

State Aid To Local Governments For Corrections Programs

Criminal Justice Paper #1

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ACQUISITIONS

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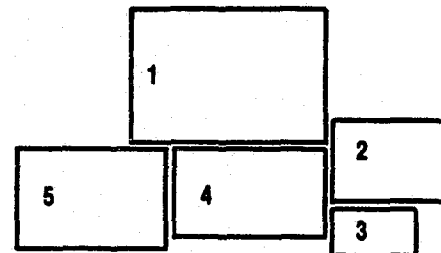


PHOTO REFERENCES

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INTRODUCTION

State government aid for local corrections programs is one of the fastest growing categories of state aid to local governments, but there is little analysis examining it. This report places corrections aid in perspective, describing its magnitude, how it varies among states, and the purposes of the aid provided in the states with the largest aid programs. It concludes with a brief description of four model programs and a framework for analyzing corrections aid programs.

In fiscal 1987, the last year for which data are available, states provided \$932.5 million of corrections aid to local governments. This represents nearly four times as much corrections aid as was provided in 1980. The increase was significant in each of the first six years of the decade, as these figures demonstrate:

Year	Amount (millions of \$)	Percentage Increase
1980	\$236.7	
1981	276.7	16.9%
1982	365.6	32.1
1983	455.9	24.7
1984	571.2	25.3
1985	801.2	40.3
1986	915.5	14.3
1987	932.5	1.9

The small increase in 1987 results from an unusual situation in New York, the state with the third largest aid program. In 1987 corrections aid decreased \$62 million in New York. This followed an unusually large increase the previous year, however, when corrections aid in New York had jumped \$93 million (88.8 percent). The reason for the jump was an especially large capital grant program and an appropriation to the Division for Youth to cover payments owed to localities from prior years. Even with the 1987 decrease, corrections aid in New York was \$31 million (29.4 percent) higher than it had been in 1985.

The 294 percent corrections aid increase from 1980 to 1987 far outstrips the growth of related categories of spending during this period: [1]

Total state aid to localities	67.9%
Total state general spending	77.0
Total state corrections spending	177.9
Total local corrections spending	164.9

Data on state aid and corrections spending are from the U.S. Census Bureau, *State Government Finances in 1987* and *Government Finances in 1986-87*. Several additional statis-

tics help to place aid for corrections into perspective:

- It represents less than 1 percent of total state aid to local governments (including schools), which was \$139 billion in 1987. Excluding school aid (which is more than 60 percent of all state aid), corrections accounts for about 1.8 percent of aid.
- Total state spending for corrections was \$11.7 billion in 1987, so aid is 8.0 percent of all state corrections expenditures. Excluding aid provided to localities, state corrections spending was \$10.8 billion.
- Local governments spent \$5.9 billion on corrections in 1987, so state aid covered 15.7 percent of local outlays. Because counties accounted for 78.4 percent of local spending, they were the major beneficiaries of state aid.

1. DEFINITIONS AND CONCEPTS

This report uses the U.S. Census Bureau's data on corrections expenditures. The Census definition of corrections is "the confinement and correction of adults and minors convicted of offenses against the law, and pardon, probation, and parole activities." [2, p. 114] Note that this definition excludes the operation of jails that house persons arrested for but not convicted of crimes. The cost of such facilities is reported by the Census Bureau as police expenditures rather than as corrections spending.

Because intergovernmental relations are complex, it is important to avoid certain misunderstandings that may arise. Levels of state aid to localities cannot be understood without considering how responsibilities for corrections are assigned between a state and its localities. The polar case is one in which the state operates all the correctional facilities and programs within a state. In this situation, of course, no role for state aid exists, since local governments are not responsible for corrections.

While there are only six states where virtually all corrections spending is done by the state government (Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont), wide differences exist among the other 44 in terms of how responsibilities for particular functions are assigned. For example, some prisoners who would be held in state prisons in some states may be housed in local jails in others. Probation programs also might be operated by either state or local officials.

An important issue to consider is the extent to which state prisoners are incarcerated in local facilities, a situation that has occurred in many places because of a shortage of state prison beds. If a state reimburses localities for taking care of these prisoners, that is counted as state aid, even though it may be merely reimbursement for services rendered.

In other words, one cannot conclude much from figures on state aid taken by themselves. They do, however, provide important information that, together with other data, define key intergovernmental relationships in the field of corrections.

Another qualification of this analysis is that it deals with a relatively small part of the entire intergovernmental system. Even if a state provides relatively little aid for corrections (or no aid at all), it may compensate in other ways. Nationally, general purpose state aid is more than 15 times as great as corrections aid. In the interest of keeping intergovernmental relations simple, some states may provide aid with no strings attached rather than categorical aid for a large number of purposes.



2. GENERAL DESCRIPTION OF STATE-LOCAL CORRECTIONS SPENDING

State and local governments spent \$17.6 billion on corrections in 1987, with states spending \$11.7 billion and local governments \$5.9 billion. State and local expenditures add up to more than their combined outlays because state aid to local governments is counted twice in the disaggregated figures—once when the state provides it and then again when the locality spends it. This double counting is eliminated in the combined total of \$17.6 billion. If aid is not counted, states spent \$10.8 billion; this is referred to as *direct* spending.

More detail is available on the composition of state corrections spending than local spending. Here is a breakdown of state expenditures in 1987:

Total	\$11.7 billion
I. Intergovernmental	0.9 billion
II. Direct spending	
A. Correctional institutions	8.8 billion
1. Current operation	7.6 billion
2. Capital outlay	1.2 billion
B. Other corrections	1.9 billion
1. Current operation	1.7 billion
2. Capital outlay	0.2 billion

TABLE 1.
PERCENTAGE OF DIRECT CORRECTIONS SPENDING
ACCOUNTED FOR BY STATE GOVERNMENT, 1987

99 percent or higher (6 states)
Alaska, Connecticut, Delaware, Hawaii, Rhode Island, Vermont
90 to 98.9 percent (2 states)
Oklahoma, South Carolina
80 to 89.9 percent (7 states)
Arkansas, Kansas, Massachusetts, Mississippi, Montana, North Carolina, Utah
70 to 79.9 percent (19 states)
Alabama, Arizona, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Michigan, Missouri, Nebraska, New Mexico, North Dakota, Ohio, South Dakota, Tennessee, Wyoming
60 to 69.9 percent (8 states)
Colorado, Kentucky, New Hampshire, New Jersey, Virginia, Washington, Wisconsin, West Virginia
Less than 60 percent (8 states)
California, Florida, Minnesota, Nevada, New York, Oregon, Pennsylvania, Texas

Per capita state-local corrections spending varies widely among the states, as the Appen-

dix shows. At one extreme, in 1987 there were four states where it exceeded \$100 per

TABLE 2.
INTERGOVERNMENTAL EXPENDITURES OF STATE GOVERNMENTS
FOR CORRECTIONS, FISCAL YEARS 1983-1987
(thousands of dollars)

capita—Alaska (\$171), Nevada (\$125), New York (\$120), and California (\$111). Maryland (\$99.99) and Arizona (\$99.40) spent just under \$100 per capita in 1987, and the other states in the top 10 were Hawaii (\$80), Michigan (\$78), Florida (\$77), and Delaware (\$77).

Another common way of comparing expenditures is by relating them to personal income. The top 10 states in state-local spending per \$100 of personal income according to this measure in 1987 were Alaska, Nevada, Arizona, New York, California, New Mexico, Maryland, South Carolina, Utah, and Hawaii. The differences between the two lists of the top 10 spenders are that South Carolina, Utah, and New Mexico replaced Michigan, Florida, and Delaware on the second list. It is unusual for there to be so little difference between rankings based on population and personal income. The high degree of consistency between the two lists exists because the leading states spend so much more on corrections than most other states.

As noted above, corrections aid should be viewed in relation to the assignment of responsibilities for corrections. As Table 1 shows, there is a wide difference among states in the state government's proportion of direct state-local corrections spending. In eight states, the state accounts directly for at least 90 percent of corrections spending; in these states, there is little aid provided because local governments have little if any responsibility for corrections spending. By contrast, in eight other states, the state share is between 45 percent and 60 percent. Since local governments conduct such a large proportion of corrections programs in those states, there could be a significant role for state aid in them.

State	1987	1986	1985	1984	1983
New England					
Connecticut	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Maine	0	0	0	0	0
Massachusetts	0	0	0	0	0
New Hampshire	0	75	0	165	0
Rhode Island	0	0	0	0	0
Vermont	0	0	0	0	0
Middle Atlantic					
Delaware	0	0	0	0	0
Maryland	14,844	9,952	1,559	7,611	2,568
New Jersey	34,232	19,272	12,831	12,831	20,185
New York	135,609	197,756	104,743	100,903	60,063
Pennsylvania	10,852	8,991	5,702	5,442	2,929
Great Lakes					
Illinois	25,080	17,411	14,419	8,692	6,394
Indiana	2,915	2,272	1,428	0	291
Michigan	1,806	2,836	1,840	2,284	887
Ohio	29,696	28,034	26,228	25,305	26,456
Wisconsin	0	0	1,429	0	0
Plains					
Iowa	18,741	16,826	16,863	14,188	12,696
Kansas	3,714	3,748	3,050	2,992	2,823
Minnesota	15,575	14,682	14,414	16,072	11,500
Missouri	724	624	569	461	384
Nebraska	1	4	3	155	-177
North Dakota	0	0	0	0	0
South Dakota	0	0	0	0	0
Southeast					
Alabama	2,921	2,585	2,541	2,803	2,985
Arkansas	848	1,322	636	409	204
Florida	0	0	0	0	0
Georgia	13,728	12,036	10,091	11,035	10,402
Kentucky	27,874	21,895	15,899	14,238	0
Louisiana	26,103	21,359	19,299	6,539	16,623
Mississippi	4,400	3,438	5,042	4,104	3,473
North Carolina	9,591	8,156	6,867	5,239	4,881
South Carolina	0	0	0	0	0
Tennessee	39,770	18,789	16,340	15,205	14,773
Virginia	171,450	158,613	112,257	97,993	31,033
West Virginia	0	0	0	0	0
Southwest					
Arizona	11,881	9,556	2,314	1,651	633
New Mexico	1,052	1,141	0	0	514
Oklahoma	1,228	76	675	77	0
Texas	50,922	53,494	61,044	53,112	29,657
Rocky Mountain					
Colorado	0	0	0	0	0
Idaho	0	0	0	0	0
Montana	0	0	0	0	0
Utah	1,430	81	52	0	0
Wyoming	0	0	0	0	0
Far West					
Alaska	2,661	3,284	0	0	0
California	258,314	233,076	267,095	84,416	93,394
Hawaii	0	0	0	0	0
Nevada	825	818	782	752	791
Oregon	13,677	12,885	11,600	12,014	10,078
Washington	0	30,388	41,621	64,502	89,111
U.S. Total	\$932,465	\$915,475	\$801,169	\$571,190	\$455,905

TABLE 3.
STATE AID FOR CORRECTIONS
PROGRAMS, 1987

1.	Virginia	\$27.37
2.	California	9.57
3.	Tennessee	8.29
4.	New York	7.62
5.	Kentucky	7.48
6.	Iowa	6.58
7.	Louisiana	5.80
8.	Oregon	5.06
9.	Alaska	5.00
10.	New Jersey	4.49
11.	Minnesota	3.70
12.	Arizona	3.52
13.	Maryland	3.33
14.	Texas	3.06
15.	Ohio	2.76
16.	Georgia	2.25
17.	Illinois	2.17
18.	Mississippi	1.68
19.	Kansas	1.51
20.	North Carolina	1.51

leader, with seven of 12 states having programs with more than \$1 of aid per capita. The other three regions where at least half of the states have programs of that size are the Middle Atlantic, Southwest, and Far West.

There is considerable difference between the 10 highest states in per capita aid and per capita state-local corrections spending. Alaska, California, and New York are the only three states to appear on both lists. Virginia had the highest aid but ranked only 12th in spending, and five other states that are leaders in providing aid—Iowa, Kentucky, Louisiana, Oregon, and Tennessee—fell short of the list of the top spenders; their spending is not even close to the top 20 in most cases. In other words, their high level of aid is due to something other than simply high corrections spending in general.

One hypothesis is that states might provide a relatively large amount of aid when local governments have relatively large responsibilities for corrections. This is true in California, New York, and Oregon but not—as can be seen by comparing Table 1 and Table 3—in the other five states with the lowest proportion of corrections spending by the state (Florida, Minnesota, Nevada, Pennsylvania, and Texas). In fact, none of the five ranks among the 20 highest states in per capita aid.

Since the aid programs in these 20 states account for more than 97 percent of the total state corrections aid in the nation, they merit the closest analysis. Therefore, the remainder of this report will focus on them.

There is considerable similarity between the lists of the 10 top states in total dollars and in per capita dollars. Alaska, Iowa, and Oregon are the only three states that are among the 10 highest states in per capita terms while not ranking among the 10 highest in total dollars.

Table 4 shows the regional patterns in per capita corrections aid. The Southeast is a

State	Total (thousands of dollars)	Per Capita
New England		
Connecticut	\$ 0	\$ 0.00
Maine	0	0.00
Massachusetts	0	0.00
New Hampshire	0	0.00
Rhode Island	0	0.00
Vermont	0	0.00
Middle Atlantic		
Delaware	0	0.00
Maryland	14,844	3.33
New Jersey	34,232	4.49
New York	135,609	7.62
Pennsylvania	10,852	0.91
Great Lakes		
Illinois	25,080	2.17
Indiana	2,915	0.53
Michigan	1,806	0.20
Ohio	29,696	2.76
Wisconsin	0	0.00
Plains		
Iowa	18,741	6.58
Kansas	3,714	1.51
Minnesota	15,575	3.70
Missouri	724	0.14
Nebraska	1	0.00
North Dakota	0	0.00
South Dakota	0	0.00
Southeast		
Alabama	2,921	0.72
Arkansas	848	0.36
Florida	0	0.00
Georgia	13,728	2.25
Kentucky	27,874	7.48
Louisiana	26,103	5.80
Mississippi	4,400	1.68
North Carolina	9,591	1.51
South Carolina	0	0.00
Tennessee	39,770	8.29
Virginia	158,613	27.37
West Virginia	0	0.00
Southwest		
Arizona	11,881	3.52
New Mexico	1,052	0.71
Oklahoma	1,228	0.37
Texas	50,922	3.06
Rocky Mountain		
Colorado	0	0.00
Idaho	0	0.00
Montana	0	0.00
Utah	1,430	0.86
Wyoming	0	0.00
Far West		
Alaska	2,661	5.00
California	258,314	9.57
Hawaii	0	0.00
Nevada	825	0.85
Oregon	13,677	5.06
Washington	0	0.00
U.S. Total	\$932,465	\$3.88

4. GENERAL DESCRIPTION OF CATEGORIES OF STATE AID PROGRAMS

This report contains two breakdowns that show the composition of corrections aid. Table 5, which is based on a special unpublished tabulation by the U.S. Census Bureau for 1985, divides aid into three categories—institutions, probation and parole, and other corrections. Aid for institutions includes programs to assist

in constructing and operating prisons as well as payments for housing state prisoners. Table 5 shows that the majority of aid was for institutions (61.3 percent of total aid, with 27 states providing some aid in this category). Probation and parole aid was provided in only 15 states and constituted 20.7 percent of total correc-

tions aid. The third category of miscellaneous programs accounted for 17.9 percent of the assistance provided.

The composition of aid varied widely from one state to another. In 19 states, aid for institutions was the dominant category of aid. In nine states, probation and parole accounted for the majority of aid (Arkansas, Illinois, Iowa, Michigan, Nebraska, Nevada, Ohio, Pennsylvania, and Texas), and other programs accounted for more than half of aid in nine states (Arizona, Colorado, Georgia, Kansas, Minnesota, New Mexico, Oklahoma, Oregon, and Virginia).

Additional details about the nature of state corrections aid were obtained for this study from two sources: (1) Legislative or executive branch staff in the 20 states with the highest per capita aid, and (2) the source documents underlying the Census Bureau's reports. Table 6 shows the seven major categories of corrections aid identified by this research and their frequency in each of the 20 states with the largest per capita aid programs:

Prisoner Reimbursement—Many states reimburse localities for holding state prisoners in their jails. This type of program is found in 15 of the 20 states with the highest levels of per capita aid. This approach also can be viewed not as state aid but rather as reimbursement for services rendered.

Probation—Ten states provide aid for probation programs.

Community Corrections—Nine states provide support for local community corrections programs. The aim of community corrections programs is to promote the use of community-based alternatives to incarceration.

Juvenile Programs—Eight states provide local governments with assistance for their juvenile programs.

Parole—Seven states reimburse local governments for parole services.

Construction Programs—Five states offer a construction program to build new facilities or to bring existing facilities up to standards set by the courts or by the state.

Technical Assistance and Training—Five states provide jails with technical assistance programs.

TABLE 4.
PER CAPITA AID FOR
CORRECTIONS BY REGION,
FISCAL YEAR 1987

Region	None	Less Than \$1	More Than \$1
New England	6	0	0
Middle Atlantic	1	1	3
Great Lakes	1	2	2
Plains	3	1	3
Southeast	3	2	7
Rocky Mountain	4	1	0
Southwest	0	2	2
Far West	2	1	3
U.S. Total	20	10	20

5. STATE-BY-STATE ANALYSIS OF STATE AID FOR CORRECTIONS

The top 20 states in spending per capita on intergovernmental aid for corrections provide examples of the variety of corrections programs offered in all states. The states are listed in order of their per capita aid expenditures.

Virginia (\$27.37)

Virginia has five separate programs:

- The compensation board pays the salaries of local correctional officers and corrections operating costs (\$65 million in fiscal 1988). The board also pays salaries of sheriffs, but those outlays are not counted as corrections expenses.
- Under the utilization formula, reimbursements are made at a rate of \$8 per day

per prisoner, except that the rate is \$14 per day for state felons with more than six months remaining in their sentences (\$34 million in fiscal 1988).

- Grants of up to \$800,000 per facility are provided for construction of new jails (\$7.2 million in fiscal 1988).
- Grants are given for operating the community diversion incentive service (\$7 million in fiscal 1988).
- Under the miscellaneous category, for example, the state pays for all electronic monitoring offender bracelets (\$200,000 in fiscal 1987, \$60,000 in fiscal 1988).

In addition, probation/parole expenses are

considered the state's responsibility. All probation/parole officers are considered state employees.

California (\$9.57)

California offers four programs:

- Jails are reimbursed at \$18.50 per day per prisoner.
- The Department of Corrections was budgeted at \$34 million in fiscal year 1986.
- The Board of Corrections was reimbursed at \$129 million in fiscal year 1986.
- County jail capital expenses were \$23 million in fiscal 1986.

TABLE 5.
INTERGOVERNMENTAL EXPENDITURES OF STATE GOVERNMENTS
FOR CORRECTIONS, BY STATE AND SUBFUNCTION,
FISCAL YEAR 1985 (thousands of dollars)

Tennessee (\$8.29)

Tennessee had two programs in fiscal year 1988:

- 1 The County Incentive Act, which provided \$42.5 million for housing state prisoners in local facilities.
- 2 Miscellaneous costs, which include reimbursement for local corrections costs, such as clerk fees, sheriff's office fees, emergency hospitalization and related transportation and guard costs, jury boarding costs, witness fees, mental evaluation and treatment, and certain travel costs.

In fiscal year 1989, Tennessee changed to a flat grant program for counties. Tennessee doubled the assistance that was provided in fiscal 1987, and counties cannot ask for any further assistance over that amount.

New York (\$7.62)

New York provides 12 different programs for localities:

- The Juvenile Justice Delinquency Program (\$1.7 million in fiscal 1988).
- The Juvenile Assistance Act (\$0.9 million in fiscal 1988).
- Indigent Parole Program (\$1.6 million in fiscal 1988).
- Local Probation Department (\$47 million in fiscal 1988).
- Intensive Supervision Program (\$10 million in fiscal 1988).
- Local Alternatives to Incarceration (\$8.7 million in fiscal 1988).
- Board of Prisoners (\$37 million in fiscal 1988).
- Youth Delinquency Program (\$26 million in fiscal 1988).
- Runaway and Homeless Youth Program (\$4 million in fiscal 1988).
- Detention Program (\$13 million in fiscal 1988).
- Nonsecure Detention (\$9 million in fiscal 1988).
- Target Crime Initiatives Program (\$6.3 million in fiscal 1988).

State	Total	Institutions	Probation and Parole	Other Corrections
New England				
Connecticut	\$ 49	\$ 49	\$ 0	\$ 0
Maine	0	0	0	0
Massachusetts	0	0	0	0
New Hampshire	0	0	0	0
Rhode Island	0	0	0	0
Vermont	0	0	0	0
Middle Atlantic				
Delaware	0	0	0	0
Maryland	0	0	0	0
New Jersey	13,998	12,457	0	1,541
New York	109,524	72,208	37,316	0
Pennsylvania	5,701	0	5,701	0
Great Lakes				
Illinois	14,524	110	14,414	0
Indiana	1,910	1,910	0	0
Michigan	2,536	211	2,325	0
Ohio	27,071	6,142	20,929	0
Wisconsin	1,429	1,429	0	0
Plains				
Iowa	18,727	6,626	10,268	1,833
Kansas	3,409	0	0	3,409
Minnesota	14,419	390	1,519	12,510
Missouri	525	525	0	0
Nebraska	23	3	20	0
North Dakota	0	0	0	0
South Dakota	0	0	0	0
Southeast				
Alabama	4,416	2,541	1,875	0
Arkansas	672	231	441	0
Florida	0	0	0	0
Georgia	10,063	3,101	181	6,781
Kentucky	16,510	15,889	0	621
Louisiana	19,152	19,152	0	0
Mississippi	5,042	5,042	0	0
North Carolina	2,059	2,059	0	0
South Carolina	0	0	0	0
Tennessee	13,690	13,690	0	0
Virginia	113,113	21,750	2,231	89,132
West Virginia	0	0	0	0
Southwest				
Arizona	5,419	0	1,573	3,846
New Mexico	521	0	0	521
Oklahoma	794	239	0	555
Texas	66,655	0	66,655	0
Rocky Mountain				
Colorado	1,560	0	0	1,560
Idaho	0	0	0	0
Montana	0	0	0	0
Utah	835	835	0	0
Wyoming	0	0	0	0
Far West				
Alaska	4,940	4,940	0	0
California	269,805	259,212	0	10,593
Hawaii	0	0	0	0
Nevada	782	0	782	0
Oregon	11,457	369	0	11,088
Washington	41,621	41,621	0	0
U.S. Total	\$802,951	\$492,731	\$166,230	\$143,990

Kentucky (\$7.48)

Kentucky offers six different programs:

- \$14 million for local facilities based on \$16 per day per inmate.
- \$8.7 million for probation and parole districts.
- \$2.5 million for local supervision.
- \$300 per month expense allowance for training jailers.
- Matching grant program for local jail construction, funded by a \$10 service fee included in state court costs.
- Reimbursements to local jurisdictions for juvenile detention services after adjudication.

Iowa (\$6.58)

Iowa has six different agencies involved in intergovernmental aid:

- The Department of Public Safety provides support to counties by assisting in criminal investigations.
- The Iowa Law Enforcement Academy provides jailer training, basic training for peace officers, and psychological testing.
- Over the past five years, Iowa has been reorganizing its judicial system, transferring funding of the courts from the counties to the state. Some of the funding may incorporate corrections programs.
- In the Department of Justice, the office of the Attorney General provides technical assistance to county attorneys and prosecutes criminal convictions on appeal.
- The Department of Corrections provides jail inspections for all counties and provides reimbursements to counties for temporary confinement of work release and parole violators. The department also runs the Community-Based Corrections Program (\$22.5 million).
- The Department of Human Services provides care, treatment, and transportation.

Louisiana (\$5.80)

Louisiana offers five programs:

- A rate of \$18.25 per day for housing state prisoners.

- Jailer training.
- Seventy percent of the construction costs for new jails is provided by the state, with the remaining 30 percent covered by localities.
- State Grant Aid Program.
- Technical assistance for "state team building" to provide management and information systems, for example.

Oregon (\$5.06)

Oregon has three programs:

- Community corrections program.
- Juvenile Service Commission.
- Filed Services grants for parole/probation.

Alaska (\$5.00)

Alaska provides monetary support to the Department of Public Safety and also funds construction. The Census Bureau may have erred in classifying certain funding as aid because there are no local jails in Alaska. All 11 institutions housing prisoners are operated by the state government.

New Jersey (\$4.49)

New Jersey reimburses localities \$45 per day for state prisoners through the Division of Corrections (\$40.6 million) and also provides funds for parole services to the counties (\$7 million).

Minnesota (\$3.70)

Minnesota has three separate programs. It provides assistance to counties and localities through a community corrections program (\$28 million). It also has a federal pass-through program and a health program for prisoners.

Arizona (\$3.52)

In Arizona, aid to localities is divided into three main parts:

- Support for county prisoners after conviction until accepted into the state system.
- Training and improvement of local corrections officials.
- Probation assistance.

Maryland (\$3.33)

State assistance is divided into three main categories:

- Reimbursement for inmates housed in local jails for the 90th day through the 365th day of their confinement.
- Formula-based reimbursement for prisoners serving their time in a local facility.
- Reimbursement for inmates sentenced to the state prisons and awaiting transfer to the Division of Corrections.

Texas (\$3.06)

Texas provides three aid programs for local governments:

- Juvenile probation.
- Adult probation—The combined outlay for juvenile and adult probation in fiscal year 1988 was \$48.6 million. The amount for fiscal year 1989 is \$53.7 million.
- The Commission on Jail Standards provides technical assistance. Its funding was \$345,000 per year in fiscal years 1988 and 1989.

Ohio (\$2.76)

Ohio provides assistance through the Division of Corrections for adult probation. Ohio also funds the Ohio Youth Commission and supports a community corrections program (\$1.5 million).

Georgia (\$2.25)

Georgia has several state assistance programs for localities:

- Georgia has a reimbursement rate of \$15 per prisoner held in a jail.
- Localities are reimbursed at \$10 per day per prisoner held in a county work camp.
- The state will provide the work force if the county government enlarges existing jails. The county is responsible for materials.

Illinois (\$2.17)

Illinois currently provides assistance to 11 community correction centers. In addition, it helps support three work camps. Aid is also provided through the Probation Department.

TABLE 6.
DIFFERENT TYPES OF LOCAL CORRECTIONS AID IN 20 STATES
WITH HIGHEST PER CAPITA AID
(Listed from Highest to Lowest)

Mississippi (\$1.68)

Mississippi offers two local assistance programs for localities:

- It reimburses local governments \$10 per day for each state inmate housed in a jail. This program received \$3.5 million in fiscal year 1988 and will receive \$4.5 million in fiscal year 1989.
- Its community corrections program received \$11 million in fiscal year 1988 and \$12 million in fiscal year 1989.

Kansas (\$1.51)

Kansas provides assistance to local governments through a community corrections program that is modeled after Minnesota's program. It also reimburses localities for state prisoners held.

North Carolina (\$1.51)

The state has three programs to assist local governments:

- Reimbursement for housing prisoners includes two programs. One is a formula-driven program providing \$12.50 per day per inmate, and the other provides \$6.00 per day if the prisoner is on work release.
- The Division of Youth Services also assists counties.

States	Prisoner Reimbursement	Probation	Community Corrections	Juvenile Programs	Parole	Construction	Technical Assistance/ Training	Miscellaneous
Virginia	X	X	X		X			1. Grant programs for community diversion 2. Pay for electronic offender bracelets
California	X			X	X	X		
Tennessee	X		X					
New York	X	X	X	X	X		X	1. Intensive supervision programs
Kentucky	X	X		X	X	X	X	
Iowa	X	X	X	X	X		X	1. Court costs
Louisiana	X					X	X	
Oregon		X	X	X	X			
Alaska	X	X				X		
New Jersey	X				X			
Minnesota	X		X					
Arizona	X	X					X	
Maryland	X							
Texas		X		X				1. Commission on Jail Standards
Ohio		X		X				
Georgia	X					X		1. County work camps
Illinois		X	X					
Mississippi	X		X					
Kansas			X					
North Carolina	X			X				
Total	15	10	9	8	7	5	5	

6. FOUR STATE CORRECTIONS AID MODELS

This section discusses innovative programs in Georgia, Minnesota, Tennessee, and Virginia that may merit consideration in other states. The four programs are diverse in their nature, dealing with financing local jail improvements, funding community corrections, counting state prisoners, and reimbursing for pre-trial services.

Georgia—Local Jail Improvements

Georgia has instituted a new program for improving county jails. If a county can provide

funds for construction/improvement of an existing facility, the state will provide the work force. This option is also available for the construction of community work camps.

Minnesota—The Community Corrections Act Option

The Community Corrections Act of 1973 is a block grant program that provides funds to certain counties for local correctional services. One of the act's primary goals is to offer an incentive to counties to reduce their reliance

on state correctional institutions.

The objectives of the act are to improve the management and planning of local correctional systems; encourage uniformity of standards for delivery of local correctional services; stimulate local, community-based sentencing alternatives or programs; and decrease reliance on state correctional facilities.[3]

Counties or contiguous groups of counties are eligible under the Community Corrections

Act to receive subsidies if they have a population of at least 30,000, establish a corrections advisory board of representatives from the criminal justice system and the general community, and prepare a comprehensive plan for the operation of local correctional services.

Statutorily, grants are made to counties for the development, implementation, and operation of community based corrections programs including, but not limited to preventive or diversionary correctional programs, probation, parole, community corrections centers, and facilities for the detention or confinement, care and treatment of persons convicted of crime or adjudicated delinquent.

These services include local administration, jails and workhouses, restitution and community service work programs, juvenile detention centers, day treatment programs, prevention/diversion programs, work release, sex offender treatment programs, and domestic relations.

Tennessee—Counting State Prisoners

One of the major difficulties that states

encounter in dealing with state aid for corrections is to determine how many state prisoners are being housed in local facilities and, therefore, how much each facility should be reimbursed. In 1987 Tennessee instituted a program whereby detailed corrections populations are being tallied. The populations are broken down into state felons and local jail populations. Table 7 is an example of the detailed reporting in Tennessee.

Tennessee also provides a breakdown of certified days for work releases, felons, and detainees; and shows how much each county will receive from the state. These figures are updated continually. This detailed accounting provides the legislature with tools for making more accurate, fair intergovernmental aid payments.

Virginia—Reimbursement for Pre-Trial Services

Pre-trial services were implemented initially through a federal grant in the City of Richmond in 1986. The governor announced the funding of the additional pilot programs to ease jail overcrowding in June 1986.

Currently, five pilot programs are operating in the state. The contractors screen offenders who are in a pre-trial status and perform community surveillance for those released. Each of the programs receives approximately \$200,000 per year for its services.

Each program is expected to:

- Provide liaison services with appropriate officials in the processing of the pre-trial offenders before release;
- Provide adequate community supervision of the individuals released into this program and implement guidelines established by the Department of Corrections;
- Provide trained and experienced staff;
- Provide drug and alcohol testing for offenders requiring such testing;
- Document program activity in a secure manner; and
- Provide the Department of Corrections with data and reports as requested.

7. A FRAMEWORK FOR ANALYZING INTERGOVERNMENTAL AID FOR CORRECTIONS

The recommendations of NCSL's Task Force on State-Local Relations provide a number of perspectives for viewing corrections aid. The recommendations, developed in 1986 by a group of legislators and legislative staff from throughout the country, call upon states to reconsider their policies toward local governments because of the changes taking place in the federal system. Three of the recommendations are directly relevant to the programs discussed here, dealing with *sorting out responsibilities, mandates, and state aid.*

Sorting Out Responsibilities

The task force called upon states to reevaluate which services are provided at the state

and local levels and the extent, if any, to which local services should receive state financial aid.

[S]tates should move toward rationalizing the intergovernmental system that has developed incrementally over time, often with confusing results. In the process, some programs may be shifted from the state to the local level while others are transferred in the other direction.

Two principles of "sorting out" endorsed by the task force were: (1) that responsibility should be kept at the lowest level of government unless there is an important reason to do otherwise, and (2) that services whose costs

depend significantly on the number of poor persons in a community should be financed at the highest level of government possible. It specifically recommended that "states should move in the direction of assuming major poverty-related costs from local governments."

These principles imply that to the extent that corrections expenses are closely tied to the prevalence of poverty, corrections is a strong candidate for state funding. On the other hand, to the extent that corrections expenses are independent of the prevalence of poverty but rather depend on local preferences about strict law enforcement and sentencing, corrections probably should be funded locally. Since cor-

TABLE 7.
TENNESSEE'S TOTAL CORRECTIONAL POPULATION AS OF JUNE 30, 1988

Year	STATE FELONS				LOCAL JAIL POPULATION								
	COMMUNITY SUPERVISION		INCARCERATED FELONS		PRE-TRIAL				Total Jails	Percent Change	System Total	Percent Change	
	Probation	Community Corrections	Parole	DOC Institutions	DOC Local Jails	Local Felons Jails	Convicted Misdemeanants	Misdemeanants					Felons
1983	12,588	—	3,667	8,274	—	—	—	—	—	—	—	—	—
1984	13,561	—	5,268	7,533	—	—	—	—	—	—	—	—	—
1985	13,214	—	7,292	7,444	—	—	—	—	—	—	—	—	—
1986	14,083	—	7,434	7,076	1,060	1,650	1,786	678	1,963	7,137	—	35,730	—
1987	14,748	316	8,371	7,241	1,227	1,787	2,290	527	2,586	8,417	17.9%	39,093	9.4%
1988	15,624	688	8,668	7,381	2,085	2,132	2,523	654	2,832	10,230	21.5%	42,591	8.9%

rections expenses (1) are closely related to crime rates, which in turn are strongly influenced by the prevalence of poverty, and (2) are strongly influenced by state law rather than local ordinances, the case for state funding is strengthened. In fact, there has been a strong trend for states to assume the cost of court operations,[4] but this trend has not been as pronounced for corrections, even though the courts and corrections are closely related.

A third rationale for state support of local corrections programs relates to benefit spillovers. Whether the role of corrections programs is viewed as rehabilitating dangerous individuals, punishing them on behalf of society, or keeping them out of contact with law-abiding citizens, the benefits of corrections programs are not limited to the city or county where they might be imprisoned, on parole, or on probation. Since corrections programs usually benefit the residents of a relatively broad geographic area, the case for statewide financing is strengthened.

Mandates

The task force recommended that states reconsider the mandates that they impose on local governments, that they consider relaxing or eliminating those requirements, and in some cases that they assume the cost of complying with them.

If state prisons are overcrowded while there is excess capacity in local correctional facilities, it makes sense for the prisoners to be confined in local jails, at least as a temporary

stopgap measure. However, when states require that local governments house state prisoners, the spirit of the task force's recommendation implies that states should pay the full cost incurred by the localities. As the information in this report has shown, this is not the practice in many states.

State Aid

The task force recommended that states reconsider their aid policies and develop sophisticated formulas for distributing aid. It also recommended targeting assistance to jurisdictions with relatively low fiscal capacity.

Aid programs can have significantly different effects depending on how they are structured. For example, a matching grant (one that conditions the level of state support on the amount that the local government spends) is likely to have a stronger stimulative effect on local spending than a nonmatching grant (one that does not depend on what the local government spends).

The design of aid formulas can have a major influence on their effectiveness. According to Donald Murray, legislative director for justice and public safety of the National Association of Counties, a Michigan program used to provide aid in proportion to the number of juveniles who were institutionalized, implying an incentive against deinstitutionalization. A Pennsylvania program, in contrast, provides aid on a sliding scale, with greater aid if juveniles are dealt with in ways that involve them in the community rather than hold them in institutions.

The information this report provides does not answer how states should spend their corrections dollars but rather helps bring critical corrections issues to light. Key points that should be considered before corrections funding is undertaken include:

- (1) *Responsibility*—Is the state or locality responsible for state prisoners held in local jails? Who is responsible for parole violators?
- (2) *Consistency*—Is the policy consistent in all facilities? Are all local governments able to provide adequate levels of service?
- (3) *Accountability*—Are states aware of how many state prisoners are held in local facilities?

SUMMARY

State aid for local corrections programs has been one of the fastest growing categories of state aid to local governments in the 1980s, nearly quadrupling in the period from 1980 to 1987. States provided \$932.5 million of corrections aid in fiscal year 1987.

State aid must be viewed in relation to the manner in which responsibility for corrections programs is assigned between state and local governments. In six states, for example, the state directly conducts virtually all corrections programs, so there is no possibility of provid-

APPENDIX.
STATISTICS ON STATE CORRECTIONS SPENDING AND AID,
FISCAL YEAR 1987

ing aid to local governments for corrections. This report shows that responsibility for corrections programs is shared in widely differing ways from one state to another. Likewise, state-local corrections spending per capita also varies considerably from state to state, and that has a bearing on state aid programs.

State corrections aid per capita is provided at different levels in various states. Twenty states provide at least one dollar of aid per capita, with Virginia providing the most aid, more than \$27 per capita. On the other hand, 19 states provided no corrections aid in 1987.

The most common type of aid program reimburses localities for holding state prisoners. Other major aid programs, in declining order of frequency, are for community corrections, probation, parole, juvenile programs, construction programs, and technical assistance and training.

Model aid programs in Georgia, Minnesota, Tennessee, and Virginia may merit consideration in other states.

The recommendations of NCSL's Task Force on State-Local Relations provide a framework for analyzing state corrections aid. They suggest that states should provide assistance to local corrections programs, that states should pay the full cost of housing state prisoners in local correctional facilities, and that states should consider the incentives provided by aid programs.

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State	State's Percentage of Total Spending	Spending Total Spending Per Capita	Per \$100 of Personal Income	Aid Per Capita
New England				
Connecticut	99.9%	\$49.93	\$2.55	\$0.00
Maine	75.8	41.59	3.25	0.00
Massachusetts	80.5	59.57	3.36	0.00
New Hampshire	65.1	36.28	2.28	0.00
Rhode Island	100.0	45.03	3.09	0.00
Vermont	99.8	34.60	2.59	0.00
Middle Atlantic				
Delaware	100.0	76.69	5.11	0.00
Maryland	77.8	99.99	5.93	3.33
New Jersey	65.8	73.19	3.93	4.49
New York	54.6	119.79	7.01	7.62
Pennsylvania	51.2	47.79	3.36	0.91
Great Lakes				
Illinois	75.5	48.00	3.08	2.17
Indiana	78.6	39.39	3.00	0.53
Michigan	78.8	77.86	5.27	0.20
Ohio	75.4	63.59	4.56	2.76
Wisconsin	65.8	45.00	3.23	0.00
Plains				
Iowa	76.1	36.35	2.72	6.58
Kansas	82.7	40.58	2.77	1.51
Minnesota	45.2	47.76	3.18	3.70
Missouri	72.3	46.99	3.41	0.14
Nebraska	72.8	37.94	2.76	0.00
North Dakota	71.0	23.27	1.87	0.00
South Dakota	79.2	35.65	3.02	0.00
Southeast				
Alabama	75.7	41.25	3.64	0.72
Arkansas	83.2	29.43	2.66	0.36
Florida	56.8	76.51	5.23	0.00
Georgia	74.5	65.49	4.87	2.25
Kentucky	68.5	40.08	3.56	7.48
Louisiana	78.1	50.62	4.52	5.80
Mississippi	83.4	29.34	3.02	1.68
North Carolina	89.8	64.33	5.17	1.51
South Carolina	90.7	65.38	5.79	0.00
Tennessee	73.3	51.62	4.30	8.29
Virginia	69.1	69.52	4.52	27.37
West Virginia	65.3	20.98	1.98	0.00
Southwest				
Arizona	70.8	99.40	7.51	3.52
New Mexico	74.5	70.60	6.18	0.71
Oklahoma	91.6	43.43	3.54	0.37
Texas	56.8	49.89	3.70	3.06
Rocky Mountain				
Colorado	64.8	59.32	3.93	0.00
Idaho	73.7	32.04	2.87	0.00
Montana	82.6	36.83	3.11	0.00
Utah	85.5	60.66	5.52	0.86
Wyoming	70.4	54.42	4.25	0.00
Far West				
Alaska	99.1	171.27	9.60	5.00
California	53.1	111.33	6.59	9.57
Hawaii	100.0	79.87	5.38	0.00
Nevada	47.4	124.70	8.11	0.85
Oregon	53.9	54.66	4.11	5.06
Washington	60.9	68.93	4.59	0.00
U.S. Average	64.7%	\$69.19	\$4.73	\$3.88

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