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## LOCK 'EM UP (AND SEND THE BILL TO VENEZUELA)

### *How mandatory sentencing victimizes the public*

*By Julius (Jay) Wachtel.* Governor Schwarzenegger's in a fix. A \$14.5 billion fix. Thanks to weak tax collections caused by a soft economy and crashing home values, that's how much the California budget is in the hole. State agencies have already been told to figure on a ten-percent hit.

Start digging!

Trouble is, some departments spend money like drunken sailors. While most "normal" States expend two or three times more on colleges than prisons, [California's \\$10 billion corrections budget](#) is just shy of the \$12 billion that higher education gets, and if trends hold will surpass it in a few years. The Golden State runs the nation's largest prison system, housing more than 170,000 inmates. It also imprisons a large share of its population, with a rate of 47.5 per 10,000 in contrast with New York's far more moderate 32.6. And while New York's prison population decreased 2.2 percent between 2000-2006, California's increased by .9 percent (but a much larger 2.8 percent between 2005 and 2006).

Locking up people is expensive -- *very* expensive. A recently approved \$7.4 billion prison bond issue will eventually cost California taxpayers more than \$300 million per year *in interest alone*. California is also under expensive Federal mandates to improve prison health and mental care. For example, this June the court-appointed receiver who controls the prison system's \$1.5 billion medical budget issued a blistering critique warning that it could take as many as *ten years* to bring things up to snuff. As a side note he also remarked that he would be spending an extra \$158 million this year for staff and capital improvements. And there's more.

- Only three months ago the Governor issued an executive order clearing the way to transfer as many as 5,000 prisoners to other States. Naturally, that's only a speck, but since tens of thousands are sleeping in gyms and dining halls any relief is welcome. What this will cost hasn't been revealed, but one can bet that it's going to be expensive.
- Thanks to politicians in bed with the powerful guards' union, corrections pay scales are extremely generous, with experienced officers making \$70,000 or more plus full peace officer retirement benefits (90 percent of salary after 30

years).

- California's severe three-strikes law keeps prisoners in longer. And those who are let out soon return. [California's practice](#) of placing nearly all releases on parole, then promptly revoking most for violations such as drug use and failure to report is phenomenally expensive. The figures are striking. In 2000 nearly seventy percent of new California inmates were parole violators. (In 1980 the proportion was just twenty percent.) Stunned researchers estimated that if California recommitted only a third of parolees instead of more than two-thirds it could save *\$500 million per year*.

Five-hundred million? That's big bucks even for the Guv. In a recent proposal, Governor Schwarzenegger suggested releasing non-violent inmates with less than 20 months left on their terms, *then not actively supervising them*. Many others already on parole would also be shifted to non-supervised status, subject to search but not revocation for technical reasons. By slicing 22,000 from the inmate population (13 percent) and reducing 1,700 corrections positions, taxpayers could save a whopping *\$350 million per year*.

But wait a minute. How does freeing criminals make us safer? Won't these so-called "savings" be offset by increased victimization? Again, contrast New York and California. Although New York imprisons a substantially smaller proportion of its population, its 2006 violent crime rate of 434.9 per 100,000 was nearly twenty percent lower than California's 532.5. New York's rate also dropped 2.1% from 2005 (444.4), while California's increased 1.2% (526.0).

Well, maybe California's criminals are more violent and intractable than New York's. We've [already noted](#) that L.A. is more thinly policed than New York City -- perhaps bad guys here have more opportunities! But in 2000 [nearly six out of every ten](#) new California inmates weren't crazed gunmen -- they were *technical parole violators*. Our prisons are bursting at the seams because thousands of parolees are constantly cycling through, doing a few months here and there for lapses such as flunking drug tests and not cooperating with agents.

Draconian laws, misguided practices and an unholy alliance between the guard's union and legislators (and at least one former Governor) have transformed California's penal system into an ever-expanding perpetual motion machine. That's undeniably good news for the corrections industry, but is it a sustainable policy for the State?