

## **Education Versus Incarceration: A Mississippi Case Study**

*“We are taking money away from children and teachers in the classroom. We’re taking money from the Institutions of Higher Learning. We’re taking money away from our community colleges...yet we’re going to pay money for prisoners located throughout the Mississippi system under the theory that it’s good policy.”*  
- *Governor Ronnie Musgrove*

### **I. Executive Summary**

Over the last twenty years, the rapid expansion of U.S. prison populations has put pressure on state budgets and forced lawmakers to make difficult decisions about which state programs will receive funding priority. It is within this context that many states have seen a major shift in spending away from public higher education and toward corrections. “Prisons and universities generally occupy the portion of the state’s budget that is neither mandated by federal requirements nor driven by population- like Medicare or K-12 education. Because they dominate a state’s discretionary funds, prisons and universities must ‘fight it out’ for the non-mandated portion of the state’s budget.”<sup>1</sup> By analyzing data from a variety of state and national sources, Grassroots Leadership arrived at the conclusion that, like many states, Mississippi is prioritizing locking up nonviolent offenders over preserving and expanding access to higher education for its citizens. The following are the report’s most startling findings:

- From 1989 to 1998 the state of Mississippi saw per-capita state corrections appropriations rise a startling 115%. Per-capita state higher education appropriations stagnated during the same period, increasing by less than one percent.

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<sup>1</sup> Justice Policy Institute

- Mississippi built 16 new correctional facilities, including 6 for-profit private prisons, in the 1990's alone. By contrast, the state has built no new four-year colleges or universities in over 50 years.
- There are almost twice as many African American men in prison (13,837) as in four-year colleges and universities (7,330).
- The state spends more to incarcerate someone (\$10,672) than to send them to college (\$6,871).<sup>2</sup>

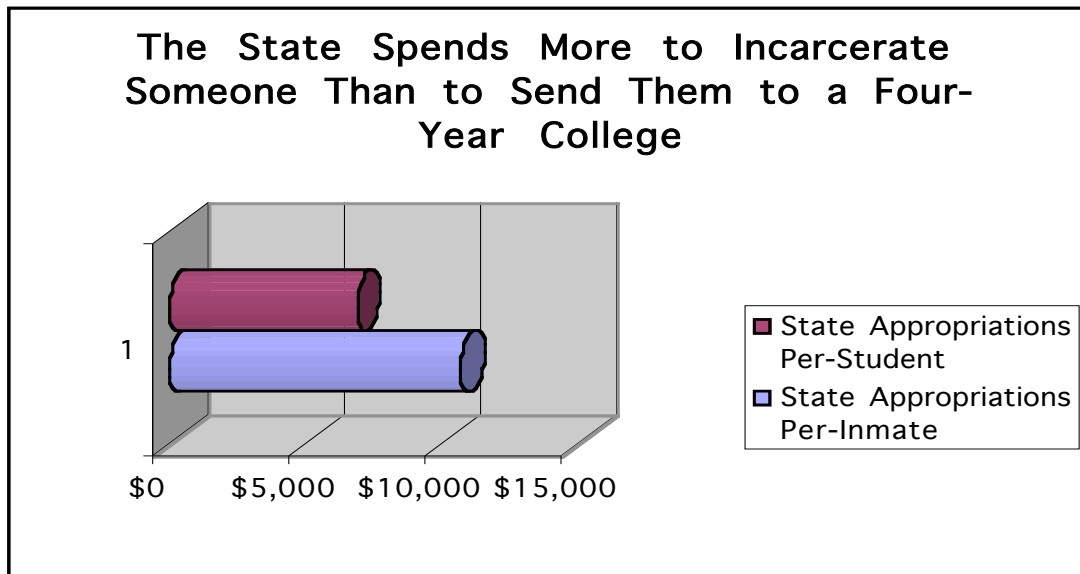
Grassroots Leadership views this issue as crucial to Southern communities struggling with the transition to a service and information-based economy in which a college education is more and more necessary to secure a well-paying job. We do not, however, support any state's reliance on band-aid attempts to control skyrocketing corrections costs. Many states have sought to tame costs by privatizing correctional services. However, this approach both compromises public and prisoner safety and fails to address the fundamental problem of out-of-control growth in prison populations. Grassroots Leadership believes firmly that for-profit private prisons have no place in a democratic society. Private companies are beholden first and foremost to their shareholders, whose only interest is in the bottom line. For these companies to profit, they require ever greater numbers of prisoners and must cut corners on essential services to save on expenses. Mississippi taxpayers should allow private profit to motivate their state's corrections policies. The state requires a drastic rethinking of current sentencing practices that are the fundamental force driving massive increases in state corrections costs.

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<sup>2</sup> Reported by the Mississippi Department of Corrections and the Mississippi Institutions of Higher Learning.

## II. Tough on Crime or Tough on Students?

Though Mississippi officials are all quick to announce their commitment to youth generally and education specifically, the statistics show that the state's children continue to suffer. Mississippi has a larger percentage of children living in poverty than any other state in the nation. The teen birth rate is higher than in any other state, as is the rate if teen death by accident, homicide, or suicide.<sup>3</sup> The American Legislative Exchange Council's "Report Card on American Education" shows that Mississippi ranks 50<sup>th</sup> in the nation for per-pupil expenditures on K-12 education. Furthermore, appropriations per full-time equivalent student at public colleges and universities continue to fall below the Southern Regional Education Board (SREB) average.<sup>4</sup> **The state currently spends more to incarcerate (\$10,672) someone than it does to send them to college (\$6,871).**



Poor public early childhood and K-12 education make it difficult for Mississippi's youth to adequately prepare for college, and the high cost of public higher education puts young people at a double disadvantage. Even when their level of scholarship is sufficient to

<sup>3</sup> Kids Count Data Book: State Profiles of Child Well-Being. Annie E. Casey Foundation. 2000.

gain them access to one of Mississippi's public colleges or universities, their economic situation may well not be.

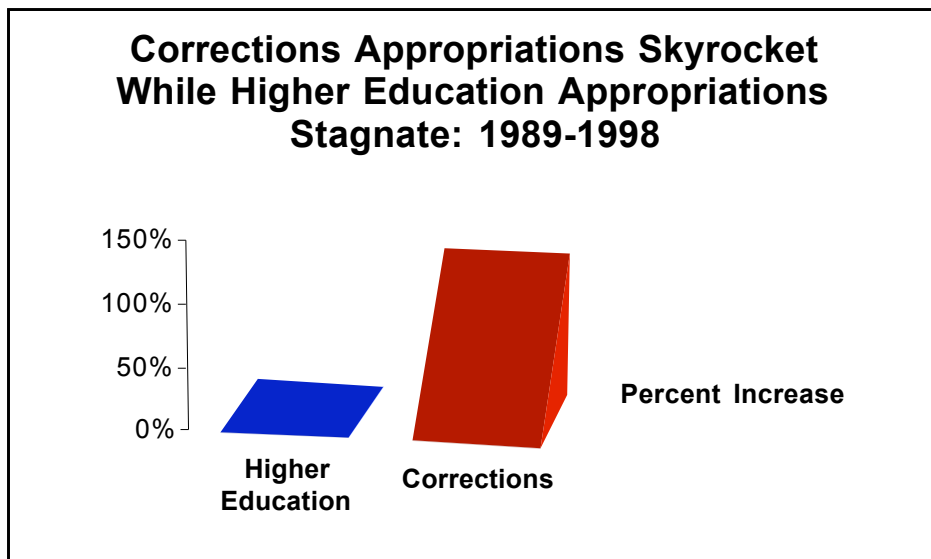
While at first glance, it may seem that examining the discrepancy between the resources Mississippi devotes to educating a child and the resources it devotes to keeping someone behind bars is like comparing apples and oranges, the national data clearly demonstrate that spending on prisons is directly correlated to spending on education. This correlation has been documented by the Justice Policy Institute (JPI), a Washington D.C. based criminal justice think-tank, which reported that in 1995, for the first time in history, the 50 states combined spent more money building prisons than building colleges. Furthermore, in that year, there was a near dollar-for-dollar tradeoff between cuts in spending on university construction, which decreased by \$954 million to a total of \$2.5 billion, and growth in spending on prison construction, which increased by \$926 million to a total of \$2.6 billion. The same trend has been observed in operating expenditures, which, between 1987 and 1995, increased by 30 percent for prisons and decreased by 18 percent for higher education.

Unfortunately, an analysis of state spending in Mississippi reveals similar trends. **While inflation-adjusted per capita spending on corrections rose a startling 114.8%, inflation-adjusted per capita spending on higher education stagnated during this same period, increasing by less than one percent.** Furthermore, while Mississippi has funded the construction of 16 new correctional facilities, including 6 for-profit private prisons, in the 1990's alone, the state has built no new four-year colleges or universities

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<sup>4</sup> Other SREB states include AL, AR, DE, FL, GA, KY, LA, MD, NC, OK, SC, TN, TX, VA, and WV.

in over 50 years.<sup>5</sup> Since 1994, the year in which a special session of the legislature was called to address the problem of prison overcrowding, and estimated through the year 2002, the Mississippi Department of Corrections will have spent \$72,862,628 on capital outlays for new and expanded prisons. \$45,334,671 of this total was used to construct for-profit private prisons. Each of the new prisons comes saddled with new operating costs, which contribute to a continued rerouting of taxpayer dollars from education to incarceration. From 1994 to 1998 alone, the addition of new prisons led to a 87.8% increase in state funds appropriated to cover operating costs at the new facilities.



When the state is unable to pay its share for higher education, the costs are passed along to students and their families. In fact, average tuition and fees at Mississippi institutions of public higher education have risen 11.1% from 1990 to 1999 with costs

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<sup>5</sup> Reported by the Mississippi Department of Corrections and the Mississippi Institutions of Higher Education.

kept in constant 1999 dollars. The state of Mississippi is effectively forcing students and their parents to shoulder the burden of the state's prison growth.

### **III. Public Safety**

Most citizens would support the use of their tax dollars to lock up the state's most dangerous violent offenders. However, Mississippi Department of Corrections data suggest that mounting corrections costs are actually driven by state policies that target nonviolent offenders. An astounding 67% of the offenders in Mississippi prisons are nonviolent, and a large portion of those nonviolent offenders are drug offenders. This amounts to a bait-and-switch tactic by which public officials find support for increasingly punitive policies by appealing to the public's fear of violent crime, yet spend the bulk of taxpayer dollars incarcerating nonviolent offenders.

### **IV. Widening the Racial Divide**

State policies targeting nonviolent offenders have placed an undue burden on communities of color, poor, rural communities, and on youth. Human Rights Watch reports that fully 70% of new admissions to Mississippi state prisons are African American. Only four states admit a higher percentage of African American persons into their prisons. Furthermore, while African Americans make up 72.2% of the state prison population, they make up only 33.3% of the student population at public four-year colleges and universities. National statistics show that though African Americans are more likely to be convicted of a drug offense and to be sent to prison, they are not committing a majority of these crimes. "African Americans constitute only 13 percent of

all monthly drug users, yet they account for 35 percent of all arrests for the possession of drugs, 55 percent of all drug convictions, and a shocking 74 percent of all those receiving drug-related prison sentences”.<sup>6</sup>

African American communities are hardest hit by disparate sentencing patterns and the mass incarceration of nonviolent offenders, and this problem is exacerbated by the fact that these communities are also hardest hit by resultant cuts in higher education. While all students suffer from underfunding and tuition increases, African American families are hit twice as hard by this funding dichotomy. As the poorest community in the state, they have to pay a larger portion of their income in education costs. Higher education has thus become increasingly inaccessible to these families and the state’s only response has been to alter sentencing practices to dramatically increase access to their ever-enlarging prison system.

Furthermore, prison growth has been overwhelmingly concentrated in poor counties who have been told that new correctional facilities represent the only hope for economic growth in the area. Fourteen of the 16 new prisons built since 1990 are located in counties with over 21% of families living in poverty, and 6 of these 14 are located in counties with over 31% of families living in poverty. Rather than invest in education for the rural workforce and positive economic development for poor communities, the state government has chosen to make these counties even less attractive to potential investors by filling them with prisons.

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<sup>6</sup> Dyer, Joel. The Perpetual Prisoner Machine: How America Profits from Crime. Boulder, CO: Westview Press, 2000.

## **V. Prison Growth and Privatization**

Much of the growth in the Mississippi corrections budget over the last decade is the direct result of the addition of six new for-profit private prisons to the state system. These facilities were built, along with nine regional facilities, in response to a special session of the State Legislature called by the Governor in 1994 to address the problem of prison overcrowding. The private prison corporations saw an opportunity to profit from the situation in Mississippi and helped to push the state along the road to overzealous prison construction. In the year 2001, it has been determined that many of the facilities built since 1994 are, in fact, operating under capacity. The state's response to the new 'undercrowding' crisis was telling. Instead of questioning the massive corrections expenditures that are eating up the state budget, legislators began a frantic search for prisoners to fill the empty beds. They have undertaken a backwards approach to budgeting in which they spend a great deal of taxpayer money on corrections and seek out the inmates to validate these expenditures after the fact. The private companies have, unsurprisingly, supported this wastefulness wholeheartedly.

Grassroots Leadership believes firmly that for-profit private prisons have no place in a democratic society. Private companies are beholden first and foremost to their shareholders, whose only interest is in the bottom line. For these companies to profit, they require ever greater numbers of prisoners and must cut corners on essential services to save on expenses. Mississippi taxpayers should not support the state's "if you build them they will come" attitude toward prison construction and corrections, nor should they allow private profit to motivate their state's corrections policies. What Mississippi needs

is a radical review of current sentencing policies that are leading to the large-scale incarceration of nonviolent drug offenders along with a rerouting of wasteful corrections expenditures back into positive social services. So long as companies are allowed to profit off of misused taxpayer funds, this sort of change will be next to impossible.

## **VI. Recommendations**

As author Joel Dyer has noted, “Much of the funding for corrections is now coming at the expense of social programs that have been shown to deter people from criminal behavior in the first place...The more prisoners whose incarceration we pay for through this diversion of funds, the more future prisoners we create.”<sup>7</sup> Grassroots Leadership’s recommendations are thus that funding that is currently going into the expansion of the prison system the house drug and other nonviolent offenders be diverted into less costly, more effective rehabilitation programs. This will free up taxpayer dollars for education and preventative programs that have been shown to deter individuals from committing criminal acts.

Numerous alternatives to the incarceration of nonviolent offenders have been cited by individuals and organizations who have begun to question the efficacy of our current corrections policies. Alternatives to the incarceration of drug offenders have been particularly popular in public surveys, though they have only rarely been acted upon by government officials. A study compiled by the Physician Leadership on National Drug Policy (PLNDP), a group of thirty seven distinguished physicians that includes high ranking officials from the Reagan, Bush, and Clinton administrations, found conclusively that “drug addiction treatment is very effective and that it works as well as other

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<sup>7</sup> Dyer, Joel. The Perpetual Prisoner Machine: How America Profits from Crime. Boulder, CO: Westview Press, 2000.

established medical treatments for illnesses such as diabetes, asthma, and hypertension.”

Additionally, they declared that “treatment is an effective anti-crime measure and less costly than prison.” They found a reduction in crime-related costs in the year following treatment that averaged over \$19,000 per-patient. Simply stated, because individuals were leaving the programs and making positive contributions to society rather than committing further crimes, the state did not have to continue to pay for repeat offenders. These savings are not insignificant, especially when one considers that treatment itself costs only around \$3,000 for outpatient and \$9,000 for inpatient. With these sorts of savings, a reinvestment in education and juvenile crime prevention programs would be possible without necessitating an increase in taxes. It is up to state officials to learn from the mistakes made in the past and to begin exploring these options at this critical juncture.