

## **Construction Status and Operating Costs of New Corrections Beds**

### **ISSUE**

This *Issue Review* provides information on the Department of Corrections' construction of and proposed staffing for additional beds in the prison system and Community-Based Corrections.

### **AFFECTED AGENCIES**

Department of Corrections (DOC)  
Community-Based Corrections (CBC)

### **IOWA CODE AUTHORITY**

Chapters [904](#) and [905](#)

### **BACKGROUND**

#### Iowa's Corrections System

Iowa spends approximately 5.8% of the State General Fund budget on the State corrections system. This includes the State prisons and the CBC District Departments (pretrial release, probation, parole, and residential facilities). While not directly comparable to other states due to the variation in corrections structure, Iowa ranks about 34<sup>th</sup> nationally in overall corrections spending.<sup>1</sup>

The Iowa corrections system provides for a range of intermediate sanctions as described in Iowa Code chapter [901B](#). Penalties range from nonsupervised sanctions, such as fines, to life time supervision in State prisons, depending on the severity of the offense. Iowa's corrections system is funded by counties (county jails provide short-term sanctions for low-risk offenders) and the State (CBC and the State prison system).<sup>2</sup>

While the corrections population has recently been trending downward, the decrease may be temporary, or offset by certain offenders remaining in the system longer. For example, sex offenders have enhanced penalties and increased length of stay under correctional supervision, and the number of sex offenders in the corrections system continues to increase.<sup>3</sup> The Iowa corrections population can be expected to continue to grow over the next decade, both in State prisons and CBC.

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<sup>1</sup> Refer to the [VERA Institute of Justice](#) report, "[The Continuing Fiscal Crisis in Corrections](#)" dated October 28, 2010.

<sup>2</sup> Refer to the *Issue Review*, [County Jails and Probation Sentencing](#) published September 24, 2008, for information concerning the use and funding of county jails in Iowa.

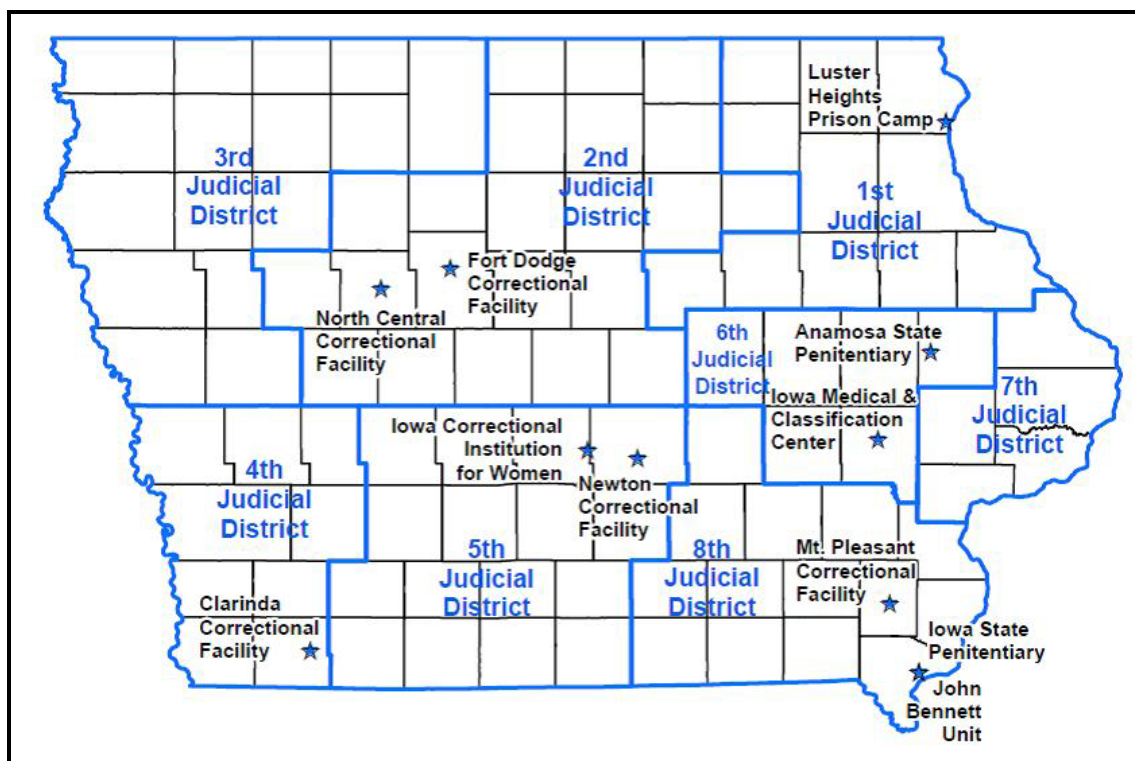
<sup>3</sup> Refer to the [Sex Offender Research Council](#), staffed by the CJJPD, for more specific information regarding sex offenders.

Iowa ranks 37th nationally in terms of the incarceration rate of sentenced prisoners, with 309 inmates per 100,000 residents. Nationally, Iowa reported the largest percentage increase (7.3%) in prison population in FY 2010, followed by Illinois (7.2%) and Arkansas (6.5%).<sup>4</sup>

According to data from [The Council of State Governments](#), state prison recidivism rates range from 22.0% (Oregon) to 58.0% (California). Iowa's recidivism rate is 34.0%; equal to 40th in the nation. Iowa's violent crime rate is 35<sup>th</sup> in the nation. Iowa's property crime rate is 41st in the nation.<sup>5</sup>

Iowa ranks 40th nationally in terms of the number of offenders under community supervision, with 1,101 offenders per 100,000 residents.<sup>6</sup> States vary in administration of community supervision. However, there may be capacities at the community level in Iowa for expansion of CBC.

The DOC has oversight of the State-funded corrections system that ranges from minimal supervision in the community to maximum custody in the prison system. The CBC District Departments provide a range of supervision levels in the community while the prison system provides the most restrictive supervision levels for offenders that cannot be safely managed in community settings.<sup>7</sup> The map below shows the boundaries of the CBC District Departments as well as prison locations.



<sup>4</sup> See the [U.S. Department of Justice](#) Bulletin, "Prisoners in 2010" revised on February 9, 2012.

<sup>5</sup> Click on <http://www.statesperform.org/DataBuilder.aspx>.

<sup>6</sup> See the U.S. Department of Justice Bulletin, "Probation and Parole in the United States, 2010" published November 21, 2011.

<sup>7</sup> Click on <http://www.doc.state.ia.us/Institutions.asp> for an interactive State map that shows the locations of the State prisons and CBC District Departments.

**CURRENT SITUATION**

The General Assembly approved the construction of additional correctional beds as indicated in **Table 1** below.<sup>8</sup> Construction of the CBC residential facility beds is completed. They remain vacant because no funds were appropriated for the operating costs.

**Table 1  
Construction Status**

| Location                                | Current Official Capacity        | Net Gain - Number of Beds | Construction Completion Date | Comments   |
|---|----------------------------------|---------------------------|------------------------------|--|
| <b>CBC Facilities</b>                   |                                  |                           |                              |  |
| Davenport                               | 81 residential beds              | 39 beds                   | October 2010                 | New building is occupied with current operations. New beds are vacant. Warranties on building and equipment have expired.  |
| Waterloo                                | None                             | 45 beds                   | April 2011                   | New building is occupied with current operations. New beds are vacant. Warranties on building and equipment have expired.  |
| Sioux City                              | 57 residential beds              | 42 beds                   | April 2012                   | New beds are vacant.   |
| Ottumwa                                 | 51 residential beds              | 25 beds                   | June 2012                    | New beds are vacant.   |
| Cedar Rapids                            | None                             | 26 beds                   | November 2008                | Received a General Fund appropriation of approximately \$900,000 to operate an out-patient mental health program for offenders. New beds remain vacant. Warranties on building and equipment have expired. |
| <b>CBC Facilities Total New Beds</b>    |                                  | <b>177 beds</b>           |                              |  |
| <b>Prison Facilities</b>                |                                  |                           |                              |  |
| Fort Madison                            | 588 maximum-security prison beds | 120 maximum-security beds | December 2012                | Anticipated completion date.   |
| Mitchellville                           | 455 prison beds                  | 337 prison beds           | FY 2014 - FY 2016            | New buildings will be completed and staff and offenders will move to those buildings. Old buildings will be demolished and replaced.   |
| <b>Prison Facilities Total New Beds</b> |                                  | <b>457 beds</b>           |                              |  |

**CBC District Departments**

There are eight CBC District Departments with boundaries that correspond to the eight Judicial Districts. Each District Department is locally administered. The CBCs provide supervision and transitional treatment for probationers, work release offenders, Operating While Intoxicated (OWI) inmates, and parolees within a community setting. The CBCs serve as an alternative to incarceration in the State prison system.<sup>9</sup>

<sup>8</sup> See the *Issue Review*, [Corrections Construction and Capacity](#) published October 11, 2010, for additional information regarding construction authority and funding.

<sup>9</sup> Refer to the *Fiscal Topic*, [Community-Based Corrections](#) published November 2011 for information regarding the history, programming, population projection, and data of Iowa's CBC system. Refer to the [Center for Community Corrections](#) website for more information regarding administrative structures of community-based corrections in the United States.

The CBC facilities were operating at 98.9% of capacity on November 5, 2012, with 1,445 offenders housed in facilities designed for 1,461 beds. The CBC facilities are usually operating slightly below 100.0% of capacity because beds turn over faster than offenders can be placed into the facility. Also, Iowa Code section [905.13](#) requires CBC District Departments to comply with local building codes that usually set a maximum number of people that may be housed in a building.

There were 562 offenders waiting for a CBC residential bed on November 5, 2012. These offenders are waiting in the [U.S. Bureau of Prisons](#) facilities (106 offenders), the State prison system (122 offenders), the OWI Treatment Program (52 offenders), and field services (probation, parole, or pretrial release – 282 offenders). Residential facility capacity is anticipated to be 1,638 beds if operating funds are appropriated for the new CBC beds previously mentioned.

A waiting list permits vacant CBC beds to be filled quickly once they are vacated. However, large waiting lists create inefficiencies in the corrections system such that offenders are not placed where they should be according to their risk and needs. For example, offenders have been granted work release by the Iowa Board of Parole but are housed in a State prison waiting for a residential bed to become available. Also, the waiting list for work release contributes to prison overcrowding and increases State costs.<sup>10</sup>

The median length of time spent waiting in prison for a CBC work release bed is approximately 49 days. **Table 2** shows the median length of days in prison waiting for a work release bed for the new facilities.

**Table 2**  
**Median Number of Days Waiting in**  
**Prison for a Work Release Bed**

| Location     | Days  |
|--------------|-------|
| Davenport    | 135.5 |
| Waterloo     | 50.5  |
| Sioux City   | 162.0 |
| Ottumwa      | 140.0 |
| Cedar Rapids | 30.0  |

As of November 5, 2012, there were 122 offenders in prison waiting for a work release bed. This number has been relatively stable over the last three months. It is assumed that if operating funds are appropriated, about 50.0% of the 177 new CBC residential beds will be utilized for the work release program, so 88 offenders in prison could be released to a CBC residential bed relatively quickly. The average length of stay in a work release bed is approximately 4.3 months, so the work release waiting list should be significantly reduced within the first year of operating the new beds.

The remaining CBC beds will be used for field services programs, to divert offenders from entering the State prison system. The average length of stay in a CBC residential facility is 4.9 months for the OWI program and 5.6 months for probation. So the remaining 89 new beds would serve about 178 offenders annually, significantly reducing the waiting list for residential

<sup>10</sup> Refer to the *Fiscal Topic, Community-Based Residential Facilities* published January 2012 for a discussion of residential placement, programming, budgets (including cost comparisons between CBC residential facilities and State prisons), and research.

services. Operating the 177 new beds will reduce the CBC residential facility waiting list by approximately 60.0%.

The DOC recently issued a report, [Halfway Back](#), that explains how the Board of Parole and the DOC instituted an option to revoke offenders from parole to work release, rather than back to the State prison system. Those offenders revoked to work release residential facilities have a lower rate of new criminal convictions compared to other offenders returned to prison. **Table 3** shows the current locations, population as of November 5, 2012, plus current and projected capacity of CBC residential facilities.

**Table 3**  
**CBC Residential Beds – Current and Projected Capacity**

| District | Facility  | Current Population | Current Capacity | Current Percent | Projected Capacity |
|----------|---|--------------------|------------------|-----------------|--------------------|
| 1        | Dubuque Residential                                       | 88                 | 80               | 110.0%          | 80                 |
| 1        | Waterloo Residential                                      | 148                | 150              | 98.7%           | 150                |
| 1        | Waterloo Women's Facility                                 | 0                  | 0                | 0.0%            | 45                 |
| 1        | West Union Residential                                    | 48                 | 48               | 100.0%          | 48                 |
| 2        | Ft. Dodge Residential                                     | 59                 | 60               | 98.3%           | 60                 |
| 2        | Ames Residential  | 44                 | 45               | 97.8%           | 45                 |
| 2        | Marshalltown Residential                                  | 47                 | 51               | 92.2%           | 51                 |
| 2        | Mason City Residential                                    | 44                 | 51               | 86.3%           | 51                 |
| 3        | Sioux City Residential                                    | 55                 | 57               | 96.5%           | 99                 |
| 3        | Sheldon Residential                                       | 28                 | 30               | 93.3%           | 30                 |
| 4        | Council Bluffs Residential                                | 62                 | 71               | 87.3%           | 71                 |
| 4        | Council Bluffs Sex Offender Facil                         | 24                 | 46               | 52.2%           | 46                 |
| 5        | Des Moines Residential/Work Release/Substance Abuse Treat | 248                | 240              | 103.3%          | 240                |
| 5        | Des Moines Womens' Facility                               | 48                 | 48               | 100.0%          | 48                 |
| 6        | Cedar Rapids Residential                                  | 75                 | 83               | 90.4%           | 83                 |
| 6        | Cedar Rapids ANCHOR Center                                | 0                  | 0                | 0.0%            | 26                 |
| 6        | Cedar Rapids Work Release                                 | 108                | 90               | 120.0%          | 90                 |
| 6        | Coralville Residential                                    | 53                 | 55               | 96.4%           | 55                 |
| 7        | Davenport Residential                                     | 65                 | 64               | 101.6%          | 64                 |
| 7        | Davenport Work Release                                    | 82                 | 81               | 101.2%          | 120                |
| 8        | Burlington Residential                                    | 60                 | 60               | 100.0%          | 60                 |
| 8        | Ottumwa Residential                                       | 59                 | 51               | 115.7%          | 76                 |
| Total    |   | 1,445              | 1,461            | 98.9%           | 1,638              |

The Waterloo Women's Facility, Sioux City Residential Facility, Cedar Rapids ANCHOR Center, Davenport Work Release Facility, and Ottumwa Residential Facility do not have operating funds for the new beds.

### Institutions

The nine State prisons are responsible for incarcerating violent offenders and higher-risk individuals and provide the offenders with services essential to reducing risk to the general public upon release or parole. In addition to security, State prisons provide for housing, dietary

services, medical treatment, education and job skills training, behavioral and psychological treatment, and recreational activities.

The State prison system was operating at 113.7% of capacity on November 5, 2012, with 8,197 offenders housed in facilities designed for 7,209 beds. The number of beds does not include those designated for medical/segregation/disciplinary detention needs (655 beds). It does include beds currently not in use because the DOC temporarily closed housing units primarily due to budget constraints (255 beds). **Table 4** shows the housing units closed as of November 2012. Including these closures, the prison system was operating at 117.9% of capacity on November 5, 2012.

**Table 4**  
**Prison Housing Units Closed as of November 2012**

| <u>Facility</u> | <u>Housing Unit</u> | <u>Security Type</u> | <u>Capacity</u> |
|-----------------|---------------------|----------------------|-----------------|
| Anamosa         | Living Unit E       | Medium               | 59              |
| Anamosa         | Living Unit D-B     | Medium               | 60              |
| Clarinda        | Living Unit S-1     | Medium               | 62              |
| Mount Pleasant  | West 2B             | Medium               | 74              |
| <b>Total</b>    |                     |                      | <b>255</b>      |

The prison population has been steadily decreasing over the last year, primarily due to the actions of the [Iowa Board of Parole](#). As **Table 5** shows, while total admissions increased by 3.2% from FY 2011 to FY 2012, the year-end prison population decreased by 5.1%. The two main release options of the Board of Parole are parole and work release. Parole releases increased by 40.0% and work releases increased by 6.5% over the last fiscal year. Parole returns decreased by 10.0% while work release returns to prison increased by 11 offenders.

The [Criminal and Juvenile Justice Planning Division](#) (CJJPD) of the Department of Human Rights provides an annual 10-year prison population forecast. If policies and practices remain the same, the prison population is projected to reach approximately 11,330 offenders by FY 2021 (as forecasted in November 2011).<sup>11</sup> This is an increase of 36.7% compared to the current population. This forecast predates the recent decrease in the prison population. Future forecasts may project a smaller growth rate in the population.

According to the DOC, design capacity of the prison system will be 7,666 beds once construction is completed and operating funds are appropriated for the 457 prison beds currently under construction at Fort Madison and Mitchellville. Based on the current prison population and CJJPD's prison population forecast, the new prison beds will reduce overcrowding but not eliminate it. For example, if the prison population reaches 11,330 offenders by FY 2021, the prison system will be operating at 147.8% of design capacity, including the 457 prison beds. If the prison population stabilizes around 8,200 offenders, the prison system will be operating at 107.0% of design capacity, including the 457 prison beds currently under construction.

<sup>11</sup> See the [Iowa Prison Population Forecast](#) as published by the CJJPD on November 18, 2011, for more detailed information.

**Table 5**  
**Prison Admissions and Releases FY 2006 – FY 2012**

|                               | <u>FY2006</u> | <u>FY2007</u> | <u>FY2008</u> | <u>FY2009</u> | <u>FY2010</u> | <u>FY2011</u> | <u>FY2012</u> | % Change<br>FY 2012<br>vs FY 2011 |
|-------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------------------------|
| New Court Commitments         | 2,118         | 1,962         | 1,800         | 1,607         | 1,952         | 1,948         | 2,093         | 7.40%                             |
| Probation Revocations         | 1,616         | 1,478         | 1,434         | 1,315         | 1,355         | 1,539         | 1,526         | -0.80%                            |
| Parole Returns                | 882           | 888           | 835           | 429           | 390           | 434           | 390           | -10.10%                           |
| Escape Returns                | 6             | 1             | 1             | 0             | 0             | 3             | 0             | -100.00%                          |
| Work Release Returns          | 468           | 473           | 376           | 308           | 389           | 410           | 421           | 2.70%                             |
| OWI Facility Returns          | 85            | 76            | 78            | 87            | 74            | 90            | 91            | 1.10%                             |
| Violator Program Placements   | 477           | 456           | 339           | 270           | 204           |               |               |                                   |
| Special Sentence Returns      |               | 2             | 8             | 22            | 35            | 61            | 68            | 11.50%                            |
| County Jail Holds*            |               |               |               | 317           | 305           | 288           | 326           | 13.20%                            |
| Other Admissions              | 756           | 642           | 867           | 1,136         | 51            | 55            | 67            | 21.80%                            |
| <b>Total Admissions</b>       | <b>6,408</b>  | <b>5,978</b>  | <b>5,738</b>  | <b>5,491</b>  | <b>4,755</b>  | <b>4,828</b>  | <b>4,982</b>  | <b>3.20%</b>                      |
| Release to Work Release       | 1,297         | 1,267         | 1,289         | 1,054         | 1,173         | 1,176         | 1,252         | 6.50%                             |
| Release to OWI Facility       | 210           | 199           | 207           | 196           | 185           | 188           | 169           | -10.10%                           |
| Parole Releases               | 2,285         | 1,765         | 1,651         | 1,320         | 1,334         | 1,446         | 2,024         | 40.00%                            |
| Release to Shock Probation    | 180           | 175           | 161           | 154           | 110           | 106           | 116           | 9.40%                             |
| Violator Program Releases     | 499           | 480           | 384           | 207           | 264           | 38            |               | -100.00%                          |
| Escapes                       | 5             | 1             | 1             | 0             | 0             | 0             | 0             |                                   |
| Expiration of Sentence        | 1,092         | 1,205         | 1,371         | 1,395         | 1,266         | 1,373         | 1,461         | 6.40%                             |
| Release to Special Sentence** |               |               |               | 37            | 45            | 64            | 137           | 114.10%                           |
| County Jail Holds*            |               |               |               |               | 107           | 110           | 119           | 8.20%                             |
| Other Final Discharges        | 36            | 27            | 35            | 42            | 28            | 19            | 16            | -15.80%                           |
| Other Releases                | 723           | 712           | 708           | 1,369         | 94            | 133           | 133           | 0.00%                             |
| <b>Total Releases</b>         | <b>6,327</b>  | <b>5,831</b>  | <b>5,807</b>  | <b>5,774</b>  | <b>4,606</b>  | <b>4,653</b>  | <b>5,427</b>  | <b>16.60%</b>                     |
| Ending Prison Population      | 8,659         | 8,806         | 8,737         | 8,454         | 8,603         | 8,778         | 8,333         | -5.10%                            |

Source: E-1 Reports; Iowa Justice Data Warehouse  
 \*County jail holds include offenders with release statuses are later revoked.  
 \*\*Special sentence releases not collected prior to FY 2009.  
 Parole releases and returns for FY 2006-2008 include placements via county jail contract.

## **ALTERNATIVES**

The General Assembly may wish to consider the following options:

- Do not appropriate funds to operate the CBC residential facility beds. The list of offenders waiting for a residential bed has been steadily decreasing the last six months.
- Appropriate funds for the CBC residential beds based on locations with the longest waiting list for offenders to be released from prison. This would prioritize funding to mitigate prison overcrowding because offenders in prison that have been granted a work release would be sent more quickly to a CBC residential bed, compared to current practice. Based on data provided by the DOC, this would result in the following funding priorities: Sioux City, Ottumwa, Davenport, Waterloo, and Cedar Rapids.
- Appropriate funds to open currently closed housing units in the prison system. This could add 255 beds to the prison system at Anamosa, Clarinda, and Mount Pleasant. However,

official capacity would not change because the beds are currently included in the official count of 7,209 prison beds.

- Open the new prison beds while closing older housing units within the prison system. Existing staff and operating costs may be redirected to the new facilities so that the prison system operates in a more efficient manner. For example, existing staff may be able to supervise more offenders in the new prison facilities, and utility and maintenance costs may be reduced.
- Stagger funding for the new prison beds across multiple fiscal years, to gradually open housing units as employees are trained and offenders are relocated.

### **BUDGET IMPACT**

The DOC indicates the annual operating cost of the 177 CBC residential beds is \$4.8 million, or \$27,130 per bed. This includes \$592,000 in local income from offender fees that will be used for the residential facility operating costs. In comparison, the FY 2012 operating cost per bed was \$25,526, including local income. The estimate for the new beds is \$1,604 (6.2%) more than the FY 2012 cost per bed. The increase is primarily due to additional treatment funding. The beds will be available once employees are trained, and the CBC residential waiting list will be reduced.

The total increase in the appropriation for Fort Madison is estimated to be \$11.8 million, phased in during FY 2014 and FY 2015. This amount includes repurposing the 160-bed Clinical Care Unit (CCU) at Fort Madison to be a Reintegration Unit for high risk, uncooperative offenders, such as predatory sex offenders and gang members. Male offenders across the prison system would be housed in the Reintegration Unit for long term treatment. If their behavior improves they will progress to less restrictive housing units. This option frees up disciplinary detention beds across the prison system to be used for short-term incarceration needs.

The total increase in the appropriation for Mitchellville is estimated to be \$14.5 million, phased in during FY 2014, FY 2015, and FY 2016. This budget includes creating an intake and processing center for the female offenders at Mitchellville so they would no longer be admitted to the prison system at the Iowa Correctional Facility at Oakdale. The estimate also provides gender-responsive treatment for women, to provide interventions that reduce recidivism.<sup>12</sup>

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<sup>12</sup> Refer to the *Issue Review, Women Offenders* published January 3, 2007, for more information on gender-responsive treatment programs for women.