

A Comparative Evaluation of State-Operated and Contracted Men's Prisons

18P-08

Audit Staff:

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BACKGROUND

- *Oversight of Crossroads Correctional Center (15P-03) performance audit in 2015 did not compare the state's prisons*
- Legislator request to directly compare the private prison to MSP
- This audit focused primarily on the relative quality and outcomes of each prison



AUDIT OBJECTIVES

- **Measures of prison quality**
- **Differences in prison outcomes (e.g., recidivism)**
- **Department use of inmate transfers**

- **Scope**
 - Compared all four men's prisons
 - Excluded the Montana Women's Prison
 - Used data from 2012-2019, with focus on more recent years

**A PRISON
SYSTEM**

**Different Populations Are
Incarcerated at Each Prison**

	Montana State Prison	Crossroads Correctional Center	Cascade County Regional Prison	Dawson County Regional Prison
Location	Deer Lodge	Shelby	Great Falls	Glendive
Inmate Capacity	1,568	601	152	140
Custody Levels	Minimum, Medium, Close, Maximum	Minimum, Medium, Close	Minimum, Medium	Minimum, Medium
Inmate Health Scores Accommodated	Up to 50	Up to 40	Up to 30	Up to 20

OBJECTIVE I – PRISON QUALITY



Grievances



Disciplinary
Actions



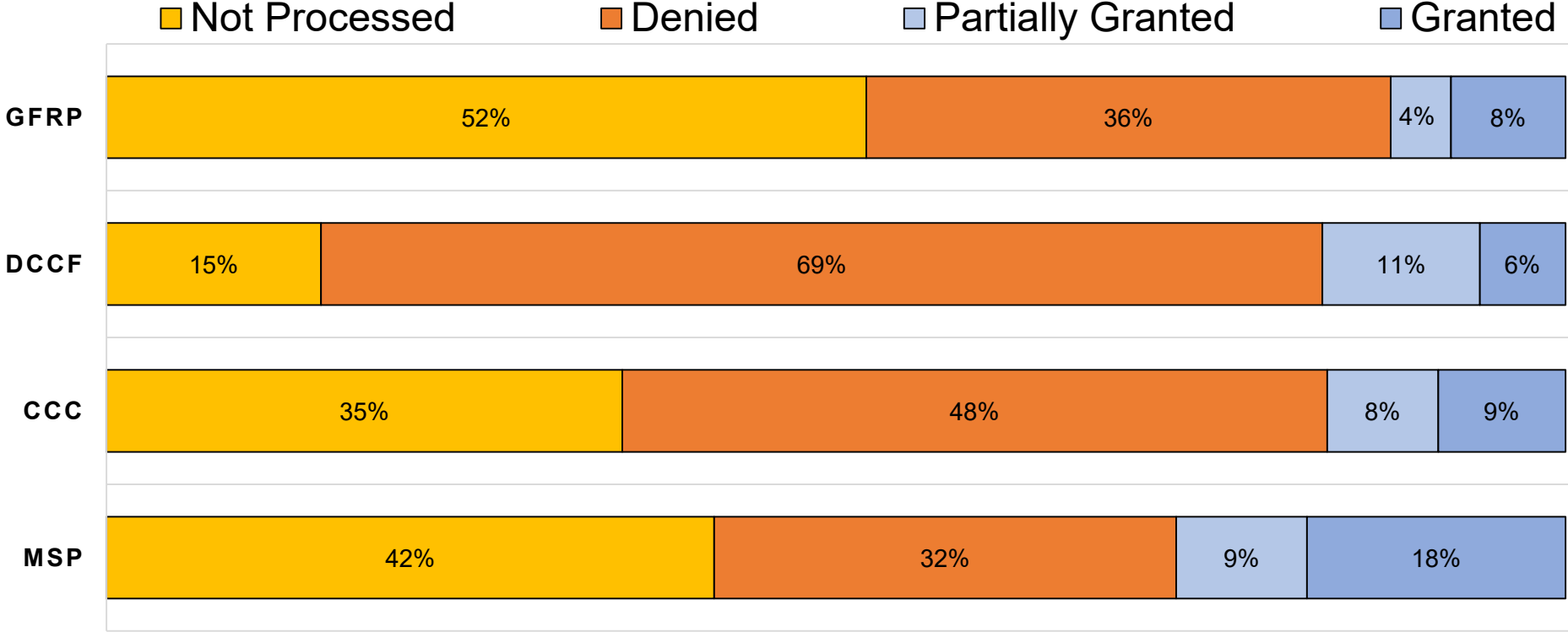
Educational
Attainment
and Work
Assignments



Visitation



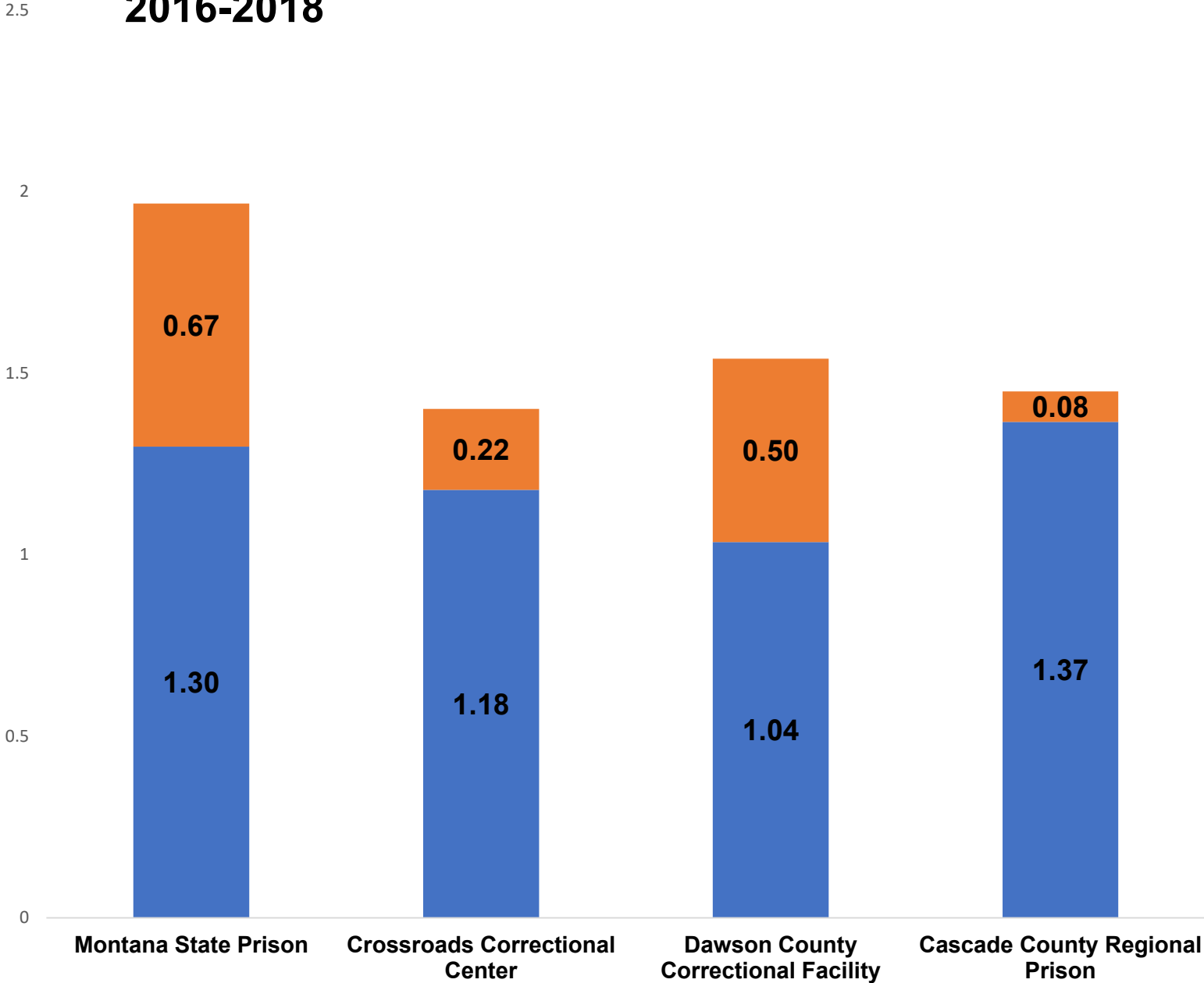
Survey of
Former
Inmates



GRIEVANCES

DISCIPLINARY
ACTIONS

Annual **major** and **minor** infractions per inmate,
2016-2018



EDUCATION AND WORK ASSIGNMENTS

Educational Attainment by Facility				
Prison	2018 HiSETs	2018 %	2019 HiSETs	2019 %
MSP	57	3.6%	53	3.4%
CCC	30	5.1%	25	4.2%
DCCF	4	2.8%	5	3.5%
CCRP	0	0.0%	0	0.0%

Offenders with Work Assignments, December 2019			
Prison	Total Offenders	Offenders w/ Work Assignment	Percent w/ a Work Assignment
MSP	1,628	887	54.5%
CCC	609	207	34.0%
DCCF	139	68	48.9%
CCRP	150	56	37.3%

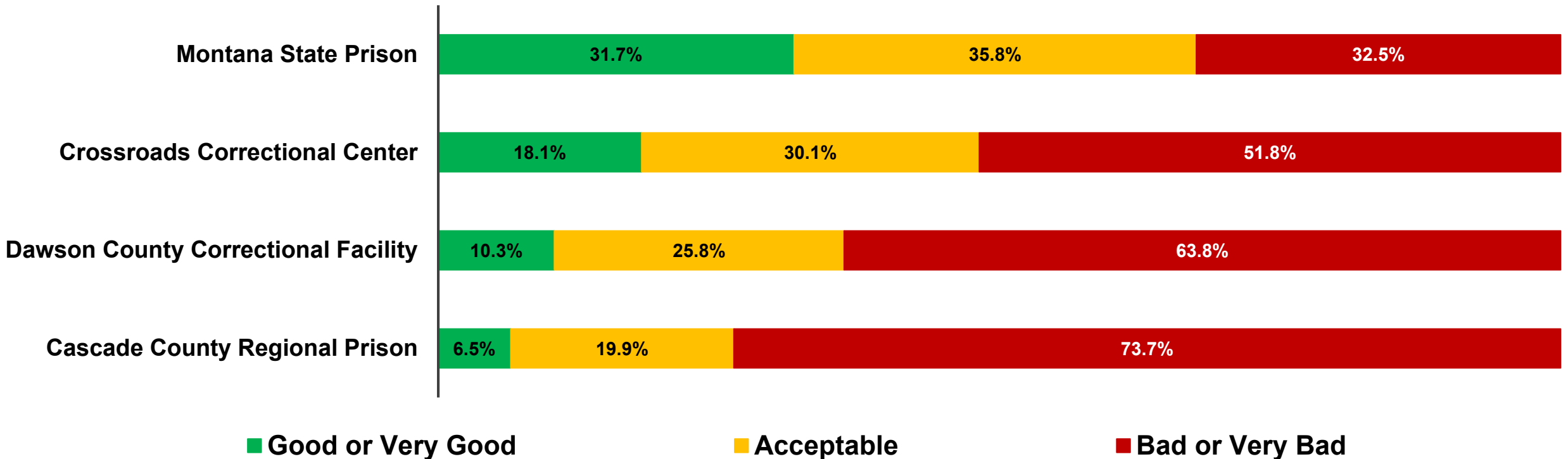
SURVEY OF FORMER INMATES

RESPONDENTS RATED 14 MEASURES OF PRISON EXPERIENCE

- Healthcare, dental, and vision care
- Mental healthcare
- Safety from other inmates
- Treatment by correctional officers and staff
- Training, education, and skill-building
- Paid work assignment availability
- Grievance process and results
- Access to legal information
- Civil rights (e.g. freedom of religion)
- Meals
- Visitation
- Exercise and recreation
- Comfort and quality of life
- Overall prison experience

SURVEY OF FORMER INMATES

The average of former inmates' opinions on fourteen measures of prison quality indicates a distinct ranking of prisons



SURVEY OF FORMER INMATES

Measure of Prison Quality	Average Survey Respondent Rating, 0-10			
	MSP	CCC	DCCF	CCRP
Healthcare, dental, and vision care services	5.09	3.61	2.41	1.61
Mental health services	3.88	3.50	2.65	2.14
Safety from other inmates	5.09	3.58	4.25	3.03
Treatment by correctional officers and staff	4.06	3.68	4.07	2.55
Training, education, and skill-building	4.89	3.66	1.71	1.51
Paid work assignment availability	4.96	3.05	1.62	1.15
Grievance process and results	2.97	2.41	2.50	2.10
Access to legal information	5.21	3.49	2.50	2.04
Civil rights (e.g., freedom of religion)	5.41	4.67	3.63	3.60
Meals (flavor, nutrition, and/or amount)	4.77	2.47	2.59	1.33
Visitation and communication with family and friends outside of prison	4.92	4.53	2.55	1.97
Exercise and recreation (in and outdoors)	6.88	4.26	2.00	2.30
Comfort and quality of life (temperature, physical space, entertainment)	5.29	3.47	2.05	1.60
Overall prison experience	4.54	3.40	2.23	1.70



RECOMMENDATION
ONE

- Regularly use available prison data to compare contract prisons to MSP and to each other on a per inmate basis

OBJECTIVE 2 – OFFENDER OUTCOMES



Recidivism (return to prison for any reason within 3 years of release from prison) rates

Some other states have found differences in recidivism rates between public and private prisons



Time to parole

Private prisons in other states have been found to increase the time it takes an inmate to be paroled once eligible

COMPARING DAILY PRISON COSTS



Can be misleading



The prisons are not
competitive entities



No fair way to control
for variable healthcare
costs

Cost Per Inmate Per Day

Prison	FY 2017	FY 2018	FY 2019
MSP	\$109.25	\$109.51	\$104.38
CCC	\$81.21	\$87.23	\$77.46
DCCF	\$89.35	\$85.97	\$84.53
CCRP	\$73.58	\$81.34	\$77.83

Fiscal Year 2019 Prison Cost Per Day Analysis

Prison	Clinical Division Costs	Total Costs	Percent of Total Costs That Are Clinical
MSP	\$13,575,503	\$62,103,009	21.9%
CCC	\$142,661	\$16,596,334	0.9%
DCCF	\$93,143	\$4,411,873	2.1%
CCRP	\$69,481	\$4,289,684	1.6%

RECIDIVISM RATE ANALYSIS

METHODOLOGY

- Propensity Score Matching to compare similar groups of offenders
- 6 different models comparing groups who spent time in different prisons
 - E.g. offenders who spent 60% of incarceration in contract prison vs. offenders who spent 100% at MSP
 - Also compared each of the individual prisons to each other, e.g. CCC vs. MSP

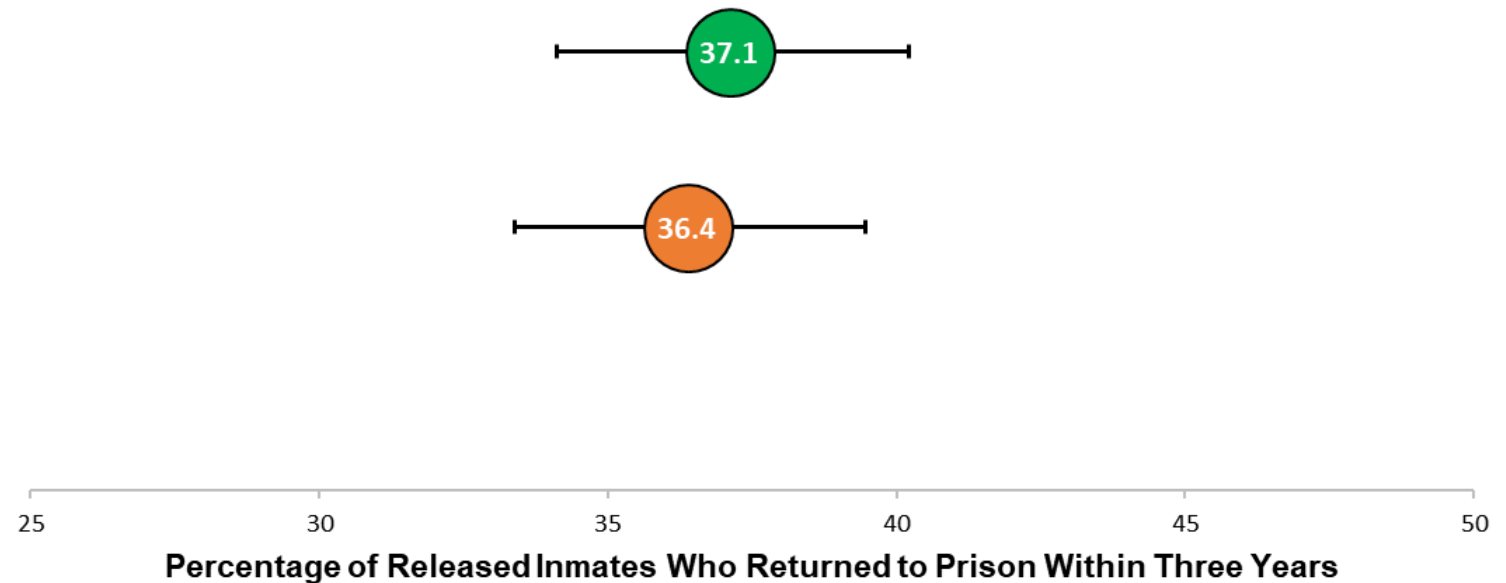
VARIABLES MATCHED (CONTROLLED)

- Sentence length
- Age at prison entry
- Race
- Offense Types
- Felony count
- Prior failures while under DOC supervision
- Recidivism risk scores at intake
- Second custody level
- Health scores
- Gang affiliation
- Correctional status prior to prison

RECIDIVISM RATE ANALYSIS RESULTS

- Recidivism rate differences for all 6 of our models were not statistically significant
- We have no evidence that time spent in any of the four prisons relative to the others increases chances of recidivism

The recidivism rate of 962 inmates of Contract Prisons was not statistically significantly different than that of 962 Montana State Prison inmates.

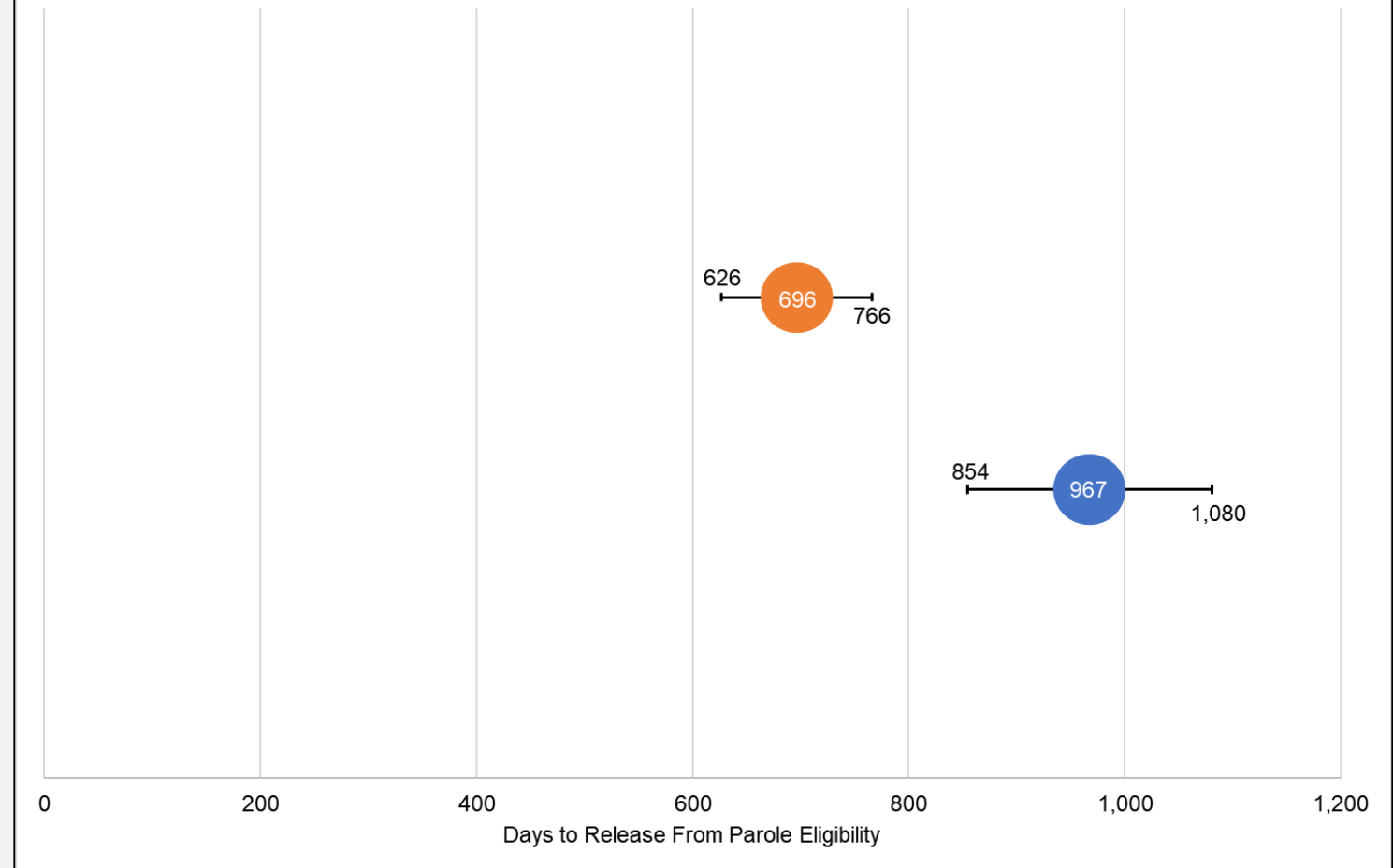


TIME TO PAROLE ANALYSIS

- Other states have found that private prisons increase the time it takes for inmates to be paroled
- We found the opposite
 - Caveat: missing important data
- No evidence that contract prisons result in increased time to release after parole eligibility

Figure 7 Time to Release After Parole Eligibility

Inmates whose first parole hearing took place at MSP took statistically significantly longer to be released from prison compared to inmates whose first parole hearing occurred at a contract prison.



OBJECTIVE 3 – INMATE TRANSFERS



Number



Reasons

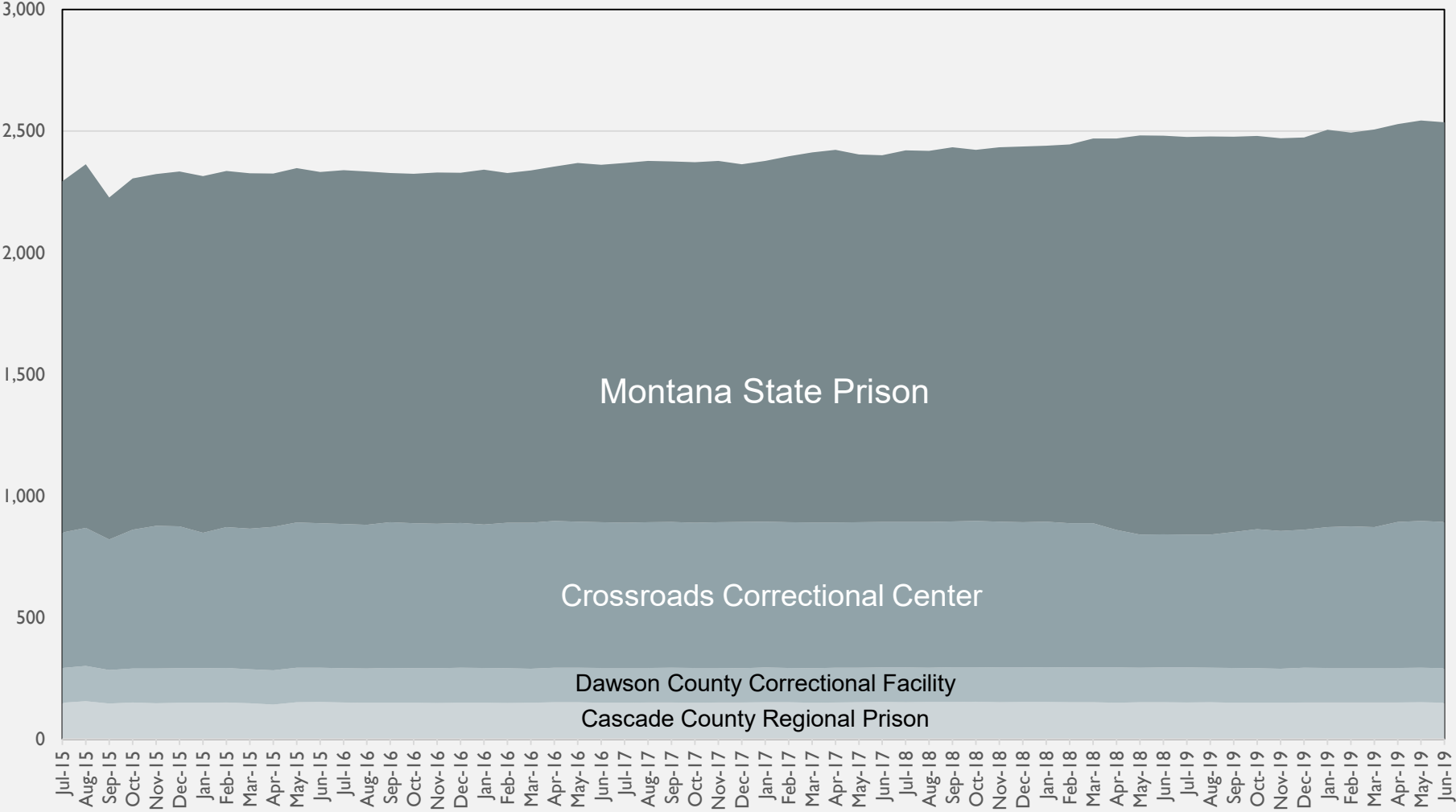


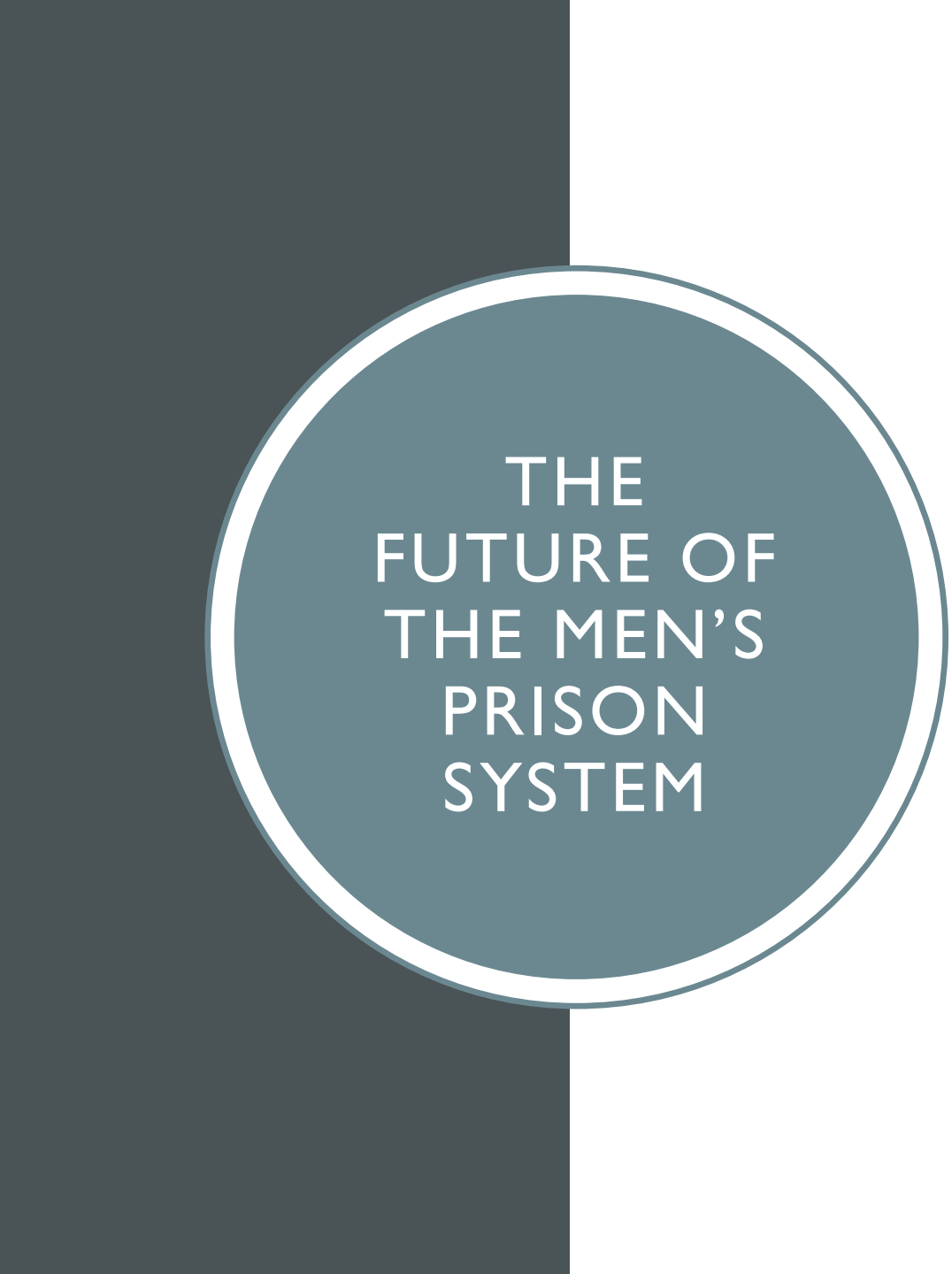
Effects



Population

MALE INMATE POPULATION



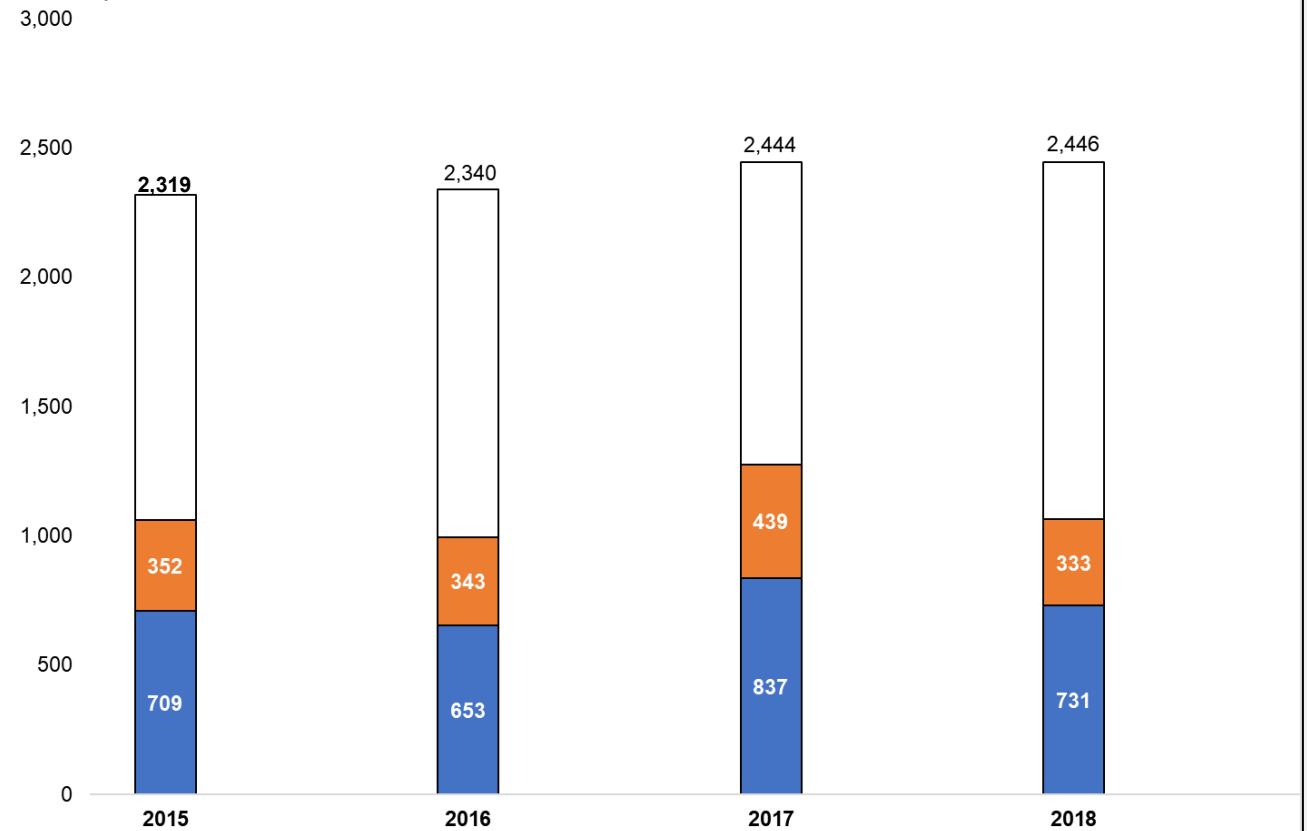


THE FUTURE OF THE MEN'S PRISON SYSTEM

- Rising inmate population
- Percent of male inmates in contract prisons is the highest of any state in the country
- MSP does not have space for contract prison inmates
- Contracts expire
 - Renewal/RFP is a mechanism of accountability and flexibility, but can also lead to uncertainty and risk
 - Length of contracts
- **Conclusion: Long-term prison contracts and policy disagreement have inhibited development of strategic population management planning, requiring the use of frequent inmate transfers.**

ANNUAL TRANSFERS

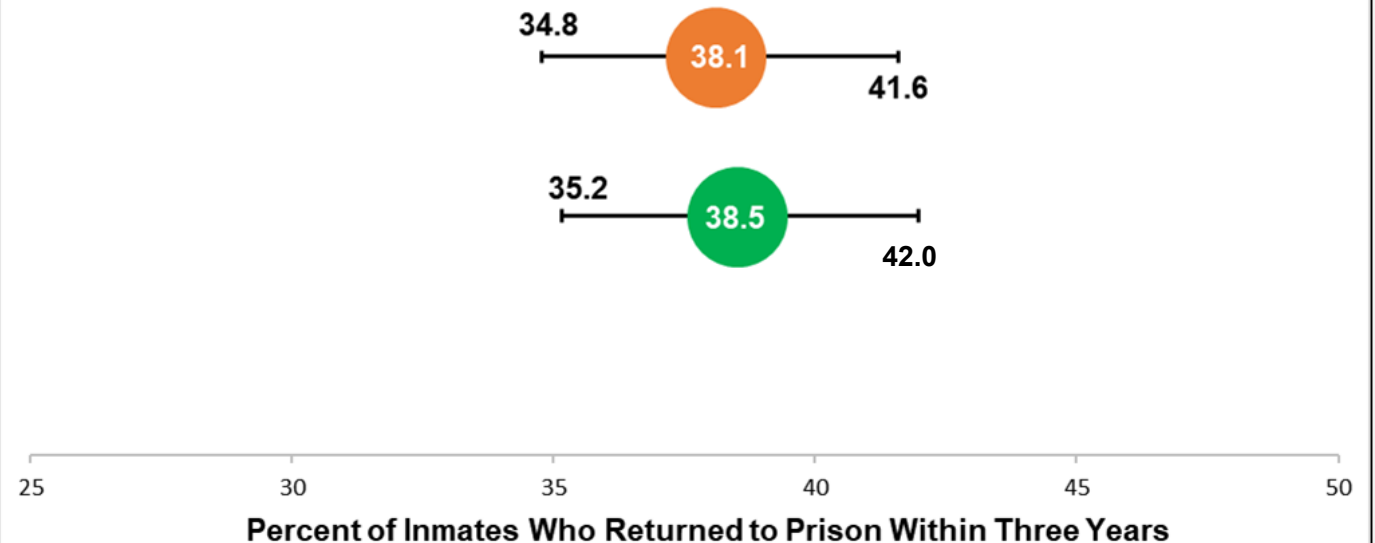
The department usually transfers over 1,000 inmates to and from contract prisons each calendar year. From 2015 through 2018, this equates to between 42 and 52 percent of the total male inmate population, represented by the white columns.



DOES BEING TRANSFERRED BETWEEN PRISONS MULTIPLE TIMES AFFECT RECIDIVISM?

- Propensity score matching
- Compared offenders who were transferred multiple times to those who were never transferred
- No statistically significant difference

The recidivism rate for 779 offenders who were transferred between prisons multiple times during incarceration was not statistically significantly different than that of 779 similar inmates who were never transferred out of MSP.



OMIS DOES NOT
ENABLE EASE OF
INMATE TRANSFERS

Identifying inmates who can be transferred out of MSP is onerous and inefficient for department staff

Transfer reasons and numbers are not electronically recorded

Risk of inappropriate offender placement, waste of time and resources, and potentially disruptive to the inmate's rehabilitation



RECOMMENDATION
TWO

- Implement an inmate placement module in the Offender Management Information System