

States' Proposed Budget Fix: Release Convicts, Save Money

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PROVIDENCE, R.I. —

Lawmakers from California to Kentucky are trying to save money with a drastic and potentially dangerous budget-cutting proposal: releasing tens of thousands of convicts from prison, including drug addicts, thieves and even violent criminals.

Officials acknowledge that the idea carries risks, but they say they have no choice because of huge budget gaps brought on by the slumping economy.

"If we don't find a way to better manage the population at the state prison, we will be forced to spend money to expand the state's prison system — money we don't have," said Jeff Neal, a spokesman for Rhode Island Gov. Don Carcieri.

At least eight states are considering freeing inmates or sending some convicts to rehabilitation programs instead of prison, according to an Associated Press analysis of legislative proposals. If adopted, the early release programs could save an estimated \$450 million in California and Kentucky alone.

A Rhode Island proposal would allow inmates to deduct up to 12 days from their sentence for every month they follow rules and work in prison. Even some violent offenders would be eligible but not those serving life sentences.

A plan in Mississippi would offer early parole for people convicted of selling marijuana or prescription drugs. New Jersey, South Carolina and Vermont are considering funneling drug-addicted offenders into treatment, which is cheaper than prison.

The prospect of financial savings offers little comfort to Tori-Lynn Heaton, a police officer in a suburb of Providence whose ex-husband went to prison for beating her. He has already finished his prison term, but would have been eligible for early release under the current proposal.

"You're talking about victim safety. You're talking about community member safety," she said. "You can't balance the budget on the backs of victims of crimes."

But prisons "are one of the most expensive parts of the criminal-justice system," said Alison Lawrence, who studies corrections policy for the National Conference of State Legislatures. "That's where they look to first to cut down some of those costs."

Rhode Island Corrections Director A.T. Wall was not sure how many prisoners could be freed early. The payoff for doing so may be relatively small: less than \$1 million for the first fiscal year, although that figure would increase over time.

In California, where lawmakers have taken steps to cut a \$16 billion budget deficit in half by summer, Gov. Arnold Schwarzenegger proposed saving \$400 million by releasing more than 22,000 inmates who had less than 20 months remaining on their sentences. Violent and sex offenders would not be eligible.

Laying off prison guards and making it more difficult to send parole violators back to state prison would account for part of the savings.

Law enforcement officials and Republican lawmakers immediately criticized Schwarzenegger's proposal, which would apply to car thieves, forgers, drunken drivers and some drug dealers. Some would never serve prison time because the standard sentence for those crimes is 20 months or less.

"To open the prison door and release prisoners back into communities is merely placing a state burden onto local governments and will ultimately jeopardize safety in communities," said Fresno Police Chief Jerry Dyer, who could see 1,800 inmates released in his area.

In Kentucky, which faces a \$1.3 billion deficit, lawmakers approved legislation Wednesday to grant early release to some prisoners. Initial estimates were that the plan could affect as many as 2,000 inmates and save nearly \$50 million.

If the governor signs the bill, the exact number of prisoners would be determined by prison officials. Violent convicts and sexual offenders would be exempt.

Gov. Steve Beshear has said Kentucky must review its policies after the state's inmate population jumped 12 percent last year — the largest increase in the nation.

Kentucky spends more than \$18,600 to house one inmate for a year, or roughly \$51 a day. In California, each inmate costs an average of \$46,104 to incarcerate.

The prison budget in Mississippi has nearly tripled since stricter sentencing laws took effect in 1994.

To curb spending, lawmakers have offered a bill to make about 7,000 drug offenders in prison eligible for parole. A second proposal would allow the parole board to release inmates convicted of selling marijuana and prescription drugs after serving just a quarter of their sentences. Currently, they must serve 85 percent of their terms before release. Michigan is trying to speed up the parole process for about 3,500 inmates who were convicted of nonviolent, nonsexual offenses, or who are seriously ill.

Barbara Sampson, chairwoman of the Michigan Parole Board, said early release often makes sense, especially for low-risk offenders who get help rebuilding their lives.

"Getting that prisoner back to the community so that he can stay connected to his family, getting him back into the work force ... that's a positive thing," she said.

But not everyone is sold on the idea.

"Economics cannot be the engine that drives the train of public safety," said Terrence Jungel, executive director of the Michigan Sheriffs' Association. "Government has no greater responsibility than the protection of its citizens."

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