

Justice Reinvestment in Missouri

Lowering Recidivism by Improving Supervision, Enhancing Connections to Services, and Addressing Violent Crime

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Overview

Missouri faces a number of significant criminal justice challenges.

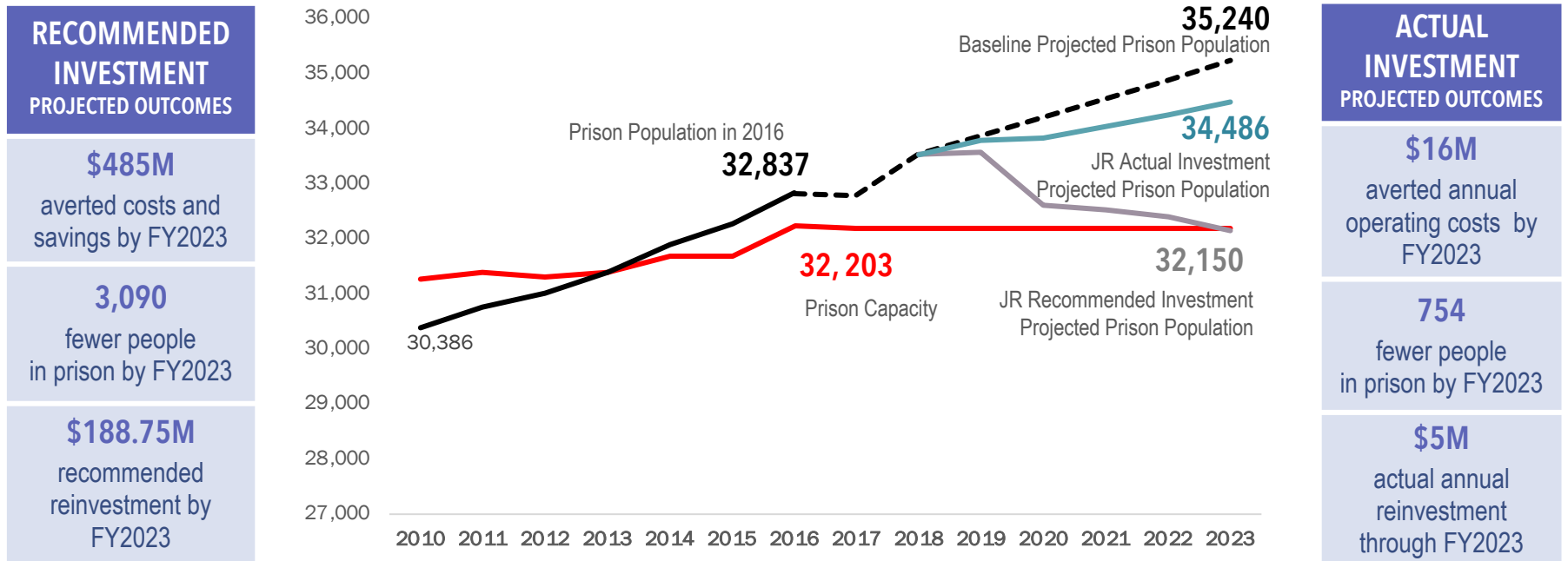
Violent crime in the state has risen in recent years, while arrests for violent crimes have declined.

Missouri's prison population continues to swell, driven mostly by admissions for supervision violations—many of which are technical violations—and admissions for prison-based behavioral health treatment, which research shows is less effective than community-based treatment.¹ If the current rate of growth in Missouri's prison population is not slowed, the state will need to build two new prison facilities by FY2021, which will cost nearly half a billion dollars in combined construction and operating costs.²

In May 2017, Missouri leaders requested and received support from the U.S. Department of Justice's Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts to employ a Justice Reinvestment approach to study the state's criminal justice system with intensive technical assistance from The Council of State Governments (CSG) Justice Center. A bipartisan, interbranch task force partnered with the CSG Justice Center to develop a set of proposed policies.

Many of these policies were reflected in House Bill (HB) 1355, the resultant bill that was signed into law in June 2018. By preventing violent crime and increasing the availability and effectiveness of community-based behavioral health treatment, among other policies, the state expects to reduce recidivism and avert \$485 million in corrections costs by FY2023. (See Figure 1.)

FIGURE 1. Projected Impact of Justice Reinvestment Legislation on Missouri's Prison Population



Justice Reinvestment Findings

Under the direction of the task force, CSG Justice Center staff conducted a comprehensive analysis of data collected from various state agencies. Three key findings emerged:

1

Increases in violent crime. Missouri's violent crime rate rose 13 percent between 2010 and 2016, mostly as a result of sharp increases in 2015 and 2016.³ More than half of Missouri's counties experienced an increase in violent crime between 2010 and 2016.⁴ Further, many law enforcement agencies lack the capacity to collect, analyze, and utilize data to inform strategies to deter and respond to violent crime, and the state's infrastructure for serving victims of crime also needs improvement.

2

Insufficient behavioral health treatment. The majority of people entering prison in Missouri or starting supervision in FY2016 were assessed as needing treatment for substance addictions or mental illnesses.⁵ However, a lack of community-based behavioral health treatment capacity in the state means that people on supervision in the community have few, if any, treatment options, and people who receive institutional treatment are not connected to necessary treatment and services upon release.

3

High recidivism. More than half of people admitted to Missouri state prisons in FY2016 were admitted due to revocations from probation or parole supervision.⁶ Of those people, more than half were admitted due to a technical violation of supervision conditions.⁷ Changes are needed to better assess, treat, and supervise people on probation and on parole while still holding them accountable.

Summary of Legislation

In June 2018, HB 1355—comprehensive criminal justice legislation that includes Justice Reinvestment policies—was signed into law in Missouri.⁸ The legislation includes the following changes:

A state-run grant program will help local law enforcement combat violent crime.

- The Missouri Law Enforcement Assistance Program will offer grants to support local law enforcement agencies in areas including specialized training, data analysis to determine what factors are driving violent crime, and community policing efforts. This program awaits funding from the state.

Counties will be able to use existing jail reimbursement funds from the state to implement new programs designed to improve public safety at the local level.

- Jail reimbursement funds were previously intended to cover only the county's jail costs for people who were eventually sentenced to prison or who received suspended execution of sentences. The new statutory language allows counties to use this money for diversion programs, electronic monitoring, and other practices shown to increase public safety.

Risk and needs assessment results will inform decisions about treatment, programming, supervision strategies, and parole release.

- The Missouri Department of Corrections (MDOC) will adopt a validated risk and needs assessment tool, the results of which will be integrated into various components of supervision, including admission criteria for programs, sanction and incentive guides for people's behavior on supervision, case management practices, and supervision levels.
- Staff will receive regular training on how to use the tool and apply the results, and the MDOC will measure staff performance against best practices.
- The Missouri Board of Probation and Parole will use the results of risk and needs assessments as a tool to help determine whether someone is ready to be released to parole.

Treatment and services in the community for people on probation or parole who have behavioral health conditions will be improved.

- The MDOC and Missouri Department of Mental Health will work together to form the Justice Reinvestment Initiative Treatment Pilot. In this collaborative pay-for-performance model, probation and parole officers will work with community-based treatment providers to provide comprehensive, individualized services to high-risk people on probation or parole who have substance addictions or mental illnesses. The goal of the pilot is to reduce admissions to prison solely for treatment purposes and improve recovery and recidivism outcomes. The state has set aside \$5 million to fund the pilot in Buchanan, Butler, and Boone counties.

Infrastructure to support victims of crime will be strengthened.

- Under the new law, more victims will be helped through the Missouri Crime Victims Compensation program because administrative barriers will be reduced, eligibility will be expanded, and benefits will be enhanced.

Looking Ahead

CSG Justice Center staff are working closely with officials in the state to implement the policies laid out in HB 1355.

While the legislation involves policy changes throughout the entire justice system continuum, CSG Justice Center staff are focusing technical assistance on six priority policy areas that together will impact Justice Reinvestment goals in the state:

- Implementing evidence-based practices at the MDOC
- Repurposing Community Supervision Centers (CSCs), which served as housing for people on probation or parole, into centers that can be used as a response to people who violate conditions of supervision
- Modernizing parole decision-making
- Building a community-based substance addiction treatment system for people in the criminal justice system
- Reducing violent crime
- Improving the services in place to support victims of crime

The state has the opportunity to apply for additional technical assistance from BJA during the implementation of these policies and request funding to support additional capacity-building efforts, such as workforce training, enhancing data collection and performance measurement, and ensuring proper implementation of best practices.

Endnotes

1. Stephanie Lee, Steve Aos, Elizabeth Drake, Annie Pennucci, Marna Miller, and Laurie Anderson, *Return on Investment: Evidence-Based Options to Improve Statewide Outcomes, April 2012 Update* (Olympia, WA: Washington State Institute for Public Policy, 2012), <http://www.wsipp.wa.gov/Reports/12-04-1201>.
2. MDOC August 2017 population projection memo shared with CSG Justice Center, September 12, 2017; CSG Justice Center, “Justice Reinvestment in Missouri, Second Presentation” (PowerPoint presentation, Missouri State Justice Reinvestment Task Force, Jefferson City, MO, September 20, 2017), <https://csgjusticecenter.org/jr/missouri/publications/justice-reinvestment-in-missouri-second-presentation/>.
3. Federal Bureau of Investigation, *Crime in the United States, 2010* (Washington, DC: United States Department of Justice, 2011), <https://ucr.fbi.gov/crime-in-the-u.s/2010/crime-in-the-u.s.-2010>; Federal Bureau of Investigation, *Crime in the United States, 2016* (Washington, DC: United States Department of Justice, 2017), <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>. All years in this report are calendar years unless otherwise noted. Those dates or timespans pertaining to fiscal years are denoted with “FY.”
4. Missouri State Highway Patrol (MSHP) Statistical Analysis Center (SAC), *Crime in Missouri 2010* (Jefferson City, MO: MDPS, 2011), <http://www.mshp.dps.missouri.gov/MSHPWeb/SAC/pdf/2010CrimeInMO.pdf>; MSHP SAC, *Crime in Missouri 2016* (Jefferson City, MO: MDPS, 2017), <http://www.mshp.dps.missouri.gov/MSHPWeb/SAC/CIM/CrimeInMissouri.html>.
5. CSG Justice Center analysis of MDOC prison and supervision data, July 2017 and October 2017.
6. CSG Justice Center analysis of MDOC prison admission data, August 2017.
7. MDOC, *2016 Profile of the Institutional and Supervised Offender Population* (Jefferson City, MO: MDOC, 2017), <https://doc.mo.gov/Documents/publications/Offender%20Profile%20FY16.pdf>.
8. House Bill 1355 was introduced in January 2018 and originally related to the ability of retired law enforcement officers to assist during states of emergency. Through the legislative amendment process, other provisions—including the Justice Reinvestment policies—were added to HB 1355, which passed both chambers of the legislature and was signed into law on June 2, 2018.

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The Council of State Governments (CSG) Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The CSG Justice Center's work in Justice Reinvestment is done in partnership with The Pew Charitable Trusts and the U.S. Department of Justice's Bureau of Justice Assistance. The views expressed herein are those of the author(s) and do not necessarily reflect the views of The Pew Charitable Trusts. For additional information about Justice Reinvestment, please visit csgjusticecenter.org/jr/.



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