

# STOP GIVING ADCRR MORE MONEY

## Legislative Budget Decisions for 2022

### OVERVIEW

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**ADCRR is requesting a budget of \$1.3 billion in 2022. ADCRR has the third largest agency budget in the state and has grossly mismanaged billions in taxpayer dollars with no consequences from lawmakers or the Governor's office.** It is time for the legislature to hold this agency accountable by conducting a comprehensive financial audit, creating mechanisms for ongoing oversight, requiring a budget allocation based on population, and cancelling plans for additional private prison beds.

### THE PROBLEMS

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#### Failing security & infrastructure

The largest portion (45.8%) of ADCRR's budget is earmarked for "security." This huge investment stands in stark contrast to recent incidents indicating a fundamental breakdown in the security and safety of prisons:

- Lewis prison door locks malfunctioning for years, resulting in assaults and disturbances
- Door locks at Winslow, Tucson, and Yuma facilities broken since 2017
- Fire alarms deemed "inoperable" for over a decade at Yuma facilities
- Lack of air conditioning systems in Yuma, causing water damage and mold to the building.
- The escape of two men from the Florence complex in January 2021

Since 2019, \$71.7 million was allocated by the legislature and approved by the Joint Committee on Capital Review to address these issues, yet there is virtually no attempt on the part of the legislature, the Department, or any other government body to monitor and report on how these funds were spent, what improvements have been made, or what the outcomes have been.

#### Healthcare negligence and private contacts

The second largest portion of the ADCRR budget (15.6%) is earmarked for contracts with privatized healthcare providers. Originally, ADCRR projected that privatizing the prison healthcare system would save the state \$5 million dollars. Yet the cost of prison healthcare in 2021 topped \$198 million - an \$80 million dollar increase from the cost in 2011, before privatization. Part of the astronomical increase in spending is due to the ongoing *Parsons v. Shinn* lawsuit which was borne out of complete negligence on the part of the private vendors. Failure to comply with the settlement in this case has cost taxpayers nearly \$8 million in lawyer's fees and court mandated increases in payments.

The situation has been exacerbated by with the COVID-19 pandemic. **Infection rates in ADCRR are three times higher than the general Arizona population.** Lack of proper prevention techniques and indifference from staff made the disease spread quickly in the congregate settings. No one should be sentenced to death by COVID-19 in Arizona prisons, but between the improper healthcare and poor COVID-19 management, that is what is happening.

#### Multi-million dollars in software failures

Since 2014, the legislature has allocated nearly \$31 million to ADCRR to update the Arizona Inmate Management System (AIMS), which was called "archaic and of limited value" by prison administrators. In November 2019,

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ADCRR went live with the replacement system, now called Arizona Corrections Information System (ACIS). Although frontline staff had asked to delay the rollout due to 14,000 known issues with the software, ADCRR leadership moved forward.

This reckless decision by leadership has caused a cascade of negative outcomes:

- Inability to track health care, resulting in prescriptions running out or not being distributed
- Incorrect head count numbers posing serious security risks
- Commissary and financial accounts failing to be kept up to date
- Religious affiliations improperly categorized, preventing people from being able to practice their faith
- Inaccurate security classifications keeping people in unsafe housing conditions or solitary confinement
- Inability to calculate sentence length per recent legislation (SB1310) keeping people past their release date

Even without the problems outlined above, ADCRR spending is massively higher than what is needed. The prison population is at the lowest recorded population in nearly a decade, yet spending has remained at an elevated level. Current population is at 36,975 people with a \$1.2 billion budget. The last time ADCRR had a lower population was in 2006 with 35,892 people, and funding was \$707.7 million.

## SOLUTION

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### **1) Immediately conduct a fiscal and performance audit of ADCRR and its contractors.**

An impartial body should review the millions of dollars allocated to ADCRR and present a detailed report on exactly how this funding was spent and what the outcomes have been.

### **2) Institute an immediate spending cap on the ADCRR.**

Funding levels should be reduced to in proportion to the decrease in population. Adjusted for inflation, this means that no more than \$950 million should be allocated to ADCRR.

### **3) Develop and staff an Independent Corrections Ombudsman's Office.**

This office would oversee every aspect of the ADCRR and ensure accountability on the issues outlined in this report. The cost of this office has been estimated at \$1.5 million. The monies saved through reducing the corrections budget (per #2 above) should be reallocated to establish, staff, and maintain this office.

### **4) Require fiscal notes for all legislation that would increase the prison population beginning January 1st, 2022.**

When any legislation is introduced which would result in individuals being incarcerated or increase sentencing lengths for an existing felony, a fiscal note must be included. This shall be prepared by the Joint Legislative Budget Committee and attached to the bill at time of its first hearing. The fiscal note shall be made available on the Arizona State Legislature's website.

### **5) Immediately and permanently rescind the Request for Information (RFI) released by ADCRR on December 24th, 2020 for the addition of over 2,700 private prison beds.**

Given the reduction in the prison population by over 5,000 people, this contract is unnecessary. Based on the current private prison per diem of \$54.59, rescinding the RFI would result in a cost avoidance of at least \$54 million.