

# Association of County Commissions of Alabama 86<sup>th</sup> Annual Convention

## *“State of the Alabama Prison System”*



**Kim T. Thomas**  
Commissioner

**Robert Bentley**  
Governor

# State of the Alabama Prison System



- Intro to ADOC
- Where We Are Now & How We Got Here
- Why It Matters
- Improvements and Opportunities
- How We Move Forward

# Intro to ADOC

- ADOC operates 28 prisons
  - 16 Major Facilities
  - 12 Work Release/Community Work Centers
  - Oldest
    - Draper Correctional Facility (1939)
    - Tutwiler Prison for Women (1942)
  - Newest
    - Bibb Correctional Facility (1998)
- General Fund Appropriation FY14: \$396.3M
  - Approximately 3,900 employees
  - Approximately 26,200 inmates
- Correctional Staff
  - Total Authorized: 4,854
  - Total Actual: 2,934
  - Approximately \$190M of budget spent on correctional staffing



# Where We Are Now & How We Got Here

- Alabama incarcerates the 3<sup>rd</sup> largest number of people in the country
- Alabama's resident population increased 8.2% from 2000 to 2012
- During that same period, reported crime fell by 5%
- Violent crime nationally fell more than 15% from 2008 to 2012
- Alabama's fell less than 2%
- In 2012, Alabama ranked the 8<sup>th</sup> highest in terms of total crime rate
- Alabama's prisons are at nearly 190% capacity
- Population in ADOC facilities increased by 9% (2003-2013)
- Alternative placement increased 75% (2003-2013)
- "Lock 'em up and throw away the key" has costs and raises question: IS IT WORKING?

# “Prison Problems” Are Not Unique To Alabama

Stuttgart  
Daily Leader

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NEWS NOW Sister Avery Morning Minutes, Aug. 15 Obituary: Emma Jean Jackson

## Officials: Up to \$100M needed for new prison

The request from the agencies overseeing Arkansas' prisons and parole programs comes a little more than two weeks after the Legislature set aside about \$6 million annually to ease an influx of state inmates at local jails.



By Associated Press  
Posted Jul. 18, 2014 @ 9:44 am

LITTLE ROCK, Ark. —

Arkansas corrections officials told a new prison and \$25 million to opera

The request from the agencies over more than two weeks after the Legi: state inmates at local jails. State pri longer term solution is needed.

“What the governor and Legislature unbelievably crucial to solving some

**CorrectionalNEWS**  
design+construction+operations

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### Nebraska Struggles with Prison Overcrowding

(02/15/2013)

LINCOLN, Neb. — A Nebraska senator recently sounded the alarm about a potential lawsuit in his state's correctional system. Senator Brad Ashford (I-Omaha), chairman of the state legislature's judiciary committee, warned that his state must address its prison overcrowding problem or face the risk of judicial action.

Nebraska's nine prisons are overflowing with 4,603 inmates in a system designed for 3,175. Functioning at 145 percent of the planned capacity puts the state in dangerous waters, as federal judges ordered the state of California to take drastic corrective action in 2011, when that state's prison system operated at 200 percent of capacity for 11 years. The target set for California to avoid federal intervention was 137.5 percent of capacity, meaning Nebraska is now operating at a level of overcrowding that has been deemed unacceptable by a federal court in the past.

The state has been attempting to address the problem for years. The Nebraska Department of Correctional Services paroled 260 inmates in 2010 to help address the problem, but the issue persisted.

“We're going to have a lawsuit that will force us to build a new prison,” Ashford told the Journal Star, a newspaper based in Lincoln, Neb.

#### Related Articles

Brad Ashford  
Central U.S.  
Featured Article  
Governor Dave Heineman

Nebraska law dictates that going over the 140 percent mark triggers a report to the governor, who then has an option to declare a state of emergency, a measure Governor Dave Heineman has chosen not to take so far.

Ashford added that the judiciary committee would meet with officials from the state's department of corrections to seek a solution to the problem in the next



Nebraska State Penitentiary was designed to hold 718 inmates, but currently contains over 1,200.

## NEWS

# Iowa Faces Serious Overcrowding

DES MOINES, Iowa — Iowa was able to restore its prison system after letting the prison population get out of hand in the 1970s — but now is falling back into dangerously familiar territory.

Iowa currently has nine prisons that house more than 8,000 inmates, which is nearly 22 percent above what they were designed to hold. That number is ex-

## Dangerous Work Conditions

Not only is the staff being subjected to an unsafe work environment, but the prisoners are also subjected to poor conditions that could affect their ability to recover upon release.

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AUGUST 17, 2013

## U.S. Prison System Overcrowding

Marc Mauer and Richard Viguerie talked about America's overcrowded prison system, which had raised cause for concern for both liberal and conservative groups. The roundtable discussion focused on ways both sides of the aisle propose to address the issues of over-incarceration, the high costs of operating prisons and creating a rehabilitative environment that reduces the chances of re-entry. They responded to telephone calls and electronic communications, including lines exclusively for the “Previously Incarcerated” and for “Corrections Professionals.”

A video clip was shown of Attorney General Holder speaking about mandatory sentences on August 12, 2013. [close](#)

# According To The ACLU

- U.S. prison population has risen 700% since 1970
- 1 in 99 adults living behind bars
- 1 in 33 adults are under some form of correctional control: county jails, probation, parole, etc.



# “Prison Problems” Aren’t New Either...



## Riley's big headache: the prisons

12/15/02

By SAM HODGES  
Staff Reporter

Of the headaches Bob Riley will inherit when he takes over as Alabama's governor on Jan. 20, perhaps the one most likely to become a migraine is the state's underfunded and overcrowded prison system.



68

TimesDaily/A

REGION

June 2, 1999

## Study: Staffs at Alabama prisons burdened by heavy inmate loads

Associated Press

MONTGOMERY - Compared to other Southern penitentiaries, Alabama prisons house more inmates per guard and spend less money doing it, a new study found.

Many correctional officers say it's a dangerous situation. "That funding shortage could end up getting someone hurt or killed," said Anthony Gibson, a correctional officer at Kilby Correctional Facility near Mount Meigs.

The study, released last week by the Southern Legislative Conference of the Council of State Governments, shows a corrections system clogged with inmates where prison staff have to handle overwhelming numbers of prisoners.

Gibson said he has seen instances where one officer had to watch over as many as 400 prisoners.

Though officials worry about the situation creating potential problems, the study found Alabama had only 13 escapes, 244 assaults on inmates and 49 assaults on prison staff during periods in 1997 and 1998. That puts Alabama below or at the southern average in those categories.

On an average, the study found Alabama has one officer for every nine prisoners. The Southern average is one officer

When it comes to money spent on inmates, Alabama came in dead last. It spends \$18.27 per day per inmate, compared to the Southern average of \$40.16 per day, the study found. The next lowest state is Louisiana, which spends \$30.13 a day.

Alabama's figure could be too low, however, because its data included work release centers, which do not cost as much to operate as prisons, said Christopher Keaton, a fiscal analyst with the Louisiana Legislative Fiscal Office. But other studies show Alabama spending as much as \$24.37 a day per inmate, still far below other Southern states, said Becky Goggins, a research specialist with the Sentencing Institute.

Gov. Don Siegelman spokeswoman Kristin Carvell said the governor is aware of the funding shortage in the prison system. Siegelman's original budget proposal would have increased funding for prisons by 3 percent, she said.

But the Legislature is close to approving a General Fund budget that cuts most agencies, including Corrections, 10 percent across the board. The cuts became necessary earlier this year when the U.S. Supreme Court ruled that it is illegal for Alabama to charge a higher franchise tax to out-of-state companies than it charges to in-state companies. The ruling

(1988)

MOBILE REGISTER  
Mobile, Alabama  
DAILY

**“Prison overcrowding is so bad, we can't be afraid to talk about it.”**

Senator Cam Ward, Alabaster

Birmingham News | March 28, 2011

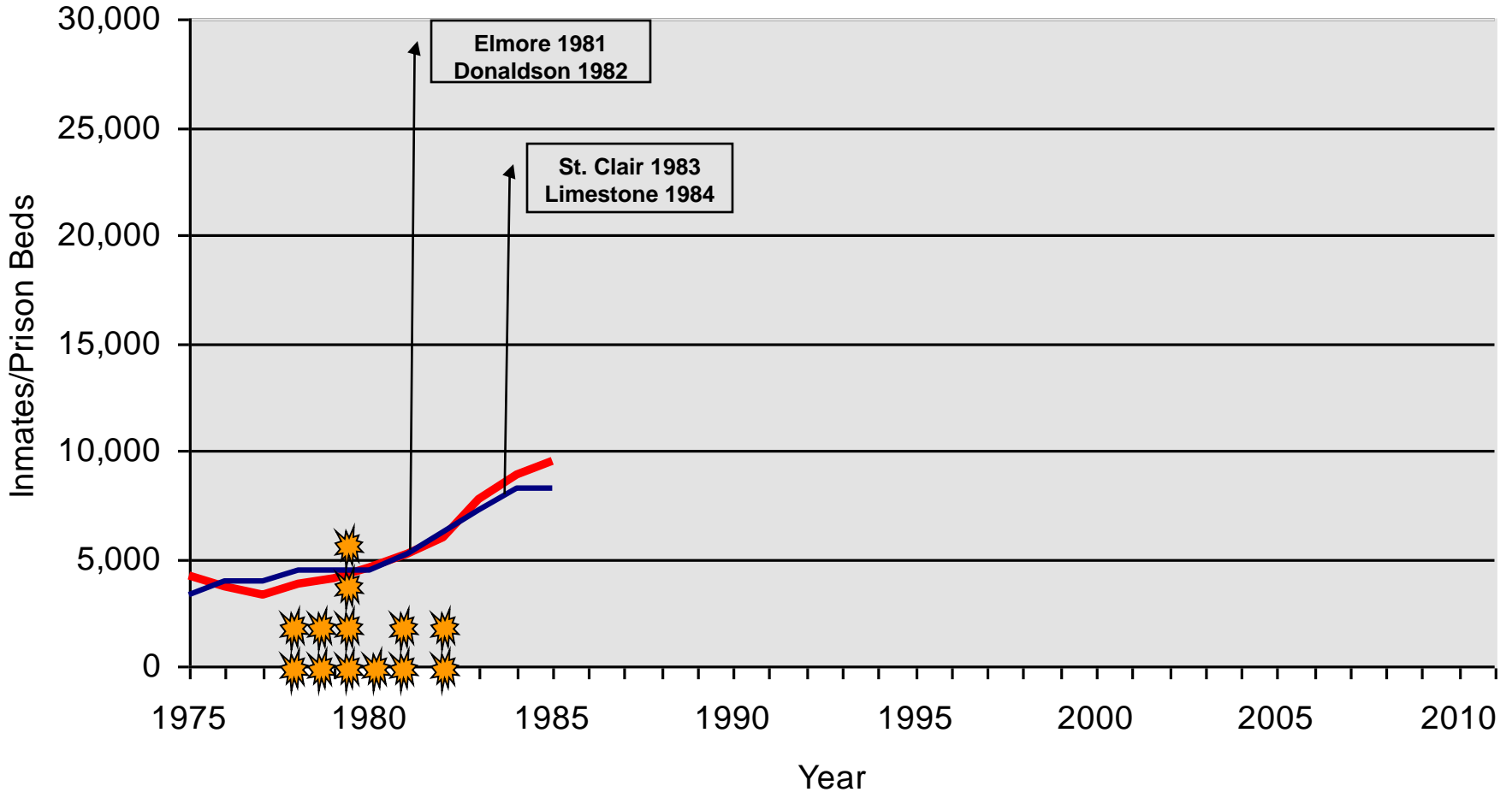
# “Prison Problems” Aren’t New Either





# “Prison Problems” Aren’t New Either

## Population Growth



County Jail/Prison  
Litigation



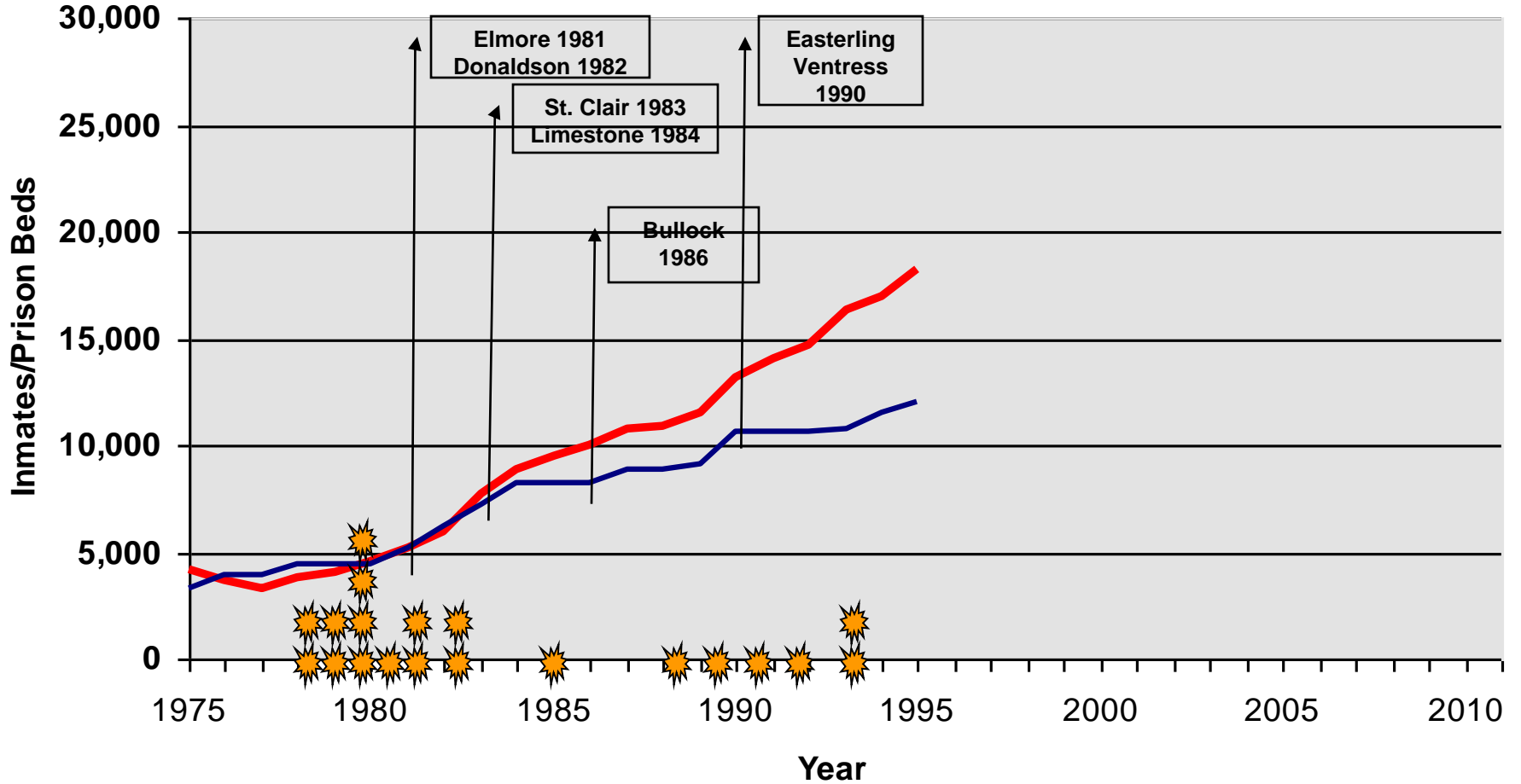
Custody Population






Designed Capacity

# “Prison Problems” Aren’t New Either

## Population Growth

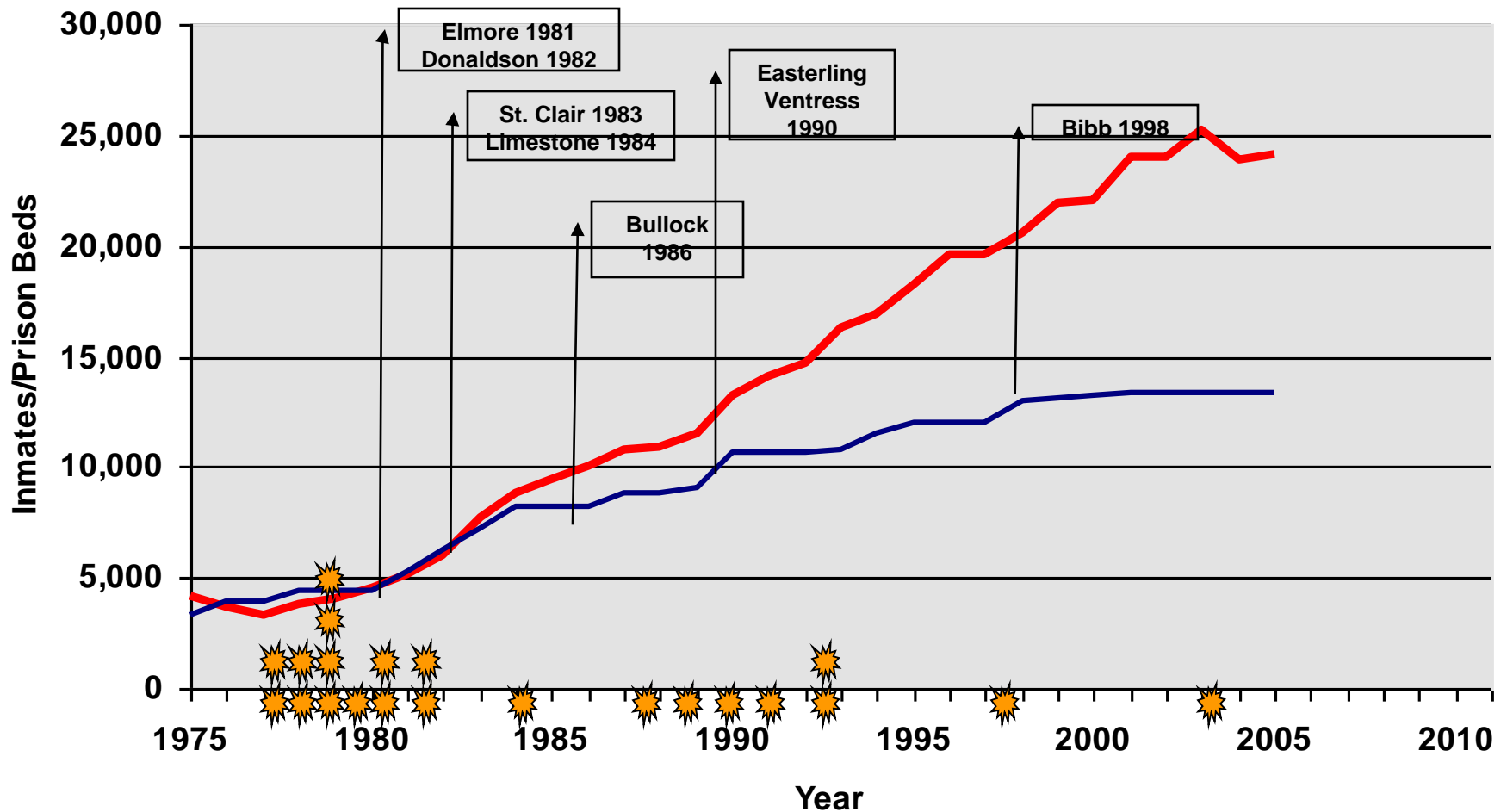


 County Jail/Prison Litigation

 Custody Population  Designed Capacity

# “Prison Problems” Aren’t New Either

## Population Growth

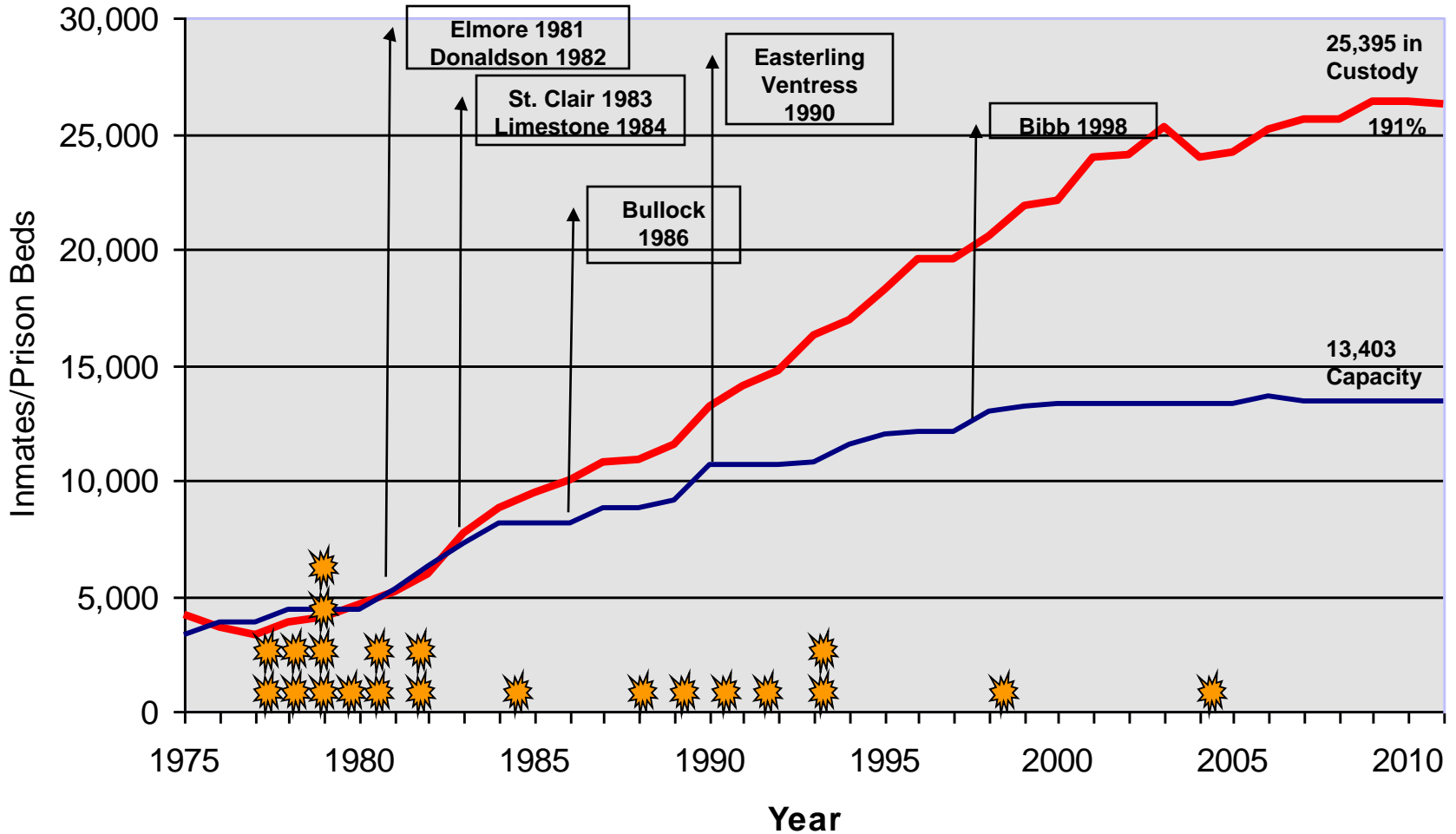


County Jail/Prison  
Litigation

— Custody Population — Designed Capacity

# “Prison Problems” Aren’t New Either

## Population Growth



County Jail/Prison  
Litigation

— Custody Population — Designed Capacity



# Why It Matters...Social Costs



*“America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life.”*

*George W. Bush*

*January 20, 2004*

- More than 650,000 persons are released from prison every year
- Approximately 95% of Alabama’s inmates will eventually return to their community
- A variety of serious challenges face them upon their release
- They are part of your community and use resources

# Why It Matters...Fiscal Costs

- Achieving 130% of designed capacity is adding 6,000 prison beds
- \$102 million for 1,500 bed prison (ALFO)
- Total construction cost = \$420 million
- Annual operating costs = \$93 million

# Improvements & Opportunities

- Re-Entry Services
  - 89% of people agreed that treatment and job training programs are important for prison inmates (Pew Center Survey from 2010)
  - Recognizing the need for educational programs, vocational training, life skills training, drug treatment programs and affordable transitional housing
- Diversion Programs
  - Advocating for diversionary practices such as drug courts, mental health courts, Veteran's courts and Community Corrections programs

# Improvements & Opportunities

- Community Corrections Programs
  - When it comes to offenders, there is no “one-size fits all” solution
  - Embrace alternatives to a prison cell when no danger to public safety AND to hold people accountable!
  - In FY2005
    - In 1,892 total diversions in 23 counties with CCPs
    - \$2.7 million to CCPs
    - Transcripts over 30 days = 800
  - In FY2012
    - 3,133 total diversions in 47 counties with CCPs
    - \$7 million to CCPs
    - Transcripts over 30 days = virtually 0



# Improvements & Opportunities

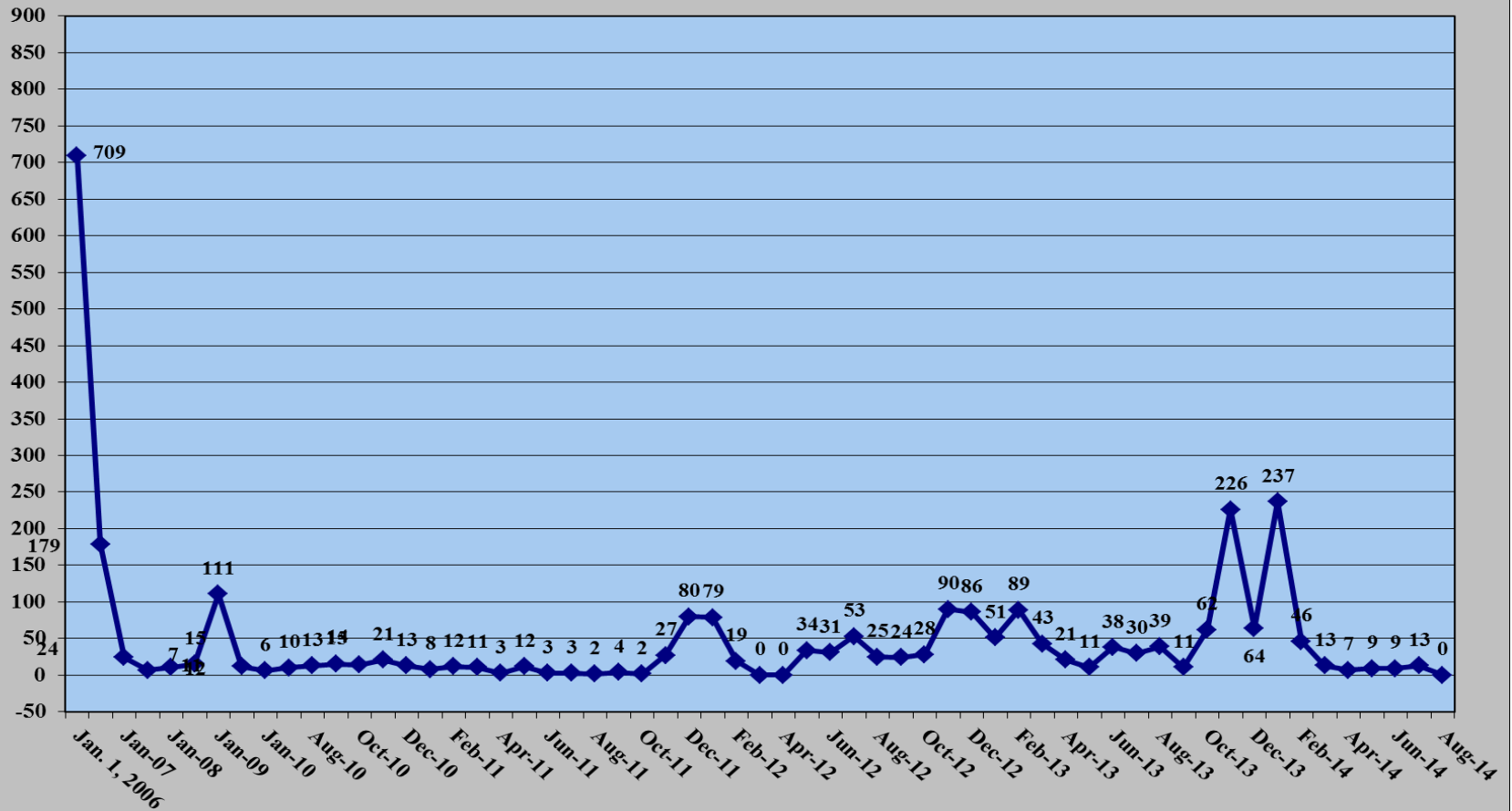
- **Risk – Needs**
  - Who gets the medicine and what dosage of medicine?
  - Partnership with Jefferson Co. Community Corrections/TASC, helped by grant from Substance Abuse & Mental Health Services Administration
  - Alabama Risk Assessment System-Risk factors:
    - Criminal/supervision history
    - Education, employment and finances
    - Family and social support
    - Neighborhood problems
    - Substance use
    - Peer associations
    - Criminal attitudes and behavioral
  - Select medium and high risk inmates receive enhanced, individualized supervision and services based on risk and needs assessments
  - Template we can use statewide and fits with CCPs and Pardons/Paroles

# Improvements & Opportunities

- County Jail Housing Agreements
  - 9 counties
  - 489 beds
  - FY14 totaling \$2.2 million
  - Serves as initial reception center before ADOC intake
  - Relieves pressure of 30 days count in *Barbour v. Thomas*
- County Jail Workers

# Improvements & Opportunities

## County Jail Backlog > 30 days



# How We Move Forward

- Continue working together!
- Between a rock and a hard place
- Light at the end of the tunnel





# How We Move Forward

- **Justice Reinvestment Initiative**
  - Unified effort from all three branches of government to seek solutions to issues facing the state's criminal justice system
  - Comprehensive study that will identify ways to reinvest corrections spending in strategies that can decrease recidivism and increase public safety
  - Utilizes a data-driven approach to identify drivers behind AL's prison population growth and identify ways to reduce prison growth



# How We Move Forward

- Need everyone at the table to bring issues, concerns and suggestions to the table
- Don't repeat the same mistakes by merely shifting offender populations back and forth
- Don't repeat the same mistakes other states have made
- Repeat successes in other conservative states
- Full participation on the Prison Reform Task Force and full support of the Justice Reinvestment Initiative



<http://csgjusticecenter.org/jr/al/>