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Louisiana is the world's prison capital

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SCOTT THRELKELD / THE TIMES-PICAYUNE Cotton is no longer king in rural Richland Parish. In its place: the bartering and boarding of criminals.

Louisiana is the world's prison capital. The state imprisons more of its people, per head, than any of its U.S. counterparts. First among Americans means first in the world. Louisiana's incarceration rate is nearly five times Iran's, 13 times China's and 20 times Germany's.

The hidden engine behind the state's well-oiled prison machine is cold, hard cash. A majority of Louisiana inmates are housed in for-profit facilities, which must be supplied with a constant influx of human beings or a \$182 million industry will go bankrupt.

Several homegrown private prison companies command a slice of the market. But in a uniquely Louisiana twist, most prison entrepreneurs are rural sheriffs, who hold tremendous sway in remote parishes like Madison, Avoyelles, East Carroll and Concordia. A good portion of Louisiana law enforcement is financed with dollars legally skimmed off the top of prison operations.

If the inmate count dips, sheriffs bleed money. Their constituents lose jobs. The prison lobby ensures this does not happen by thwarting nearly every reform that could result in fewer people behind bars.

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Meanwhile, inmates subsist in bare-bones conditions with few programs to give them a better shot at becoming productive citizens. Each inmate is worth \$24.39 a day in state money, and sheriffs trade them like horses, unloading a few extras on a colleague who has openings. A prison system that leased its convicts as plantation labor in the 1800s has come full circle and is again a nexus for profit.

In the past two decades, Louisiana's prison population has doubled, costing taxpayers billions while New Orleans continues to lead the nation in homicides.

One in 86 adult Louisianians is doing time, nearly double the national average. Among black men from New Orleans, one in 14 is behind bars; one in seven is either in prison, on parole or on probation. Crime rates in Louisiana are relatively high, but that does not begin to explain the state's No. 1 ranking, year after year, in the percentage of residents it locks up.

In Louisiana, a two-time car burglar can get 24 years without parole. A trio of drug convictions can be enough to land you at the Louisiana

State Penitentiary at Angola for the rest of your life.

Almost every state lets judges decide when to mete out the severest punishment and when a sympathetic defendant should have a chance at freedom down the road. In Louisiana, murderers automatically receive life without parole on the guilty votes of as few as 10 of 12 jurors.

The lobbying muscle of the sheriffs, buttressed by a tough-on-crime electorate, keeps these harsh sentencing schemes firmly in place.

"Something has to be done -- it just has to be done -- about the long sentences," said Angola Warden Burl Cain. "Some people you can let out of here that won't hurt you and can be productive citizens, and we know the ones who can't."

Every dollar spent on prisons is a dollar not spent on schools, hospitals and highways. Other states are strategically reducing their prison populations -- using tactics known in policy circles as "smart on crime." Compared with the national average, Louisiana has a much lower percentage of people incarcerated for violent

offenses and a much higher percentage behind bars for drug offenses -- perhaps a signal that some nonviolent criminals could be dealt with differently.

Do all of Louisiana's 40,000 inmates need to be incarcerated for the interests of punishment and public safety to be served? Gov. Bobby Jindal, a conservative Republican with presidential ambitions, says the answer is no. Despite locking up more people for longer periods than any other state, Louisiana has one of the highest rates of both violent and property crimes. Yet the state shows no signs of weaning itself off its prison dependence.

"You have people who are so invested in maintaining the present system -- not just the sheriffs, but judges, prosecutors, other people who have links to it," said Burk Foster, a former professor at the University of Louisiana-Lafayette and an expert on Louisiana prisons. "They don't want to see the prison system get smaller or the number of people in custody reduced, even though the crime rate is down, because the good old boys are all linked together in the punishment network, which is good for them financially and politically."

Keeping the beds full

In the early 1990s, when the incarceration rate was half what it is now, Louisiana was at a crossroads. Under a federal court order to reduce overcrowding, the state had two choices: Lock up fewer people or build more prisons.

It achieved the latter, not with new state prisons -- there was no money for that -- but by encouraging sheriffs to foot the construction bills in return for future profits. The financial incentives were so sweet, and the corrections jobs so sought after, that new prisons sprouted up all over rural Louisiana.

The national prison population was expanding at a rapid clip. Louisiana's grew even faster. There was no need to rein in the growth by keeping sentencing laws in line with those of other states or by putting minor offenders in alternative programs. The new sheriffs' beds were ready and waiting. Overcrowding became a thing of the past, even as the inmate population multiplied rapidly.

"If the sheriffs hadn't built those extra spaces, we'd either have to go to the Legislature and say, 'Give us more money,' or we'd have to reduce the sentences, make it easier to get parole and commutation -- and get rid of people who shouldn't be here," said Richard Crane, former general counsel for the Louisiana Department of Corrections.

Today, wardens make daily rounds of calls to other sheriffs' prisons in search of convicts to fill their beds. Urban areas such as New Orleans and Baton Rouge have an excess of sentenced criminals, while prisons in remote parishes must import inmates to survive.

The more empty beds, the more an operation sinks into the red. With maximum occupancy and a thrifty touch with expenses, a sheriff can divert the profits to his law enforcement arm, outfitting his deputies with new squad cars, guns and laptops. Inmates spend months or years in 80-man dormitories with nothing to do and few educational opportunities before being released into society with \$10 and a bus ticket.

Fred Schoonover, deputy warden of the 522-bed Tensas Parish Detention Center in northeast Louisiana, says he does not view inmates as a "commodity." But he acknowledges that the prison's business model is built on head counts. Like other wardens in this part of the state, he wheels and deals to maintain his tally of human beings. His boss, Tensas Parish Sheriff Rickey Jones, relies on him to keep the numbers up.

"We struggle. I stay on the phone a lot, calling all over the state, trying to hustle a few," Schoonover said.

Some sheriffs, and even a few small towns, lease their prison rights to private companies. LaSalle Corrections, based in Ruston, plays a role in housing one of seven Louisiana prisoners. LCS Corrections Services, another homegrown company, runs three Louisiana prisons and is a major donor to political campaigns, including those of urban sheriffs who supply rural prisons with inmates.

Incarceration on the cheap

Ask anyone who has done time in Louisiana whether he or she would rather be in a state-run prison or a local sheriff-run prison. The answer is invariably state prison.



fullpage-4reasonswhyLA-051312.jpgHow

Louisiana became the prison capital of the world (view full size graphic)

Inmates in local prisons are typically serving sentences of 10 years or less on nonviolent charges such as drug possession, burglary or writing bad checks. State prisons are reserved for the worst of the worst.

Yet it is the murderers, rapists and other long-termers who learn trades like welding, auto mechanics, air-conditioning repair and plumbing. Angola's Bible college offers the only chance for Louisiana inmates to earn an undergraduate degree.

Such opportunities are not available to the 53 percent serving their time in local prisons. In a cruel irony, those who could benefit most are unable to better themselves, while men who will die in prison proudly show off fistfuls of educational certificates.

Louisiana specializes in incarceration on the cheap, allocating by far the least money per inmate of any state. The \$24.39 per diem is several times lower than what Angola and other state-run prisons spend -- even before the sheriff takes his share. All local wardens can offer is GED classes and perhaps an inmate-led support group such as Alcoholics Anonymous. Their facilities are cramped and airless compared with the spacious grounds of state prisons, where inmates walk along outdoor breezeways and stay busy with jobs or classes.

With a criminal record, finding work is tough. In five years, about half of the state's ex-convicts end up behind bars again.

Gregory Barber has seen the contrast between state and local prisons firsthand. He began a four-year sentence for burglary at the state-run Phelps Correctional Center -- a stroke of luck for someone with a relatively short sentence on a nonviolent charge who might easily have ended up in a sheriff's custody.



chart-prisonpop-051312.jpg Louisiana's prison population since 1977 (view full size graphic)

With only six months to go, the New Orleans native was transferred to Richwood Correctional Center, a LaSalle-run prison near Monroe. He had hoped to end his time in a work-release program to up his chances of getting a good job. But the 11th-hour transfer rendered him ineligible. At Phelps, he took a welding class. Now, he whiles away the hours lying in his bunk for lack of anything better to do. The only relief from the monotony is an occasional substance-abuse rehab meeting.

"In DOC camps, you'd go to the yard every day, go to work," said Barber, 50, of state-run prisons. "Here, you just lay down, or go to meetings. It makes time pass a little slower."

Downward spiral



chart-louisianaworld-051312.jpgView full size

While Louisiana tops the prison rankings, it consistently vies with Mississippi -- the state with the second-highest incarceration rate -- for the worst schools, the most poverty, the highest infant mortality. One in three Louisiana prisoners reads below a fifth-grade level. The vast majority did not complete high school. The

easy fix of selling drugs or stealing is all too tempting when the alternative is a low-wage, dead-end job.

More money spent on locking up an ever-growing number of prisoners means less money for the very institutions that could help young people stay out of trouble, giving rise to a vicious cycle. Louisiana spends about \$663 million a year to feed, house, secure and provide medical care to 40,000 inmates. Nearly a third of that money -- \$182 million -- goes to for-profit prisons, whether run by sheriffs or private companies.

"Clearly, the more that Louisiana invests in large-scale incarceration, the less money is available for everything from preschools to community policing that could help to reduce the prison population," said Marc Mauer, executive director of The Sentencing Project, a national criminal justice reform group. "You almost institutionalize the high rate of incarceration, and it's even harder to get out of that situation."

Louisiana's prison epidemic disproportionately affects neighborhoods already devastated by crime and poverty. In some parts of New Orleans, a stint behind bars is a rite of passage for young men.

About 5,000 black men from New Orleans are doing state prison time, compared with 400 white men from the city. Because police concentrate resources on high-crime areas, minor lawbreakers there are more likely to be stopped and frisked or caught up in a drug sweep than, say, an Uptown college student with a sideline marijuana business.

With so many people lost to either prison or violence, fraying neighborhoods enter a downward spiral. As the incarceration rate climbs, more children grow up with fathers, brothers, grandfathers and uncles in prison, putting them at increased risk of repeating the cycle themselves.

'Don't feel no pity'

Angola is home to scores of old men who cannot get out of bed, let alone commit a crime. Someone who made a terrible mistake in his

youth and has transformed himself after decades in prison has little to no chance at freedom.



map-incarceration-051312.jpg World and state incarceration rates (full full size graphic)

Louisiana has a higher percentage of inmates serving life without parole than any other state. Its justice system is unstintingly tough on petty offenders as well as violent criminals. In more than four years in office, Jindal has only pardoned one inmate.

"Louisiana don't feel no pity. I feel like everybody deserves a second chance," said Preston Russell, a Lower 9th Ward native who received life without parole for a string of burglaries and a crack charge. "I feel like dudes get all this education ... under their belt and been here 20, 30 years. You don't think that's enough time to let a man back out and give him another chance at life?"

An inmate at Angola costs the state an average of \$23,000 a year. A young lifer will rack up more than \$1 million in taxpayer-funded expenses if he reaches the Louisiana male life expectancy of 72.

Russell, 49, is in good health. But as he gets older, treating his age-related ailments will be expensive. The state spends about \$24 million a year caring for between 300 and 400 infirm inmates.

Now in his 13th year at Angola, Russell breaks into tears recounting how he rebelled against the grandmother who raised him, leaving home as soon as he could. First he smoked weed, weed became crack, then he was selling drugs and burglarizing stores in between jobs in construction or shipping.

The last time he stole, Orleans Parish prosecutors tagged him as a multiple offender and sought the maximum -- the same sentence given to murderers. In the final crime that put him away for life, he broke into Fat Harry's and stole \$4,000 from the Uptown bar's video poker machines.

Political will

Tough fiscal times have spurred many states to reduce their prison populations. In lock-'em-up Texas, new legislation is steering low-level criminals into drug treatment and other alternatives to prison.

In Louisiana, even baby steps are met with resistance. Jindal, who rose to the governor's office with the backing of the sheriffs' lobby, says too many people are behind bars. Yet earlier this year, he watered down a reform package hammered out by the Sentencing Commission he himself had convened. The commission includes sheriffs and district attorneys, so its proposals were modest to begin with.

Measures like those in Texas, which target a subset of nonviolent offenders, are frequently lauded but may not be enough. To make a significant dent in the prisoner numbers, sentences for violent crimes must be reduced and more money must be invested in inner-city communities, according to David Cole, a professor at Georgetown Law School. Such large-scale change -- which has not been attempted in any state, let alone Louisiana -- can only happen through political will.

In Louisiana, that will appears to be practically nonexistent. Locking up as many people as possible for as long as possible has enriched a few while making everyone else poorer. Public safety comes second to profits.

"You cannot build your way out of it. Very simply, you cannot build your way out of crime," said Secretary of Corrections Jimmy LeBlanc, who supports reducing the incarceration rate and putting more resources into inmate rehabilitation. "It just doesn't work that way. You can't afford it. Nobody can afford that."