

THE
PEW
CHARITABLE TRUSTS

Less Crime at Lower Cost

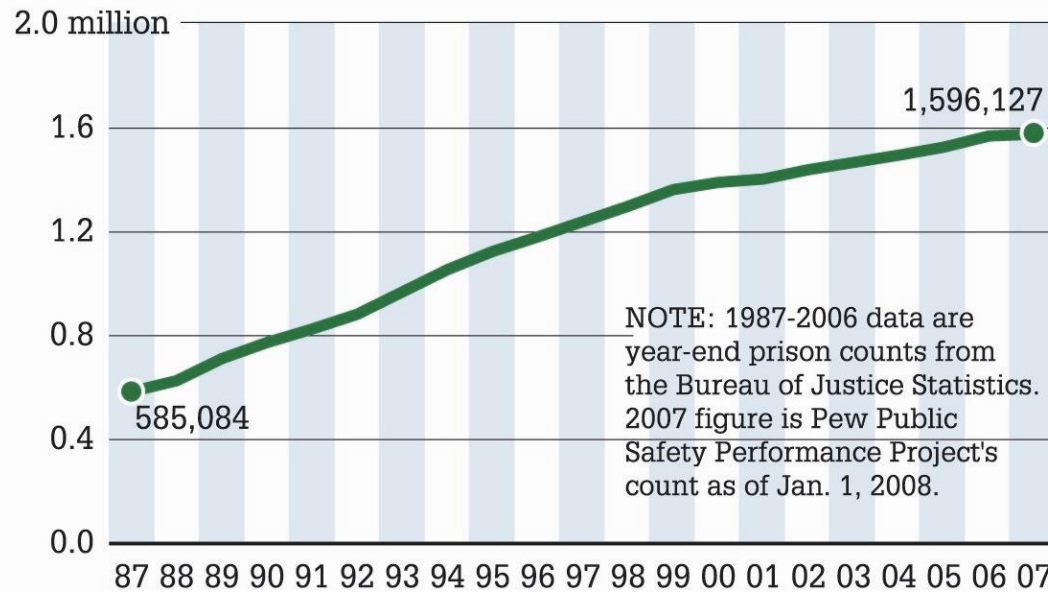
Key Data, Emerging Options

Criminal Justice Forum
Portland State University
February 16, 2010

Jake Horowitz
Public Safety Performance Project
Pew Center on the States

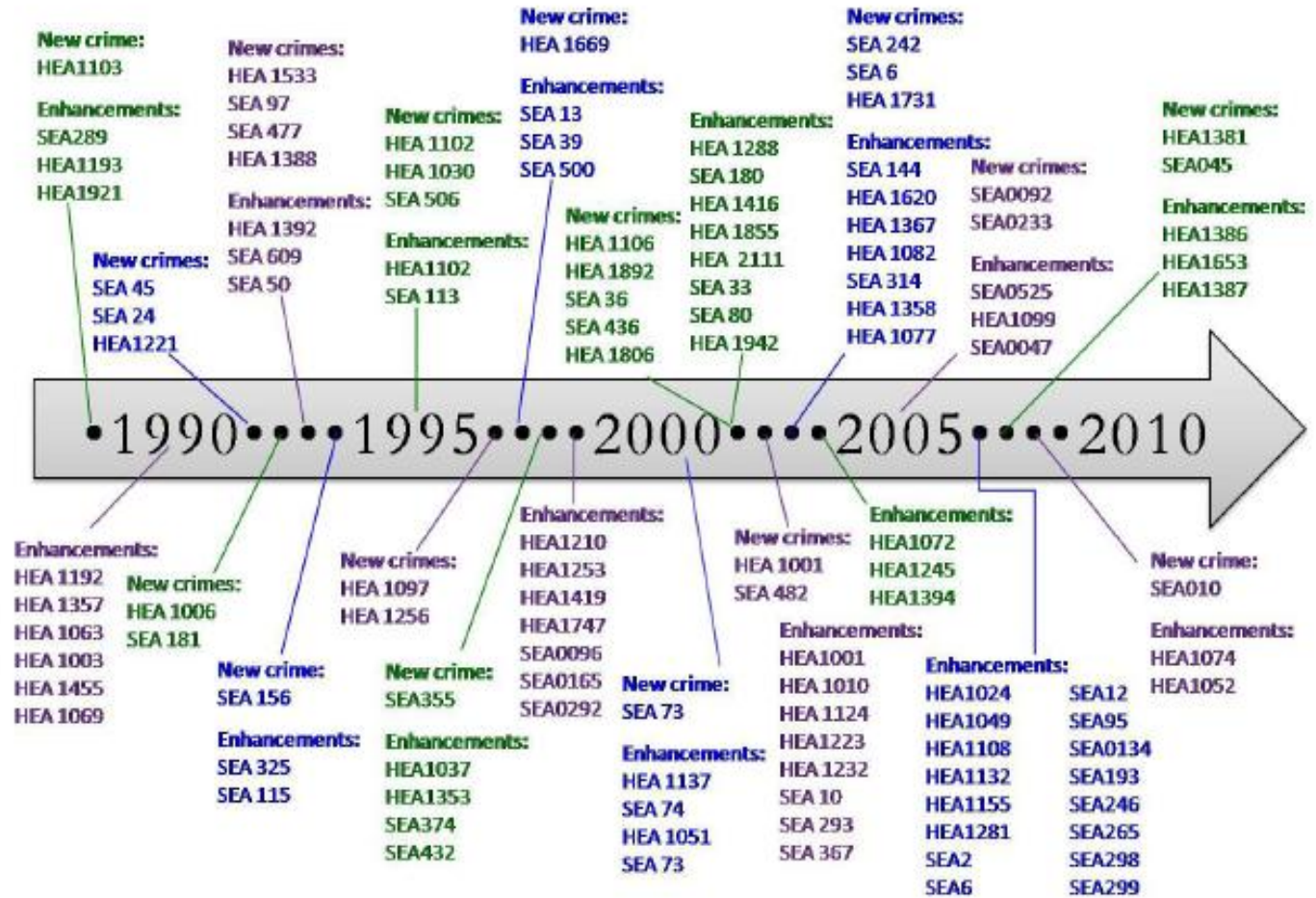
PRISON COUNT PUSHES UP

Between 1987 and 2007, the national prison population has nearly tripled.



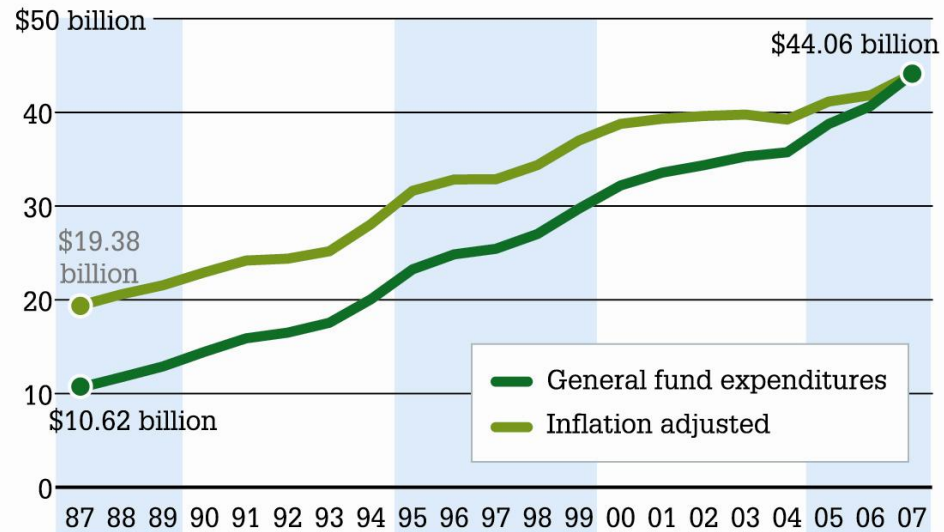
SOURCES: Bureau of Justice Statistics; Pew Public Safety Performance Project

Indiana Sentence Enhancement Timeline



TWENTY YEARS OF RISING COSTS

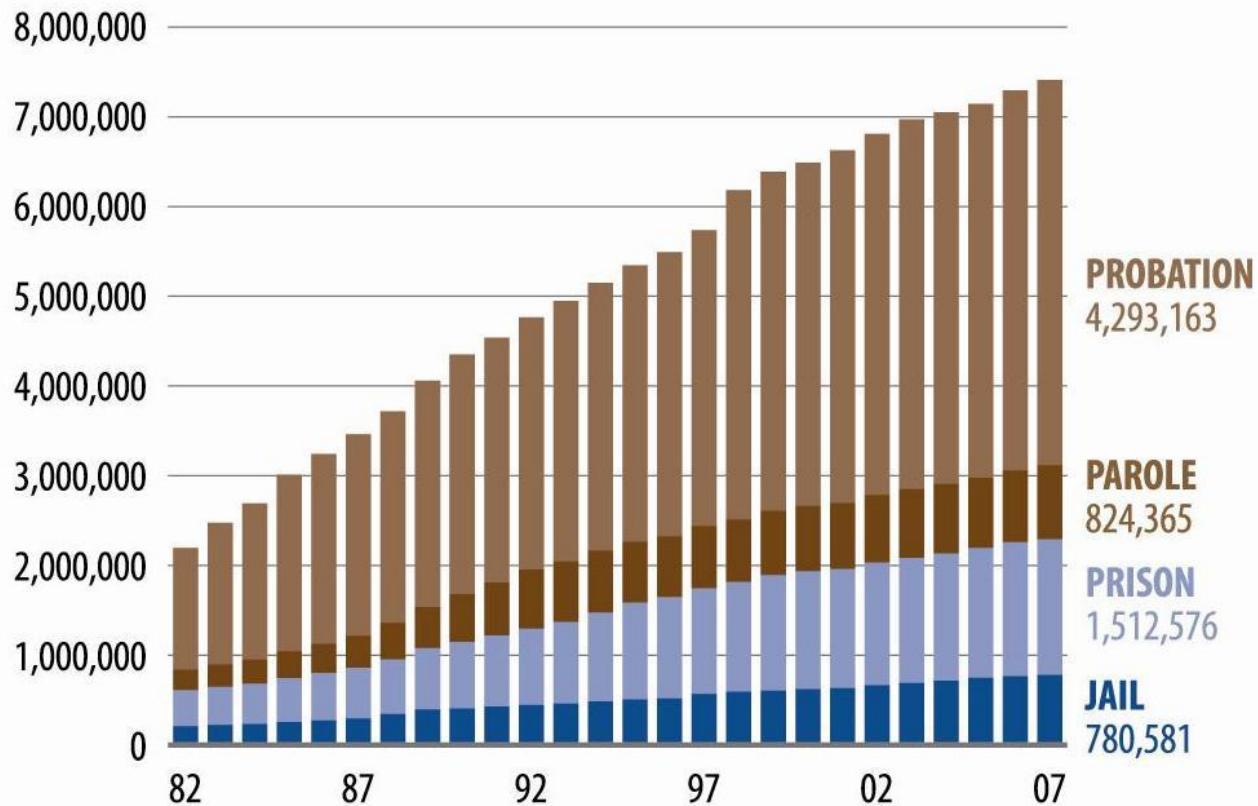
Between fiscal years 1987 and 2007, total state general fund expenditures on corrections rose 315 percent.



SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Inflation adjusted figures are based on a reanalysis of data in this series.

NOTE: These figures represent state general funds. They do not include federal or local government corrections expenditures and typically do not include funding from other state sources.

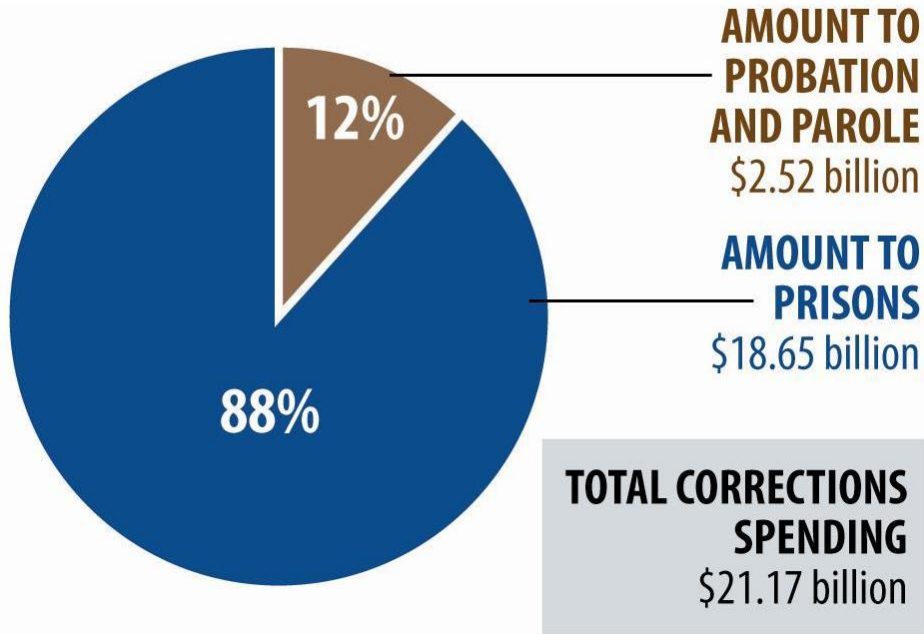
7 MILLION AND COUNTING



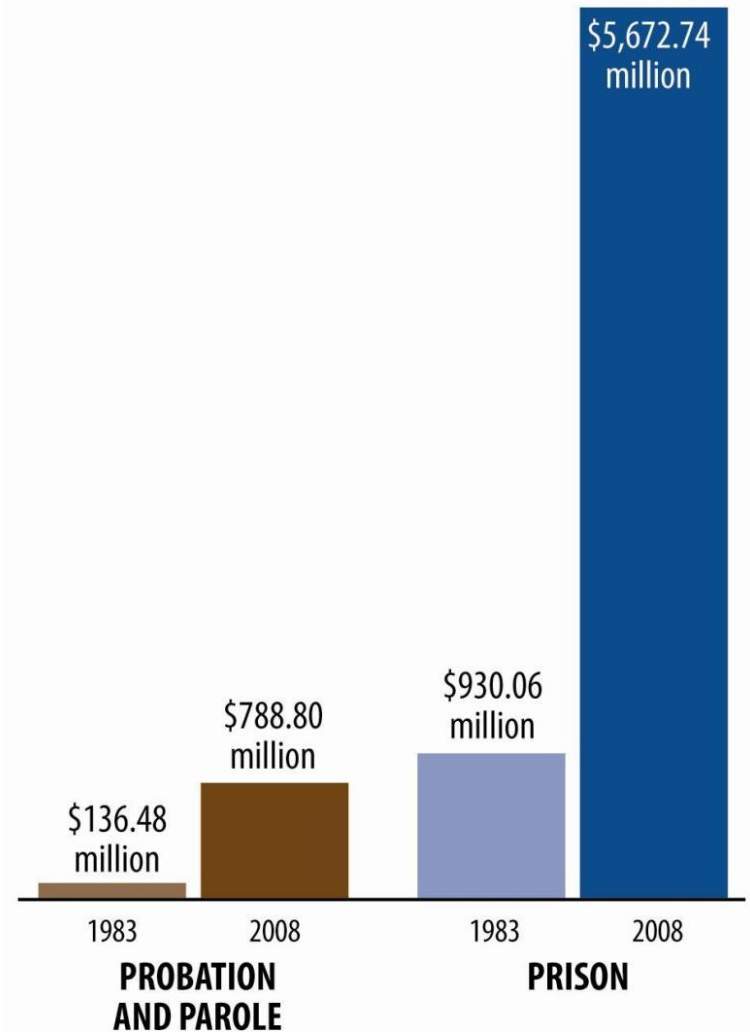
SOURCE: Bureau of Justice Statistics correctional surveys.

NOTE: Due to offenders with dual status, the sum of these four correctional categories slightly overstates the total correctional population.

PRISONS DOMINATE SPENDING



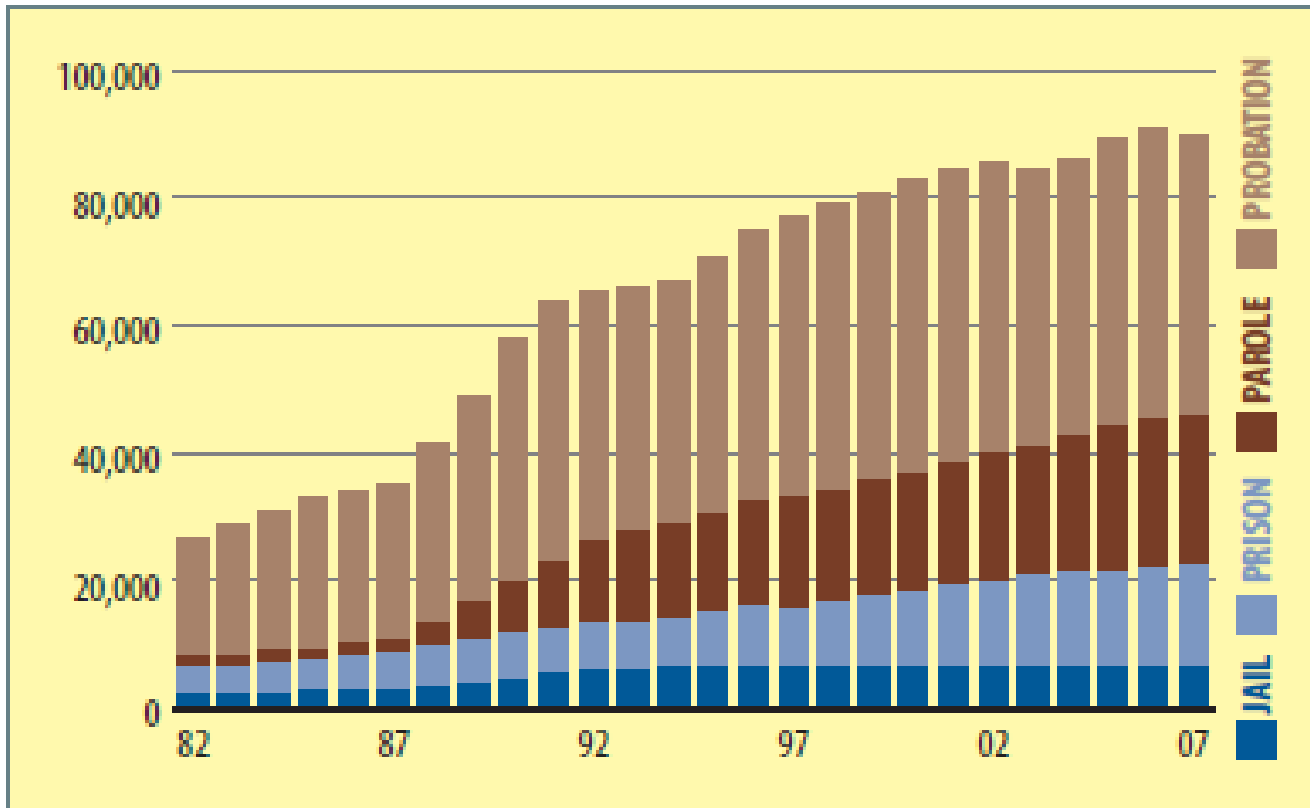
EXPLOSIVE GROWTH IN PRISON SPENDING



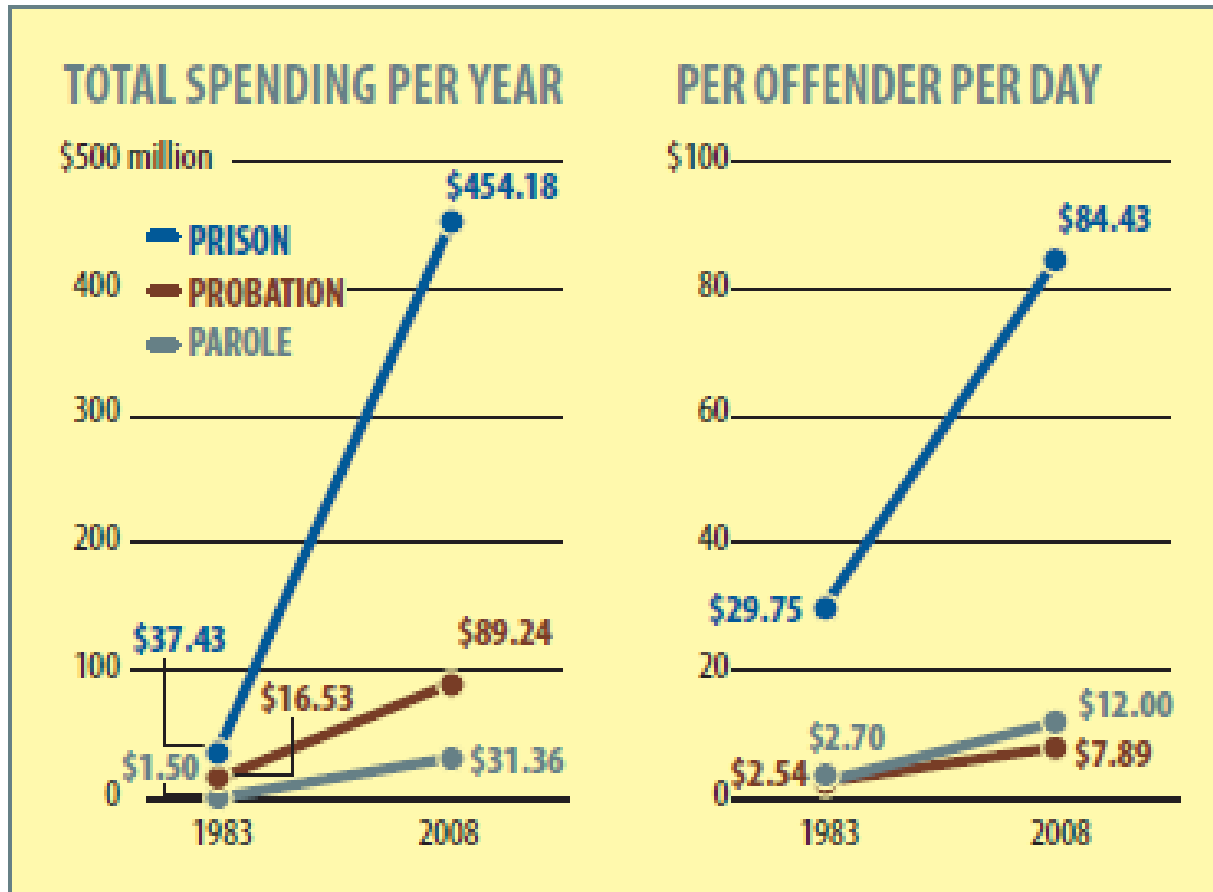
SOURCES: Spending figures were collected from AR, AL, AK, CO, DE, GA, ID, IA, KY, LA, ME, MD, MI, MN, MS, MO, MT, NC, ND, NE, NH, NM, NY, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA and WY.

SOURCES: Only eight states could provide 25-year spending histories (AL, GA, LA, MO, MT, NY, OR and WY).

Oregon Correctional Populations



Oregon Correctional Costs

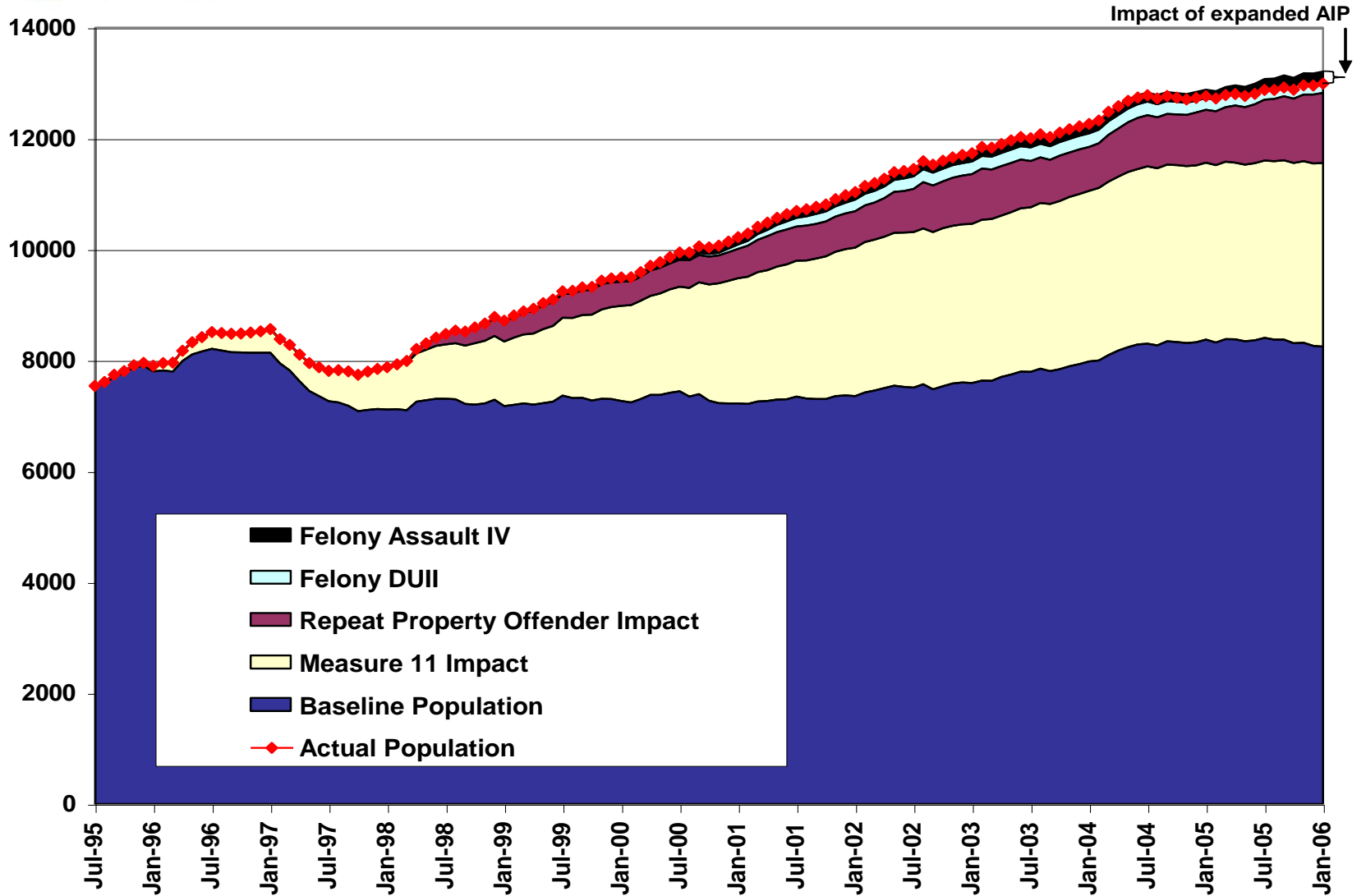




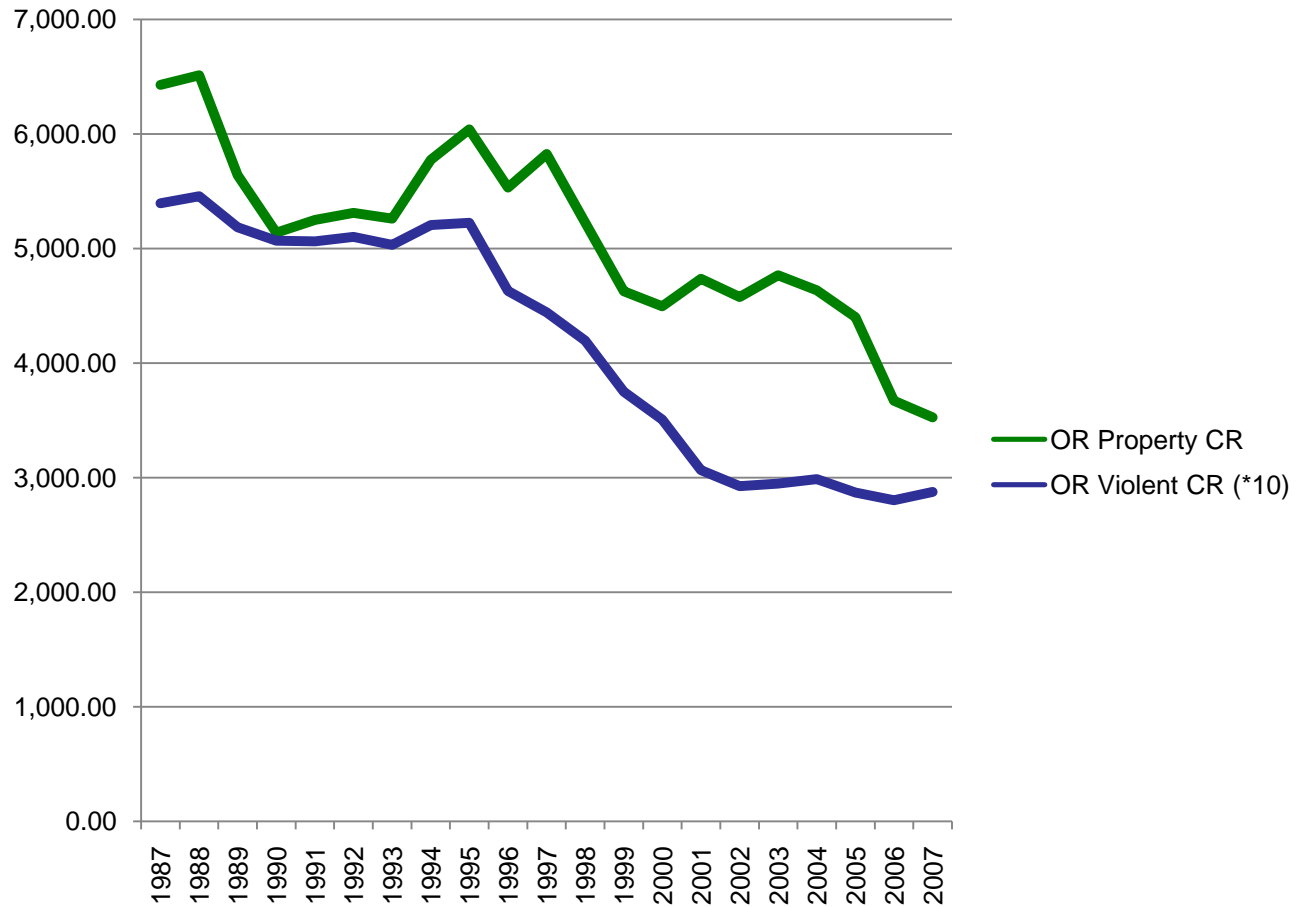
“The [prison] forecast relies on history beginning in 2003; as trends prior to that are not instructive because of the influence of significant law and policy changes.”

“Sentence lengths as opposed to crime rates are the most significant driver of the inmate population.”

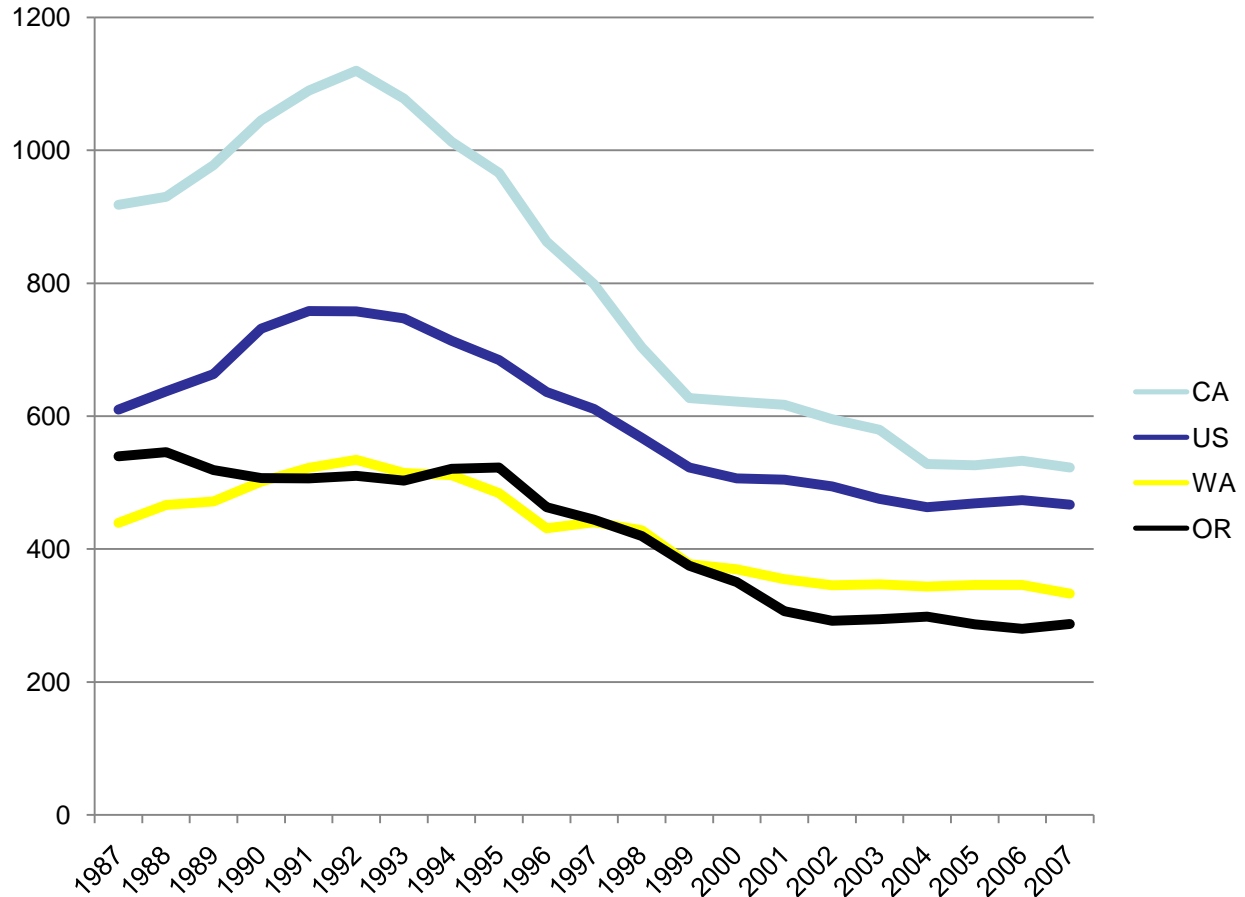
Office of Economic Analysis
Oregon Corrections Population Forecast
October 1, 2009



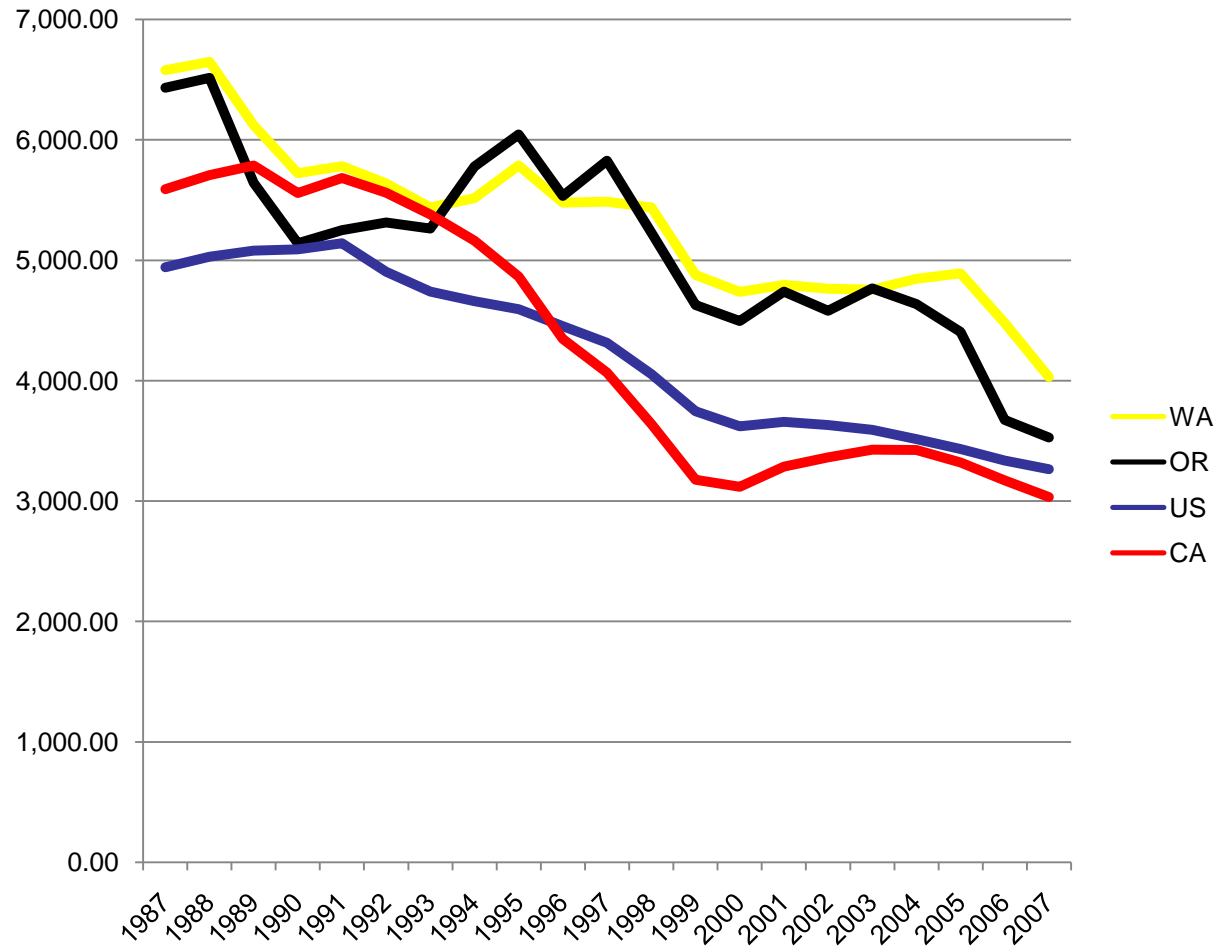
Oregon Crime Rates, 1987-2007



Violent Crime Rates, 1987-2007



Property Crime Rates, 1987-2007



Oregon has much to its credit...

- Large decreases in crime, and comparatively low violent crime rate
- Endorsement of evidence-based practices
- Mandate for administrative sanctions in community supervision
- Solid data and research to ground debate
- Modest incarceration rate
 - Viewed as making good use of P&P
 - 70/15/10 ratio for violent/property/drug in prison

But challenges remain...

- Prison population projected to increase ~18% to 16,500 by 2020
- Correctional cost growth and strained budgets
 - Corrections consuming 1 in 9 state general fund dollars
 - Debt service well over \$100 million/biennium
 - DOC now consumes more than \$700/household/biennium

And as the landscape shifts, due to...

- **Trend toward Managing for Results**
 - Focus moves from inputs/outputs to outcomes across government
- **Advances in Science of Behavior Change and Supervision Technology**
 - Cognitive-behavioral treatment, motivational interviewing
 - Third-generation risk assessment tools
 - Rapid-result drug screens, GPS, alcohol monitoring
- **Fiscal Crisis**
 - States facing massive budget gaps
 - Second fastest growing state budget category behind Medicaid
- **New Evidence on the Diminishing Returns of Prison**
 - Growing evidence and recognition that we can't "build our way out"
- **Decreased Public Attention and Solid Supportive for Alternatives**
 - Crime/drugs low on public radar amidst economy, health care, wars
 - Polls regularly show 70% (+/-) support concept of "alternatives" for "non-violent"

The test for criminal justice policies changes

from

“How do we prove we’re tough on crime?”

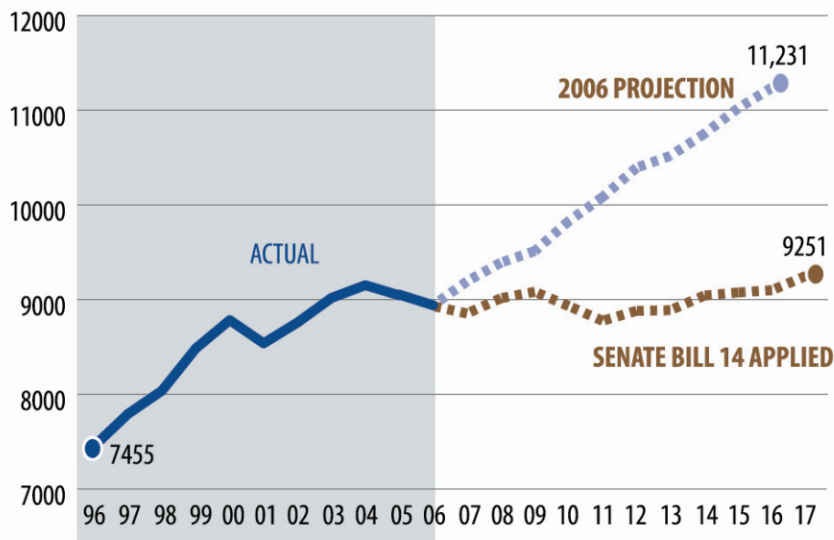
to

“How do we get the best public safety return on investment for our taxpayers?”

Kansas Takes a New Approach (CSG, 2007)

KANSAS PRISON POPULATION TREND

Senate Bill 14 passed in 2007 and was projected to avert the need for more prisons for 10 years.



SOURCE: Kansas Sentencing Commission

NOTE: For more information about the Kansas reforms, visit the Kansas page at www.pewpublicsafety.org

Suggested citation: Pew Center on the States, *One in 31: The Long Reach of American Corrections* (Washington, DC: The Pew Charitable Trusts, March 2009).

Problem

- 22% prison growth by 2016
- \$500 million in additional costs

Analysis

- FY06: 65% of admissions were P&P violators, costing \$53 million/year

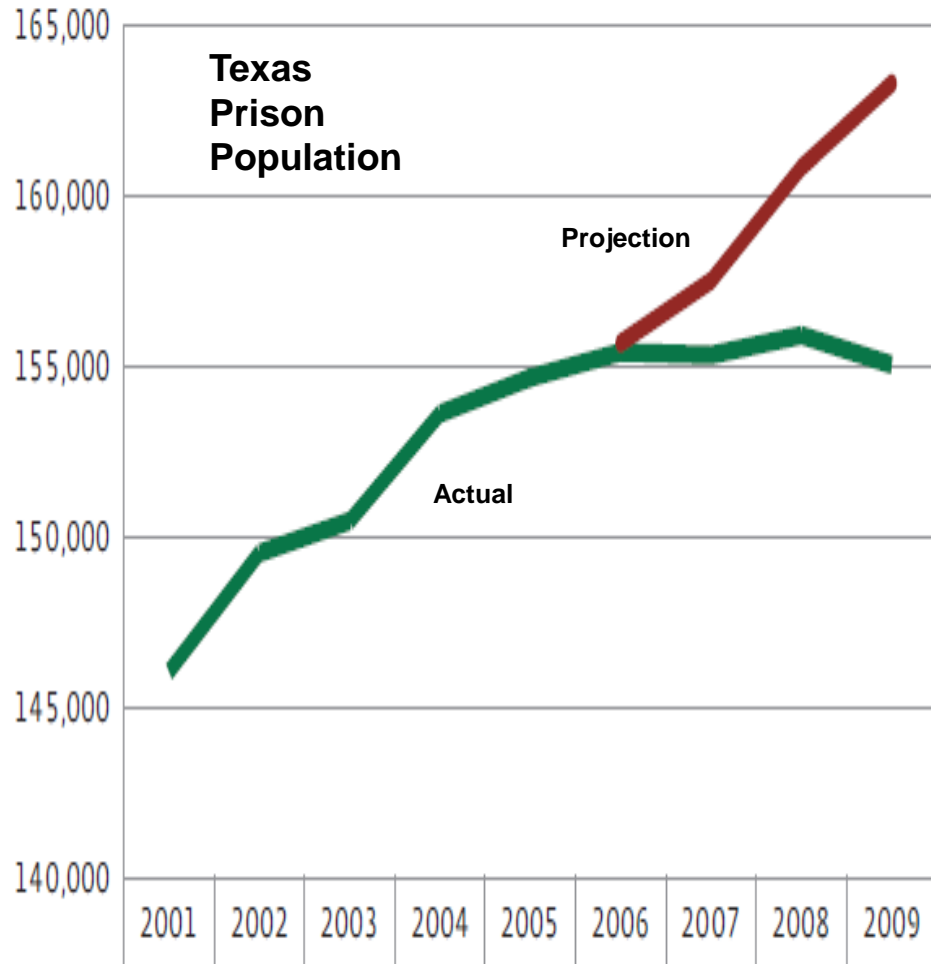
Solution

- Grant program to local community corrections to reduce revocations by 20%
- 60 day credit for risk-reduction programs
- Restore earned time for non-violent inmates

Outcome

- Parole revocations down 46%; parole reconvictions down 26%
- Probation revocations down 28%
- Avert \$80 million in costs over 5 years

Texas Charts a New Direction (CSG, 2007)



Problem

- Added 100,000 beds in past 20 years but still faced 14-17,000 bed shortfall by 2012
- \$523 million in additional costs for FY09

Analysis

- High recidivism rate, low parole grant rate
- Technical violators a primary driver

Solutions

- Expand network of residential, community diversion/ treatment facilities (\$241M)
- Comply with state parole rate statute

Outcomes

- Probation revocations down 26%
- Parole revocations down 4%
- Actual savings of \$512M in FY08/09. Est. savings much higher through FY12
- 2009 Legislature continued \$120M annual reinvestment in community corrections

Some Common Denominators

- Screen and sort offenders by risks, needs and assets
 - VA and risk assessment
 - First-timers
 - OR prisoners: 15% severe MH problems; 60% severe SA problems
- Create incentives for performance
 - State-local alignment (AZ, KS, IL, CA)
 - Offender incentives (moving earned time into community corrections)
- Construct reliable deterrents
 - High property crime rates demand focus on 30k+ probation and post-release offenders
 - Administrative sanctions, HOPE and the keys of deterrence

WSIPP Earned Time Study

- Benefits
 - 3.5% reduction in felony recidivism = \$5,100 reduced crime, \$3,000 reduced CJ processing
 - 63 fewer days behind bars = \$5,500
 - Increased employment = \$1,800
- Costs
 - Additional property crimes from lost incapacitation = \$8,200
- Net benefit = \$7,200 per participant
- Return-on-investment = \$1.90 per \$1

Mississippi Earned Time

- 1995: MS adopts 85% across board
- Prison population doubles by 2007
- 2008 law moves parole eligibility to 25% of sentence for selected non-violent offenders
 - Retroactive: 3,000 inmates immediately eligible
 - 85% for median inmate was 4.25 years; now 1.25 years
 - Also removes 180-day cap on MET
- New risk assessment tool for parole board
- Through August 2009, 3,076 inmates released under new law
 - No uptick in revocation rate
 - 121 returned to custody; all but 5 for technical violations
 - Population stabilized, averting 5,000 beds over next ten years

Other (Increasingly Common) Options

Redefining criminal offenses

- **Alabama** raises class C felony threshold from \$250 to \$500 and Class B to \$2,500. Projects 3,000 prison bed saving over 5 years.

Reclassifying criminal offenses

- **Iowa** downgrades burglary offenses involving cars and boats by creating new class D felony and aggravated misdemeanor.

Changing sentence lengths

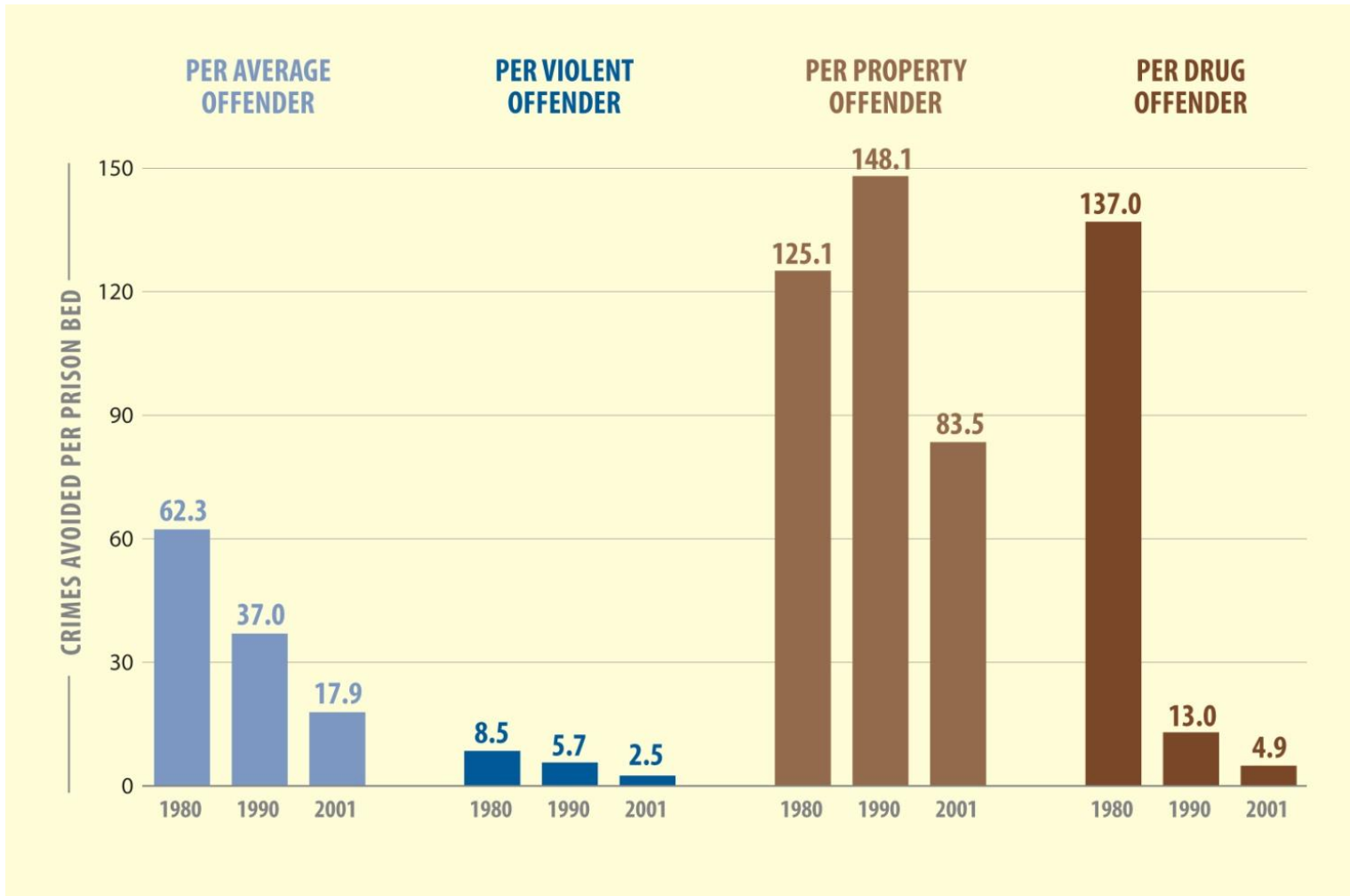
- **Pennsylvania** grants judges the option to sentence offenders to an early “risk reduction” release date conditioned on successful program completion.

Analyzing options and simulating impacts

- **North Carolina** develops robust sentencing commission, prison population projection capacity, and offender information system.

But Won't Less Incarceration Lead to More Crime?

- Research (from Spelman to Western to Piehl/Liedka)
 - The other 75 percent
- Limitations on incarceration
 - Diminishing marginal returns
 - Replacement
 - Aging-out (and length-of-stay)
 - Rules of deterrence (and length-of-stay)
- Effectiveness versus best use of public safety dollars



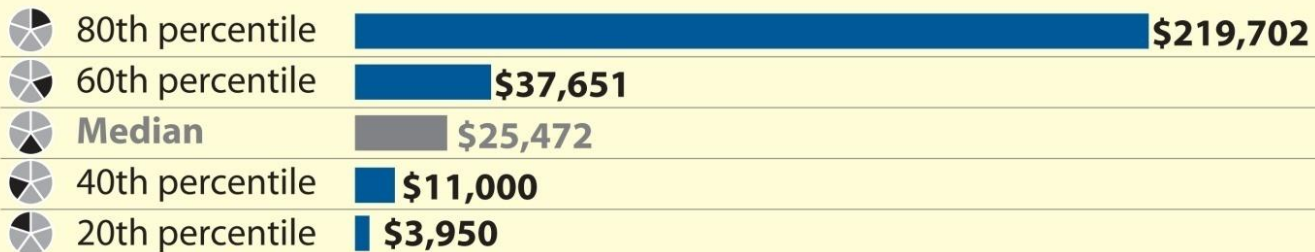
NEW YORK



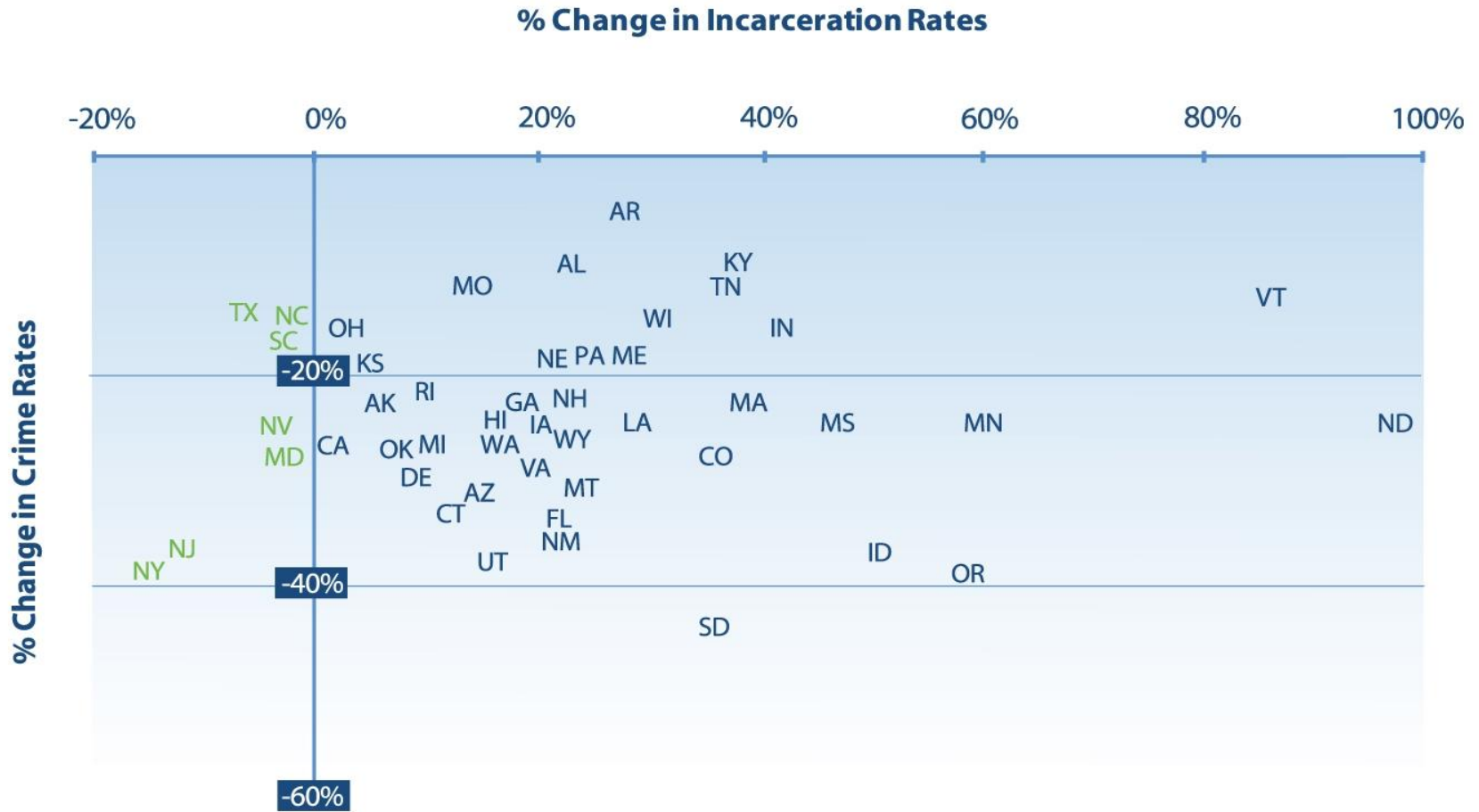
NEW MEXICO



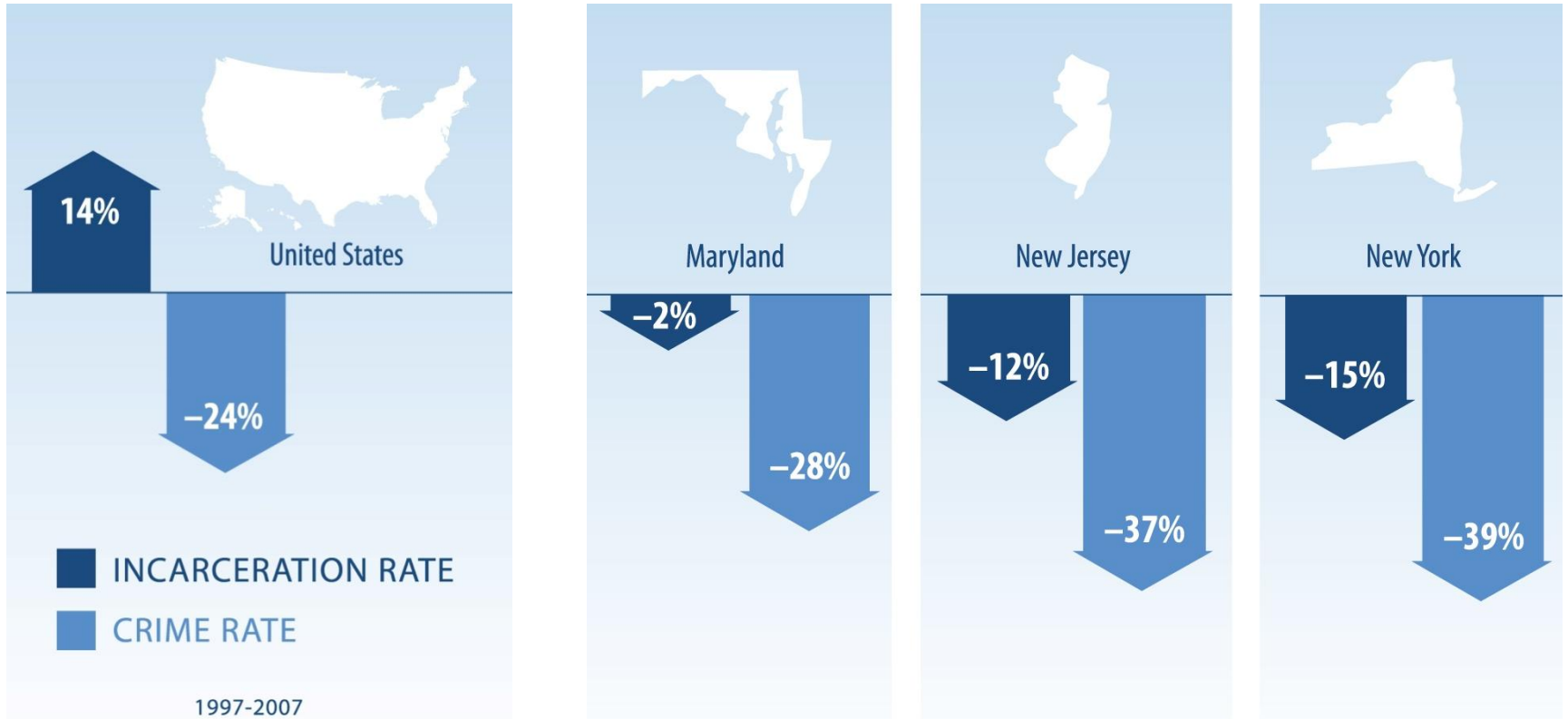
ARIZONA



Incarceration/Crime Change Pairings



States Can Have Less Crime at a Lower Cost





Jake Horowitz

jahorowitz@pewtrusts.org

202-552-2044