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The Cost of Incarceration in Missouri and the Benefits of Sentencing Alternatives

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Many and probably most persons sentenced to prison are not good candidates for alternative sentences, either because they pose a danger to public safety or because they committed a crime for which a prison sentence is mandatory under current statutes. However, some are much better candidates than others, and it is possible to reduce the number of Missouri prison inmates by a sizable fraction without unduly increasing risks to the general public. By adopting *capacity-sensitive admission policies* and *age-sensitive release policies*, the state can reduce the size of the prison population and control costs, while retaining supervision over lower-risk offenders in the community. By instituting *alternatives to prison for non-violent drug offenders* and introducing a *sunset provision* in current truth-in-sentencing statutes, long-term control over the magnitude and costs of imprisonment can be achieved. These cost-cutting reforms can be realized without sacrificing public safety through increased *intensive supervision* of non-violent and older offenders in the community.

Background

The Costs of Imprisonment. The costs of operating Missouri's prisons and the capital outlays for expanding existing facilities and building new ones are extremely high and have been escalating over time. The total budget for Missouri prisons in FY 2000 was \$526.3 million, which includes \$25.6 million in capital costs. As of January 1, 2001, Missouri had 3 new facilities under construction at a total cost of \$257 million. The new facilities will add 5,876 beds: nearly \$44,000 per bed. A large and growing item in the operating budget for the prisons is the cost of medical services, which totaled over \$51 million in FY 2000. That figure will continue to grow as health costs in general rise and the prison population continues to age. The average age of inmates in Missouri prisons is 34; 7% of inmates are 50 years-old or older. In 1999, it cost the state \$35.61 per day to confine each of the approximately 28,000 inmates in a correctional facility (Camp and Camp 2001, pp. 13, 49, 74-75, 82-83, 87).

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Supervising Offenders in the Community. Most criminal offenders under the supervision of the Department of Corrections are not confined to the state's prisons, which currently house approximately 29,000 inmates. They are supervised in the community, as probationers (persons who are sentenced to community supervision instead of prison) or parolees (persons supervised in the community after release from prison). In 2000, 51,845 persons were under probation supervision, and 11,448 were on parole. Of the total population of 63,293 persons under probation or parole supervision, the great majority (53,720) were under regular supervision. An additional 8,933 were under "intensive" supervision, involving more frequent contacts with officers and generally stricter supervision and control. Another 640 offenders were subject to electronic monitoring (Camp and Camp, 2001, pp. 170-171).

It is far less costly to supervise offenders in the community than to confine them to prison. The total probation and parole budget for FY 2000 amounted to \$85.8 million, about 17% of the operating budget for Missouri prisons. It costs about \$3.50 per person per day to supervise an offender in the community: \$2.00 per day for those under regular supervision and over \$12.00 per day for those under intensive supervision (Camp and Camp, 2001, pp. 185, 188). On average, then, supervising offenders in the community is only about one-tenth the cost of confining them to prison. Even intensive supervision amounts to only one-third of the daily costs of imprisonment.

Would supervising more criminal offenders in the community and confining fewer to prison jeopardize public safety? Studies have found minimal impacts on community crime rates from the early release of prisoners to parole supervision in Illinois and Oklahoma (Austin and Bolyard, 1993; Austin and Hardyman, 1992). The key is careful selection of inmates for release to the community and greater use of intensive supervision.

Sentencing alternatives

Control over the costs of imprisonment can be achieved by sensible alterations in prison admission and release policies, alternative sentencing for drug offenders, sunseting truth-in-sentencing requirements, and placing more offenders under intensive supervision in the community.

Capacity-Sensitive Admission Policies. Such policies, in the form of statutes or guidelines, require sentencing decisions to be consistent with available prison capacity or with some preset limit on the total number of prisoners. Capacity-sensitive policies have proven effective elsewhere, notably in Minnesota which had the lowest incarceration rate in the nation in 1999, in controlling prison population growth without diminishing public safety (see Blumstein, 2002, pp. 478-480). Capacity-sensitive policies would lead to larger numbers of offenders supervised in the community, but at greatly reduced costs per capita, even for those under intensive supervision.

Age-Sensitive Release Policies. Offenders begin to terminate their "criminal careers" as they age, with an escalation in the termination rate after the early 40s (Blumstein, 2002,

p. 477). It follows, from a public-safety perspective, that the use of scarce prison space becomes increasingly inefficient as offenders age, as well as costly given the greater medical services required by older inmates. Where possible prison release policies, and where necessary sentencing policies, should give preference to older offenders (those beyond the age of 40), who should be supervised in the community unless they pose a demonstrable threat to public safety or they have committed a serious violent crime.

Alternatives to Prison for Drug Offenders. Arkansas, Connecticut, Indiana, Louisiana, Texas, Washington, and other states have begun to reform sentencing statutes and guidelines for drug offenders (*USA Today*, 2002). Missouri should join them. Persons convicted of drug possession rather than selling and who do not have a record of violence should be supervised in the community and enrolled in mandatory treatment programs. The higher costs of community supervision and treatment would be more than offset by the reduction in the costs of imprisoning non-violent drug offenders.

Sunsetting Truth-in-Sentencing. Like many other states, Missouri requires persons sentenced to prison to serve 85% of their terms prior to release. So-called “truth-in-sentencing” requirements, have contributed to the rapid growth in prison populations throughout the nation (Ditton and Wilson, 1999). Missouri prisoners serve a greater fraction of their sentence in prison than prisoners in most other states, which is one reason why Missouri’s rate of incarceration is higher than the national average. Such stringent statutes may have benefits during periods of rapid escalation in crime rates, however they have diminishing returns when crime rates are flat or falling and state budgets are tight. The legislature would have much greater flexibility in the use of such measures were they to contain sunset provisions that require them to be periodically re-enacted. The Missouri legislature should add a sunset provision to its truth-in-sentencing statute and then re-evaluate its costs and benefits once it has lapsed.

Greater Use of Intensive Community Supervision. Missouri over-utilizes imprisonment and under-utilizes intensive supervision of offenders in the community. Only 14% of persons on parole or probation in the state are under intensive supervision. The state should greatly increase its use of intensive community supervision as the sentence of choice for older offenders released early from prison, non-violent drug offenders sentenced to mandatory treatment programs, and prisoners serving shorter terms under a truth-in-sentencing sunset provision. The result will be heightened control of offenders in the community, increased public safety, and a net savings to Missouri taxpayers.

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