

# MISSOURI'S PRISON SYSTEM IS

# OVERCROWDED

## MISSOURI CATHOLIC CONFERENCE *MESSENGER*



*Building a new prison is not the solution.*

By Rita Linhardt

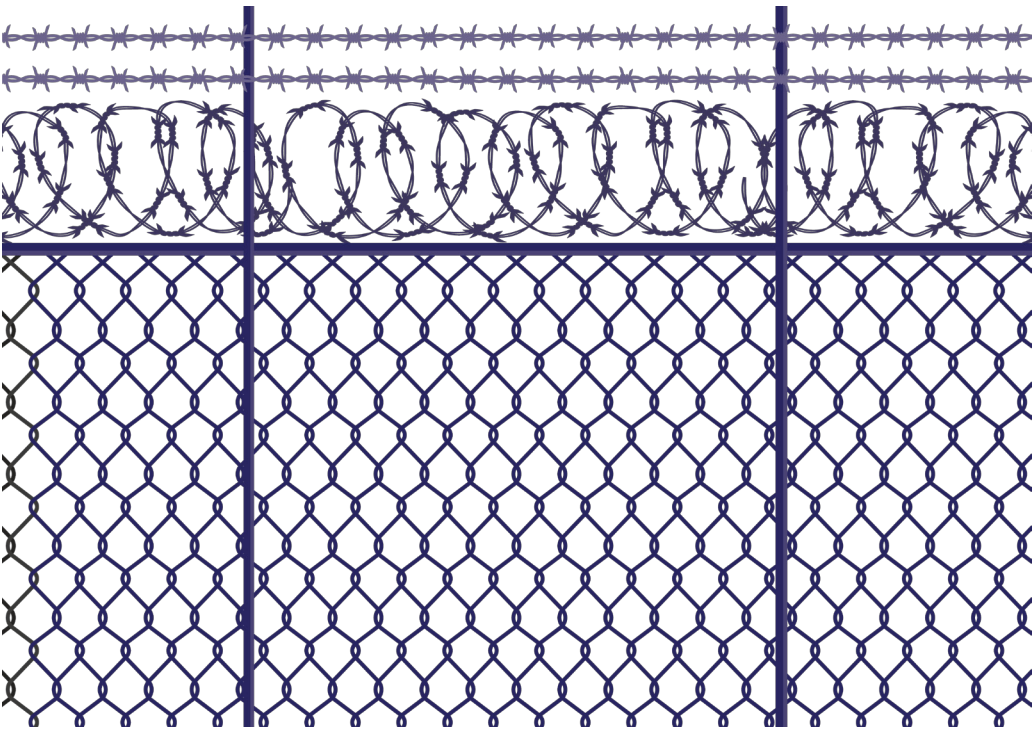
This issue of *Messenger* explores Missouri's corrections issues and the steps we must take to solve them.

Missouri's prisons are bursting at the seams. And it's only going to get worse—unless some drastic changes are implemented. Our state has reached a fork in the criminal justice road. Down one path Missouri will find itself with an exponentially growing prison population, an expensive new prison, and no progress made. Anne Precythe, the Director of the Missouri Department of Corrections, is committed to leading Missouri in the other direction. In her testimony at a House budget hearing this session, she said the department will look instead at reducing prison populations before expanding the system.

Catholic teaching supports this action. In a statement from the year 2000, *Responsibility, Rehabilitation and Restoration: A Catholic Perspective on Crime and Criminal Justice*, the United States Conference of Catholic Bishops (USCCB) said, "Our criminal justice system should punish the offender and, when necessary, imprison them to protect society. Their incarceration, however, should be about more than punishment. Since nearly all inmates will return to society, prisons must be places where offenders are challenged, encouraged, rewarded for efforts to change their behaviors and attitudes, and where they learn the skills needed for employment and life in the community. We call on the government to redirect the vast amount of public resources away from building more and more prisons and toward better and more effective programs aimed at crime prevention, rehabilitation, education efforts, substance-abuse treatment and programs of probation, parole and reintegration."

# BY THE NUMBERS

The Justice Reinvestment Task Force was convened by Governor Eric Greitens in June of 2017. It called designees from all three branches of Missouri’s government, along with state and local criminal justice system stakeholders, to do a comprehensive analysis of the state’s correction system. In December 2017, together with the Council of State Government Justice Center, the task force presented facts and solutions to both increase public safety and contain the cost of corrections.



\$710,000,000

**MISSOURI STATE SPENDING ON CORRECTIONS INCREASED 7%** from \$665 million to \$710 million between FY 2010 and FY 2016.



## MISSOURI HAS 21 PRISONS HOUSING OVER 32,000 INMATES.

Between 2010 and 2015, Missouri’s prison population rose 8 percent, and is projected to grow another 5 percent if nothing is done. This would bring the total number of inmates to well over 34,000. With the maximum capacity of 32,233, Missouri could soon face a federal lawsuit for overcrowding.



## MISSOURI IS ON TARGET TO BUILD TWO NEW PRISONS BY 2020.

Building a new prison is not cheap. Estimates show that construction of two new prisons will cost the state \$350 million and four years to complete. Operational costs are another \$27 million a year for each prison. Such an investment will likely wreak havoc on our already tight state budget. Missouri has been faced with this dilemma before. In the 1990’s, Missouri went on a spree, building six prisons and adding more space to two facilities at a cost of over \$475 million. It still wasn’t enough.



## MISSOURI’S CRIME RATE REMAINS ABOVE THE NATIONAL AVERAGE,

though the state’s overall crime rates have actually fallen in the past two decades. Still, the violent crime rate has risen in recent years, rising 20 percent between 2013 and 2016. The increase stems from violent crime rates impacting St. Louis and Kansas City.

# HOW DID WE GET HERE?

How did Missouri reach this point? Beginning in the early 1990’s, Missouri passed new sentencing laws that required violent criminals to serve 85 percent of their sentence. Requirements were also put in place for previous commitments to prison. Known as “mandatory minimums”, the laws took away judicial discretion when it came to sentencing. Missouri also passed laws such as those pertaining to charges of driving while intoxicated (DWI) that made it easier for offenders to be charged as “persistent offenders”.

Each legislative session, it seems Missouri is adding to the list of crimes and punishments. In 2014, the Missouri General Assembly undertook a major revision of the state’s criminal code, which was the result of years of work between prosecutors, defense attorneys, legislators and others. The changes included the creation of new offense classes as well as changes and adjustments around assaults, sex crimes, and drug laws. The revisions didn’t go into effect until 2017, so it’s still too early to gauge the impact of these changes.

Though the goal is to decrease prison populations, Anne Precythe knows that she still needs to reserve prison space for Missouri’s most dangerous criminals. The key is to do it in way that prevents the criminal justice system from turning into a revolving door for criminals.

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88% OF PEOPLE ADMITTED TO PRISON HAVE SUBSTANCE ABUSE PROBLEMS, AND 14% ARE IDENTIFIED AS MENTALLY ILL.

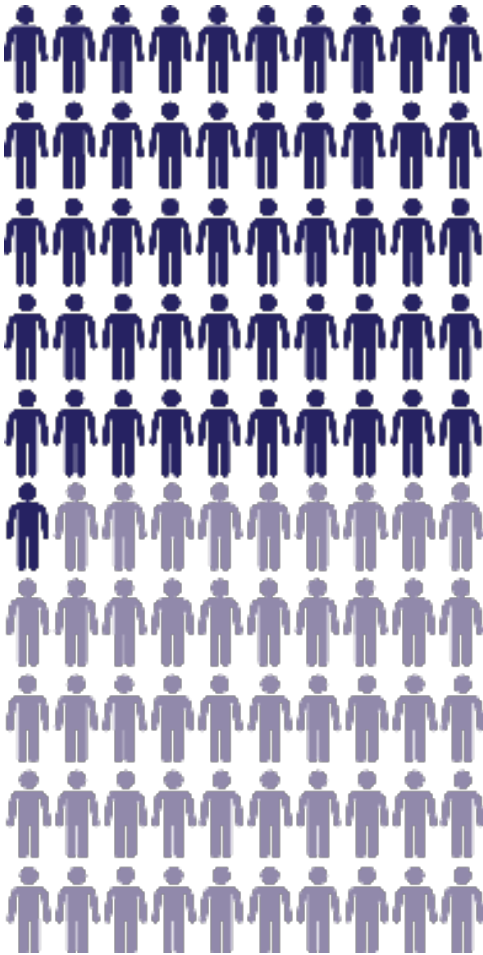


MISSOURI IS RANKED EIGHTH IN THE NATION IN THE NUMBER OF PEOPLE INCARCERATED with an incarceration rate of 530 inmates per 100,000 residents. At the end of FY 2016, the Missouri prison population exceeded its capacity by 558 inmates.



MISSOURI HAD THE FASTEST GROWING FEMALE PRISON POPULATION FROM 2010-2015.

Nationally, 85 percent of women entering prison commit nonviolent crimes, compared to 69 percent of men.



51% OF ALL PRISON ADMISSIONS IN MISSOURI ARE NEW ADMISSIONS, 49% ARE RETURNS FROM SUPERVISION.

Missouri has the sixth highest return to incarceration rate for parolees.



# MOVING AHEAD: HOW TO REDUCE MISSOURI’S PRISON POPULATION

Missouri can impact the number of people coming into our prisons and put off the need to build more space to house inmates. Reforming our criminal justice system is not an easy job, but it isn’t impossible either. Continued prison growth is not a sustainable public safety strategy. The time to start changing is now. Here are four options the state can implement in the future to reduce the prison population in our state.

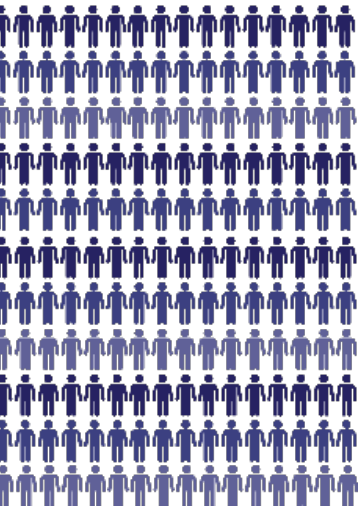
## DRUG COURTS

Drug courts are specialized court docket programs that target criminal defendants and offenders, juvenile offenders, and parents with pending child welfare cases who have alcohol and other drug dependency problems. Research has shown that drug courts are the most cost-effective way to reach individuals facing felony drug charges. But not all Missouri counties have drug courts. Efforts are currently underway to expand drug courts to the 15 counties that do not currently have an established drug court. The state should also establish a comprehensive set of best practice standards for existing drug courts.



## COMMUNITY BEHAVIORAL HEALTH TREATMENT CENTERS

Another option is to establish community behavioral health treatment centers for those on supervision. These treatment centers would be open for counseling and support to combat drug or mental health issues. Currently, there are six community supervision centers located in Missouri: Farmington, Fulton, Hannibal, Kennett, Poplar Bluff and St. Joseph. These centers would be restructured to provide programming and treatment resources. The lack of access to quality community treatments is a driver in the high number of people revoked to prison. Studies show that less than 20 percent of people on probation or parole who need this treatment actually receive it. With 49 percent of people sentenced to prison as a result of a supervision violation, not a new crime, it is crucial that these supervision centers provide health services.



## ADOPT NEW PAROLE GUIDELINES

Adopting modified parole guidelines that are centered around readiness for the offender’s reentry into society can help bring down the number of people who are in prison. The parole board plays a crucial role in assessing when an individual is ready for release from prison. By adopting a streamlined, validated risk vs. need assessment process that accounts for key factors such as job training and rehabilitation efforts, more offenders will have the opportunity to gain—and keep—their freedom.



## LIMIT MANDATORY MINIMUM SENTENCING

With one-third of new admissions entering prison with a minimum prison term, sentencing reform is clearly needed to slow down prison growth. There are several bills filed that would give judges the option to depart from the statutory minimum required sentence if the court finds substantial and compelling reasons to do so. These reasons would include the nature of the offense, character of the defendant, and/or successful rehabilitation efforts. Crimes involving sexual conduct, serious injury, or a weapon would be exempt from consideration.

