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Maine Reduces Supermax Placements

By Russ Immarigeon

In the summer of 2010, a legislative committee on public safety asked the Maine Department of Corrections to work with the state's human service and substance abuse agency to review due process procedures and policies for special management prisoners. In Maine, such "high-security" or "supermax" custody was available for both juveniles and adults, and much concern was being expressed about careless use of these highly restrictive and harsh options. In January 2011, newly elected Governor Paul LePage (R) named Joseph Ponte as the state's new corrections director. Some in Maine were skeptical of the Governor's choice, but skepticism soon turned to approval. In March 2011, the corrections-human service group issued a 22 page report, "Final Report of Review of Due Process Procedures in Special Management Units at the Maine State Prison and the Maine Correctional Center," that recommended a range of changes in the way correctional facilities use its highest level of custody. Commissioner Ponte responded to the report, or at least issues related to the report, by replacing high-level central office administration and security staff

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New Correctional Models: How the Budget Crisis Is Reshaping Corrections

By Carl Nink, Stephen MacDonald, and Robert T. Jones

Editor's Note: Management & Training Corporation (MTC) Institute was established in 2002 as an independent research unit focusing on education and training programs, staffing, and costs. In this article, the authors, principals at MTC, survey the current budget climate for states, emphasizing the effect that the "Great Recession" is likely to have on corrections agencies and correctional policy. They then explore the deeper implications these trends will have for corrections managers, as the mission and role of corrections evolves to meet new fiscal realities and public expectations.

As the country emerges from the great recession that began in early 2008, the outlook for corrections is uncertain. Economists were somewhat encouraged by a 5.9% gain in state revenues observed in Fiscal Year (FY) 2011.[1] However, states are still collecting less than they did three years ago: state revenues are -3.1% lower in the first quarter of 2011 than the same period in 2008.[2]

The dramatic budget shortfalls projected by states over the next five years will have significant and far reaching impact on the policies, programs, and funding that support and guide state corrections strategies. Facing significant fiscal challenges, governments are demanding accountability from prisons and jails after decades of inattention. As states struggle to balance their budgets, fund necessary services, and focus on economic growth, they are increasingly identifying corrections as a target for cost reduction and increased scrutiny. For example, Connecticut laid off 222 corrections staff, of which 191 are Correctional Officers.[3] At the beginning of FY 2010, 29 states had made reductions in their correction budgets; by mid-year the number had increased to 31.[4] So far in FY 2011, 17 states have made additional reductions to their corrections agency budgets; in FY 2012, fourteen states are already projecting further reductions in correctional budgets[5] and this number will undoubtedly increase as states with constitutionally mandated balanced budgets are forced to make cuts to close deficits.[6]

In addition to their budget shortfalls, states will have to find substantial additional revenue to finance looming pension deficits. Meeting these obligations

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will require either tax increases or further reductions in spending. Making matters worse, sizeable portions of state budgets are, to a large extent, uncontrollable (i.e. Medicare and Medicaid) while others are deemed essential for economic development and growth (e.g. tax expenditures in the form of business incentives). With few options available, states are eyeing corrections budgets as a highly visible target of opportunity for reining in costs. Much of what is being done are short term solutions rather than strategic planning: state and local policymakers are trying everything from imposing new limits on collective bargaining to reducing sentences and transferring inmates from prisons to jails, closing prisons, and scaling back or eliminating rehabilitative programming. Many states are using one-time budget fixes to postpone the painful day of reckoning and others are rushing to slash good programs along with wasteful ones. Few believe that such measures will change the long-term spending picture on education, Medicaid, higher education and corrections; indeed many of these short term solutions will simply create bigger problems down the road.

On the other hand, some states are constructively using their budget woes to rethink the whole notion of imprisonment and re-examine their correctional systems from top to bottom—and for correctional administrators fortunate enough to be in these states, it is an unprecedented opportunity to contribute to a restructuring that can achieve real and lasting good. While short-term funding reductions are inevitable, it is the long-term budget deficits that have policy makers from across the political spectrum looking for ways of getting better public safety returns on their substantial investments in corrections. The emerging focus on return on investment (ROI)[7] in corrections creates substantial new opportunities to do more with evidence-based models that increase program effectiveness, reduce the costs of incarceration, and reduce recidivism.

There has also been substantial change in political leadership at the national and state levels, which is having a tremendous impact on budgeting and decision making. The public's call for economic, political, and social change has come with expectations for change in priorities and controlling growth in government, budgets, and spending. This new leadership has to make change happen and many are new to the role[8]:

- 29 new Governors are serving their first terms
- 1,600+ new State Legislators are in office
- 13 state legislatures have changed in party leadership
- 110 new members now sit in the US House of Representatives and Senate.

Meanwhile, demand for basic government services is not going away; in fact, with jobless rates higher, the need for social benefit programs like unemployment insurance and Medicaid assistance has increased rather than decreased. Four factors further complicate the economic picture:

1. **No more federal help.** Given the results of the 2010 elections, states cannot expect help from another federal stimulus package
2. **Healthcare costs continue to rise.** National healthcare expenditures are expected to grow by an average of 6.9% per year and rise to 19.3% of GDP by 2019.[9] Americans are getting older and Medicare is now projected to spend three dollars in benefits for every one dollar it takes in. Healthcare spending on technology is also growing at a rate that far exceeds GDP.[10]
3. **Unemployment trust funds are inadequate.** The jobless recovery and persistent high levels of unemployment have led many states to extend benefit coverage for the unemployed. The unemployment insurance trust funds, however, were designed to fund six-month benefit periods, and repeated indefinite benefit

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extensions have left many funds flat broke. To date, states have had to borrow about $40 billion from the federal government in order to continue paying unemployment benefits.[11]

4. **Pension trust funds are broke, too.** With about 8,000 baby boomers turning 65 daily[12] and about 45% of the workforce planning to retire over the next 5 years[13], states are confronted by a tidal wave of retirees and face huge unfunded pension liabilities, to the tune of $3 trillion.[14] Promises made years ago to government employees are now in serious danger of default. The Postal Service, for example, has suspended its employer contribution to the Federal Employee Retirement System.[15] Governments and private companies have been paying less than actuarial estimates require into their pension funds, assuming that the difference would be covered by uninterrupted growth in the markets. It wasn't. This is a bill that is coming due soon.

Further, the statutory investment rating agencies such as Moody's and Standard & Poor's are adopting accounting changes that now require them to add unfunded pension liability to a state's bonded debt in order to calculate a more accurate assessment of state indebtedness.[16] This has the effect of lowering the states' creditworthiness and raising borrowing costs.

The Environment for Corrections

The recent United States Supreme Court decision in *Brown v. Plata*, which upheld federal authority to require states (in this case California) to reduce prison overcrowding, is now the law of the land.[17] The decision will play a significant role in prison policy and will certainly have an impact on state budgets. After *Plata*, prison systems have stricter limits on what level of overcrowding they can permit, and more rigorous standards for the provision of medical and mental health services for inmates. (The Court has ruled that California must take immediate steps to substantially reduce overcrowding; within days of the ruling, California's commissioner of corrections announced a system-wide realignment that would move less dangerous offenders to county jails. It is too soon to judge how California's solution will sit with beleaguered county sheriffs who may lack the funding or space to handle the inflow of prison inmates.)

At the same time, corrections costs across the states continue to go up, whether it is in the numbers of beds or costs for such items as healthcare. With corrections the fourth largest state budget category[18], policy makers are growing weary of the excessive growth in sentenced offenders cycling through the system and the lack of effective models for prevention and reentry.[19] State policy makers are, generally for the first time, raising serious questions about the value of the corrections dollar. A new question is now being raised by state legislatures in the debate on corrections policy: what is the ROI—the Return on Investment—of taxpayer spending on corrections?

The current budget debate is likely to result in a significant and dramatic change in America's long held assumptions about corrections. A poll of state legislators identified a list of 11 priorities for 2011; public safety, which includes corrections, ranked number eight.[20] While states have pursued tough-on-crime policies and corrections growth for the past four decades, the focus is changing. Corrections policy is now emphasizing cost-effectiveness, evidence-based programming, and measureable outcomes. Facility management is likely to shift more and more to private contractors; operations will be tailored to deliver specific correctional models for identified populations.

Legislatures are considering sentence reform, expanded alternatives for low-level non-violent offenders, profiling inmates to target high-risk recidivists, targeted program investments, standards for success rates of programs/inmates/parolees, performance-based contracts, and increased privatization. They are also asking for more data and evidence-based assurance of cost-effective investments that focus largely on expected outcomes for targeted populations of inmates.

State Strategies

Short Term

The pressing need to balance budgets and reduce deficits, since there is expanding awareness of the long term projections of revenue gaps, is driving many legislatures to make unusually steep short term budget reductions. However, without adequate information or analysis, the cuts may well be contrary to long-term strategies needed to permanently reduce the corrections population or significantly improve institutional outcomes. As discussed briefly above, states are addressing issues using some of the following short term strategies[21]:

- Reduce Prison Budget – many states (e.g. Texas, Colorado, and Minnesota) are significantly reducing their prison budgets, in many cases in areas that have proven to reduce recidivism. Most of the budgetary reductions come from eliminating staff—correctional officers who ensure a stable and safe environment and educators or program staff who address educational deficits or substance problems, both of which are highly correlated to recidivism.
- Stem the Growth –
  - Early Release – Several states are releasing inmates before their sentences are complete (e.g. Connecticut, Michigan, and Mississippi).
  - Sentencing reform – Many states have enacted sentencing reform, typically for parole violators, so they do not return to prison (e.g. South Carolina, Iowa, Colorado)
  - Transfer Inmates to local jails or out of state – While several states are still projecting and currently have need for more prison beds, many are expanding and in some cases overcrowding existing institutions as opposed to building new facilities (e.g. Arizona, California, and Arkansas).
- Delaying or not opening new facilities – While there is still a need to open new prison beds, some states are not opening new facilities to save money (e.g. Alaska, Arkansas).
- Closing prisons – Some states have turned to the drastic measure of closing prisons to save money (e.g. Ohio, Michigan, New York, and Nevada).

Long Term

A significant number of states are also using strategies to provide correctional savings over the long term. These strategies include:

- Alternative Correctional Models – states are looking at using alternative models

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to produce better ROI in corrections (e.g. Arkansas, Alaska, Maine, Arizona, Minnesota, Ohio, Illinois, Florida, Vermont, California, and South Dakota).

- Performance Contracting – There are 32 states that currently have privatized corrections with contracts that specify designated outcomes.[22] In addition, some states which have not previously used contracting for facility management/operation are now exploring the options. Some of these states include Ohio, Florida, California, Minnesota, Maine, Georgia, New Hampshire, and Louisiana.
- Reduction in Recidivism – Even before the recession, states were beginning to tackle the large recidivism rates. The tight budgets have just increased the speed and desire to adopt such strategies (e.g. Colorado, Michigan, Oklahoma, New Hampshire, South Carolina, Louisiana, California, Kentucky, Illinois, Florida, and Washington).[23]

Measuring Return on Investment

Return on investment (ROI) is measured by comparing the cost of a program to post-program economic and social benefits. In corrections, calculating ROI can be complicated because one side of the equation—the costs or gains to society when an offender is released from prison—depends on what the offender does upon release. One who re-offends adds negative costs; one who finds gainful employment adds productive gains. To calculate ROI, one needs to compare two sets of equations simultaneously—one with rehabilitative programming and one without. In the simpler equation, without programming, one weighs the cost of incarcerating an inmate against the likely cost to society if that inmate is released. In the simplest terms, if a state spends $50,000 per year to incarcerate an inmate, it "breaks even" on its expenditure if the inmate, upon release, has a 100% probability of inflicting $50,000 in negative social costs (e.g. welfare and healthcare costs, lost tax revenue, and spending on goods) annually—costs from harm to victims in the form of lost goods or services or lost work time, the cost of medical care arising from criminal behavior, and the costs incurred by the justice system for re-arrest, prosecution and incarceration. It doesn't take much for an offender to inflict $50,000 in negative social costs if they commit more crimes. However, as the years of incarceration mount, the accumulated cost of imprisonment goes up and so does the "breakeven" point. More importantly, as the likelihood of re-offense goes down, the return on investment for keeping an offender imprisoned goes down, too.

The second equation involves a more complex set of data and dynamics. Adding rehabilitative programming to corrections contributes only a small marginal cost to the overall expense of incarceration, but it can generate a very high rate of return by significantly lowering the probability of re-offense. Programming ROI is derived by comparing the cost of incarceration plus the cost of program investments with post-incarceration savings from a reduced rate of re-offense together with economic and social 'gains' realized when an offender resumes a productive position in society. Post-incarceration social gains include contribution to GDP, employment taxes paid, reduction in welfare and healthcare costs, and savings that occur when there are no additional criminal justice costs for re-arrest, prosecution, and incarceration—benefits and savings that are nearly impossible to achieve without rehabilitative programming. Thus, the ROI for a correctional regime that incorporates rehabilitation could be several orders of magnitude greater than a correctional regime based exclusively on containment, by shortening the duration of expensive incarceration, lowering the social costs by reducing recidivism, and adding to the productive capacity of the offender who reenters the workforce. For more perspective on ROI, one source is the Washington State Institute of Public Policy. They recently produced WSIPP's Benefit-Cost Tool for States: Examining Policy Options in Sentencing and Corrections, which can be found at: http://www.wsipp.wa.gov/rptfiles/10-08-1201.pdf. ■

Alternative Models

Aiming to reduce the trajectory of spending that has resulted in widening budgetary gaps, states are proposing various alternative models, which if successful will attract the attention of other states as they are implemented. Many of these models simply reduce the cost of incarceration by establishing a variety of lower cost, secure offender facilities, with higher performance and accountability standards, for offenders who simply do not need to be in traditional hardened prisons.

As states move to new models, they are beginning to divide inmate populations into groups that can be served more cost effectively. The old model of corrections—inmates of varying levels of incorrigibility housed in one-size-fits-all facilities—increases costs and limits ROI.[24] Facilities that are created to target inmate's needs can achieve lower building costs, operate with fewer employees, and lower costs by targeting offender programming linked to criminogenic needs (i.e. criminal history/history of antisocial behavior, social achievement, age/gender/race, and family factors).[25] Other alternatives are targeted on more specific service models for targeted populations such as females, elderly, or mentally challenged inmates. By designing facilities and programs focused uniquely on these populations they both reduce cost and significantly increase successful inmate outcomes. As research is increasingly focused on ways to validate the impact of programming on recidivism, new models are being identified that better address inmate needs and reduce costs. Each alternative model is going to require inmate assessments, increased aligned investments in programming, and greater accountability on the part of the correctional managers. While this may require legislative modification, states are more willing than ever to move that type of legislation.

Contracting Out

The long-term budget outlook is driving significant structural change. As governors and legislatures have come forth with their

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plans for balancing their 2012 budgets, there has been an increase in the number of states proposing to 'contract out' both correctional services and management of a whole prison. This growing trend is further evidenced by some of these same states proposing to contract out their turnpikes, medical services, and even their economic development programs and departments. According to the Bureau of Justice Statistics since 2000, the number of contracted prison beds has been expanding on average about 6.9% per year.[26]

Reduction in Recidivism

Despite the enormous costs of recidivism, the subject has long been ignored by state governments. That is now changing. With 68%[27] of released inmates being rearrested and 43.3%[28] being sent back to prison, the recidivism data and its relationship to correctional budgets is finally getting the attention it deserves. A significant number of states are focusing on reducing the enormous cost of recidivism. These states are creating a system of profiling inmates, targeting cognitive behavioral change models, and setting higher accountability standards designed to significantly drive down recidivism rates and thus reduce the overall inmate population and the associated costs.

Justice Reinvestment. Addressing the high rate of inmates returning to correctional facilities within three years of release, the Department of Justice, Pew Charitable Trust, Urban Institute, Vera Institute of Justice, and other policy groups have joined with states (14) in designing a data-driven model for significantly reducing recidivism. The Justice Reinvestment model highlights the need to profile and assess offenders so as to focus resources on those where the funds will do the greatest good. A recent Pew report stated, "Many states are taking a hard look at their recidivism rate as a key indicator of the return they receive from their correctional investments."[29] Those states involved in this process are also planning to reinvest savings into further strategic, evidence-based programming.

In 2007, Texas estimated the legislature "... reinvested $241 million, which would have otherwise been spent on prison construction and operation, to expand the capacity of in-prison and community-based treatment The expansion of these programs translated into a net savings of $443.9 million in the FY 2008–09 budget by reducing funding for contracted bed space and canceling funding for the construction of the new prison units originally proposed.[30]

The clear purpose is to create significant budget savings by reducing future inmate populations, spend less overall program dollars by targeting the funding, and reap the savings from reducing the recidivism rate. This model allows states to make the biggest bang for their buck without having to make a large upfront investment. The Justice Reinvestment concept is being piloted by a number of states (i.e. AZ, CT, IN, KS, MI, NV, NH, NC, OH, PA, RI, TX, VT, and WI).[31] Many of these states are part of the 14 which enacted legislation related to reducing recidivism in 2010 and at least 10 states with some form of related pending legislation in 2011.[32] With greater targeted investments in programs demonstrated to work, more offenders will return to the community ready to be productive members of society rather than sources of negative social costs. If offenders leave better prepared to succeed in society and the workplace, criminal justice costs, such as policing, courts, and reincarceration, will be reduced. Offenders with academic and technical skills are more likely to get and hold a job. Reducing the collateral costs to the community and collecting taxes paid by working ex-offenders all point to a huge return on the investment in corrections focused on reentry rather than containment and rehabilitation instead of punishment.

Where Is Corrections Headed?

The focus of corrections is changing from containment to rehabilitation and from cost indifference to cost consciousness. While greater use will be made of lower-cost community corrections (e.g. halfway houses, day reporting centers, and electronic monitoring) and other alternative models for dealing with low-risk, non-violent offenders, prisons and jails will play a very important role in preparing offenders to reenter society, although their populations are likely to trend increasingly toward the hardest cases. In this new environment, prisons will transition from "warehouses" to multipurpose institutions providing education, health care, and mental health services. Prisons will become centers for industry recognized credentials and training, using both live instruction and distance learning (including web-based instruction). Inmates will be able to earn high school diplomas as well as post-secondary education and career technical training that have industry-recognized certificates as their outcomes.[33] This will result in an expansion in community partnerships, especially with community colleges.

Reentry programs and the need to more effectively transition offenders to the community, driven in large part by congressional and legislative interest in maximizing the impact of the corrections dollar will focus on ROI and recidivism reduction and evidence-based programming. It is these latter three that will likely move policy makers to examine new models (e.g. a continuum of operational focus which will reduce bureaucratic silos and ineffective operational outcomes). Performance contracting in combination with a new model that works with inmates from day one toward release will take on greater prominence due to the promise of a greater return on investment.

The Focus Is and Will Be on Performance

When it comes to prisons, measuring ROI requires agreed upon benchmarks, and developing these benchmarks takes a strategic, planned approach and consistent measurement of performance. The MTC Institute published *Measuring Success: Improving the Effectiveness of Correctional Facilities*[34] in an effort to establish benchmarks against which performance-oriented contracts, for both private and public facilities, can be measured. With performance measures and a system to capture and publicly display data, elected officials and corrections professionals can rationally and quantitatively take on the problem of improving correctional ROI. Outcome measures follow from standards that, when met, define a successful correctional facility. [35] Such performance standards and related outcome measures include:

Safety and Security

- Escape rate.
- Inmate death rate (i.e., homicides, suicides, natural).
- Disturbance rate.
- Assault (i.e., all types) rate.
- Sexual misconduct/harassment rate.
- Safety/incident rate.

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- Amount and type of contraband found.
- Positive drug test rate.
- Inmate to staff ratio.
- Reentry failure rate.

Quality of Life

- Proportion of inmates on treatment plans for chronic health, dental and mental health situations, and whether conditions were maintained or improved.
- Overcrowding rate.
- Degree of sanitation within the correctional facility.
- Perception of meal quality.
- Proportion of inmates actively involved in recreation program(s).

Reentry Preparation

- Proportion of offenders working in meaningful career building experiences.
- Proportion of eligible offender education (i.e., ABE, GED, High School, and Post Secondary) completions.
- Career and technical training certificates.
- Proportion of inmates involved in product production or product services.
- Substance abuse education/treatment completions.
- Proportion of inmates participating in spiritual development program(s).
- Proportion of inmates actively involved in programs (i.e., all types).
- Proportion of inmates engaged with family and friends (i.e., phone calls, letters, and visits).

Management

- Staff voluntary and involuntary terminations (i.e., turnover rate).
- Overtime (i.e., hours and costs).
- Proportion of allocated funds not spent.
- Inmate daily per-diem cost.
- Proportion of staff who meet training requirements (i.e., type, level, proportion of staff).
- Proportion of inmate misconduct findings upheld.
- Staff misconduct rate.
- Proportion of grievances dispositions upheld (i.e., medical, dental, mental health and food).
- Volunteerism rate.
- Staff and offender perceptions (i.e., safety, security, quality of life, and management).

Enabling a focus on performance will require leaders within the corrections systems who have a set of skills and knowledge that can implement and sustain changes that are taking and going to take place in the future.

Skills and Leadership Dimensions for Future Leaders

According to Elizabeth Walsh (2010), there is a pressing need for succession planning, given the workforce skills gap, to provide those in middle management, who typically have just a few years of service, with the knowledge and skills needed to become effective leaders within the criminal justice field and specifically within the prisons. In terms of leadership skills, the research that Walsh conducted revealed, in priority order, that the dimensions are[36]:

1. Ethical Skills
2. Critical Thinking Skills
3. Communication Skills
4. Decision-Making Skills
5. Organizational Skills
6. Education and Educator Skills
7. Adaptive Skills
8. Knowledge Skills
9. Motivational Skills
10. Facilitation Skills
11. Efficacy Skills
12. Administrative Skills
13. Sensitivity/Empathy Skills

"The identification of dimensions of leadership applicable to criminal justice agencies and organizations is an important step in defining the development of tomorrow's leaders for this critical societal function."[37] Further, Walsh noted that "leadership standards are a necessary component in today's complex multiorganizational environments."[38]

As most understand, preparations for the future should start with a requirement that selection systems or approaches select those with the aptitude, drive and flexibility to learn inmate management techniques from the "old timers," while grasping the latest in technological advances.

Corrections Managers as Advocates for Change

Somewhat paradoxically, corrections administrators will themselves have to lead the effort to transform corrections. The reason is simple: corrections administrators understand corrections better than politicians do. Many legislators, if left to their own instincts and assumptions, are unlikely to make good decisions about correctional policy, as evidenced by current efforts to cut programming budgets. Ask a typical legislator "what percentage of the state's inmates are scheduled for release in the next three years?" His answer might be "Maybe 5%? Or 10%?" Most assume 90% of inmates are going to be in prison for 20 years. "Lock them up and throw away the key" isn't a correctional mindset, it's a political one. When an uninformed legislator learns that 95% of state inmates will be released from prison over the next three to five years, you will have his attention.[39] When you further explain the percentage of offenders who will come back to prison within six months, you will have a more receptive audience ready to listen to ideas for changing that calculus. Bad policy swings from one extreme to another—from the lock 'em up policy that put too many offenders behind bars to "get 'em out now" policies will release uneducated, unsocialized, unprepared offenders back into the community where they are doomed to fail and re-offend. Corrections managers are uniquely positioned to prevent bad policy decisions from being made, and to shape new correctional policy in ways that make the system respond effectively to real needs, do the hard work of rehabilitation and reentry preparation, and provide a real return on the public's investment by taking in society's problems and returning them as productive citizens.

Endnotes

[1] National Association of State Budget Officers. NASBO Update: Revenue Situation Improves as States Approach End of Fiscal 2011 *(updated 6/24/11)*. Retrieved from http://nasbo.org/Home/tabid/38/Default.aspx.

[2] Newkirk, M. (2011). State Budget Cuts, Reconsidered: Rebounding tax revenues may blunt

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the drive to cut spending. Rockefeller Institute Newsroom-Business Week (May 24, 2011). Retrieved from http://www.rockinst.org/newsroom/news_stories/2011/2011-05-26-BusinessWeek.pdf

[3] Stewart, C. (2011). Layoffs Move Forward; Unions To Vote On Bylaws Next Week. CT News Junkie. Retrieved from http://www.ctnewsjunkie.com/ctnj.php/archives/entry/layoffs_and_concession_package_move_forward_unions_to_vote_on_bylaws_next_w/

[4] National Association of State Budget Officers. *Fiscal Survey of states, Fall 2010 and Fall 2009*. Retrieved March 23, 2011 from http://www.nasbo.org/Publications/FiscalSurvey/FiscalSurveyArchives/tabid/106/Default.aspx

[5] NASBO Update: Revenue Situation Improves as States Approach End of Fiscal 2011 (*updated 6/24/11*). Retrieved from http://nasbo.org/Home/tabid/38/Default.aspx. Husch, B., Cummings, L., Mazer, S. and Sigritz, B. (2011). The Fiscal survey of the States: Spring 2011. National Governors Association and the National Association of State Budget Officers. Retrieved from http://www.nasbo.org/LinkClick.aspx?fileticket=yNV8Jv3X7Is%3d&tabid=38.

[6] The Fiscal survey of the States: Spring 2011. National Governors Association and the National Association of State Budget Officers. Retrieved from http://www.nasbo.org/LinkClick.aspx?fileticket=yNV8Jv3X7Is%3d&tabid=38.

[7] When discussing Return on Investment (ROI), agencies have considered a variety of items including, attainment of GED, community service/work activities, training of staff, vocational training, college course completion, and recidivism due to its impact on such areas as pre-incarceration criminal justice costs, re-incarceration, lost wages/tax revenue, welfare and victim costs.

[8] The Library of Congress-Thomas. Tabulation conducted by the MTC Institute from data on this site. Retrieved from http://thomas.loc.gov/home/state-legislatures.html

[9] Serafini, M. W. (2010). What To Look For In New Spending Numbers? National Journal (February 4, 2010). Retrieved from http://healthcare.nationaljournal.com/2010/02/what-to-look-for-in-new-spendi.php. *National Health Expenditures*. Retrieved from https://www.cms.gov/NationalHealthExpendData/25_NHE_Fact_Sheet.asp

[10] Alonso-Zaldivar, R. (2010). *Medicare shocker: What you pay in won't cover costs*. Salt Lake Tribune from the Associated Press (December 31, 2010).

[11] Pierce, O (2011). states Will Soon Have To Start Paying Interest on Their Massive Unemployment Borrowing. ProPublica January 14, 2011. Retrieved from http://www.propublica.org/article/statesstates-will-soon-have-to-start-paying-interest-on-their-massive-unemploymen

[12] AARP - Jan/Feb 2011 Vol 52 No 1.

[13] Jones, R. T. (2011). New Mission Less Money: The Changing Role of Community College Workforce Development. Presentation at the AACC Annual Conference. Retrieved from http://aacc.confex.com/aacc/2011am/webprogram/Presentation/Session2855/bobjones.pdf

[14] Pew Center on the states (2010). The Trillion Dollar Gap. Retrieved from http://downloads.pewcenteronthestates.org/The_Trillion_Dollar_Gap_final.pdf

[15] Schmid, R. E.(2011). Post office suspends retirement contributions. MSNBC and Associated Press online Jun 22, 2011. Retrieved from http://www.msnbc.msn.com/id/43493578/ns/business-us_business/

[16] Walsh, M. W. (2011). Moody's to Factor Pension Gaps in states' Ratings. New York Times, January 27, 2011 Retrieved from http://www.nytimes.com/2011/01/27/business/27pension.html?adxnnl=1&ref=business& adxnnlx=1296151358=x+P86sZSV66lfKsCtXZQ5w

[17] US Supreme Court ruling in Brown v Plata (http://www.supremecourt.gov/opinions/10pdf/09-1233.pdf) http://www.huffingtonpost.com/2011/05/24/california-prison-system-supreme-court-ruling_n_866486.html

[18] Behind spending on Education, Medicaid, and Transportation.

[19] Warren, J. (2008). One in 100: Behind Bars in America 2008. Pew Charitable Trust. Retrieved March 22, 2009 from http://www.pewcenteronthestatesstates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf.

[20] National Conference of State Legislators (2010). NCSL's Annual Policy Forecast: Tough Issues Await Nation's State Legislators: Top 11 issues of 2011: Fourth consecutive year fiscal conditions will dominate legislative sessions retrieved from http://www.ncsl.org/?tabid=21929

[21] National Conference of State Legislatures (NCSL). Searchable database of laws by focus area. Retrieved from http://www.ncsl.org/?TabId=20763

[22] West, H. C. & Sabol, W. J., (2010). *Prisoners in 2009*. U.S. Department of Justice, Office of Justice Programs. Washington D.C.: Bureau of Justice Statistics. Retrieved March 3, 2011 from http://bjs.ojp.usdoj.gov/content/pub/pdf/p09.pdf.

[23] Pew Center on the states, State of Recidivism: The Revolving Door of America's Prisons (Washington, DC: The Pew Charitable Trusts, April 2011).

[24] NAACP (2011). Misplaced Priorities. Retrieved from http://naacp.3cdn.net/01d6f368edbe135234_bq0m68x5h.pdf (visited April 8, 2011). Gramlich, J. (2011). California shrinks prisons, but overcrowding persists. Stateline.org. Retrieved from http://2000www.stateline.org/live/details/story?contentId=564291 (visited April 8, 2011). Jealous, B. T. and Paige, R. (2011). Prison spending bleeds education system. CNN Opinion. Retrieved from http://articles.cnn.com/2011-04-07/opinion/jealous.prison.reform_1_prison-populations-prison-spending-offenders-from-state-prisons?_s=PM:OPINION (visited April 8, 2011).

[25] Gendreau, P., Little, T. And Goggin, C. (1996), A Meta-Analysis Of The Predictors Of Adult Offender Recidivism: What Works! Criminology, 34: 575-608. doi: 10.1111/j.1745-9125.1996.tb01220.x

[26] MTC Institute calculation using Bureau of Justice Statistics annual prisoner publications. Retrieved from http://www.ojp.usdoj.gov/bjs/prisons.htm.

[27] Langan, P. A. & Levin, D. J. (2002). Recidivism of Prisoners Released in 1994. U.S. Department of Justice, Office of Justice Programs. Washington D.C.: Bureau of Justice Statistics. Retrieved from http://bjs.ojp.usdoj.gov/content/reentry/recidivism.cfm.

[28] The Pew Center on the states. *State of Recidivism: The Revolving Door of America's Prisons*. Retrieved April 25, 2011 From http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/sentencing_and_corrections/State_Recidivism_Revolving_Door_America_Prisons%20.pdf

[29] MTC Institute calculation using Bureau of Justice statistics

[30] Justice Reinvestment. The National Summit on Justice Reinvestment and Public Safety: Addressing Recidivism, Crime, and Corrections Spending. Retrieved from http://www.justicereinvestment.org/summit/report#summitrpt.

[31] Justice Reinvestment. Retrieve April 4, 2011 from http://justicereinvestment.org/statesstates

[32] National Conference of State Legislatures (2011). State Sentencing and Corrections Legislation in 2010. Search for recidivism at http://www.ncsl.org/?TabId=20763. Search for legislative activity in 2011 was conducted using Google, incorporating "recidivism" as part of the search parameters.

[33] Note: An MTC reentry program at the Lake Erie Correctional Institution has been using WEB SITE DOWNLOADER. This inexpensive program enables entire Websites and pages to be downloaded, which could include educational and vocational materials, subject to copyright rules, to a virtual Website. The Internet WebPages could then be used by inmates without actually accessing the internet. (URL is http://www.web-site-downloader.com/entire/)

[34] MTC Institute (2006). *Measuring Success: Improving the Effectiveness of Correctional Facilities*. Retrieved from http://www.mtctrains.com/public/uploads/1/2011/2/Improving%20the%20Effectiveness%20of%20Correctional%20Facilities.pdf

[35] MTC Institute (2006). *Measuring Success: Improving the Effectiveness of Correctional Facilities*. Retrieved from http://www.mtctrains.com/public/uploads/1/2011/2/Improving%20the%20Effectiveness%20of%20Correctional%20Facilities.pdf

[36] Walsh, F. (2010). *The Development of Comprehensive Criminal Justice Leadership Standards: A Modified DELPHI Study Approach*. University of Phoenix: Manuscript submitted for publication. p. 140-141.

[37] Ibid. p. 146.

[38] Ibid. p. 147.

[39] Bureau of Justice Statistics. (2003, August 23). Reentry Trends in the U.S. Retrieved from http://www.ojp.usdoj.gov/bjs/reentry/releases.htm.

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