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Panel studying ways to address rising prison population

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By Rob Moritz
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LITTLE ROCK — Arkansas officials have turned to outside help to get a handle on chronic overcrowding that has the state prison system bursting at the seams and at the bank.

A working group that has been meeting for nearly a year has enlisted technical assistance from the Pew Center on the States to help craft recommendations for opening more prison space for hardened criminals and diverting lesser offenders to alternative punishment.

“What we’re doing now is not working,” Sen. Jim Luker, D-Wynne, said last week.

Over the past two decades, stiffer sentences, particularly for drug-related crimes, and few alternatives have combined to swell the inmate population well past capacity at state prison units and strain the state’s ability to pay local governments to temporarily house the overflow of state prisoners in county jails.

The Pew Center reports Arkansas’ prison population has more than doubled in the past 20 years, and in 2009 alone the number of inmates grew 3.1 percent, the eighth largest percentage increase nationwide in a state with fewer than 1 percent of the nation’s population.

The cost of housing inmates has skyrocketed from about \$45 million annually 20 years ago to about \$349 million a year.

To address the problem, the working group of about 20 lawmakers, judges, law enforcement officers, prison officials and others has been meeting periodically for the past year.

The group, created by Gov. Mike Beebe, is trying to develop methods for addressing underlying problems, such as the drug addiction, a high prison recidivism rate and others, as an alternative to building more prison units.

Beebe balked at approving a \$20 million request by the state Department of Correction in the 2011-2011 budget to staff and operate new prison space planned or under construction because he wants to see the working group’s report, which is due in early January.

“You’re going to see some legislation that we’re going to propose that tries to get a handle on the increasing prison costs by punishing nonviolent people in a different way that’s more cost effective,” Beebe said in a recent interview. “It will still punish them and save the beds for the bad guys.”

Assisting the group’s work is the Pew Center’s Public Safety Performance Project, which has assisted a dozen other states, including Arizona, Kansas, Mississippi and Texas, in addressing similar problems.

Those states, said Jake Horowitz, who is manager of the project for the Pew Center, have implemented a variety of the reforms in recent years.

In Arizona and Kansas, he said, the number of new convictions have been reduced, as have the number of probation revocations. Texas also has seen its prison population growth stabilized.

In Texas, the state's prison population growth has been curbed because the Legislature invested more money in alternative sentencing and residential treatment programs, Horowitz said.

Some of the reforms implemented include investing more money into alternative sentencing and residential treatment programs, diverting low-level offenders and probation and parole violators from prison, strengthening community supervision and re-entry programs and accelerating the release of low-risk inmates who complete risk reduction programs, Horowitz said.

The recommendations are designed specifically for each individual state's needs, he said.

"Part of the motivation for this work in Arkansas is to contain correction spending, which is largely dominated by prisons, and which has really multiplied many times over the past couple of decades," Horowitz said. "But we should not lose sight of the fact that that is only part of the reason for this work.

"The other is that for all that spending, all that prison growth over the past couple of decades, and for all the projected prison growth over the next decade ... the state, in particular state taxpayers, have not gotten a good public safety return on these correction dollars."

A large percentage of the recommendations that will come from the working group will pertain to strengthening community corrections, he said.

"That means better supervision, better services and more swift and certain sanctions to hold offenders accountable," Horowitz said.

"This is not just about trying to cut corrections, populations and cost," he said. "This is about trying to hold offenders accountable, so they play by the rules, don't do the drugs, don't commit the crimes and don't end up back in prison."

Luker said the Pew Center's help has been invaluable.

"There are some evidence-based measures that have been utilized in other states that have had positive results and improved public safety by reducing recidivism and reducing the number of incidents being committed and at the same time have saved substantial sums of money in avoiding the necessity of building ever increasing number of prison beds," Luker said.

Luker and North Little Rock Police Chief Danny Bradley, another who also is on the working group, said last week that the panel is looking at everything from probation to parole and the use of drug courts as potential ways to address the problem.

"We're trying to provide alternatives to lengthy stays in the penitentiary by providing for quick and sure, but in some instances, fairly brief ... incarceration for parole and probation violations," Luker said.

For example, those who might fail to report to a probation officer or who fail a drug test might get shorter sentences, rather than having to return to prison and complete their full sentences, he said.

"There would be the ability to very quickly invoke sanctions of short jail stays, as opposed to what happens now, which is that many times that behavior has to be ignored or has to be the

basis for a full blown revocation," he said.

Bradley said the working group has "looked at virtually the entire system of sentencing and corrections, and a big chunk of the criminal justice system in Arkansas with the idea of (asking), 'Are we doing the best with the resources that we've got in terms of public safety and preventing crime?'

"It's been quite a journey," he said.

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