Increasing Public Safety and Generating Savings: Options for Nevada Policymakers

Michael Thompson
Dr. James Austin
Dr. Fred Osher
Justice Center
Council of State Governments

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Carson City, Nevada
Overview

- States across the country are pursuing justice reinvestment strategies.

- Opportunities exist to manage the growth of the state’s prison population and increase public safety.

- Improving the availability, accessibility, and effectiveness of community-based substance abuse and mental health treatment is essential to whatever strategy the state pursues.
National Projects

Report Preview
Report of the Re-Entry Policy Council
Charting the Safe and Successful Return of Prisoners to the Community

WWW.REENTRYPOLICY.ORG
A public/private partnership funded in part by the US Department of Justice, US Department of Labor, and US Department of Health and Human Services.
Justice Reinvestment: An Overview

“A data-driven strategy for policymakers to reduce spending on corrections, increase public safety, and improve conditions in neighborhoods to which most people released from prison often return.”
How Justice Reinvestment Works

Step 1: Analyze the prison population and spending in the communities to which people in prison often return.

Step 2: Provide policymakers with options to generate savings and increase public safety.

Step 3: Quantify savings and reinvest in select high-stakes communities.

Step 4: Measure the impact and enhance accountability.
Incarceration Rates in 4 Large States

<table>
<thead>
<tr>
<th>State</th>
<th>Population</th>
<th>Probation, Jail, Prison and Parole Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>TX</td>
<td>22.8 million, 16.4 adults</td>
<td>767,765, 4.6% of adults</td>
</tr>
<tr>
<td>CA</td>
<td>36.1 million, 26.4 adults</td>
<td>752,817, 2.8% of adults</td>
</tr>
<tr>
<td>FL</td>
<td>17.1 million, 13.6 adults</td>
<td>436,006, 3.2% of adults</td>
</tr>
<tr>
<td>NY</td>
<td>19.2 million, 14.6 adults</td>
<td>264,836, 1.8% of adults</td>
</tr>
</tbody>
</table>

### Changes in Crime Rates

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th>Incarceration Rate*</th>
<th>Crime Rate*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>+61%</td>
<td>+206%</td>
<td>-19%</td>
</tr>
<tr>
<td>TX</td>
<td>1980: 24,037,626</td>
<td>1980: 162</td>
<td>1980: 6,468</td>
</tr>
<tr>
<td></td>
<td>+50%</td>
<td>+188%</td>
<td>-40%</td>
</tr>
<tr>
<td></td>
<td>+82%</td>
<td>+106%</td>
<td>-31%</td>
</tr>
<tr>
<td></td>
<td>+10%</td>
<td>+74%</td>
<td>-54%</td>
</tr>
<tr>
<td>NY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Incarceration and Reported Index Crime Rate by FBI per 100,000 population

Connecticut: Prison Population Projection

Actual and Projected Inmate Population

<table>
<thead>
<tr>
<th>Year</th>
<th>Actual</th>
<th>Base Forecast</th>
<th>Alternative Forecast</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>17,305</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>17,137</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>17,999</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>19,216</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>19,226</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>19,782</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>20,338</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>18,855</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008</td>
<td>18,671</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>18,320</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>18,646</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Graph showing the actual and projected inmate population from 2000 to 2006.
Prison Expenditure: New Haven Neighborhoods

- **Neighborhoods**
- **Prison Expenditure**
  - $1,500,000.01 - $2,355,000.00
  - $1,000,000.01 - $1,500,000.00
  - $500,000.01 - $1,000,000.00
  - $250,000.01 - $500,000.00
  - $750.00 - $250,000.00

Total Admissions = $19.8 million
Probation Violations = $6.2 million

Hill
Probationers, Unemployment Insurance Claimants, TFA Recipients: New Haven Neighborhoods

Probationers

UI Claimants

TFA Recipients
### Connecticut Case Study

#### Population Reduction Options Presented

<table>
<thead>
<tr>
<th>Policy Options</th>
<th>Bed Savings</th>
<th>Cost Savings (in millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. 85 percent release restriction</td>
<td>843</td>
<td>$15.4M</td>
</tr>
<tr>
<td>b. Parolees released, on average, no later than five months after their parole eligibility date</td>
<td>459</td>
<td>$8.4M</td>
</tr>
<tr>
<td>c. Reduce probation technical violation admissions, on average, by 25 percent</td>
<td>488</td>
<td>$8.9M</td>
</tr>
<tr>
<td>d. Reduce, on average, the LOS of probation technical violators by three months</td>
<td>341</td>
<td>$6.2M</td>
</tr>
<tr>
<td>e. Release short term sentenced prisoners after having served 50 percent of the sentence</td>
<td>279</td>
<td>$5.1M</td>
</tr>
<tr>
<td>f. Reduce transitional supervision/ community and parole technical violations</td>
<td>268</td>
<td>$4.9M</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>2,678</strong></td>
<td><strong>$48.9M</strong></td>
</tr>
</tbody>
</table>
Lawmakers approve plan to reduce prison population
May 6, 2004 – Associated Press

HARTFORD, Conn. -- The state Senate passed a plan to reduce Connecticut's prison population Wednesday night, finishing a major legislative priority just an hour before the session's close.

Senators praised the bill as an effort to reduce recidivism and a way to avoid building more prisons. The measure passed 36-0 and now heads to Gov. John G. Rowland's desk.

"The nature of this is to address what we all understand to be an overwhelming problem," said Sen. Andrew McDonald, D-Stamford, co-chairman of the Judiciary Committee. "I think it also represents a recognition of the fact that we will never be able to build our way out of a criminal justice issue."

The state's prison population - around 19,000 - is about 2,000 more than state facilities were built to handle, McDonald said. Advocates of the legislation said it could reduce the prison population by up to 2,000 inmates.
Kansas Case Study

Kansas Prison Population Projection

Impact of “off-grid” sentences and increase in probation condition violators

20% increase

26% increase

1834 bed shortfall

9397 bed shortfall
FY2008-2016 (9 years): Projected Population Impact: Kansas

- **Current Capacity:** 9,397
- **Status Quo:** 11,231
- **Option 1:** 11,008
- **Option 2:** 10,766
- **Option 3:** 10,288
- **Combined:** 9,600
Kansas: Options for Policymakers
FY2008-2016 (9 years) Projected Prison Population

<table>
<thead>
<tr>
<th>POLICY OPTION</th>
<th>SAVINGS</th>
<th>OPERATING COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maintain recent reductions in the number of parole revocations at 90 per month</td>
<td>223</td>
<td>$52 million</td>
</tr>
<tr>
<td>2. Reduce the number of probation/community corrections violators by 20 percent</td>
<td>465</td>
<td>$97 million</td>
</tr>
<tr>
<td>3. Create a 10 percent “Risk Reduction Program Credit” for guideline offenders who successfully complete treatment, educational, and vocational programs before release</td>
<td>943</td>
<td>$171 million</td>
</tr>
<tr>
<td>Combined Impact</td>
<td>1,631</td>
<td>$320 million + $177 million AVERTE CONSTRUCTION COSTS</td>
</tr>
</tbody>
</table>
Prison Population Projections for Texas


Source: Legislative Budget Board, June 06 and January 07, Adult and Juvenile Correctional Population Projections
Texas: Backlog of Releases and Placements from Probation

Waiting Lists in Key Programs

Substance Abuse Felony Punishment (SAFPs)
- 823 awaiting program placement in county jails

In-Prison Therapeutic Community
- 174 awaiting in prison for program as condition of parole

Parole Halfway Houses
- 600 offenders awaiting in prison to be released to a halfway house

Offenders recommended for parole on condition that they complete a program cannot be released and being on a waiting list adds to their time in prison
Thinking About High Stake Communities Can Even Encourage a Better Utilization of Present Resources Like Probation Supervision

Austin, Travis County

<table>
<thead>
<tr>
<th></th>
<th>Maximum</th>
<th>Medium</th>
<th>Minimum</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Average</td>
<td>28</td>
<td>70</td>
<td>22</td>
<td>120</td>
</tr>
<tr>
<td>ZIP 78745 Counts</td>
<td>200</td>
<td>361</td>
<td>127</td>
<td>688</td>
</tr>
</tbody>
</table>

688 probationers in zip 78745 are presently assigned to 72 different officers
Probation Caseloads Could Be Organized More Effectively Around “High Stakes” Neighborhoods

688 probationers in zip 78745 could be assigned to 6 officers working in the neighborhood instead of 72 different officers from a “central” office.
# Nevada Population & Crime Trends

<table>
<thead>
<tr>
<th></th>
<th>United States</th>
<th>Nevada</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>POPULATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Population (7/1/06)</td>
<td>299,398,484</td>
<td>2,495,529</td>
</tr>
<tr>
<td>1-year change (7/1/05-7/1/06)</td>
<td>1%</td>
<td>3.5%</td>
</tr>
<tr>
<td>10-year change 7/1/96 – 7/1/06</td>
<td>12.9%</td>
<td>56.3%</td>
</tr>
<tr>
<td><strong>CRIME RATE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UCR Part I Reported Crime Rates (2005)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3,898</td>
<td>4,848</td>
</tr>
<tr>
<td>Violent</td>
<td>469</td>
<td>606</td>
</tr>
<tr>
<td>Property</td>
<td>3,429</td>
<td>4,241</td>
</tr>
<tr>
<td>Change in Total Reported Crime Rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-year change (2004-2005)</td>
<td>-2.0%</td>
<td>0.5%</td>
</tr>
<tr>
<td>10-year change (1995-2005)</td>
<td>-26.1%</td>
<td>-26.3%</td>
</tr>
<tr>
<td><strong>PRISON POPULATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Inmates (State Prisons Only) 2005</td>
<td>1,259,905</td>
<td>12,083</td>
</tr>
<tr>
<td>1-year change (2004-2005)*</td>
<td>1.3%</td>
<td>5.6%</td>
</tr>
<tr>
<td>10-year change (1995-2005)</td>
<td>27.4%</td>
<td>51.4%</td>
</tr>
<tr>
<td>Incarceration Rate per 100,000 inhabitants [4]</td>
<td>424</td>
<td>500</td>
</tr>
</tbody>
</table>

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[4] Rates were generated by using U.S. Census population estimates for July 1, 2005.
*Historical Male Admissions to Prison 1996-2006*

**FIGURE 5: Historical Male Admissions to Prison 1996 - 2006**

- **Total New Commitments**
  - Avg Annual % Change 1996 - 2006: 3.9%
  - % Change 2005 - 2006: 11.2%

- **Total Parole Violators**
  - Avg Annual % Change 1996 - 2006: 2.7%
  - % Change 2005 - 2006: -9.5%

*Male new court commitment numbers for 2003 do not include 367 offenders admitted under contract from Wyoming and Washington State.*
Between 1996 and 2006*, the prison population increased 58%, from 8,325 total inmates in 1996 to 13,186 by 2006.

*Male 2003 and 2004 figures do not include prisoners held on contract from Wyoming and Washington State.

- Total Population
  - Average annual growth from 2007 to 2017 = 3.3%

- Population Ages 20-39
  - Average annual growth from 2007 to 2017 = 3.2%
Projected Male Admissions and Stock Population

FIGURE 12: Projected Male Admissions and Stock Population
March 2007 Forecast
The female population is projected to grow faster than the male population during the next ten years: 72% compared to 60%
Major Findings from Justice Center Report

- Prison population is projected to grow 61% by 2017, to 22,141 prisoners
- As the state’s resident population increased, so has the prison population
  - Between 1996 and 2006, the state resident population increased 56%
- High failure rate of people on probation supervision are contributing significantly to an increase in admissions
  - 46% of probationers are sent to prison for technical violations or for committing new crimes
  - People on probation have few incentives to comply with the conditions of their supervision other than the threat of possible revocation
  - Probation officers do not have access to the latest training on effective probation interventions
Opportunities for Neighborhood-based Strategies

- The majority of people admitted to prison come from 2 cities: Las Vegas and Reno
  - 78% of people admitted to prison in 2006
  - 81% of people on probation or parole
These Central Vegas neighborhoods bear a disproportionate brunt of the challenges of accommodating the removal and return of so many residents.

For example, people living in the four zip codes in the area—89032, 89030, 89106, 89101—make up only 11% of the county’s total population, but are home to over 25% of the county’s prison admissions.

<table>
<thead>
<tr>
<th>City</th>
<th>Prison Admissions</th>
<th>Admissions per 1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Las Vegas</td>
<td>1203</td>
<td>3.98</td>
</tr>
<tr>
<td>Paradise</td>
<td>419</td>
<td>3.25</td>
</tr>
<tr>
<td>Henderson</td>
<td>188</td>
<td>1.77</td>
</tr>
<tr>
<td>Sunrise Manor</td>
<td>423</td>
<td>4.25</td>
</tr>
<tr>
<td>North Las Vegas</td>
<td>426</td>
<td>6.08</td>
</tr>
</tbody>
</table>

*Cities with at least 5% of the County population.
Prison Expenditures (2006)*

Metro Clark County Cities and Towns by Zip Codes

Nevada spends $38 million a year in Las Vegas and $13 million a year in North Las Vegas to incarcerate residents.

For some areas within Las Vegas and North Las Vegas, the State spends over $5 million a year per zip code.

<table>
<thead>
<tr>
<th>Zip Code</th>
<th>Expenditure in Millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>89101</td>
<td>$7.3</td>
</tr>
<tr>
<td>89106</td>
<td>$7.0</td>
</tr>
<tr>
<td>89030</td>
<td>$5.9</td>
</tr>
<tr>
<td>89108</td>
<td>$5.6</td>
</tr>
<tr>
<td>89115</td>
<td>$5.1</td>
</tr>
</tbody>
</table>

*Based on average annual length of stay
In a pattern similar to imprisonment, these same Central Vegas neighborhoods bear a disproportionate burden of the challenges of accommodating the so many residents under community supervision.

The same four zip codes in this area—89032, 89030, 89106, 89101—make up only 11% of the county's total population, but are home to over **23%** of the county's parolees and probationers.
Option 1: Increase the percentage of people *in prison* who successfully complete vocational, educational, and substance abuse treatment programs prior to release.
Policy elements

- Create an incentive for people in prison to successfully complete vocational, educational, and substance abuse treatment programs by increasing the credit of time that can be earned.
- Standardize the credit of time that people in prison can earn for successfully completing a substance abuse, vocational, and educational program at 90 days.
  - Allow these credits to apply to both an offender’s minimum and maximum sentence.
  - Expand the capacity of programs available to people in prison with a portion of the savings generated by this policy.
Option 2: Reserve prison space for serious and violent offenders by placing low-level offenders with Category E sentences on probation
Policy elements

- Mandate that Category E offenders serve probation in lieu of incarceration
- Expand the availability of substance abuse treatment and other community-based services and sanctions for people sentenced to probation for Category E offenses
- Increase funding for Probation and Parole Division to create a new probation officer positions to supervise people convicted of Category E offenses
Option 3: Reduce the number of people on probation who fail to meet the conditions of supervision and return to prison by 30%
Policy elements

- Establish the goal of probation as the reduction of an offender’s risk to public safety, rather than the just enforcement of the conditions of supervision
- Provide training to probation officers on evidence-based principles of effective probation supervision, as well as cross-training with community-based behavioral health care providers
- Create an incentive for people on probation to comply with the conditions of supervision, by providing a 10 day reduction in probation terms for every 30 days a person does not violate their conditions
- Create an Intensive Technical Violator Unit in the Probation and Parole Division to manage the caseload of people at risk for revocation to provide intensive case management for those who would otherwise be revoked on supervision
- Provide funds to pay for substance abuse assessments and treatment for offenders without the ability to pay for these services
Projected Impact of Policy Options

- FY 2008-09 Bed Savings – 399 ($9.6m*)
- FY2017 Bed Savings – 1,288 ($155m*)

*Averted operational costs only
Nevada’s Opportunity to Improve Public Safety Through Effective Treatment

Fred C. Osher, MD
Director of Health Systems and Services Policy

April 17, 2007
Overview

• Principles of Effective Treatment for Criminal Justice Populations
• Analysis of Treatment Needs of Nevada’s Probation and Parole Populations
• Behavioral Health Components to Policy Options
• Challenges and Opportunity for Nevada
Principles of Effective Treatment

Drug Addiction and Mental Illnesses are brain diseases that affect behavior.
Principles of Effective Treatment

Drug Addiction and Mental Illnesses are brain diseases that affect behavior.

(NIDA, 2006)
Principles of Effective Treatment

Screening for Need

Objective and Comprehensive Assessment

- Residential
- Day Treatment
- Intensive Outpatient
- Outpatient

(NIDA, 2006)
Principles of Effective Treatment

• Treatment on Demand

• Coerced Treatment Can Be Effective

• One Size Doesn’t Fit All

• Integrate Mental Health & Substance Abuse Treatment

(NIDA, 2006)
Addiction Treatment Needs in Nevada

- Per capita alcohol consumption in Nevada is second highest in the U.S.
- Rates of admissions to treatment for methamphetamine/amphetamine use in Nevada are 3x the national average.

- Approximately 80% of substance abusing adults do not receive any treatment.
Mental Health Treatment Needs in Nevada

- In a 2003 report of the Kaiser Family Foundation, Nevada ranked 1st (worst) in the nation with 42% of the population reporting poor mental health in the prior 30 days.

- Nevada ranks 41st in the nation in mental health actual dollars and per capita expenditures.

- State officials estimate that about 40% of all clients leave the state psychiatric emergency clinic without being served because of intolerably long waits.
Analysis of Treatment Needs of Nevada’s Probation and Parole Populations

1. The majority of people incarcerated or under community supervision have substance abuse problems, many with co-occurring mental disorders

   • During calendar year 2003, 8,513 adults were arrested for drug related crimes and 14,393 were arrested for alcohol related crimes

   • 43% of people under probation or parole reported significant drug addiction and 20% had significant alcohol use problems in a random sample conducted in March 2007

   • As of March 26, 2007, the percentage of male and female NDOC inmates (in-state) with a mental health diagnosis was 29 percent
2. The number of people under the supervision of the criminal justice system who are required to participate in treatment for drug or alcohol addiction vastly exceeds community-based service providers’ capacity

- Between 2004 and 2006, the number of residential substance abuse treatment beds has declined 10%

- 70% of people on probation or parole referred to community-based SA and MH programs wait an average of 1 month before starting an outpatient treatment program
Even within the highest reentry areas, people returning from prison live in small, sometimes isolated neighborhood pockets or large apartment houses, residential treatment, and transitional housing facilities.

In some cases, SAPTA certified programs are well positioned to conduct outreach activities in these communities; in others, they may be too far flung from more isolated communities to effectively reach some populations.

<table>
<thead>
<tr>
<th>Zip Code</th>
<th>% of Pop.</th>
<th>% of Prison Adm.</th>
<th>Adults Sent to Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>89101</td>
<td>3.94%</td>
<td>7.62%</td>
<td>231</td>
</tr>
<tr>
<td>89106</td>
<td>1.78%</td>
<td>7.23%</td>
<td>219</td>
</tr>
<tr>
<td>89030</td>
<td>3.60%</td>
<td>6.17%</td>
<td>187</td>
</tr>
<tr>
<td>89032</td>
<td>1.90%</td>
<td>4.98%</td>
<td>151</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>11.22%</strong></td>
<td><strong>25.98%</strong></td>
<td><strong>788</strong></td>
</tr>
</tbody>
</table>

* Substance Abuse Prevention and Treatment Agency
Behavioral Health Components to Nevada Policy Options 1 and 2

• Create an incentive for people in prison to successfully complete, vocational, educational, and substance abuse treatment programs by increasing the credit of time that can be earned.

• Expand the availability of substance abuse treatment and other community-based services and sanctions for people sentenced to probation for Category E offenses.

• Increase funding for Probation and Parole Division to create new probation officer positions to supervise people convicted of Category E offenses.
Behavioral Health Components to Nevada Policy Option 3

- Provide training to probation officers on evidence-based principles of effective probation supervision, as well as cross-training with community-based behavioral health care providers.

- Develop a set of intermediate sanctions centers (e.g. day reporting centers) to respond to offenders at risk of being revoked.

- Provide funds to pay for substance abuse assessments and treatment for offenders without the ability to pay for these services in lieu of paying for prison costs.

- Support the establishment of community task forces to develop strategies to reduce revocations through coordinated community planning.
Opportunities in Nevada

• Demonstrate a tough and smart approach to allocating scarce taxpayer dollars

• Reinvest savings from avoided costs to expand community treatment capacity, with a priority focus on high risk neighborhoods

• Promote shared goals and objectives between behavioral providers and criminal justice systems
Challenges

• Standardize screening, assessment, and treatment planning both within corrections and within community

• Incorporate evidence based practices, including integrated treatment for offenders with co-occurring disorders, to address the unique need of justice involved persons with behavioral disorders

• Develop collaborative mechanisms between MHSD, DOC, and DPS with appropriate oversight and coordination

• Develop Performance Measures and Evaluate Outcomes
Overview

1. Implement some or all of policy options
   *Which of the options will policymakers implement and what will policymakers do to ensure some of the projected savings are reinvested in the implementation of these options?

2. Conduct analyses of prison and probation populations
   *What will be the scope of the analyses, where will the data come from, and who will conduct these analyses?

3. Develop a comprehensive policy framework, including changes to state laws and organization/operation of state agencies
   *How will short term policy decisions support long term objectives? What changes are politically viable?

4. Develop inter-governmental strategies (community/local/state) that target high stakes communities
   *What governance structure will be established to develop an integrated plan?
Thank You

Justice Center
Council of State Governments
100 Wall Street, 20th Floor
New York, NY 10005
www.justicecenter.csg.org

PROJECT CONTACT:
LaToya McBean
(646) 383-5721
lmcbean@csg.org