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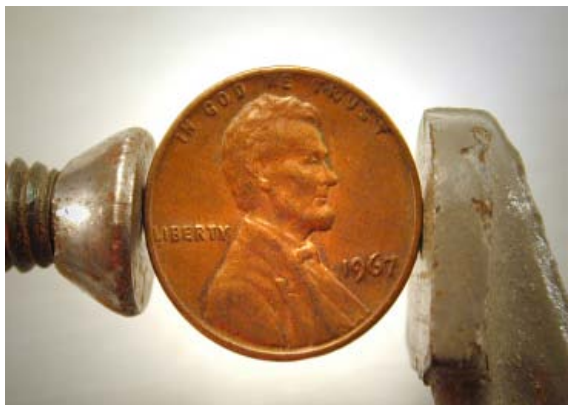
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Work for smarter criminal laws, humane is cheaper

By Chris Dornin, Retired Statehouse reporter

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Editors Note: This Op Ed on Prison Reform is by Chris Dornin, a retired NH Statehouse reporter.

The New Hampshire House last week passed the finest piece of criminal law in decades by a lopsided 256-57 vote, ignoring the benighted advice in a recent editorial by the publisher of the Union Leader. SB 500 would let nonviolent inmates leave prison at or near their minimum sentences

and start parole with a decent chance to stay clean, sober and crime free. Today large numbers of prisoners fail parole at their first and even second and third chances. Many max out and hit the streets homeless and broke. They soon return to prison, some having harmed new victims.

We as a penny-pinching, humane society can stop that revolving door by using half a dozen simple, research-based policies contained in SB 500. These best practices have lowered crime rates, prison costs, parole costs and recidivism rates in states like Texas and Kansas long known for being harsh on criminals. SB 500 gives parole and probation officers the power to bust a consenting person back into a halfway house for up to five days without a court or parole hearing.

That mild, but immediate, sanction should steer most ex-cons back to compliance without losing their hard-won jobs, apartments and new stake in a law-abiding society. If that intervention fails, the person would go into a halfway house for 90 days of intensive rehab. Today, about the only tool in the parole officer's kit is a court petition to send someone back to prison or jail for the rest of their maximum sentence.

Under SB 500 almost all inmates would hit the street at least nine months before the end of their maximum sentences. That's to assure the high-risk parolee the greatest possible support when leaving the safety of the cellblock for the perils of freedom.

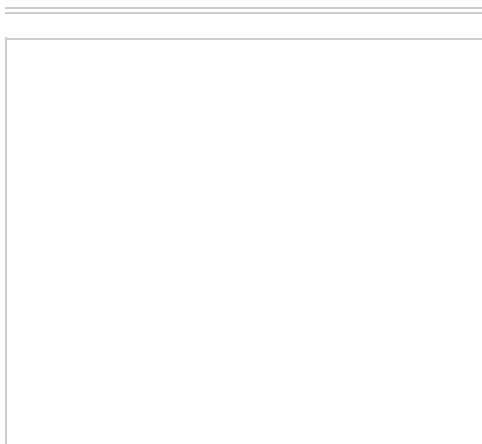
A 180 degree change in vision like this was unthinkable even a year ago. But the prison

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population has grown 31 percent in the last decade, while yearly correctional costs have spiked from \$52 million to \$104 million. If future legislatures agree to it, most of the projected savings from closing selected prison units starting as soon as 2013 would go into community treatment programs and better supervision.

The Center for Public Policy Studies has forecast a prison population of 3,029 by 2015 under the current growth trend. If SB 500 succeeds as hoped, that census would drop from 2,878 now to 2,422 five years out. The Strafford County contract to house female state prisoners would end in 2013, saving \$750,000 per year and \$2.3 million by the end of 2015. Closing one pod at the Concord prison and the unconscionable, makeshift dormitory with 100 cots in a gymnasium at the Berlin prison would save \$3.2 million in salaries by 2015.

The state would save another \$5.3 million in cumulative marginal costs for food, clothing, medical care and inmate payroll from jobs in prison industries. Throw in the avoided \$37 million construction cost of another wing at the Berlin prison if the state ever needs to build it, plus those future operating expenses. Some years from now the state might need a whole new prison, without SB 500.

Few pieces of legislation have emerged from such good planning. A team of consultants from the National Association of State Governments gave lawmakers an in-depth analysis of data culled from our prisons, jails, courts, probation departments and parole offices. These experts were assisted by NH Charitable Foundation and funded by the Pew Charitable Trusts and the US Justice Department. Focus groups took input from victims' advocates, the judiciary, defense lawyers, parole officers, the executive director of the parole board, prison planners, police chiefs, the association of counties, prosecutors, jail superintendents and other stakeholders.

The sponsors of SB 500 include Senate President Sylvia Larsen, House speaker Terie Norelli and key leaders in both parties who sit on the committees that handle crime legislation and pay for it. They've all shown tremendous vision and some political courage. The Justice Reinvestment Commission behind the bill met for eight months. More than a score of key policymakers vetted the advice of the consultants, including the three court chief justices, legislative leadership, several state department heads, the governor's office, top managers from the Department of Corrections, and the attorney general as chairman.

The state has won \$1 million in federal seed grants to fund the first phase of the Justice Reinvestment project before the savings kick in to sustain it. Lawmakers did well to seize the resulting once-a-generation, fleeting chance to save some money, rebuild the lives of offenders, ease some dangerous prison crowding, keep parolees safely out of prison and reduce the crime rate. That sounds almost too good, but it's actually happening elsewhere. Do the math. It costs more than \$30,000 a year to incarcerate someone. Community supervision costs pennies on the dollars we're spending now.

The alternatives were ugly. California tried to jail its way out of a crime problem and built so many prisons it can't pay for them now. Thousands of inmates are going free without any premeditated plans to manage them in the community. It's a desperate experiment in wholesale dumping.

Chris Dornin is a retired Statehouse reporter working for smarter criminal laws.

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