



Special Committee on Criminal Justice Funding and Strategies

*Data-driven approaches to
increase criminal justice
system effectiveness*

December 2, 2010

Council of State Governments Justice Center

Michael Thompson, Executive Director

Marc Pelka, Policy Analyst

- **National non-profit, non-partisan membership association of state government officials**
- **Represents all three branches of state government**
- **Justice Center provides practical, nonpartisan advice informed by the best available evidence**

**Criminal Justice /
Mental Health
Consensus Project**

**National Reentry
Resource Center**

**Justice
Reinvestment**

Presentation Outline

Part One

Corrections pressures being faced in states across the country

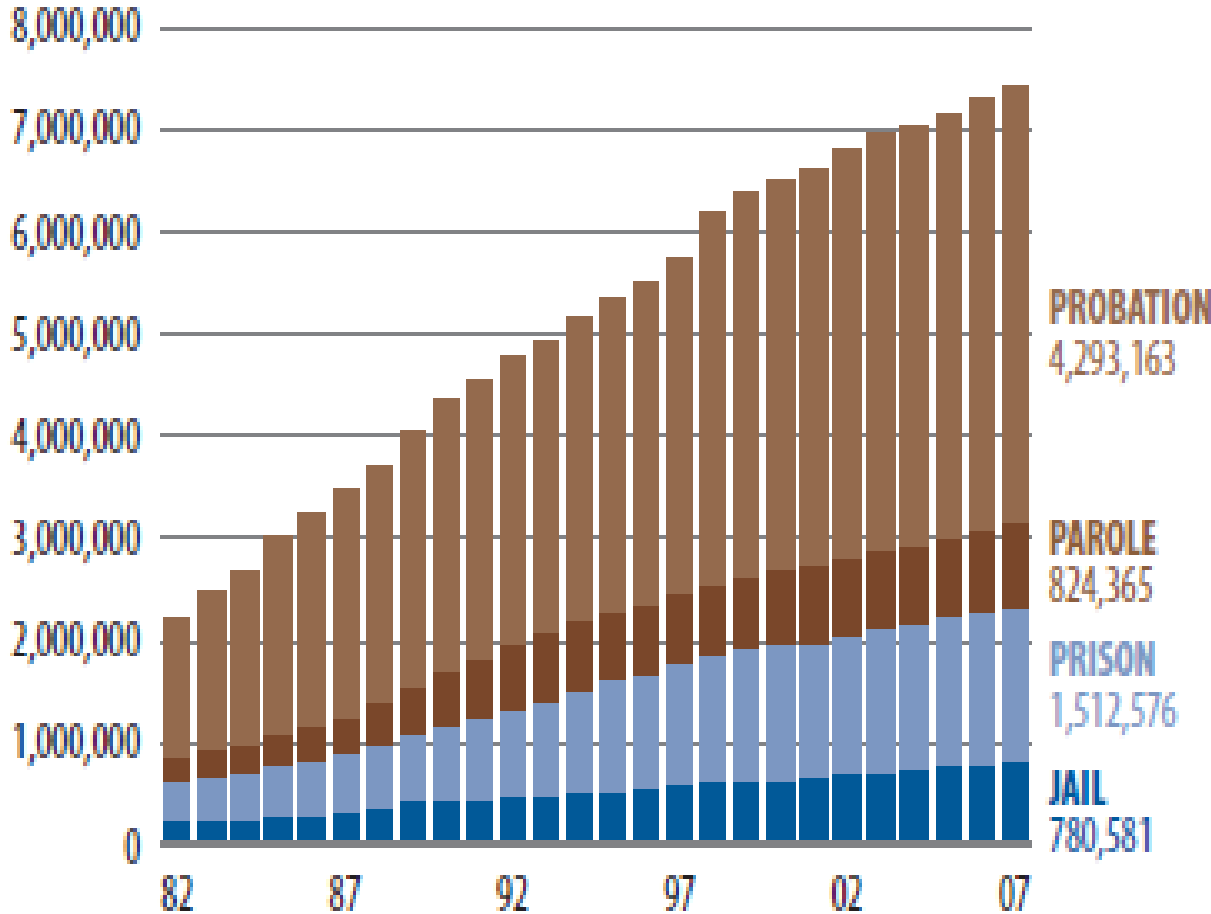
What works to reduce recidivism?

Strategies to track and increase CJ system performance

Putting Wisconsin in the National Context

US Corrections Population

The US Correctional Population Has Tripled in 25 years



One in every 100 Adults in the US is in Jail or Prison

Accounting for Probation and Parole, 1 in every 31 Adults Is under Correctional Control



SOURCE: Bureau of Justice Statistics Correctional Surveys available at <http://www.ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm>.
NOTE: Due to offenders with dual status, the sum of these four correctional categories slightly overstates the total correctional population.

Fiscal Crisis Forcing Examination of Policy Effectiveness



48 States Face Budget Shortfalls

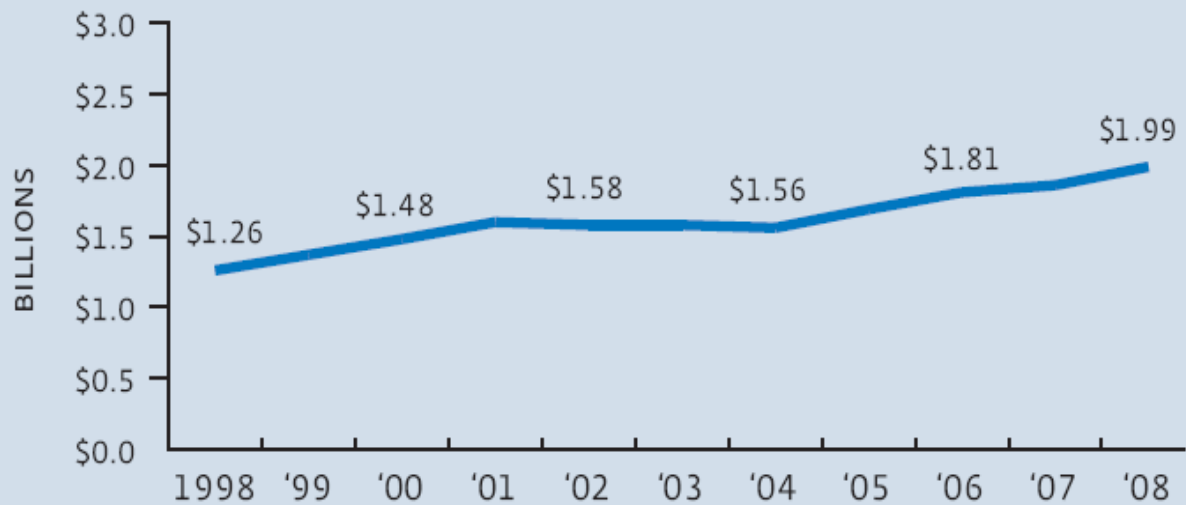


Note: Includes states with shortfalls in fiscal 2010.

SOURCE: Center on Budget and Policy Priorities

Growth in Spending on Corrections in MI

Michigan Department of Corrections Budget, 1998–2008



Spending on corrections increased 57 percent over the past 10 years

As a share of general fund expenditures, corrections grew from 16.2 to 22.6 percent

One out of every three state workers is employed by the Michigan Department of Corrections

Prison Population Growth Unsustainable



Florida's prison problem could find a solution in Texas

By Jamal Thalji, Times Staff Writer

If only Florida's economy could grow like its prisons.

The state has more than 100,000 prisoners for the first time in its history. It's expected to add 14,000 in the next five years, according to the Department of Corrections. Every 1,500 new inmates need a new prison. It costs \$100 million to build one and \$20 million a year to run. How can a state in a perpetual budget crisis pay for all that?

"It's currently unsustainable given our fiscal situation," said Florida Tax Watch general counsel Robert Weissert.

Incarceration & Crime Trends

Incarceration Rate

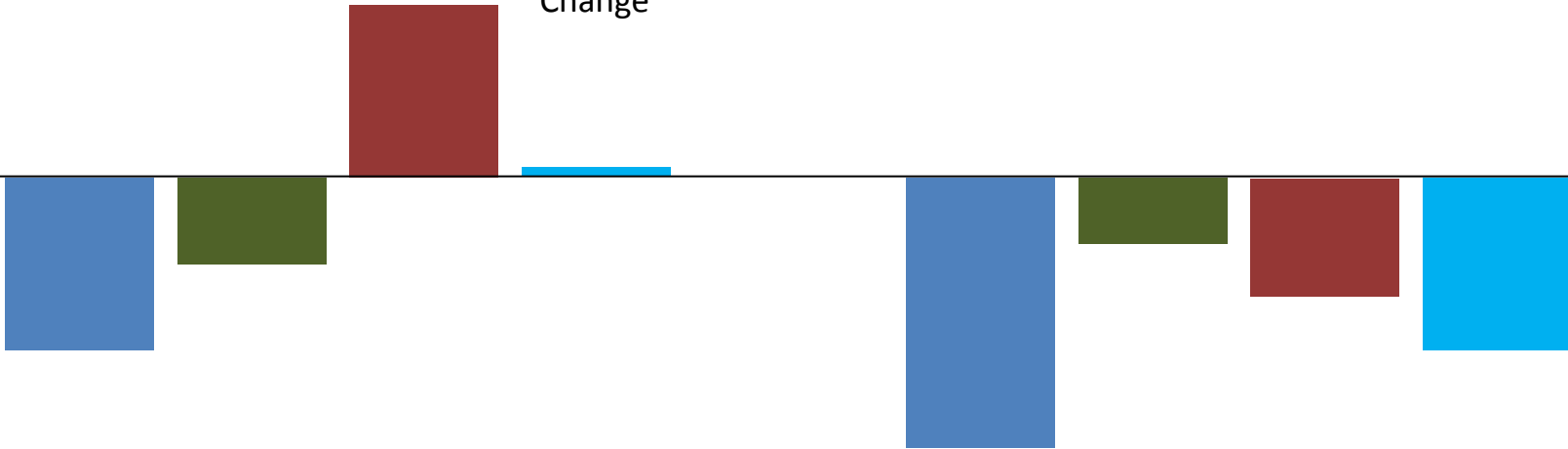
2000-2007

NY	TX	FL	CA
-16%	-8%	+16%	No Change

Violent Crime Rate

2000-2007

NY	TX	FL	CA
-25%	-6%	-11%	-16%



Public Perception of Length of Prison Stays

Do you think people serve more or less time in prison than they did 10 years ago?

(Over the last 10 years, the overall sentence length for people in prison increased by an average of 2 months. Sentences for people convicted of the most severe non-drug offenses increased by 15–50% depending on the severity level. Sentences for people convicted of drug offenses in three categories increased, while the average sentence for one category of drug sentences decreased.)



Public Perception on Time Served Behind Bars

When people are sentenced to prison, what percent of their sentence do you think most people serve behind bars on average?

(Since 1993, people sentenced to prison terms have not been eligible for release by the parole board. Those sentenced between 1993 and 1995 are required to serve 80 percent of their sentence in prison. Those sentenced after 1995 are required to serve 85 percent of their sentence in prison.)



Access to Drug Treatment and Vocational Education

Do most people have access to drug treatment before their release?



Do you think that most people in prison have access to vocational education before their release?



Corrections in the Crosshairs

- Growth in prison and jail populations is not fiscally sustainable.
- Current level of investment not yielding adequate outcomes.
- Public is unappreciative of investments currently being made.
- Policymakers are without the comprehensive, timely, independent information to help them understand how to get more for their money

Presentation Outline

Corrections pressures being
faced in states across the country

Part Two

What works to reduce recidivism?

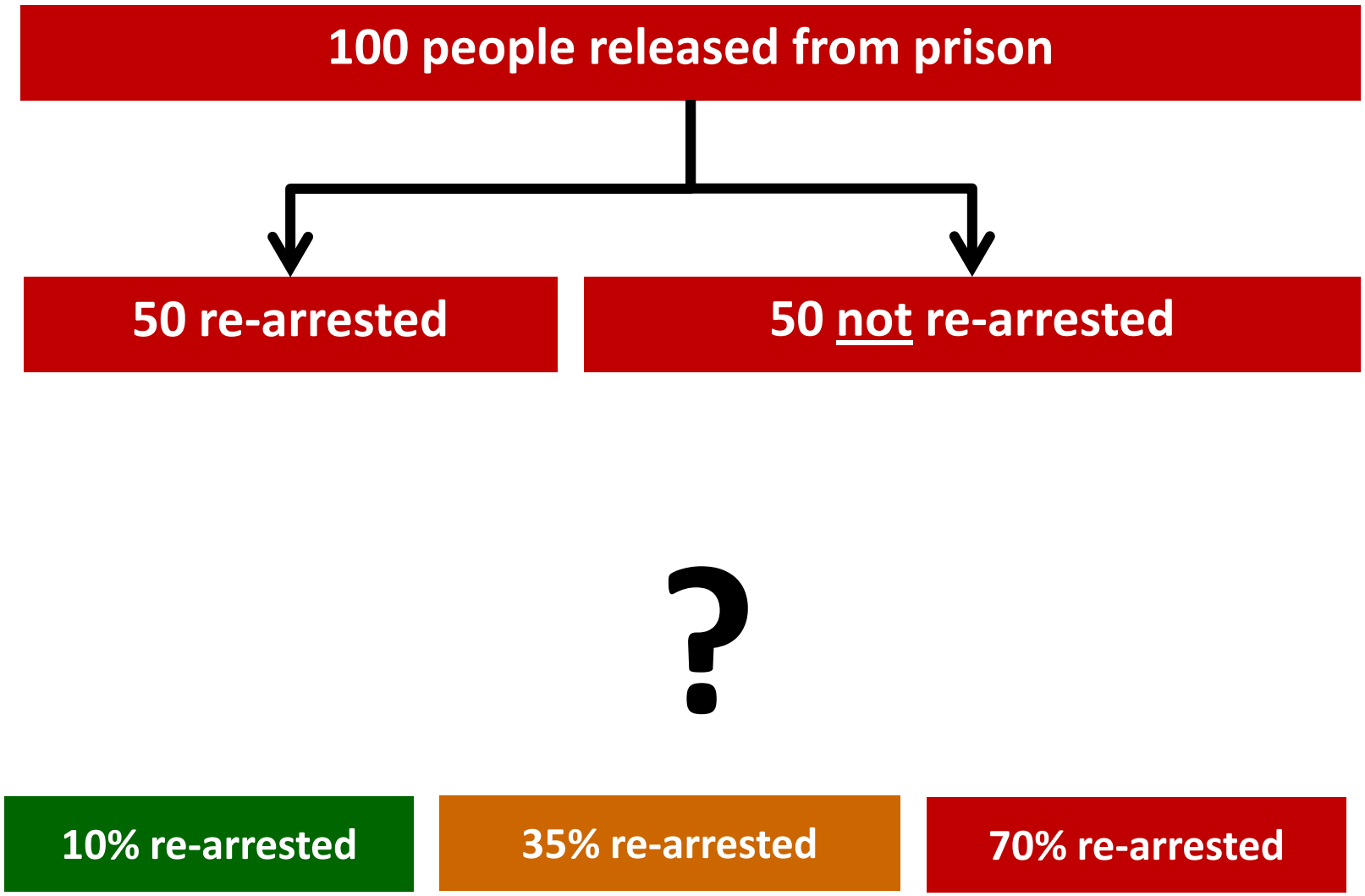
Strategies to track and
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Putting Wisconsin in the
National Context

What works to reduce recidivism

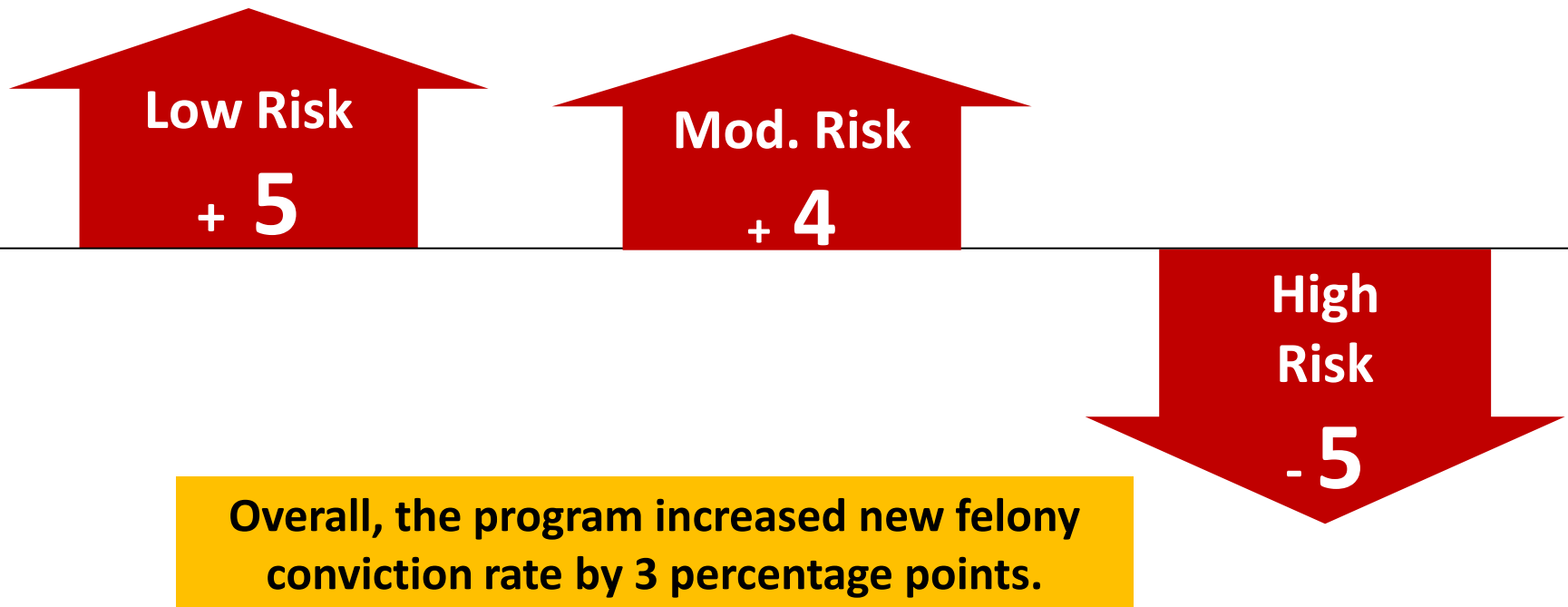
- 1. Focus on the offenders most likely to commit crime**
- 2. Invest in programs that work & ensure they are working well**
- 3. Strengthen supervision and employ swift & certain sanctions**
- 4. Use place-based strategies**

1. Focus on offenders most likely to re-offend



Focusing on low risk offenders can actually increase crime

Impact of Ohio Community Based Correctional Facility Program on New Felony Conviction Rate Compared with Probation Supervision



2. Invest in programs that work

Adult Corrections: What Works?

Estimated Percentage Change in Recidivism Rates

Drug
Treatment
in the
Community
-8%

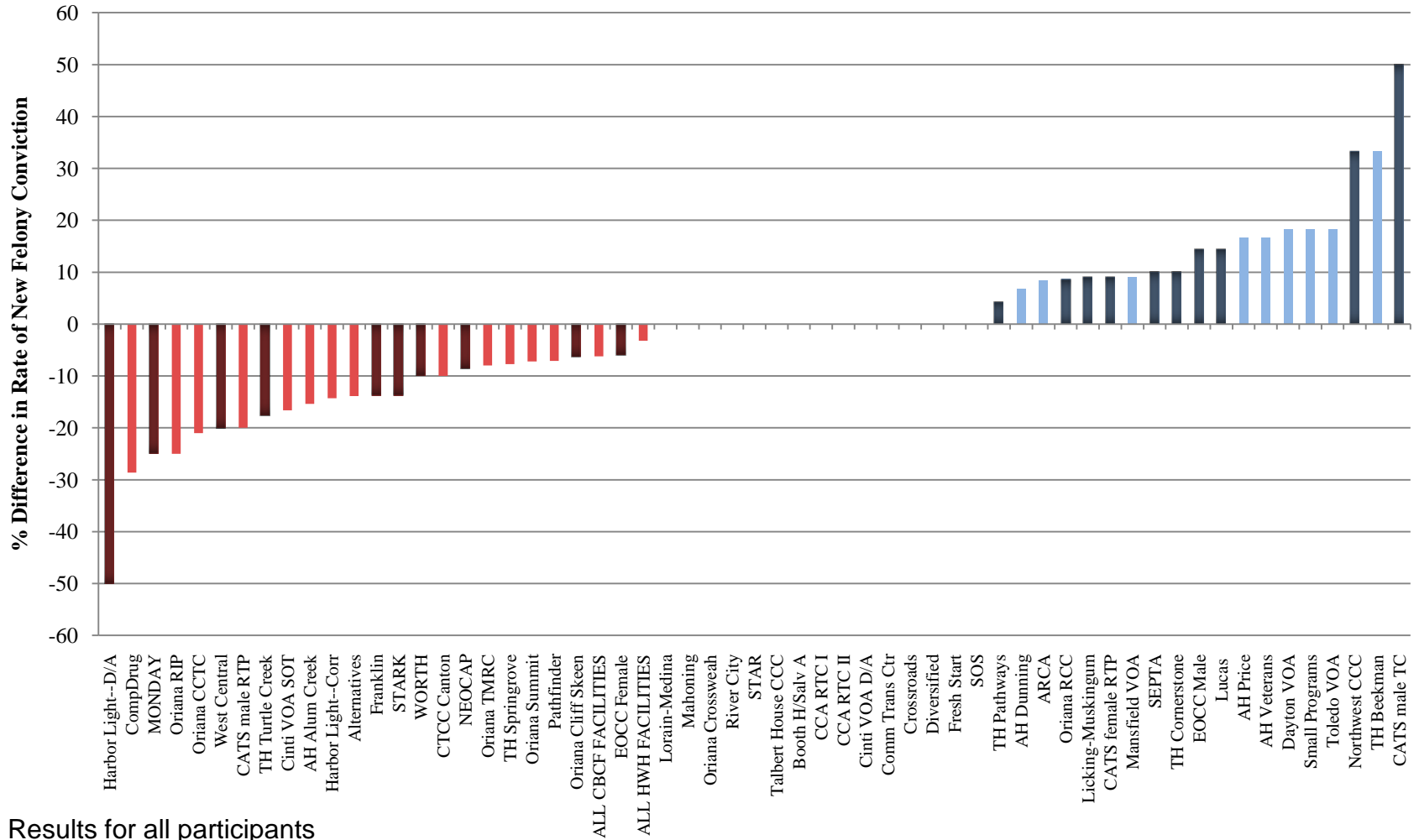
Cognitive
Behavioral
Treatment
-8%

Intensive
Supervision
0%

Intensive
Supervision
+ Treatment
-18%

...and ensure those programs are working well.

Impact of Ohio Residential Correctional Programs on Recidivism (Annual State Funding: \$104m)



* Results for all participants

3. Strengthen supervision

Ensure that the offenders most likely to reoffend receive the most intensive supervision

Higher risk offenders

Initial months of supervision

Develop a supervision plan that balances monitoring compliance with mandating participation in programs that can reduce their risk to public safety

Respond to violations with swift, certain, and proportional sanctions

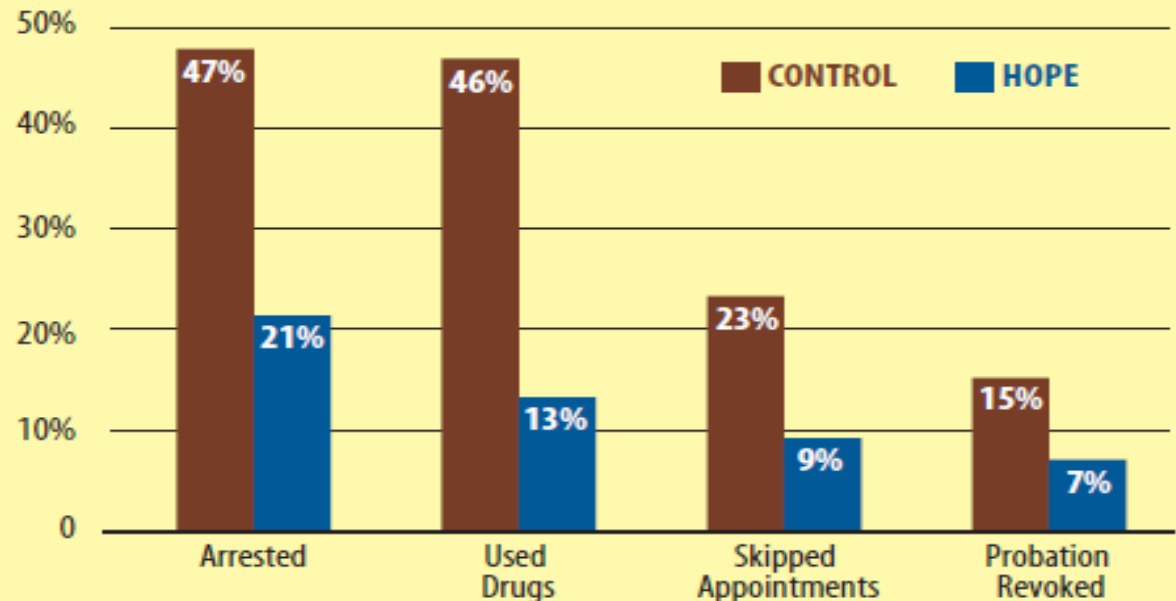
Research Suggests Short, Swift & Certain Sanctions Work Best to Reduce Recidivism

Georgia POM

Enabling probation officers to employ administrative sanctions & probationers to waive violation hearings reduced jail time three-fold, reduced time spent in court, and increased swiftness of responses to violations.

Hawaii HOPE

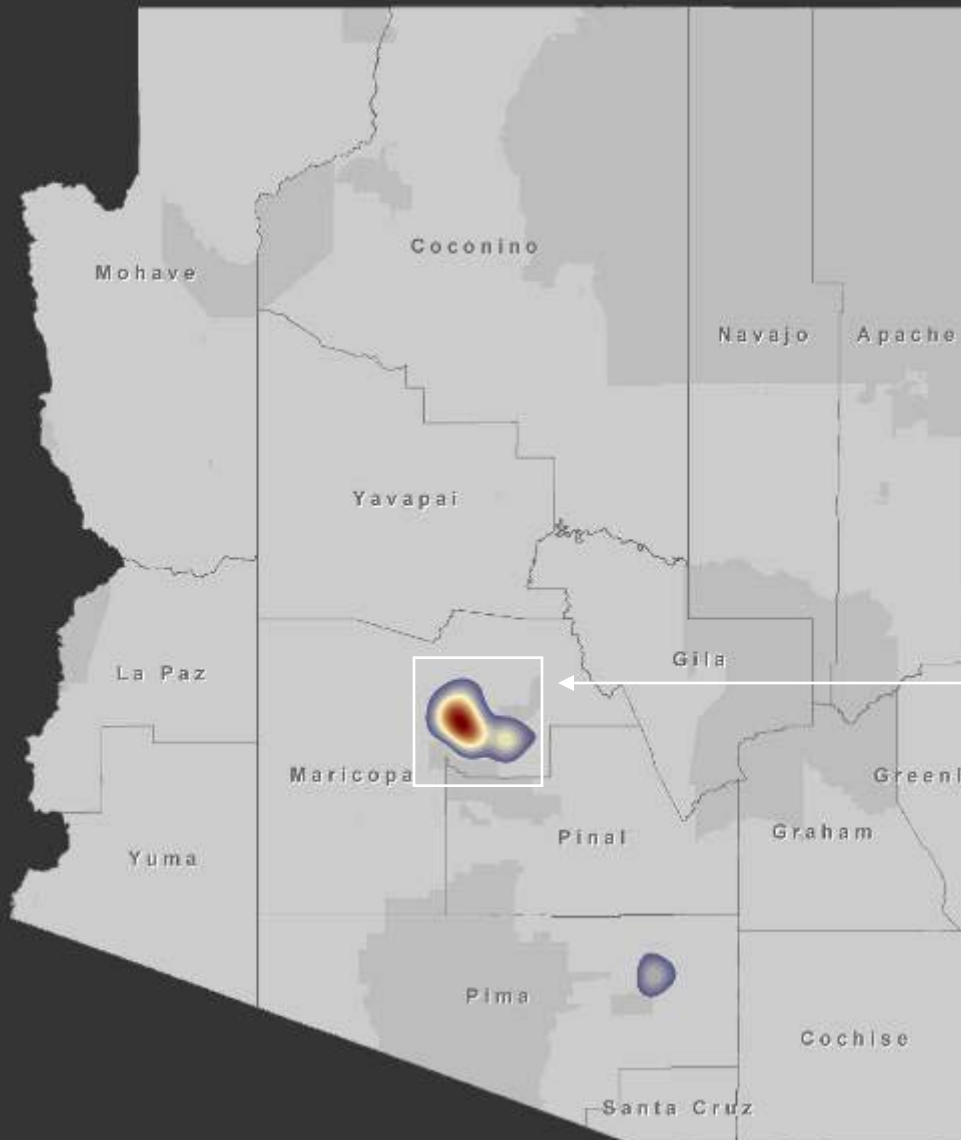
Court-run intensive, random drug testing with swift, certain, and brief jail sanctions.



4. Use place-based strategies

Prison Admissions Hotspots

Arizona, 2004



60% of the State's prison population comes from and returns to the Phoenix-Mesa metropolitan area.

Prison Admissions, 2006

Maricopa County

1/2 Mile Grid Map

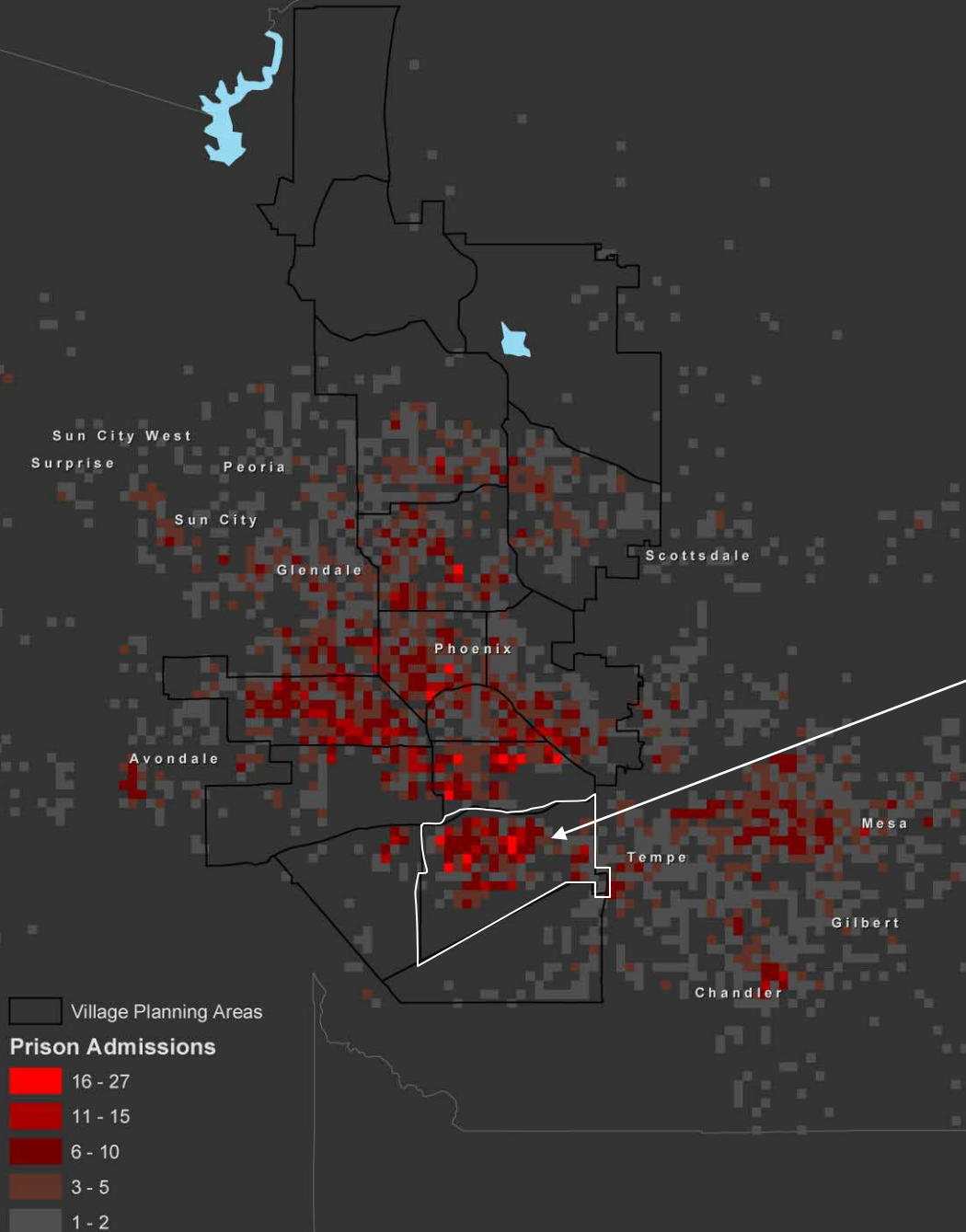
A single neighborhood in Phoenix is home to 1% of the state's total population but 6.5% of the state's prison population

South Mountain Zip Code 85041

Prison Admissions = 31.8 per 1000 adults

Jail Bookings = 96.5 per 1000 adults

Probation = 25.1 per 1000 adults

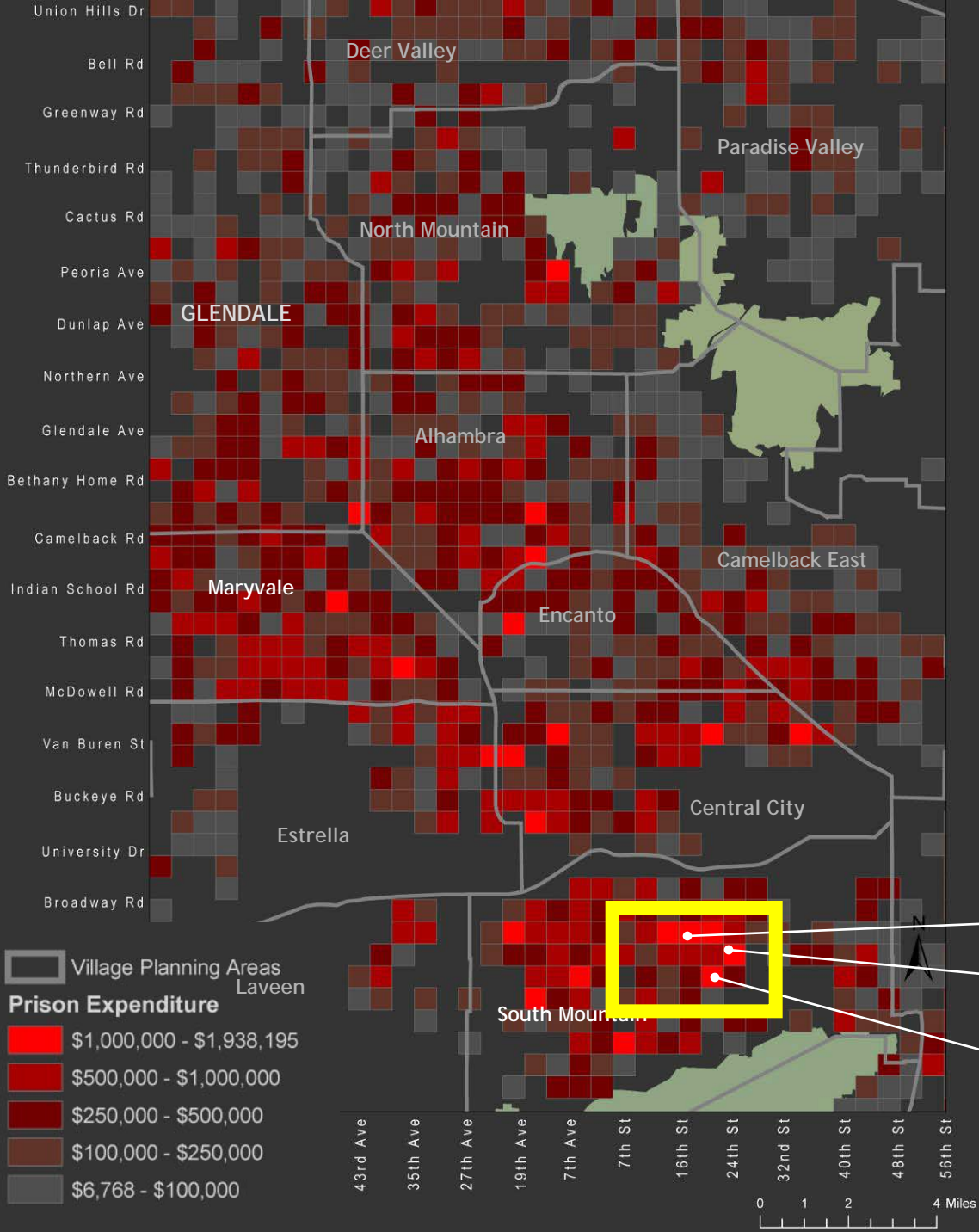


Prison Expenditures

Dollars, 2004

Maricopa County

1/2 Mile Grid Map



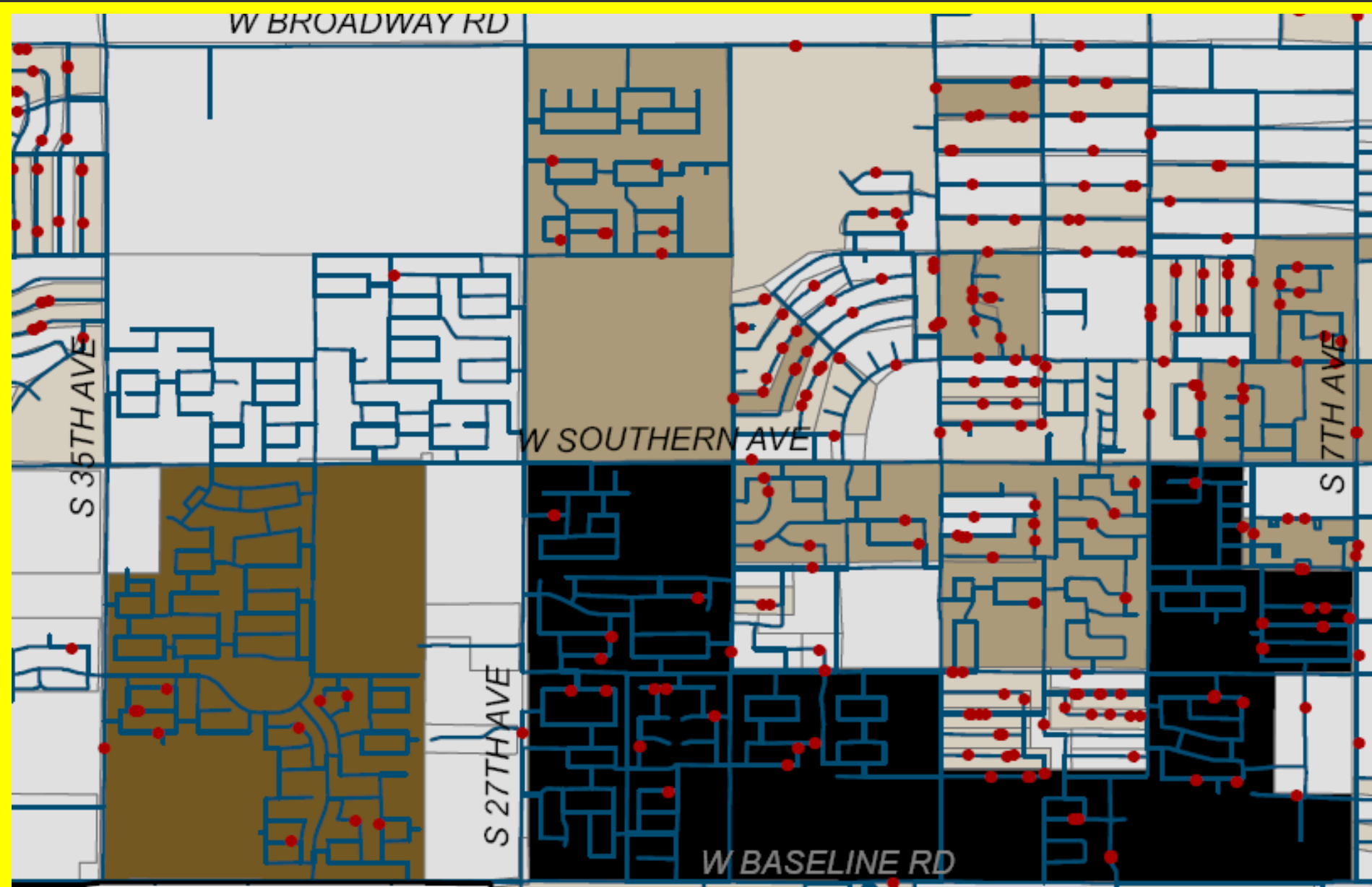
\$1.1 Million

\$1.8 Million

\$1.6 Million

Within high expenditure neighborhoods there are numerous, smaller area, million dollar block groups

High Density of Probationers in South Phoenix



Presentation Outline

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Putting Wisconsin in the
National Context

Part Three



Arizona

Performance Driven Funding Incentive

Legislative Budget Staff
Calculates Probation Failures
by County

Crime Up?
No Funding Incentive

Crime Down & Revocation Rate Down?
Legislature Provides the County with
40%
of Averted Costs

Drug and Mental
Health Treatment
& Interventions

Victim
Services

Probation Revocations FY08 – FY09 following passage of SB1476 in Arizona

Table 4: Total Revocations

	FY 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	73	36	-37	-50.1
Cochise	135	119	-16	-11.9
Coconino	253	189	-64	-25.3
Gila	112	119	7	6.3
Graham	47	57	10	21.3
Greenlee	12	16	4	33.3
La Paz	24	21	-3	-12.5
Maricopa	4,714	4,405	-309	-6.6
Mohave	314	229	-85	-27.1
Navajo	156	104	-52	-33.3
Pima	968	662	-306	-31.6
Pinal	310	252	-58	-18.7
Santa Cruz	58	83	25	43.1
Yavapai	326	299	-27	-8.3
Yuma	318	148	-170	-53.5
Statewide	7,720	6,733	-987	-12.8



Performance Incentive Funding: What is it?

A partnership between states and localities to align their finances with policy goals. These partnerships ensure that states have sufficient prison space for violent offenders, while counties have adequate resources to safely manage lower-risk cases in the community.

Goals:

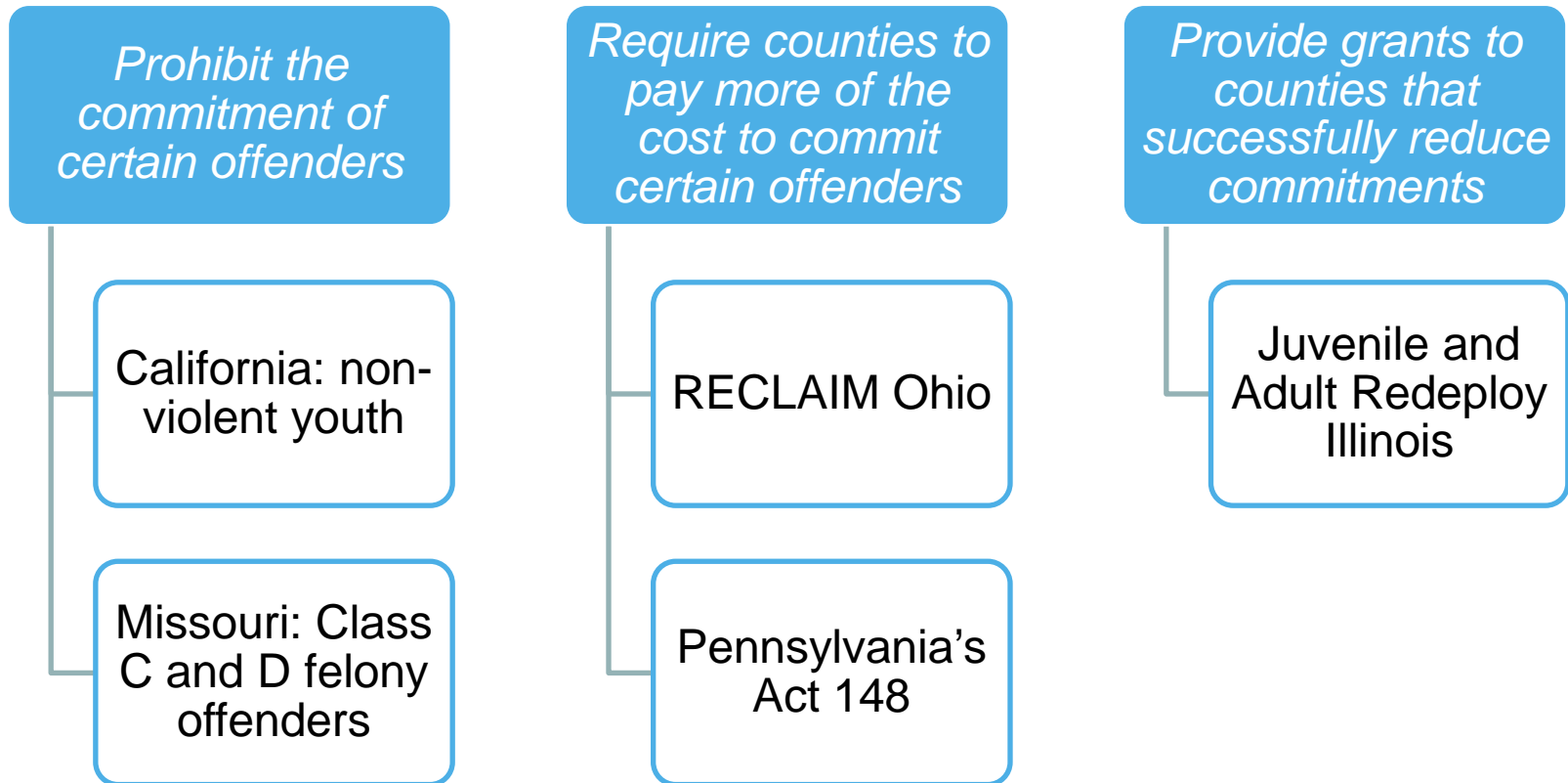
- Align the fiscal incentives to achieve better outcomes
- Identify state cost savings and reinvest in community supervision

Examples:

- Initial Sentencing Decisions (RECLAIM Ohio, Missouri)
- Parole and Probation Violator Revocation Decisions (Arizona's Safe Communities Act of 2008)

Initial Sentencing Decision

States can decrease the number of low level offenders being sentenced to state prison by incentivizing counties to keep offenders in the community



Key Considerations

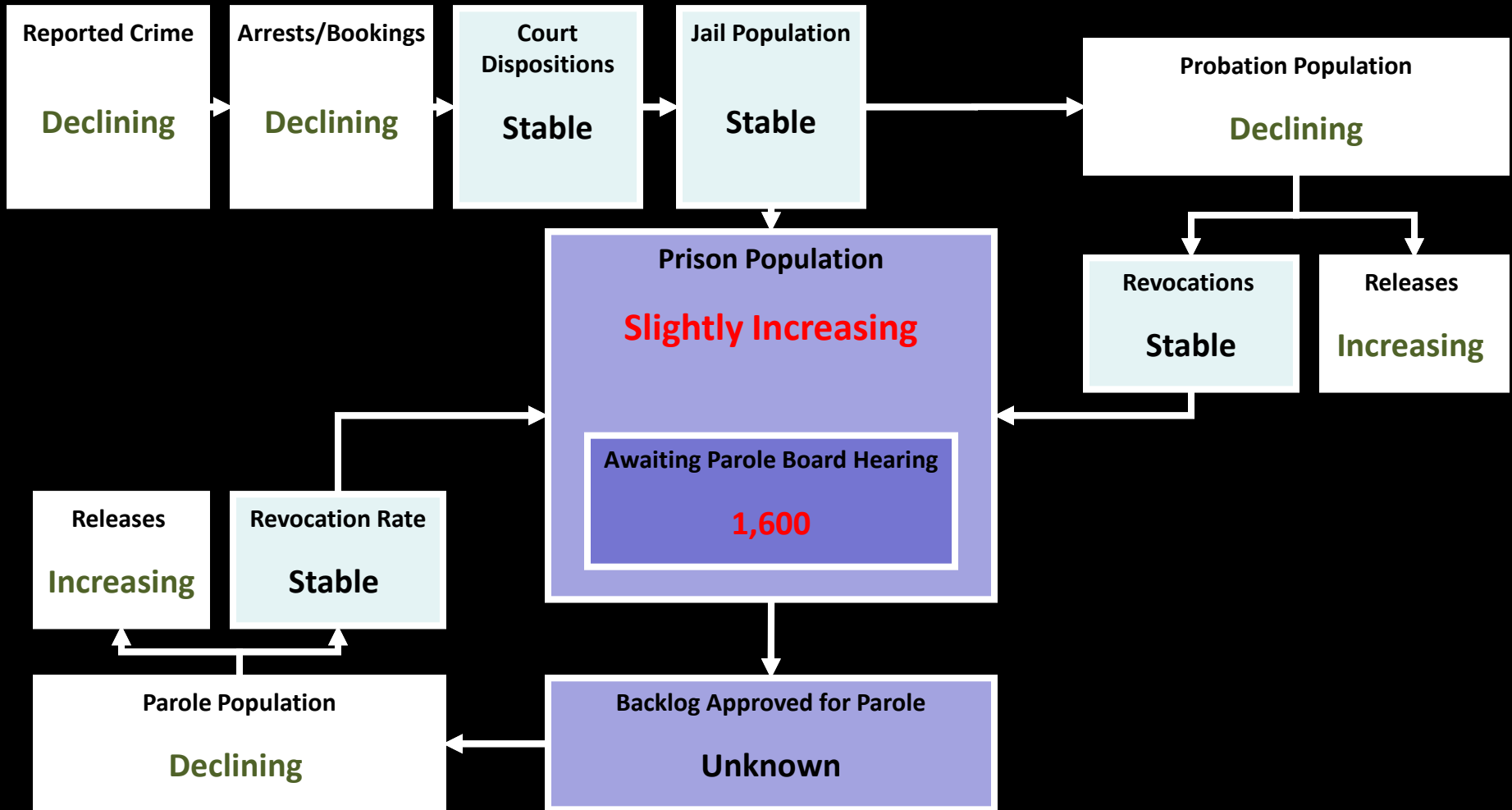
To which offenders does the system apply?

Will counties just transfer offenders to local jails?

Will agents turn a blind eye?

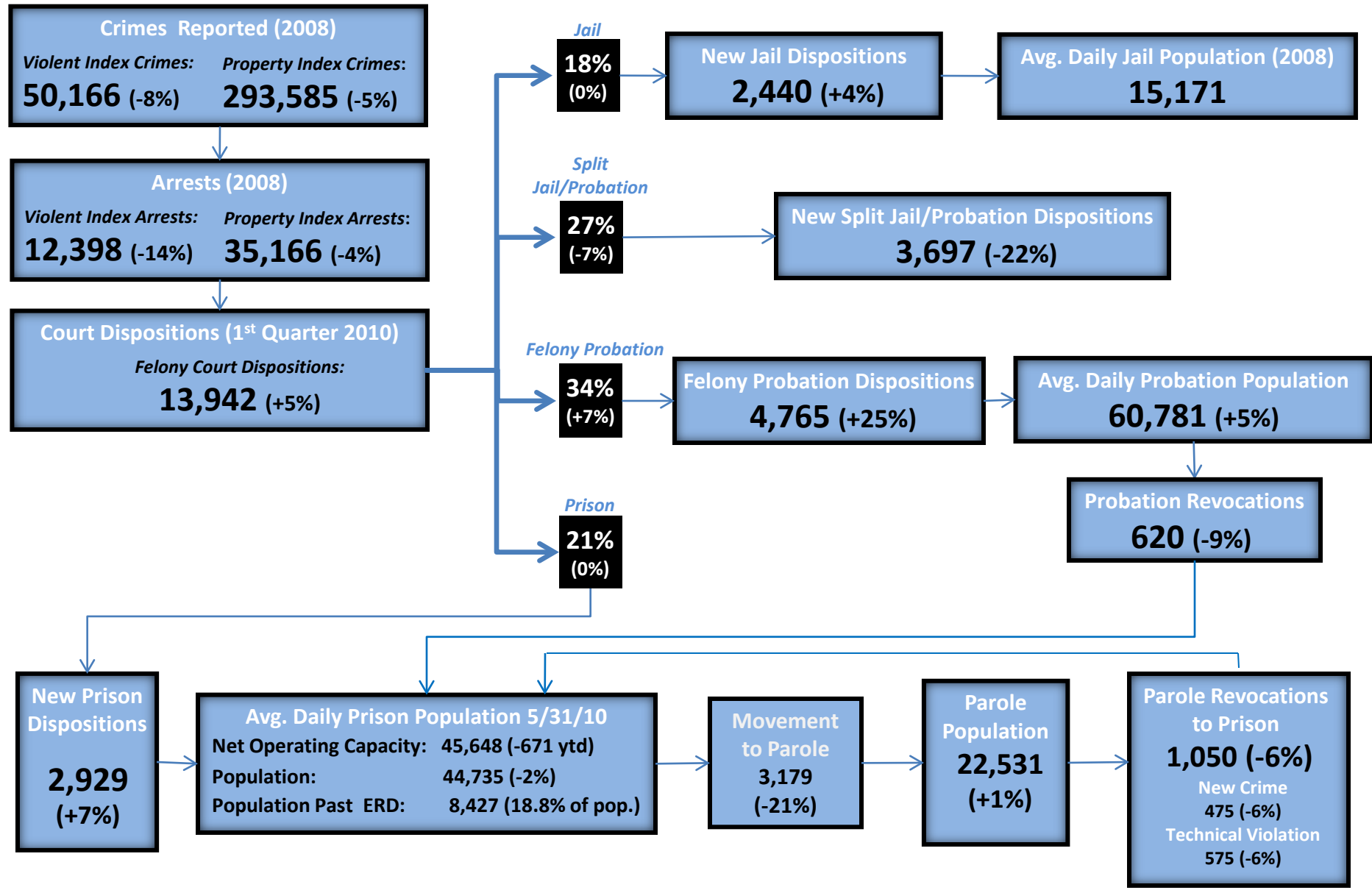
Will the system produce disincentives or penalties?

Developing Tracking Systems to Monitor Impact of New Policies



System Indicators: January – March 2010

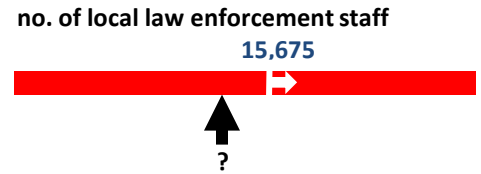
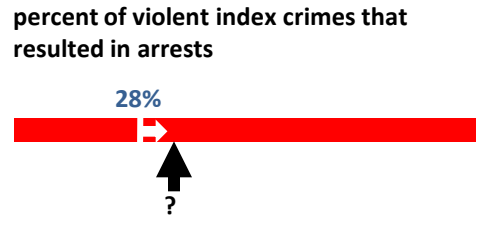
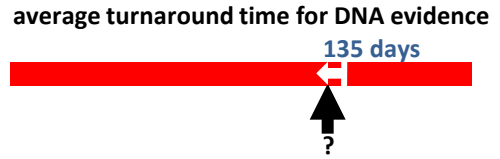
*Note: Percentages represent raw number change from last quarter.
Except for reported crime and arrests or where otherwise noted.



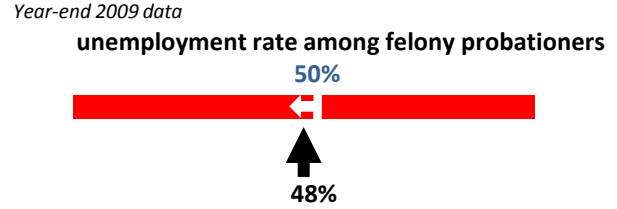
Justice Reinvestment System Indicators: January – March 2010

Strategy 1: Deter Criminal Activity

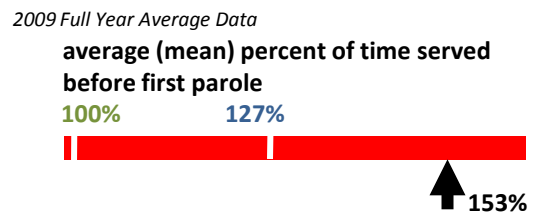
2008 data reported to the FBI UCR program.



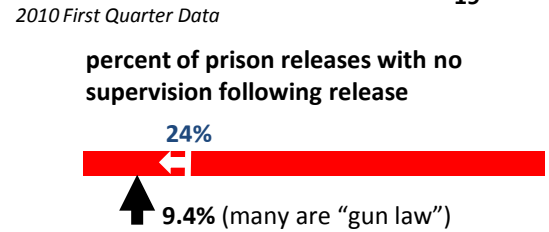
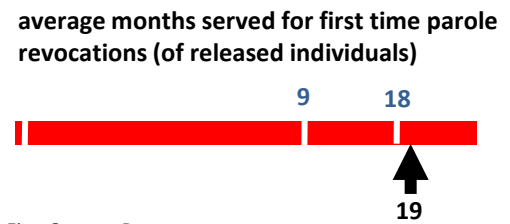
Strategy 2: Lower Recidivism



Strategy 3: Reduce Spending on Corrections



- Current May/June 2010 data
- 8,427 prison population past ERD w/o paroles in hand
 - 5,606 prison population past ERD w/o paroles in hand & no life max. sent.
 - 2,410 average number of individuals in prison for parole revocation



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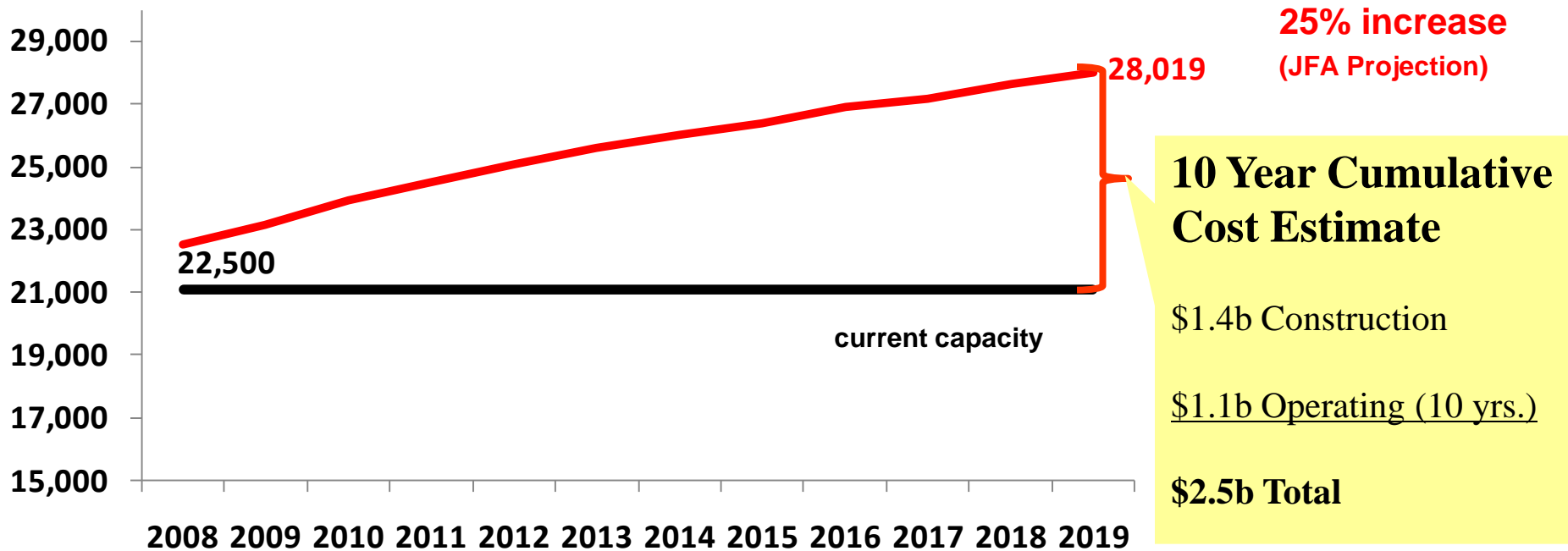
Strategies to track and
increase CJ system performance

Part Four

**Putting Wisconsin in the
National Context**

Prison Population Projected to Significantly Outpace Capacity

JFA 10 Year Prison Population Projection



*Current Capacity Includes DAI Male and Female Operating Capacity. Does not include WRC (300 beds) or contract beds.

*Mead & Hunt 10 Year Plan, based on the APL Projection, estimated \$1.2 billion in necessary construction costs to provide sufficient capacity to operate facilities at 85%.

*The costs presented above assume a 95% operating capacity.

Justice Reinvestment in Wisconsin

1

Analysis

Collected & examined quantitative data

- ✓ Reported crime & arrests
- ✓ Court disposition & sentencing
- ✓ Jail populations
- ✓ Community supervision (probation & post-release control)
- ✓ Prison admissions, population, and releases

2

Implementation

Engaged input from stakeholders

- Behavioral Health Officials and Treatment Providers
- Law Enforcement
- Judges
- District Attorneys
- Defense Bar
- Victims
- Probation

3

Accountability

Developed & presented a comprehensive analysis of the state's criminal justice system

Developed a framework of policy options that together would increase public safety and reduce/avert taxpayer spending

Justice Reinvestment in Wisconsin

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THE COUNCIL OF STATE GOVERNMENTS



Justice Reinvestment in Wisconsin

Reducing Spending on Corrections and Reinvesting in Strategies to Increase Public Safety



Background

In 2008, Governor James Doyle, Chief Justice Shirley Abrahamson, Senate President Fred Risser, and Speaker of the House Michael Huesch

through funding support provided by the Bureau of Justice Assistance, a component of the U.S. Department of Justice, the Public Safety Performance

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May 2009

JUSTICE REINVESTMENT IN WISCONSIN

Analyses & Policy Options to Reduce Spending on Corrections and Increase Public Safety



Background

IN 2008, GOVERNOR JAMES DOYLE, Chief Justice Shirley Abrahamson, Senate President Fred Risser, and Assembly Speaker Michael Huesch requested technical assistance from the Council of State Governments Justice Center ("Justice Center") to help develop a statewide policy framework to reduce spending on corrections and

In January 2009, the Wisconsin Legislative Council established the Special Committee on Justice Reinvestment Oversight, a bipartisan, bicameral, and inter-branch advisory group to guide the Justice Center's analyses of the state's criminal justice system and development of policy options. Over the next four months, the

Challenges and Strategies to Develop a Policy Framework for Wisconsin



January 12, 2009

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Director of Research
Marshall Clement
Justice Reinvestment Project Director
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Final Analysis & Framework for Justice Reinvestment in Wisconsin



April 7, 2009

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Collaborative Approaches to Public Safety

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Behavioral Health Analyses

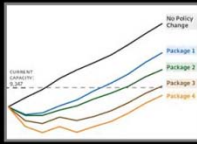
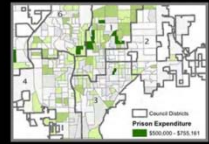
2009

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Collaborative Approaches to Public Safety

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Council of State Governments Justice Center - April 7, 2009



Justice



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Council of State Governments Justice Center - March 11, 2009

Justice Reinvestment Policy Framework for Wisconsin

Goal: Increase Public Safety & Reduce Spending on Corrections

Front-End/Sentencing

Back-End/Supervision

**Target
Resources**

**1. Focus Supervision
Resources**

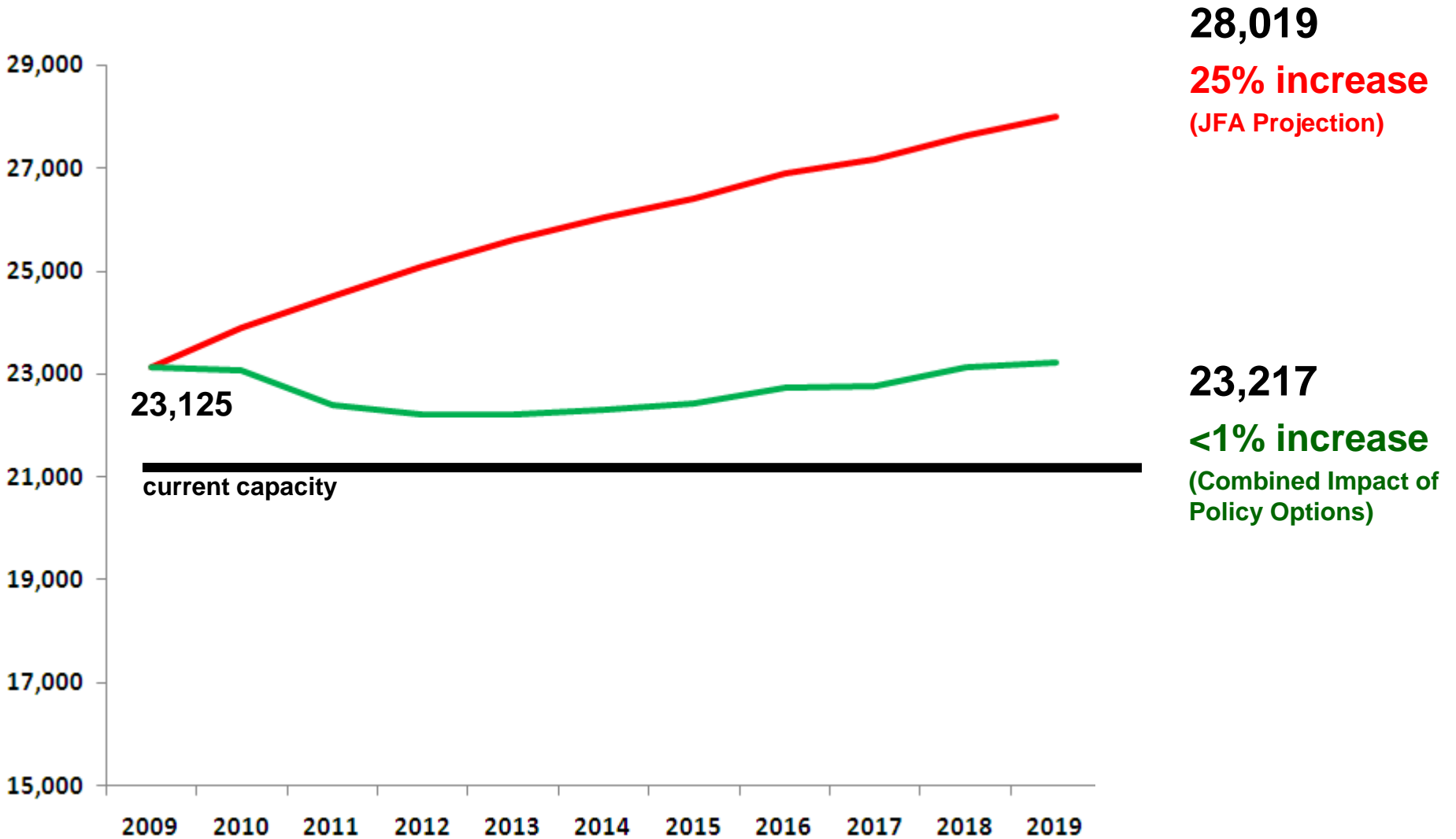
**2. Reallocate Revocation
Expenditures to
Community Strategies**

**Change
Offender
Behavior**

**3. Create Sentencing
Option to Reduce Risk
Prior to Release**

**4. Set Recidivism
Reduction Goal**

Projected Impact of Policy Options



*Current Capacity Includes DAI Male and Female Operating Capacity. Does not include WRC (300 beds) or contract beds.

Substance Abuse & Mental Health Disorders

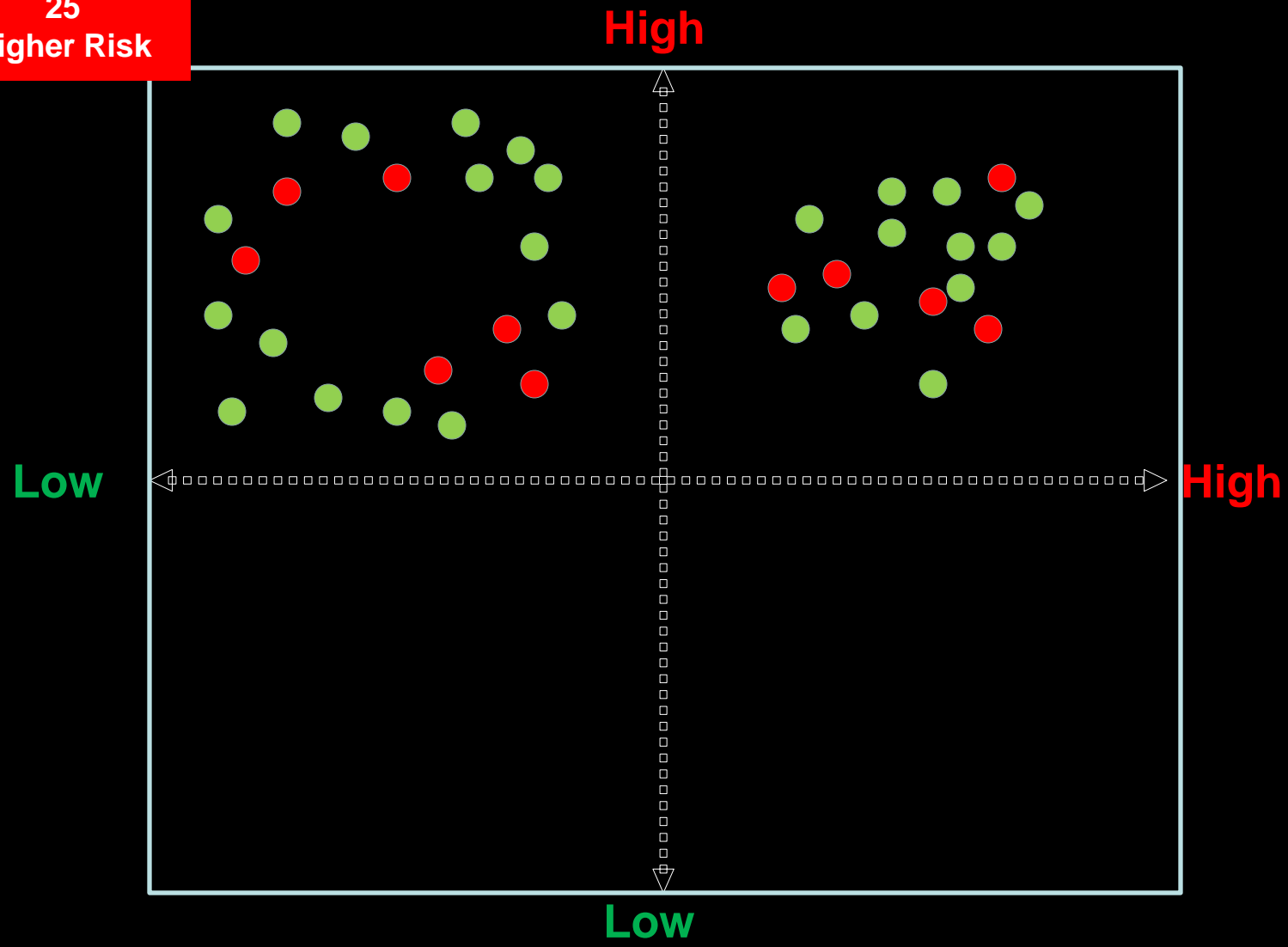
Indicated Needs in WI DOC Assessments

Admission Type	Mental Health Disorder	Substance Abuse Disorder	Alcohol Disorder
New Sentence	10%	11%	12%
Revocations w/ New Sentence	5%	33%	31%
Revocations w/ No New Sentence	20%	34%	29%

Assign High-Risk Populations to Most Intensive Community-Based Supervision and Treatment

100
Lower Risk

25
Higher Risk



Questions Policymakers Need to Ask

Front End



Arrests Down?

Criminal filings down?

Changes in jail populations?

Prison commitments down?

Back End



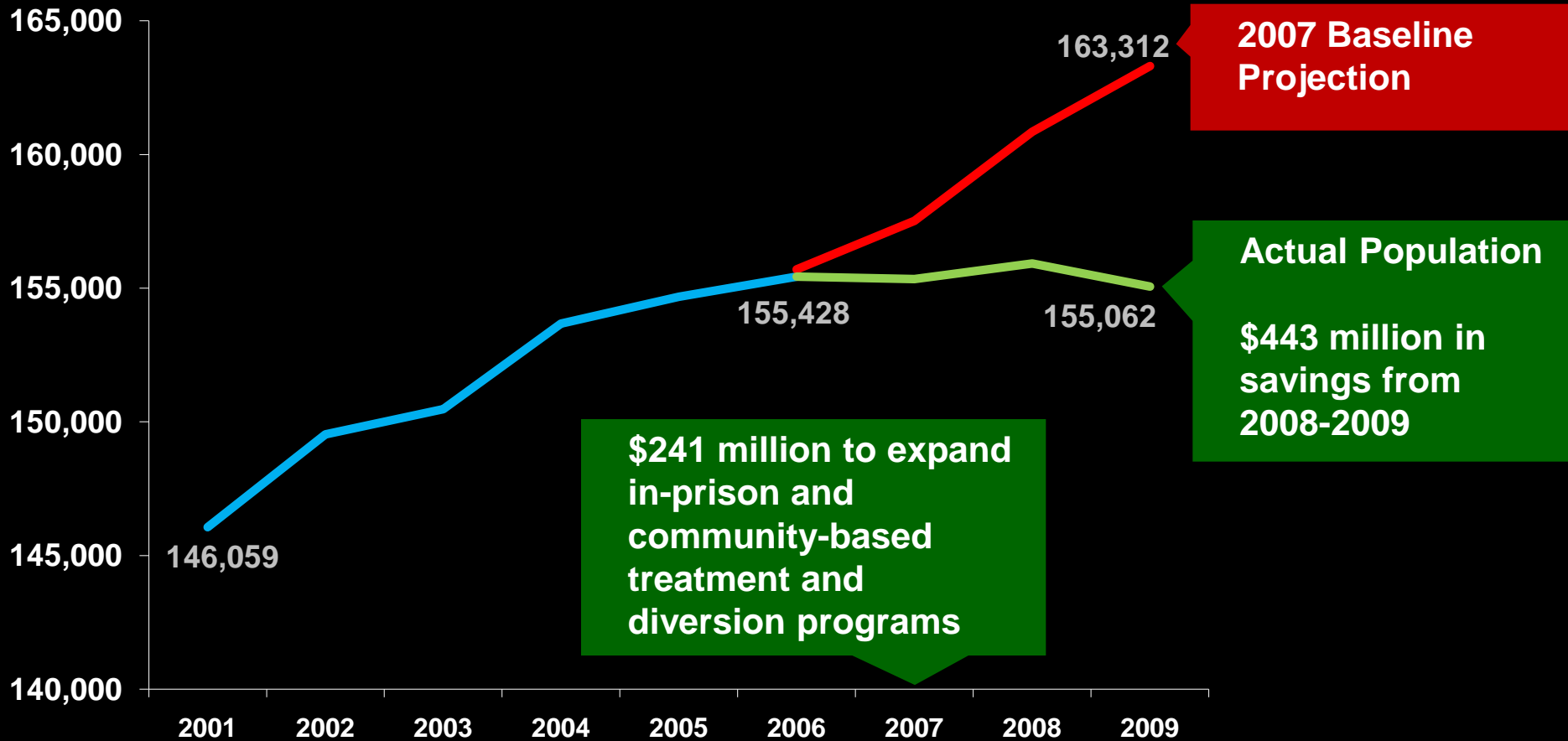
Length of stay down?

Revocations declining?



Texas

Impact of Policy Options

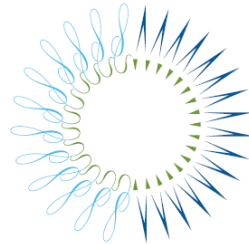


Justice Reinvestment

a data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease crime and strengthen neighborhoods.

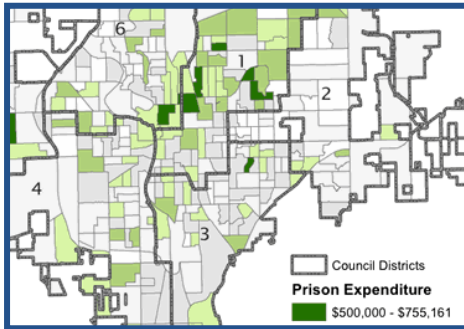


BJA
Bureau of Justice Assistance
U.S. Department of Justice

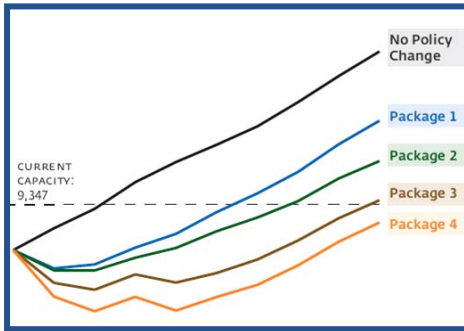


THE
PEW
CENTER ON THE STATES

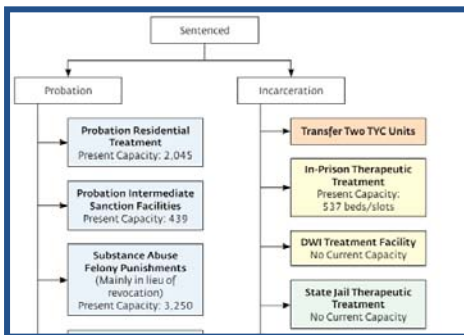
Public Safety
Performance
Project



Thank You



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