

## Idaho Justice Reinvestment Working Group



### *First Meeting*

June 18, 2013

Council of State Governments Justice Center

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## 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



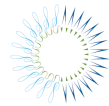
## Funding and Partners

# Justice Reinvestment

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



**BJA**  
Bureau of Justice Assistance  
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## Overview



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## Reducing Recidivism Has Emerged As a National Focus

Over the past 23 years, state spending across the country on corrections has skyrocketed—from \$12 billion in 1988 to more than \$52 billion in 2011.

As corrections spending has increased, many states are seeing cuts to law enforcement, community-based supervision, treatment, and other criminal justice components providing recidivism reduction functions.

Despite dropping crime rates across the country, recidivism rates remain stubbornly high.

Facing growing state budget pressure and greater demand for better outcomes, states are asking, “What works to reduce recidivism?”

Source: National Association of State Budget Officers, State Expenditure Report 1988 (Washington: National Association of State Budget Officers, 1989), 71. National Association of State Budget Officers, State Expenditure Report 2010 (Washington: National Association of State Budget Officers, 2011), 54.

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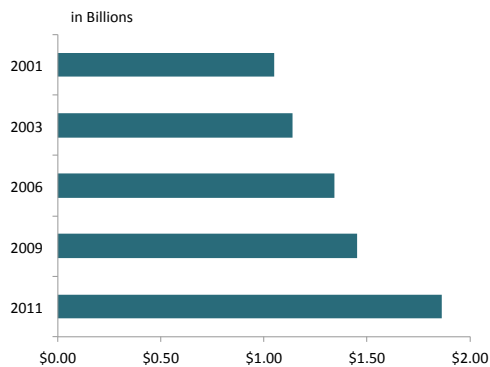
## Pennsylvania—prison population drove significant growth in capacity and budget

2001 -2011

Prison Population Up 40%

Prison Capacity Up 44%

Annual DOC Spending Up 77%,  
from \$1.1 to \$1.9 billion



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## Seeking a Better Return on Investment for Public Safety

Education, corrections and welfare take up about 95 percent of the budget pie, so everything else we want to do comes out of that other 5 percent. If we want to be able to do more, we have two ways of doing it: either we raise taxes — which I'm not going to do because I don't think the people of Pennsylvania can take that — or get more efficient at what we're doing and reduce the need for the welfare side and reduce the need for the corrections side.



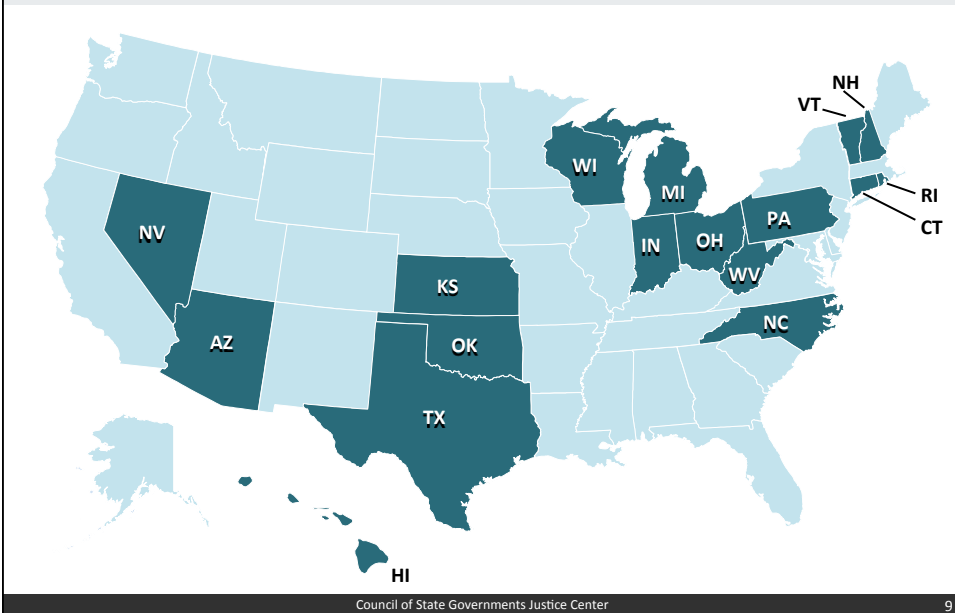
**Governor Tom Corbett (R)**  
Pennsylvania

## What Can States Do to Reduce Recidivism



1. Focus on the people most likely to commit more crime
2. Use programs proven to work & ensure they are high quality
3. Deploy supervision policies and practices that balance sanctions and treatment
4. Incentivize Performance

## 17 States Have Used a Justice Reinvestment Approach



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## Justice Reinvestment in Texas Has Resulted in Tremendous Averted Prison Growth



Source: TDCJ Statistical Reports, Legislative Budget Board adjusted 2007 prison projection.

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## Justice Reinvestment Is a Bipartisan, Inter-branch Process



"When I asked the Justice Reinvestment Working Group to come together to tackle the issue of prison overcrowding, I made it clear that any policies developed must directly address the criminal behavior that ends up putting more and more people behind bars."

**West Virginia Governor Earl Ray Tomblin, D**

"[The law] is not just going to save money for the State of Ohio; it's going to apply that money in ways that can remediate, give people a chance."

**Ohio Governor John Kasich, R**

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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

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## Example of Justice Reinvestment Data & Stakeholder Engagement

**700,000+**  
data records analyzed

**100+**  
in-person meetings with stakeholders in the criminal justice system

**Five 2-3**  
hour meetings of the Justice Reinvestment Working Group



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## Stakeholder Engagement Will Raise Additional Issues



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## Justice Reinvestment Process – Phase II

### 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
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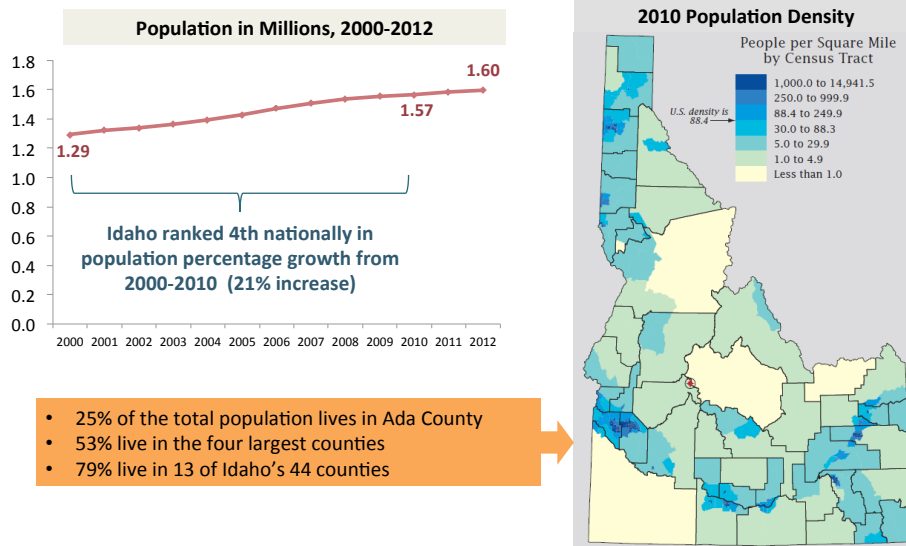
## Data Requests and Responses are Underway

Data	Source	Status
Crime and Arrest Data	Idaho State Police	Located
Criminal History Data	Idaho State Police	Pending
Court Dispositions	Supreme Court	Received
Problem Solving Court Data	Supreme Court	Pending
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	Pending
Behavioral Health Data	Department of Correction / Department of Health & Welfare	Pending

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## Idaho's resident population grew considerably with geographic concentration

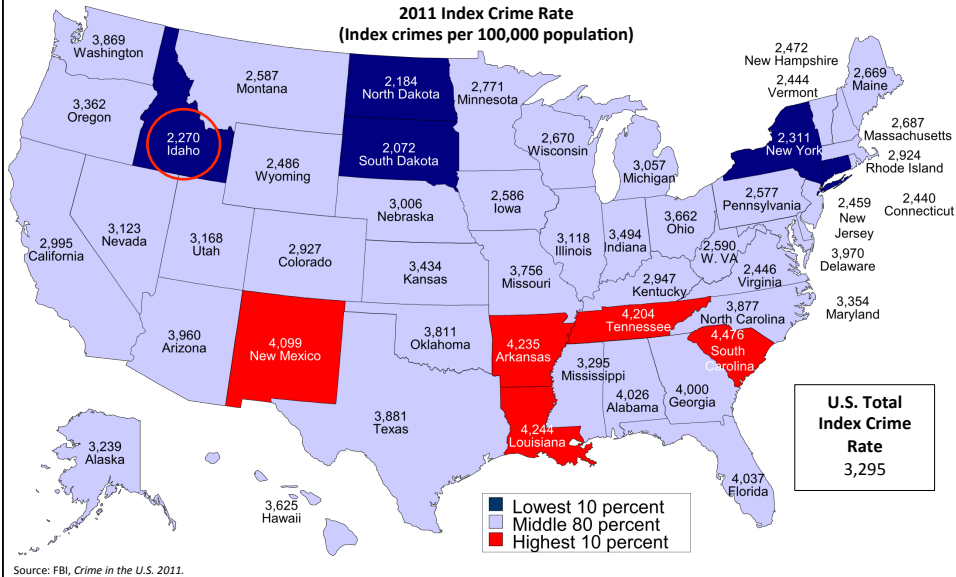


Source: US Census Bureau, [http://www2.census.gov/geo/maps/dc10\\_thematic/2010\\_Profile/2010\\_Profile\\_Map\\_Idaho.pdf](http://www2.census.gov/geo/maps/dc10_thematic/2010_Profile/2010_Profile_Map_Idaho.pdf)

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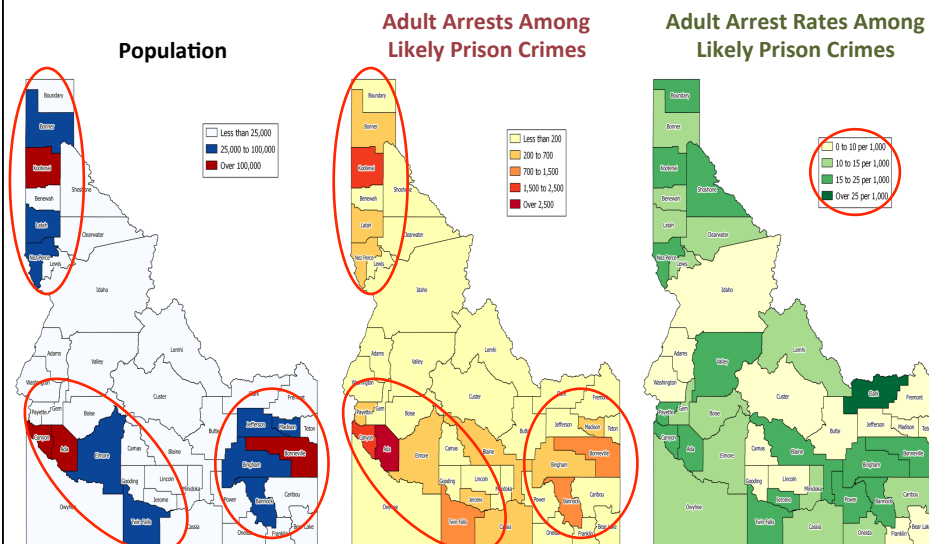
## Idaho's total index crime rate was the third lowest in the country



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## While the concentration of arrests mimics population density, arrest rates are fairly uniform across the state

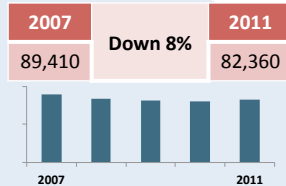


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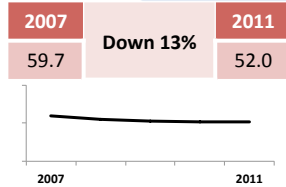
## Crime is generally down in Idaho

### Total Reported Crimes



### Total Crime Rate

(Reported Crimes per 1,000 population)



### 2007-2011 Change

Total Crimes Against Persons	Down 15%
Murder/All Manslaughter*	Down 44%
Aggravated Assault	Down 12%
Simple Assault	Down 12%
All Sex Crimes	Down 24%
Total Crimes Against Property	Down 9%
Robbery	Down 21%
Larceny/Theft	Down 1%
Burglary/Breaking and Entering	Down 4%
Destruction of Property	Down 19%
Motor Vehicle Theft	Down 42%
Adult DUI Arrests	Down 16%

\*Small numbers – 30 to 50 per year

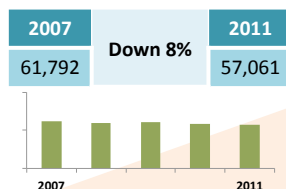
Source: Idaho State Police, *Crime in Idaho 2011* and Idaho Statistical Analysis Center's Crime in Idaho online data tool.

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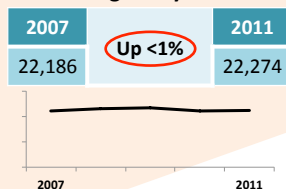
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## The volume of arrests hasn't changed but arrests among particular crimes are up

### Total Adult Arrests



### Total Adult Arrests Among Likely Prison



### 2007-2011 Change

Total Crimes Against Property	Down 9%
Adult Arrests for Property Crimes	Up 14%
Adult Arrests for Larceny/Theft	Up 40%
Adult Burglary Arrests	Up 4%
Adult Robbery Arrests*	Up 38%
Adult Arrests for Crimes Against Society	Up 7%
Adult Drug Arrests	Up 17%

\*Small numbers – 60 to 100 per year

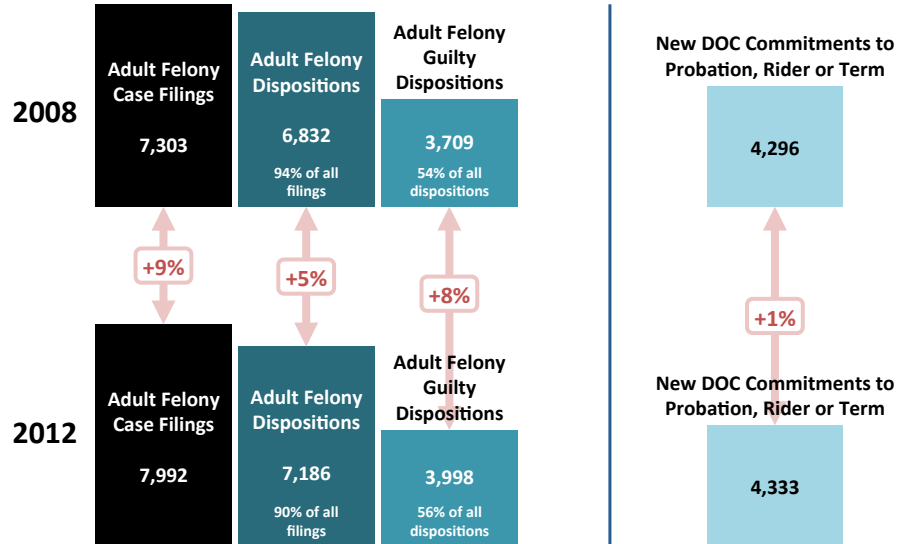
More arrests among fewer reported crimes  
= Higher clearance rates

Source: Idaho State Police, *Crime in Idaho 2011* and Idaho Statistical Analysis Center's Crime in Idaho online data tool.

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There has been a slight increase in felony convictions, although change is not yet evident in new DOC receptions



Source: Idaho Supreme Court felony filing and disposition data, IDOC admission data.

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## Crime, Arrest and Courts Summary



While resident population grew, reported crime decreased; therefore rates are down



Total arrests dropped, although particular adult arrest offenses are up

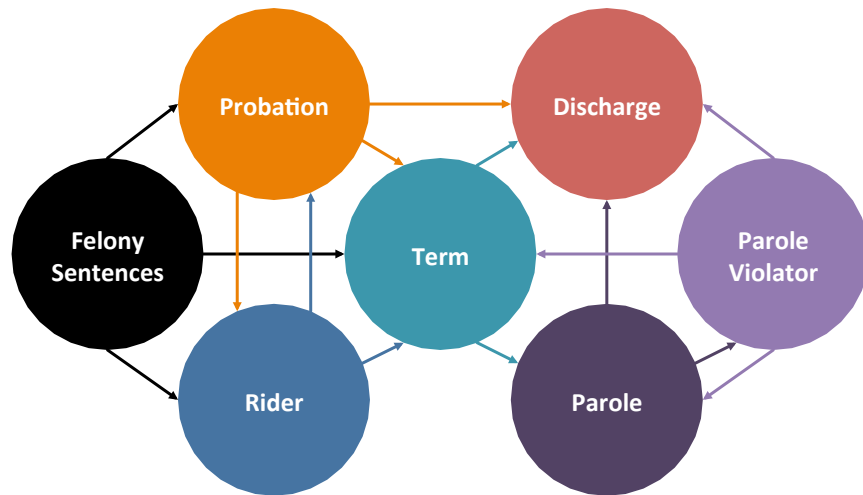


Total admissions to IDOC are stable (including prison, Rider, and felony probation)

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## Flowchart depicting the interconnected nature of felony sentence dispositions

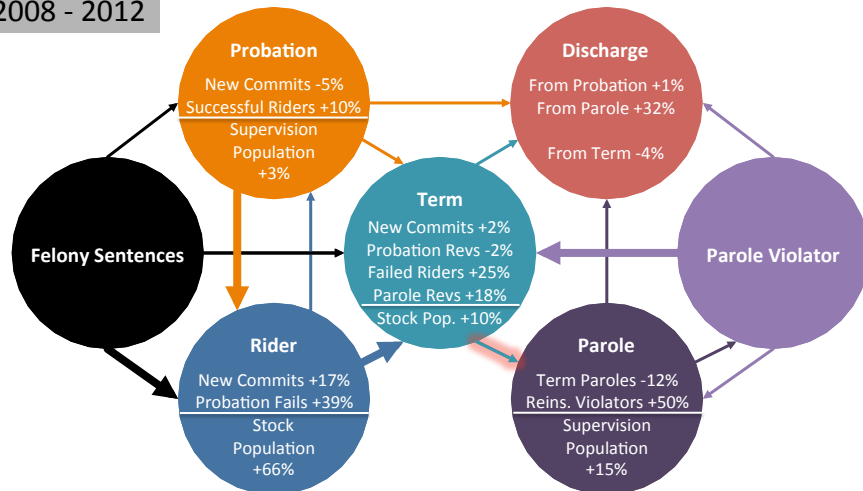


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## Population trends reveal growth among Riders and a decrease in Term releases

2008 - 2012

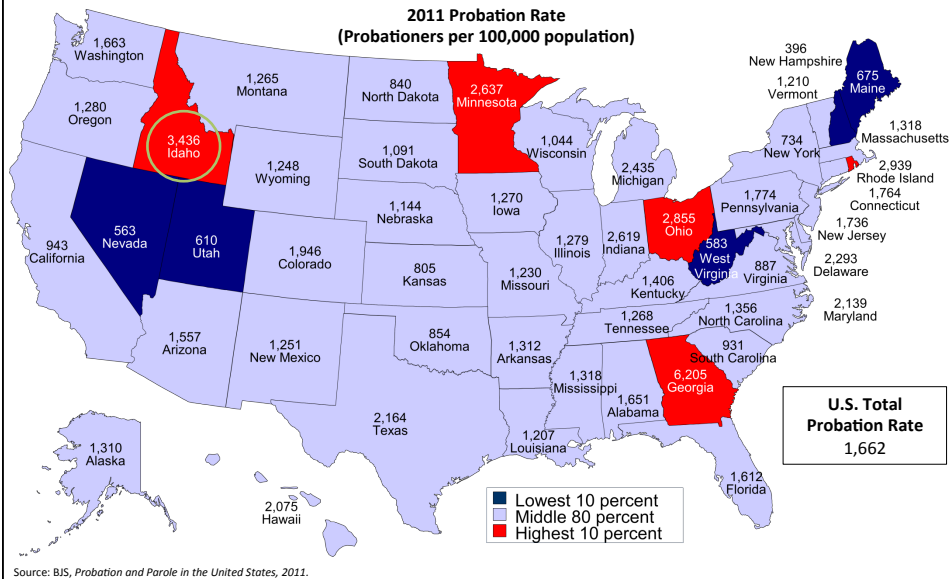


Source: IDOC admission, release data and Standard Reports.

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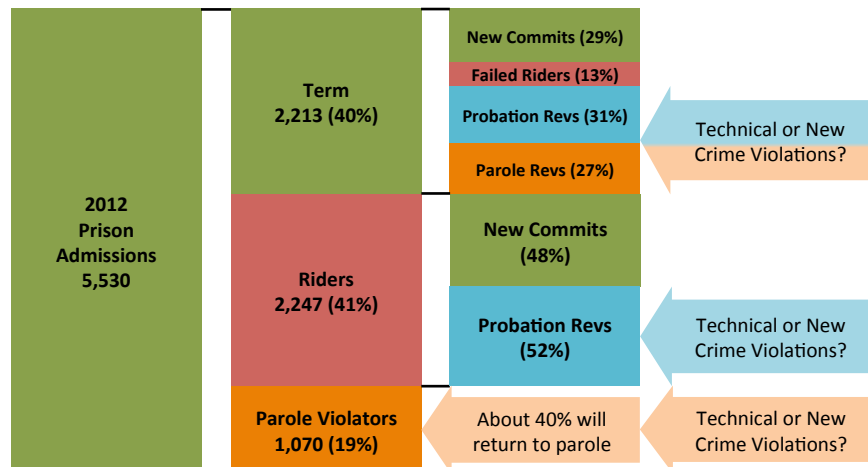
## Idaho had the second highest percentage of people on probation in the U.S. (2011)



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## Sixty-three percent of all prison admissions are driven by supervision violations

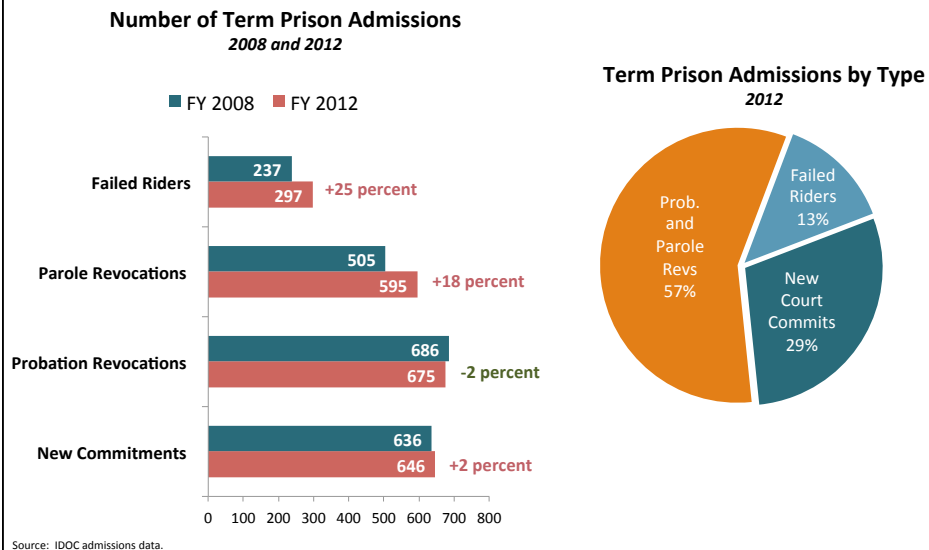


Source: IDOC admissions data.

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## Fifty-seven percent of term admissions are probation and parole revocations



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## Idaho's Rider sentencing options expanded in 2010



Courts retain jurisdiction over the Rider offender for up to one year

### Rider Trio of Options

#### Correctional Alternative Placement Program (CAPP)

- 90 to 120 days
- For low to moderate risk offenders with substance use and cognitive issues
- Housed in the privately run CAPP facility

#### Traditional

- 120 to 180 days
- For offenders with higher-level cognitive and behavioral issues
- Includes a focus on obtaining a GED

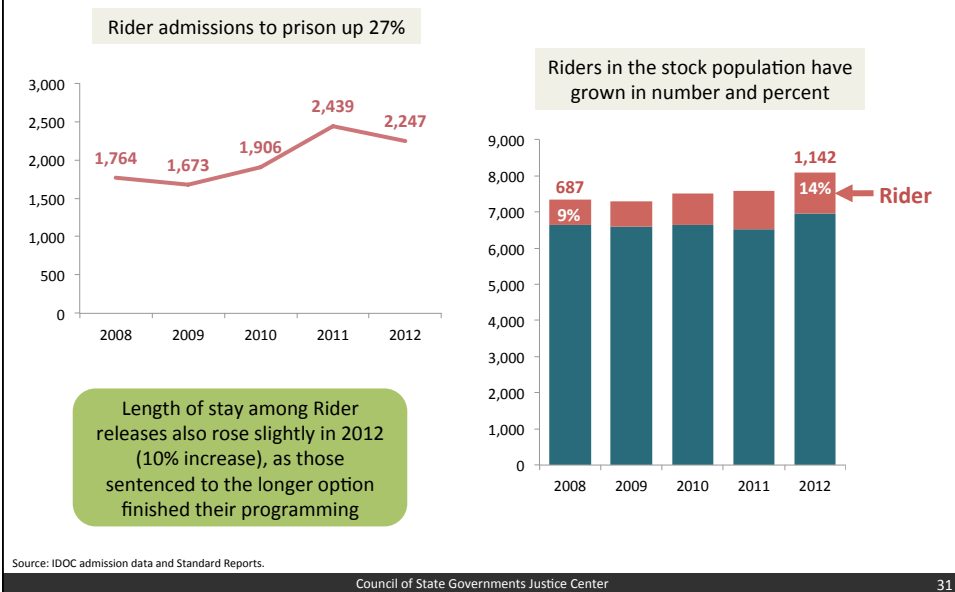
#### Therapeutic Community

- 270 to 365 days
- For offenders with more intensive programming and treatment needs

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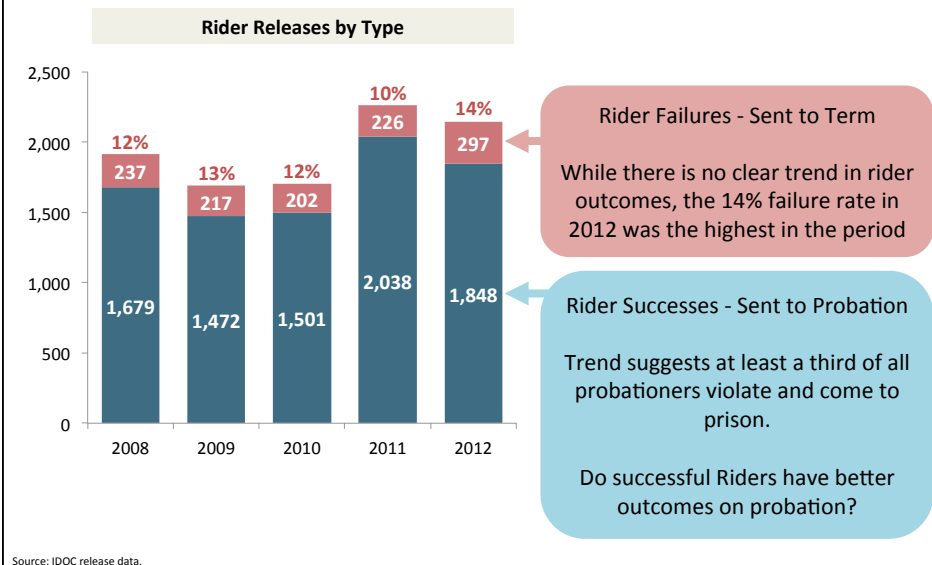
## As Rider program options expanded, so did the number of people sentenced to this alternative



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## A deeper examination of Rider offenders is needed

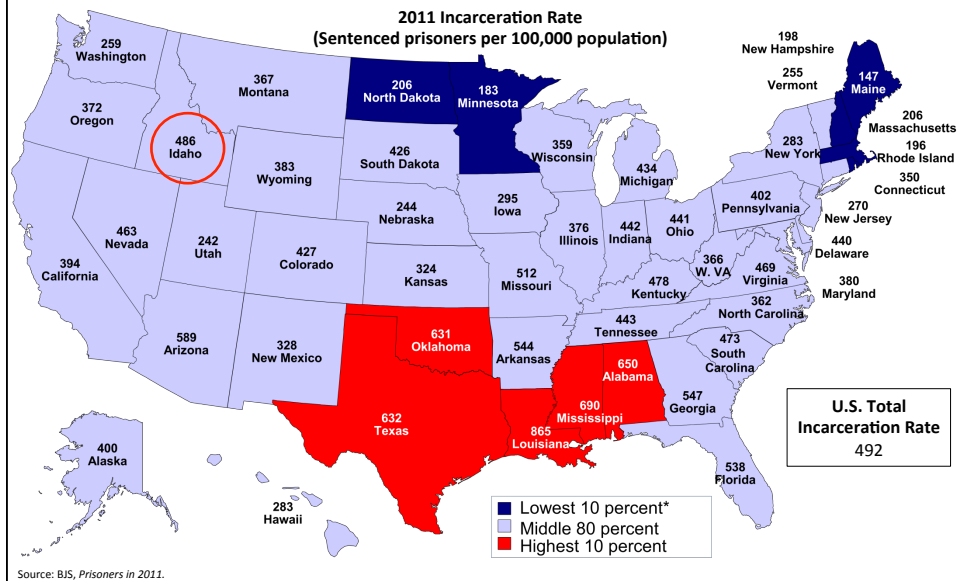


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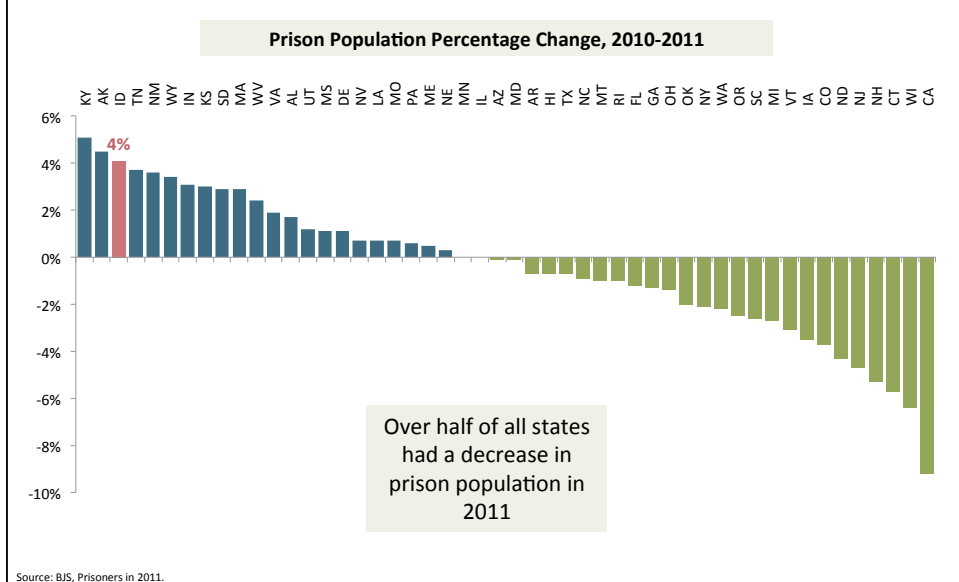
## Idaho had the 11th highest incarceration rate in the U.S. in 2011



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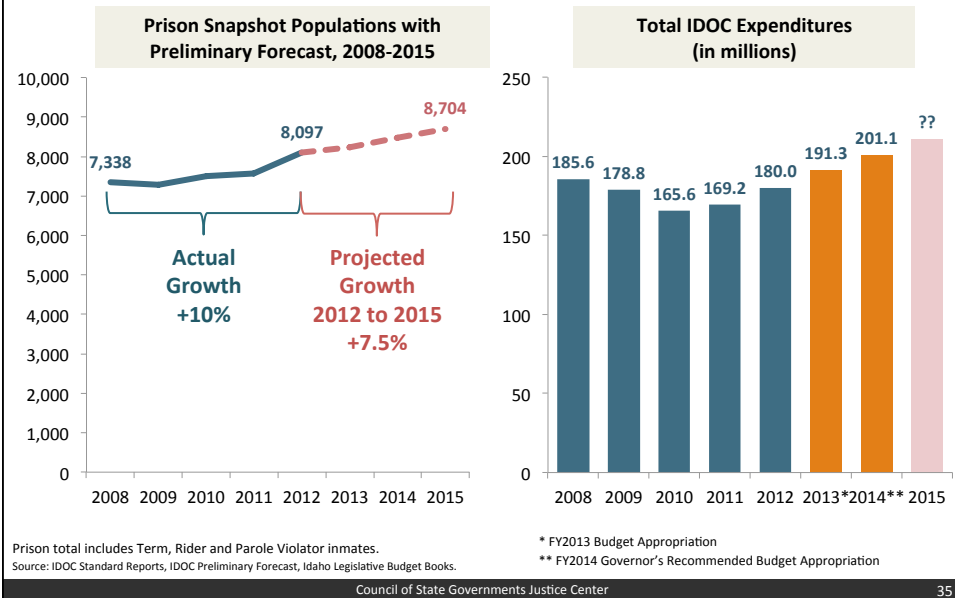
## Idaho's prison growth from 2010 to 2011 was among the largest in the U.S.



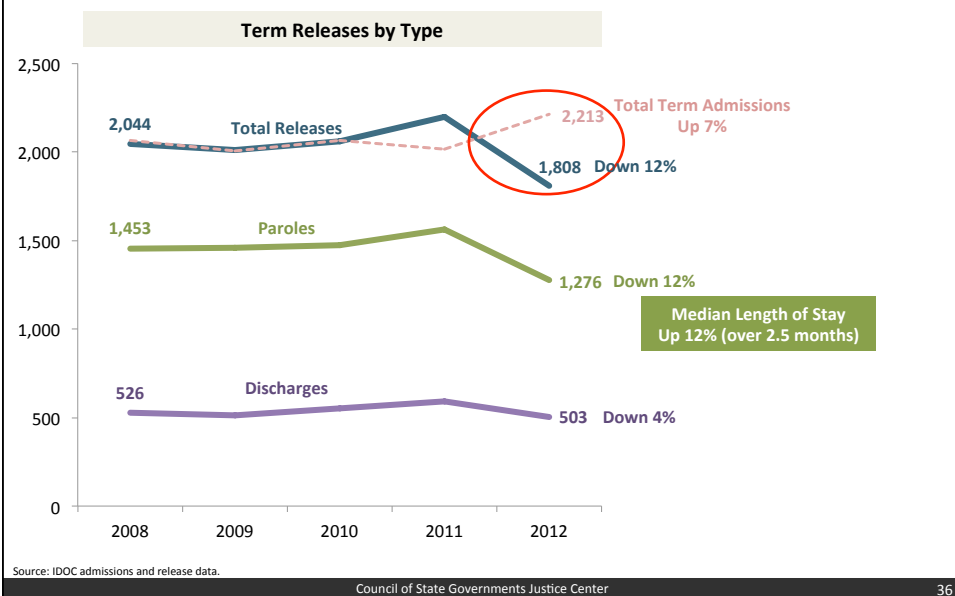
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## Projections show continuing growth over next three years with expenditures expected to match



## Fewer inmates released from term sentences in 2012, those that were paroled had served slightly longer



## Rider, revocations and parole are impacting the prison population



The Rider program expansion led to an increase in admissions and length of stay for participants



Sixty-three percent of prison admissions are probation and parole violations



Paroles are down and length of stay has increased

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## Why is Idaho's prison population growing?

### Increasing pressure on the front end of the system?

- General population?
- Crime?
- Arrests?
- Court commitments?

Doesn't appear likely; analysis to continue

### Change in the nature of prison stays?

- Sentencing options?
- Sentence lengths?
- Release types and time served?

Definitely a factor; further investigation needed

### Fewer successful outcomes during treatment and supervision?

- Probation revocations?
- Parole revocations?
- Rider outcomes?

Clearly a driver; deeper analysis to follow

## Proposed preliminary areas of analysis (1)



### Sentencing

- Explore the PSI process – explore costs, time, and use of narrative and risk assessment.
- How does information on defendants/offenders help courts make sentencing decisions?
- How do statutes and criminal code affect sentencing options available to judges?



### Crime and Arrests

- Does uptick in certain arrests bear out in various local jurisdictions?
- How does mental health and / substance use needs and disorders interact with law enforcement response?
- What state policies and resources would help law enforcement response to crime?

## Proposed preliminary areas of analysis (2)



### Probation and Parole Supervision

- Do statutory and administrative policies include evidence-based practices?
- How are probation lengths determined and how does length of terms affect probation officer resources?
- Assess the use of principles of RNR in supervision.
- Explore the role of misdemeanor probation trends, policies, and practices.



### Program Delivery – On Supervision or in Prison

- How is available programming, e.g. SUD, incorporated into supervision policies and practices?
- How are principles of risk and need used to drive program prioritization?
- What quality-assurance assessments and outcome evaluations are used to determine recidivism impact?
- What is the role of problem-solving courts in the continuum of program delivery to people on supervision?

## Proposed preliminary areas of analysis (3)



### Jail

- How are pretrial, probation violator, and sentenced offender populations affecting county jail populations?
- How do jail disposition trends compare to emerging state prison trends?



### Prison

- What is affecting inmate length of stay?
- Examine prison population by offense type, risk level and other criteria.
- How is growing number of parole revocations affecting prison intake, processing, and program delivery?

## Proposed preliminary areas of analysis (4)



### Corrections and Parole Processes

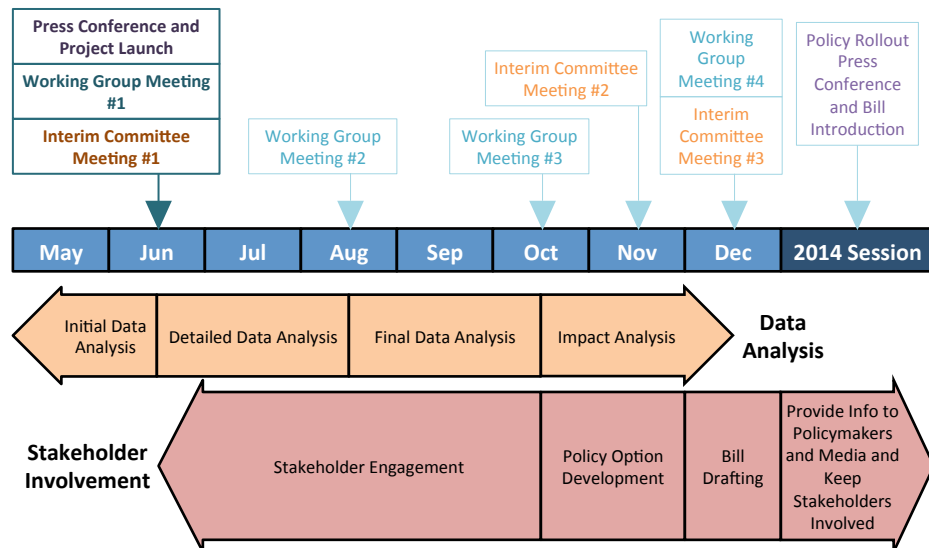
- How do inmate intake assessment, program assignment, and parole consideration process line up?
- What are contributing factors to the apparent decrease in parole releases?
- What is the role of community work centers and how is the limited capacity prioritized for suitable offenders?



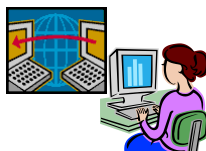
### Recidivism

- What is the recidivism rate for people released from prison (parole, toppers, Riders) and for those sentenced to other parts of the system?
- What are the trends over time?

## Proposed Timeline



## Technical Assistance in between WG Meetings



### Data Collection & Analysis

Identify additional sources and submit data requests.

Delve deeper into designated areas of analysis to fill out the criminal justice system picture.



### Stakeholder Engagement

Hold focus group meetings, submit surveys, and engage in discussions with criminal justice system stakeholders.

Channel input and recommendations into process, complementing data analyses.



### Working Group

Identify opportunities for engaging stakeholder groups.

Designate working group member interest areas

## Thank You



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