

Probation changes could solve prison dilemma

By Eric Boehm
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— HARRISBURG — The growth of Pennsylvania's prison population is costing the state more money each year and forcing lawmakers to consider alternatives to building more prisons and incarcerating more offenders.

"The cost of housing prisoners in Pennsylvania continues to rise. We must reverse this trend, if for no other reason than the failure to do so threatens to overwhelm our ability to meet skyrocketing prison costs," Gov. Edward Rendell said during his recent budget address. He suggested that more funding for education could be one solution.

But the governor's proposed 2010-11 budget contains a \$137 million increase in funding for corrections, with \$13 million of that amount going toward new housing units at nine correctional facilities around the state.

The corrections portion of the budget will consume 7 percent, or \$1.9 billion, of the state's taxpayer-funded expenditures.

The commonwealth also is planning to build four new prisons at a cost of \$800 million, and Department of Corrections estimates show that even those will be overpopulated by 2013.

Extra money for prisons does little to reverse Pennsylvania's ever-increasing prison population, but one way to limit both corrections costs and the number of people incarcerated is to expand the use of probation for offenders who are not a public risk, said Marc Levin, director of the Center for Effective Justice at the Texas Public Policy Foundation.

Unfortunately, Pennsylvania's probation system contains more than 200,000 offenders and only 1,487 officers, meaning that each officer works an average of more than 150 cases. In 2008, some officers reported working as many as 325 cases, according to the state Board of Probation and Parole's annual statistical report. That same year, the state's probation officers spent on average 34 percent of their time actually supervising offenders. In Philadelphia County, probation officers reported spending only 10 percent of their time in supervision.

"All the research indicates that probation departments must be realigned to focus more resources on actual contact with offenders rather than on paperwork and administration," Levin said. "Less frequent reporting for probationers who are low-risk and have demonstrated exemplary compliance is an efficient use of resources, but it appears that probation is too often little more than keeping a folder in a drawer." Keeping better records could be a start in reforming the system. In 2008, Philadelphia County did not even report the offenses committed by 17,000 of its probationers that caused them to be put on probation in the first place.

Across the state, 28 percent of probationers were under supervision for unknown offenses, according to the Probation and Parole Board's report.

Poor record-keeping and low supervision rates contribute to the number of defendants sent to prison for technical violations of their probation, Levin said.

In 2008, more than 29,000 defendants in Pennsylvania had their probation revoked, with more than 13,000 cases involving technical violations, not new crimes.

Arizona has implemented a performance-based funding program that rewards probation departments with increased state funding for reducing the number of defendants whose probation is revoked without increasing probationers' convictions for new offenses. Moving funding to the front end of the system keeps the state prison population down and passes those savings on to probation districts, meaning more officers can be hired to supervise the increased number of probationers, said Kathy Waters, director of Arizona's Adult Probation Services Division.

In the first year of the new program, Arizona saw a 12.8 percent decrease in revocations, including decreases in all but three of the state's 15 counties. There also was a 1.9 percent reduction in the number of probationers convicted of a new felony.

Keeping those offenders on probation and out of prison can save the state money, free up bed space in existing prisons and benefit the offenders by allowing them to hold jobs and remain a part of the community. Levin said, "A key advantage of probation instead of prison for offenders who don't pose a danger to the public is that they contribute to the economy by working and paying taxes, and also perform community service."

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