



REPORT ON KEY ISSUES FROM THE HOUSE APPROPRIATIONS COMMITTEE

BUDGET BRIEFING

DWIGHT EVANS, DEMOCRATIC CHAIRMAN

February 25, 2009

2009/10 Proposed Budget: Criminal Justice

Criminal Justice Agencies

Department of Corrections

(<http://www.cor.state.pa.us/>)

Overview

Pennsylvania's Department of Corrections (DOC) maintains 26 prisons, a correctional boot camp, and a number of community corrections facilities.

The Governor's budget proposes a 10 percent increase for the Department of Corrections taking it from \$1.4 billion in 2005/06 to \$1.8 billion in 2009/10.

Pennsylvania's offender population continues to increase. The Department of Corrections (DOC) has seen inmate population increase from 43,206 inmates in 2005/06 to an estimated 51,083 inmates in 2009/10. To address operating capacity issues, the Governor proposes that \$19.6 million of DOC's budget be used for an additional 1,600 beds at 10 different state correctional institutions. This budget also provides for an additional 800 beds in community corrections facilities at a cost of \$12 million.

In 2005/06, cost per inmate per year (including health care) was roughly \$36,000; in 2009/10 cost per inmate per year (including health care) is expected to be almost \$40,000.

Inmate Population

The biggest driver of costs for DOC is inmate population and it continues to grow at a significant rate in Pennsylvania. The continuing inmate

population growth has an impact on costs, staffing, housing, and ability to provide services. In order to reign in the amount of Commonwealth funds dedicated to DOC, it is necessary to research, develop, and implement policies that will reduce the number of inmates in state correctional institutions. The comprehensive legislation in the recently enacted Prison Package contributes to solving inmate population issues.

Continuing to implement effective, evidence-based policies will promote public safety and, ultimately, it will help to reduce corrections costs. While the overall number of inmates in our state correctional institutions is obviously a measure of our laws and policies, it is essential to examine the types of offenders who become a part of the total inmate population. A review of violent offenders is a focus of the Governor's recent parole moratorium and the subsequent Goldkamp Report on the Commonwealth's probation and parole policies. The Goldkamp Report can be found here: <http://www.pbpp.state.pa.us/pbppinfo/cwp/view.asp?a=468&q=155620>

Violent offenders need bed space and maximum attention. Non-violent offenders have the same needs in certain circumstances, however, many more need proper drug or alcohol rehabilitation programs. Diverting non-violent offenders to needed treatment or alternative sentencing can be cost-effective and can reduce recidivism rates, which results in further cost savings. The Prison Package incorporates appropriate policies, but the Commonwealth will need to do more. The number of non-violent inmates being admitted into our state correctional institutions is growing faster than admissions for violent inmates.

DOC releases approximately 17,000 offenders a year with 75 percent transitioning to parole supervision.

Prison Package

In September 2008, the Governor signed a comprehensive package of legislation that is expected to reduce recidivism rates and address prison capacity issues related to non-violent offenders. Admission rates for less-serious offenders have increased at a far greater pace over the last eight years than the admission rate of violent offenders. In 2000, less violent offenders made up 28 percent of the prison population, while today that figure is 40 percent.

In the Governor's proposal, a projected five-year savings of \$84.5 million is anticipated. However, savings for both the Department of Corrections and the Board of Probation and Parole may have been offset by a recent moratorium on probation and parole. This has, in turn, resulted in a backlog of inmates in State Correctional Institutions. It includes non-violent offenders. On October 20, 2008, the Governor lifted the moratorium for non-violent offenders; the moratorium for violent offenders was lifted on November 30, 2008.

A summary of the comprehensive Prison Package enacted in the 2007/09 legislative session can be found here:
http://www.pccd.state.pa.us/pccd/lib/pccd/correctionreform_act81_docs/prison_package_summary_11%5B1%5D.12.08.pdf

Board of Probation and Parole

(<http://www.pbpp.state.pa.us/pbpp/site/default.asp>)

Overview

The Pennsylvania Board of Probation and Parole (PBPP) has 1,081 institutional, field personnel, and central office staff located in three regions across the Commonwealth. Institutional staff process inmates for parole consideration and field staff supervise the agency's 32,097 offenders as of June 2008.

The Governor's budget proposes a 6.9% increase for the PBPP. The PBPP would receive nearly \$123 million for 2009/10. An additional \$2 million is included in this budget to provide for additional parole officers to effectively supervise parolees and to avoid repeat victimization after release.

Related Programs

Office of the Victim Advocate (OVA) provides notifications to registered crime victims when offenders are being considered for parole and release on parole. OVA ensures that victims' input is considered in the parole decision process.

Sexual Offenders Assessment Board (SOAB) is charged with the legislative mandate of assessing convicted sexual offenders. The SOAB conducted 1,734 assessments in fiscal year 2007/08.

Firearms Education and Training Commission (FETC) provides training for and certifies county probation officers in the use of firearms. The FETC operates from a restricted account funded by fees levied on probationers. In fiscal year 2007/08, the FETC provided training for 812 county probation officers.

PBPP also provides both fiscal and technical support to 65 Commonwealth county probation offices (full probation and parole services are provided to adult programs in Mercer and Venango counties).

Reintegration of the Adult Offender

The responsibilities of PBPP are to:

- make parole decisions and supervise adult parolees with a maximum sentence of two years or more;
- revoke the parole of technical parole violators who are convicted of new crimes; and
- discharge from parole offenders under supervision who have fulfilled their sentences.

The number of offenders projected to be under PBPP supervision by June, 2010 is 33,661, up from 32,097 in June, 2008.

Proposed Legislation

The Governor proposes legislation that would change the sentencing structure by establishing flat, determinate sentences for repeat violent offenders who use deadly weapons, followed by a five-year period of post-release supervision. The Governor proposes changes in sentencing to ensure a longer prison term and end the possibility of parole for repeat violent offenders. The legislature must take into consideration increased costs associated with lengthier prison sentences and parole supervision.

Additional Resources

<http://justicereinvestment.org/states/pennsylvania/pubmaps-pa> - Justice Reinvestment, a Project of the Council of State Governments Justice Center. On Monday, June 4, 2007, the Pennsylvania General Assembly held a rare joint hearing of the House and Senate Judiciary Committees to address the growing prison population. Testimony from the hearing can be found here.

<http://www.ncsl.org/programs/cj/pewpublicsafety.htm> - National Conference of State Legislatures' (NCSL) website page on sentencing and corrections. NCSL's website provides information and additional links to various areas in criminal justice.

<http://www.ojp.usdoj.gov/bjs/welcome.html> - U.S. Department of Justice's Office of Justice Programs. Here you will find statistics related to all aspects of the criminal justice system.

<http://www.pccd.state.pa.us/pccd/site/default.asp> - Pennsylvania Commission on Crime and Delinquency (PCCD).

<http://www.psp.state.pa.us/portal/server.pt> - Pennsylvania State Police.

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