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From the Los Angeles Times

Schwarzenegger Wants More Prisons Built

The governor orders the Legislature into session as he calls for increase in spending on the corrections system

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SACRAMENTO — Saying that federal courts could seize control of California's overcrowded prisons, Gov. Arnold Schwarzenegger on Monday called a special legislative session on the corrections system and said the state must build more lockups soon.

Schwarzenegger urged lawmakers into action less than a week after a federal court monitor sharply rebuked him for retreating from prison reforms he had promised after taking office in 2003. Some critics called the governor's move an election-year political gimmick.

Addressing the California District Attorneys Assn. in Newport Beach, the Republican governor made no mention of the monitor's critique, which accused Schwarzenegger's top aides of allowing the state prison guards' union undue influence over prison policy and management.

In his speech, Schwarzenegger offered a four-part plan that he said would relieve overcrowding in the nation's largest prison system and would help more convicts stay crime-free once released.

With the inmate population at an all-time high and 16,000 inmates sleeping in gyms, hallways and even outside at one prison, the governor said California "desperately" needs more cells. He embraced a bill by Assembly Speaker Fabian Nuñez (D-Los Angeles) to use lease revenue bonds, which do not require voter approval, to build two prisons for at least \$500 million apiece. And he asked for authority to expedite spending and contracting.

Schwarzenegger revived a proposal to shift 4,500 low-risk female inmates to private correctional centers closer to their homes. He also called for moving thousands of male convicts near the end of their sentences to other detention facilities, to better prepare them for success upon release — and free up prison beds.

The special session begins today and is concurrent with the Legislature's regular session. Although the governor urged passage of his proposals by August, lawmakers are not required to act.

Meeting in special session allows lawmakers to bypass many legislative rules and adopt bills more quickly. Any legislation approved would take effect 90 days after the session concluded.

A spokesman for the guards union, the California Correctional Peace Officers Assn., said the call for new prisons was "welcome," given that most of the state's lockups are at twice their intended capacities. But the spokesman, Lance Corcoran, said that building them would not alleviate the immediate crisis, which he called dangerous for inmates and staff alike.

Political analysts said Schwarzenegger's action was not unexpected in a year when he is running for reelection and hoping to neutralize, if not win the blessing of, the union, a potent political player.

"My hunch is this has a little something to do with the prison guards union, which has been pretty grumpy with him for awhile," said Shaun Bowler, a political scientist at UC Riverside. "So this is a brilliant move. You can appear tough on crime by building new prisons and make the union happy at the same time."

Others said that calling a special session provides the governor political cover should the overcrowded prisons erupt in violence over a long, hot summer.

"In politics, symbolism is often more important than substance," San Jose State University political scientist Larry Gerston said. The governor is "at least showing people he's making a down payment on this problem."

Schwarzenegger's Democratic opponent, state Treasurer Phil Angelides, accused him of grandstanding, saying that the governor could have accomplished the same goals by persuading the Legislature to work with him.

"Gov. Schwarzenegger has stood by incompetently and ineffectively while California's prison system has spiraled downward," Angelides said, "and now he is playing politics."

Others said that building prisons offers no permanent solution to overcrowding or the state's recidivism rate of 70%, the nation's highest.

"More prisons mean more poorly run, inadequately staffed crime factories," said Steve Fama of the Prison Law Office, which has successfully sued the state over prison healthcare and other problems.

Fama and others said Schwarzenegger should focus on changes in criminal sentencing and alternatives to incarceration to cut the inmate population. Schwarzenegger said Monday that he had no interest in altering one California sentencing law that had dramatically increased the number of people behind bars — the three strikes law.

"Some people believe the way to relieve prison overcrowding is to weaken three strikes," he said. "I say, not on my watch."

Already crammed with inmates sleeping in gyms and hallways, the system must accommodate 23,000 more felons over the next five years, projections show, and by 2011 California will have 193,000 inmates.

Schwarzenegger, noting that only one prison had been built in the last decade, said that if the state did not act soon, "the courts may very well take over the entire prison system and order the early release of tens of thousands of inmates."

Although a federal judge recently put prison healthcare into the hands of a receiver and threatened to do likewise with the entire state prison system, there has been no talk of releasing inmates due to overcrowding.

Two of Schwarzenegger's proposed solutions — new prisons and the transfer of women inmates to community centers — were presented earlier this year, to tepid reviews.

The governor proposed funding prisons as part of a giant public works bond package, but the corrections portion was dropped. When voters consider the package on the November ballot, they will decide on \$37 billion in bonds for roads, levees, schools, and other projects.

Polls show that voters would reject spending for prisons. The bonds the governor wants to use to pay for them carry a higher interest rate than those needing voter approval, resulting in a price tag of about twice the building costs.

Sen. Gloria Romero (D-Los Angeles), one of the governor's harshest critics on prison issues, called the bonds "an end-run around the voters."

The moving of female offenders also was introduced earlier this year as a way to improve post-custody prospects for nonviolent inmates, who make up 70% of the

female prison population in California. Though it enjoys the support of the legislative women's caucus, the idea has been greeted with less enthusiasm by other lawmakers.

Under the plan, 2,500 nonviolent offenders would be transferred beginning in the next fiscal year to locked detention facilities in their home counties, most of them in Los Angeles, where they would receive drug treatment, education and job training services. An additional 2,000 would be moved the following year.

Schwarzenegger's Monday speech followed a scathing report by John Hagar, a special investigator working for a federal court judge with two prison-related cases before him.

Hagar said that after two years of the most "productive" prison reform in state history, Schwarzenegger had begun retreating, with his chief of staff, Susan Kennedy, and another top aide granting the guards union a "disturbing" level of clout over prison management decisions.

Hagar said the warmer relations with the union had caused management turmoil and low morale within the corrections department.

In February, then-Corrections Secretary Roderick Hickman quit, saying that he was frustrated with a lack of support in the administration.

Hickman's replacement, prison veteran Jeanne Woodford, abruptly stepped down in April, amid concerns that union leaders had been given veto power over one of her appointments.

Hagar asked U.S. District Judge Thelton Henderson for permission to continue investigating the issue.

Times staff writer Robert Salladay contributed to this report.

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