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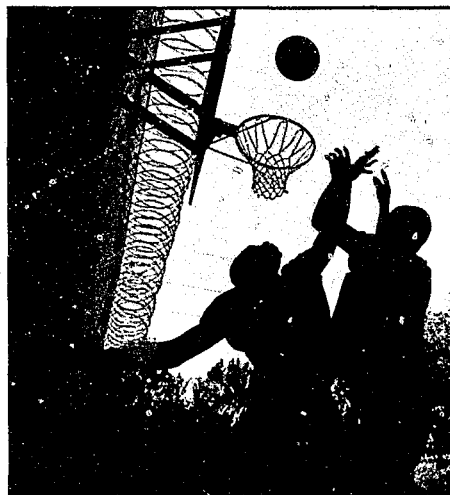
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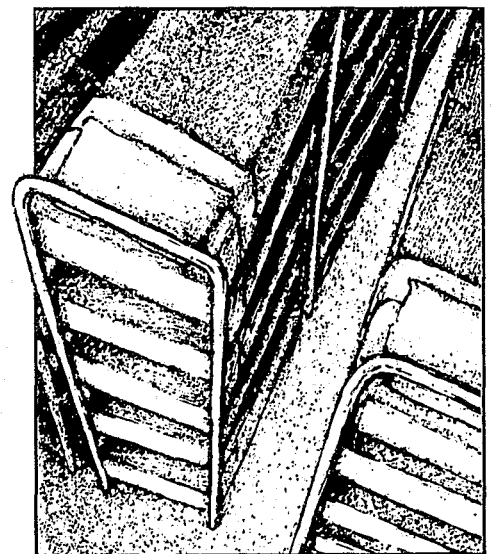
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Relieving Subpopulation Pressures

The Bureau of Prisons' use of private correctional facilities

Matthew J. Bronick

Privatization in corrections has received a good deal of attention recently due to the marketing and use of private prisons. Many reports and articles have been written on the advantages and disadvantages—legal, financial, and operational—of private prisons. This article relates the Federal Bureau of Prisons' (BOP) experience in contracting with various providers to house specific subpopulations in private facilities.

One proposed advantage of private prisons is their ability to relieve overcrowding (Logan and Rausch, 1985). Private providers allow correctional agencies to lease space to house offenders without the long-term commitment of building new facilities (Logan, 1989a). This option is especially appealing should the pressures of overcrowding one day subside, but recent experience and population projections indicate that this will not happen in the near future. Whether space would be leased or purchased, evidence indicates that private prisons can be built and become operational in less time than public prisons (see e.g., Grant and Bast, 1987; Logan and Rausch, 1985).

A second proposed advantage of private prisons is their potential to care for certain subpopulations of offenders (McConville, 1987); for example, nonambulatory offenders with special needs such as the mentally ill, physically limited, or handicapped. Other examples include subpopulations that do not require stringent security, or need to be near the court or community. The overwhelming majority of all secure private facilities house subpopulations such as juveniles, prerelease inmates, jail detainees, immigration detainees, and parole violators (Logan, 1989b).



Web Bryant

The extent of contracting

While private detention facilities are a phenomenon of the 1980's, privately operated juvenile facilities and private nonsecure, community-based residential correctional facilities for adults have existed for a much longer period. The BOP contracts with almost 700 State, county, and city agencies and private providers to house prerelease inmates, inmates with short sentences, long-term

boarders, and juveniles. There are more than 6,000 inmates in these contract facilities—about 11 percent of the Bureau of Prisons' total population.

Since the early 1960's, the Bureau of Prisons has been placing adult inmates who are within a few months of their release in community halfway houses to allow them to secure viable postrelease

employment and residence and to facilitate their gradual transition back into the community. Due partly to reorganization and partly to the new Federal sentencing guidelines, which are increasing the number of convicted offenders with short sentences, the mission of halfway houses under Federal contracts has changed slightly. Centers are still used primarily for prerelease purposes, but also to house offenders with community-based needs (as stipulated by the court).

At just over 100, the number of juveniles in the BOP hardly warrants a cost-effective institution for this particular subpopulation. This is especially true given that placement close to home is an important consideration. Because juvenile offenders cannot be housed with adults, contracting provides the ability to place juveniles in facilities near their home, family, or release residence. From a therapeutic viewpoint, the option to contract is more appealing than, for example, housing all juveniles in an isolated unit at a Federal facility.

The table at right displays information on the number of contract facilities and number of inmates in these facilities by type of agency or contract provider and type of facility. Adult detention centers are primarily local jail facilities. Adult long-term boarding facilities are primarily correctional institutions for sentenced offenders. Community correctional centers (CCC's) are nonsecure, community-based facilities used to house mostly short-term inmates, inmates nearing release, and probationers requiring guidance and support services beyond those provided through regular supervision. Most contracts are with counties for adult detention center space and with private CCC's. The overwhelming

Number of contract facilities (and number of inmates) by type of agency

	Community correctional center	Adult long-term boarding	Adult detention center	Juvenile	Total
Private	210 (3,280)	0 (0)	1 (3)	11 (58)	222 (3,341)
State	33 (75)	34 (537)	13 (43)	22 (37)	102 (692)
County	58 (140)	2 (521)	258 (907)	3 (21)	321 (1,589)
City	3 (1)	2 (564)	26 (90)	0 (0)	31 (655)
Total*	304 (3,496)	38 (1,622)	298 (1,043)	36 (116)	676 (6,277)

*Note: Five special District of Columbia contracts holding 69 inmates are not calculated in this total.



Photos: Corrections Corporation of America

majority of private contracts (95%) are for space in community correctional centers. The total number of private contracts (222 or 33%) is second to the total number of county contracts (321 or 47%). However, the number of inmates placed with private contractors outweighs the number placed in State, county, and city facilities.

Of all inmates in contract facilities, half (3,280 or 52%) are in privately operated CCC's. Private contractors hold half the juveniles as well as almost two-thirds of the total number of adults in contract facilities. The total number of inmates in private hands is greater than it appears in the table. One of the city contracts (Eden, Texas) and one of the county contracts (Reeves County, Texas) are actually for facilities that are subcontracted to private providers. Between them, they add 622 adult inmates to the total in adult-term boarding facilities; this raises to 63 percent the proportion of all contractually confined inmates who are in privately operated facilities.

Looking just at direct private contracts, 98 percent (3,280) of the 3,341 inmates involved are in CCC's and 2 percent (58) are in juvenile facilities. Counting the

622 inmates in Reeves County and Eden Texas, however, changes the distribution. Of the 3,963 inmates held in a privately operated facility, whether by direct contract or subcontract, 83 percent are in CCC's, 15 percent in adult long-term boarding, and 2 percent in juvenile facilities.

Previous private secure facility contracts

Hidden Valley Ranch

In April 1983, the BOP contracted with Eclectic Communications, Inc., for space at the Hidden Valley Ranch facility in La Honda, California, to house older, more sophisticated juvenile offenders. During that phase of the contract, which ended in July 1984, the average daily population was 21. The contract was redefined and, from August 1984 to January 1986, 60 beds at the La Honda facility were used to house offenders sentenced under the Youth Corrections Act (YCA). The average daily population of YCA inmates was 46. During the second part of the contract period, the population of YCA offenders in the BOP rose to a level requiring bedspace beyond that available in Bureau YCA facilities. At that time,

YCA offenders (youths) could not be housed with adult offenders and entire institutions were designated as YCA facilities.

The contract provided the flexibility to house some YCA offenders without acquiring additional permanent space. While expensive, the contract was viewed as cost-effective based on the short-term need. The cost per inmate per day was \$92. This included the per diem charged by La Honda, the placement of a full-time BOP employee at the facility, and the costs of some education and vocational programs. In comparison, per capita daily costs at the Bureau's YCA institutions were approximately \$55. However, the population at these public institutions was approximately six times the number of inmates at La Honda, which helped reduce the cost per inmate (*Hearings, 1986*). The Youth Corrections Act was repealed in 1984 and has led to a significant reduction in the YCA offender population. As a result, the YCA contract at Hidden Valley Ranch ended. A 1-year contract was procured in 1986 for space to house prerelease adult offenders. Due to the expense, the contract was not renewed.

Houston Processing Center

Another experience the BOP had contracting for a secure facility was the agency's use of the Houston Processing Center under a contract that the Immigration and Naturalization Service (INS) has with Corrections Corporation of America. The Bureau's use ran from September 1984 to early 1987, when other contracts were established with providers in the southwestern United States. The Houston facility housed up to 80 short-term illegal aliens serving Federal sentences who were awaiting deportation proceedings following completion of



Inmates using recreational facilities at the Houston Processing Center, Texas.

their sentences. The average daily population was approximately 61. Again, the BOP's need for flexibility was the reason underlying this contract. While the sentenced aliens were kept physically separated from other INS detainees, the proximity of their incarceration eased the transition to INS jurisdiction and processing upon completion of their Federal sentences (*Hearing, 1986*). The daily cost per inmate was \$26.84. This compares to INS-operated detention centers, which range in per diems from \$17.65 to \$68.14 and average out at \$31.89 (*Ring, 1987*).

Examples of ongoing private secure facility contracts

Volunteers of America Regional Corrections Center

At present, the BOP uses space for adults in three facilities managed by private firms through contracts with either the private companies or the local jurisdictions. In one case, the BOP has a direct contract with a private firm for six beds at the Volunteers of America Regional Corrections Center in Roseville, Minnesota. The center is a 40-bed detention facility for short-term convicted females. Volunteers of America operates the

center and has contracts with the county, the State, and the BOP to house females. The latest 3-year contract for female offenders began in October 1987. The per diem cost is \$66.03. At present, there are three inmates under Bureau contract.

Reeves County Law Enforcement Center

The Bureau has a contract with the county commission in Reeves County, Texas, for 336 spaces in the Reeves County Law Enforcement Center that are used primarily to house male deportable alien offenders. The facility is a 532-bed detention center operated by Corrections Corporation of America. Bureau of Prisons' staff screen their caseloads for alien offenders from Central and South America with deportation proceedings either pending or very probable. Many of these inmates are referred to the center. The latest contract became effective in May 1988.

The intergovernmental agreement with Reeves County is subject to cancellation at any time with adequate notice. The daily cost per inmate is \$31. Characteristics of the BOP inmates at this center are elaborated in the table on the next page. There are 317 BOP inmates at the center ranging in age from 18 to 55. Average age is 27 years. The most common offense is an immigration violation (n=261, 96%). Sentence lengths range from 1 month to 7 years, with an average length of 3.3 months. The overwhelming majority (94%) are Mexican citizens.

Eden Detention Center

The BOP's other contract with a local government is a 326-bed contract for male inmates with the City of Eden, Texas. The facility is the Eden Detention Center and is operated by a private firm of the same name. The first contract began when the facility opened in

October 1985. The latest contract began in April 1989 and expires in March 1992. The per diem at this center is \$32.14. The table at right also profiles the BOP inmates at this facility. The 305 BOP inmates at Eder range in age from 18 to 67, with an average age of 30.1 years. Common offenses are immigration violations (n=135, 46.2%) and narcotics violations (n=129, 44.2%). Sentence lengths range from 2 months to 20 years with an average length of 32.9 months. Under the City of Eden contract, the Bureau uses the Eden Detention Center primarily to house short-term illegal aliens pending deportation. Most inmates are citizens of Mexico (n=230, 75.4%) or Colombia (n=19, 6.2%).

Examples of ongoing juvenile facility contracts

The Bureau of Prisons currently has contracts with 11 private facilities for housing juvenile offenders. BOP contract quotas for bed space range from 2 to 25, with an average of about 10 beds per facility. Per diem costs range from \$39.50 to \$115, with an average daily cost of \$66.97. The four facilities that have contract quotas of more than 10 juveniles, and that filled at least half of their quota on average, are described below.

■ The *Glen Mills School* in Concordville, Pennsylvania, has been under its current contract since October 1987. The daily per capita cost is \$82.61. The school is a 640-bed campus-like facility for male delinquents aged 15 to 18. The program emphasizes education, vocational training, peer interaction, pro-social values, group counseling, and athletics.

■ The *Missouri River Adolescent Development Center* in Chamberlain, South Dakota, has been under its current contract since October 1988. The daily

BOP inmate profiles at the two largest privately managed contract facilities

Offense	Reeves County Law Enf. Center		Eden Detention Center	
	No.	Percent	No.	Percent
Immigration violations	267	96.0	135	46.2
Narcotics violations	10	3.7	129	44.2
Fraud	1	0.4	7	2.4
Firearms violations	0	0.0	4	1.4
Escape/flight	0	0.0	3	1.0
Counterfeiting	0	0.0	3	1.0
Larceny/theft	0	0.0	2	0.7
Other	0	0.0	9	3.0
Missing	45	—	13	—
Age				
25 or less	162	51.1	86	28.2
26 to 30	70	22.1	97	31.8
31 to 35	51	16.1	61	20.0
36 to 40	20	6.3	32	10.5
41 or more	14	4.4	29	9.6
Citizenship				
Mexico	298	94.0	230	75.4
Colombia	0	0.0	19	6.2
Other	19	5.9	56	18.4
Length of sentence*				
Less than 1 year	263	96.7	100	34.1
1 to 2 years	5	1.9	61	20.8
2 to 3 years	2	0.7	37	12.6
3 to 5 years	1	0.4	32	10.9
5 to 10 years	1	0.4	48	16.4
10 years or more	0	0.0	15	5.1

*Sentence length categories are inclusive on the lower bound and exclusive on the upper bound.

per capita cost is \$70. The center is a 60-bed coed facility for clients aged 13 to 18. Programs emphasize positive peer counseling, drug and alcohol treatment, and mental health issues.

■ The *Santa Fe Detention Center* in Santa Fe, New Mexico, is a 153-bed detention facility for adults and juveniles. The center is operated by the Corrections Corporation of America and has contracts with the county, the U.S. Marshals, and the BOP to house offenders under these agencies' custody. The BOP's current contract runs from October 1987 to August 1992. The daily per capita cost is \$62. There are six BOP juvenile offenders at the facility, with a contract quota of nine. The ages of the youths range from 17 to 19. The most common

offenses are homicide and narcotics violations. Sentence lengths range from 1 year to 4 years and 7 months with an average length of 35.8 months. Four BOP inmates are residents of New Mexico or Arizona.

■ The *Laredo Processing Center* in Laredo, Texas, is a 208-bed detention facility for adults and juveniles. The center is operated by the Corrections Corporation of America and has contracts with the Immigration and Naturalization Service, the BOP, and the Texas Youth Commission. The Laredo Center houses juveniles for the Bureau under a contract from October 1986 to October 1990. The daily per capita cost is \$45. There are 23 inmates ranging in age from 16 to 21.

The contract quota is 25. The most common offenses are narcotics violations and homicide. Sentence lengths range from 5 months to 6 years and 7 months, with an average length of 31.7 months. Most BOP inmates reside in Arizona (n=9, 39.1%) or Texas (n=7, 30.4%). Six (26.1%) are Mexican citizens.

The uses of contracting

The BOP has initiated contracts with other correctional agencies in general, and with private correctional facilities in particular, due to the flexibility offered by such arrangements and the reasonable costs of contracting. Contracting with private halfway houses assists the Community Corrections Branch and meets the needs of prerelease and short-term inmates. The BOP has been able to secure contracts with private community correctional centers across the United States. The lengths of the contracts and the quotas for bedspace vary, depending on needs in each particular area.

With regard to contracts for other subpopulations, the BOP contract with Hidden Valley Ranch allowed for the housing of additional offenders convicted under the Youth Corrections Act until that subpopulation decreased to a number that made it practical to place them all in Federal YCA facilities. Other contracts with private facilities allow for the housing of large numbers of aliens facing probable deportation, many of whom were sentenced in Federal court in southern California. Population constraints in southern California have made consolidation of this largely homogeneous subpopulation in facilities in southwestern Texas a reasonable alternative. Contracting with juvenile facilities enhances the geographic variability of institutional housing and allows for placement in facilities that have pro-

grams more tailored to this subpopulation's specific needs.

Other correctional agencies are using secure private prisons and detention centers to a greater extent than the BOP. For example, California contracts with 6 private facilities for 988 beds used for parole violators. Texas contracts with 5 private facilities for 1,633 beds for prerelease inmates, and with a 250-bed facility for parole violators. Two counties in Florida and two in Tennessee contract for private detention facilities to

The BOP views the major benefit of private facilities as the flexibility they afford in controlling a rapidly increasing population.

hold a variety of types of inmates and detainees. The Immigration and Naturalization Service contracts with 6 private facilities for a total of 690 beds.

As noted, the great majority of secure private facilities house such subpopulations as juveniles, prerelease inmates, jail detainees, immigration detainees, and parole violators. New Mexico has recently contracted its female population to a facility operated by the Corrections Corporation of America, making it the only "mainstream" sentenced population in the custody of a private provider.

Predictions of the expanding role of the private sector in the operation of prisons and detention facilities are becoming

more common (e.g., Bayer, 1989; Thomas, 1989). At present, however, the BOP views the major benefit of private facilities as the flexibility they afford in controlling a rapidly increasing population by contracting out for the care and custody of appropriate subpopulations of offenders when the need arises. ■

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