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Push on to contain Michigan's prison spending

by GARY HEINLEIN • FEB. 6, 2013

Lansing — Gov. Rick Snyder's budget presentation Thursday is expected to touch off another heated debate over the \$2 billion Michigan spends on corrections, nearly one fourth of the state's general fund and \$600 million more than it invests in higher education.

Lawmakers are pressuring Corrections director Dan Heyns to hold the line at the current mark of \$2.011 billion, \$1.94 billion of which comes from the general fund. The rest comes from fees and federal grants.

"That \$2-billion threshold is the outstanding concern," said state Sen. John Proos, R-St. Joseph, chairman of the Senate's subcommittee on corrections appropriations.

A steady rise in corrections costs for most of the past decade "diminishes our ability to use more funds in areas our constituents talk about on a daily basis," such as roads, K-12 schools, universities and community colleges, Proos said.

Lawmakers chopped Snyder's proposed spending on corrections for this year by only about \$3 million, but his two-year spending plan calls for the general fund portion to jump to more than \$2 billion in the 2013-14 budget year starting Oct. 1.

Last spring, corrections spending sparked some of the sharpest crossfire of the annual state budget negotiations, with opponents charging majority Republican lawmakers were intent on privatizing prison functions to weaken corrections officers unions — at the risk of reducing security inside the walls.

In 20 months on the job, Heyns, a former Jackson County sheriff, has come up

with \$258 million in reductions to the sprawling department, which employs 16,000 and oversees 118,092 offenders behind bars, on probation or on parole.

Measures included closing two prisons; cutting 1,186 jobs; reorganizing health care, pharmacy and transportation services; ending 24-hour prison perimeter patrols; switching libraries from books to digital texts, and hiring a supply chain expert.

The department is making more use of alternatives such as GPS-monitored electronic ankle tethers to avoid costlier incarceration for some offenders. The number of inmates, which hit a peak of 51,515 in 2006, is 43,350 this month.

But Heyns is battling costs for such items as corrections officer overtime and retirement benefits that make it hard for the department to stay below the \$2 billion threshold.

And lawmakers are increasingly impatient. Heyns said he'll urge lawmakers to extend a measure approved in December that allows him to rehire retired corrections officers to fill job vacancies and save money on overtime and benefits.

Some analysts claim Michigan prison costs could be substantially lower if the state didn't have harsh sentencing rules and a law that doesn't let any offender serve one day less than his or her minimum term behind bars. A Pew Center on the States study in 2009 found Michigan topped all other states in average length of time behind bars for its inmates, at an added taxpayer cost of \$472 million a year.

"The best way to save money is to reduce the (prison) population," said Barbara Levine, head of Lansing-based Citizens Alliance on Prisons and Public Spending.

An inmate population the size it was before the get-tough policies — 34,000-36,000 — makes more sense, Levine said.

Heyns agreed changes in state sentencing policies "is an inevitable debate" policymakers will have to have: "I'm going to, at some point, come to the end of things I can do to manage this system cost-effectively."

But lawmakers are looking for other solutions and cite urban violence as justification for staying with current sentencing policies.

Detroit and Flint were among the nation's 10 most-dangerous cities of more than 100,000 residents, according to FBI uniform crime reports released last November.

Detroit had the highest per-capita murder rate among the 20 biggest U.S. cities in 2012. Inkster and Saginaw were among the 10 most-violent cities with 25,000-100,000 residents, according to the website Neighborhood Scout, which used FBI statistics to look at rates of crime such as murder, rape and armed robbery per 1,000 residents.

State Sen. Rick Jones, chairman of the Senate Judiciary Committee, said he doesn't foresee a legislative effort to enact sentencing reductions.

"I believe the state has worked very hard to get and keep people out of prison who aren't dangerous, so we're left with very dangerous people in prison," said Jones, R-Grand Ledge, a former Eaton County sheriff.

The Corrections Department is required this year to roll out a series of privatization moves aimed at cutting costs without such changes. Those moves include:

Taking bids from private companies and corrections worker unions to provide food and mental health services — a combined cost of \$300 million. Estimated savings would be about \$24 million a year.

Preparing to take bids for the operation of prison stores, where inmates can buy items ranging from potato chips to TVs. That's expected to save about \$540,000 annually.

Seeking bids to run one prison with up to 1,750 beds. A typical facility has 1,500 beds and costs \$30 million a year while staffed with state-employed corrections officers. That's expected to save \$2.4 million a year.

Corrections officials worry the savings might be offset by risks and potential problems in having non-corrections officers, such as civilian food service employees, inside prison walls, spokesman Russ Marlan said.

But legislators are eager to see the private firms' bids. They're frustrated by past efforts to benchmark the state's prison costs against those of neighboring states

that appear to spend less and have privatized some of their services.

Pew found Michigan's cost of \$89.91 per prisoner per day is more than \$10 above the national average.

It also was above other nearby states, but below West Coast and East Coast states: Illinois \$61.36; Indiana \$54.28; Ohio \$69.23; California \$134.83; Massachusetts \$130.16.

Such figures come with a caveat: Comparisons can mislead because of differences in the way states calculate their costs, differing prisoner mixes and other variables.

Heyns said some states, unlike Michigan, exclude prison personnel retirement benefits, a \$30 million to \$40 million annual expense that keeps growing.

But if private bids come in well below what the state's spending, Proos said lawmakers could take that as one measuring stick showing there's room for more efficiency before they entertain any thoughts of reducing prison sentences.

gheinlein@detroitnews.com

(517) 371-3660

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