

## Facts and Trends<sup>i</sup>

- Despite mounting corrections spending, recidivism rates remain high. According to the most recent data from the Bureau of Justice Statistics, 36 percent of people released from state prisons were incarcerated for a new crime within 3 years of release and 45 percent were incarcerated within 5 years.
- A 10-percent cut in recidivism rates nationally would save states a combined \$635 million in one year of averted prison construction costs.
- Research has identified practices and programs that can effectively reduce recidivism.
- Policymakers often do not have information about which factors are driving crime, recidivism rates, and the growth of correctional populations. Most state policymakers make decisions about prison and public safety policies without comprehensive, independent analyses of their criminal justice data.

## Federal Funding for the Justice Reinvestment Initiative<sup>iv</sup>

Recognizing the early successes of Justice Reinvestment, in 2010, Congress appropriated funding to the Bureau of Justice Assistance to create the Justice Reinvestment Initiative.

FY2010	\$10M
FY2011	\$8.3M
FY2012	\$6M
FY2013	\$5.88M
FY2014 Omnibus	\$27.5M
FY2015	\$27.5M
FY2016	\$27.5M
FY2017	\$25M
FY2018 Omnibus	\$25M

# The Justice Reinvestment Initiative

## Background<sup>ii</sup>

Over the past 28 years, state spending on corrections has skyrocketed nationally—from \$12 billion in 1988 to \$58 billion in 2016. This cost puts a serious strain on many states' criminal justice systems, often placing concerns about the bottom line in competition with public safety. Strategies tested in many states, however, show there are effective ways to address the challenge of containing rising corrections costs while also increasing public safety.

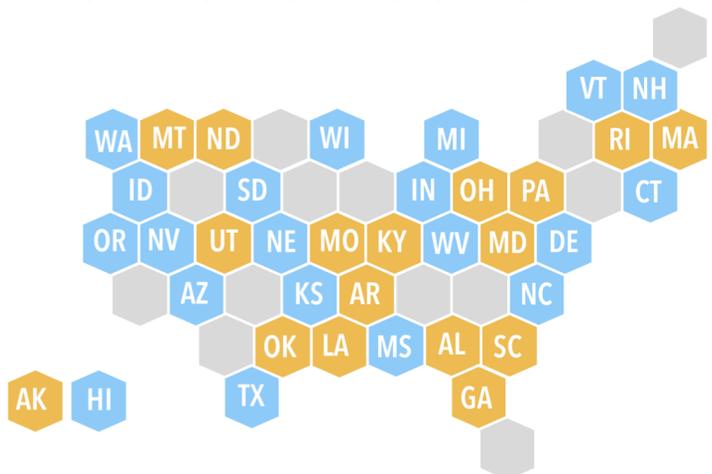
## Justice Reinvestment Works

Justice Reinvestment is a data-driven approach to reduce corrections and related criminal justice spending, and reinvest savings in strategies that improve public safety. Justice Reinvestment helps states identify the drivers of rising corrections costs and crime and develop state-specific solutions. By managing criminal justice populations more cost effectively, states generate savings to reinvest in evidence-based strategies to increase public safety while holding people accountable. With help from technical assistance providers, states that adopt a Justice Reinvestment approach collect and analyze data on drivers of corrections costs and prison population growth, identify and implement changes to increase efficiencies, and measure both the fiscal and public safety impacts of those changes.

Assisted by the federal investment in the Justice Reinvestment Initiative (see sidebar), 30 states have used the Justice Reinvestment approach since 2010 to pursue policies to slow overall prison growth, and for some states, reduce the total prison population. Through Justice Reinvestment, together these states reported cost savings exceeding \$1.1 billion in averted prison operating and construction costs while also investing hundreds of millions in effective supervision and treatment programs to make communities safer.<sup>iii</sup> It is projected that savings will grow to more than \$4 billion as a result of Justice Reinvestment.

## Justice Reinvestment States (2010–2018)

● CURRENT STATES ● PAST STATES



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THE COUNCIL OF STATE GOVERNMENTS

# Justice Reinvestment in Action: Selected Case Studies

## Texas Effort Leads to Creation of JRI

With a prison population of 155,000 people in 2007, Texas state officials projected needing to build 17,000 additional prison beds at a cost of \$2 billion by 2012. Texas legislative leaders rejected plans to fund additional prison construction and instead pursued a data-driven Justice Reinvestment approach. In 2007, Texas implemented policies that increased substance addiction and mental health treatment capacity in the prison system and expanded probation and parole diversion options that ultimately saved \$1.5 billion dollars in construction costs and \$340 million in annual averted operating costs. Texas has since closed three prisons, has reduced recidivism, and crime rates are at historic lows. Texas's success helped spur the creation of the Justice Reinvestment Initiative.

## Pennsylvania

Between 2007 and 2011, Pennsylvania's prison population increased 12 percent, resulting in overcrowded prisons and a pressing need to build new facilities. In 2012, policymakers enacted legislation to improve community correction programs, divert people convicted of low-level misdemeanors from prison, and reduce parole revocations. As a result of these policies and related efforts, the decline in the prison population from 2014 to 2015 was the biggest in more than 40 years, and Pennsylvania ended 2015 with its lowest prison population since March 2009. In 2018, state leaders will consider additional policy changes proposed during a Justice Reinvestment approach to improve county probation and pretrial processes and increase recidivism-reduction measures.

## Alabama

In 2014, Alabama had the most crowded prison system in the nation (195 percent of capacity), and in its overwhelmed probation and parole systems, caseloads averaged close to 200 cases per officer. In 2015, state leaders enacted SB 67 to address these challenges by strengthening community-based supervision through the use of graduated sanctions for violations of probation and parole, diverting people convicted of the lowest-level drug and property offenses from prison to community corrections programs, and ensuring supervision for everyone upon release from prison. These policies are projected to reduce Alabama's prison population by 16 percent and avert \$380 million in construction and operating costs by FY2021. At a time when budgets are being cut dramatically amid a fiscal crisis, the legislature has appropriated \$95.6 million between FY2016 and FY2019 to fund SB 67.

## West Virginia

Between 2000 and 2001, West Virginia's prison population increased 50 percent and was expected to increase 24 percent between 2012 and 2018. In 2013, West Virginia policymakers enacted SB 371, which reduces parole delays, expands drug court, and strengthens supervision. The state legislature also appropriated \$11.9 million over four years, most of which is used to expand and improve substance use treatment in local communities.

## Mississippi

Over the past decade, Mississippi has had one of the nation's highest and fastest-growing incarceration rates. In March 2014, Governor Phil Bryant signed a comprehensive package of criminal justice legislation that is expected to save the state at least \$266 million over the next decade by averting projected prison population growth and safely reducing the prison population below 2014 levels. The new law enhances certainty and clarity in sentencing, focuses on providing prison space for people convicted of serious and violent offenses, expands judicial discretion in imposing alternatives to incarceration for people convicted of lower-level offenses, strengthens supervision and interventions to reduce recidivism, and establishes performance objectives and measures.

## North Carolina

North Carolina faced rising corrections costs and a prison population projected to grow 10 percent by FY2020. In response, state lawmakers passed comprehensive legislation in 2011 that focuses supervision and treatment resources where they can have the biggest impact, empowers probation officers to employ swift and certain sanctions to respond to probation violations, and ensures that every individual convicted of a felony who leaves prison will receive supervision. Since implementation, probation revocations are down by about 50 percent, admissions to prison have declined 19 percent, and the state's prison population has dropped 9 percent, allowing the state to close 11 small prisons. The state's crime rate continues to decline and has fallen 19 percent since enactment of Justice Reinvestment legislation. North Carolina reported averting about \$462 million in construction and operations costs by FY2015.

## South Carolina

By 2010, South Carolina's correctional population had nearly tripled during the past 25 years and was projected to grow 13 percent by 2014. In 2010, the legislature passed reforms that changed sentencing policies to focus prison space on people convicted of chronic and violent offenses, improved parole, strengthened community supervision, and ongoing oversight of sentencing and corrections reforms. Since these reforms were enacted, the prison population has decreased by 14 percent, helping the state avoid nearly half a billion dollars in costs, while the crime rate has also fallen. The reforms were so successful that South Carolina's leaders are considering further public safety improvements under Justice Reinvestment in 2018.

## Alaska

By 2014 in Alaska, the state's jail and prison population had increased by 27 percent in the past decade, with annual spending on corrections topping \$300 million in 2014. In 2016, Alaska enacted legislation that is projected to avoid a 27-percent rise in the state's prison population over eight years and instead reduce the population by 13 percent. This reduction, projected to save \$380 million, will allow the state to reinvest \$98 million in programs proven to reduce reoffending, while strengthening pretrial supervision and victims' services.

i. Bureau of Justice Assistance, "Recidivism of Prisoners Released in 30 States In 2005: Patterns from 2005 to 2010," NCJ: 244205 (Washington, DC: U.S. Department of Justice, 2014); The Pew Charitable Trusts, "State of Recidivism: The Revolving Door of America's Prisons" (Washington, DC: The Pew Charitable Trusts, 2011).

ii. National Association of State Budget Officers, "Fiscal Year 2014–2016 State Expenditure Report" (Washington, DC: National Association of State Budget Officers, 2016); The Pew Charitable Trusts, "States Cut Both Crime and Imprisonment" (Washington, DC: The Pew Charitable Trusts, 2013).

iii. The Urban Institute, Reforming Sentencing and Corrections Policy: The Experience of Justice Reinvestment Initiative States (Washington, DC: The Urban Institute, 2016).

iv. Federal funding leverages additional support from The Pew Charitable Trusts.