



*State of New Jersey
Department of Corrections*

Commissioner's Testimony

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

DEPARTMENT OF CORRECTIONS

TESTIMONY

OF

ACTING COMMISSIONER GEORGE W. HAYMAN

On behalf of Governor Jon S. Corzine, I am pleased to appear before you to discuss the Department of Corrections fiscal year 2007 budget request. There is renewed interest in corrections on the part of the Governor, who has expressed a desire to work with the Legislature on issues impacting prisoner treatment and re-entry services, as well as facility security. The fact that Governor Corzine spent a full day touring both New Jersey State Prison in Trenton and South Woods State Prison in Bridgeton, and wishes to visit all of our prisons, halfway houses and the Juvenile Justice facilities, is indicative of his interest in correctional issues.

The Governor, as you know, has made administrative efficiencies and professional ethics priorities in the conduct of state business - priorities to which I am fully committed in managing the department's operations. Those operational efficiencies are reflected in this budget request, and ethics training has been administered to all senior staff in accordance with the Governor's mandate.

As with all law enforcement agencies in the state, the New Jersey Department of Corrections must walk a budgetary tightrope, balancing public safety with an unprecedented fiscal crisis. The budget for the New Jersey Department of Corrections, the second-largest department in state government, has, of necessity, grown in direct proportion to the number of those inmates who have been placed in our care and custody.

Consistent with Governor Corzine's directives to reduce costs, the NJDOC has affected more than \$14 million in budget reductions through program eliminations and administrative efficiencies, to include a substantial and sustained reduction in custody overtime. Through rigorous monitoring, a post by post review and contract negotiations, the department has continued to reduce custody overtime from \$83.6 million in fiscal year 1998, to an anticipated \$33.8 million in fiscal year 2006.

The budget we propose allows us to fulfill our mission - to ensure that those committed to the state correctional institutions are confined with the level of custody necessary to protect the public and that they are provided with the care, training and treatment needed to prepare them for reintegration into the community. And while an historic attrition rate of 12 uniformed staff per pay period, early retirement and the War in Iraq have cut deeply into our personnel ranks, our Bureau of Training continues to maintain a bold schedule to ensure full staffing. While maintaining a continual training schedule to reduce the overtime expenditure by lowering statewide custody vacancies, the Office of Training identified and prioritized those areas that required immediate action. Three hundred twenty-eight officers were graduated from the Correctional Staff Training Academy in

Sea Girt during the past 12 months, assuring a full complement of uniformed staff throughout the year.

Additionally, the Office of Training has developed a training module for uniformed and non-uniformed staff - The Correctional Employee as a Professional and Undue Familiarity. In order to include this module in this year's in-service training, a train-the-trainer class for all institutional training department lieutenants was conducted. Other training, to include the issues of domestic violence and stress management, are also offered to recruits and their families.

GANGS

For those of us who work here in Trenton, and especially the residents, the scourge that is gangs has dramatically affected our capital city in the past few months. Hence, Governor Corzine has made gang recognition, apprehension and elimination a priority of his administration. More than 15 years ago, the NJDOC began tracking the Security Threat Groups in our prisons, which has led to a database that is routinely shared with federal, state, county and local police. When it became apparent that such a large number of inmates was identified definitively as gang members, the NJDOC, in 1998, designed a special unit to house the gang leaders apart from the general population.

To that end, The Security Threat Group Management Unit (STGMU), located at Northern State Prison in Newark, was devised to isolate problematic gang affiliated inmates or those identified as gang leaders from the general prison population. At the same time, the

STGMU provides a structured and controlled environment where inmate behavior is closely monitored by a team of departmental staff.

The results of the STGMU program were immediate -- a department-wide drop of 42 percent in staff assaults and an 84 percent drop in organized violent behavior among our inmates. Furthermore, recent data shows that gang members who have completed the Security Threat Group Management Unit (STGMU) program recidivate at a rate of approximately half the national average for prisoners who are released to the community. These statistics underscore the effectiveness of this approach. The fact that Maryland and North Carolina among others, are modeling their gang units after the NJDOC's STGMU unit indicates that the department is not alone in reaching that assessment.

In concert with the Division of Criminal Justice, the Department developed the Gang Awareness & Prevention Program (GAPP), which was initiated in November 2001. A former gang member addresses students, describing his experiences with the gang, and the process that led to his renunciation. Since the inception of the program, GAPP has made thousands of presentations, and nearly every municipality in the state has requested a presentation. Additionally, other Special Investigations Division Officers, Intelligence Section, have rendered hundreds of gang recognition and apprehension seminars throughout the state and the country to law enforcement professionals.

INMATE EDUCATIONAL PROGRAMMING, TRANSITIONAL SERVICES AND REENTRY

Realizing the correlation between recidivism and public safety, Governor Corzine has given reentry efforts for the thousands of inmates in our care the full attention of his administration. More than 14,000 offenders are released from state prison in New Jersey each year, and over the next five years, an estimated 70,000 offenders will leave state prison and return to their communities. More than half of released offenders will be rearrested for a new crime within nine months, and many will return to prison within three years. The consequences associated with high recidivism rates range from the incalculable cost to communities, families and victims affected by crime to ballooning budgets needed for the incarceration of offenders. It therefore becomes incumbent on the Department to address this pressing public safety problem while inmates are in our care, and we begin that process even as they enter prison.

The Department of Corrections ensures that all offenders are given an initial risk/needs assessment, are reviewed on an ongoing basis, and leave custody with a discharge plan. All newly admitted offenders are formally assessed on intake to determine their risk to re-offend and their need for rehabilitative programming. Inmates are reassessed at release to measure treatment progress, supervision levels and services needed after release, and are given a pre-release questionnaire which is used to design an individualized discharge plan. This plan addresses identification, housing, voter registration, transportation,

employment, education, family and social supports, spiritual, mental and physical health, and substance use, in cooperation with the State Parole Board.

But before discharge, the department is committed to an ambitious mission of educating the offenders within our facilities, and has made the passage of the GED a priority in our institutions. GED results for calendar year 2005 are as follows: 954 tests administered, 708 passed -- 74 percent pass rate for DOC, which speaks volumes about the fine educators in our department. This educational mission drives an innovative curriculum rich with effective academic and vocational programs, as well as comprehensive computer technology programming, allowing the learner to be immersed in computer literacy while engaged in every facet of school programming. The Office of Educational Services provides a wide range of computer technology training at every facility and continues to pursue new technologies and emerging trends, exposing the inmate learners to an extensive curriculum related to computer literacy.

Educational television, which started in July 2002, has been incorporated within the classroom curriculum for many years, continues to expand to include viewing by the entire inmate population. Cognitive behavioral programs such as moral reconnection therapy classes have existed within the department since the fall of 2000. These programs continue to enrich the education curriculum beyond the formal structure of academic and vocational education. Chess, which started at New Jersey State Prison around May 1975, has been used as an educational and recreational tool for many years. The continuation of chess activities culminating in an annual chess tournament in 2001 at New Jersey State

Prison has expanded throughout the department in an effort to develop memory and critical thinking skills as an enhancement to the academic curriculum.

Our charge, as we enter the 21st century, is to provide our students with the educational experiences and skills needed to enter and remain current with the advanced technology influencing the current and future job market. Comprehensive academic, vocational, computer and technology based skills are important elements of a successful transition back into society and the workforce. The achievement of a broad educational base will allow for the retooling of skills and abilities to adjust to an ever changing job market.

Post prison, several programs are in place for offenders residing at halfway houses to aid in their transition back to society, and especially their families. The Responsible Parenting Program (RPP) is an interdepartmental initiative that seeks to encourage responsible parenting through the provision of specific services that are tailored to provide a foundation that allow incarcerated parents to assume emotional and financial responsibility for their child(ren). The primary goal of this initiative is to develop and improve relationships between child(ren) and incarcerated parent(s).

The Department of Labor (DOL) is an emerging third partner in this initiative working closely with both the Departments of Corrections (DOC) and Human Services (DHS) to try to determine effective strategies to assist RPP participants in obtaining better employment or training and educational services.

CONTRACTED SERVICES

The department engages a number of specialized service providers in its operations at a total cost in excess of \$240 million annually. These providers, as noted below, deliver their services on a contractual basis. The most recent contractual arrangements, those currently in place, provide for payment of actual costs as the services are rendered throughout the year. In addition, performance indicators have been included by which the provider and the department can evaluate, monitor and audit the specific elements of service delivery on an ongoing basis. To the extent that less than standard performance persists, the provider may be subject to financial consequences. These enhancements have been incorporated to ensure cost effectiveness in the service delivery elements of the contractor's operations throughout the term of the contract.

The department awarded new contracts for fiscal year 2005 through fiscal year 2007 to providers of Residential Community Release Programs (RCRP) at a cost of \$61 million. The new contracts award a total of 2,629 beds, and include new services for female inmates while providing the NJDOC with the above noted improved method for managing and tracking the performance of contracted services.

Medical, dental, mental health and substance abuse services are delivered by contracted service providers, specialists in their respective fields, at a combined contract level of \$150 million. Under the monitoring and general management of the department, costs are contained, and the required services are delivered to an average daily population of

more than 27,000 inmates and 340 civilly committed sex offenders throughout the year. Continual performance reviews based on the use of automated reports as well as program audits are conducted, in conjunction with the providers, throughout the year.

In addition, the department maintains contracts with the various county jails to house state prisoners awaiting transfer to state correctional facilities at an anticipated cost of \$34 million in fiscal year 2007.

The above noted performance oriented approaches are in concert with Governor Corzine's priorities fostering verifiable administrative efficiencies and program results that, in turn, can be reported back to the Governor, his staff, and that of the State Treasurer.

OTHER BUDGETARY ISSUES

- Civilly committed residents

Additional funding to accommodate an increased civilly committed population is required in FY 2007. This group consists of those offenders who have completed their terms for sexual offenses but who are deemed too dangerous to be released, and are therefore civilly committed to our Sexually Violent Predator unit, with treatment provided by the Department of Human Services. The department anticipates that this population will grow at the rate of 2-3 residents per month, costing \$1.7 million, which includes annualization of salary for uniformed and civilian staff previously phased in.

And while trailers are a short-term answer to this growth, we must seek a long-term solution to the housing of this population.

- The Office of the Ombudsman

The inmate advocate, the Office of the Ombudsman, has been moved under the umbrella of the newly restored Public Advocate, thereby repositioning the budget of this office, \$1 million, to the Office of the Public Advocate.

- Inmate Highway Details

The "Paying Communities Back" program, an offshoot of the inmate work details, has been eliminated in this budget, saving approximately \$1.6 million. While highway clean-up details, and inmate maintenance details on state-owned facilities will continue, regretfully, many of the individual community labor projects will need to be shelved in the interest of fiscal prudence. To the extent that the department is able to continue some of these details, it will do so; however, due to the difficult budgetary circumstance facing State government, these expenditures be limited to those inmate details more directly related to day to day state operations.

THE FUTURE

Currently, the cost of incarcerating one individual in a state prison is approximately \$32,000 per year and rising. The Department of Corrections budget now totals virtually \$1 billion. Please recall that since 1980, the State prison population has increased from 6,000 to the current level of 27,000, and while growth more recently has diminished,

maintenance of this extremely high residential population and the related cost, both financial and societal, is a matter of great concern. Additionally, two of our institutions, New Jersey State Prison in Trenton and East Jersey State Prison in Rahway, are more than a century old, and the maintenance of these, and all of our prisons, is also a costly proposition.

An essential consideration for Governor Corzine is the diversion of offenders to alternatives which best match their needs. In this regard, the department endorses the expanded use and application of Drug Courts throughout every county in the state. This would serve as a viable alternative for the non-violent, drug addicted offender who needs treatment, not incarceration. It should be noted that our current prisoner population includes 5,984 prisoners serving mandatory minimum sentences due to drug related offenses.

The department recommends that the role of mandatory minimum sentences be revisited by you, our esteemed legislators, as the commission's conclusions are that mandatory minimums place an unbalanced criminal burden on the urban, minority offender, and an unmitigated financial burden on all of our citizens.

Despite today's budget challenges, however, the New Jersey Department of Corrections will continue to ensure that those committed to the state correctional institutions are confined with the level of custody necessary to protect the public and that they are

provided with the care, training and treatment needed to prepare them for reintegration into the community.

Thank you for inviting the department to appear before the Committee regarding its budget request for the upcoming fiscal year. My staff and I would be happy to answer any questions you may have.