abetting escape	27	27	13	12	21	5	6	10	7	10	3	7	6	4	4
endangering welfare of child								1							
public peace													2	2	
conservation													1		
fraud	1	1	3	6	7	3	3	4	9	9	8	18	6	6	8
bribery														1	
Misc. Non-Violent Crimes	69	62	58	73	122	88	81	77	122	114	110	106	98	109	106
TOTAL	570	651	643	855	1106	764	797	854	1025	1008	954	1012	977	1047	1030

Source: Compiled from Department of Corrections annual reports.

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