



Ariz. part of prison, crime study

Council seeking ways to curb inmate influx

Amanda J. Crawford
The Arizona Republic
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Facing burgeoning prison growth that will cost taxpayers billions over the next decade, Arizona has been selected to take part in a multimillion-dollar research project examining crime and prison trends and developing possible policy solutions.

The Council of State Governments' Justice Center announced Tuesday that Arizona was one of five states selected as part of the new initiative that will look for ways to curb prison population growth projected to be as high as 50 percent over the next decade. A new analysis unveiled to launch the research project shows that left unchecked, growth could cost taxpayers and additional \$3 billion over the next decade. That's on top of a corrections budget that is approaching nearly \$1 billion per year.

The Justice Reinvestment project, funded by the Pew Charitable Trusts and the U.S. Department of Justice, plans to release a detailed report on crime and prison trends and policy options for Arizona next month. The hope is that the report could help state officials find ways to address the root cause of crime and invest money in the most fruitful ways.

"There should be a discussion on what does the data show that will have the biggest impact on crime in the state," said James Austin, of the JFA Institute, a researcher for the project. "That's something that Republicans and Democrats agree we need to do before just doing more of the same."

Arizona's prison system grew by more than 50 percent over the past decade, and corrections spending has doubled from \$409 million in fiscal 1997 to \$817 million in fiscal 2007. The prison population, now around 35,000 could grow to nearly 57,000 if current trends continue, the group estimates. That would be a huge strain on the state budget, prison capacity and manpower.

The state prison system is already understaffed. It is underfunded by more than 4,000 beds. And corrections officials are asking for more money to place nearly 2,000 inmates in temporary private prison cells elsewhere, while planning to squeeze about 1,300 inmates into existing facilities by double-bunking or using tents, Corrections Director Dora Schiro said.

Some legislators involved in the project said they hope to find ways to target state resources to reduce crime and address prison growth. The suggestions from the experts could range from sentencing reforms to changes in incarceration practices to community-intervention strategies.

Sen. John Huppenthal, a Chandler Republican who chairs the Senate Judiciary Committee, said researchers are

developing maps that show which neighborhoods spawn the most criminals. That could allow policymakers to target state dollars for intervention programs and encourage more community outreach in those areas. He also looks forward to learning from experts involved in programs in other states, like New York, where violent crime has fallen.

"I think it is an incredible opportunity to bring the best research to Arizona on how we can reduce violent crime," said Huppenthal, who also serves on the Justice Center's board of directors. But he was quick to point out that he's not "soft" on crime and is not as interested in recommendations that could address Arizona's sentencing policies, which are among the toughest in the nation.

Austin points out that Arizona is unique in the nation by having long sentences and no parole for many non-violent offenses.

In Texas, where the Justice Reinvestment project released its findings last week, legislators have been holding hearings to discuss policy suggestions from the group. Among the recommendations in Texas: more drug and alcohol treatment and releasing non-violent substance abusers from prison earlier into halfway houses.

Rep. Bill Konopnicki, R-Safford, said he hopes the group's work in Arizona gets the public thinking more about tough-on-crime policies that have grown prison numbers but may not be reducing crime. Konopnicki led a legislative work group whose lengthy report in 2005 recommending alternatives to prison and sentence reductions for non-violent offenders went nowhere.

"It's easy to say on TV, 'Lock them up let them do the time,' " said Konopnicki, who believes the state needs more balanced approach, including electronic monitoring to allow for more intensive probation. "Our report was objective, but people said the people that did it were soft on crime. This is going to have facts and numbers and compare us to other states. . . . This is huge."

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Current Page: 1 of 2

Goto Page: [1](#) [2](#) [Next](#)

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Guess what? Even most violent offenders get out of prison some day. Sure, while they are in prison most aren't committing any crimes "out here". Do you believe that a violent offender will get out any less violent? Do you believe that a non-violent offender won't learn to be violent to survive in prison? If a person goes to prison without a previous drug problem, you can bet they will have one when they get out. They will also likely come out of prison with hepatitis C. Prisons aren't fixing out problems, they just hide them for awhile. We need to try something else. (Kelly3516, February 7, 2007 06:37PM)

It's only sad in the respect that it has taken this long to activate a resolution that does not involve longer prison terms. From personal experience, the majority of female inmates in Arizona Department of Corrections are there for drug possession and/or drug violations. Treatment, NOT 10-15 year prison terms would be affective for both the violator and the community. (SAMPSON4830, February 7, 2007 04:21PM)

Read this. It might open your eyes.

http://www.thenation.com/doc/20070122/incarceration_nation

"Big hitter, the Lama -- long, into a ten-thousand-foot crevasse..." - C. Spackler(**Doctor Love**, February 7, 2007 02:30PM)

No, the bottom line is there are people serving extremely long sentences in prison for non-violent drug crimes because of archaic laws. I can tell you from reading court opinions that judges and law makers are fed up with laws that require harsh minimums that serve no real benefit to the public. The answer is to repeal such minimums and work to create a better society, not lock up people and throw away the key. Recall that the entire article is about how these laws need to be reformed. From right above, a republican writes (and I'm sure you're a conservative by your simple minded thinking): "It's easy to say on TV, 'Lock them up let them do the time,' " said Konopnicki, who believes the state needs more balanced approach, including electronic monitoring to allow for more intensive probation. "Our report was objective, but people said the people that did it were soft on crime. This is going to have facts and numbers and compare us to other states. . . . This is huge."(**russell923**, February 7, 2007 10:51AM)

Again, someone raising the issue of 'rates'. That stat is meaningless. Less people in prison means more crime and cost to society period. Part of the problem is that even with high 'rates', our individual sentences for violent crimes are low, that's why so many people caught for violent crimes have already served some prison time and then get let out on parole. We simply do not have the space. Letting criminals roam the streets is not the answer - lowering the cost of incarceration to allow for much longer sentences and 2 strikes laws is part of the solution. The bottom line is that criminals in prison do not commit more crimes. (**3464**, February 7, 2007 10:07AM)

3464, locking up more of our population is not a solution. Compare our incarceration rates with other countries; something it out of whack. Try proposing solutions rather than just saying it's something we need to adjust to. Very few people will buy that argument.(**russell923**, February 7, 2007 09:55AM)

One way to keep people from going back to prison after they get out [1st time offenders], is to remember that they paid for their crime. But, the system will not let them forget it. If it was a felony charge, it stays on your record for life. Arizona does not have an expungment law. That means it is almost impossible to get a job, or even rent an apartment in a decent place. You have to rent with other offenders. No job, no decent place to live. What else is a person to do but commit another crime to survive. Arizona needs an expungment law, and that will cut down on a lot of second time offenders. Of course, some people never learn, but some do. Please give the ones who have paid and are sorry a second chance.(**Judy5224**, February 7, 2007 09:52AM)

Anyone who complains about the lack of correlation to reduced crime rates and the high 'cost' of incarceration are missing 2 huge points... 1)Those criminals behind bars cannot commit crimes, regardless of the 'deterrent' effect on other potential criminals 2) The 'cost' of prison is dwarfed by the hard cost that career criminals impose on our society via higher insurance costs, lost wages, victims hospital bills and lost wages, etc. not to mention the psychological effect that crime has on all it's victims as well as society at large. Starting a discussion to intelligently plan for higher prison incarceration rates is acceptable - debating *whether* we should plan for such growth is not - we are hatching more criminals than are dying, so let's just deal with it and get them off the street for all our sakes. (**3464**, February 7, 2007 09:31AM)

I've heard there are so many inmates in our prisons that are locked up for such minor offenses. Pot possession and non payment of child support can be handled in a better way. Also our prison in Florence that is full of illegal aliens should be cleared out. Send the illegals back to where their from and use the prison for our criminals. I know from sources that we release illegals into our public because the immigration prison is over crowded. I also know that every time new one are brought in they release more. All they have to do is give an address and phone number and DHS will notify them for immigration court for deportation hearings. None of these people will give a correct address and are never found. "Makes me feel safe". Much of our crime in Az. is related to illegal immigration the other is gang activity moving here from other states and South America. I recently saw a news report on T.V. where they transferred several inmates from California to Az. What's up with that? Let California take care of their own problems. We give them our water and they give us criminals what a bad deal. Another thing that is a waste of tax money is prostitution stings. I watch these on COPS where our Sheriffs department uses a lady cop as a decoy and the john approaches them and they get arrested. I would rather have guys pay for sex than go out and rape. Europe has legal prostitution and they don't have a fraction of sexual assaults as we do. Educating our children about drug use is another thing we can do at home. We had Dope Stop classes in school back in the 70's our parents help too. (Etienne2902, February 7, 2007 09:29AM)

4034: You are obviously confused because you are stating non felony crimes and mention "jail". The report and study is related to state prisons and the only people sent to state prisons are people convicted of a felony and sentenced to 1 year or more. Suspended licence charges and failure to pay fines don't meet this criteria. (Joseph2619, February 7, 2007 08:47AM)

Trafficking drugs is a major reason many are in prison and in jail. Pot was just an example. I don't care if they're doing meth or if they prefer peyote. Let the drugs offenders go or send them to hospitals. The failed drug policy has resulted in violence because of turf wars as there is no other way to address a disagreement in illegal trade. Drug legalization is the biggest obstacle, not providing bigger "Just Say No" ads in communities with a plethora of crime.

The public can control drugs, the government can control drugs, or criminals can control drugs. Right now it's the criminals. This needs to change before any real prison reform can be discussed. (russell923, February 7, 2007 08:28AM)

Further, first-time drug offenders caught with small amounts are automatically placed on probation. They are not eligible for prison either (proposition 200 and 302 in Arizona). So, if they are in prison, there is MANY reasons why they are there. Possession of drugs is likely one of numerous convictions in their history. (Shane2705, February 7, 2007 08:23AM)

The growth of prison infrastructure and supporting logistical costs are key aspects of the nationwide criminal justice challenge that is placing an increasing financial burden on the American public. Drug-related incarceration is one area that deserves careful examination since it offers the opportunity to establish alternative punitive measures that are not so cost intensive to the public or personally devastating to the life of the offender.

A specific segment of the prison population worthy of close examination is the illegal alien population. In addition to being a major percentage of the total inmate population and associated costs, it is a major cost component of all criminal justice activity and a segment that is generating an increasing public burden well beyond the criminal justice area. It is a segment that can be effectively reduced by increased security of our

national borders, enforcement of existing laws in the workplace, and establishing tighter regulation at the state and local levels. Through a default by the federal government, these functions are being handed off to local government.

Funding streams for prison construction and operation and the criminal justice system in general need to be secured at the local level. Offsets need to be established for the increasing public burden communities and governments are facing from unfounded federal mandates and the consequences of inadequate federal enforcement of laws. Three areas that could be "tapped" locally to provide funding are occupational taxes, a tax on remittances – money earned in the local economy that leaks out and does not provide local economic benefits– and mandatory licensing of non-native illegal workers.

Occupational taxes

Pennsylvania is one state that imposes an occupation tax on wages. This assures that the local community supporting the business and worker receives an economic payment for the infrastructure and logistics provided – roads, sewers, water supply, police and fire protection, etc.– as a direct payment. Even those residing in another state and commute to PA are required to pay the occupational tax.

Remittances

The growing stream of remittances sent out of the nation (the second largest economic sector of the Mexican economy behind petroleum) offer another opportunity to establish needed funding at the local level. A tax on the wire transfers that occur within a community, county, and state can be established. Those businesses providing financial services such as remittance transfers, banking services, etc. can be required to provide both a licensing fee to do so and a percentage tax on the transactions they provide. Other businesses that facilitate the presence of illegal aliens in our communities may also be required to be licensed, pay fees or impose a transaction tax. Remittances circumvent the economic multiplier benefits that are normally realized when income is created and spent within a local economy. Remittances are a lost economic opportunity at the local level.

Licensing of alien workers

Licensing is used by all communities to regulate many areas of employment to fund the necessary regulatory systems needed to assure standards of quality and protect the public interest. Typically, licenses are required for contracting and professional services. Licensing of alien workers could also be established. The license fees would provide a revenue stream at the local level while also providing the benefit of reducing the public burden associated with this population. Requiring proof of legal status and appropriate identity documents can be a requirement for licensing. The license application can be screened against criminal justice databases, to cull out inappropriate applicants.

There should be no "pathway to citizenship" associated with the licensing of alien workers. Licensing is a local regulation and enforcement issue and immigration is a national regulation and enforcement issue. However, licensing could be used to provide the verifiable evidence of residency and attestation of good character that is inherent in the immigration process. Those wishing to become an immigrant can apply and use their licensed and documented work history to support that process.

However, regulation and enforcement of national immigration law has in effect become an unfunded mandate at the local level because of a lack of federal enforcement of national immigration laws. The revenue streams generated by occupational taxes, remittances taxes and licensing can also provide funds for local government

to enforce federal law.

Los Angeles County, CA is enforcing federal immigration law effectively and is realizing a substantial public benefit via culling the county jail population of illegal aliens. Similarly, Orange County, CA is attempting to implement local enforcement and has requested that the federal government provide funding to train sheriff deputies so that they can enforce federal immigration laws. The federal government refuses to provide the approximately \$20,000 needed to train each deputy.

In practice, the federal government acts to impede local law enforcement more than it assists. An occupation tax, a tax on remittances, and the requirement to license alien workers would provide revenue streams to address criminal justice system costs and allow "scholarships" for the training of sheriff deputies at the local level. One deputy per county would substantially reduce the prison population and public burden. It would provide a high return on the public investment.

The "immigrant" population of the U.S. is made up of three main segments. These are commuters, sojourners, (both groups are temporary alien workers) and settlers who intend to enter our nation and stay. Those who intend to stay are either legal immigrants (documented) or illegal aliens (undocumented or visa overstays). The commuters cross the border on a regular basis, living in one society and working in another. They are documented and an occupation tax on their earnings would be appropriate. Sojourners enter a country and community for a period of time to earn money and accumulate wealth with the intent of returning home. They may or may not be "documented" and a tax on their earnings would also be appropriate. Legal documentation is required for both groups of these workers, but a lack of workplace enforcement allows many without legal documentation to participate in the workforce largely at will. Legal documentation could be established by requiring a local license for them to work. Settlers, other than legal immigrants, enter with the intent of never leaving. They may enter by circumventing immigration law or by overstaying their visas. They participate in the workforce illegally, usually with an assumed identity and appropriated social security account number. Whether undocumented or documented through an overstayed visa, the illegal alien workers need to be identified and effectively dealt with to reduce the public burden they are imposing on our society. This can only be accomplished through vigorous workplace enforcement – a federal responsibility that is not being accomplished effectively.

Once identified, documented, and deemed acceptable to participate in our society, illegal alien workers can be assigned a temporary worker status (a legal alien worker) and work legally in our society without any opportunity to circumvent the normal immigration process. Those guilty of crimes can be culled and sent back to the nation from which they came with the benefit of reducing the burden on the criminal justice system and the overall public burden.

We can do something "humane" and cost effective about the millions of illegal aliens now in the country without granting amnesty for those who blatantly violating our laws and impose a public burden on our society. It can and must be implemented at the local level, as there is no will to effectively address these problems at the federal level.

(L M5428, February 7, 2007 08:21AM)

trafficking pot is also not the major crime of those in prison so let's not use this particular forum for discussing pot. legalizing drugs (why stop at pot) will not empty our prisons. i'd hazard to guess that many (most) crimes are already committed while under the influence of a legal drug (alcohol).(John2500, February 7, 2007 08:15AM)

John, why are we concerned with those trafficking pot? Let them all go.

WASHINGTON – American taxpayers are now spending more than a billion dollars per year to incarcerate its citizens for pot. That’s according to statistics released last week by the U.S. Department of Justice’s Bureau of Justice Statistics.

http://www.examiner.com/a-349381~Paul_Armentano:_A_billion_dollars_a_year_for_pot?.html(russell923, February 7, 2007 08:06AM)

Current Page: 1 of 2

Goto Page: [1](#) [2](#) [Next](#)