

## Protecting Public Safety and Containing Corrections Costs

March 2018

# Agenda

- Overview
- National Landscape
- Case Study: Utah

# Overview

# Justice Reinvestment: Phase I

- Process:
  - Data and system analysis
  - Policy development
  - Legislative process
- Timeline: 1 year

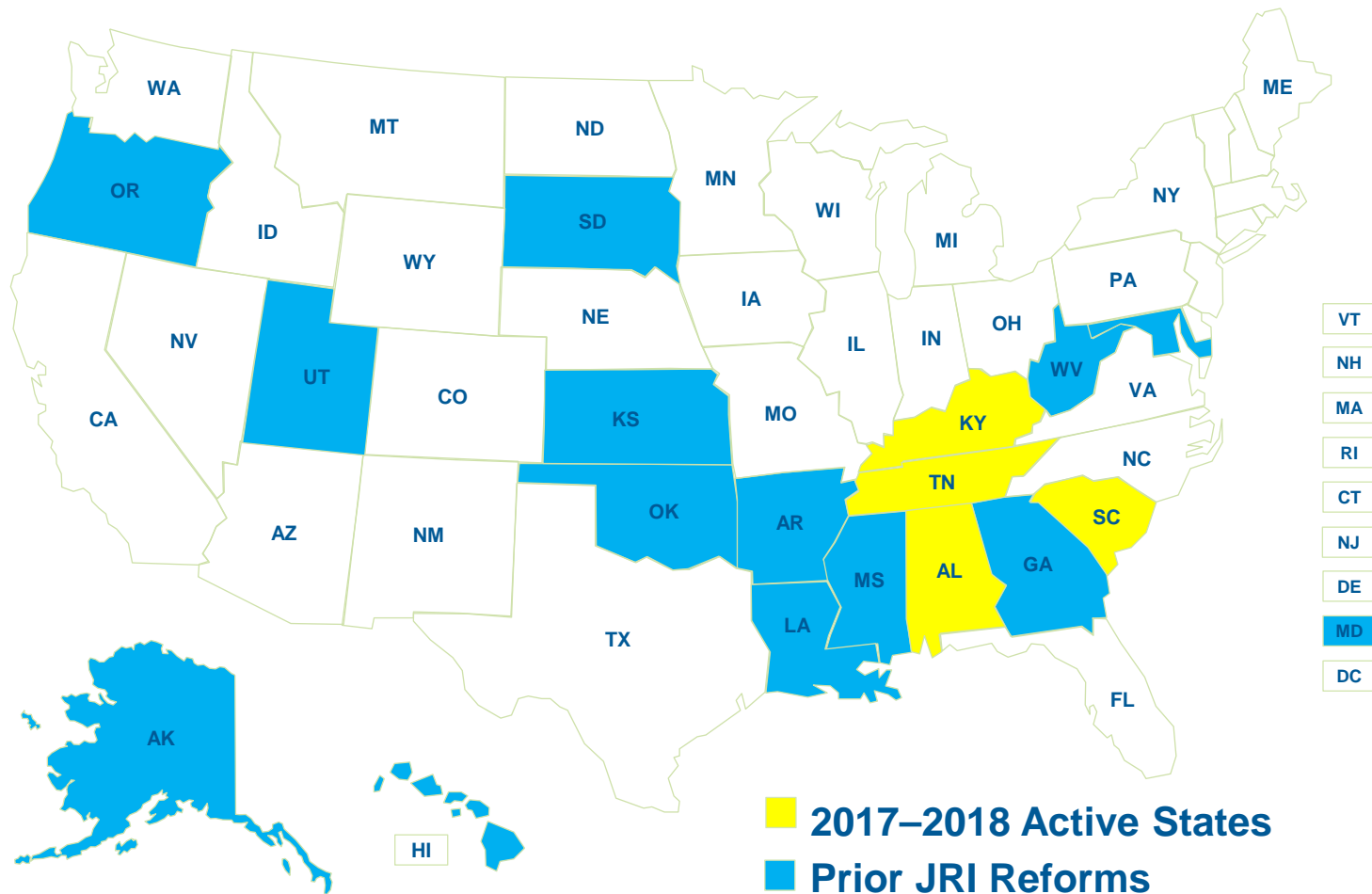
# Justice Reinvestment: Phase II

- Process:
  - Implement policies
  - Measure outcomes
  - Reinvest savings
- Timeline: 2-3 years

# Who We Are: Crime and Justice Institute

- The Crime & Justice Institute (CJI) works with local, state and national criminal justice organizations to improve public safety and the delivery of justice throughout the country.
- Since 2008, CJI has collaborated with Pew Charitable Trusts public safety performance project providing technical assistance to states, analyzing sentencing and corrections data and systems, supporting the development of policy options, and educating the public and policymakers.

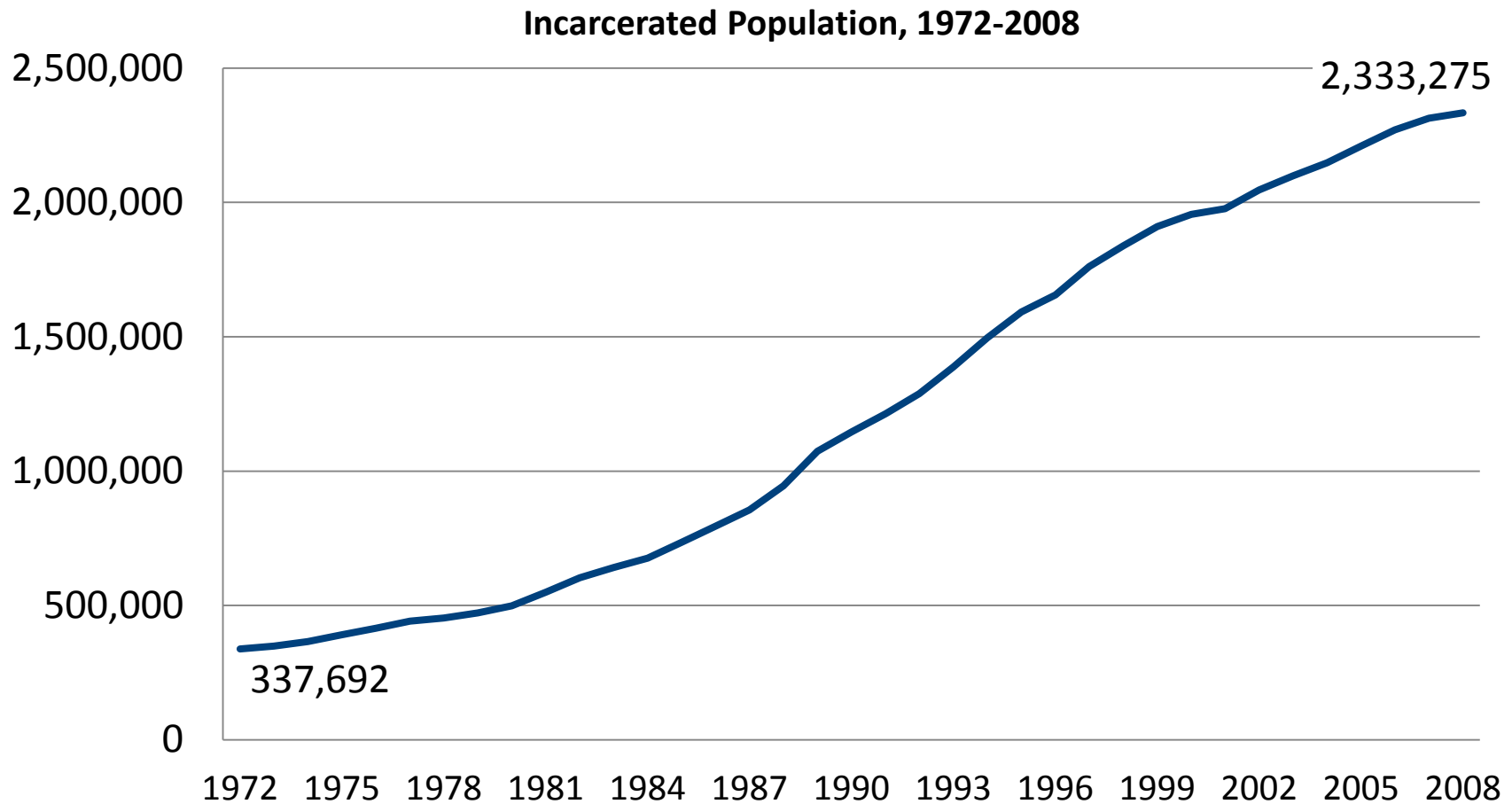
# CJI-Pew Justice Reinvestment Collaboration



# National Landscape

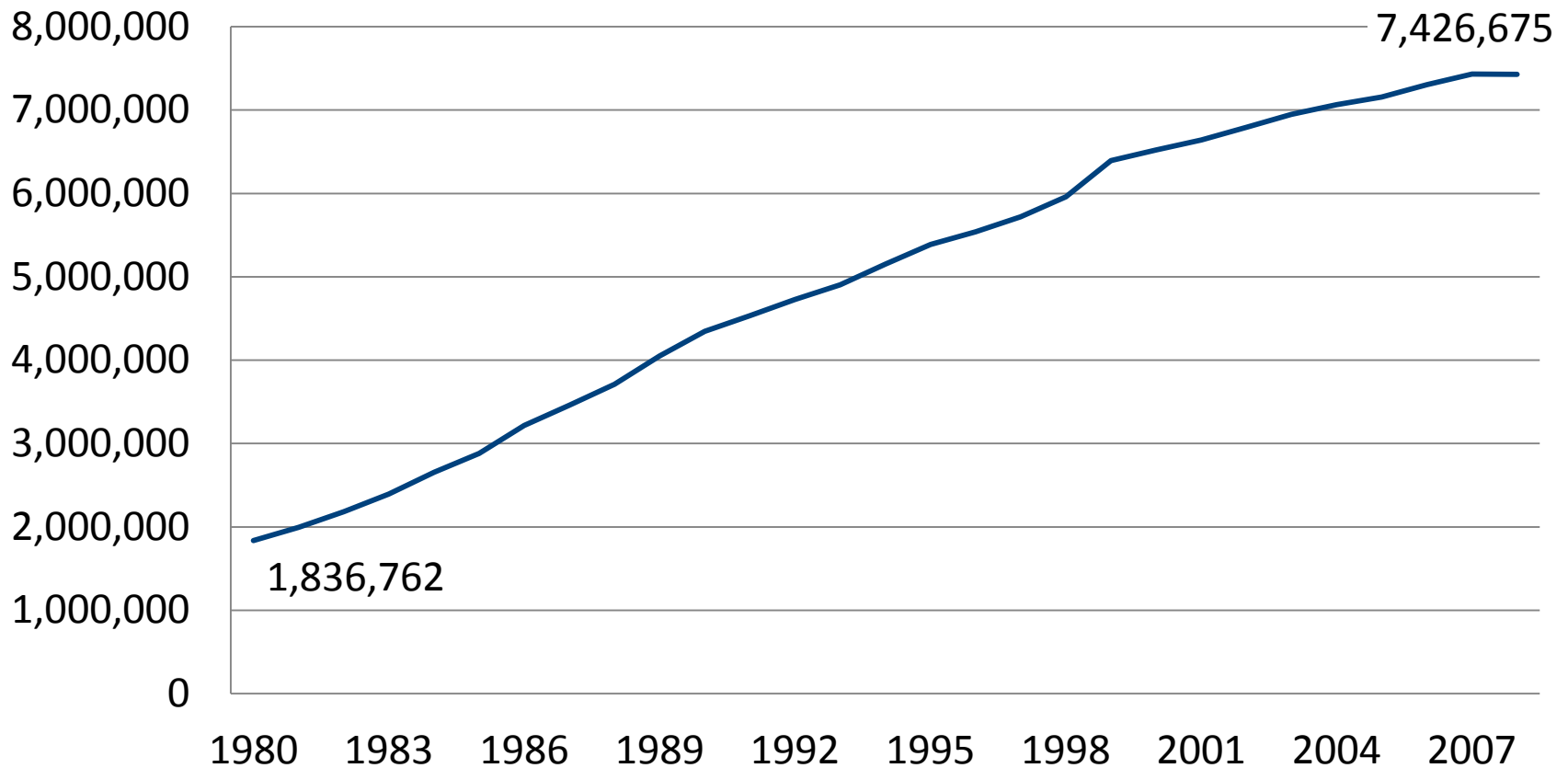


# By 2008: 1 in 100 Adults Behind Bars



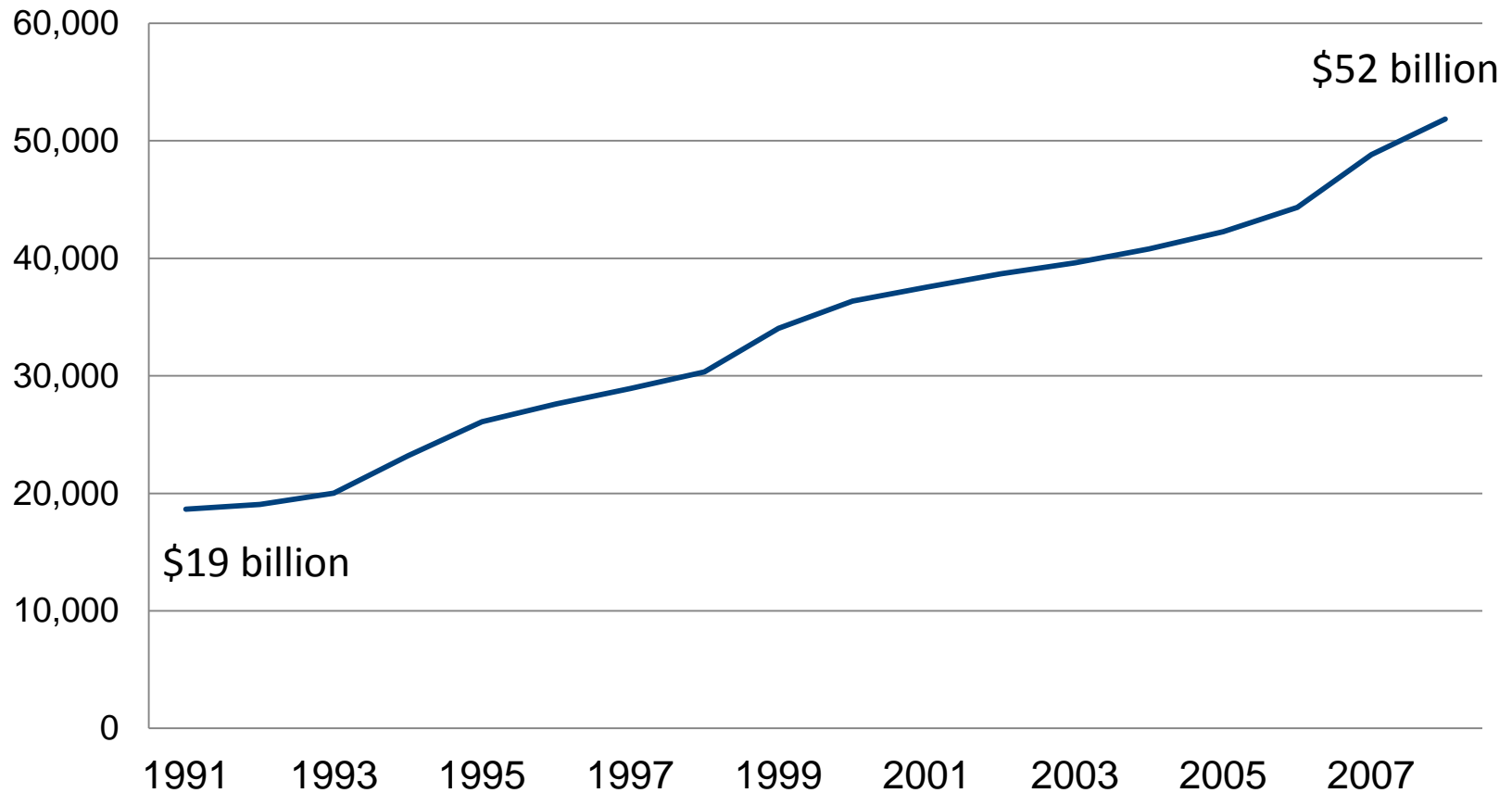
# By 2008: 1 in 31 Adults Under Correctional Control

Correctional Population (prison, jail, probation, and parole), 1980-2008

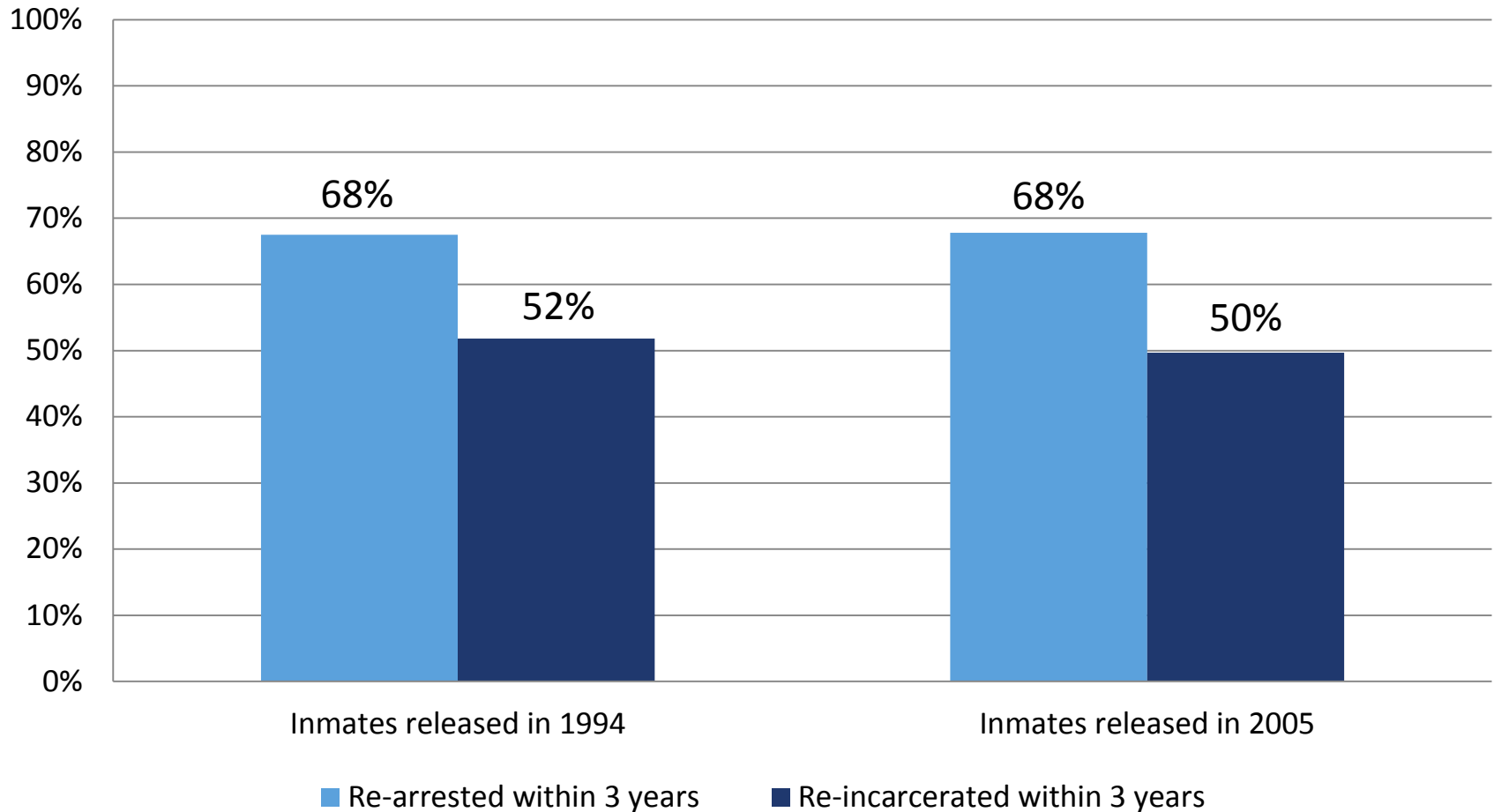


# By 2008: 1 in 13 State Dollars Spent on Corrections

State Correctional Spending, 1991-2008



# Despite Increased Spending, Recidivism Remains High



# Incarceration Had Limited Impact on US Crime Decline

Researchers have examined the question of whether increased incarceration caused the crime decline that began in the 1990s, and have found that it was responsible for 10-20% of the crime decline.

## **Other variables with greater impact on the decline include:**

- Improved police strategies, technology, and personal security habits
- Demographic shifts
- Changes in drug markets

Source: National Research Council (2014), *The Growth of Incarceration in the United States*

# Research on Incarceration and Recidivism

Researchers have examined whether incarceration reduces recidivism more than non-custodial sanctions.

## Findings:

- In general, incarceration is not more effective than non-custodial sanctions at reducing recidivism
- For many lower-level offenders, incarceration can actually increase recidivism

Source: Campbell Collaboration (2015) (meta-analysis), Nagin & Snodgrass (2013), Nagin, Cullen & Jonson (2009)

# Research on Length of Stay and Recidivism

Researchers have also examined whether longer periods of incarceration reduce recidivism more than shorter periods.

## **Findings:**

- Longer prison stays do not reduce recidivism more than shorter stays

Sources: Nagin (2009), Meade et al. (2012)

# Public Support for Criminal Justice Reform

- “It does not matter whether a nonviolent offender is in prison for 21 or 24 or 27 months. What really matters is the system does a better job of making sure that when an offender does get out, he is less likely to commit another crime.”

**STRONGLY AGREE**

**73%**

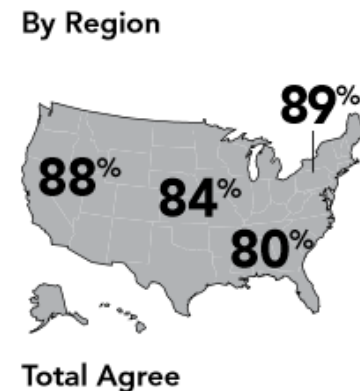
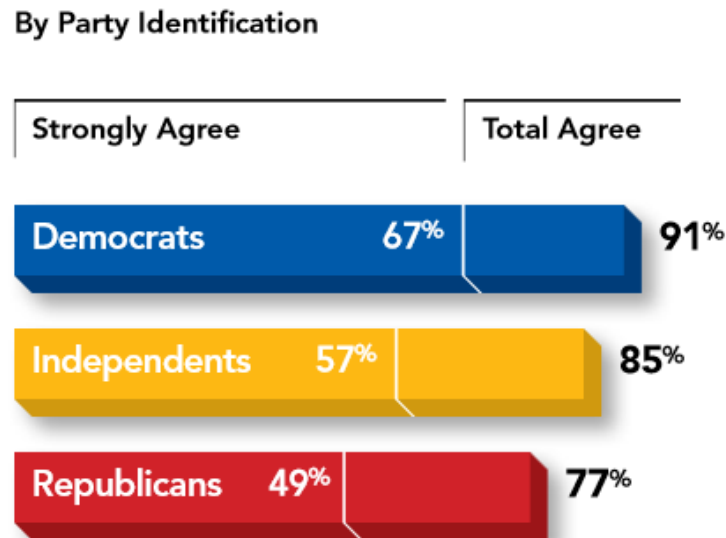
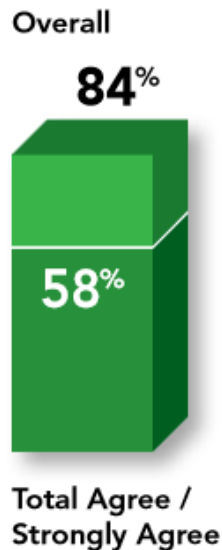
**AGREE**

**90%**

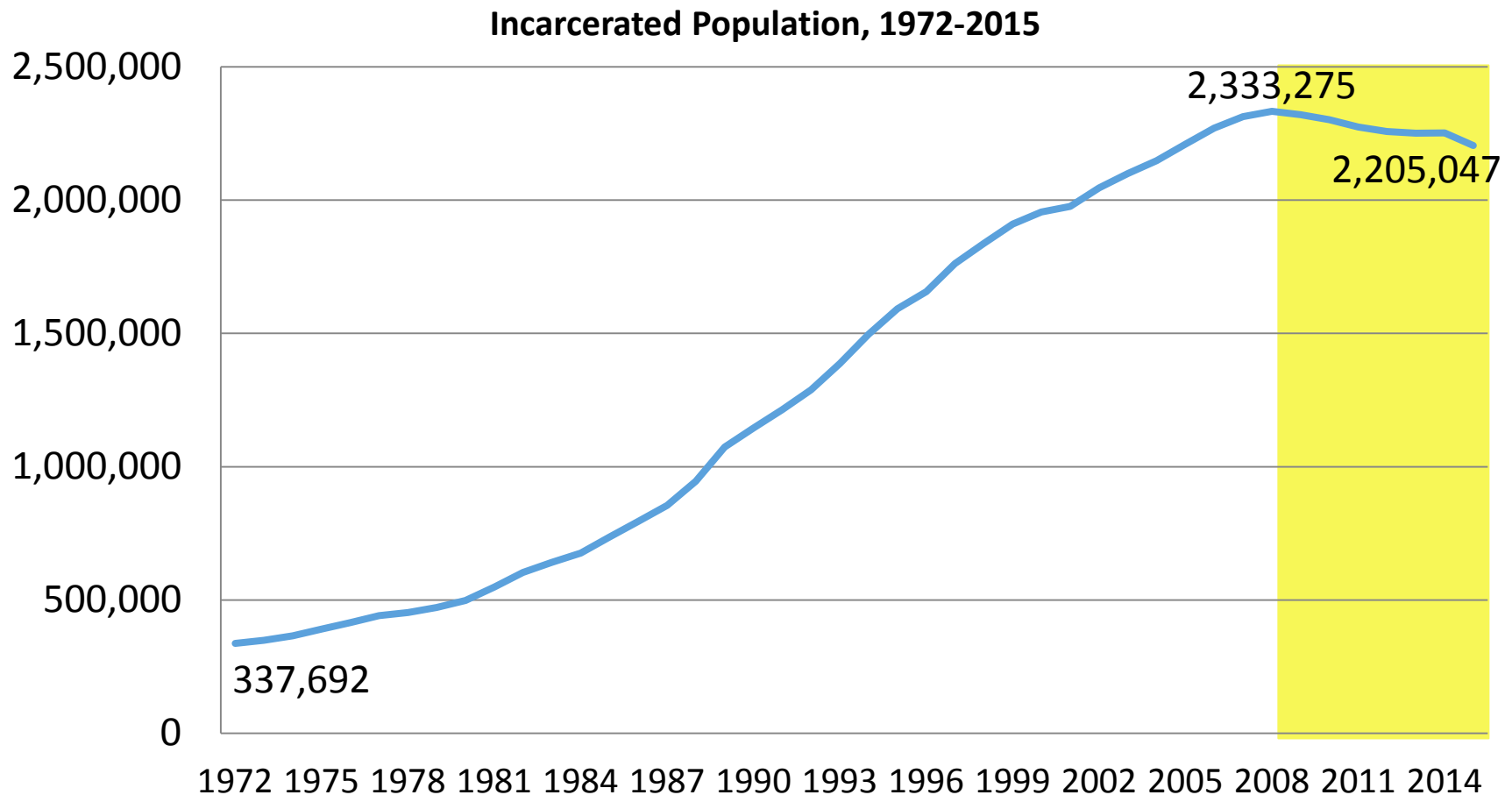


# Support for Reform Strong Across Political Parties

- “Some of the money that we are spending on locking up low-risk, nonviolent inmates should be shifted to strengthening community corrections programs like probation and parole.”

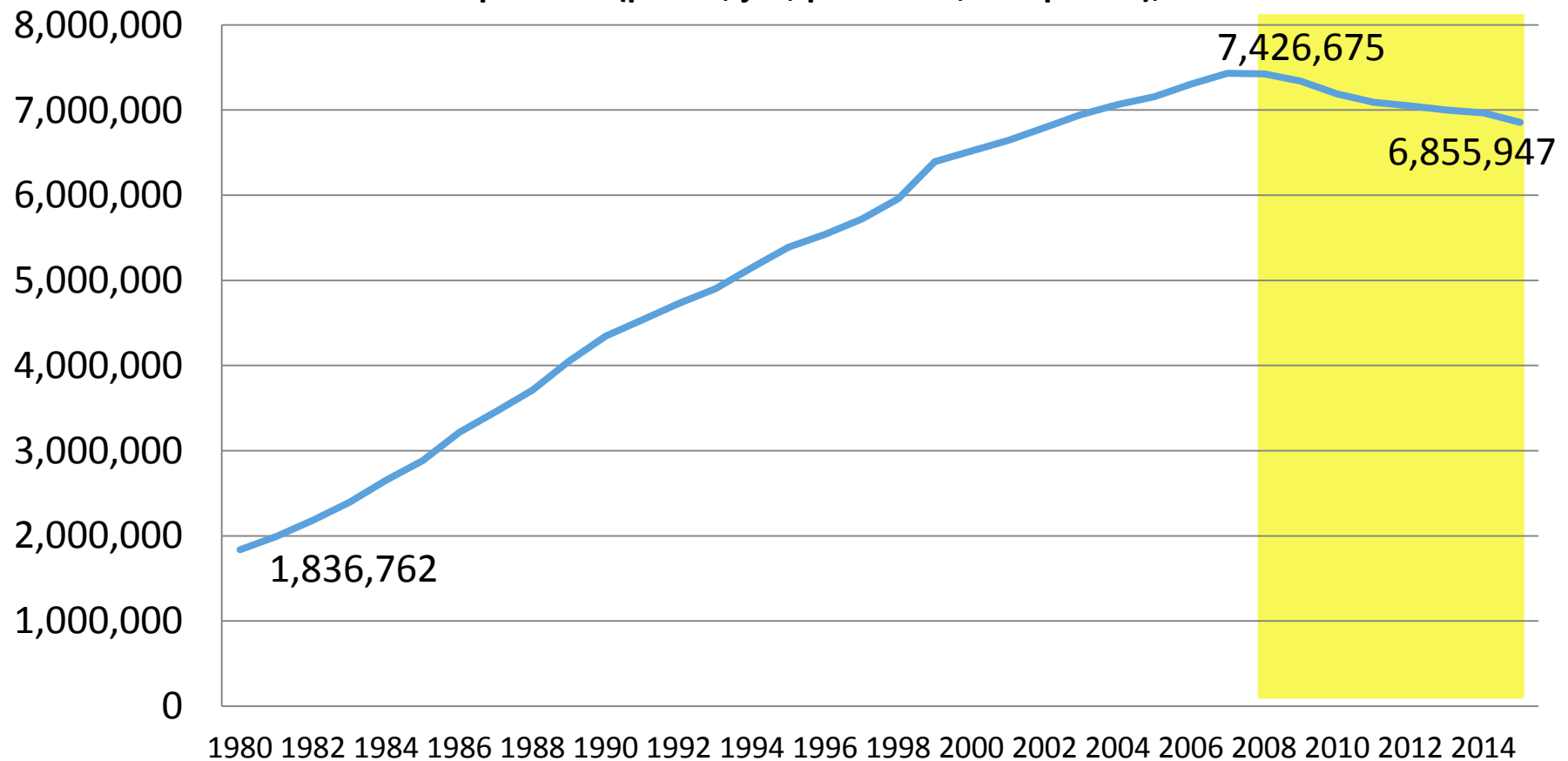


# By 2015: 1 in 112 Behind Bars



# By 2015: 1 in 36 Under Correctional Control

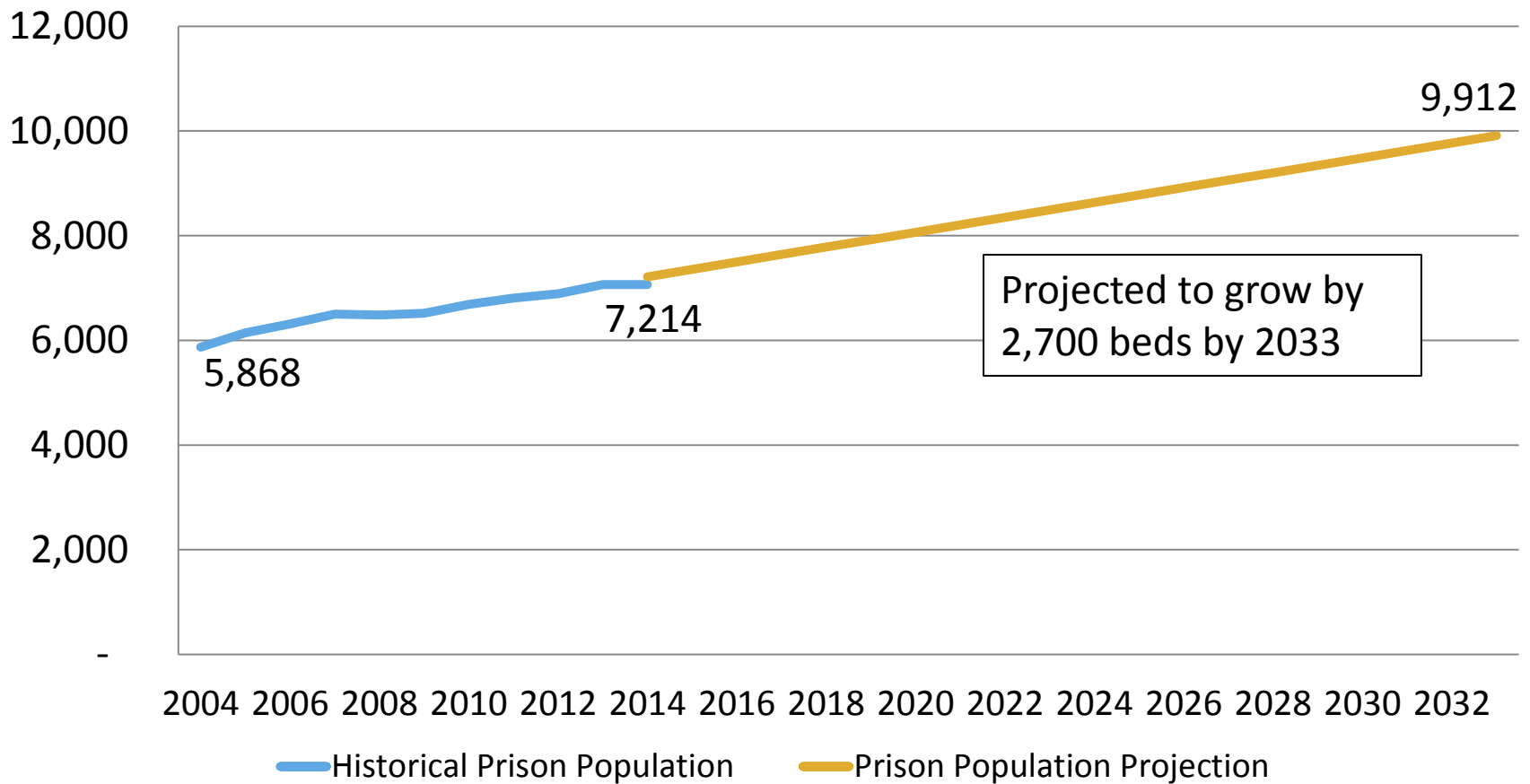
Correctional Population (prison, jail, probation, and parole), 1980-2015



# UTAH

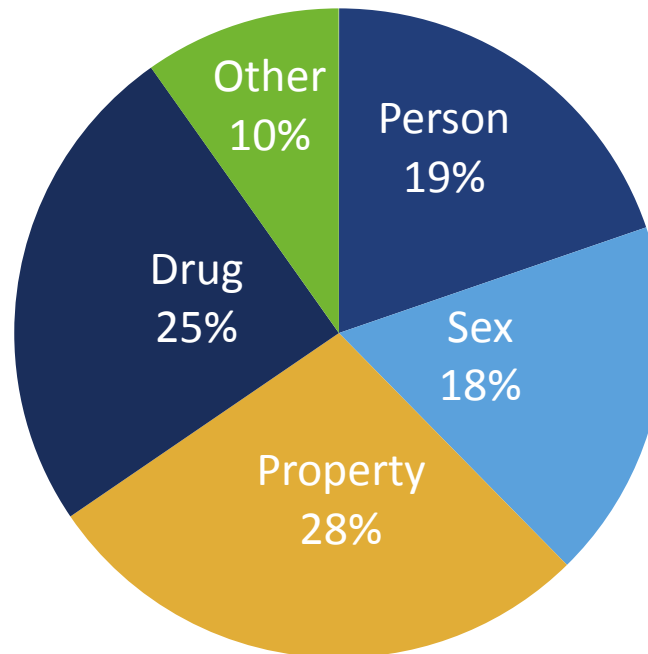
## 2014-2015

# Utah's Cost of Doing Nothing: \$542 Million Over 20 Years



# Finding: Nonviolent Offenders Make Up 63% of Those Admitted to Prison for New Crimes

**Prison Admissions by Offense Type  
(NCC Only, 2013)**

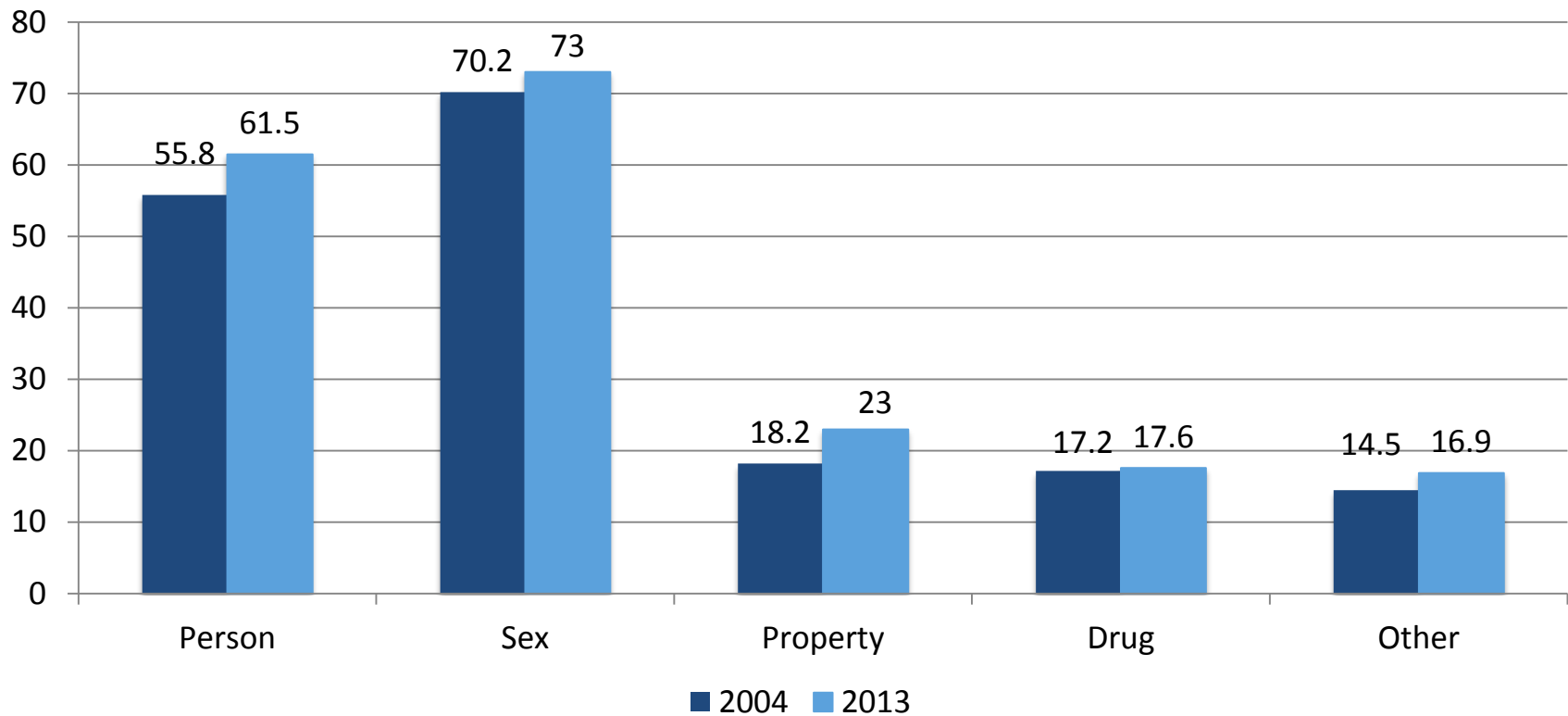


# Finding: Drug Possession is the Top Crime at Admission to Prison; 7 of Top 10 Nonviolent

New Court Commitments to Prison (NCC), 2004 vs 2013			
Offense	NCC in 2004	NCC in 2013	% Change
Possession/Use Of Controlled Substance	151	120	-21%
Theft	62	71	15%
Possession w/ Intent To Distribute Cont. Substance	60	70	17%
Retail Theft (Shoplifting)	12	51	325%
Driving Under The Influence Of Alcohol/Drugs	52	47	-10%
Aggravated Sexual Abuse Of A Child	41	44	7%
Aggravated Assault	47	43	-9%
Burglary	38	43	13%
Distribution/Arrange Distribution Cont. Substance	36	41	14%
Theft By Receiving Stolen Property	27	39	44%

# Finding: Increased Lengths of Stay For All Offenses

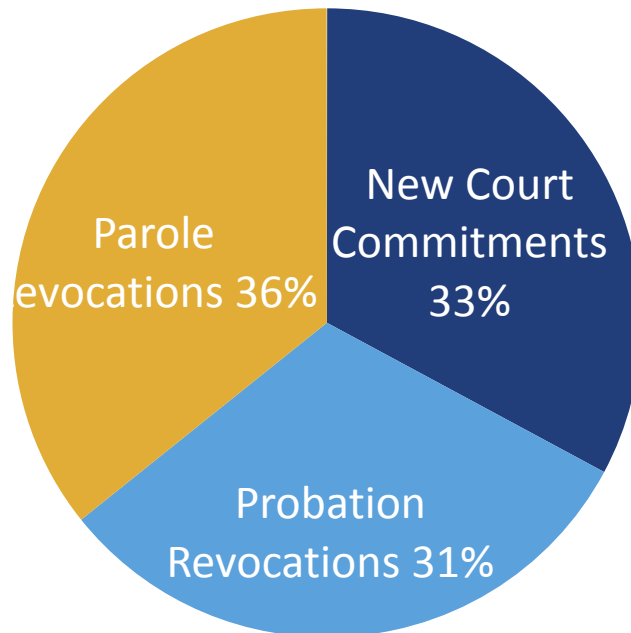
Mean Time Served by Offense Type, NCC Only, 2004 and 2013 (Months)





# Finding: Revocations Make Up Two-Thirds of Admissions to Prison

## Prison Admissions by Type, 2013



# Finding: Treatment Resources Concentrated In a Few Areas Throughout the State

## Community Reentry Options



- Treatment Resource Centers



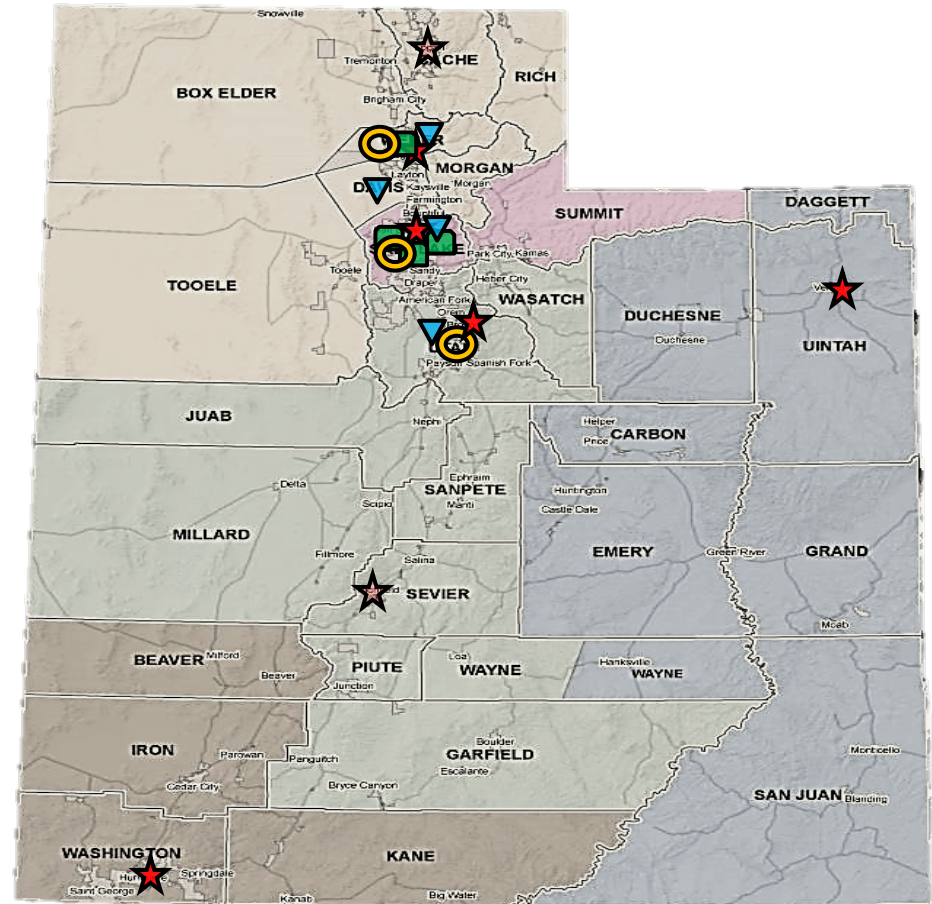
- Halfway Houses



- Employment Placement Project



- Parole Access to Recovery



Source: Utah Department of Corrections

# Commission Key Findings and HB 348 Reforms

- **Finding: Nonviolent offenders make up 63% of those admitted to prison for new crimes; drug possession was the number one crime at prison admission**

Legislation:

- Revise criminal history factors to balance sentencing guidelines ranges;
  - Make first and second-time drug possession offenses misdemeanors.
- **Finding: Revocations make up two-thirds of admissions to prison**

Legislation:

- Establish a graduated sanctions and incentives program to respond to negative and positive conduct while on supervision;
- Create revocation guidelines that cap length of incarceration for technical violations.

# Commission Key Findings and HB 348 Reforms

- **Finding: Increased lengths of stay for all offenses**

Legislation:

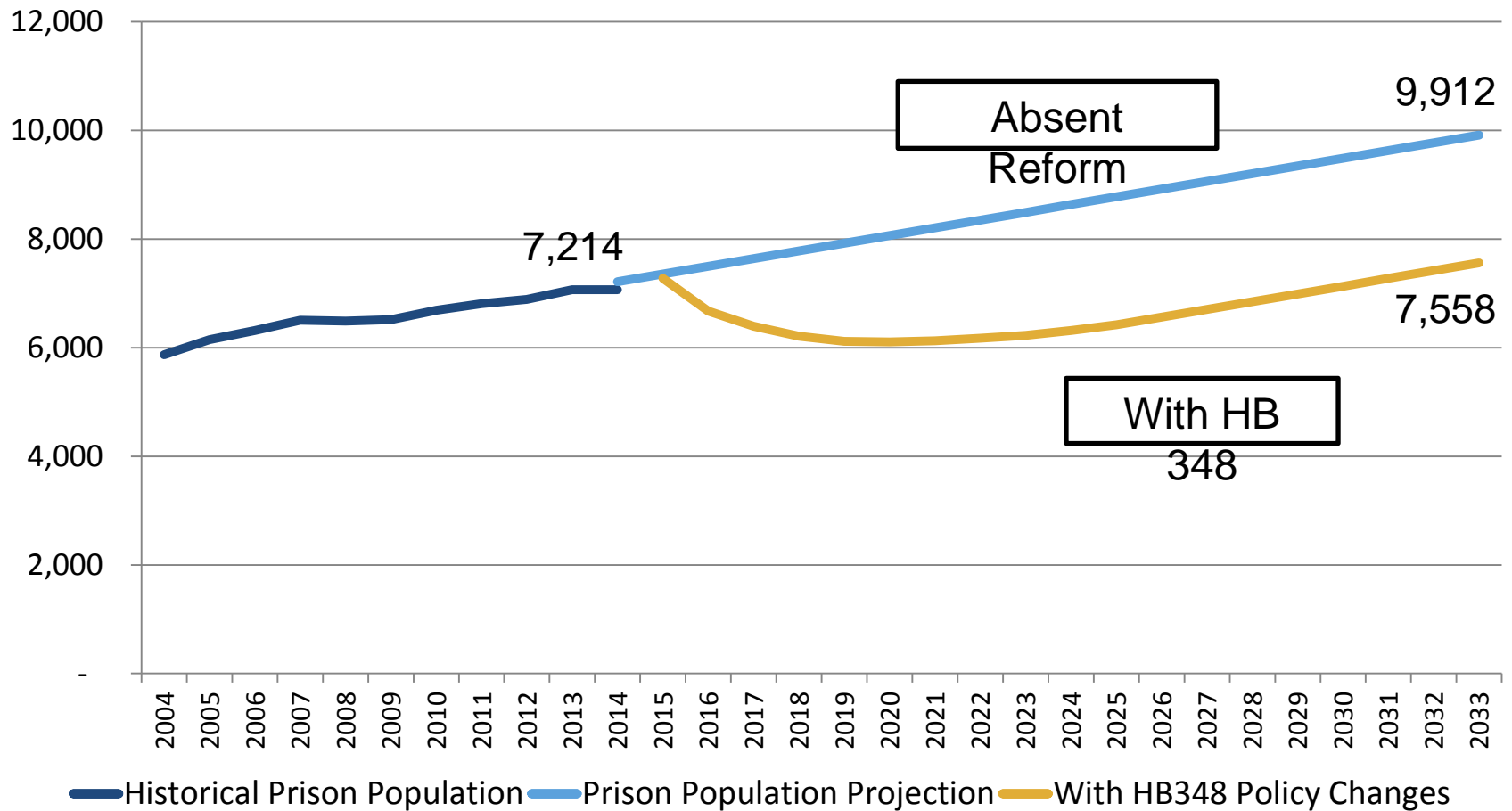
- Reduce sentencing ranges for more than 50% of the sentences in the guidelines;
- Standardize criteria for earned time credits for program participation.

- **Finding: Increased failures on probation and parole; limited treatment resources**

Legislation:

- Reinvest funds to expand treatment resources and established standards for treatment providers;
- Establish a county-based grant program providing funds to localities to develop evidence-based, recidivism reduction initiatives;
- Implement DOC transition planning and reentry services.

# Utah Reforms: Reforms Projected to Avert Nearly All Prison Growth and Save Over \$500 Million



# Utah Reforms: Widespread Political Support



“ Sutherland Institute is encouraged by the direction of the policy recommendations presented to the legislative interim committees yesterday, and to the governor last week, by the Utah Commission on Criminal and Juvenile Justice. **Overall, they represent a reasonable and, just as important, a moral perspective on the criminal justice system.** ”

# Utah Reforms: Widespread Political Support



# Thank You

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