

Criminal Justice Series

Correctional Institutions

The commonwealth annually spends \$2.5 billion – and counties spend an additional \$1 billion – on the most expensive phase of the criminal justice system: incarceration.

Secure correctional institutions hold individuals while they are incarcerated, either awaiting trial or after they are convicted.

The Pennsylvania Department of Corrections operates state correctional institutions (prisons) and secure community corrections centers. It also has limited oversight of county jails. Each year, thousands of inmates move through the system (in and out of county facilities, into state prisons and back out to local communities):

- **State Correctional Institutions** held an average population of 47,177 inmates in 2017/18, at an average annual cost per inmate of \$45,288. There were 18,369 admissions and 21,672 releases in 2017.
- Residential **community corrections**, operated or contracted by the state, held an average population of 1,247 inmates and 1,894 parolees in 2017/18. The average annual cost per inmate is \$28,778.
- **County Jails** (including inmates in work release) house an average daily population of 34,716 inmates with 217,840 admissions and 218,515 releases in 2017. The average annual cost per inmate is \$29,520.

State Correctional Institutions

State correctional institutions hold individuals sentenced to a period of confinement with a maximum sentence of more than two years. (Shorter sentences are served in county jails.)

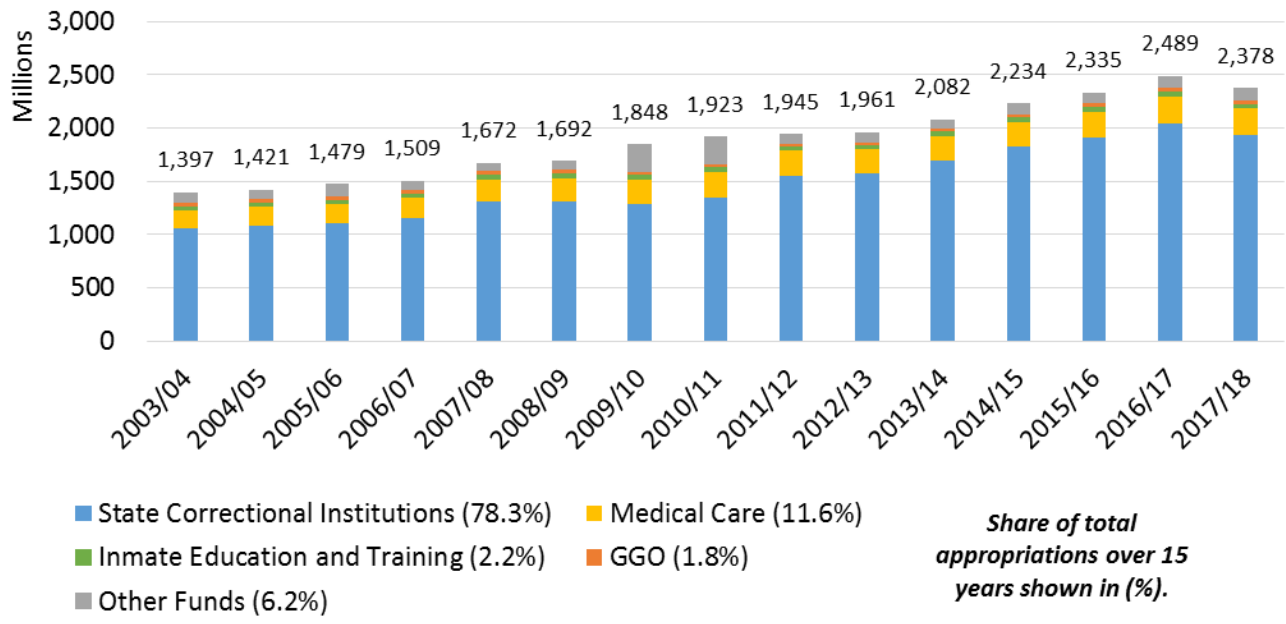
There are 25 state correctional institutions in Pennsylvania; one is for eligible participants in the motivational boot camp program and contains about 500 inmates, compared to about 1,900 in other SCIs. At its largest, from 2004 to 2012, the Department of Corrections operated 27 prisons, including the boot camp.

Newly sentenced inmates are assessed for programming and healthcare needs, security classification, and are then placed accordingly in a state prison. Each SCI provides healthcare, treatment, and educational programming in a secure setting. Certain SCIs provide additional specialized services such as geriatric care (SCI Laurel Highlands), psychiatric care (SCI Waymart), and programming for young offenders (SCI Pine Grove).

More than 90 percent of these General Fund appropriations pay for state correctional institutions, the rest support department overhead and community corrections.

Additional funding for SCIs comes from the federal government and the Manufacturing Fund. The manufacturing fund is a restricted account for Pennsylvania Correctional Industries, which is a bureau within the Department of Corrections that operates as a manufacturing company and job training program for inmates. PCI profits are deposited into the Manufacturing Fund, which, in turn, fully funds the program's materials, equipment, staff compensation, and inmate pay. Under statute, use of the fund for these purposes is allowed as an executive authorization, which does not require an annual appropriation.

Most funding for state corrections comes from three General Fund appropriations: SCIs, Medical Care, and Inmate Education and Training



Key Cost Drivers: Personnel, Medical Care

Personnel

Personnel is the largest overall cost driver for the Department of Corrections and represents about 80 percent of state spending for SCIs. Overall, DOC has more than 15,000 employees. From 2006/07 to 2016/17, the department’s personnel expenditures [increased by 74 percent](#).

The largest spending increases during that time came from retirement benefits, salaries, and health benefits. The increase in retirement benefit costs is largely due to a much-needed return by the governor and legislature to making the actuarially required contributions to Pennsylvania’s pension systems as mandated by Act 120 in 2010 and Act 5 in 2017.

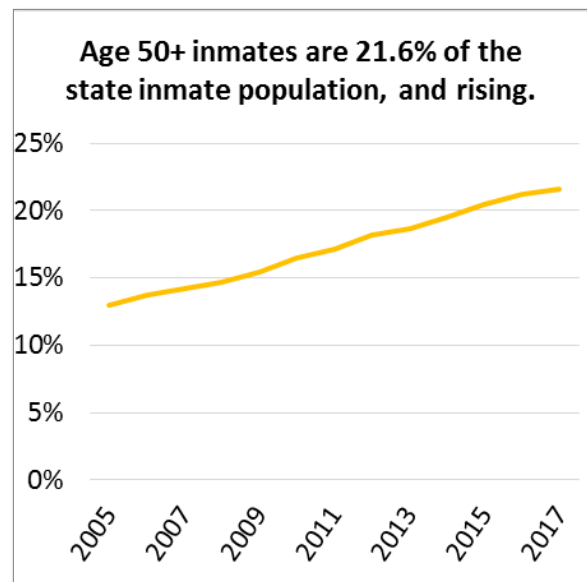
A dramatic rise in overtime, although it reached a high point in 2014/15, contributed to increased costs, as well. Hiring freezes, military activations, and transporting inmates to a hospital for medical care can affect overtime staffing.

Inmate Medical Care

Inmate medical care is another significant cost driver for correctional institutions. In 2017/18, inmate medical care made up \$254 million, or 12 percent, of total spending for state prisons. Medical care includes physical, mental health, and dental, as well as medication costs. The high cost of certain treatments and pharmaceuticals, and the increasing health needs of an aging inmate population contribute to high medical expenses.

Demographic shifts also contribute to rising medical costs in state prisons.

Inmates over age 50 account for more than half of all the prison system’s pharmaceutical expenditures, although they are just 21.6 percent of the inmate population. Older inmates are more likely than other inmates to receive medications, and among those who do receive this medical attention, the average cost for medications is higher than younger inmates. Inmates over age 50 also use the majority of beds in skilled care units (a higher cost to the department due to more intensive staffing needs).



At SCI Laurel Highlands, where DOC provides geriatric care, the average cost for healthcare per inmate in 2017/18 was \$18,905, which is more than three times higher than the average cost across all of the state correctional institutions.

The proportion of SCI inmates who are over age 50 has increased from 13.0 percent in 2005 to 21.6 percent today.

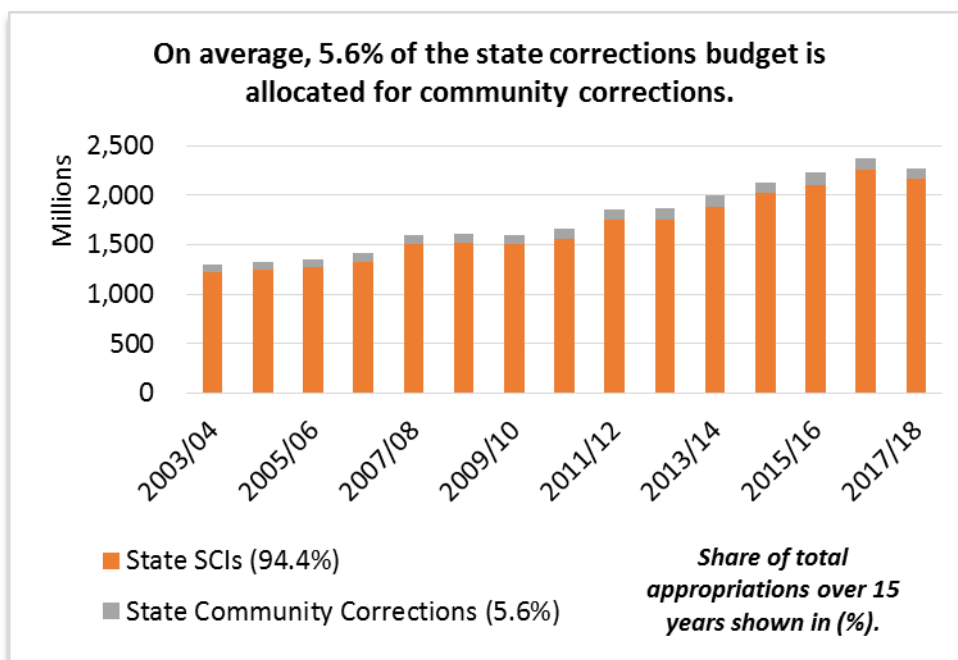
Healthcare is also more costly in prisons for women. DOC statistics show the average cost for healthcare per inmate in female SCIs is 46 percent higher than in male institutions (2017/18). In 2017, women made up 5.9 percent of the total inmate population, up from 4.8 percent of state inmates in 2005. Over the past five years, the number of female inmates has increased (+105) while the number of male inmates has decreased (-2,851).

Community Corrections

DOC's Bureau of Community Corrections oversees community corrections and reentry throughout the commonwealth.

There are three types of residential facilities where inmates transition from prison to the community or serve time for parole violations as an alternative to reincarceration in a state prison. Each facility may provide one or more types of programs, such as evidence-based reentry programming or licensed inpatient treatment – some as a collaboration between DOC and PBPP for parole violators. [\(Read more about probation and parole here.\)](#)

- **Community Corrections Centers (CCCs)** are operated by the Department of Corrections to house DOC inmates in a residential setting. These centers allow inmates to participate in substance abuse treatment, work release, and other services. Offenders who are sentenced to the State Intermediate Punishment program, a drug treatment diversion program for state prisoners, begin in SCIs then transition to CCCs or community contract facilities for the remainder of their sentence.
- **Community Contract Facilities (CCFs)** are facilities operated by private or non-profit entities. CCFs provide the same type of services as CCCs. Some CCFs also provide evidence-based programming in a residential setting for non-violent technical parole violators. Technical parole violations occur when an offender has broken the rules of parole but has not committed a new crime.
- **Contracted County Jails (CCJs)** are county jails that have entered into a contract with DOC to house reentrants transitioning to the community or parolees who have committed a technical parole violation. Some technical parole violators, as defined in Act 122 of 2012, require a secure custody setting and, therefore, cannot be housed in CCCs or CCFs, but may only be housed in a CCJ or returned to an SCI.



New state prison construction

Capital expenditures, including new prison construction or major capital improvements at existing facilities are bond financed, and are not funded through appropriations to the Department of Corrections in the General Appropriations Act. Within this process, prison construction is financed in the category of public improvement projects. More information about state debt and bond financing is available on the [committee website](#).

County Jails

County jails, also referred to as county prisons in Pennsylvania, differ from the state system because they house individuals who have not yet been sentenced (pre-trial), and inmates serving a maximum term of no more than two years, with some exceptions.¹ Unlike state prisons, people churn through county jails. In Pennsylvania, the number of admissions and releases from county jails each year is about six times the inmate population at a single point in time.

Most counties operate a county jail, but five counties with lower populations (Cameron, Forest, Fulton, Sullivan, and Juniata) do not operate their own facilities. These counties pay a *per diem* fee to other facilities for inmates who would otherwise be detained in their jurisdiction. Juniata, in 2012, was the most recent county to close its jail in favor of boarding inmates in nearby facilities.

The Department of Corrections is responsible for annual inspections and reporting on county jails, but it has no enforcement authority. Although the commonwealth does not fund jails, some counties receive grants for programming from state agencies. One example is the Medication Assisted Treatment (MAT) grant program, established by Act 80 of 2015. The grant program provided \$1.5 million from DOC's GGO to help counties implement MAT programs to combat opioid addiction. The funds were awarded to 13 counties in 2016 and continue to be annually earmarked in Fiscal Code legislation.

Private Prisons

There is one private county prison in Pennsylvania: the George W. Hill Correctional Facility, operated by Community Education Centers (CEC is owned by GEO Group Inc.) in Delaware County. Delco privatized the prison in 1995 by contracting with GEO Group Inc. (then Wackenhut Corrections Corporation).

Although there are no private state prisons in Pennsylvania, some of the Department of Corrections' community contract facilities are operated by for-profit companies, including several operated by GEO Group. GEO Group and CoreCivic (formerly known as Corrections Corporation of America) are the two largest private prison companies in the United States.

Justice Reinvestment Fund

Act 196 of 2012 established the Justice Reinvestment Fund as part of Pennsylvania's [Justice Reinvestment Initiative](#), which was designed to safely reduce state prison expenditures through a series of recommended policy changes (implemented in Act 122 of 2012), and to reinvest those savings in effective criminal justice initiatives.

A portion of the savings from the initiative was transferred annually to the Justice Reinvestment Fund by executive authorization, meaning no annual appropriation by the legislature was required. Over four years, \$14 million was transferred into the fund and was then distributed for county probation, innovative policing, victim services, and other initiatives.

Inmate Population

Safely reducing inmate population is the most effective way to achieve significant cost savings in correctional institutions. When the population decreases enough to close a housing unit (or increases enough to require opening one), there are significant changes in personnel expenditures. On a smaller scale, each inmate represents a marginal cost to the institution for items such as food, clothing, and medical care.

¹Pa.C.S. 42 Section 9762(b)(2) allows sentences with a maximum between 2 and 5 years to be served at the county level with special approval. This would generally be applied to a "short minimum" sentences, such as a 1 to 5 year sentence.

In Pennsylvania, the state prison population decreased annually beginning in 2010, aided by Justice Reinvestment Initiative reforms. At the same time, expenditures continued to increase because growth of prison costs outpaced savings from reducing the inmate population. That changed with the closure of SCI Pittsburgh in 2017, which contributed to a one-year decrease in corrections spending.

Inmate population is determined by court sentences, parole board release decisions, and individual behavior (crime, behavior in institutions, recidivism). The easiest of these factors for the legislature to directly influence is sentencing, through the changing of laws that prescribe sentencing ranges, minimums, and enhancements. Other interventions – such as substance abuse treatment; job training; or Swift, Certain, Fair supervision programs – can be implemented by the Department of Corrections, Board of Probation and Parole and local jurisdictions.

What drives inmate population?

New Court Commitments

Key factors affecting the number of new inmates:

Crime rate, percent of offenders sentenced to incarceration (instead of alternatives in the community), and length of prison sentence (shorter sentences served in county jails; longer in state prisons).

Sentence Length
Longer sentences can drive up prison populations even if the overall number of new inmates is flat or decreasing.

Releases

Key factors affecting the number of inmates released:

Sentence length, behavior during incarceration, and the speed at which the Parole Board makes parole decisions.

Inmate Population 1990 to 2017

Year	Population
1990	25,000
1995	35,000
2000	40,000
2005	45,000
2010	50,000
2012	52,000
2015	48,000
2017	45,000

Parole violations

Most prison sentences have a minimum and maximum date. If an inmate is released early, they are under parole supervision until the maximum sentence date.

If an offender violates the terms of their parole they may be returned to prison to serve the remainder of their sentence. Parole violators made up 26% of all prison admissions in 1990 and 49% in 2015; a pattern of release and re-commitment often called the "revolving door" of corrections.

Probation and parole violators make up 30% of the state prison population.

Council of State Governments Justice Center analysis, 2016

Terms and Definitions

Average Cost – The average annual cost per inmate, calculated by dividing total expenditures by inmate population (average daily population). Average annual cost is a useful tool for comparing the relative cost of different institutions or different types of confinement. (See also: Marginal Cost)

Average Daily Population – A common method of reporting inmate population in correctional institutions, calculated by averaging the inmate population on each day in a year. ADP differs from other monthly population averages, or year-end population counts because it accounts for population change throughout the year and can be scaled up (by multiplying by 365 days in a year) to give an accurate count of occupied bed days in a year.

Executive Authorization – An executive authorization is an expenditure authorized by the governor that does not require annual appropriation by the legislature during the budget process because it was previously appropriated by a blanket action of the legislature.

Marginal Cost – A method of reporting the cost per inmate that estimates the additional costs (or savings) generated by one more inmate assuming a total change in inmate population of a specific size. For example, larger population changes that require opening up a new housing unit and increasing the number of officers on duty will have a higher marginal cost than a small population change that only requires extra food, laundry, and other minor costs. Marginal cost is an effective tool to estimate the fiscal impact of inmate population changes caused by new policies or legislation.

House Appropriations Committee (D)

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