Resolution on Prison Expenditures

Summary
For over 30 years the average total state cost per prisoner has increased almost twice as fast as the rise in the median income and more than twice as fast as the poverty rate. It is unconscionable that the rise in the standard of living of convicted prisoners has risen far faster than that of their victims, especially in light of the need to use limited public funds to expand prison capacity to prevent convicted violent and repeat offenders from returning to the streets before completing their sentences. This resolution supports any policies which would prevent prisoners from living at a standard of living higher than that of the poverty rate of the citizens of the state in which they are incarcerated, and calls on federal courts to cease "micro-managing" state prisons.

Model Resolution

WHEREAS since 1960, the average total state correctional expenditures per inmate have increased almost twice as fast as median income and more than twice as fast as the poverty threshold; and

WHEREAS expenditures on prisons in excess of the levels necessary to meet constitutionally mandated conditions of confinement increase the cost of building and administering institutions, thereby diverting funds which could be used to expand current prison capacity throughout the country; and

WHEREAS additional prison beds are desperately needed to stop the early release of repeat and violent offenders due to insufficient prison capacity; and

WHEREAS public funds that could go to assist the law-abiding poor are being expended to provide facilities and services for inmates at a level exceeding the minimum standard of living for the law-abiding poor and exceeding the conditions mandated by the Constitution of the United States; and

WHEREAS Federal Courts have been besieged by frivolous litigation brought by inmates incarcerated in institutions; and

WHEREAS lacking a legislative expression of the contemporary standards of decency relating to prison conditions, federal courts have become unduly involved in the micro-management of state and local correctional facilities;

THEREFORE BE IT RESOLVED that the American Legislative Exchange Council supports policies which state that inmates should not be entitled to live better than law-abiding persons living at the poverty guideline level of income as determined by the U.S. Department of Health and Human Services; and

BE IT FURTHER RESOLVED that the American Legislative Exchange Council supports legislation which limits the power of federal courts to impose upon the states, prison conditions not mandated by the United States Constitution or to further micro-manage state prisons; and

BE IT FURTHER RESOLVED that copies of this resolution be provided to the President of the United States and Members of Congress.

ALEC's Sourcebook of American State Legislation 1995

From CMD: This Resolution purports to blame rising prison spending on rising standards of living for prisoners. The most significant part of per-inmate prison expenditures is the cost of security, which benefits the private prison industry (including the Corrections Corporation of America, which is on the Executive Committee of ALEC’s Public Safety & Elections Task Force). Looking at the bigger picture, taxpayers are spending more on prisons because more Americans are being imprisoned and more prisons are being built. A large part of the rising incarceration rate is attributable to the "War on Drugs," which ALEC bills perpetuate. Also to blame are mandatory minimum sentences, which ALEC bills also promote, as well as truth-in-sentencing bills like those introduced by ALEC alumnus and Wisconsin governor Scott Walker, which extend time incarcerated rather than on parole.