

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 more than \$1.5 billion in construction costs and \$340 million in annual averted operating costs. Texas has since closed eight prisons, has reduced recidivism, and crime rates are near historic lows. Texas's success helped spur the creation of the Justice Reinvestment Initiative.

Alabama

In 2014, Alabama had the most crowded prison system in the nation (195 percent of capacity), and caseloads for probation and parole officers 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 up to \$380 million in construction and operating costs by FY2021. At a time when budgets were cut dramatically, the legislature appropriated \$95.6 million between FY2016 and FY2019 to fund SB 67.

Arkansas

Between 2004 and 2015, Arkansas's prison population grew 31 percent. As a result of this increase, prison facilities were at capacity, and a growing number of people sentenced to prison were being held in county jails awaiting transfer to prison. In 2017, Governor Asa Hutchinson signed the Criminal Justice Efficiency and Safety Act (Act 423). Act 423 strengthens probation and parole supervision practices, establishes a more effective and less costly approach for sanctioning violations of supervision, creates crisis intervention training requirements for law enforcement agencies, and establishes crisis stabilization units throughout Arkansas to divert people who have mental illnesses away from county jails to provide treatment at the local level. With these changes, Arkansas is estimated to avert \$288 million in corrections costs by FY2023.

Missouri

Between 2010 and 2016, Missouri's violent crime rate increased 13 percent, while arrests for these crimes declined. At the same time, Missouri's prison population swelled, driven mostly by admissions for supervision violations. Comprehensive Justice Reinvestment legislation was signed into law in 2018 and aims to provide resources to local law enforcement to help reduce violent crime, increase community-based treatment for people in the criminal justice system who have substance addictions and mental illnesses, and increase support for victims, among other measures. The state expects to reduce recidivism and avert \$485 million in corrections costs by FY2023.

North Carolina

In 2011, 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. Between FY2011 and FY2019, probation revocations declined approximately 25 percent, admissions to prison declined 16 percent, and the state's prison population dropped 12 percent, allowing the state to close 11 small prisons. The state's crime rate has fallen 26 percent since enactment of Justice Reinvestment legislation. North Carolina reports saving and averting more than \$543 million in corrections costs.

Oklahoma

In 2015, Oklahoma had the second-highest imprisonment rate in the country and the highest rate of imprisonment among women. The state prison population was projected to grow 25 percent by 2026 at a total cost of almost \$2 billion. In 2018, Governor Mary Fallin signed a number of bills that expanded access to alternatives to incarceration, adjusted sentences for people convicted of nonviolent offenses, and created release opportunities and improved reentry processes. Together, the bills are projected to avert 67 percent of the anticipated growth in Oklahoma's prison population over the next decade, avoiding the need for 4,800 additional prison beds and saving taxpayers more than a billion dollars in new prison construction. Governor Fallin was able to invest \$12 million in corrections and treatment programs in the 2018 budget, including substance addiction and mental health treatment and performance incentive funding focused on improved outcomes for women in the justice system.

Pennsylvania

Between 2007 and 2011, Pennsylvania's prison population increased 12 percent, resulting in overcrowded prisons and a 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. In 2018, the state recorded the largest one-year decline in its prison population since 2007. A second round of Justice Reinvestment began in 2015, culminating in new legislation enacted in 2019 that aims to eliminate delays in releasing people with short sentences from prison and streamline the process used to direct people into drug treatment. The legislation is expected to reduce the state prison population by more than 600 people over 5 years, saving taxpayers an estimated \$45 million in corrections costs.

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 state passed legislation that changed sentencing policies to prioritize prison space for people convicted of chronic and violent offenses, improved parole, strengthened community supervision, and ensured ongoing oversight of sentencing and corrections reforms. Since then, the prison population has decreased 14 percent, helping the state avoid nearly half a billion dollars in costs, while the crime rate has also fallen.

1. 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).

2. 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).

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

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