



Idaho Justice Reinvestment Working Group

Second Meeting

August 29, 2013

Council of State Governments Justice Center

Marc Pelka, Program Director
Anne Bettesworth, Policy Analyst
Ed Weckerly, Data Analyst
Chenise Bonilla, Program Associate

Council of State Governments Justice Center

- National non-profit, non-partisan membership association of state government officials
- Engages members of all three branches of state government
- Justice Center provides practical, nonpartisan advice informed by the best available evidence



Funding and Partners

Justice Reinvestment

*a data-driven approach to reduce corrections spending
and reinvest savings in strategies that can
decrease recidivism and increase public safety.*



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Idaho launches Justice Reinvestment with Governor's press conference



(L-R: Chief Justice Burdick, Governor Otter,
Senator Lodge, Senate President Pro Tempore Hill)

"Our corrections system is consuming an increasing share of our budget. We have a simple choice to make: continue down this path, or use data to find a smarter way to protect the public and be better stewards of tax dollars.

... The Justice Reinvestment Initiative will enable us to take a comprehensive look at our criminal justice system and learn from innovations around the country that are reducing crime and costs."

Idaho Governor C.L. "Butch" Otter

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Justice Reinvestment Process – Phase I

Bipartisan , bicameral, inter-branch working group

Phase I

Analyze Data and Develop Policy Options

- Analyze data: look at crime, courts, corrections, & supervision trends
- Solicit input from stakeholders
- Assess behavioral health system & treatment capacity
- Develop policy options & estimate cost savings

Phase 2

Implement New Policies

- Identify assistance needed to implement policies effectively
- Deploy targeted reinvestment strategies to increase public safety
- Track the impact of enacted policies/programs
- Monitor recidivism rates and other key measures

Data request, collection, and analysis update

Great willingness and dedication among agency staff to respond to data requests

Data	Source	Status
Crime and Arrest Data	Idaho State Police	Located
Criminal History Data	Idaho State Police	TBD
Court Dispositions	Supreme Court	Received
Problem Solving Court Data	Supreme Court	Received
Jail Data	Statewide Data Not Available	Ada County Data Received
Probation Data	Department of Correction	Received
Prison Data	Department of Correction	Received
Parole Data	Department of Correction	Received
Parole Decision Data	Commission of Pardons & Parole	Received
Behavioral Health Data	Department of Correction / Department of Health & Welfare	Received

Although the research outline remains intact, challenges presented themselves

Previously unexamined data yielding questionable results

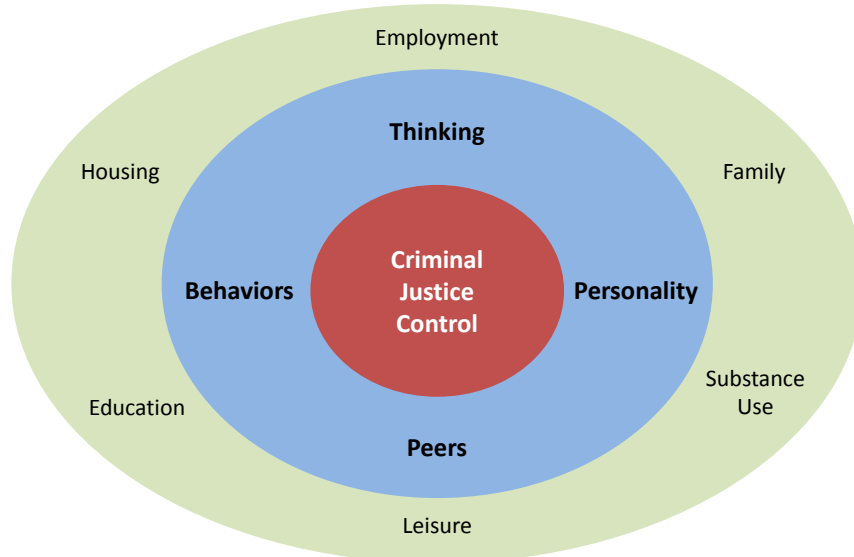
Data housed in multiple systems, making extraction difficult

Shortage of research staff or IT support

Delays in data delivery due to missing values and data cleaning

Some information not collected electronically being hand-entered

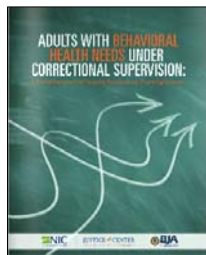
Targeted approach for holding offenders accountable and reducing risk



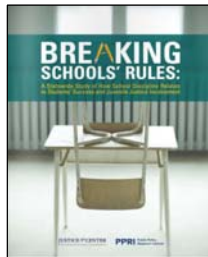
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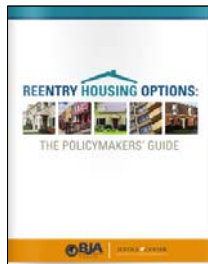
Resources providing policymakers and practitioners with strategies to improve public safety outcomes



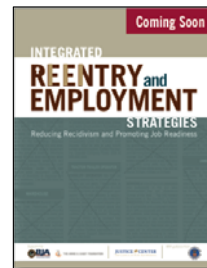
Behavioral Health



Education



Housing



Employment

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Overview



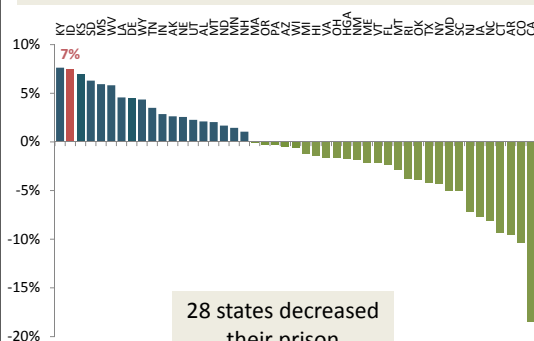
Drivers of Idaho's High Incarceration Rate

What Works to Reduce Recidivism?

Examining the Rider Program and Other Diversion Strategies

New report shows Idaho continuing to rise in prison incarceration rankings

Prison Population Percentage Change, 2010-2012



Rank	Adult Prison Incarceration Rate	
	2011	2012
1	Louisiana 1,144	Louisiana 1,179
2	Mississippi 921	Mississippi 954
3	Texas 866	Oklahoma 858
4	Alabama 848	Alabama 847
5	Oklahoma 838	Texas 820
6	Arizona 784	Arizona 773
7	Georgia 731	Georgia 723
8	Arkansas 718	Idaho 680
9	Florida 678	Missouri 674
10	Missouri 669	Florida 661
11	Idaho 666	Arkansas 651

Source: BJS, Prisoners in 2011 and Prisoners in 2012- Advance Counts.

Idaho's prison incarceration rate appears out of line with its crime rate



Idaho outperforms many states on both measures

Among states with similar crime rates, Idaho has the highest incarceration rate

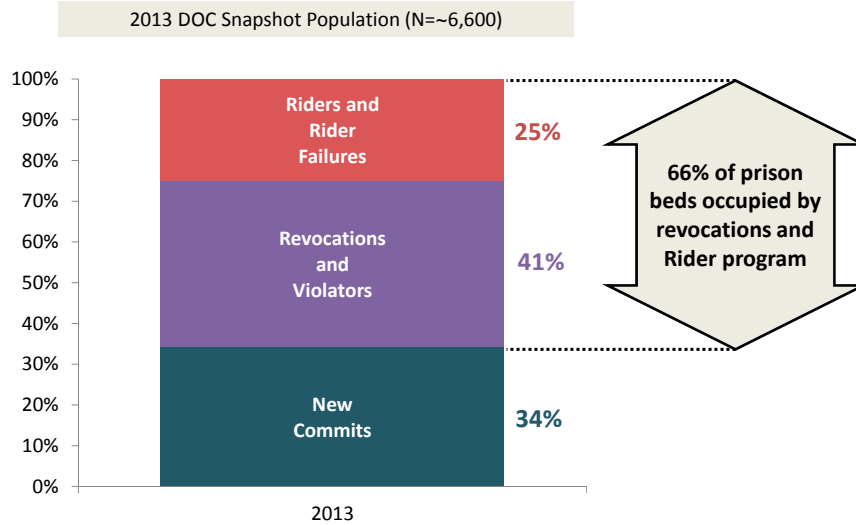
If Riders were not included, Idaho's incarceration rate would be near South Dakota's

Source: BJS, Prisoners in 2011 and FBI, Crime in the U.S. 2011.

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Two-thirds of prison beds occupied by revocations and Riders

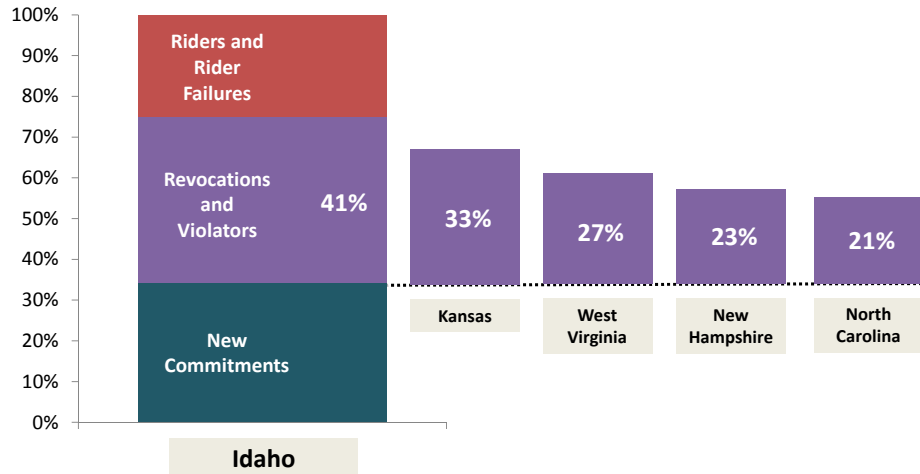


Source: IDOC standard monthly reports and snapshot data.

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Revocations take up a much greater portion of prison beds in Idaho than in other states

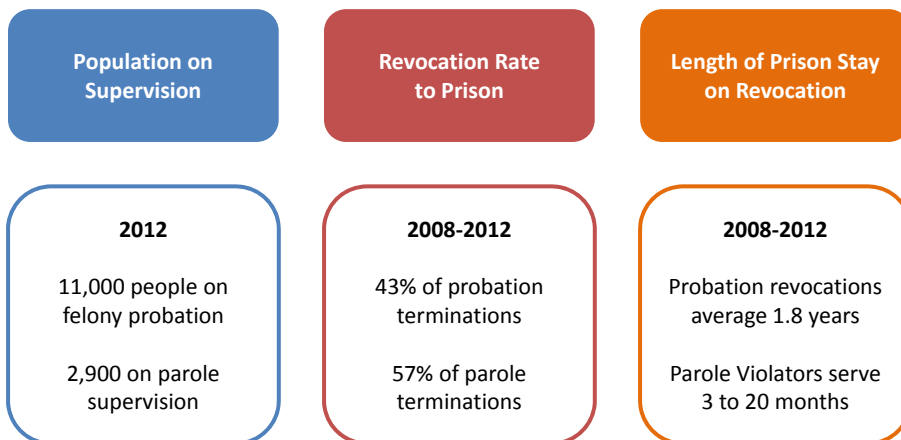


Source: IDOC standard monthly reports and snapshot data. CSG Justice Center data from past Justice Reinvestment states.

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Three factors contributing to significant prison bed usage by violation and revocations

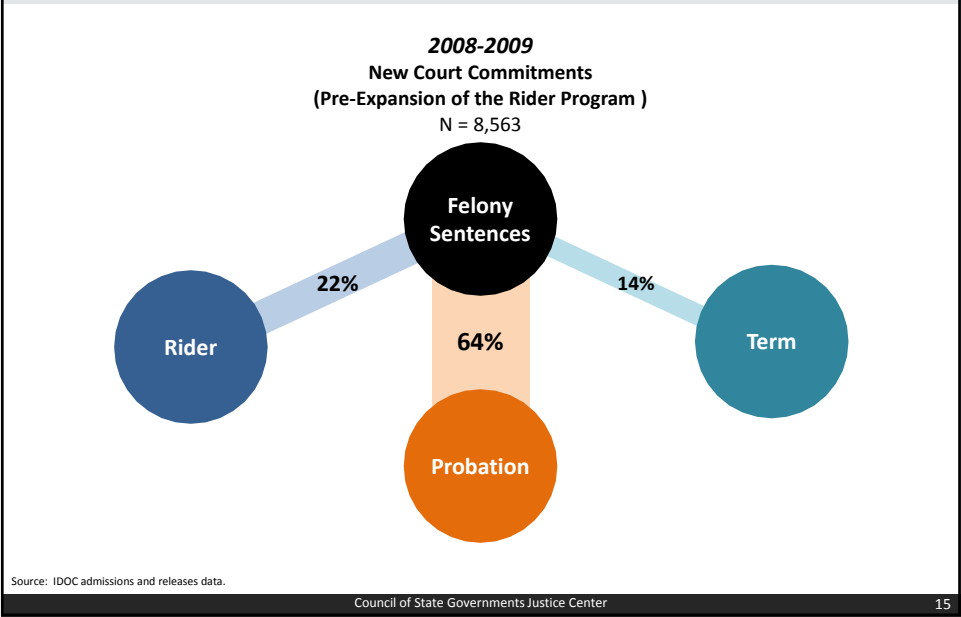


Source: IDOC standard monthly reports, and IDOC snapshot, admissions and releases data.

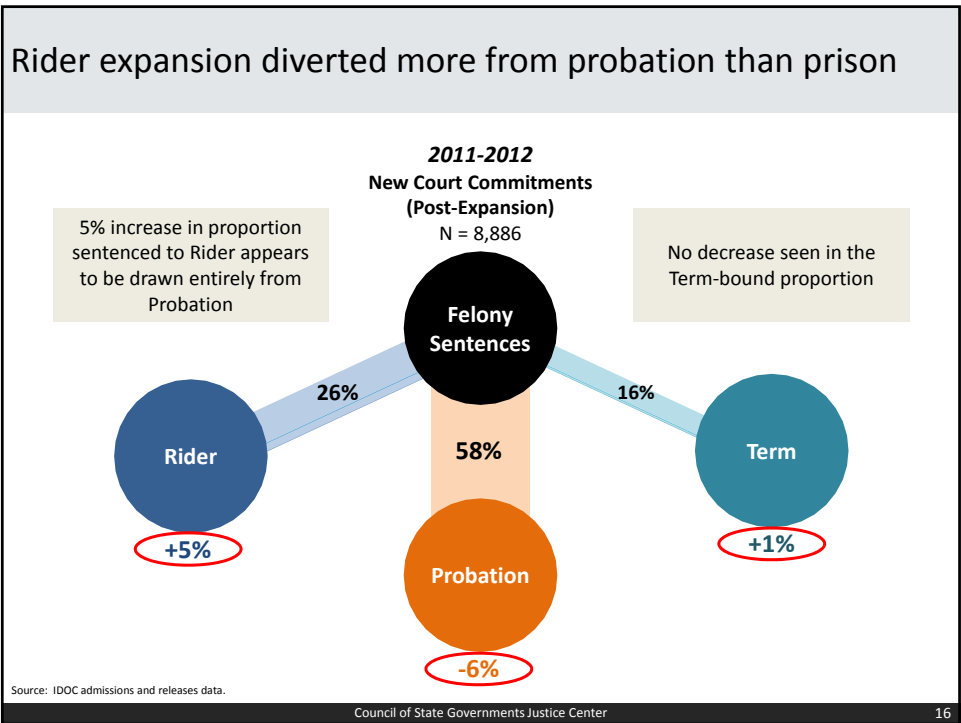
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Before Rider expansion, probation the disposition for nearly two-thirds of new court commitments



Rider expansion diverted more from probation than prison



Overview

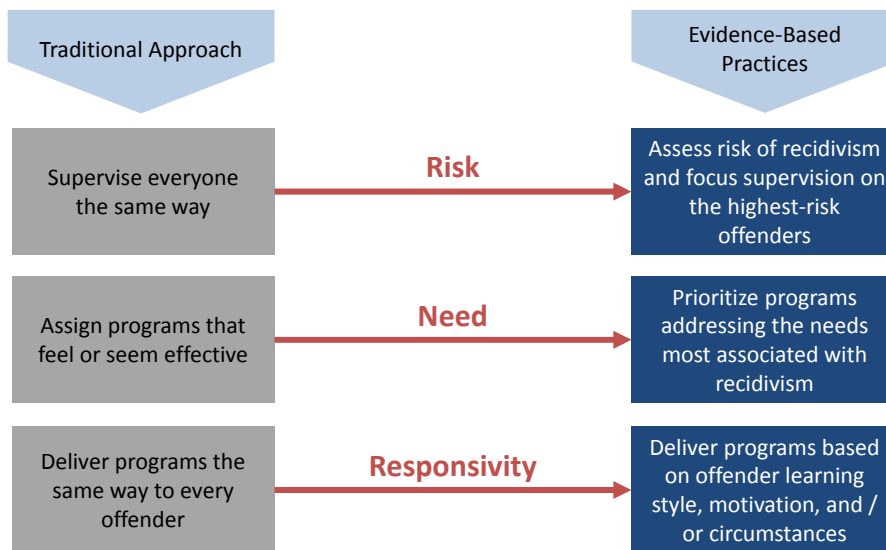
Drivers of Idaho's High Incarceration Rate



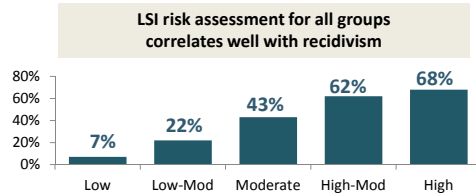
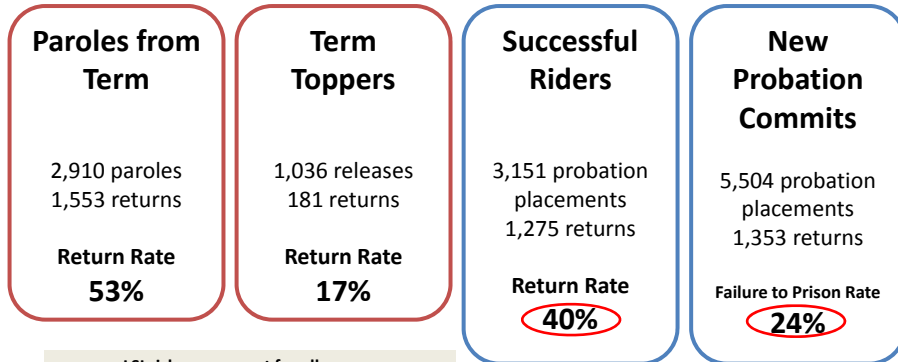
What Works to Reduce Recidivism?

Examining the Rider Program and Other Diversion Strategies

Knowledge on effective supervision has increased dramatically over the last 20 years



Reducing recidivism a key to lowering incarceration rates—and increasing public safety



Recidivism defined as incarceration within three years

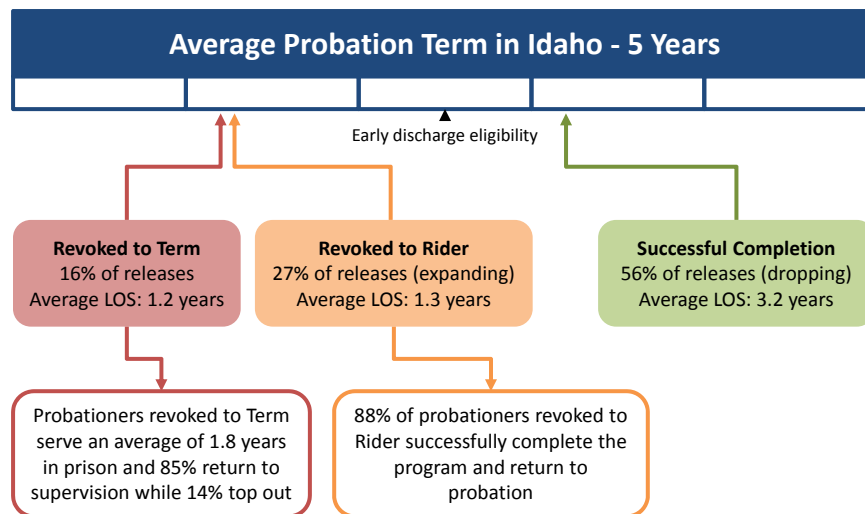
2008 and 2009 cohorts combined
Returns include new Term or Rider sentences, and parole violator stays

Source: IDOC admissions and releases data.

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The average probation term in Idaho is five years and revocations tend to occur early in supervision

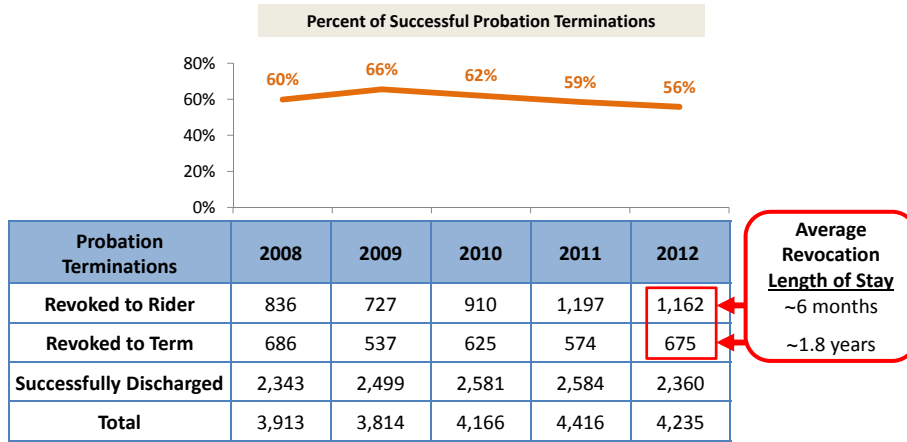


Source: IDOC admissions and releases data.

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After Trio expansion more probationers revoked to Rider



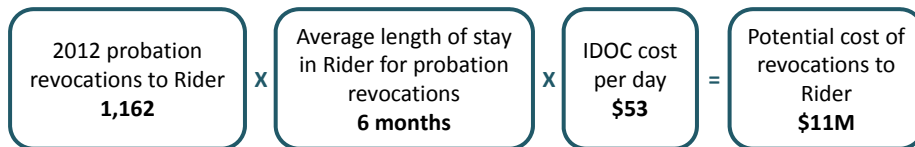
Source: IDOC releases data.

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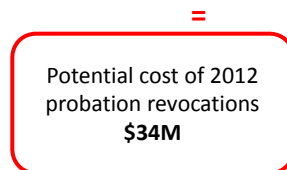
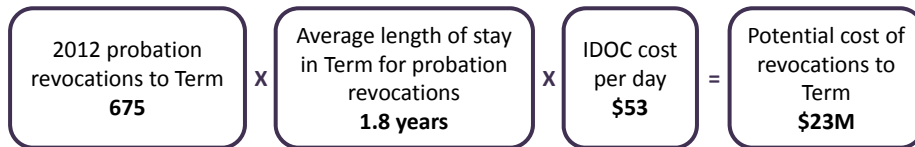
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Improving probation outcomes could save Idaho millions

Revocations to Rider



Revocations to Term

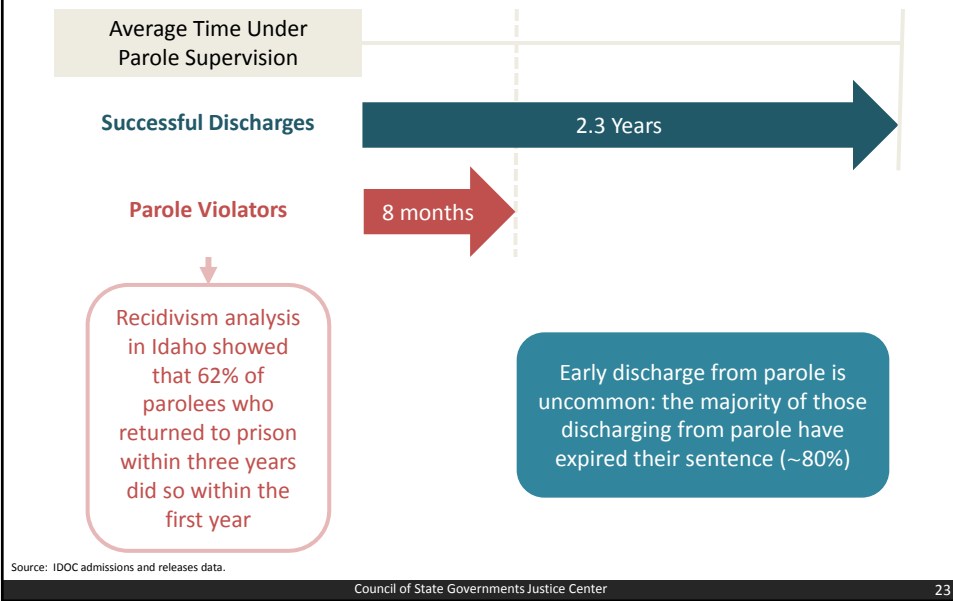


Source: IDOC releases data.

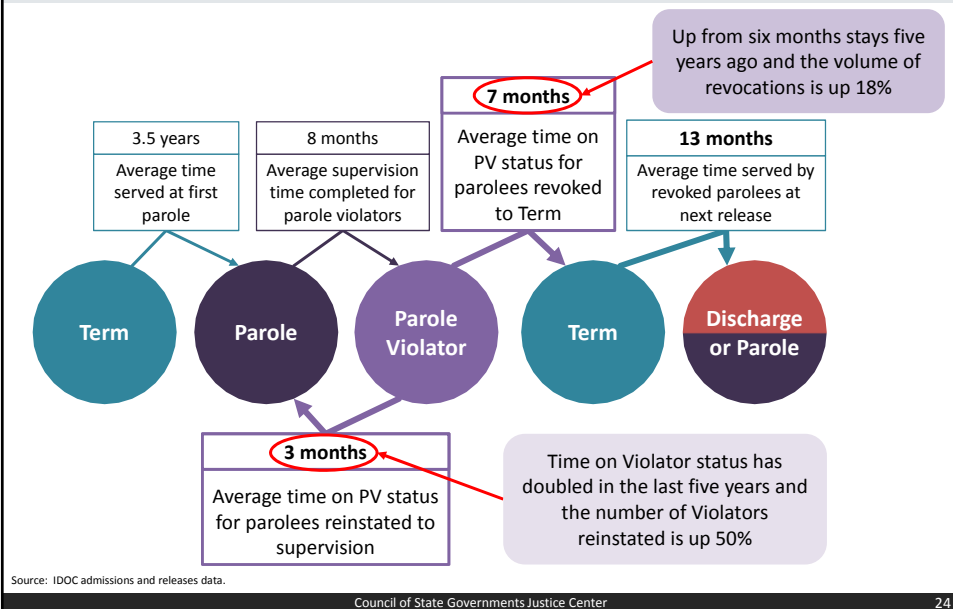
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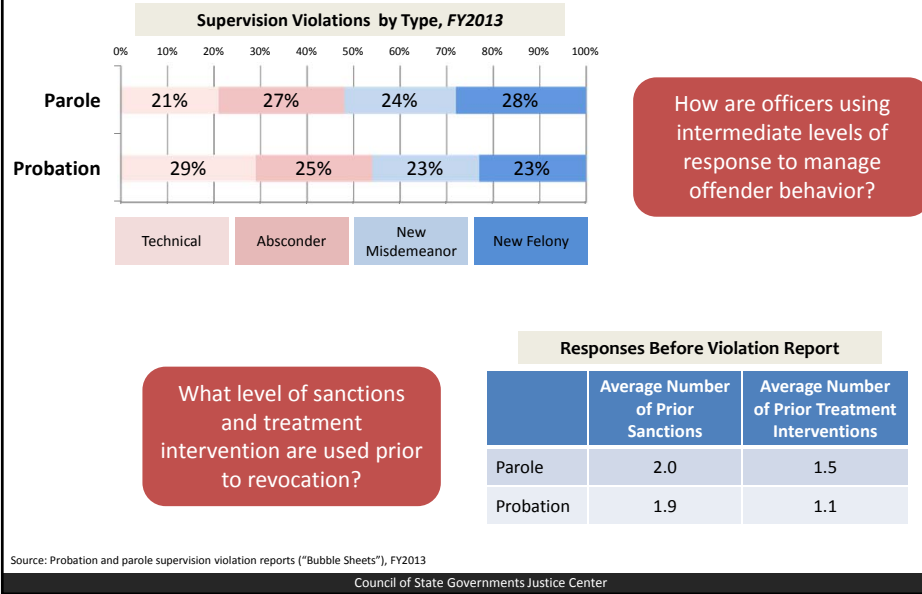
If parole revocations happen, they are most likely to occur in the first year



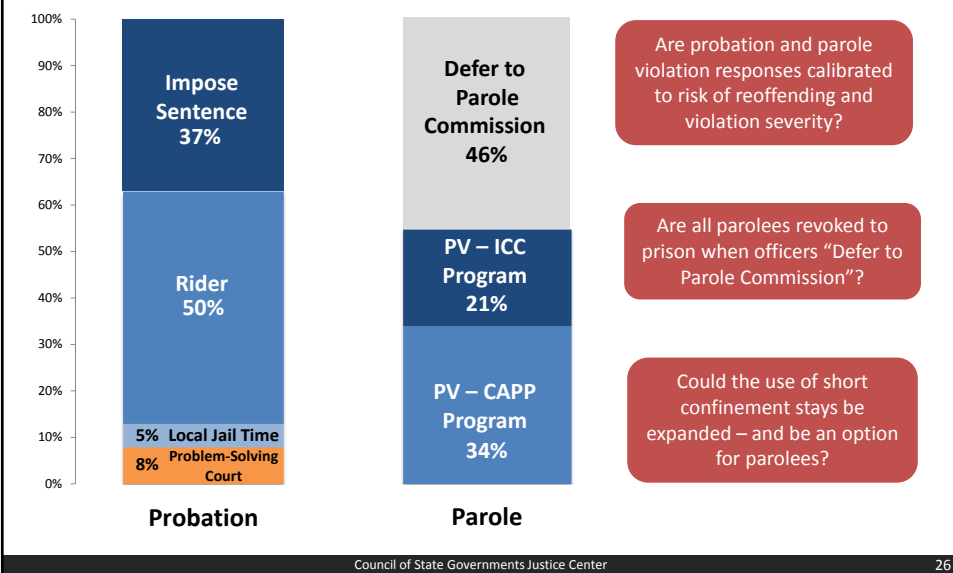
Parole violators spend 3 to 7 months incarcerated before being either revoked or reinstated



Further analysis needed on use of graduated and intermediate responses prior to violation



Virtually all violation response recommendations involve incarceration



Effective responses to supervision violations

- Dosage** Focus supervision officer time and program resources on the highest-risk offenders.
- Consistency** Use a graduated range of sanctions and incentives to guide specific type of response to violations.
- Swift** Enable officers to respond meaningfully to violations without delay or time-consuming processes.
- Cost-effectiveness** Prioritize the most expensive, restrictive sanctions for offenders committing the most serious violations.

Initial observations of Idaho's current approach

- Dosage** ✓ Offenders are assessed for risk and assigned to caseloads accordingly. However, higher-risk offenders should receive more frequent, meaningful engagement with supervising officers to change behavior.
- Consistency** ✓ Three tiers of sanctions available, but should be tied more directly to violation severity and risk of re-offense.
- Swift** ✗ The length of time between parole violation and hearing is three months or more. Probationers may also wait considerable periods in jails prior to revocation hearings.
- Cost-effectiveness** ✗ Sanctions involving incarceration for violations are, on average, longer than other states. Spending more on sanctioning violations reduces resources available for reducing offender risk upon release.

Overview

Drivers of Idaho's High Incarceration Rate

What Works to Reduce Recidivism?



Examining the Rider Program and Other Diversion Strategies

To reduce recidivism, focus on higher-risk offenders

Prioritize programs for higher-risk offenders

The same "Risk Principle" for supervision also applies to programs

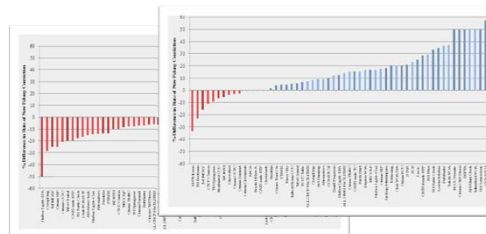
Higher-risk offenders are more likely to have more, and more serious, **criminogenic needs**

Programs targeting these needs can significantly lower recidivism rates

Same programs receiving higher-risk offers produced significantly better outcomes

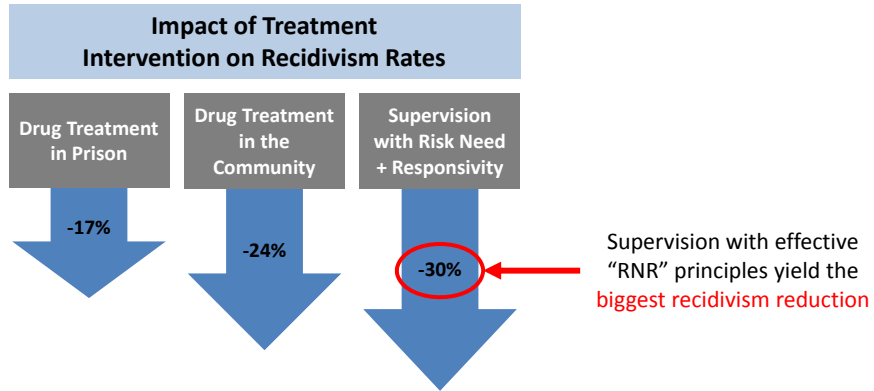
Program outcomes for lower-risk offenders

Program outcomes for higher-risk offenders



Source: Latessa, Lovins, and Smith. "Follow-up Evaluation of Ohio's Community Based Correctional Facilities, Outcome Study, February 2010"

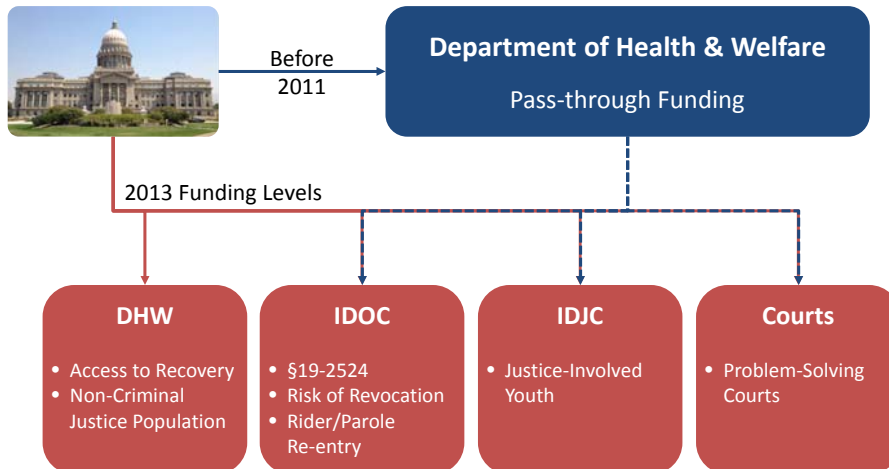
Where and how treatment is delivered impacts the degree of recidivism reduction



Source: Lee, S., Aos, S., Drake, E., Pennucci, A., Miller, M., & Anderson, L. (2012). Return on investment: Evidence-based options to improve statewide outcomes, April 2012 (Document No. 12-04-1201). Olympia: Washington State Institute for Public Policy.

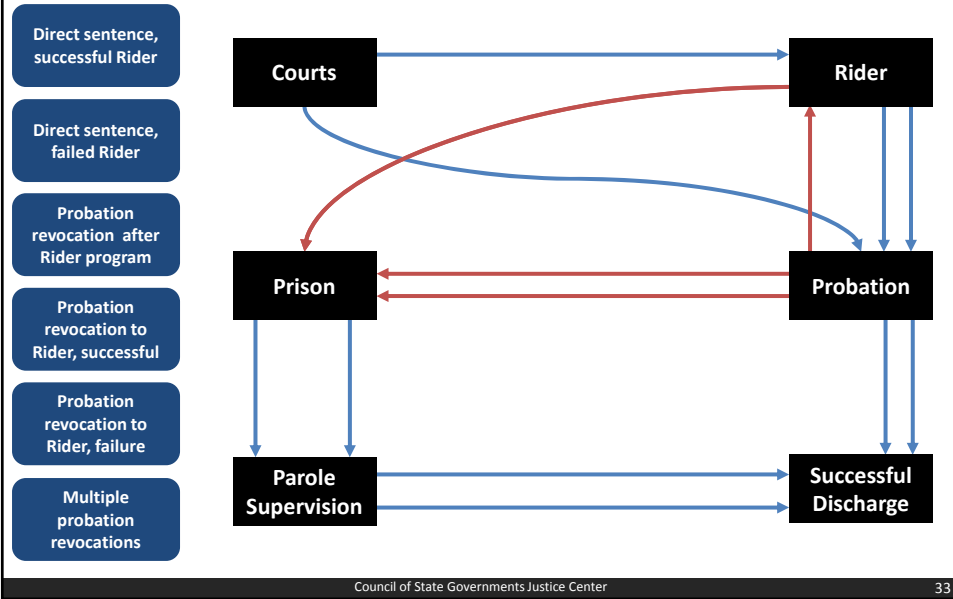
Source: Latessa, Lovins, and Smith, "Follow-up Evaluation of Ohio's Community Based Correctional Facilities, Outcome Study, February 2010

Idaho investing resources in community-based treatment

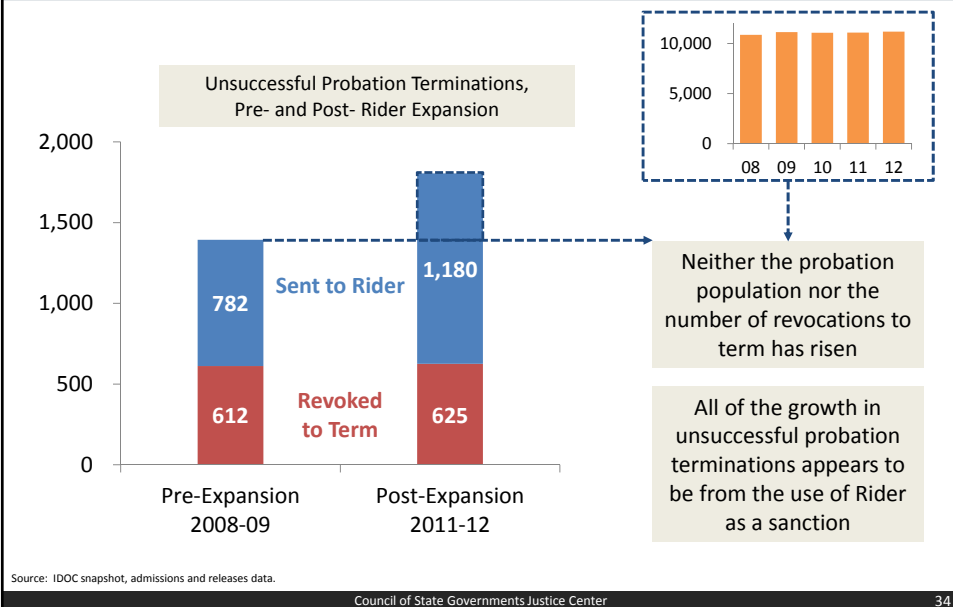


Source: Behavioral Health Interagency Cooperative Status Report to the Governor December 21, 2011.

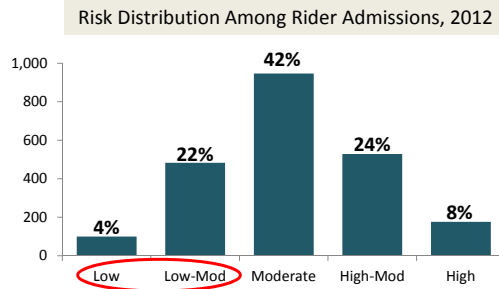
Rider program has numerous entry and exit points, and failure is costly to the system



Is using Rider for probation revocations “net-widening”?



A quarter of Riders are assessed as lower-risk



Rider Admissions by Offense Type

48% Controlled Substances and DUI
 12% Burglary
 10% Grand Theft
 10% Assault

70% to 80% of Rider admissions assessed with high treatment needs

Source: IDOC snapshot, admissions and releases data.

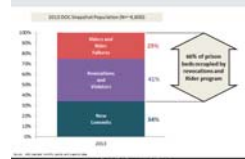
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Summary points

Two-thirds of people in prison are supervision failures or Riders

Two-thirds of prison beds occupied by revocations and Riders



Three factors contributing to significant prison bed usage by violation and revocations



A high supervision revocation rate to prison is followed by long stays

Rider admission criteria is not fine-tuned for diversion and treatment goals

Rider expansion diverted more from probation than prison



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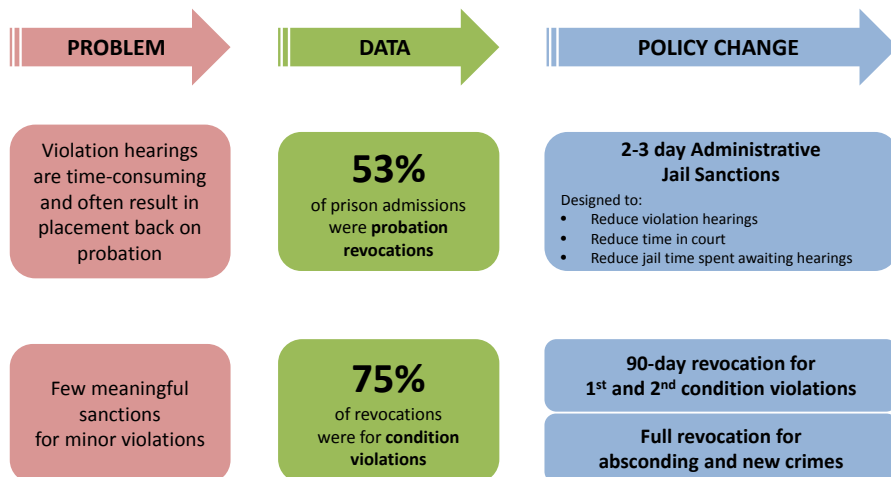
Addressing supervision challenges presents opportunities to increase public safety

Factor	Challenge	Evidence Based Practice	Public Safety Benefit
Large Supervision Population	Difficult to concentrate officer time on high-risk offenders	Dosage	Reduce risk among individuals most likely to reoffend
High Revocation Rate to Prison	Inconsistent use of graduated sanctions	Consistency	Change offender behavior
Long Prison Stays on Revocation	Costly delays for violators and long reconfinement on revocation	Swiftness & Cost-effectiveness	Prioritize restrictive sanctions for high risk and severity

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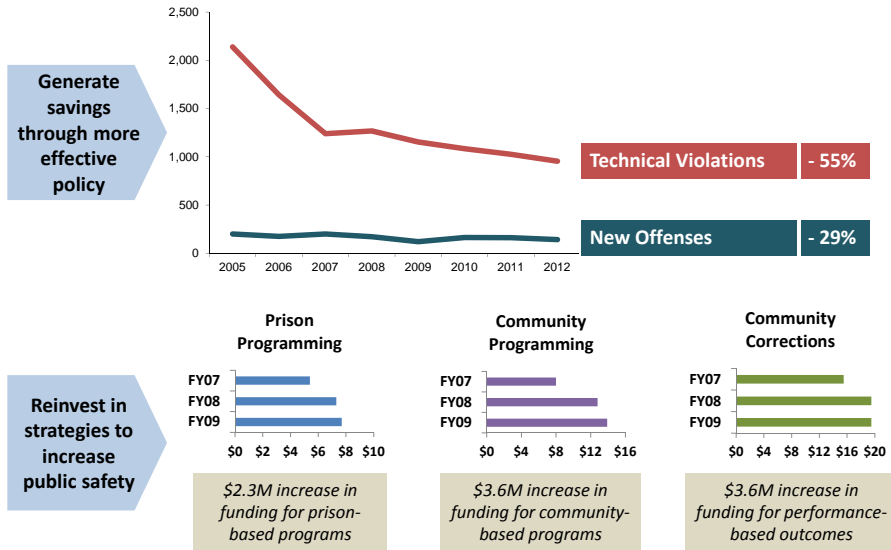
North Carolina is employing swift and certain sanctions to reduce recidivism and hold offenders accountable



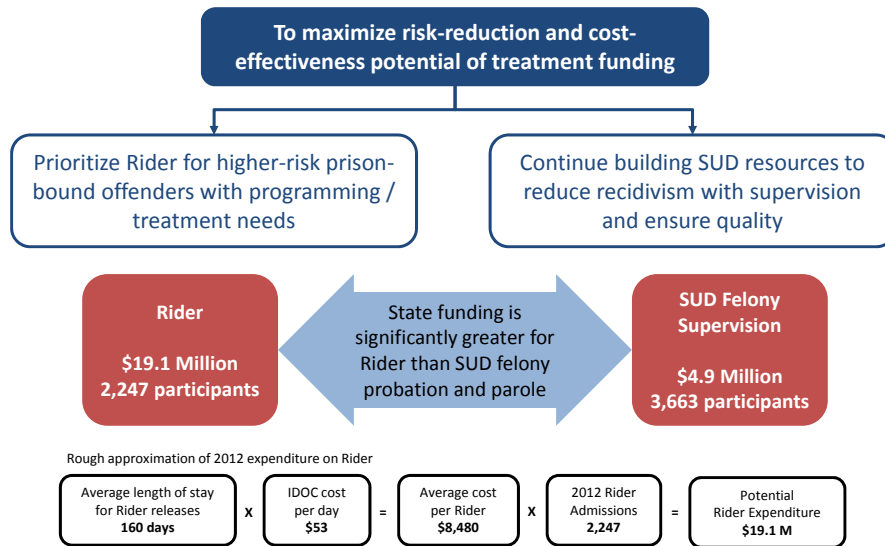
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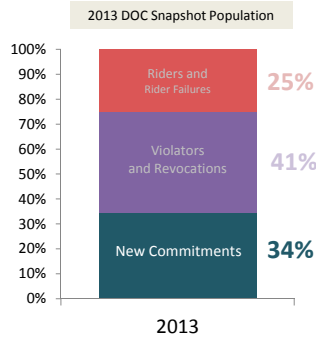
Kansas dropped technical violations in half and reinvested savings in programs to reduce recidivism



Idaho can further reduce recidivism with better targeting



Questions and further analyses for next presentations



Issues to analyze for next working group meeting

- Presentencing investigation assessments
- Role of problem-solving courts
- Corrections and parole system processes
- New commitments to prison
- Input from law enforcement executives, the judiciary, and other system stakeholders

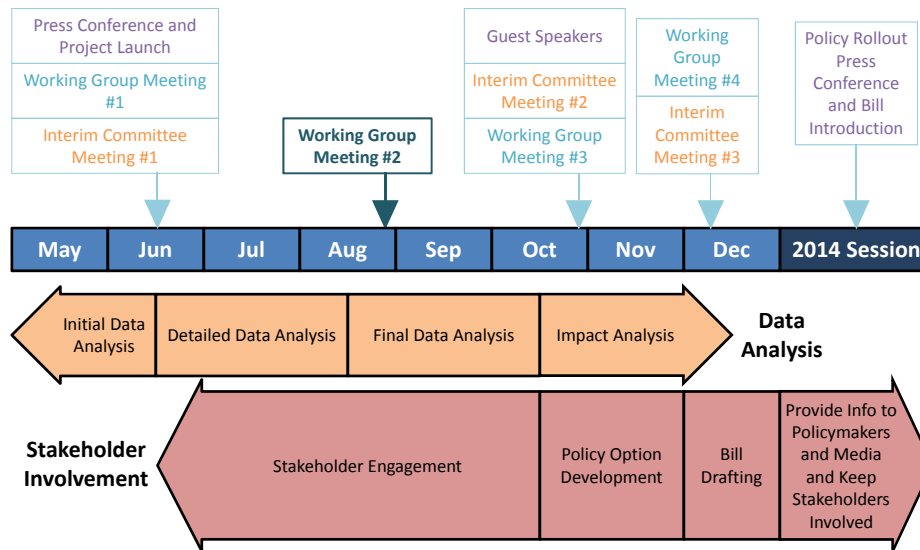


How do PSI assessments help inform judicial decision-making?

What are opportunities to streamline parole hearing and release processes?

What factors contributed to the drop in 2011-2012 prison releases?

Proposed Timeline



National expert in criminal justice evidence-based practices presenting in October

Date: Wednesday, October 30th

Time: 9:30-11:30am

Location: State Capitol (Room EW42)



Ed Latessa, PhD, of the University of Cincinnati's Criminal Justice Department, will be presenting **key principles to reducing recidivism**.

All Justice Reinvestment Interim Committee and Working Group members and staff are welcome.

Thank You



Anne Bettesworth, Policy Analyst

abettesworth@csg.org

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