

[Home](#) > [Research and News](#) > [Seeking a Way Out of Crowded Prisons](#) >

Research and News

Seeking a Way Out of Crowded Prisons

The US has the highest rate of incarceration in the world. About one in three-hundred people in the US society is currently incarcerated. The philosophy of US prisons originated from the Puritan belief in isolation that lead to "repentance." In spite of the collapse of the puritan culture, the increase in diversity of US religions and cultures, the massive increases in population, and tremendous upward shifts in crime rates, the US continues the same Puritanistic pattern of incarceration. Tuhus discusses the problems of crowding Connecticut's prisons. What role do drug offenses play in the overall prison crowding situation? Why might a state choose to treat addiction more than to punish criminals? How do recidivism rates vary between prisoners and those in alternative programs? Which other formal organizations are being included as alternatives to prisons for offenders? Who is more likely to be a criminal offender, poor or wealthy? Using Robert Merton's means-gap typologies as reference points, how do the poor represent an exploited group and what is the role of the government in protecting the poor from existing social forces which could lead them to a criminal offense?

Seeking a Way Out of Crowded Prisons

By MELINDA TUHUS

PRISON overcrowding in Connecticut is a story about numbers. It's about big numbers, like the more than \$25,000 per year it costs taxpayers to house each of almost 18,000 inmates. It's about little numbers, too, like the three sons of a New Haven mother, Barbara Fair, who are part of the disproportionately high percentage of black men behind bars.

Ten years ago, the state took steps to curb the growth of its prison population by setting up a variety of alternative programs for nonviolent offenders, particularly those whose crimes involved drug use. Now these programs, like the prisons, are filled to capacity and beyond. Both the Legislature and Gov. John G. Rowland are determined to wrestle with the problem this year.

In his budget address in January, the governor said that buying or selling drugs is a crime but addiction is a disease. "The governor has made prison overcrowding one of his key issues this legislative session," said Dean Pagani, the governor's spokesman. "He's not saying there should be no punishment, but we have to treat addicts, too."

Measures being considered in Hartford include bills that would allow judicial discretion in sentencing for drug crimes that now require mandatory minimum sentences, sending nonviolent drug offenders to treatment centers instead of prison, identifying and diverting mentally ill prisoners into treatment, and diverting those convicted of drunken driving into community programs.

While Connecticut's total population remained stable, its prison population tripled from 1985 to 2000, from 5,375 to 17,305. In the same period, the state Department of Correction spent \$1 billion to add more than 10,000 prison beds but couldn't keep up with the flow of prisoners.

By the department's own calculations, two-thirds of those behind bars today are classified as nonviolent, 80 percent have substance abuse problems and 12 percent are mentally ill, often with dual diagnoses of drug and alcohol problems.

In an earlier attempt to deal with the prison problems, the General Assembly passed legislation in 1990 requiring those convicted of serious crimes to serve more of their sentences. At the same time it created the Office of Alternative Sanctions, which has diverted more than 40,000 mostly first-time, nonviolent offenders from prison cells to a range of programs, including day

incarceration centers, community service, residential programs for alcohol and drug treatment, and electronic monitoring. The cost per slot for the three-quarters that are day programs is \$7,000 annually with an average of four clients per slot per year.

Now the alternative programs have reached their capacity of 5,000 adults. Yet on any given day 250 inmates who are eligible for such programs are sitting in prison, said Bill Carbone, executive director of Court Support Services of the Judicial Branch, which oversees the Office of Alternative Sanctions. He said two-thirds of those in the programs successfully complete them. A three-year study of 16- to-21-year-old drug offenders in Connecticut completed in 1997 showed that those in alternative programs had rearrest rates only one-third that of a control group that went to prison. The study also indicated that 65 percent of those imprisoned were re-arrested within three years.

Representative Robert Farr, a Republican from West Hartford who is a self-described law-and-order conservative, is a supporter of setting up nonprison alternatives.

"I'd like to begin using the criminal justice system as a screening process to get people the help they need," said Mr. Farr, a 20-year veteran of the House, adding, "The easiest way to reduce the prison population would be to increase the high school graduation rate." Correction Department figures show that for the three-quarters of inmates who come from the state's 16 largest towns, 69 percent don't have high school diplomas.

The Rowland administration's goal is to create a "stern but compassionate" environment for offenders, said Marc Ryan, secretary of the Office of Policy Management.

He said \$20 million in state bond financing is earmarked for construction of a 500-bed secure, residential community justice center, in addition to \$5 million for operation. The center, a collaboration of the Department of Correction and the Divisions of Probation and Parole, would provide short-term substance abuse and mental health treatment to nonviolent offenders, both men and women. It would also be an alternative to prison for those who have violated probation or parole on technicalities.

Representative Michael Lawlor, a Democrat from East Haven and co-chairman of the Judiciary Committee, said consensus was growing toward a decision to put more resources into community programs, although he pointed out that new high security prisons would still be built to replace the thousands of dormitory-style beds that were built in haste in the late 1980's.

He predicted that the outcome of the deliberation on all the bills would be three or four specific groups of policy changes and budget changes, saying, "We are down to the details right now."

That's where the devil is, said Ed Mattison, executive director of the South Central Behavioral Health Network. The network is a nonprofit agency serving greater New Haven that provides services for people with substance abuse and mental health problems, and is one of the agencies contracted to provide services to inmates through the state Department of Mental Health and Addiction Services.

Mr. Mattison is wary of promises for more money to finance treatment programs. He said last year more than \$7 million was appropriated to put mental health professionals in all the superior courts around the state to identify individuals who should be diverted from prison into mental health treatment, to pay for 60 new probation officers and 100 new drug treatment beds, but none of these programs had gone into effect by the time overall state spending reached a mandated budget cap.

"I think the Legislature will pass an elaborate bill, and then they will run into fiscal hot water" and cut programs again, Mr. Mattison said.

Mr. Lawlor agreed the cap is "definitely a problem," but said the changes make economic sense, since alternative programs are so much cheaper than prisons.

Another goal is to bring back the 500 Connecticut inmates who were sent to Virginia two years ago because of overcrowding in state prisons at a minimum cost of \$12 million per year that was not originally in the budget, but Mr. Lawlor said the contract requires payment to Virginia through October 2002.

Other supporters of reform include family members of prisoners, drug reform organizations, advocates for the mentally ill, community justice groups, state agencies like the Permanent Commission on the Status of Women, which is concerned that women make up the fastest-growing segment of the prison population, and the Connecticut Correction Employees Union.

Ms. Fair, a school social worker, is a member of People Against Injustice, a New Haven-based group founded in 1996 to be an advocate for the rights of prisoners and their families. Three of her seven sons are incarcerated. One, she said, was pressured to plea bargain to drug possession and attempted assault charges, although she said there was no evidence against him on the assault charge. He faced up to 20 years had he gone to trial, but he got 10 years on the drug charge and 4 on the assault charge. Another is in prison for assault. The third is being held in pretrial detention on \$225,000 bail for possession of marijuana with intent to sell. "In the suburbs they don't have bonds like that for stupid stuff like this," Ms. Fair said.

Another of her concerns is that inmates have access to programs that will teach them "life skills to help them stay straight."

"People selling drugs want some hope that they can do something besides sell drugs," she said.

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