

# ON THE CHOPPING BLOCK 2013: STATE PRISON CLOSURES

During 2013, at least six states closed 20 correctional facilities or contemplated doing so, potentially reducing prison capacity by 11,370 beds and resulting in estimated five-year cost savings of over \$229 million. Since 2011, at least 17 states have reduced prison capacity totaling over 35,000 beds. But in contrast to this trend, some states announced in 2013 that they may open new correctional facilities or reopen facilities that had previously been shuttered.

## OPPORTUNITY FOR CLOSURES

The continued trend of prison closures was led by North Carolina in 2013; officials reduced correctional capacity by 1,986 beds and estimated the reduction would result in \$40 million in cost savings. Other states that closed prisons include Georgia, Kentucky, New York, Pennsylvania and Texas. Declines in state prison populations have created an opportunity to downsize prison bed space for a range of reasons, including excess capacity and the management of older facilities. The U.S. prison population numbered 1.5 million at yearend 2012 – a reduction of 1.7 percent since 2011, and the third year that the nation's prison population had declined.<sup>1</sup>

Since 2004, The Sentencing Project has documented changes in policy and practice undertaken by lawmakers to address growth in state prison populations. Legislative and administrative reforms have included scaling back mandatory sentencing laws, increasing parole release rates, and authorizing earned release from community supervision. In 2013, at least three states – Kansas, Oregon, and South Dakota – authorized earned discharge for persons who successfully comply with the conditions of their parole supervision. Colorado lawmakers also authorized alternatives to incarceration for persons

convicted of certain felony drug offenses. In addition to changes impacting the adult prison population, significant reforms have impacted juvenile corrections, resulting in a nearly 40 percent decline in the number of incarcerated youth since 2000.<sup>2</sup> Recently, Nebraska enacted comprehensive juvenile justice measures that expanded alternatives to detention.

## REFORMS IN STATE SENTENCING PRACTICES IN 2013

State officials continue to modify sentencing policy in an attempt to address correctional populations. At least 31 states adopted 46 criminal justice reforms to potentially reduce state prison populations in 2013. Georgia authorized judges, in some circumstances, to depart from mandatory minimum sentences for certain drug offenses.<sup>3</sup>

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## States Closing or Considering Closing Correctional Facilities in 2013

State	Correctional Facility	Operational Capacity/ Bed Reduction	Est. First Year Savings
Georgia	Paulding Regional Youth Detention Center <sup>4</sup>	100	\$6,000,000
Kentucky	Marion Adjustment Center <sup>5</sup>	826	\$1,500,000
New York	Beacon Correctional Facility <sup>6</sup>	201	\$8,165,000
New York	Bayview Correctional Facility <sup>7</sup>	225	\$12,080,000
North Carolina	Buncombe Juvenile Detention Center <sup>8</sup>	14	\$1,200,000
North Carolina	Duplin Correctional Center <sup>9</sup>	328	\$4,100,000
North Carolina	Robeson Correctional Center <sup>10</sup>	276	\$3,900,000
North Carolina	Wayne Correctional Center <sup>11</sup>	428	\$7,200,000
North Carolina	Bladen Correctional Center <sup>12</sup>	172	\$2,500,000
North Carolina	Western Youth Institution <sup>13</sup>	708	\$16,300,000
North Carolina	Richmond Regional Juvenile Detention Center <sup>14</sup>	30	\$2,000,000
North Carolina	Lenoir Youth Development Center <sup>15</sup>	30	\$3,700,000
Pennsylvania	Cresson State Correctional Institution <sup>16</sup>	1400	\$23,000,000 (includes two prisons)
Pennsylvania	Greensburg State Correctional Institution <sup>17</sup>	988	
Texas	Dawson State Jail <sup>18,19</sup>	2,216	\$43,129,551
Texas	Mineral Wells Correctional Facility <sup>20,21</sup>	2,100	\$54,173,231
Total Beds and Projected Savings		10,042	\$188,947,782

In recent years, changes in California have contributed to the most significant declines in state prison populations. In 2009, a three-judge special panel ruled that widespread overcrowding in California prisons was unconstitutional and resulted in “*cruel and unusual punishment*.” The U.S. Supreme Court upheld that ruling in 2011 and ordered the state to address capacity issues. Under the state’s Realignment policy, thousands of individuals convicted of non-serious, non-violent, and non-sexual felony offenses have been sentenced to county jails rather than state prisons.

## SHIFTING DYNAMICS ON PRISON CLOSURES

Lawmakers proposing prison closures have sometimes attracted significant opposition. Over the last few years, several prisons have closed in New York and additional closures are expected for 2014. The reduction in capacity has drawn opposition from local political and labor interests concerned about the loss of jobs and economic consequences, often in rural areas.<sup>22</sup> In New York, lawmakers announced plans to introduce legislation to require the legislature to debate and vote on any prison closures.<sup>23</sup> The move would shift the dynamics in New York away from the governor’s office,

which has shouldered the political risks of closures in recent years. A similar climate has impacted the closure conversation in Pennsylvania.<sup>24</sup>

## REPURPOSING PRISONS

Prison closures offer a challenge to communities that have relied on correctional facilities as an economic strategy. As officials have undertaken efforts to downscale prison capacity, addressing the potential community impact is a salient concern. Illinois lawmakers recently considered a proposal offering tax breaks to companies taking over closed state facilities, including prisons. The measure would allow private investors to receive a state income tax credit equal to 30 percent of the cost of refurbishing a former state facility.<sup>25</sup>

In a few states, including Texas and New York, there are plans to sell closed prisons for non-correctional uses. For example, Texas’s shuttered Dawson State Jail has created an opportunity for the Trinity River Corridor Project, a redevelopment effort. The project involves a 20-mile span of urban development that would include the current Dawson State Jail site, with plans for houses, waterfront condominiums, and shops and restaurants.<sup>26</sup> In New York, officials sold Camp Georgetown, a minimum security prison closed in 2011, for more than

\$240,000 in 2013.<sup>27</sup> The prison was bought by a wealthy investor with plans to repurpose it into a summer science and technology camp for high school students.<sup>28</sup> In addition, the closure of the Bayview Correctional Facility in Manhattan may lead to a repurposing of the closed facility. The prison is surrounded by upscale restaurants, luxury condos, and high-end shops and is considered desirable real estate.<sup>29</sup>

## OPENINGS AND EXPANSION

Although many states have been closing prisons in recent years, some states have continued to open new correctional facilities. In Pennsylvania, construction has begun on a \$400 million prison project in Skippack Township. The prisons – Phoenix East and Phoenix West – will have a combined capacity of 4,000 beds. There are also plans to build a new 200-bed facility to hold women transitioning back to the community at the end of their prison term.<sup>30</sup>

In California, officials opened a new prison that holds more than 1,700 inmates. The California Health Facility in Stockton reportedly cost \$839 million to construct and is designed to address the medical and mental health needs of incarcerated persons. The state opened this prison while accounting for the largest share in population declines in 2012. During a 2013 press conference, Governor Jerry Brown estimated that the prison expansion plan would cost \$315 million in the short term and total \$715 million by 2015.<sup>31</sup> Additionally, to deal with continued overcrowding, Governor Brown has proposed sending approximately 12,000 incarcerated persons to private prisons out of state.

Other states – Maine, New Hampshire, and Washington – are also exploring building new prisons. In Maine, officials are reportedly assessing whether a new, more efficient prison at a cost of \$100 million would be a good use of taxpayer resources. The proposed construction would replace the current prison at the site of the Maine Correctional Center and erect a new correctional facility in its place.<sup>32</sup> In New Hampshire, the state's Executive Council recently approved a \$2.4 million contract to build a new women's prison. The current New Hampshire State Prison for Women has been the subject of litigation; four incarcerated women filed a lawsuit claiming that the state does not provide

female inmates with services and programs comparable to those for incarcerated men.<sup>33</sup>

Officials in Washington state have begun discussing expanding prison capacity despite closing the McNeil Island Corrections Center in 2011. Prison administrators claim that overcrowded conditions in women's facilities are posing risks for increased violence. Recent overcrowding follows a period of modest population decline that led the state to close three prisons in recent years in an effort to reduce correctional expenditures.<sup>34</sup>

Reopening previously shuttered prisons is also being proposed by some state officials. In 2013, Florida lawmakers discussed plans to reopen closed prisons because of projected growth in the prison population. Corrections officials submitted an appropriations request to the Legislature for \$59 million to open nine closed prisons. The request was met by some resistance from fiscally conservative lawmakers, and the discussion may lead to an opportunity to modify sentencing policies.<sup>35</sup> Lawmakers closed 10 prisons in 2012 and projected an estimated \$65 million in cost savings due to the closures.<sup>36</sup>

## RETHINKING THE USE OF INCARCERATION

While trends since 2011 may indicate that state officials are growing more comfortable closing correctional facilities, closure efforts continue to generate political opposition. Continued efforts to shutter prisons should also include intentional discussion of ways to reuse correctional facilities for non-carceral purposes. And, as encouraging as these discussions may be, the needs of high-incarceration communities should also be considered as stakeholders prioritize state resources to maintain public safety.

Appendix: States Closing or Considering Closing Correctional Facilities in 2011-2013<sup>a</sup>

State	Correctional Facility	Operational Capacity/ Bed Reduction	Year <sup>b</sup>
Colorado	Colorado State Penitentiary II	316	2012
Colorado	Fort Lyon Correctional Facility	500	2011
Connecticut	Bergin Correctional Institution	603	2011
Connecticut	Enfield Correctional Institution	724	2011
Connecticut	J.B. Gates Correctional Institution	878	2011
Florida	Brevard Correctional Facility	929	2011
Florida	Broward Correctional Institution	611	2012
Florida	Caryville Work Camp	133	2012
Florida	Demily Correctional Institution	342	2012
Florida	Gainesville Correctional Institution	507	2012
Florida	Hendry Work Camp	280	2012
Florida	Hillsborough Correctional Institution	431	2011
Florida	Indian River Correctional Institution	381	2012
Florida	Levy Forestry Camp	292	2012
Florida	New River Correctional Institution	1,363	2012
Florida	River Junction Work Camp	736	2012
Florida	Tallahassee Road prison	82	2011
Georgia	Blakely Regional Youth Detention Center	30	2011
Georgia	Griffin Regional Youth Detention Center	30	2011
Georgia	Metro State Prison	779	2011
Georgia	Paulding Regional Youth Detention Center	100	2013
Illinois	Dwight Correctional Center	1,212	2012
Illinois	Joliet Renaissance Center – Youth Center	344	2012
Illinois	Murphysboro Youth Prison	156	2012
Illinois	Tamms Super Maximum Security Correctional Center	700	2012
Kentucky	Marion Adjustment Center	826	2013
Kentucky	Otter Creek Correctional Center	656	2012
Louisiana	C. Paul Phelps Correctional Center	942	2012
Louisiana	Forcht-Wade Correctional Center	498	2012
Louisiana	J. Levy Dabadie Correctional Center	300	2012
Michigan	Florence Crane Correctional Facility	1,056	2011
Nevada	Nevada State Prison	841	2011
New York	Arthur Kill Medium Security Prison	900	2011
New York	Beacon Correctional Facility	201	2013
New York	Bayview Correctional Facility	229	2013
New York	Buffalo Work Release	132	2011
New York	Camp Georgetown	262	2011
New York	Fulton Work Release	258	2011
New York	Summit Shock Incarceration Correctional Facility	121	2011
New York	Oneida Medium Correctional Facility	998	2011
New York	Mid-Orange Correctional Facility	736	2011
North Carolina	Bladen Correctional Center	172	2013
North Carolina	Buncombe Juvenile Detention Center	14	2013
North Carolina	Cabarrus Correctional Facility	198	2011
North Carolina	Duplin Correctional Center	328	2013
North Carolina	Lenoir Youth Development Center	30	2013

<sup>a</sup> This list reflects an up-to-date analysis of closed or recently closed correctional facilities.

<sup>b</sup> This was the year the closure first announced. The actual closure date may be in subsequent years.

State	Correctional Facility	Operational Capacity/ Bed Reduction	Year <sup>b</sup>
North Carolina	Richmond Regional Juvenile Detention Center	30	2013
North Carolina	Robeson Correctional Center	276	2013
North Carolina	Wayne Correctional Center	428	2013
North Carolina	Western Youth Institution	708	2013
Oregon	Hillcrest Units (Chi and Kappa)	50	2011
Oregon	MacLaren Units (Dunbard, Kincaid and McBride)	75	2011
Oregon	Oak Creek Unit (Young Women's Transition Program)	25	2011
Oregon	Oregon State Penitentiary – Minimum Security	176	2011
Pennsylvania	Cresson State Correctional Institution	1400	2013
Pennsylvania	Greensburg State Correctional Institution	988	2013
Rhode Island	Donald Price Medium Security Facility	324	2011
Texas	Al Price State Juvenile Correctional Facility	248	2011
Texas	Central Unit	1,000	2011
Texas	Crockett State School	232	2011
Texas	Dawson State Jail	2,216	2013
Texas	Mineral Wells Facility <sup>37</sup>	2,100	2011/ 2013
Texas	Ron Jackson Juvenile Correctional Complex Unit II	113	2011
Texas	TDCJ – Burnett County Jail	240	2011
Washington	McNeil Island Corrections Center	1,200	2011
Wisconsin	Ethan Allen School	167	2011
Wisconsin	Southern Oaks Girls School	18	2011
Total Beds		34,171	

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The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy, addressing unjust racial disparities and practices, and advocating for alternatives to incarceration.