

W.Va. report urges sentencing, parole reforms

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CHARLESTON, W.Va. (AP) — As West Virginia lawmakers grapple with overcrowding in prisons and regional jails, a new report says the state should invest more in alternative sentencing options that keep lawbreakers out of the penal institutions in the first place.

Some recommendations in the report released Wednesday by the West Virginia Center on Budget and Policy match proposals in an omnibus bill moving through the Legislature. The bill aims to reduce the prison population and ease the burden on regional jails that now house almost 1,700 convicted felons who should be serving their sentence in state prison.

The center worked with The Partnership of African American Churches and The American Friends Service Committee's West Virginia Economic Justice Project to draft the review of the state's prison and jail system. All three organizations work to improve the lives of low-income West Virginians.

West Virginia spent a greater share of its general fund revenue on corrections than 48 other states during the last two decades. Only Wisconsin spent a greater share of its tax revenue on corrections, according to the report.

That figure shocked West Virginia Center on Budget and Policy executive director Ted Boettner.

"We're not having a discussion of the costs here. We never ask how much is this going to cost the state every time we pass a bill to increase sentencing for non-violent offenders," Boettner said.

Drug abuse is driving the overflow in the jails and prisons in the state. Lawmakers want to avoid building another \$200 million prison to ease the overcrowding.

Last year West Virginia spent \$147 million to run its 13 correctional facilities — almost double the cost in 2001. That doesn't include counties' costs to operate the severely overcrowded regional jails.

Several bills working through the Legislature would tackle the overcrowding problem by providing transitional housing for returning prisoners; requiring the state to expand parole eligibility services to the regional jails; and allowing counties to increase property transfer fees to pay for jail services and drug treatment.

Parole revocations and tough sentencing laws also contribute to the rising population, the report said.

The report advocates keeping offenders out of the prison system by offering alternative sentences and drug or mental health treatment. It also recommends reducing the amount of time offenders spend in prison with shorter sentences and a better chance for parole.

Such reforms would save West Virginia money and would reduce recidivism while protecting public safety, the report argues.

Compounding the problem are parole requirements. Inmates housed at the jails don't benefit from programming offered at the prisons and they often don't meet the minimum requirements for a parole hearing, prolonging their stay in the system.

The House Judiciary committee Tuesday advanced a bill that would address that loophole by requiring the Division of Corrections to provide that programming at the jails. But the division has said it would be a costly change because the jails lack the space to offer the programs.

Housing an inmate in prison costs 20 times more than keeping the offender on parole or probation, according to the report.

Parole revocations spiked between 2002 and 2010. In two-thirds of cases, parole was revoked not for committing a new crime, but for technical violations like contacting a victim or failing a drug test, according to the report.

"It's a huge problem here in West Virginia. You can miss a meeting with your parole officer and suddenly you're going back to jail for another three or four years," Boettner said.

The omnibus bill would create a pilot program that sets incremental sanctions for parole violations like spending a night in jail instead of going back to prison to serve the remainder of a sentence.

The bill also would provide good time credit for inmates who earn a high school or college degree while in prison. Good time credit allows inmates to serve less time in prison. The idea is recommended in the report.

The report also recommends reducing maximum sentences. For example West Virginia law does not limit the length of sentence for robbery. Another recommendation: Release elderly inmates who pose no public safety threat.

Such reforms may seem scary to the public and lawmakers who fear criminals would be released sooner than they should. But the bills under consideration would protect the public and still address the high cost of locking people up, said Alyson Clements with the American Civil Liberties Union of West Virginia, which is lobbying for similar reforms.

"The hard thing to swallow is that we need alternatives," Clements said, calling the legislators' efforts a step in the right direction.