



## **Council of Prison Locals 33**

**WRITTEN STATEMENT OF  
BRANDY MOORE WHITE  
NATIONAL PRESIDENT  
COUNCIL OF PRISON LOCALS**

**FOR THE**

**SENATE JUDICIARY: SUBCOMMITTEE ON CRIMINAL JUSTICE AND  
COUNTERTERRORISM**

***“The Nation’s Correctional Staffing Crisis: Assessing the Toll on  
Correctional Officers and Incarcerated Persons”***

**PRESENTED:  
February 28, 2024**

I would like to sincerely thank the Sub-committee for this opportunity to present the perspective of our federal prison system from the professional, hard-working, men and women, of the Federal Bureau of Prisons. For far too long this conversation has been missing a key element; the professional law enforcement officers that have dedicated their lives in service to ensuring safety, rehabilitation, and the fair treatment of inmates in our care, as well as, protecting their coworkers and communities.

The Council of Prison Locals represents nearly 30,000 correctional professionals, across the country, in 121 federal prisons. These professional law enforcement officers, who work tirelessly in some of the most violent self-contained 'cities' in the country, keep us all safe from some of the world's most dangerous human beings.

Today I would like to discuss our primary concerns, which are the current critical staffing level and pay structure within the Bureau of Prisons, that pose significant challenges and must be addressed urgently. Staffing levels in the Bureau of Prisons have reached alarming levels. Over the past seven years, the authorized positions within the Bureau have decreased from 43,369 to the current count of 34,470 staff members. This reduction of nearly 8,900 staff members not only compromises the safety and security of both staff and inmates, but it also raises major concerns and hinders our ability to effectively carry out the Bureau's mission of rehabilitation and reintegration.

The impact of these staffing cuts is particularly evident among our Correctional Officers. Despite the President's request and subsequent legislation, the number of correctional officer positions falls short of

what has been allocated by Congress. As of the end of 2023, we have approximately 12,300 correctional officers, which is over 8,000 or 40% below the appropriated number of 20,446. This number follows a year of “hiring initiatives” enacted by the agency.

With the current staffing levels in the Bureau of Prisons, the First Step Act cannot be successfully enacted. Staff used for programming are often pulled from their positions and used to backfill shortages of Correctional Officers, a process known as augmentation. Augmentation reduces inmate access to recidivism by reducing activities like programming, recreation, and education initiatives. Additionally, because of the lack of staffing, correctional officers are forced to do mandatory overtime. Officers are frequently mandated at the last minute to stay an additional 8 plus hours, often several times a week. This diminishes skills and awareness, reduces acuity, and causes general fatigue which greatly hinders supervision.

Augmentation and mandatory overtime have become the “norm”. This detracts from programming, compromises the safety and security of the institutions, but it also greatly affects the mental health and well-being of our employees. Even without staffing shortages, corrections staff are among the highest rated profession to have Post Traumatic Stress Disorder (PTSD), suicide, and divorce rates. We do not yet know the full toll of working in excess of 60-hour work weeks in this environment will take on employees mental health.

The Council believes that the staffing crisis can only be resolved by addressing the insufficient pay band issue. The current pay structure within the Bureau is significantly lower than that of other Federal Law Enforcement Agencies, including the US Marshals, Immigration and

Customs (ICE), and Border Patrol. Additionally, the Bureau's pay scale is non-competitive with state and local law enforcement positions and even the private sector market.

Without addressing this pay disparity, the Bureau will continue to struggle to attract and retain employees. The Bureau must be required to increase pay bands to correct the staffing crisis. Because the Bureau is unable to solve its biggest problem it now requires the direct intervention of the Administration, OPM, and the legislative authority of Congress to immediately correct the pay deficiencies within the Federal Bureau of Prisons. In the past the salary and benefits were what drew individuals to come to work for the Bureau. The Bureau attracted highly qualified and motivated staff. Today, there is nothing attractive about working for the Bureau. It is a high stress job, the pay and benefits are not competitive, we are augmented, forced to work mandator over time, it is shift work including weekends and holidays, subject to government shutdown going weeks without pay, and work day in and day out with individual who have been convicted of crimes that society has deemed unfit to be in the community who do not want to be in prison.

The current starting salary for a correctional officer is \$46,495. At the end of their career, they make \$70,679. This is far below what ICE and Boarder Patrol make. Their starting salary is \$46,696 and their ending salary is \$107,680. That is a \$37,000 difference. Additionally, there are currently county and state police departments offering up to a \$75,000 sign on bonus.

Another pressing issue that will directly affect our ability to retain staff is proposed legislation that would eliminate the use of solitary confinement. Eliminating the Special Housing Unit would make prisons less safe for inmates and the staff inside these institutions, thereby causing more staff to leave the agency. Special Housing is a tool to utilize when inmates cannot follow the rules or when inmates request to be placed there for their own safety. While there have been many disparaging reports in regard to the use of Special Housing over the years, the outright elimination of it will not have a positive effect. The Council remains dedicated to finding reforms and ways to make its utilization more appropriate. We would welcome working with Congress on potential reforms and we have already offered a major reform to the Director of the Bureau of Prisons and her staff.

Additionally, our infrastructure is in disarray. For years the Bureau has either not requested or been funded to a level to even maintain our infrastructure, let alone improve it. Therefore, a lot of prisons need a significant amount of work to be up to standards for our staff and inmates housed in these facilities.

Furthermore, the low morale from all the things mentioned above; high-stress dangerous career, staffing shortages, mandated overtime, augmentation, crumbling infrastructure, and pay disparity within the Bureau has led to difficulty in attracting and retaining qualified personnel. Another government shutdown will only complicate matters even further.

It is imperative that immediate action be taken to address this issue and ensure the Bureau has the necessary resources and support to fulfill its

mandate effectively. This includes increasing staffing levels to safe and manageable ratios, implementing competitive pay structures, and providing adequate training and wellness support for all personnel. By investing in the workforce of the Bureau, we can improve the overall functioning of the federal prison system and enhance the public safety outcomes.

I urge the subcommittee to prioritize these matters and work towards implementing comprehensive solutions that will strengthen the Bureau and promote a more just and effective criminal justice system.

The Council of Prison Locals has worked diligently with members of Congress to properly fund the Federal Bureau of Prisons. However, even with additional funding there continues to be a decline in correctional officers. Congress must now demand oversight and accountability.

The Bureau of Prisons staffing has graduated from a crisis to a catastrophe with real human consequences. The Bureau must use the funding that has been appropriated to fully hire the correctional officers needed to safely house incarcerated inmates. In order to achieve this, efforts must be made to raise the pay bands to make our Federal Law Enforcement Officers competitive with other law enforcement agencies.

Chairman Booker, Ranking Member Cotton, and Members of the Subcommittee, this concludes my formal statement. I look forward to answering your questions and providing additional insight. Thank you for your attention to these important issues, and I look forward to your

continued support and leadership in addressing these critical issues within the Federal Bureau of Prisons.



# The Nation's Correctional Staffing Crisis: Assessing the Toll on Correctional Officers and Incarcerated Persons

Testimony By:  
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Senate Subcommittee on Criminal Justice and Counterterrorism



## INTRODUCTION AND OVERVIEW

Good afternoon Chairman Booker, Ranking Member Cotton, and members of the Subcommittee on Criminal Justice and Counterterrorism. My name is John Wetzel, the founder and Board Chair of the Keystone Restituere Justice Center (KRJC),<sup>1</sup> a new non-profit dedicated to working tirelessly to improve our communities from the ground up as we take on challenges facing our correctional and criminal justice systems. I am privileged to be Pennsylvania's longest serving Secretary of Corrections. I served in this position for 11 years from 2011-2021 under two different governors. Prior to becoming Secretary, I worked in county corrections for more than 20 years: I started as a county corrections officer, headed a training academy and treatment department, and eventually became warden of a county correctional system. In addition, I was a member of the congressionally established Chuck Colson Task Force for the Obama Administration and Independent Review Committee under the Trump Administration, which concluded during the Biden Administration. I have a broad perspective and specific knowledge about the issues we are discussing today.

The critical infrastructure resource of corrections is alarmingly close to failure. It has long failed staff and incarcerated people. You can see that failure in outcomes around their health and safety and what happens when both staff and the incarcerated leave the corrections system.

Dr. Nneka Jones-Tapia's holistic safety practice captures an important theme: the connectedness of corrections staff, the incarcerated, and the people both groups care about in the communities in which they live. Yet, we've seen fewer adequate resources made available to the corrections field in order to support Maslow's hierarchy of needs and the wellness of both staff and incarcerated.

The impact of these problems and challenges negatively affects our community at large and, ultimately, creates community safety issues.

In Pennsylvania, my home state, we had a period of more than a week in one area where people were locked in their homes in fear of a county jail escapee. The escape occurred because of inadequate staffing.

We also have facilities using the National Guard in place of correctional officers at a time when we are all concerned about national security. Indeed, we want these soldiers to be available for national safety, yet we are using them as correctional officers.

I believe these problems require urgent leadership from the federal government: attention and ideas certainly; investment in the potential of the human beings who both work and live in correctional facilities absolutely.

To be sure, we have made progress. We have seen some systems using the potential of the incarcerated to make their systems better and more humane, resulting in better results and outputs. But we need to invest in the potential of corrections staff, including coming up with research-based ideas, to invest in their potential. These kinds of focused investments have transformed and actually disrupted other fields.

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<sup>1</sup> [www.keystonejustice.org](http://www.keystonejustice.org)

You have invested in corrections before. Fifty years ago, the National Institute of Corrections (NIC) was founded, and its first budget was three years later for \$5 million.<sup>2</sup> This was an investment in the intellectual capacity of the field. It was leadership — executive, legislative and judicial — that led to that critical moment in corrections history. We now need a rededication to that kind of critical investment. The NIC does not enjoy that scope of funding 50 years later, and unfortunately, some of the ideals and goals that helped establish the NIC have dissipated.

## **CREATING CORRECTIONAL SUCCESS**

Creating correctional success requires us to be deliberate about addressing and improving correctional culture. The physical and mental health and overall well-being of correctional officers and incarcerated people are often affected by the same factors. Safe and healthy correctional officers mean better jails and prisons, better conditions for incarcerated people, and ultimately better safety for the larger community in which the jail or prison is located.

I am happy to report that the Keystone Restituere Justice Center is fortunate to have been given the opportunity to address these issues through a multi-year grant from the Bureau of Justice Assistance. Under this grant, we are partnering with the Correctional Leaders Association to invest in the health and safety of our correctional officers. We will be convening with, among others, the formerly incarcerated and labor to help us build, for example, that Venn diagram that shows our common interests and overlapping goals. The work we will be doing is predicated on building a safe and healthy culture within our correctional systems.

At the backdrop of all this is that while the specific mission statements of various correctional agencies sometimes differ, they typically include three common themes: protecting the community, taking care of its employees, and helping to ensure that the incarcerated make a safe and successful transition back to their communities. Elevating all of these individuals for success will result in enhanced community safety. But unless we can address the extraordinary staffing challenges, our correctional employees and their families, the incarcerated and their families, and our communities as a whole will suffer.

Let me describe for you the scope and depth of the problems related to staffing and some potential solutions.

## **THE SCOPE OF STAFFING SHORTAGES**

The most significant challenge our correctional systems face is insufficient staffing. Inadequate staffing presently affects our local, state and federal prisons and jails. And it is a problem that is not going to go away anytime soon. According to a recent article in USA Today:

Prisons across the country have long struggled to recruit and retain staff, but the most recent data from the U.S. Census Bureau shows the situation is particularly dire. In 2022, the number of people working for state prisons hit its lowest mark in over two decades.<sup>3</sup>

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<sup>2</sup> <http://tinyurl.com/4td9arru>; <http://tinyurl.com/27b7ahu4>

<sup>3</sup> <http://tinyurl.com/yr78xktz>

Georgia had half of its correctional officer jobs empty last year.<sup>4</sup> It has been reported that West Virginia, Florida and New Hampshire have called in National Guard troops to provide correctional support.<sup>5</sup> Almost half the jobs for guards at New York’s maximum-security prisons were unfilled in mid-2023.<sup>6</sup> And the problem is only getting worse: the Bureau of Labor Statistics and other scholars forecast a 7% decline in the correctional officer workforce by 2032.<sup>7</sup>

On top of high rates of staff vacancies, we are also seeing increasingly higher rates of turnover during the last decade. The result is increased use of overtime to fill critical posts. Overtime is either voluntary or mandatory, but either way, staff are sometimes working an unhealthy number of hours, which can lead to less security and worse outcomes.<sup>8</sup>

While there may be different reasons for the waning staffing levels — e.g. people leaving the job during the COVID-19 pandemic, shifting perceptions of the work, enticing opportunities in other industries, new generations entering the workforce with different ideals, and low rates of compensation for the job — the impact is the same: correctional facilities are not functioning optimally. Indeed, some are not even functioning properly.

Let’s be clear: this problem is not going away. It will not dissipate with time or marginal solutions. We are at a tipping point. There are signs of failure that we must not ignore, signs which the Bureau of Prisons Inspector General has written about and which we cite to in this testimony.

## **THE NEXUS OF CORRECTIONAL SUCCESS AND COMMUNITY SAFETY**

Correctional success and community safety are inextricably intertwined. Take for instance the frequent requirement for incarcerated people to complete programs, either because they are court-mandated or because participating will improve one’s chances of earning release. And consider that programming helps to rehabilitate the incarcerated, such as through drug, alcohol, and behavioral health treatment, vocational training, and educational classes. In other words, we rely on programming to help rehabilitate people who are incarcerated to improve upon the version of themselves that brought them to the correctional facility initially, thus improving community safety when they are released. Yet programming is so often the first area of operations to collapse when staffing is too short to safely accommodate programs alongside other key daily activities. Indeed, the recent report from the Bureau of Prisons Inspector General on inmate deaths states that “BOP Staffing Shortages, Particularly in Health and Psychology Positions, Hinder the Provision of Treatment and Programs for Mental Health Needs and Substance Abuse Disorders.”<sup>9</sup>

Successful programming and reentry programs also promote hard work, personal accountability, and can help keep families together when incarcerated reintegrate back with their families. What is more,

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> <http://tinyurl.com/txcapa8d>

<sup>7</sup> E.g., <http://tinyurl.com/3uawncd6>; <http://tinyurl.com/49w4vh8e>

<sup>8</sup> The recent report by the Bureau of Prisons Inspector General regarding inmate deaths notes that the BOP’s reliance on mandated overtime can negatively affect staff morale and performance, posing risks to institutional safety and security. See <http://tinyurl.com/mrdjzhyy>.

<sup>9</sup> <http://tinyurl.com/mrdjzhyy>. The report goes on to say that “understaffing in Health Services and Psychology Services positions can limit an institution’s ability to provide treatment and programs that may help mitigate the risk of inmate death, including mental health and substance abuse programming.” *Id.*

the majority of our states allow incarcerated individuals to earn some version of “earned time” — that is, they are eligible to receive time credited toward their sentence for completing certain rehabilitative programs.<sup>10</sup> In short, inadequate staffing levels have been shown to lead to reduced programming, which means reduced rehabilitation, increased recidivism, larger prison populations, less security within the prisons, and consequently less community safety.

As I just noted, staffing shortages also diminish security within our correctional institutions. According to criminologist Bryce Peterson, “[i]t is likely that the staffing shortage that’s happening right now across the country is going to have some impact on safety and security, including escapes.”<sup>11</sup> An inadequate number of correctional officers necessarily means fewer security checks and a diminished ability to find contraband like drugs, weapons, and cell phones, or to address any brewing or festering security issues between the incarcerated. This puts the well-being and ultimately the lives of correctional officers and incarcerated people at risk. To that end, the BOP Inspector General noted that the staffing shortage at two institutions the Inspector General staff visited resulted in an inadequate number of cell searches, leading to inmates possessing dangerous contraband which ultimately contributed to inmate homicides and suicides.<sup>12</sup>

Inadequate staffing also leads to escapes. One needs to look no further than my own state of Pennsylvania, which has seen at least six escapes in 2023. There is a direct connection between inadequate staffing levels and escapes.

## **DECISIONS BY THIRD PARTIES, INCLUDING LEGISLATORS, LAW ENFORCEMENT AND SERVICE PROVIDERS, AFFECT THE OPERATIONS OF JAILS AND PRISONS.**

Our correctional systems are affected by events that occur outside of the prison walls (such as new laws, police and prosecution strategies, current societal events, governmental fiscal appropriations, supply chain issues, and of course staffing issues). At the same time, the quality of operations at our correctional institutions affects the safety and well-being of the communities to which incarcerated people return.

Consider that community safety is enhanced by, among other things, a healthy criminal justice system, effective use of social services and treatment programs, strong and innovative educational institutions, effective policing and prosecution, strong neighborhoods, families, and mentors. Community safety, on the other hand, is diminished when the work of these systems, entities and individuals does not yield the results we would like.

So what happens when community safety has been diminished? There is often a reaction, which may include changes to laws, policies and budgets. Such decisions directly affect corrections. These decisions may affect the numbers of individuals entering the facility, the facility’s ability to offer important programs and to implement or sustain best-practices, and how many individuals may be paroled from the facility. In turn, decisions by and practices of correctional officials affect incarcerated people in their jails and prisons, which ultimately affects community safety because the vast majority of them are eventually released to their communities.

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<sup>10</sup> <http://tinyurl.com/y4f6x8dk>

<sup>11</sup> <http://tinyurl.com/5n7azk4s>

<sup>12</sup> <http://tinyurl.com/mrdjzhyy>

What does all of this mean? The work of legislators, prosecutors, public defenders, police, treatment providers, neighborhood and community groups, budget secretaries, principals and college presidents, and leaders of our faith-based institutions must be done in tandem with corrections officials. Our successes, our innovations, and our ability to inspire and change lives are enhanced when we accept that what each of the systems and groups do affects corrections, and that what corrections does affects each of these entities as well.

For example, were there more access to behavioral health treatments and were the stigma around behavioral health reduced, we would see lower prison admissions because more individuals would receive the treatment they need to reduce the likelihood of committing a crime and those with serious mental illness who were incarcerated could be the focus of behavioral health treatment within the jail or prison. Similarly, were at-risk youth better able to be linked to mentors who could help them navigate their challenging environments, fewer would ever see the inside of a jail or prison.

In my own state of Pennsylvania when I was Secretary of the Department of Corrections, we recognized a similar reality when we were able to significantly improve our criminal justice system through Justice Reinvestment Initiatives (JRI). The result of the work was a lower prison population, fewer technical parole violators returning to state prison, less crime, fewer disparities, and procedural justice for crime victims. In short, a more just system. Central to JRI was the convening of stakeholders. They engaged in honest conversations, analyzed data, asked for more data, looked carefully about proposed policy changes, and had the opportunity to make suggestions about new ideas. We recognized that all the stakeholders affected by the criminal justice system had to be present, that the proposals and solutions could not be pre-ordained, and that stakeholders needed to be able to discuss how proposals would specifically affect the operations of their agencies or entities.

## **ADDRESSING CORRECTIONS STAFFING MEANS BETTER OUTCOMES FOR CORRECTIONAL OFFICERS, INCARCERATED PEOPLE, AND COMMUNITIES AS A WHOLE.**

Successfully addressing challenges related to correctional staffing will not only improve the on-duty morale of the workforce, but ultimately, we will see it reflected in improved outcomes for the incarcerated population, for families of our staff, and for our communities.

Addressing the staffing problems must prioritize the health and safety of its correctional officers. Correctional officers whose physical or mental health is not good can burn out and leave their jobs, thus worsening the staffing challenges. And for those who do not change careers, their work suffers. This affects their ability to keep prisons safe and secure, to interact positively with those individuals who are incarcerated, and to manage effectively important institutional programming.

Ensuring the health and safety of correctional officers is also important to helping incarcerated people. One of the strongest motivational forces that can encourage a person to change is receiving genuine respect and support from another person. Anyone who has worked as a corrections officer knows that rapport and relationship building both keeps you safe and gets the job done. Safe institutions, good programming, reducing recidivism, and maximizing the potential for a law-abiding successful life to those individuals after release depends, therefore, on the health and safety of our correctional officers.

Sadly, correctional officers may bring home their emotional challenges from work, which means that addressing staffing challenges will necessarily also help their spouses, significant others, and children, among others.

## **A HOLISTIC FOCUS ON THE HEALTH OF CORRECTIONAL STAFF.**

Focusing on the physical and mental health of our correctional staff is vitally important. We have no other choice. Consider that whereas roughly 1 in 7 combat veterans reports experiencing symptoms of PTSD, approximately 1 in 3 correctional officers experiences these symptoms, making correctional officers more than twice as likely to suffer from PTSD than someone who literally went to war. Multiple studies have found they have higher rates of PTSD and suicide than both police and military veterans, including those who saw combat in Iraq and Afghanistan.<sup>13</sup>

Investing in improving the behavioral health of correctional officers requires us to first understand that many of them suffer trauma from their job. We have to find new ways of addressing their trauma and look to when government has made investments in similar circumstances even when resources were scarce. A holistic approach, indeed, involves addressing mindfulness and emotional intelligence.

After all, high vacancy rates mean correctional officers are challenged every day about how to optimize their physical and mental health and their ability to manage and cope in and out of work. Correctional officers are mothers and fathers, mentors, coaches, and caretakers. They are connected to their communities. Their communities suffer when they suffer, and ultimately benefit when we can identify ways of helping them heal and recover.

As a society, we have begun to better understand trauma—its causes and its effects and how it can be managed. We can utilize the research that has gone into addressing trauma in other circumstances and apply it to the corrections population.

I am reminded of a former Navy SEAL, Jason Henderson, whose hands-on training in combat-proven techniques through his non-profit, Four Pillars Collective, have been effective in the mental and physical management of a crisis.<sup>14</sup> This is the type of holistic healing we need in our corrections field.

## **THE CORRECTIONS FIELD NEEDS TO BE INNOVATIVE AND IMPROVE ITS TECHNOLOGICAL AND INTELLECTUAL CAPACITIES.**

Addressing the problems associated with staffing challenges also requires innovation.

As in any other area of community safety, investing in this field is critical. Governmental appropriations on the federal, state, and local level can help address wage disparities, outdated facilities, and antiquated equipment. But improvements require so much more.

The present technological and intellectual capacities of the field are not sufficient. For example, a data repository that captures and reports critical metrics on the workforce and operational characteristics

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<sup>13</sup> <https://www.rand.org/pubs/monographs/MG720.html>; James, Lois, and Natalie Todak. "Prison employment and post-traumatic stress disorder: Risk and protective factors." *American journal of industrial medicine* 61, no. 9 (2018): 725-732; Spinaris, Caterina G., Michael D. Denhof, and Julie A. Kellaway. "Posttraumatic stress disorder in United States corrections professionals: Prevalence and impact on health and functioning." *Desert Waters Correctional Outreach* (2012): 1-32.

<sup>14</sup> <https://www.fourpillarscollective.com/about>

of corrections would be helpful. While data about law enforcement agencies and activities are well-captured and published, corrections data is much harder to find. Publicly available data on prisons and jails improves transparency with the public but also increases the visibility of a sector of agencies allowing people to better recognize them as part of their communities. The field also needs more research and evaluation, and improving the collection of and maintenance of data could help foster this needed work.

Technology can also convert complex processes and decisions that require use of valuable time by corrections officers into simple and teachable rules-based work that can eventually become automated. Corrections is in need of innovation on a scale that we call “disruptive.” Disruptive innovation can help us reframe our approach, including replacing existing practices with those that are more efficient, effective, and productive.

Practices borne from disruptive innovation can particularly benefit local jails, which frequently experience budget shortfalls, struggle with understaffing (especially in rural areas), and manage a needy population.

The ability of state and local corrections directors to be innovative is challenging. The political environment does not necessarily allow them to take reasonable and informed risks, to think outside of the box. Having a space to identify and discuss new ideas, some of which may be novel but borne of a thoughtful and innovative approach, is central to improving the intellectual capacity of the profession.

## **THE WORK OF KRJC**

I would be remiss if I did not tell you how I am now trying to contribute to elevating community safety and the health and wellness of corrections professionals. I recently founded the Keystone Restituere Justice Center, which is a non-profit organization in Pennsylvania, to try to achieve many of the goals I have outlined. Our Executive Director is Greg Rowe, who is the former Director of the Pennsylvania District Attorneys Association and before that served as the criminal justice policy advisor in the Rendell Administration. We provide accessible and translatable, data-driven solutions to the field of corrections and community safety. By focusing on proactive, preventative work that provides support to institutions, agencies, and communities, our work will help them meaningfully improve outcomes.

In addition to the federal work I described earlier, we will also be working on correctional staffing challenges in Pennsylvania. And we will be networking “learning communities” of Pennsylvania’s counties, where we will work with stakeholders and others whose voices must be heard, including individuals directly affected by the systems and policies we are examining and the decisions we may make. We will employ a “pull strategy” to work out sustainable solutions, not overly simplistic solutions to wrongly defined problems, but rather responsive solutions we will shape from a clear understanding of the challenges our institutions and affected individuals face. To do this, we will be focusing on Pennsylvania’s counties whose leaders are most ready for and excited by innovation. Some of our work will involve quantifying information and analyzing data to determine the kinds of technology needed to make fundamental performance improvements. A component of the learning communities that we are very excited about is the potential to partner with the Pennsylvania State System of Higher Education to utilize the 10 universities across Pennsylvania as intellectual thought partners in our work with county community safety systems. Our work with the universities can help to keep bright young minds in Pennsylvania in order to work in these systems and to provide research and data support for the counties as well.

Another significant challenge is our behavioral health system. Utilizing a similar approach, we will subsequently partner with some of the same counties to help foster and enhance prosecutor led behavioral

diversion. Indeed, our prisons have become the largest behavioral health treatment facilities. And we need to work to change this unfortunate fact.

This is the opportunity to use technology and innovation to make positive and real change. Indeed, in exploring ways other sectors have a role, I spoke with Ann Christenson of the Christensen Institute, who observed that there are opportunities for using technology and innovation to make meaningful and quantifiable changes to the experiences correctional staff and incarcerated people actually feel, without overhauling infrastructure or significantly interrupting operations.

## **CONCLUSION**

I greatly appreciate your time and attention this afternoon. The need to work to address the incredible staffing challenges is great, and all systems and all players need to be involved. Our staffing challenges are not going away anytime soon, and we must be thoughtful, imaginative, inclusive, dynamic and thorough as we ensure that our correctional officers, prisons, jails, incarcerated people and communities as a whole are safe and healthy.





**Statement of Stephen Walker  
Wellness Director  
One Voice United**

**Before the Subcommittee on Criminal Justice and Counterterrorism of the U.S. Senate  
Judiciary Committee**

**Hearing on “The Nation’s Correctional Staffing Crisis: Assessing the Toll on Correctional  
Officers and Incarcerated Persons”**

**February 28, 2024**

Chairman Booker, Ranking Member Cotton, and esteemed Members of the Committee, I would like to thank you for giving me the opportunity to speak with you today.

My name is Stephen Walker, and I am here representing One Voice United, a national organization dedicated to advocating for the welfare of correctional officers and other front-line staff and ensuring their expertise and perspectives are included in the national debate around criminal justice reform.

Before joining One Voice, I served as a youth correctional officer for 35 years with the California Department of Corrections and Rehabilitation and am currently the Director of Correctional Health for the California Correctional Peace Officers Association.

Today, I sit before you to address the existential staffing crisis in America’s prisons and jails, in hopes of advancing a nationally sanctioned dialogue.

This crisis has no borders, is not one state's issue and cannot be solved by a single department or entity. It is a national problem that impacts every aspect of the mission of corrections by asking staff to do more with less, often resulting in excessive work hours and multiple mandated shifts per week, leading to increased burnout, less job satisfaction, and an inability to perform everyday security and rehabilitative functions.

As a result, non-custody and inexperienced custodial staff are being ordered to fill custody and security positions, with little training or experience, processes called augmentation and diversion.

From experience, I can tell you that it's not enough to just find a warm body to fill these vacancies. To be a competent and professional Correctional officer takes time, supervision, and training. Not to mention the fact that augmentation takes key personnel (nurses, teachers, administrators) out of their primary function without replacement of the services lost.

For staff, personnel shortages lead to diminished observation skills, less intelligence gathering, surges in overtime, slower response times, and strained family relationships and collective wellness. In fact, multiple studies indicate that correctional officers suffer from PTSD, depression, suicide, heart disease, a shortened lifespan, and other physical and psychological ailments at a rate well above the general public.

For those in our care, personnel shortages mean programs are slashed, visits are reduced, time on lock down is increased, and the patience of everyone behind the walls wears thin. In many prisons, ratios often surpass 60:1, escalating in yards and chow halls, where unpredictable staffing complements further skew this imbalance, compelling a policy-mandated prioritization of institutional safety above all else.

To combat this reality, well-meaning attempts are being initiated by agencies in various states to lower entrance requirements for new recruits, shorten academy times, and offer signing bonuses, none of which have successfully addressed this crisis to a scale of lasting impact.

Additionally, inadequate staffing levels limit the availability of programming and rehabilitative services, further hindering efforts to promote positive behavior and reduce recidivism among those in custody. Addressing the staffing crisis is essential to mitigating these safety risks and creating a secure environment for both staff and incarcerated individuals.

Retaining staff is equally important; we must transform employment conditions by moving beyond the traditional top-down paramilitary administrative model.

Research and studies done on retention show overwhelmingly that it is not the incarcerated population that drives good employees away, it is a lack of communication, recognition, and transparency, along with outdated and uninformed policies. In short, the level of expectations and demands of today's corrections system have outgrown the current administrative model of training and have diminished the profession to a point where staff feel devalued and expendable.

Because of the willingness of staff to no longer silently endure the challenges, it has become clear that the short and long-term needs, and values of new officers no longer align with the current culture and demands of corrections departments.

Fortunately, there are remedies and actions that can be taken to address these issues, but they require thoughtful planning and input from all stakeholder groups.

Addressing the staffing crisis in corrections requires appealing to potential employees by valuing their goals and integrating them into a respected team from day one, providing empirical training, better pay, lower healthcare costs, holistic wellness programs, and attractive incentives such as educational benefits, pensions, and reduced vesting periods.

Without achieving these objectives and including the voices and experiences of those who will be impacted by their success or failure, true rehabilitation is unrealistic, and prisons will continue to fall short of their primary mission of creating a safe and humane atmosphere for successful re-entry back into society.

I appreciate the opportunity to appear before you today and look forward to answering any questions you may have.

### **Supporting Attachments**

- I. Written Testimony Submission from James Paul McCravey III (pp. 4-5)
- II. OVUCorrectional Officer Wellness Project Summary Guide (pp. 6-12)
- III. OVU Blue Ribbon Commission Report on Correctional Staff Wellness  
*available at* <https://onevoiceunited.org/wp-content/uploads/2022/10/BRC-Report-2022.pdf>
- IV. I Am Not Okay, Correctional Staff Wellness White Paper  
*available at* [https://onevoiceunited.org/wp-content/uploads/2021/10/Wellness\\_White\\_Paper\\_Edited\\_OCT17\\_2021.pdf](https://onevoiceunited.org/wp-content/uploads/2021/10/Wellness_White_Paper_Edited_OCT17_2021.pdf)
- V. Navigating the Future of Corrections Economic Impact Study Report  
*available at* <https://onevoiceunited.org/wp-content/uploads/2020/09/Economic-Impact-Study.pdf>

**Subcommittee on Criminal Justice and Counterterrorism of the U.S. Senate Judiciary  
Committee**

**Hearing on “The Nation’s Correctional Staffing Crisis: Assessing the Toll on Correctional  
Officers and Incarcerated Persons”**

**Written Testimony of James Paul McCravey III  
Former Correctional Officer**

**February 28, 2024**

Chairman Booker, Ranking Member Cotton, and esteemed Members of the Committee, thank you for holding this hearing on the nation’s correctional staffing crisis and for allowing me the opportunity to submit this written testimony.

My name is James Paul McCravey III, and I served as a corrections officer at the Michigan Department of Corrections from 2013-2019.

As a former corrections officer, I can attest to the profound challenges posed by the ongoing national staffing crisis and know firsthand the toll it takes on staff and those within our care.

My journey into the corrections field wasn’t a typical one; inspired by a passion for criminal justice, I initially intended to pursue a career in law enforcement, however, a conversation with the Dean of my college, who also happened to be an inspector at the Charles Egeler Reception and Guidance Center, convinced me to give corrections a try. Little did I know the profound impact this decision would have on my life.

From the outset of my career in March of 2013, staffing shortages were glaringly apparent. While classroom study and physical training had made us feel ready, no amount of training could fully prepare me for the actual experience of working behind the walls.

Stepping into the facility for the first time, I felt the weight of the responsibility upon me and the dire situation I had walked into. On any given shift, it was not uncommon for us to be short by 20 or more officers, leading to daily mandates for colleagues, straining both morale and safety.

For many of my coworkers the reaction to new officers was mixed. While some veteran officers welcomed the relief we brought to the understaffed system, there was an underlying concern about turnover and skepticism surrounding how many of the new officers would stay beyond their first year. Some saw us as transient, using the job as a steppingstone to other pursuits or looking for on-the-job experience to apply to other state departments. Despite this, we were welcomed as individuals capable of offering some reinforcement amidst the staffing crisis.

Rising through the ranks and becoming a Sergeant, I began to take on additional responsibilities and witnessed firsthand the ways that understaffing undermined our ability to maintain order and safety within the facility. Daily decisions about canceling programs or denying incarcerated people their rightful privileges became sources of tension and unrest, adding to an already delicate environment.

At the academy, and during my first year, I was taught to be fair and consistent with all incarcerated individuals and I prided myself on treating everyone with dignity and respect. But consistency became increasingly difficult amidst staffing shortages and our concept of fairness was tested because we had no other choice than to cancel visitations, shorten yard time and act in a manner conducive to safety, which deprived those incarcerated of privileges, programs and contact with the outside world, and led to growing resentment and frustration.

If that wasn't enough, my dedication to the work was tested beyond the confines of the prison walls when I learned that my newly born infant son was diagnosed with noonan syndrome and juvenile leukemia and was in the hospital for the first seven months of his life, with six of those seven months on life support. Balancing the demands of the job with the needs of my family became an untenable challenge.

The inability to access a phone during shifts meant agonizing waits for updates on my son's condition coupled with uncertainty about if I would be able to attend doctors' appointments, leave on a minute's notice if the hospital called or spend time with my family as we tackled such a huge situation.

To make matters worse, I always felt like I was letting my brothers and sisters inside the prison down because they were mandated to work overtime and missing time with their own families while I dealt with my own personal struggles.

At first, I tried to make the situation work, stepping down from Sergeant and going back to a corrections officer, thinking that I would have more flexibility, but after a few short months, I felt as though I was still letting everybody inside and outside of the prison down and I didn't want to be that person.

The reality of being torn between my duty to the job and the needs of my family became too overwhelming to bear, despite the support of my colleagues. Ultimately, I had to prioritize my family's well-being over my career in corrections and made the hard decision to leave.

Reflecting on my experience, I can't help but feel that the staffing crisis I encountered within the MDOC is just a small part of a larger crisis that affects everyone involved in the American correctional system. Understaffing compromises safety, undermines the mission of rehabilitation, and strains relationships for staff, families and those incarcerated.

Don't get me wrong, despite the challenges, I loved my job and to this day, I miss the comradery and familial relationships with my fellow officers and the sense of purpose I felt when I walked inside those gates.

My hope and desire for sharing my story is that others will recognize the urgent need for systemic change and some relief can come to those officers continuing to work 16-hour days, in difficult conditions with no end in sight.

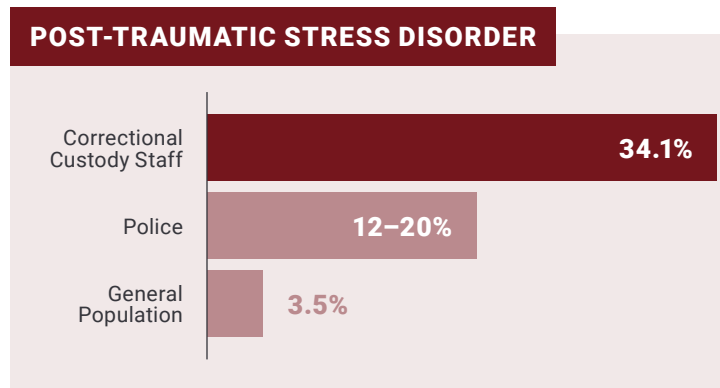
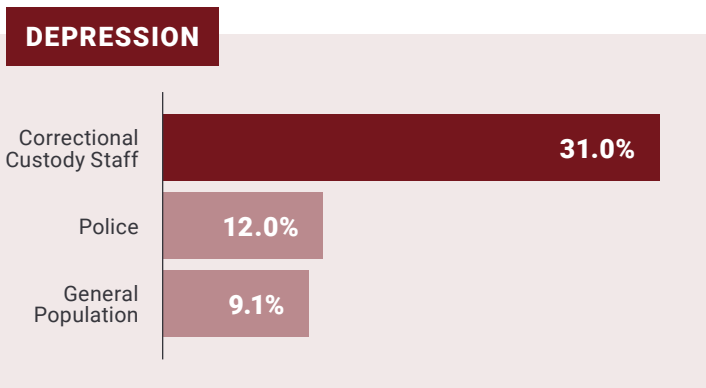
Thank you for the opportunity to share my story and I look forward to continuing the dialogue on this critical matter.



# Mental Health

The U.S. correctional system is at a breaking point. Every American touched by the system – officers, administrators, the currently incarcerated and their family members – experiences challenges that can, and do, negatively impact their mental health. Among America’s nearly 450,000 correctional officers (COs), PTSD and depression are at near-epidemic proportions, driving extreme rates of psychological and even physical harm.

The mental health of correctional officers is inextricably linked to the health and safety of the entire prison population. That means lasting systemic reform can only occur through approaches that address the mental health crisis facing COs today.



A national survey of correctional officers found **91% of respondents** feel that “PTSD is a serious and pervasive issue within corrections.”



These mental health conditions aren’t just psychological; they have real, dangerous physical effects as well. Stress manifests itself in the human body in a variety of ways, including (but not limited to):

#### PSYCHOLOGICAL EFFECTS

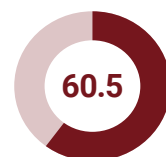
- ▶ Addiction
- ▶ Anxiety
- ▶ Flashbacks
- ▶ Guilt
- ▶ Lack of Concentration
- ▶ Paranoia
- ▶ Social Withdrawal

#### PHYSICAL EFFECTS

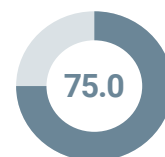
- ▶ Chest Pains
- ▶ Dizziness
- ▶ Heart Disease
- ▶ Insomnia
- ▶ Obesity
- ▶ Opioid Abuse
- ▶ Self-Harm
- ▶ Ulcers

Stress levels (and the accompanying psychological and physical impacts) are so high and so prevalent that the average correctional officer can expect to live to just 59-62 – a full 14-21 years less than the general public.

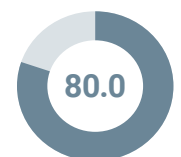
**It is estimated that 156 active duty correctional officers take their own lives each year.** That’s three deaths every week, and 34.8 suicides per 100,000 correctional officers each year. The suicide rate among the general population is less than half of the rate among COs: 14.2 deaths per 100,000 Americans.



average lifespan of COs  
*(regardless of gender)*



average lifespan of adult males

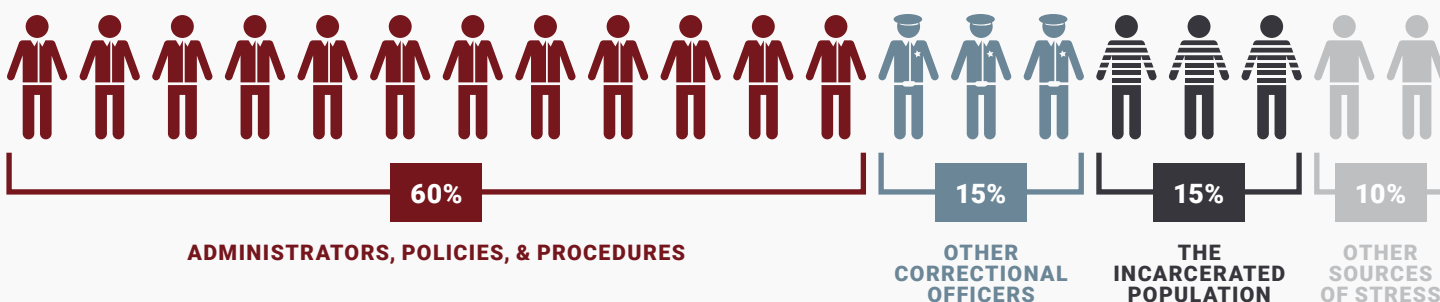


average lifespan of adult females



# Causes of Stress

Before beginning the long-overdue work of reforming the U.S. correctional system and addressing the mental health challenges facing correctional officers (COs) today, it's imperative to understand the sources of those mental health challenges – namely, the stress COs live with every day.



## 60% ADMINISTRATORS, POLICIES, & PROCEDURES



The source of a majority of CO stress comes directly from the top: administrators and the policies and procedures they implement. That's not to say it's done on purpose: unfortunately, sometimes administrators don't realize how dangerous the job really is, making them more likely to unknowingly implement harmful decisions and less likely to address challenges they just don't see.

Order and control are key to maintaining a safe prison, so when new policies and procedures are imposed on officers without their input it can create not only resentment but serious disruption to their job of maintaining that order and security. And often, administrators don't ask for COs' input before making decisions, which can have the secondary effect of sowing distrust among employees.

One key decision that adds to COs' stress is staffing – or, more accurately in most cases, understaffing. Not only is lack of staff a major contributor to CO burn-out, understaffing strains every aspect of a correctional system.

- ✦ In private prisons, managers are under pressure to maximize revenue by minimizing the number of staff needed to run the facility, and their bonuses, salaries, and pensions are based on how well they maximize profit – meaning more inmates and fewer staff.
- ✦ In public prisons, staff are often being asked to take on more programming and education without additional resources or manpower, which can result in safety risks when staff are spread too thin.

**As prison populations fall, policymakers and leaders should take the opportunity to enact guidelines that ensure a return to safe staffing levels, instead of allowing administrators to cut COs as well in a race to the bottom.**



## 15% OTHER CORRECTIONAL OFFICERS

It's the job of COs to maintain order within their prison, which means projecting strength and invulnerability at all times. That can be hard to shake after hours – and makes COs fearful of sharing their mental health challenges, lest they experience repercussions (like ostracization, limited assignments, and diminished opportunities) for seeking help. In the worst cases, COs may even be bullied by their peers for showing perceived weakness. **A culture shift within prisons is necessary in order to alleviate CO stress and begin the process of destigmatizing seeking help.**



## 15% THE INCARCERATED POPULATION

Perhaps the most well-known source of CO stress is the incarcerated population. COs must be hyperaware of their surroundings at all times, as they are at any moment at risk of harm. That can range from being verbally threatened, to spit on, to stabbed with any number of items – including, sometimes, contaminated needles.

Even when COs want to help or mentor an incarcerated person, they are actually prohibited from doing so in many cases because of overfamiliarity rules. These rules make it difficult to establish any kind of civil relationship and trust between COs and the incarcerated population.



## 10% OTHER SOURCES OF STRESS

In addition to the more quantifiable sources, there are other more general factors that may contribute to correctional officers' stress. COs and prisons often do not appear in the media unless it is for a negative reason, creating a wholly negative public perception of the correctional system. This also leads to a negative "Hollywood portrayal" that perpetuates the stereotype and doesn't tell the stories of the overwhelmingly good number of COs in the field today.



# Challenges with Facility Administrations



Surprisingly, the biggest source of stress for correctional officers (COs) today isn't the incarcerated individuals they work with – it's the administrations they work for. National studies have shown that approximately 60% of staff stress comes from policies, procedures and the administrators themselves. Here are some of the reasons why.

## LACK OF ACKNOWLEDGMENT OF CHALLENGES



Too often, administrations don't see the real, everyday dangers and mental health strain that come along with being a CO. Before policies and procedures can be put in place to help relieve that strain, administrators need to acknowledge that it exists. Changing that mindset is crucial to any meaningful reform.

## DISTRUST OF ADMINISTRATION



Even after administrators acknowledge a problem exists, they rarely ask for COs' input on new or improved policies and procedures. Sometimes, staff don't find out about a change until the day it's implemented! Often, COs are asked to implement policies that have direct impacts on staff or the incarcerated population – but without having been part of the conversation, they don't have an understanding of why the change is being made. Administrators can't do what's best for the facility without on-the-ground information and insights from COs. That means sometimes they accidentally put staff in danger, leading to a distrust of the administration among COs.

## INADEQUATE EQUIPMENT



Officers rely on their equipment to keep them safe and help them do their jobs to the best of their ability. But they have no control over the equipment they're provided or the condition it's in. All too commonly, that means COs are left to work with radios that don't work, dangerous vehicles, outdated fire extinguishers, and not enough protective equipment like handcuffs, OC spray, gloves, face guards and protective vests. In addition to being a source of stress for officers, it leaves them feeling as though administrators have a disregard for their safety.

## LACK OF JOB RECOGNITION



Law enforcement officers and first responders are often covered in the news for the good work they do on the job – unfortunately, COs rarely make the front page when they save someone's life or avert another crisis. That's why recognition from facility administrators is so important. Too often, administrators are slow to recognize and appreciate COs, making it difficult for COs to have a sense of pride in a job well done. Simple recognition from administrations would go a long way in improving COs' job satisfaction, self-esteem and overall mental health.



## CHALLENGE SPOTLIGHT: UNDERSTAFFING

**Staffing impacts virtually every aspect of how a correctional facility operates. Understaffing is one of the biggest threats to a CO's safety and security – and therefore one of the biggest sources of stress.**

When a facility first opens, government officials determine how many COs are needed to safely staff it, based on a variety of factors including security classification, incarcerated population and physical layout. While there are minimum staffing levels in addition to the recommended operational staffing levels, too often administrators feel pressure to get by with as few staff as possible.

- + In private prisons, managers are under pressure to maximize revenue by minimizing the number of staff needed to run the facility, and their bonuses, salaries, and pensions are based on how well they maximize profit – meaning more incarcerated individuals and fewer staff.
- + In public prisons, staff are often being asked to take on more programming and education without additional resources or manpower, which can result in safety risks when staff are spread too thin.

Additionally, reported staffing ratios can be misleading. They're calculated based on the number of staff against the number of incarcerated individuals – but individual COs only work 40 hours per week, and incarcerated individuals are there all 168 hours of the week. These staffing ratios are only accurate if every CO worked 24/7 and never went home. Better ratios can be determined by "post audits," where every post is evaluated on every shift to determine the true staffing requirements.

This understaffing means often a CO can be in charge of overseeing as many as 70 or even 100 incarcerated individuals at a time, especially in yards and cafeterias of larger jails and prisons. This stressful situation contributes to employee burn-out and negatively impacts the incarcerated population, too; COs don't have the opportunity to focus on rehabilitation when they are so focused on having to maintain order.

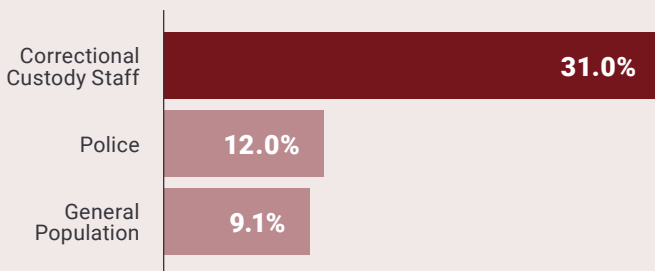
**Facility administrators should commit to bringing staffing back to safe levels, and not decrease the number of staff as prison populations fall.**



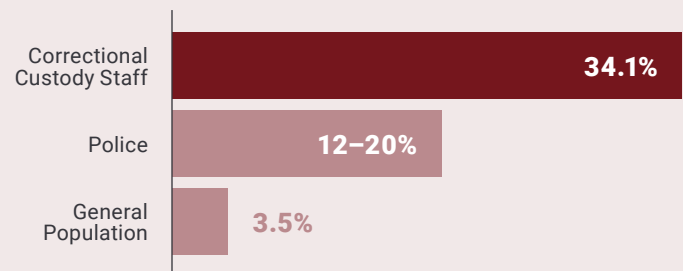
# Solutions

The crisis of correctional officer (CO) mental health is reaching a breaking point, but there are approaches that can help address these challenges. Administrators need to do more than just make these solutions available – they need to work to create a culture where mental health care is encouraged and valued. Long-term, lasting reform can not be achieved through tactical shifts alone, but requires psychological, cultural, and strategic change as well.

## DEPRESSION



## POST-TRAUMATIC STRESS DISORDER



### + INDIVIDUAL THERAPY

One-on-one counseling for staff members with a licensed practitioner. If confidentiality issues and exposure are a concern staff can opt for individual counseling by third party providers that removes those possibilities. It allows the staff member to be unencumbered in their discussions and to avoid any feelings of discomfort that they feel exposing their emotions in a group setting of their peers may cause.

### + GROUP THERAPY

An advantage of group therapy is that it allows staff to share their experiences, fears and emotions and to realize they are not alone. Similarly, peer-to-peer counseling can be very effective in addressing mental health challenges shared among many COs.

### + COGNITIVE BEHAVIOR THERAPY (CBT)

Cognitive behavioral therapy (CBT) has been found to help significantly with depression treatment. In CBT, an individual and their therapist work together to agree on patterns of behavior that need to be changed. The goal is to recalibrate the part of the brain that's keeping such a tight hold on happy thoughts.

### + MENTAL HEALTH FIRST AID

Mental Health First Aid is a skills-based training course that teaches participants about mental health and substance-use issues. Although MHFA has been taught around the world for nearly two decades, recent implementations in correctional facilities have been promising and well-received by staff.

### **+ EMOTIONAL INTELLIGENCE**

Emotional intelligence refers to the ability to identify and manage one's own emotions, as well as the emotions of others. Improving EI can decrease anxiety and stress and help train staff to better handle day-to-day situations.

### **+ COGNITIVE PROCESSING THERAPY (CPT)**

CPT teaches people to identify how traumatic experiences have affected their thinking. It also teaches them to evaluate and change their thoughts. CPT usually takes 12 sessions and can be delivered in an individual or group format. The goal is for patients to learn ways to have more healthy and balanced beliefs about themselves, others, and the world.

### **+ EXPOSURE THERAPY**

This technique involves re-living the traumatic incident and is a more controversial treatment option. However, it does have its supporters and COs can work with their therapist to determine if it's the right approach for them.

### **+ PSYCHODYNAMIC THERAPY**

Psychodynamic therapy is a form of talk therapy. It's designed to help patients find relief from mental or emotional stress. Proponents of psychodynamic therapy believe present-day problems are linked to unconscious conflicts arising from events in the past.

### **+ EYE MOVEMENT DESENSITIZATION AND REPROCESSING (EMDR)**

In EMDR, patients pay attention to a back-and-forth movement or sound while calling to mind the upsetting memory until shifts occur in the way they experience that memory and more information from the past is processed. By processing these experiences, people can get relief from PTSD symptoms and change how they react to memories of their trauma.

### **+ STELLATE GANGLION BLOCK (SGB) INJECTIONS**

A newer technique for treating PTSD, SGB injections – primarily used to reduce physical pain – are now being used in our veterans to deal with severe PTSD. The results have been promising from a clinical trial recently reported by JAMA Psychiatry of the American Medical Association (2016 – 2018).

### **+ MEDICATION**

Some individuals suffering from anxiety, depression, PTSD, and other mental health disorders may be prescribed medication to help manage their conditions. Side effects can be substantial and certain medications may impact awareness and function, and all COs should work with their doctors to ensure they receive the prescription that's right for them.

**Statement to the U.S. Senate’s Subcommittee on Criminal Justice and Counterterrorism**

Joint Hearing On: “The Nation’s Correctional Staffing Crisis: Assessing the Toll on Correctional Officers and Incarcerated Persons.”

*Wednesday, February 28<sup>th</sup>, 2024*

*Washington, DC*

***Considerations for federal efforts to assist state and local law enforcement agency efforts to address the crime spike***

*Submitted by:*

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\*\*The Manhattan Institute for Policy Research does not take institutional positions on federal, state, or local legislation, rules, or regulations. Although my comments draw upon my research and writing about criminal justice issues as an Institute fellow, my statement to the Subcommittee is solely my own, and should not be construed as my employer’s.

## **Statement**

Chairman Booker, Ranking Member Cotton, and all other members of this distinguished body, I'd like to begin by thanking you for the opportunity to offer remarks on this important topic.

The first duty of any government—whether local, state, or federal—is to keep its people and their property secure. One of the primary ways in which governments provide that security is through criminal justice systems. The police are the most visible elements of these systems, but they're certainly not the only ones. Indeed, their effectiveness depends in large part on other criminal justice actors. Prosecutors still need to prosecute, judges still need to adjudicate and sentence, and, crucially, correctional institutions need to secure and hopefully better the prisoners they take in.

Effectively managing a correctional population, however, requires investment. Unfortunately, we have seen throughout this country an unwillingness to adequately invest in corrections as decarceration—the pursuit of correctional population declines—has become both a policy priority in its own right, but also the preferred means of alleviating the pressures on the corrections system created by staffing shortages, facility maintenance costs, and overcrowding.

I'd like to use the remainder of my time to make three points:

**First**, decarceration—whether pursued as a public policy good unto itself or as a means of cost-saving—is not a cost-free endeavor. The downside risks associated with that project become more pronounced as you begin to move beyond the margins of the prison population.

**Second**, the potential cost-saving effects of decarceration—at least in the short and intermediate terms—are more limited than they might appear to be based on cost-per-inmate figures based on a division of total corrections spending by the imprisoned population.

**Third**, making the necessary investments in our criminal justice system to address issues like understaffing, overcrowding, and security concerns will not only help improve correctional outcomes, but will keep the government out of a position in which budget constraints require it to make choices that will ultimately harm public safety.

**On the first point**, most of the public safety risk associated with any significant-scale decarceration effort derives from the loss of incapacitation benefits—i.e., the beneficial effects of an active offender's removal from society which come in the form of crimes not committed as a result of the offender being behind bars. One study recently found that for the period 1991–2004, “each additional prison-year served prevented approximately” eight index crimes.<sup>1</sup> That estimate, which is somewhat conservative given that it is based in part on official crime counts (most crimes are not actually reported), is based on both state and federal prisoners. This is important to point out because the more-limited jurisdiction of the federal government (which lacks a general police power) means that the federal prison population consists of inmates who, on average, pose somewhat lower risks of recidivism. But even if lower than it is for state prisoners,

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<sup>1</sup> <https://gspp.berkeley.edu/assets/uploads/research/pdf/p69.pdf>

the recidivism risk posed by federal offenders is far from zero. An analysis of more than 25,000 federal offenders released in 2005 found that just under 50% were rearrested over an eight-year observation period.<sup>2</sup> It's also worth noting that rearrest was closely associated with the age and criminal history of the releasees, as well as with the type of offense they were incarcerated for. For example, the study found that 68.3% of firearms offenders and 67.3% of robbery offenders were rearrested during the study period, compared to 34.2% of fraud offenders and 44.4% of larceny offenders.<sup>3</sup>

Some might be tempted to argue that the recidivism data for those released pursuant to the First Step Act (FSA) strengthens the case for decarceration; but those data do just the opposite. While it's true that only about 12% of FSA beneficiaries had recidivated according to the April 2023 FSA annual report, the recidivism data for FSA beneficiaries nevertheless illustrates the *limits* of relatively safe decarceration efforts with regard to just how many prisoners we can release without harming public safety. According to that report, a little over 29,900 federal offenders were released pursuant to provisions of the FSA.<sup>4</sup> However, a closer look at the recidivism tables shows that nearly 9 in 10 (88.3%) of the more than 24,000 releasees who had a risk assessment were rated minimum (37.4%) or low (50.9%) risk.<sup>5</sup> Nearly half of the releasees (which comes to less than 10% of the 2022 BOP population, and less than 1% of the national 2022 prison population<sup>6</sup>) didn't complete any recidivism reduction programming, which is notable because, in many cases, this was because they "were never designated to a BOP institution but rather served their sentence at a jail or pre-trial facility or were released due to time-served sentences."<sup>7</sup> Moreover, the bulk of these offenders (more than 20,000 of them) had only been released for a year prior to that report's publication, meaning that their lack of rearrest may simply be a function of the short observation period.<sup>8</sup>

The much larger state prison population (more than two-thirds of which is in primarily for a violent or weapons offense<sup>9</sup>) poses an even more pronounced risk of recidivism, with 9- and 10-year recidivism rates for releasees breaking 80%.<sup>10</sup>

So while it is certainly the case that some small subset of the country's prison population consists of inmates whose incarceration no longer serves a legitimate penological end, we must also understand that the vast majority of prisoners in the U.S.—both state and federal—pose a significant risk of reoffending.

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<sup>2</sup> [https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism\\_overview.pdf](https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism_overview.pdf)

<sup>3</sup> [https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism\\_overview.pdf](https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism_overview.pdf)

<sup>4</sup> <https://www.ojp.gov/first-step-act-annual-report-april-2023>

<sup>5</sup> *Id.*

<sup>6</sup> <https://bjs.ojp.gov/document/p22st.pdf>

<sup>7</sup> *Id.*

<sup>8</sup> [https://assets.foleon.com/eu-central-1/de-uploads-7e3kk3/41697/first\\_step\\_act\\_methodology\\_vf.1f6848fb2e22.pdf?first-step-act](https://assets.foleon.com/eu-central-1/de-uploads-7e3kk3/41697/first_step_act_methodology_vf.1f6848fb2e22.pdf?first-step-act)

<sup>9</sup> <https://bjs.ojp.gov/document/p22st.pdf>

<sup>10</sup> [https://bjs.ojp.gov/BJS\\_PUB/rpr24s0810yfup0818/Web%20content/508%20compliant%20PDFs](https://bjs.ojp.gov/BJS_PUB/rpr24s0810yfup0818/Web%20content/508%20compliant%20PDFs) and <https://bjs.ojp.gov/content/pub/pdf/rsorsp9yfu0514.pdf>.

**As for my second point**, it must be said that the costs savings potential of decarceration efforts may not be what they seem. It's often noted that it costs an average of over \$42,000 to incarcerate a single federal prison inmate for a year—a figure arrived at “by dividing the number representing the Bureau of Prisons (Bureau) facilities' monetary obligation (excluding activation costs) by the number of inmate-days incurred for the fiscal year, and then by multiplying the quotient by the number of days in the fiscal year.”<sup>11</sup> The problem with using this figure is that it might give the impression that you would save approximately \$42,000 a year by incarcerating one less inmate. That would be a massive overstatement because the lion's share of the average cost per inmate per year is a function of fixed costs—i.e., costs that aren't a function of how many inmates are incarcerated (think operation/administration costs associated with staffing, food, electricity, and debt service).<sup>12</sup> The marginal cost per inmate tends to be a much lower figure, albeit much more difficult to calculate.<sup>13</sup>

Not only are the potential savings associated with decarceration more limited, they are also going to be eaten into by the costs associated with the additional crimes that might occur as a result. Depending on the offense, these costs can be staggering. Indeed, the estimated annual cost of crime in the United States is in the trillions.<sup>14</sup> A single homicide has been estimated to cost society nearly \$9,000,000, while an assault can carry a society price tag of more than \$107,000.<sup>15</sup> Crime can also have other deleterious and costly effects that can be harder to see.<sup>16</sup>

**Third and finally**, the first two points weigh against dealing with the constraints posed by staffing shortages and other issues within the federal prison system by decarcerating and in favor of dealing with those constraints by investing in what is ultimately a core function of government. Despite the numbers that can be thrown around with regard to the cost of doing criminal justice in the United States, it remains the case that our criminal justice system is underfunded and in need of an upgrade—something my Manhattan Institute colleague Charles Fain Lehman thoroughly documented in a recent Manhattan Institute report, which

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<sup>11</sup> [https://www.federalregister.gov/documents/2023/09/22/2023-20585/annual-determination-of-average-cost-of-incarceration-fee-coif#:~:text=Based%20on%20FY%202021%20data,%2437%2C012%20\(%24101.40%20per%20day\).](https://www.federalregister.gov/documents/2023/09/22/2023-20585/annual-determination-of-average-cost-of-incarceration-fee-coif#:~:text=Based%20on%20FY%202021%20data,%2437%2C012%20(%24101.40%20per%20day).)

<sup>12</sup> <https://www.vera.org/downloads/publications/price-of-prisons-updated-version-021914.pdf> (see endnote 10).

<sup>13</sup> <https://journals.sagepub.com/doi/10.1177/08874034211060336>.

<sup>14</sup>

<https://www.journals.uchicago.edu/doi/abs/10.1086/715713?journalCode=jle#:~:text=The%20estimated%20annual%20cost%20of,%243.92%20trillion%20net%20of%20transfers.>

<sup>15</sup>

<https://www.journals.uchicago.edu/doi/abs/10.1086/715713?journalCode=jle#:~:text=The%20estimated%20annual%20cost%20of,%243.92%20trillion%20net%20of%20transfers.>

<sup>16</sup> Other studies have shown impacts on mental health, student performance, economic mobility, and economic investment. See, e.g.,

[https://tspace.library.utoronto.ca/bitstream/1807/99389/1/The%20impact%20of%20secondary%20exposure\\_Sha\\_rpe.pdf](https://tspace.library.utoronto.ca/bitstream/1807/99389/1/The%20impact%20of%20secondary%20exposure_Sha_rpe.pdf) (showing that African Americans are disproportionately impacted by gun violence exposure in terms of their mental health); <https://www.pnas.org/doi/10.1073/pnas.1000690107> (finding that “Among African-Americans, the strongest results show that exposure to a homicide in the block group that occurs less than a week before the assessment reduces performance on vocabulary and reading assessments by between ~0.5 and ~0.66 SD, respectively.”); and <https://www.sciencedirect.com/science/article/abs/pii/S009411901730058X> (finding, among other things, that “a one standard deviation decline in violent crime as experienced during late adolescence increases the expected income rank in adulthood by at least 2 points.”).



recommended, among other things, “[r]ehabilitat[ing] failing prisons and jails.”<sup>17</sup> The more conspiratorial-minded might wonder whether the failures that stem from inadequately resourcing the criminal justice system, which has drawn the ire of many reform activists and abolitionists, are the point. A stronger case for upending a system can be made when the institutions within it perform suboptimally; and institutions become more likely to perform suboptimally if they are inadequately resourced.

It is almost certainly the case that there are measures on which federal and state correctional authorities can perform better; but it is also likely the case that boosting performance and improving outcomes of interest will depend on the degree to which Congress and state legislatures are willing to direct resources to these institutions to facilitate such improvement. For example, in his report, Lehman noted that “as of the end of 2021... 24 states and the federal government still have prison populations over 90% of the lower bound for overcrowding; 12 have populations over 100%.”<sup>18</sup> Yet, very little has been done to increase carceral capacity to address this very real problem, which can exacerbate others within prison walls. This is a political choice—one with dire consequences for those inside and, ultimately, outside of our nation’s prisons. We can and should choose more wisely.

Thank you.

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<sup>17</sup> <https://manhattan.institute/article/modernize-the-criminal-justice-system-an-agenda-for-the-new-congress>

<sup>18</sup> <https://media4.manhattan-institute.org/wp-content/uploads/modernize-the-criminal-justice-system-an-agenda-for-the-new-congress.pdf>