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Close prisons with too many vacant beds.

Legislature must close those that are operating inefficiently.

This doesn't add up: With an annual budget of \$2.5 billion and 31,000 employees, the Department of Correctional Services is New York's largest state agency. And it continues to eat up tax dollars though crime has dropped 35 percent over the past decade, and New York's prison population is at 61,000 — the lowest level since the 1980s.

Obviously, the state's prison system needs to be right-sized. Gov. David Paterson and his administration recognize this urgent need, as did his predecessor, former Gov. Eliot Spitzer.

In fact, DOCS Commissioner Brian Fischer said as much during testimony this week before the Joint Legislative Fiscal Committees: "... It's time to restructure the prison system."

The problem? Too many lawmakers with prisons in their legislative districts are afraid that the closure of facilities would mean job losses.

For sure, such concerns aren't to be marginalized. But already financially strapped taxpayers and a state government facing a \$15 billion state budget deficit can't keep looking the other way. That's essentially what's been happening as state lawmakers, year after year, refuse to accept recommendations for prison closures.

This time around, Fischer wants minimum security camps closed along with several so-called correctional annexes. None of the facilities, which currently have 1,000 vacant beds, are in the immediate Rochester area. The closures, along with modifications to two existing statutes, could save taxpayers \$100 million and reduce the prison workforce by 1,342 positions through attrition.

Prisoner-rights groups are understandably concerned about a proposed delay in implementing a new law created to provide specialized treatment for mentally ill inmates. Fischer should work with them to reach a compromise.

But he should move aggressively to persuade the Legislature to shut down inefficient prisons. Look at what's happening to prisoners with drug-related convictions. Since the 1990s, when drug crimes were the major reasons for prison growth, they've declined from 34 percent to less than 20 percent of the inmate population.

It's a crime if the state prison system doesn't change — soon.
