

## **Prison Expansion in a Time of Austerity: An Analysis of the Governor's Proposed New Prison in Delano**

Despite a \$12 billion budget deficit, declining arrests and prison commitments, state officials are prepared to spend \$335 million dollars to build a new 5,160 bed prison in Delano, California. The new prison raises many issues regarding the propriety of this project and the Governor's budgetary priorities. This policy report provides a preliminary analysis of the proposed prison expansion and its budgetary implications.

### **Policy Analysis**

The new prison is being planned despite official reports showing declines in both arrests and prison commitments, and the availability of alternative policy options. A review of official reports show, that from 1992 (a peak year for reported crimes and arrests) to 2000 (the latest year available), there has been a 44% decline in Crime Index Felonies reported to California law enforcement agencies and a 19% decline in felony arrests. Since then, crimes and arrests have declined even more sharply. Today, California crime numbers are at their lowest level since 1970 (crime rates per capita are at their lowest level since 1964), and felony arrests numbers are at their lowest level since 1985. Reduced levels of serious crime mean fewer prison commitments (See Table 1).

<b>Table 1: Crimes and Prison Commitments</b>		
<b>Year</b>	<b>Index Felonies Reported to Police</b>	<b>Felony Arrests</b>
1992	1,092,832	564,416
1993	1,068,996	564,307
1994	1,011,663	581,264
1995	939,132	570,803
1996	828,649	533,989
1997	784,831	547,550
1998	694,015	508,257
1999	600,167	467,936
2000	613,788	459,632

California Department of Justice, Crime and Delinquency in California, 2001, Table 1, Table 16

An 8% decline in state prison admissions rates for the past nine years (see Table 2).

Table 2: State Prison Admission Rates		
Year	FY New Felon Admission	CY Parole Violator Admissions
1992-93	42,339	18,121
1993-94	42,713	19,353
1994-95	43,707	17,202
1995-96	45,876	17,696
1996-97	46,750	17,525
1997-98	46,512	17,662
1998-99	44,985	17,383
1999-00	41,472	17,094
2000-01	39,346	16,011

Data Analysis Unit, Felon New Admission, February 2001. Table 1

FY=Fiscal Year

CY=Calendar Year

In 2001, there were 5,100 fewer total admissions (felon plus parole violators returned to prison with a new term), to the California Department of Corrections (CDC) than in 1992. The CDC's most recent prisoner population projections forecast nearly **25,000 fewer prisoners** than they estimated one year earlier.

**A projected surplus of 9,400 prison beds by 2003 without the new prison.**

According to a memorandum from the State's Legislative Analyst's Office, declining prison admissions have resulted in a 5,381 surplus of beds for 2000/2001, equivalent to one prison. By the end of 2001/2002, maximum prison capacity will exceed the male population by 9,400 beds. This is equivalent to two prisons.

With the new prison, CDC would have an additional 5,160 beds, which would result in 14,560 surplus beds, equivalent to three prisons. (see Table 3).

Table 3: Projected Prison Bed Surplus		
Year	Surplus (vacant beds)	Equivalency*
2000-2001	5,381	One Prison
2001-2002	9,400	Two Prisons
Upon completion of proposed prison	14,560	Three Prisons

Source: LAO and California Department of Corrections.

\* Average prison capacity of inmate male population is 5,392.

**Prison population reduction will occur at all classification levels.**

The prison population decline will affect all classification levels within the CDC. Presently, the CDC employs four prison classifications - Levels I, II, III, and IV. Prisons designated Levels I and II are reserved for lower level offenders, while Levels III and IV are utilized for higher risk longer-term offenders. Levels III and IV are higher security prisons. However, there is no structural difference between Level III and Level IV cells.

The proposed Delano prison will be a Level IV facility. The CDC reports a current capacity to imprison 63, 987 male inmates at Levels III and IV. However, over the next year the CDC projects that the Level III and IV male inmate population will decline to 60, 460 and will remain below capacity until 2007 (see Table 4).

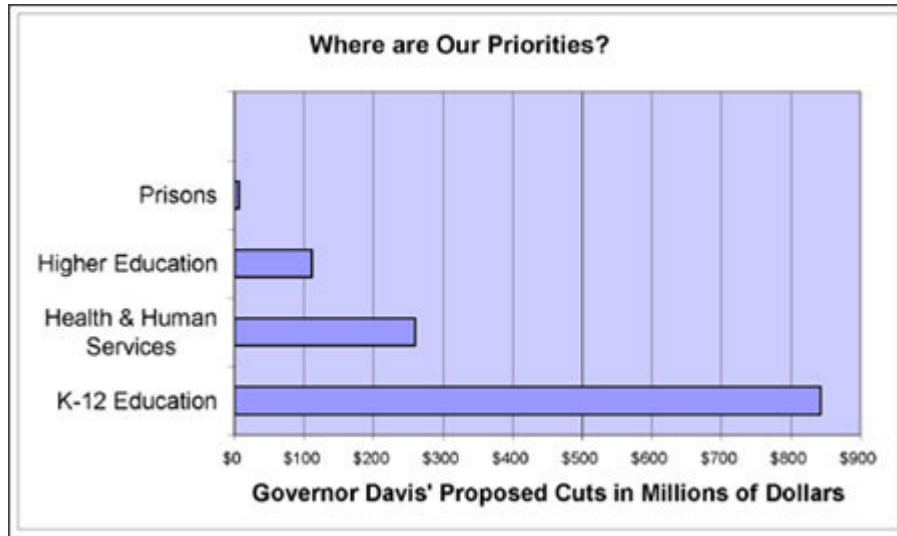
**Table 4: CDC HAS MORE LEVEL III/IV PRISON BEDS THAN LEVEL III/IV PRISONERS**

Year	CDC Level III/IV Male Capacity Without New Prison <sup>4</sup>	CDC Fall 2001 Male Population Projections For Level III/IV Prisoners <sup>5</sup>	Surplus Beds
2002	63,987	59,720	4,267
2003	63,987	60,460	3,527
2004	63,987	61,225	2,762
2005	63,987	62,320	1,667
2006	63,987	63,570	417
2007	63,987	64,935	-948

**Political and Budgetary Choices**

California is confronting a \$12 billion dollar deficit in the current fiscal year forcing elected officials to make difficult policy choices. In this instance, the Davis Administration is clearly prioritizing prisons and prison expansion over other areas of state government including education and children’s programs. While the 2001/2002 prison budget faces only a \$6 million reduction in its \$4.6 billion budget, the Governor proposed to cut \$954 million from the California education budget and \$38 million from the Healthy Start Program. In addition, the Governor proposed cutting \$54 million from the Healthy Family Program. (see Table 5)

Table 5: Governor Davis’ Recommended Budget Reductions 2001/2002



These budgetary priorities contrast with public opinion polls showing strong support for reductions in the prison budget to preserve other services. According to a recent Field Poll:

Two categories receiving the broadest support for reduced spending are cutting the state energy contracts used for supplying California with electricity (35%) and reducing the amount spent on state prisons and corrections (34%).

Given continued projected reductions in the state's prison population, objective analysis provides no basis for the proposed prison expansion.

## Recommendations:

### Suspend Plans to Build the New Prison in Delano

The new prison facility will be built through a combination \$311,500 million in revenue bonds and \$24million from the general fund. Additionally, the new prison will cost state taxpayers \$335 million in capital costs and over \$300 million in interest on the bonds and an additional \$129 million in annual operating costs.

With a projected budget deficit of \$12.4 billion, a state employee hiring freeze, calls for all state agencies to cut spending by up to 15%, and the CDC stating that it may close part, or all, of an existing prison due to empty beds, the CDC should immediately cease plans to build the new prison.

A minimum one-year moratorium on the Delano prison project should be mandated. During the moratorium, the LAO (or another independent body) should conduct a thorough audit of all CDC facilities to disclose the number and types of beds currently available in the system. The auditing body could then recommend how best to use available space given the fact that there is no structural difference between Level III and Level IV cells.

## **Provide 7 to 14 day early release to approved parolees.**

The CDC is projected to parole 109,465 male prisoners in fiscal year 2001/2002. This is an average of 2,105 prisoners per week. By releasing board-approved parolees seven days early, the state would immediately free 2,105 beds. Furthermore, if parole dates of approved parolees were adjusted by 14 days, the state would free up 4,210 beds. This is an equivalent savings of \$105,250,000. This \$105,250,000 could be applied to debt reduction or preserve services in other areas of government.

## **Conclusion**

When asked how the state should address the potential \$12 billion deficit, Californians strongly support reductions in the state prison budget. With declining crime rates, prison commitments, and the current and anticipated prison bed surplus, there is no basis for building a new prison. The state should immediately suspend plans to construct the new prison and utilize the \$335 million for debt reduction or maintenance of other state services.

## **Footnotes**

<sup>1</sup>CDC Fall 2001 Population Projections versus CDC Fall 2000 population projections. In Fall 2000, one year ago, CDC projected a total prisoner population of 185,865 by 2006. (*CDC Fall 2000 Population Projections, Table 1*). CDC's Fall 2001 Population Projections forecast a total prisoner population of 161,159 as of 2006, a difference of 24,706 (*CDC Fall 2001 Population Projections, Table 1*).

<sup>2</sup>April 9, 2001 memo from Yvonne Choong, Legislative Analyst's Office to Senate Rules Committee.

<sup>3</sup>According to the CDC the primary differences between Level III and Level IV prisons are that Level IV prisons have electronic security, more staff, and armed officers inside and outside the facility.

<sup>4</sup>Memorandum to the Legislative Budget Committee, April 9, 2001. LAO Analysis: CDC Population Projected Housing Need as of 4/6/01.

<sup>5</sup>All figures in this column are taken from the CDC Fall 2001 Population Projection, Table 5.

<sup>6</sup>*Proposed Reduction in 2001-2002 Spending*, Gray Davis, Governor. November 2001.

<sup>7</sup>Field Poll conducted by Mark DiCamillo and Mervin Field. The Field Institute, December 28, 2001 Release #2020 ISSN 0195-4520.

<sup>8</sup>California State Legislative Analyst's Office, *California Fiscal Outlook*, November 2001, p.1

<sup>9</sup>Los Angeles Times, *Agencies Told to Prepare for 15% Cut*. October 12, 2001.

<sup>10</sup>CDC Fall 2001 Population Projections, Table 13.