

Private Prisons: A Sensible Solution

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The prison system in Washington state is being severely stretched by overcrowding, threatening the safety of the staff, the inmates and the surrounding communities. State run facilities average 141% of design capacity, housing more than 4,800 more prisoners than originally planned. At the local level, city and county jails throughout the state are at 110% of design capacity.

Without new prisons, law enforcement officials will be forced to make difficult decisions about which dangerous criminals should be incarcerated and which should be allowed back onto the street. Unfortunately, because of tight budgets and other pressing needs, building enough government run prisons to safely hold the increasing inmate population is not financially feasible.

A new study from the Washington Policy Center offers a sensible solution to this problem. "Private Prisons: A Sensible Solution" suggests allowing private contractors to compete for prison construction and management contracts. Allowing private companies to compete does not mean giving over control of prisoners to big corporations. Sentencing and oversight are still managed by the state, but taxpayers benefit from the competitive pressures introduced by private competition.

Throughout the nation and the world, vigorous competition among public and private prison firms is used to reduce the high cost of incarceration, while maintaining the high quality of service local communities

expect. Market pressures and government oversight have combined to produce a responsive, efficient and effective private prison industry that can meet the demands of our state while encouraging existing government facilities to operate at an equally high level.

Private prisons are not a new concept. Since 1984 many states have successfully implemented competitive contracting programs. Today, private prisons house over 120,000 inmates in 158 facilities spread throughout 31 states, Washington DC and Puerto Rico. An analysis of three examples in Texas, Louisiana and New Mexico show how private prisons can work to reduce cost and increase quality in the state corrections system.

Texas

The Texas Department of Criminal Justice contracted for their first four private prisons in 1987. After 4 years of operation the Sunset Advisory Commission (SAC) determined that the private prisons performed better than state prisons in all nine evaluation categories except the quality of food. The average cost of the private prisons, \$35.25 per inmate per day, was also well below the \$42.47 it costs to run a similar state operated facility.

Louisiana

The state of Louisiana conducted a field test of the private prison concept by authorizing 3 identically designed medium security facilities, two of them private and

one operated by the state. After six years of operation, Winn and Allen Correctional Centers, the two private prisons, cost 11% to 13% less to operate than Avoyelles Correctional Center, the state run prison. They also performed consistently better in safety, discipline and community placement, along with many of the other major categories of evaluation.

New Mexico

Facing budget and capacity constraints similar to what the Washington state prison system faces, the state of New Mexico contracted with a private firm for construction and management of a full security women’s facility. Performance was compared to similar state and federal prisons in the area. Of the eight performance categories the private prison outperformed the state and federal prisons in six of them. In one, the federal facility equaled the private firm’s performance, and in another the private firm was evaluated slightly lower than the state facility.

Barriers to Privatization

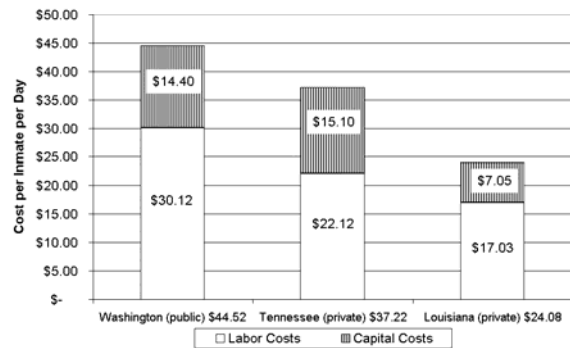
Many legal and political barriers often hamper the introduction of competition into government services. In Washington, two legal barriers stand in the way of the proven cost and quality improvements that taxpayers in other states enjoy because of competition in the corrections system.

Washington’s civil service law prohibits contracting out for work historically provided by civil service workers. In counties like King County, where civil service laws are similar to the state law, the same restriction applies. Also standing in the way of private prisons in Washington is a non-binding, but politically powerful opinion issued by the Office of the Attorney General stating that a “governing unit” must operate jails serving local municipalities.

Proven Success

In 1995 the Legislative Budget Committee released a study comparing the cost of private prisons in Louisiana and Tennessee to those of a proposed public prison here in Washington. The study found that private prisons in the other states achieved savings of more than 15% per inmate even after accounting for things such as the cost of living and facility design.

States using private prisons save up to 46% compared to state-run prisons in Washington.



When governments are faced with overcrowding and funding shortfalls, a sensible solution that delivers quality service at a low cost is competitive contracting. Washington state lawmakers should consider authorizing private prison contracting. By harnessing the power of competition and the innovation of the free market to reform the corrections system, taxpayers and residents of our state will benefit.

For a quick reference to frequently asked questions about private prisons visit our website at www.washingtonpolicy.org. Source notes are available on our website or upon request. The Washington Policy Center is a non-profit, 501(c)(3) research and education organization.