

# Combating Mass Incarceration

**It's time to improve our criminal justice system. The first step is to stop incarcerating people who pose little or no threat to public safety and who remain grossly over-represented in our prison system. We can replace unnecessary and excessive prison sentences with proven alternatives that hold people accountable and better address the root causes of crime while, at the same time, saving taxpayer dollars.**

*“Between 1987 and 2008, national higher education spending increased 24 percent. In that same period corrections spending increased 137 percent. We now spend \$3,800 a year for a K-12 student, \$6,300 a year per university system college student and an overwhelming \$18,000 a year to house an inmate in our state prisons. That math does not work for Georgia. Today costs are too high, recidivism rates are too high and rehabilitation is too rare.”*

**-Governor Nathan Deal  
Press Conference February 16, 2011**

*“Many states, including Texas and South Carolina, have discovered they can keep the public safer and spend less money by supervising some non-violent offenders outside of prison and treating the root causes of crime.”*

**-Chief Justice Carol Hunstein  
2011 State of the Judiciary Address**

*“I think we now know that some of the reforms that we did, particularly back in the '90s, probably swept with too large a broom, maybe. They came with a great price tag.”*

**-Speaker of the House David Ralston  
on GBP's Prime Time Lawmakers**



## The Current State of Georgia Corrections

- Georgia has the nation's highest rate of individuals under state control; 1 in 13. In 1982, this figure was only 1 in 37 adults.<sup>1</sup>
- As a result of increased mandatory minimum sentencing and longer prison sentences, Georgia's prison population has increased over 25% in the past decade.<sup>2</sup>
- Despite the increase in sentencing, the recidivism rate in Georgia has remained relatively stable over the past decade.<sup>3</sup>
- In 2010, 57% of new inmates in Georgia prisons were convicted of non-violent offenses.<sup>4</sup>
- In 2009, the State Board of Pardons and Paroles denied 83% of parole-eligible cases.<sup>5</sup>
- Over the past 25 years Georgia's Department of Corrections budget has increased more than 750%. In 2008 the annual budget for corrections was 1.1 billion dollars.<sup>6</sup>
- The average prisoner costs Georgia taxpayers \$47.96 per day. The average parolee costs \$4.91 per day and the average probationer cost \$1.38.<sup>7</sup> In comparison, Georgia spends roughly \$25 each day for on education for every student.
- Georgia has nearly 9,000 inmates sentenced for a drug offense, which costs taxpayers over \$150 million per year.<sup>8</sup>
- 81% of Georgians support the use of parole for non-violent offenders.<sup>9</sup>
- Other states, such as Louisiana, Michigan, Mississippi, South Carolina, and Texas, have successfully reduced budgets, crime, and recidivism by enacting effective legislative and policy reforms that lower sentences and increase the use of alternative practices.

## Why Change is Necessary

- In these times of financial difficulty, the Department of Corrections is bankrupting our state budget. As a state, we must find more efficient and effective means to keep our neighborhoods safe.
- When individuals are incarcerated, they are unable to: pay restitution to victims, support their family, pay child support, work or pay taxes.
- The current system of mass incarceration not only affects the prisoners, but businesses and families are disrupted when citizens are incarcerated for an unnecessarily long period of time.
  - 85% of female inmates nonviolent –average 2.2 children<sup>10</sup>

## Reforms that Could Make Georgia Safer, for Less

- **Restructure controlled substance and property offenses:** By eliminating Georgia's mandatory minimum sentences for controlled substance and property offenses and increasing the use parole, supervised furlough, community supervision, work release, work credits, good character credits, and education credits, the state could save millions of dollars each year. By reducing sentences by one month, Georgia could save \$31 million annually.<sup>11</sup>
- **Increase the knowledge and expertise of parole board and staff:** In Georgia the parole board, which consists of only 5 members, has discretionary judgment in hearing a staggering number of case: 75,245 in 2009.<sup>12</sup> Each parole board member must consider each individual parolee's case and board members often makes decisions without interviewing prisoners or meeting as a body.
- **Expand the use of Evidence-Based Practices in probation and parole supervision:** The days of legislating from fear and attempting to be tough on crime have led to high levels of incarceration and skyrocketing budget demands. These increases in costs have not led to a reduction in crime, or a reduction in recidivism. By implementing evidence-based practices, Georgia corrections can adopt the most effective and efficient practices of other states. By using evidence-based practices to increase the use of parole and monitoring, Georgia can increase public safety and reduce public spending on corrections.
- **Expand administrative sanctions for technical violations:** In 2009, roughly 30% of prison admissions were for parole violations.<sup>13</sup> By expanding administrative sanctions, fewer parolees will be sent to prison for mere technical violations of their parole. Examples of technical violations include: missing reporting appointments, relapsing into substance abuse, and curfew violations.
- **Expand parole opportunities for geriatric prisoners:** Elderly prisoners need more medical care than younger inmates and therefore are much more costly to care for. An aging prisoner costs approximately \$70,000 a year to incarcerate, as compared to \$23,876 for a younger prisoner.<sup>14</sup> Additionally, the U.S. Department of Justice found that only 17 % of individuals over age 45 who were released from prison in 1994 were re-imprisoned with a new sentence within three years, compared to over 30 % for individuals in their early 20s.<sup>15</sup> A growing number of states, including Alabama, Louisiana, North Carolina, and Virginia, are using geriatric release programs to reduce costs and treat prisoners dealing with serious illnesses more humanely.

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<sup>1,2,6,7</sup> *I in 31: The Long Reach of American Corrections*, The Pew Center on the States

<sup>3</sup> Georgia Department of Corrections Office of Planning and Analysis

<sup>4</sup> *Inmate Statistical Profile FY 2010*, Georgia Department of Corrections

<sup>5,12</sup> *Toward Criminal Justice Reform in Georgia*, Brown & Grier

<sup>8,9</sup> *Thinking Outside of the Cell: Solutions for Public Safety, Victims & Taxpayers*, Presented by Marc A. Levin, Esq. to the Georgia Public Policy Foundation, November 13, 2010

<sup>10</sup> *Incarcerated Parents and their Children*, Bureau of Justice Statistics

<sup>11</sup> *Lawbreakers to Taxpayers*, Atlanta Journal Constitution, May 30, 2010

<sup>13</sup> *Inmate Statistical Profile FY 2009*, Georgia Department of Corrections

<sup>14</sup> *One in 100: Behind Bars in American 2008*, Pew Center on the States

<sup>15</sup> *Recidivism of Prisoners Released in 1994*, Bureau of Justice Statistics

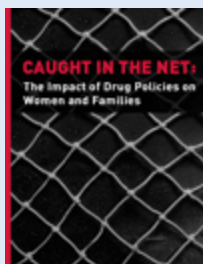
# Criminal Justice System Policy Initiatives

## From Poverty to Prison: Breaking the Chain

Over the past three decades, harsh drug laws and increasing arrests for minor, nonviolent offenses have had devastating effects on women and their families, particularly women of color and low-income women.

In the absence of viable drug treatment programs, the criminal justice system handles women's drug use and addiction – especially by mothers and pregnant women -- as criminal activity rather than as public health issues.

The criminal justice system often charges women who have had minimal or no involvement in the drug trade with conspiracy or other related charges.



View the ACLU REPORT:  
Caught in the Net: The  
Impact of Drug Policies on  
Women and Families at  
[www.aclu.org](http://www.aclu.org)

## Women and Girls Behind Bars

Inhumane conditions, abusive practices, and lack of counseling, treatment, and quality health care are common in correctional facilities.

Certain practices such as strip searches and solitary confinement are particularly harmful to incarcerated women and girls, who disproportionately suffer from trauma from abuse and sexual violence and other mental health issues.

Shackling pregnant women during labor and delivery is, unfortunately, all too common in our nation's prisons and jails. Join the effort to stop this inhumane practice in Georgia's jails and prisons. Sign the Petition at [www.acluga.org](http://www.acluga.org)

All too often, facilities lack services to address women's unique health needs, including reproductive health services such as prenatal and abortion care. Learn more about ACLU efforts to ensure access to reproductive health care in prison.

## Barriers to Rebuilding

Government and private companies have increasingly imposed post-conviction penalties on girls and women, including numerous barriers to employment, education, and affordable housing that hinder their attempts to rebuild their lives.

If you or someone you know has experienced job discrimination because of an old or minor conviction that is not related to the job, please contact the ACLU of Georgia at [info@acluga.org](mailto:info@acluga.org).

For more information, Contact Chara Fisher Jackson, Legal Director, [cfjackson@acluga.org](mailto:cfjackson@acluga.org)  
American Civil Liberties Union of Georgia, [www.acluga.org](http://www.acluga.org)

