

California's Prison Crisis: Be Very Afraid

Friday, Aug. 14, 2009

By Alison Stateman / Los Angeles

The exact cause of the 11-hour riot that broke out Aug. 8 at the California Institution for Men in Chino, Calif., won't be known until an official investigation by the California Department of Corrections and Rehabilitation (CDCR) is completed. However, to some criminal-justice experts the violence that erupted at the facility, located about 40 miles east of Los Angeles, was an inevitable consequence of a state prison system long hobbled by massive overcrowding, program cuts and understaffed facilities. And given the state's ongoing budget woes — with \$1.2 billion in cuts mandated to the prison budget — the situation is likely to only get worse.

"The overcrowding is the first issue," says Barry Krisberg, president of the National Council on Crime and Delinquency in Oakland, Calif. "You're talking about hundreds of men moved into triple bunks in what used to be gyms and cafeterias. They're not even cells. They're just empty places where we're shoving people." According to the most recent statistics from the CDCR, California's 33 state prisons house 154,649 prisoners in facilities designed to hold just 84,271 prisoners. The Chino prison is among the worst, with 5,877 prisoners in a facility designed to hold 2,976. ([Read about the problem with cell phones in prisons.](#))

Governor Arnold Schwarzenegger and state political officials have been well aware of the issue of overcrowding, and the deplorable conditions that go along with it, for some time. In 2006 Schwarzenegger declared a state of emergency because of "severe overcrowding" in California's prisons, saying it had caused "substantial risk to the health and safety of the men and women who work inside these prisons and the inmates housed in them." In response, legislators passed AB 900, which earmarked \$1.2 billion in jail-construction funding through state lease-revenue bonds. However, more than two years later, construction is still on hold as lawmakers quibble about the details. But it's not just a lack of buildings that is the problem. Says Krisberg: "Without programs and without services, the tensions that exist to begin with are going to be greatly exacerbated. The elected officials of California have been playing Russian roulette with the lives of the guards and the inmates in these prisons." ([Read about California's growing prison crisis.](#))

"You can't build yourself out of this mess," says Jeanne Woodford, former warden at San Quentin and former head of the CDCR. "The state can't afford it." Apparently, California only accounted for the construction costs and never included the operating expenses. "So even if those places are built," says Woodford, "where will California get the money to staff them? We're broke. How the heck are we going to operate these prisons? Most prisons cost from \$150 to \$200 million a year to operate. There's just no money for it."

In addition to overcrowding, the state's corrections efforts are the nation's most expensive — and one of the least effective. The state spends \$10 billion annually, or \$49,000 per inmate for a year in custody, according to statistics from the nonpartisan policy-advising group Legislative Analyst's Office. Yet, California's recidivism rate is 70%, one of the worst in the country.

Given the state's lack of traction on prison reform, a federal three-judge panel recently ordered California to come up with a plan in the next 45 days that reduces the inmate population by nearly 43,000 prisoners. Seth Unger, press secretary for the CDCR, says they will appeal any final ruling to the U.S. Supreme Court. "Congress passed the Prison Litigation Reform Act to limit the power of the federal courts to take control of state prison systems and to order population caps or early release of inmates and we certainly believe the court has overstepped its bounds in this case," says Unger.

He says his department recently introduced a proposal, yet to be deliberated on by legislators, that would reduce the average daily prison population by 27,300. Of course, politicians, particularly state Republicans, are loath to endorse any measure that smacks of releasing prisoners early or that could be viewed as being soft on crime — which has been a roadblock to reforming the system in the past. Prison-reform advocates are hoping the ruling by the federal court will inspire political will for their cause.

Even if California avoids federal intervention and the CDCR's current proposal is adopted, mandated state budget cuts will force the department to cut half of the already depleted programs for rehabilitation, substance abuse and vocational training. That would spell disaster, according to Woodford. "We release 10,000 [prisoners] a month now and in that 10,000 very few have been involved in anything to improve who they are as human beings. That should scare us. And in that 10,000 are some very violent people that left a lockup unit like Pelican Bay [to go] right back to the streets — that should scare us. What should scare us is our broken policy and not the fact that 40,000 more are going to come out because we should be scared already."