

State officials consider closing some prisons

Budget cuts, dropping inmate counts lead to discussion of mothballing lockups

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AMERICAN-STATESMAN STAFF

Published: 9:20 p.m. Wednesday, Feb. 10, 2010

More than a decade after expanding Texas' prison system into one of the largest in the world and growing its law-and-order reputation accordingly some state leaders are now openly discussing the possibility of what was once politically unthinkable: closing or mothballing entire prisons.

Faced with a projected state budget shortfall of \$10 billion or more and a Monday deadline for state agencies to come up with cuts amounting to 5 percent of their budgets, prison officials are faced with looking for perhaps as much as \$300 million in cuts.

Amid the discussions, key Senate and House leaders say they might seek to have public safety agencies exempted from the proposed cuts, but they agree that closing lockups could be on the horizon.

It's unclear whether Texas has ever closed an entire prison, though parts of two were mothballed — or temporarily closed — several years ago due to a guard shortage.

By contrast, at least 35 correctional centers in other states have been closed since the recession began in 2008 and state and county government budgets began sliding into red ink.

"Closing prisons? It's absolutely on the table," said House Corrections Committee Chairman Jim McReynolds, D-Lufkin, whose panel oversees the state-run system of lockups. "As tight as our budget situation looks, we cannot unravel the fledgling system of diversion and treatment programs that are paying big dividends now for the states. And there's only one other place to look — prison operations."

But no one is discussing freeing convicts or shuttering prisons just to save money, as other states facing budgetary red ink have done recently.

"We certainly can't compromise public safety, and I'm opposed to closing prisons just to save a buck," said Senate Criminal Justice Committee Chairman John Whitmire, D-Houston, who was present for the prison-building binge of the 1990s.

"Closing prisons ought to be a result of having excess capacity that results from having diversion and treatment programs that are successful, to build new efficiencies into a system to make it work better, to be smarter about how we approach criminal justice," Whitmire said.

Texas has 112 state prisons, and about two-thirds of them opened during the 1990s when crime was mushrooming and lawmakers scrambled to build more cells. From 1990 to 1995 Texas' prison system ballooned from 35,000 convicts to more than 100,000.

Prison spending grew exponentially — the state now spends just under \$3 billion a year to house more than 153,000 convicts.

Whitmire and McReynolds said the number of imprisoned adult Texans has been trending down for some time, and the system now has about 2,300 vacant beds. Texas' youth prison system, which five years ago housed almost 5,000 offenders, now holds less than 1,700, officials said.

Two Texas Youth Commission lockups — the West Texas State School in remote Pyote and Victory Field Correctional Academy in Vernon — are due to be closed later this year, after a third youth lockup in San Saba was shuttered and converted into an adult prison two years ago.

"If we see that this vacancy rate in the adult system is sustainable in coming years, it would only make sense to look at the most inefficient prisons, the ones that have the most constant security and operations problems," Whitmire said. "Nobody could have even thought about saying that 15 years ago."

In recent weeks, Whitmire has publicly suggested that the state consider closing the privately run, 2,100-bed Mineral Wells Unit and perhaps aging prisons that are much more expensive to operate and maintain than newer ones.

While the cost of imprisoning a felon in Texas averages about \$47.50 a day, some older prisons cost more than \$50 per inmate per day, prison agency figures from 2008 show.

In addition to the Mineral Wells lockup, other prisons mentioned by lawmakers for possible closure or mothballing include the Central Unit southwest of Houston, opened in 1905, and the much-newer Dawson State Jail in Dallas. Both are on urban sites that are worth millions of dollars and are coveted for development.

McReynolds said prison officials could probably find \$30 million in savings through "bringing efficiencies to existing programs. But there's a big gap between \$30 million and \$300 million, and the only place to look for most of that, without wiping out a lot of programs that are working well, is to look at cutting prison operations costs," he said.

Brad Livingston, executive director of the Texas Department of Criminal Justice, which operates the adult prison system, has said that any budget reductions would not compromise public safety or agency operations.

No details of any proposed cuts have been made public.

"We'll be looking at everything for any additional efficiencies we can bring to the system," Livingston told a reporter after a recent public hearing held by McReynolds' committee. "Exactly what those will be, we don't know yet."

Meanwhile, prison officials have been under increasing pressure from Whitmire and other legislative leaders to bolster prison security to curb the flow of contraband in the wake of a death row convict using a smuggled cell phone to threaten Whitmire and a November escape from a high-security prison by a convict using a smuggled pistol.

That ramp-up has cost about \$30 million, officials said.

Marc Levin, director of the Center for Effective Justice at the Texas Public Policy Foundation who has monitored Texas' criminal justice system for years, said the discussion about possibly closing prisons is a result of a policy change the Legislature approved in 2007, when they decided to fund treatment and prison-diversion programs rather than build three new prisons.

"That happened when the state was still flush with money," he said. "We should be able to selectively mothball at least one prison. If that happens, it will be a significant change in how Texas looks at its (criminal justice) system."

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