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*Advocates for social justice in Nevada*

## HOW TO REDUCE PRISON POPULATION; AVOID WASTING MILLIONS OF TAXPAYERS DOLLARS; AND DO A MORE EFFECTIVE JOB OF REHABILITATING CRIMINAL OFFENDERS & JUVENILE DELINQUENTS

**PREMISE:** Nevada's Corrections system is in crisis. Reforms are needed at every level. Will Nevada's Lawmakers, Governor, and the People have the Political Will to "take the bull by the horns" and respond to the prison crisis appropriately?

### FACTS:

1. The state and federal prison population grew from 190,000 in 1970 to 1.5 million by 2005—an increase of 700%. At this rate, by 2011, the prison census will be about 1.7 million—or one out of every 178 Americans.
2. The U.S. imprisons significantly more people per capita than any other nation in the world.
3. Total local, state and federal corrections spending jumped from \$9 billion in 1980 to \$61 billion by 2003, with a staggering \$27.5 million increase expected by 2011.
4. Every dollar spent on prisons is one dollar less to spend on education and health care. Yet it is lack of education and health care that leads children into a life of crime eventually.<sup>1</sup>
5. The U.S. uses the longest average sentences in the so-called industrialized world, but it has the highest recidivism rate known, i.e., 67.5%- 75%.<sup>2</sup>
6. The U.S. has the highest measured rate of drug abuse in the industrialized world.

### PROPOSITION:

Our priorities and values are upside down and backwards.

Our methods of trying to deal with the challenges of crime and drug abuse are ineffective and/or counterproductive, and hugely costly. It is time to try other methods of dealing with these crises.

## REFORMS NEEDED

### I. SENTENCING

A. Legislature withdraws mandatory sentences; gives judges back judicial discretion

<sup>1</sup> Jennifer Harper, "Prison Costs Spiral Upward as More Are Incarcerated," The Washington Times, Feb. 15, 2007, and Sourcebook of Criminal Justice Statistics 2003, Table 1.11

<sup>2</sup> Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs, Washington DC, June 2002, and Department of Justice 1994 study.

- B. Shorten sentences in general to no more than three years except for violence, habitual violence and sex offenders
- C. Numerous studies show that the longer the sentence served, the less reform occurs, and prisoners come out more violent, more apt to recidivate, and the next crime is apt to be more violent than the last. In other words, long sentences are counterproductive for society as well as the offender.<sup>3</sup>

**“Many experts agree that laws, sentencing practices and release policies have even greater impact on prison populations than do demographics or crime statistics.”<sup>4</sup>**

**“Sentencing practices are critical factors in prison and jail overcrowding.”<sup>5</sup>**

## **II. ALTERNATIVE SENTENCING, COMMUNITY-BASED TREATMENT PROGRAMS<sup>6</sup>**

- A. **Emphasize treatment programs in community, similar to drug and mental health court sentencing; treatment for drug and alcohol addicts**<sup>7</sup>
  - 1. 85-90% of inmates have drug &/or alcohol addiction problems, as basis of their criminal history
  - 2. Tough, effective treatment programs last no more than 18-24 months
  - 3. Treatment programs on average cost about 10% of what institutional incarceration costs per year
  - 4. Prison incarceration has a failure rate (recidivism) or about 65-75%; a rate that would put any business out of business, yet we tolerate this
  - 5. Community treatment programs usually have a failure rate of 18%-30%
- B. **Sex offender category includes everything from urinating in public, to rape, to child molestation to online pornographers, who are often pedophiles.** The Public, Legislature and the Media usually makes mistake of throwing all sex-offenders into one category in their minds. The mistake is to think that one treatment fits all.
  - 1. Same principles of treatment may apply to minor sex offenders
  - 2. Major sex offenders – rape and child molestation can be sentenced to prison first, but public safety would be hugely served if they were mandated to finish sentence in community-based treatment programs for 6-12 months; state paid for this first stage
    - a. Would provide treatment from sex offender treatment specialists
    - b. Provide tracking, job placement, integration into appropriate community placements, such as churches
  - 3. Save State cost of housing and treating them in second stage, where they work, participate in community activities, remain under partial treatment at their expense

<sup>3</sup> Bruce Cory & Stephen Gettinger, Time to Build? The Realities of Prison Construction, Edna McConnel Clark Foundation, Program for Justice, Kenneth Schoen, Director, Stephen Kelban, Program Associate. Pp. 37-40.

<sup>4</sup> Ibid., p. 29

<sup>5</sup> Ibid., p. 37

<sup>6</sup> “Community Supervision: Overview of Community Corrections,” Florida Department of Corrections, Statistics & Publications, pp. 85-121, 1998-99 Annual Report; and “Creating A New State-Local Corrections Partnership,” Task Force on California Prison Crowding, National Council of Crime and Delinquency, pp 12-14.

<sup>7</sup> Trevor J. Lloyd, M.S., “Evidence Based Research for Substance Abuse Offenders Using The American Community Corrections Institute’s Adult Cognitive Life Skills Substance Abuses Home Study (ACLSA/HS) Workbook in Collaboration with Box Elder County Justice Court, Brigham City, Utah, Honorable Kevin L. Christensen, Presiding.

**4. Two major categories of “child molesters” or child sex abusers**

**a. Pedophiles – profile – lifelong adult habit – not treatable**

- 1) Usually male, often married, often a known “likable” people in community
- 2) Prefer one gender exclusively, usually boys; pick boys who lack sufficient attention at home; feel left-out, neglected
- 3) “Groom” the child over time, become their “friend,” often gain the approval of the parents; slow build-up to ultimate victimizing relationship
- 4) Often work in careers that put them in touch with children of their preferred age range, such a coach, scout leader, teacher
- 5) Prefer children of a narrow age range, such as 5-7, 8-10, etc.
- 6) When child outgrows that age range, they move the child out of the sexual relationship, but keep in touch as friend
- 7) Police find at the pedophiles home: file cabinets of the victims which often amount to hundreds over pedophile’s career
- 8) Files contain names, pictures, preferences, whether child was “handed on” to other pedophiles, info put on internet, etc.
- 9) Sometimes pictures of children are even found in walls in family living areas
- 10) Children who “graduate” from being a pedophile’s victim often grow up to become pedophiles themselves
- 11) The pedophile and grown-up victim often stay in touch as “friends”

**b. Molesters, usually Family members = Incest – profile – often a crime of opportunity**

- 1) Incest includes fathers, step-fathers, grandfathers, mother’s boyfriend, uncles, cousins, or any male authority figure who has an intimate role and acceptance in family and is an authority figure for the child. Perpetrators are male in over 94% of incest cases.
- 2) Usually the male has regressed in behavior due to some negative circumstance in his life, such as becoming unemployed when his self-image is based on his ability to provide for the family; being a failure at something in life; poor at relationships with people his own age; feelings of insecurity or “being a loser”
- 3) Number of victims is usually limited to family members or child of close family friends; always a person in role of authority over the child in some sense
- 4) Most molesters victimize girls, but some victimize both boys and girls, and a very few victimize only boys
- 5) Some father molesters choose only one girl, sometimes several daughters, or all; some cases of uncles molesting all the nieces at family gatherings, in which case he is usually a figure of stature in the community, like a religious leader
- 6) Victimizer favors child victim among others in family, but threatens child not to reveal their “special” relationship or there will be dire consequences; victim feels responsible
- 7) Victimization usually ends when the child grows old enough to realize that this is not a normal relationship, and wants out; sometimes it takes longer for the girl to feel strong enough to say no and mean it; is sometimes the cause for girls to run away from home.

**8) Two types of mothers of molested daughters**

- a) Most mothers are poorly educated, have low self-esteem, can only work at lowest paid jobs; will allow her husband or boyfriend to molest daughter as a trade-off for the man to stick around and provide for the family; this may be conscious or unconscious decision on her part; when daughter goes to mother for help and protection, the mother does not believe daughter and does not end the victimization
- b) A few mothers are well-educated, professionals, have no idea about what is going on; when she finds out, she is devastated that this has happened to her daughter and that she has not protected her; takes immediate steps to end the relationship with the molester, has him removed from home, prosecuted.<sup>8</sup>

**Recommendation for Sentencing Sex Offenders:**

- 1. Prison time for all rapists; treatment mandated in and outside prison; mandate residential treatment in community for minimum of 6-12 months after release from prison
- 2. Prison time for all child abusers, both pedophiles and molesters
  - a. Life sentence for pedophiles without possibility of parole; they are untreatable and victimize hundreds of children
  - b. Individualized sentencing for molester depending on number of victims, length of time victimizing children, and based on sound psychological work-ups by true professional Ph.D. level psychologists and/or psychiatrists; psychometric testing required. All testing and evaluation done by community professionals, not caseworkers or probation officers in the system. Some molesters are more treatable than others and can be okay in the community, with supervision.<sup>9</sup>
  - c. Prison time required, plus minimum five years probation with high level of supervision. Will need life-long supervision on at least the lowest level of supervision.
  - d. Professionally treated child molesters may have a recidivism rate as low as 12.7% while treated rapists may have a recidivism rate at low as 18.9%. Pedophiles have recidivism rate close to 100%.<sup>10</sup>
- 3. The crimes by serious offenders do not stop because they get older. They can continue the offences until they die, and some do. Studies in Denmark where castration was mandated, or a choice, for sex offenders, showed that castration did not stop the urges or the offences. It is a state of mind and emotion, not of body. In some cases it's a "power over" drive, to dominate and hurt someone weaker than them.

<sup>8</sup> From my own career as a Criminologist, Victims' Rights Advocate, Professor and Presenter of a week-long seminars, given twice a year at University level for credit, about victimization and the offenders, along with other presenters from the community including Psychologists, Social Workers, Police, Prosecutors, Judges, the Victims themselves; represents accumulation of hands-on knowledge from multi-disciplinary perspective, including the victims.

<sup>9</sup> Dr. Frans Gieles, "Abut Recidivism," A Meta-Analysis. And "Predicting Relapse: A meta-analysis of Sexual Offender Recidivism Studies," by R. Karl Hanson and Monique T. Bussiere, Department of the Solicitor General of Canada in Journal of Consulting and Clinical Psychology, 1998, Vol. 66, No. 2, pp. 348-362

<sup>10</sup> Tim Bynum, Ph.D. et al., Michigan State, School of Criminal Justice, and Center for Sex Offender Management, "Recidivism of Sex Offenders, May, 2001, Meta-Analysis Studies of 61 Studies., U.S. Department of Justice

4. Milder forms of sex offenders can be released into community, with P&P supervision, and community structures available to help keep them constructively active and under informal observation.<sup>11</sup>

**C. WE IN THE UNITED STATES ARE SENTENCING PEOPLE WITH MENTAL HEALTH DEFICIT DISORDERS TO PRISON INSTEAD OF CARING FOR THEM APPROPRIATELY IN THE COMMUNITY. IT IS A TRAVESTY AND TOTALLY INAPPROPRIATE. IT IS AN INDICTMENT OF OUR SOCIETY THAT WE ARE SO UNWISE, SO UNCARING AND SO DISMISSIVE OF ANYONE WHO IS FOUND NOT TO MEASURE UP TO WHAT IS PERCEIVED TO BE "AVERAGE." WE HAVE LONG BEEN KNOWN IN EUROPE, ASIA AND AFRICA AS A NATION WHO INSTITUTIONALIZES EVERYONE WHO IS NOT YOUNG, FIT AND "NORMAL." THEY ARE HORRIFIED THAT WE PUT OUR OLD PEOPLE IN A VARIETY OF INSTITUTIONS THAT ARE OUT OF SIGHT, OUT OF MIND; WHERE SOMEONE ELSE WILL CARE FOR OUR FAMILY MEMBERS THAT WE DON'T WANT TO BE BOGGED DOWN WITH IN OUR BUSY LIVES. THE WAY WE TREAT PEOPLE WITH MENTAL HEALTH DISABILITIES IS JUST ONE MORE EXAMPLE OF THIS SELFISH SYNDROME. THEY END UP IN PRISON WHEN THEY SHOULD BE IN COMMUNITY TREATMENT OR ASSISTED LIVING SITUATIONS.**

**"The Bureau of Justice Statistics reports that 56 percent of state prisoners, 45 percent of federal prisoners and 64 percent of local jail inmates have a mental illness." "Approximately 50 percent of people with serious mental illness have a co-occurring substance use disorder."<sup>12</sup>**

- D. Sentencing most or all non-violent, non sex-offenders to Community Treatment Programs would reduce the current prison population significantly, end the supposed need to build new prison buildings, which cost billions of dollars; and save the tax-payers millions and millions of dollars both in the short and the long-run. State would have to fund most of the treatment centers, but it would still be a huge savings over the warehousing of prisoners 24 hours a day, for sentences so long that they are counter-productive in changing behavior of the prisoners. Sentences longer than three years for non-violent, non-sex-offenders become counterproductive. Treatment of the underlying issues is what stops the recidivism recycling syndrome. That is most effectively done in small, specialized, community treatment programs, which cost a fraction of what warehousing in large, 24 hour prisons costs.<sup>13</sup>**
- E. Youth under age 18 should not be sentenced as adults and sent to the adult prison system, unless absolutely necessary, as the long term damage to them, their families, and society, is far more costly to everyone.<sup>14</sup>**

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<sup>11</sup> Ibid.

<sup>12</sup> "Coordinated State Leadership for Better Mental Health," funded by the John D. and Catherine T. MacArthur Foundation, National Conference of State Legislatures. 2007

<sup>13</sup> "Creating a New State/Local Corrections Partnership," Task Force on California Prison Crowding, National Council on Crime and Delinquency, August, 2006, p. 10

<sup>14</sup> Christopher Hartney, "Youth Under Age 18 in the Adult Criminal Justice System", Fact Sheet on View from the National Council on Crime and Delinquency, Oakland, CA, June 2006, 6 pages.

### **III. SENTENCING TRACKS RECOMMENDED:**

- A. Highest level track:** Long-term (more than three years), High Custody institutions & Hard Time. For repeat offenders of serious violent crimes (not including non-violent, drug based offences); Murder; Sex offenders; Crimes that have caused serious damage to individuals, businesses, institutions, community agencies. Less freedom and hard work mandated. With good behavior, this can be reduced over time to decreasing levels of security, more participation in programming, privilege of paying jobs on the yards.
- B. Mid-level track:** Prison sentences no longer than three years unless there is violence and/or drug abuse in prison and/or Alternative Community-based Treatment Program. For Non-violent crimes due to addictions; vandals, etc. Preferred community treatment programs unless offender is a third time repeater.
- C. Lowest level track:** No prison time; only Community Treatment programs. For:
  - 1. Drug addicts and alcoholics
  - 2. Mentally impaired people including people diagnosed with: ADHD, Learning Disabilities, Fetal Alcohol Syndrome (FAS), Bi-polar, Mentally retarded, brain damage for whatever reasons  
This category should be provided residential programs with assisted living, including guided activities, protected working places, etc. They will never be "normal" and need some help in making it and staying out of prison, which becomes their default place to end up when not provided assistance in the community. This would still save the State money because assisted living situations cost about one tenth of what prison costs per year.<sup>15</sup>
- D.** Women offenders are being sentenced inappropriately. We do not need more prisons for women, we need more community-based treatment programs in the communities from which they come, and where they can keep contact with their children.<sup>16</sup>

### **IV. PRISON PROGRAMMING**

Return to philosophy of emphasizing programming, treatment, rewards & discipline of prisoners in preparation for the 97% who will be released to the community eventually

- A.** Increase meritorious credit for those participating in self-improvement programs, including literacy classes, high school education, college education, life skills classes, sex offender treatment programs, drug & alcohol treatment programs, Alternatives to Violence program, etc.
- B.** Prepare prisoners for re-entry into community; mandate Parole Board to recognize those prisoners who have done an exceptional job at self-improvement, self-control and responsibility. Shorten those sentences, save the State money! Give people who have tried hard a chance.

### **V. PAROLE BOARD**

Out of control; ineffective; needs to be completely redesigned

- A.** Rewrite laws that establish the Parole Board and give it its mission
- B.** Make Parole Board accountable to the Governor and the Pardons Board; right now it is accountable to no one
- C.** Create professional qualifications for appointment to the Parole Board

<sup>15</sup> "The Need for a California Sentencing Policy Commission," Task Force on California Prison Crowding, National Council on Crime and Delinquency, August 2006, p. 12.

<sup>16</sup> "Reducing Women's Imprisonment in California: A Blueprint of Reform," Task Force on California Prison Crowding, National Council on Crime and Delinquency, August 2006, p. 3.



- D. Limit of two terms; no exceptions – it should not be an unmandated career, but a public service by well meaning, well-trained professionals
- E. Parole Board members should be removable by the Governor, a majority vote of the Pardons Board, or a majority vote of both the Senate and Assembly members based on complaints from the public
- F. Re-write the mission of the Parole Board to serve the public's best interest, as well as the inmates who have programmed thoroughly and changed their way of life inside the prisons; adopt professionally based national standards and protocols to evaluate prisoners petitioning for parole to eliminate personal bias and/or ignorance
- G. Mandate on-going professional training for all Parole Board members
- H. Evaluate Parole Board performance every three years based on results of decisions and money it saves the state by making good decisions as to who is a good bet to parole and who is not. Accountability must be built into the system.
- I. Parole Board meetings should be taped in entirety and made available to the public upon request.
- J. All Parole Board meetings should be open to the public; prisoners in question should always appear at the hearings and be allowed to speak and answer questions. Public may purchase a copy of the tapes of the hearings. Sunshine laws should always apply.<sup>17</sup>

## **VI. PAROLE PRACTICES**

- A. Parole all inmates who have high level of programming, including formal education, life skills classes, working, attending religious service of their choice, working for charities (which is done in prison) and in general, handling responsibilities well
- B. Parole all such good candidates no longer than three years after beginning sentence who began as Mid-Level trackers.
- C. Parole all inmates within 30 days once they have received their Mandatory Parole Date. Now they are being kept for months afterwards.
- D. Inmates who began as High-Level trackers, who had their custody level reduced due to good behavior, shall be considered for Parole between 5-10 years, depending on their original crime, number of priors, and assessment of personal behavior and trustworthiness, by the Caseworkers and Classification committees and the Psychological evaluation done in each prison who has dealt with the offender under consideration. Some prisoners may be sent for outside evaluation, including psychometric testing
- E. Inmates who have received a Pardon by the Pardons Committee, which includes the Governor, Attorney General, and the Justices of the Nevada Supreme Court, shall be released no later than 30 days from being pardoned so that paper work can be completed and required blood tests and processing may occur. A Pardon is a Pardon.
  - 1. The Parole Board should not be more powerful than the Pardons Board. There is no comparison in Constitutional responsibility between the two Boards.
  - 2. The Pardons Board is higher than the Parole Board, and should supervise its ultimate decisions. The Parole Board should be accountable to the Pardons Board and the Governor.
  - 3. Some extreme injustices have been done by the Parole Board keeping inmates who have been pardoned for years after they received their pardons. It is unjust, inappropriate and costs the State unnecessary loss of revenue by continuing to support prisoners that should have been released.
- F. Adopt Evidence-Based Assessment and Supervision Practices<sup>18</sup>

<sup>17</sup> Comments from concerned citizens, both those involved with victims and prisoners, but also those who just want to see a fair and just system put in place.

<sup>18</sup> "Task Force on California Prison Crowding," The California Parole System: Improving Supervision and Public Safety,



- G. All Parole hearings should follow Open Meetings rules, be open to public, especially both victims and offenders and their respective advocates. Meetings should be recorded and transcripts and videos should be available to concerned members for minimal fee.**

## **VII. CORRECTIONS CIVILIAN STAFF REORGANIZATION & DEFINITION**

### **A. CASEWORKER position**

**Unsatisfactory, needs to be redefined with new qualifications and duties**

- 1. Current Caseworkers are not required to have any college education, only High School Diploma. This is no better than prisoners' level of education in many cases**
- 2. Current Caseworker job description does not require them to assist inmates who are preparing for parole, in helping them find an appropriate placement to parole to. Many prisoners need to find a halfway house with treatment, or house approved by the Parole Board.**
  - a. Not enough community treatment centers, halfway houses, or just plain approved houses exist for parolees to go to upon release**
  - b. Caseworkers are not mandated to help them find an appropriate place to parole to.**
  - c. Some inmates are eligible to go live with family or friends they know in the community who are willing to accept them, but very few**
  - d. There is no acceptable place according to the Parole Board and present community understanding for Level 3 Sex Offenders to go to, yet they do receive parole; a catch twenty-two**
- 3. Caseworker job description should emphasize helping inmates prepare for return to the community, including helping them find a placement in community when they are ready for parole; not be confined to being paper pushers as they are now.**
- 4. Caseworkers should have a caseload according to recommended national standards and be paid accordingly**
- 5. CONCLUSION:**
  - a. The State needs to fund at least one Community Sex Offender Treatment Residential Program in both Northwest Nevada and Clark County. It is the only thing that makes sense. Make it a 6-12 month transitional program with treatment, observation, working, with inmates helping to pay their upkeep costs. Help them get ready to transition to the community, which they will do under some circumstance, no matter what. We need to be smart about this as Legislators, community leaders, and average citizens.**
  - b. Caseworker job requirements should include at least a BA in Social Work, Psychology, Social Science, or some Social Science major that will give them some skills and knowledge about what factors create certain human behaviors, why individuals act differently in crowds than they do as individuals, the influence of early childhood traumas, including abuse, neglect and sexual abuse; what leads people to addictive behavior—both physical and emotionally based addictions.**
  - c. Caseworkers should be trained to recognize the signs and symptoms of people who suffer from ADHD, Learning Disabilities, Bi-Polar Disease; Fetal Alcohol Syndrome (FAS), and others. People with these mental deficit**

behaviors are found way above the national norm inside of prisons. They do not belong in prisons. They belong in Community Treatment Programs if they have committed a crime; and in Assisted Living Programs if they have not. Most caseworkers are not trained in recognizing or dealing with, people with Mental Health Deficit Disorders.

- d. Not only Caseworkers need such training, but so does everyone who sits on a Classification Committee inside a prison, and also all Parole Board members. Caseworkers could be used to help train Correctional Officers in the minimal skills to recognize behaviors that come from having one or more of these Mental Health Deficit disorders so that they will know how to deal with them appropriately instead of getting angry with them for mistakenly thinking that these prisoners are deliberately disobeying orders and choosing to be difficult to deal with.
- e. The focus inside prisons and by the parole board should be on assisting inmates to make a successful reentry into the community.<sup>19</sup>
- f. If we added up all those in prison who come under this category of prisoners with Mental Health Deficit Disorders of various kinds, and pulled them out of prison immediately and set them up in an appropriate community residential situation, there would be several very important results within 12-24 months.
  - 1) The prison population would probably decrease by a good 30%!
  - 2) We would begin to treat such individuals with humanity and compassion and could work ourselves out of the shame as a nation that we have incurred upon ourselves for doing this.
  - 3) The State and the taxpayers would immediately benefit from saving millions of dollars now thrown away in the Corrections system, after the initial cost of setting up residential community programs all over the state, of different varieties, to meet the needs of the various categories of people now in the Corrections system that don't belong there. Then the families and friends of these individuals could pitch in and help with the care of these individuals, if they have any family left to help them.
  - 4) Crime would decrease and the real criminals would remain locked up. Those with Mental Health Deficits usually end up in prison because they have not received appropriate understanding of their condition, or the appropriate assistance needed to survive in the community, either from their families, schools, or churches. They dropped out of acceptable society when they were not accepted because of their seemingly "strange" or "uncontrollable" or unusual behavior and both they and their surrounding community decided that they were failures. They needed to survive somehow, so they committed

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<sup>19</sup> Barry Krisberg, Ph.D. "Reengineering Reentry," National Council on Crime and Delinquency, Oakland, CA, and "NCCD Task Force Offers Help to Lawmakers to Relieve Prison Crowding," August 2006.

enough crimes to end up in jail or prison, because they didn't know how to do anything else.

## **B. CHAPLAINS**

The national standard for Chaplains paid by the Corrections system is for one Chaplain for every 500 inmates.<sup>20</sup> Nevada Chaplains server between 1500-3000+ inmates, plus staff, volunteers and families of inmates.

1. Currently there are nine prisons in Nevada that have a population of more than 500 in each. Most have populations over 1,000 and the populations are growing
2. The prisons at Lovelock, Ely, two prisons at Indian Springs, Jean and the Women's prison in North Las Vegas each has one Chaplain to take care of that prison over 1,000 population and one prison camp each
3. However, there is one Chaplain for the three prisons in Carson City, and she has three prison camps she is supposed to be responsible for as well.
4. Besides the iniquity of the work load, the prisons are not being adequately served. It is best to have one full-time Chaplain in-house at each prison to have consistency in working with prisoners, staff, volunteers, families
5. Some may think of having Chaplains at prisons is a luxury and this situation can be ignored. It is, in fact, a federal requirement. And we are not meeting national standards.
6. With such a high percentage of people in prison in Nevada, everyone knows at least one family or person that has a loved one in prison, whether you know it or not. Every church congregation has a person who has a family member in prison. Those who have family members in prison want the humanity and compassion there that is brought by Chaplains, to help and assist those prisoners who want to change, who are in crisis, who have a family death to deal with, or a family member seriously ill or going into life-threatening surgery.
7. For the first-time inmates coming into prison, in shock and disbelief, adjusting to a harsh world, the Chaplains and their ministry, the reading materials they can provide and the counseling, can be a lifeline of hope and something to hang on to.
8. Chaplains also assist family members on the outside to get message to the inmates about important family health issues, or other important changes that the inmate needs to be made aware of.
9. Chaplains often can act as an ombudsperson to see that the prisoners receive their rights to practice their own religion, as long as it is a recognized religion and the prisoners are not misusing the right to try to get extra privileges or as a means to bring in contraband. They can be a source of communication and information for the staff about what is legitimate practice with each religion, and help resolve issues that arise between prisoners and staff.
10. The full-time, fully qualified Chaplains could be assisted by a new position designated as Assistant Chaplain, which could be either a full-time or part-time position. Qualifications for such positions should include at least a two-year college degree and at least three years of service at one or more recognized churches or faith groups doing significant volunteer work as a counselor, teacher, preacher, community outreach person, etc. They would need written confirmation of this by ordained ministers that they served with. At least three years as a prison volunteer would also be required. This would be true not only for Christians, but Muslims, Jews, Buddhists, etc., as we have all the main world religions represented in our prison populations. The Assistant Chaplains would be under

<sup>20</sup> American Correctional Association, Prison Staff recommendations

the supervision of, and be assistants to, the full Chaplains that they serve with at their designated prison. This would help relieve some of the job stress and overstretching of the current full-time, fully qualified Chaplains and would help us get closer to meeting national standards and to serve the spiritual needs of the inmates.

**CONCLUSION:** The Legislature needs to fund at least two more Chaplaincy positions for Carson City prisons so that at least every prison over 500 population will have its own Chaplain to serve there, including one prison camp, full-time. It would be wise to create the position of Assistant Chaplain as well.

## **VIII. PRISON COSTS VS. COMMUNITY-BASED PROGRAMS**

### **True Costs of Prison:**

- A. Hidden Construction costs:** Include Architects' fees, land preparation, construction costs, change order fees, supervision, financing and amortization of loan fees, equipment, overrun costs, supervision, agency fees, equipment, insurance.
- B. Hidden Operating Costs:** per diem costs are only the beginning.
  - 1. According to standard accounting practice, operating costs would include not only staff salaries, but fringe benefits including sick leave, retirement, services obtained from other state agencies; grants; medical services provided by hospitals and physicians outside the system; drug treatment programs funded by grants or money outside the system
  - 2. Accounting audits of other state corrections' systems showed that actual operating costs were 23%-33% higher than what the Corrections Departments reported to their Legislatures and the public.<sup>21</sup>
- C. Other costs:** land, putting offender's families on welfare, legal services, social costs of effect of prisons on society (often receptors of race and class bias, or psychological degradation and dehumanization, dishonor society); for majority of offenders, prisons do not deter them from crime or rehabilitate them

## **IX. RESULTS THIS PLAN WOULD BRING:**

- A. Save taxpayers millions and billions of dollars on a futile project**
- B. Decreased prison population immediately upon removal of prisoners with Mental Health Deficit Disorders = 30%<sup>22</sup>**
- C. Decreased prison population due to rewriting of sentencing laws = 15%**

<sup>21</sup> "Time to Build? The Realities of Prison Construction," prepared by Edna McConnel Clark Foundation under Programs for Justice, Kenneth Schoen, Director, Stephen Kellsin, Program Associate; Writers: Bruce Cory and Stephen Gettinger.

<sup>22</sup> Coordinated State Leadership for Better Mental Health Funded by the John D. and Catherine T. Macarthur Foundation, National Conference of State Legislatures, Washington D.C. 20001, c. 2007

- D. Decreased prison population due to Parole Board reform = 5%
- E. Some of these categories overlap, so it would not be a sum total of the above.
- F. Improved recidivism rate from 75% failure rate to approximately 15-30% for those removed from prisons and placed in community residential treatment centers, half-way houses, etc., depending on the specific needs of the individuals.
- G. Savings of millions and billions of dollars over time.
  - 1. No need to build new prisons
  - 2. Shorter sentences
  - 3. Fewer people recycling through the Criminal Justice system because they are being appropriately dealt with instead
  - 4. Improved responsibility, communication and interaction between the community and the Corrections system.
  - 5. With healthier families and more community responsibility, less rejection of those with problems and deficits, there would be a decrease in the drive of society's "rejects" to become drug addicts. That alone would make the community healthier and reduce crime.
  - 6. There would be fewer people being sent to prison, and less recidivism.

**PRISONERS ARE A RESULT OF WHAT GOES ON IN THE COMMUNITY. THE COMMUNITY NEEDS TO STOP REJECTING ITS OWN RESPONSIBILITY AND START DOING MORE TO HELP TROUBLED FAMILIES, ABUSED CHILDREN, AND THOSE WITH MENTAL HEALTH DEFICITS AND TREAT ALL AS HUMAN BEINGS, WITH COMPASSION AND DIGNITY.**

As one official of the North Carolina Department of Corrections recently said at a Conference on "Prison, Family & Re-Entry Ministries," in December, 2006:

*"Every inmate came out of a community and every inmate will go back to a community. Community partners are needed. We need partners from all sectors of the community: public, private, non-profit, profit, faith-based and non-criminal justice sectors of government."*<sup>23</sup>

**COMMUNITY AND LEGISLATIVE EDUCATION WOULD BE REQUIRED TO UNDERSTAND THE PROS AND CONS OF THIS PRESENTATION, AND TO UNDERSTAND THAT 24 HOUR LOCK-UP INSTITUTIONS ARE NOT ONLY TEN TIMES MORE COSTLY TO THE PUBLIC THAN COMMUNITY BASED PROGRAMS, THEY ARE 65% LESS EFFECTIVE IN PREPARING PEOPLE TO BECOME RESPONSIBLE, HEALTHY, WORKING, TAX-PAYING CITIZENS. THE CORRECTIONAL SYSTEM IN THE UNITED STATES IS A STUDY IN MADNESS. WHY DOES THE PUBLIC CONTINUE TO WILLINGLY THROW BILLIONS OF DOLLARS AT THE SAME OLD THING WHEN IT DOESN'T WORK? THE DEFINITION OF MADNESS IS "TO KEEP ON DOING THE SAME THING AND EXPECT A DIFFERENT RESULT." WHAT KIND OF NATION DOES THAT MAKE US?**

*By the Rev. Dr. Jane Foraker-Thompson,*

*Presenting as a private citizen. A former Criminologist of 24 years experience; part of that spent in the fields of CJ, and 13 years as a Criminal Justice professor, teaching and doing research in the fields of Police, Juvenile Justice, Corrections, Community Corrections, Victims of Crime, Criminal Law, Constitutional Law, Sentencing and Social Justice; did on-sight investigations of the corrections systems for a summer for both the Netherlands and Canada, and visited prisons in Germany and South Africa; has done comparative research on an international level on Correctional systems and visited US State and Federal prisons extensively; has been associated with the Corrections systems of the United States since 1971. Noted in Who's Who in Criminal Justice, Who's Who in the West, Who's Who Among Community Leaders, Cambridge Who's Who.*

<sup>23</sup> Mr. Lander Corpening, Program Services Coordinator for Western Region, North Carolina Department of Corrections, at "Prison, Family and Transitioning Out Ministries Conference, Dec. 1-3, 2006, Kanuga Conference Center, Hendersonville, NV.