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# Justice Reinvestment in New Hampshire

Reducing Spending on  
Corrections and Reinvesting in  
Strategies to Increase Public Safety



## Background

**I**N JUNE 2009, GOVERNOR JOHN LYNCH, Supreme Court Chief Justice John Broderick Jr., then-Attorney General Kelly Ayotte, Senate President Sylvia Larsen, and House Speaker Terie Norelli requested technical assistance from the Council of State Governments Justice Center (“Justice Center”) to help develop a statewide policy framework to increase public safety and reduce recidivism.

The Justice Center is a national nonprofit, nonpartisan organization that works with state policymakers to analyze data and develop fiscally sound strategies to increase public safety. Assistance is made possible through funding support provided by the Public Safety Performance Project of the Pew Center on the States; the Bureau of Justice Assistance, a

component of the U.S. Department of Justice; and the State of New Hampshire; with in-kind support provided by the New Hampshire Charitable Foundation.

To guide the Justice Center’s analyses of the state’s criminal justice system and development of policy options, the state has established the Justice Reinvestment Leadership Team. Members represent both parties and all three branches of government, including the two chambers of the General Court. The leadership team will review data analyses from the Justice Center and develop a legislative package to address the projected growth in New Hampshire’s prison population and increase public safety.

# Snapshot of Corrections, Recidivism, and Cost Trends in New Hampshire

## New Hampshire's growing prison population is driving significant increases in spending on corrections, which is consuming a larger and larger share of the state budget each year.

- Between 2000 and 2008, New Hampshire's prison population climbed from 2,291 to 2,786 people, a 22 percent increase.<sup>1</sup>
- Over this same period, the New Hampshire Department of Corrections budget grew from \$59.2 million to \$104 million, a 76 percent increase.<sup>2</sup>

## People returning to prison for parole violations are a growing percentage of all admissions to prison.

- Between 1998 and 2008, the percent of those admitted to prison who were incarcerated for a parole violation increased from 22 percent to 34 percent.<sup>3</sup>

## Recidivism is driving growth in the prison population.

- Of 1,082 people released from prison in 2004, 44 percent were reincarcerated within three years.<sup>4</sup> Half had been in the community for only eight months or less prior to being reincarcerated.<sup>5</sup>
- Furthermore, of this group that was returned to prison within three years, 50 percent had more than one prior incarceration.<sup>6</sup>

## If existing policies remain unchanged, the prison population will grow, which will require the state to build additional prisons and spend more on corrections.

- According to an independent prison population projection model, the prison population is estimated to climb to 3,219 by 2019, an increase of 16 percent from 2008.<sup>7</sup>
- If the prison population increases as projected, the state will need to appropriate a cumulative \$179 million in additional spending between 2012 and 2021 to increase the capacity of the prison system. These cumulative estimates include \$99 million for new construction and \$80 million for additional operating costs.<sup>8</sup>

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1. New Hampshire Department of Corrections. *Annual Report for the Fiscal Year Ending June 30, 2001*, <http://www.nh.gov/nhdoc/divisions/publicinformation/documents/annual2001.pdf> (accessed September 4, 2009), A-3; New Hampshire Department of Corrections. *Annual Report for the Fiscal Year Ending June 30, 2008*. <http://www.nh.gov/nhdoc/divisions/publicinformation/documents/AnnualReportFY08.FINAL.pdf> (accessed September 4, 2009), 9.

2. Ibid; New Hampshire Department of Corrections. Personal communication to the Council of State Governments Justice Center, September 4, 2009.

3. Delay, Dennis, Ryan Tappin, and Steve Norton. "New Hampshire Center for Public Policy Studies." *Prison Projections 2008*, March 2009. [http://www.nhpolicy.org/reports/prison\\_population\\_2009.pdf](http://www.nhpolicy.org/reports/prison_population_2009.pdf) (accessed August 19, 2009), 13.

4. New Hampshire Department of Corrections. Joan Schwartz, Ph.D. *Recidivism in New Hampshire: A Study of Offenders Returned to Prison within Three Years of Their Release*, September 2009, 16

5. Ibid, 26.

6. Ibid, 20.

7. New Hampshire Center for Public Policy Studies. Personal communication to the Council of State Governments Justice Center, September 3, 2009.

8. Crabtree, Rohrbach & Associates. *The State of New Hampshire Comprehensive Master Plan Department of Corrections*, July 10, 2008. Cost estimates are adjusted for inflation estimated at 3 percent annually.

# The Justice Center's Three Phases of Assistance

The Justice Center and its expert consultants will provide technical assistance to New Hampshire policymakers in three phases.

## PHASE 1

### Analysis and Policy Development

The Justice Center will comprehensively analyze New Hampshire's prison, community corrections, crime, and recidivism data. This analysis will include a system-wide examination of the prison population, drivers of prison growth, and strategies used currently by policymakers.

To incorporate perspectives and recommendations from across the criminal justice system, the Justice Center will engage stakeholders using formats such as focus groups, site visits, and personal interviews. Examples of stakeholders include judges, county attorneys, public defenders, law enforcement, and advocates for victims and survivors, and others.

In collaboration with the Justice Reinvestment Leadership Team, which will review analysis and share recommendations, the Justice Center will develop consensus-based policy options that increase public safety and address the key factors behind New Hampshire's escalating prison population and corrections expenditures.

A health systems team will analyze programs and services for people with behavioral health needs who come into contact with the criminal justice system.

## PHASE 2

### Policy Implementation

To ensure that policies are implemented effectively, the Justice Center will provide technical assistance to state agencies and perform regular assessments of implementation progress. Policymakers will therefore be able to identify necessary adjustments to policies and strategies to ensure intended goals are achieved.

In addition, the Justice Center will develop a *dashboard* tracking mechanism to measure impacts of newly enacted policies on crime, court dispositions, jail populations, and the prison population.

## PHASE 3

### Accountability Strategies

Policymakers, with the assistance of regular presentations from the Justice Center, will put into effect accountability measures for the multiple agencies responsible for policy implementation. Continual monitoring of the dashboard and other accountability measures will help New Hampshire ensure that gains achieved are sustained and savings generated are reinvested to foster safer and stronger communities.

To learn more about the justice reinvestment strategy  
in New Hampshire and other states, please visit:  
[www.justicereinvestment.org](http://www.justicereinvestment.org)

## JUSTICE★CENTER

THE COUNCIL OF STATE GOVERNMENTS

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at 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 Bureau of Justice Assistance, please visit: <http://www.ojp.usdoj.gov/BJA/>.



Research and analysis described in this report also have been funded by the Public Safety Performance Project of The Pew Charitable Trusts' Center on the States. Launched in 2006 as a project of the Pew Center on the States, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs.

To learn more about the Public Safety Performance Project, please visit: <http://www.pewpublicsafety.org/>.

Points of view, recommendations, or findings stated in this document are those of the authors and do not necessarily reflect the official position or policies of the Bureau of Justice Assistance, U.S. Department of Justice, The Pew Charitable Trusts, Council of State Governments Justice Center, or the Council of State Governments' members.

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