



Justice Reinvestment in Idaho

Overview



Background

In early 2013, Governor C.L. “Butch” Otter, Chief Justice Roger Burdick, Senate President Pro Tempore Brent Hill, and House Speaker Scott Bedke requested support from the Pew Charitable Trusts and the U.S. Department of Justice’s Bureau of Justice Assistance to explore a “justice reinvestment” approach to reduce state corrections spending and reinvest a portion of the savings generated in strategies to increase public safety. The Council of State Governments Justice Center (CSG Justice Center) was asked to provide intensive technical assistance to aid in the collection and analysis of data and the development of appropriate policy options.

Soon thereafter, the Idaho legislature passed a resolution to create a bipartisan Interim Legislative Committee composed of five policymakers from each chamber to study the state’s criminal justice system using the justice reinvestment approach. The Committee will submit a report on the study’s findings and policy recommendations to the legislature during the 2014 session. State leaders also established an inter-branch Justice Reinvestment Working Group, which includes representatives from the executive, legislative, and judicial branches of government, as well as key criminal justice stakeholders from the state and local levels. Both groups are co-chaired by Senator Patti Anne Lodge (R-Huston) and Representative Richard Wills (R-Glenns Ferry).

CSG Justice Center staff will conduct a comprehensive analysis of extensive data sets collected from various relevant state agencies and branches of government. To build a broad picture of statewide criminal justice trends, data—to the extent they are available—will be collected from local governments and analyzed. Staff will also convene focus groups and lead interviews with people working on the front lines of Idaho’s criminal justice system. Based on these exhaustive quantitative and qualitative analyses, CSG Justice Center staff will present findings to the Working Group and Interim Committee. Both groups will review the findings and assist in developing options for the Idaho Legislature’s consideration that are designed to both increase public safety and reduce corrections spending.

This overview highlights recent criminal justice trends in Idaho that the CSG Justice Center will be exploring in the upcoming months.

Criminal Justice Trends in Idaho

Idaho's reported overall crime rate is among the lowest in the country.

- Idaho's total index crime rate was the third lowest in the country in 2011, with 2,270 reported crimes per 100,000 residents. By comparison, the U.S. total index crime rate was 3,295 per 100,000 residents.¹
- In 2011, Idaho had the sixth lowest violent crime rate in the nation, with 195 reported crimes per 100,000 residents, compared to the U.S. violent crime rate of 386 per 100,000 residents.²
- Idaho had the fourth lowest property crime rate among all states in 2011, with 2,050 reported property crimes per 100,000 residents, compared to the U.S. total property crime rate of 2,909 per 100,000 residents.³

Despite considerable growth in Idaho's resident population, reported crime and arrest—with the exception of certain arrest categories, such as drugs—decreased.

- Between 2007 and 2011, Idaho's resident population increased 5 percent, from 1.51 to 1.58 million people.⁴
- Over the same period, the number of reported index crimes decreased 5 percent, from 37,742 to 35,951, and reported arrests decreased 9 percent, from 57,861 to 52,635.⁵
- Drug arrests trended in the opposite direction, however, increasing 17 percent, from 4,759 to 5,557.⁶

Idaho's probation and parole populations have grown substantially in recent years.

- Between FY2004 and FY2012, the number of people on probation in Idaho increased 35 percent, from 8,196 to 11,101. The parole population increased 68 percent during the same time period, from 1,759 to 2,951 individuals under parole supervision.⁷ Continued growth is projected for both populations.⁸
- Idaho had the second highest rate of adults under probation supervision in the U.S. In 2011, 3,436 people were on probation per 100,000 residents in Idaho. In contrast, the national average across all 50 states was 1,662 people on probation per 100,000 residents.⁹

Idaho's unique retained jurisdiction, or "Rider," program is an alternative to probation or incarceration that was expanded recently.

- "Riders" are those individuals over whom the courts have chosen to retain jurisdiction for up to 365 days. Riders serve one of the "Trio of Options"—the Correctional Alternative Placement Program (CAPP), the Traditional Rider, or the Therapeutic Community Rider—at a specialized facility, where they receive a needs assessment and participate in intensive programming and education.¹⁰
- Upon completion of their Rider term, the court determines whether these individuals should be placed on probation or sentenced to incarceration in prison.
- From 2008 to 2012, the volume of Rider offenders in the total on-hand prison population increased 66 percent, from 687 to 1,142. A major contributor to the increase was the 2010 expansion of the Rider program to include the CAPP and Therapeutic Community options.¹¹

Prison admissions have risen in Idaho, with over half of admissions coming from probation and parole revocations.

- Total admissions to prison increased 10 percent from 2008 to 2012. The largest percentage increases among admission types were for parole revocations (23 percent) and failed riders (29 percent).¹²
- Probation revocations also contribute to the number of riders in prison. Over half of the 2,251 rider admissions in 2012 were failed probationers. The volume of these admissions has increased 39 percent in the last five years.¹³

Idaho's prison population grew substantially in recent years and is projected to continue to increase.

- Between FY2004 and FY2012, the number of people incarcerated in Idaho increased 28 percent, from 6,312 to 8,097 people.¹⁴
- Although more than half of all states experienced a decrease in their prison population between 2010 and 2011, Idaho's prison population grew four percent, one of the largest increases in the U.S. for this one-year period.¹⁵
- Idaho's incarceration rate was comparatively high in 2011, ranking eleventh in the U.S. with 486 sentenced prisoners per 100,000 residents.¹⁶
- The most recent projections produced by the Idaho Department of Correction (IDOC) in 2012 estimated that the prison population would increase by 10 percent, or 783 inmates, between FY2012 and FY2015.¹⁷

As Idaho's prison population has grown over the past decade, state spending on corrections has increased significantly.

- Between FY2004 and FY2014, appropriations for the IDOC increased 76 percent, from \$124 million in FY2004 to \$219 million requested in FY2014.¹⁸
- Spending on corrections is a growing percentage of overall state spending. Between FY2004 and FY2012, the portion of state spending that is dedicated to corrections has increased by 20 percent.¹⁹

State policymakers recently redirected existing funding to IDOC to deliver treatment to adults under felony probation or parole supervision.

- In 2011, the Idaho Legislature changed the state's approach to funding substance use treatment, appropriating \$7.3 million from the Department of Health and Welfare directly to IDOC to create a treatment program for felony offenders, now called the Substance Use Disorder (SUD) system.²⁰
- In FY2012, SUD served about 3,500 adults, a 32-percent increase from FY2011.²¹

Idaho's problem-solving courts are highly regarded on a national level.

- Idaho has a total of 64 problem-solving courts across the state, including Felony Drug, Juvenile Drug, Child Protection Drug, Adult Mental Health, Juvenile Mental Health, Misdemeanor/DUI, DUI, and Veteran Courts.²²
- The Bureau of Justice Assistance designated the Bonneville County Mental Health Court as one of five national learning sites for other mental health courts.²³

The Justice Reinvestment Approach

STEP 1

Analyze Data and Develop Policy Options

CSG Justice Center staff will conduct a comprehensive analysis of crime, arrest, conviction, sentencing, probation, prison, behavioral health, and parole data. The analyses will result in findings regarding prison and jail bed capacity, the sources of prison population growth, and the effectiveness of agency policies and procedures.

To incorporate perspectives and recommendations from across Idaho, the CSG Justice Center will collect input and recommendations from criminal justice system stakeholders, including prosecuting attorneys; the defense bar; judges; law enforcement executives; supervision officers, behavioral health service providers; victims, survivors, and their advocates; local officials; and many more.

In collaboration with the Working Group and Interim Committee, which will review analyses and share recommendations, CSG Justice Center staff will develop data-driven policy options intended to increase public safety and reduce spending on corrections.

STEP 2

Adopt New Policies and Put Reinvestment Strategies Into Place

If the policy options are approved as legislation and enacted, Idaho lawmakers must ensure that the policies are implemented effectively. The CSG Justice Center will assist Idaho with translating the new policies into practice and make certain that related programs and system investments achieve projected outcomes and are operationalized using the best risk-reduction strategies. This assistance includes developing implementation plans with state and local officials and keeping policymakers apprised through frequent progress reports and testimony to relevant legislative committees. The implementation plan will include a detailed list of technical assistance to be delivered by the CSG Justice Center staff. Idaho will also have the opportunity to apply for federal grant funding to meet important one-time implementation needs, such as enhancing the skills of the probation and parole supervision workforce.

STEP 3

Measure Performance

Finally, the CSG Justice Center will ensure that Idaho officials receive brief, user-friendly, and up-to-date information explaining the impact of enacted policies on prison populations and rates of re-incarceration, criminal activity, and recidivism. Typically, this includes a “dashboard” of multiple indicators that make it easy for policymakers to track—in real time—the changes occurring in various components of the criminal justice system.

Notes

1. United States Department of Justice, Federal Bureau of Investigation, "Unified Crime Report Data Online." Retrieved on April 16, 2013 from: <http://www.ucrdatatool.gov/>.

2. *Ibid.*

3. *Ibid.*

4. United States Census Bureau, "State Intercensal Estimates" (2000-2010). Retrieved on June 10, 2013 from: <http://www.census.gov/popest/data/intercensal/state/state2010.html>.

5. United States Department of Justice, Federal Bureau of Investigation, "Unified Crime Report Data Online." Retrieved on April 16, 2013 from: <http://www.ucrdatatool.gov/>.

6. *Ibid.*

7. Idaho Department of Correction, "Facts & Statistics."

8. Idaho Department of Correction, "Offender Forecast-Fiscal Years 2012-2015."

9. Bureau of Justice Statistics, "Probation and Parole in the United States, 2011." Retrieved April 26, 2013 from <http://www.bjs.gov/content/pub/pdf/ppus11.pdf>. Please note that the Probation and Parole report includes probationers on felony probation, who are under the supervision of the state, and misdemeanor probationers, who are under the supervision of counties. For more information, please review page 22 of the 2010 Probation and Parole report, which is available at: <http://www.bjs.gov/content/pub/pdf/ppus10.pdf>.

10. Idaho Department of Correction, "Prisons." Retrieved May 17, 2013 from: <http://www.idoc.idaho.gov/content/prisons>.

11. *Ibid.*

12. Idaho Department of Correction, "Facts & Statistics."

13. *Ibid.*

14. Idaho Department of Correction, "Facts & Statistics." Retrieved April 16, 2013 from: http://www.idoc.idaho.gov/content/facts_statistics.

15. Bureau of Justice Statistics, "Prisoners in 2011," December 2012. Retrieved April 16, 2013 from: <http://bjs.gov/content/pub/pdf/p11.pdf>.

16. *Ibid.*

17. Idaho Department of Correction, "Offender Forecast-Fiscal Years 2012-2015." Retrieved April 16, 2013 from: http://www.idoc.idaho.gov/content/document/annual_population_forecast_fy12_15_0.

18. Idaho Legislature, "Legislative Budget Books." Retrieved April 16, 2013 from: <http://legislature.idaho.gov/budget/archives.htm>.

19. *Ibid.*

20. Lawmakers asked the IDOC to manage substance abuse disorder funding for offender in FY 2012, a service previously managed by the Department of Health and Welfare. IDOC created a new delivery system to increase access, manage treatment length, and measure outcomes.

21. Idaho Department of Correction, "New Treatment Strategy Saving Money and Lives." Retrieved May 17, 2013 from: http://www.idoc.idaho.gov/content/story/front_news/new_treatment_strategy_saving_money_and_lives.

22. Idaho Supreme Court, "Welcome to Idaho's Problem Solving Courts." Retrieved May 17, 2013 from <http://www.isc.idaho.gov/solve-court/home>.

23. Council of State Governments Justice Center, "Idaho Falls Mental Health Court." Retrieved June 4, 2013 from: <http://csgjusticecenter.org/mental-health/learning-sites/idaho-falls-mental-health-court>.

To learn more about the justice reinvestment strategy
in Idaho and in other states, please visit:
csgjusticecenter.org/jr



The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers in the local, state, and federal levels from all branches of government. The Justice Center provides practical, nonpartisan advice and consensus-driven strategies, informed by available evidence, to increase public safety and strengthen communities.



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To learn more about the Public Safety Performance Project, please visit: pewpublicsafety.org.

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