



## John S. Foote, District Attorney for Clackamas County

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March 6, 2013

Representative Jeff Barker  
Oregon State Capitol  
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Salem, OR 97301

Senator Betsy Close  
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Representative Chris Garrett  
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Representative Wally Hicks  
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Representative Wayne Krieger  
Oregon State Capitol  
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Representative Greg Matthews  
Oregon State Capitol  
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Representative Andy Olson  
Oregon State Capitol  
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Senator Floyd Prozanski  
Oregon State Capitol  
900 Court St, NE, S-415  
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Senator Arnie Roblan  
Oregon State Capitol  
900 Court St, NE, S-417  
Salem, OR 97301

Senator Jackie Winters  
Oregon State Capitol  
900 Court St, NE, S-301  
Salem, OR 97301

*Re: Follow Up Information on Prison Forecasting and Prison Costs*

Dear Members of the Joint Public Safety Committee:

Again, on behalf of both Washington County District Attorney Bob Herman and Multnomah County Chief Deputy Don Rees, I would like to express our sincere appreciation to all the members of the Joint Public Safety Committee for your generous invitation to speak to you about our concerns regarding Oregon prison forecasting. We know your time is valuable and we appreciate the time and consideration shown to us during our testimony. We hope you found this an important subject for your consideration.

During our testimony, there were a series of questions about our previous chart on the history of 10-year prison forecasts in Oregon (a copy of which is attached – Attachment 2). In light of those questions, we thought more information on the subject would be helpful. Therefore, we have included a second chart on the history of 10-year prison forecasting (Attachment 1) which only examines the actual and predicted growth.

As I am sure you remember, in our prior testimony there were questions and comments about the fact that the 10-year prison forecasts "only over estimated" the overall prison population by an average of 6.65%. The degree of error is much more apparent when only the amount of growth and not the overall population is considered. As this chart (Attachment 1) clearly demonstrates, over the past 17 years, the 10-year forecasts have been 38% too high. We hope this chart will be helpful for your consideration.

In addition, towards the end of our testimony there were some questions about prison costs. We share the concerns that were raised briefly. As you know from our testimony, the number of prison beds is currently predicted to grow by 16% over the next 10 years, which the forecasters have described as very modest growth. We agree with that description, although we think the actual growth will be substantially lower. In comparison, state revenues are predicted to grow by 48% during the same period of time. And, even more alarming, as you can see from the attached Department of Corrections (DOC) document, costs per day are predicted to grow by 89%.

The elephant in the room is costs per day. For every dollar per day reduction in costs, the savings to the two-year state DOC budget is \$10 million. As you can see from the attached document, the DOC 2013-2015 budget proposal is based upon a 10% increase in what they say are their current costs per day. And that 10% increase includes the full PERS savings in the Governor's Budget. According to this document (Attachment 3), if the PERS savings are not realized, their proposed budget increases another \$2 per day. As a reasonable alternative, if DOC was required to reduce their INCREASE in their costs per day in their next budget by as little as \$3 per day, that would save \$30 million dollars over the next two years. That savings could be used to invest in proven effective programs to reduce the 2200 probationers and parolees failing on supervision and sent to prison each year. That would reduce whatever prison growth does occur without requiring drastic sentence reductions for violent and career property criminals.

We encourage your committee to insist on costs per day reductions by DOC as a foundation for public safety reform. We look forward to working with you in that effort.

Sincerely,



John S. Foote

JSK:kas

cc: Oregon District Attorneys  
Senator Richard Devlin  
Representative Peter Buckley





## Oregon District Attorneys Association

Eric Nisley, President  
Timothy Colahan, 1<sup>st</sup> Vice President  
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### OREGON 10 YEAR PRISON POPULATION FORECAST CONSISTENTLY HIGH

Damon Bell, Senior Analyst, for the Oregon Office of Economic Analysis provided recently revised prison population forecast numbers showing the 10 year prison population forecasts from 1995 to 2002 as compared to the actual number of inmates in prison. All forecasts were still high. In fact, the 8 year average went from 14.4% high to 14.7% high and the 6 year average went from 7.1% high to 7.3% high. The revised edits and numbers are shown in red.

Forecast	Future Date	Forecast	Actual	Difference	% High
October 1995	July 2005	18168	12875	5293	+41.1%
April 1996	July 2005	19246	12875	6371	+49.5%
October 1996	July 2006	17752	13229	4523	+34.2%
April 1997	January 2007	15168	13292	1876	+14.1%
October 1997	July 2007	14346	13498	848	+6.3%
April 1998	January 2008	14158	13405	753	+5.6%
October 1998	July 2008	14275	13547	728	+5.4%
April 1999	January 2009	14557	13631	926	+6.8%
October 1999	July 2009	14676	13926	750	+5.4%
April 2000	January 2010	14952	13820	1132	+8.2%
October 2000	July 2010	14956	14016	940	+6.7%
April 2001	January 2011	14949	13924	1025	+7.4%
October 2001	July 2011	15100	14073	1027	+7.3%
April 2002	January 2012	14973	13921	1052	+7.6%

- **8-year average**-1995 to 2002--the forecast is 14.7% high which means an over forecast of approximately 2051 inmates in 2020. ( Forecast 2020 is 16,000/114.7% = 13,949. 16,000 - 13,949 = 2051 )
- **6-year average**-1997 to 2002--the forecast is 7.3% high which means an over forecast of approximately 1089 inmates in 2020.( Forecast 2020 is 16,000/107.3% = 14,911. 16,000 - 14,911 = 1089)
- Oregon's general population increase is predicted to be 10.68% from 2011 to 2020. A 10.68% increase in 14,000 inmates is 1497 additional inmates.



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### History of 10 Year Oregon Prison Forecasting

<u>Forecast Date</u>	<u>10-Year Growth Forecast</u>	<u>Actual Growth</u>	<u>Percent Forecast Growth Error</u>	<u>Biennial Budget Error Based on Forecast <sup>v</sup></u>
April 1, 1996	11,198	4,727	137.2% (high)	\$314 Million
October 1, 1996	9,391	4,868	92.9% (high)	\$223 Million
April 1, 1997	7,155	5,279	35.5% (high)	\$92 Million
October 1, 1997	6,776	5,928	14.3% (high)	\$48 Million
April 1, 1998	6,216	5,467	13.5% (high)	\$43 Million
October 1, 1998	5,831	5,103	14.3% (high)	\$41 Million
April 1, 1999	5,623	4,697	19.7% (high)	\$53 Million
October 1, 1999	5,441	4,601	18.3% (high)	\$46 Million
April 1, 2000	5,248	4,116	27.5% (high)	\$69 Million
October 1, 2000	4,918	3,879	23.6% (high)	\$57 Million
April 1, 2001	4,468	3,443	29.8% (high)	\$63 Million
October 1, 2001	4,288	3,261	31.5% (high)	\$62 Million
April 1, 2002	3,700	2,648	39.7% (high)	\$63 Million
October 1, 2002	3,451	2,637	30.8% (high)	\$49 Million
Averages:	5,979	4,332	38%	87.4 Million

- ❖ Biennial budget error is determined by multiplying the forecast error in beds by the per day bed costs reported by DOC for the appropriate biennium



# Cost Per Day Projections

64

## Budgeted cost per budgeted bed day

