



Justice Reinvestment in Hawaii

Initial Work Group Meeting

June 28, 2011

Council of State Governments Justice Center

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CSG Justice Center

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

**Criminal Justice /
Mental Health
Consensus Project**

**Reentry Policy
Council**

**Justice
Reinvestment**

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Overview

1. Justice Reinvestment Process & Data To Be Analyzed
2. Case Studies
3. Initial Hawaii Analysis
4. Proposed Timeline & Next Steps

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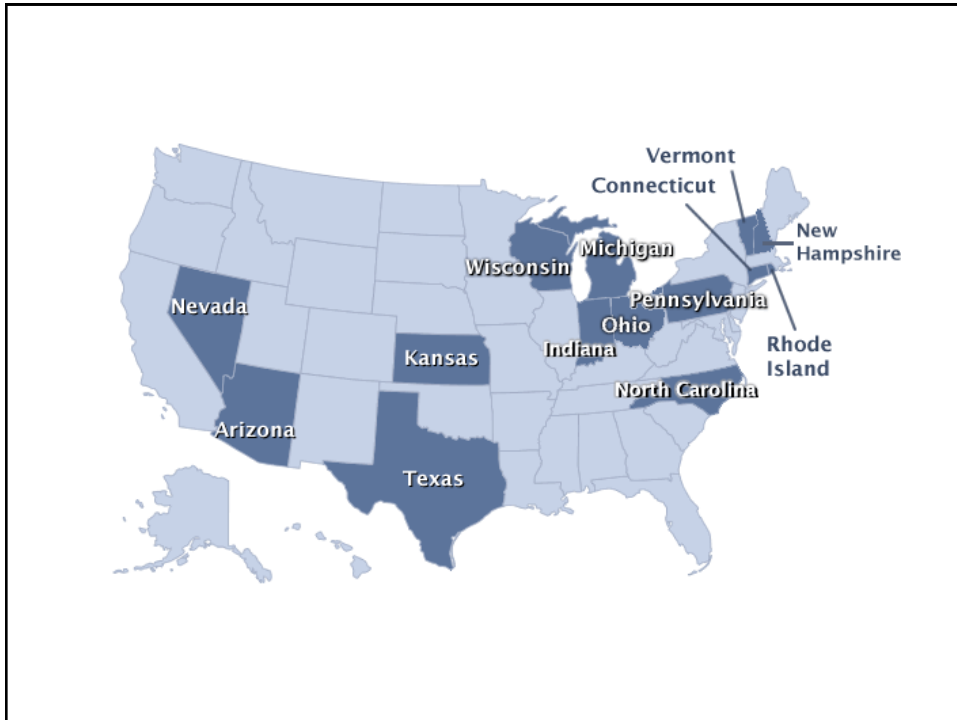
Funders and Partners

Justice Reinvestment

a data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease crime and strengthen neighborhoods.



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Justice Reinvestment Strategy

Bipartisan, inter-branch, bicameral structure

1	2	3
Analyze Data & Develop Policy Options	Adopt New Policies	Measure Performance
<ul style="list-style-type: none"> Analyze data to look at crime, court, corrections, and supervision trends Solicit input from stakeholders Map allocation of resources Develop policy options & estimate cost savings 	<ul style="list-style-type: none"> Identify assistance needed to implement policies effectively Deploy targeted reinvestment strategies to increase public safety Review implementation progress 	<ul style="list-style-type: none"> Track the impact of enacted policies/programs Monitor recidivism rates & other key measures

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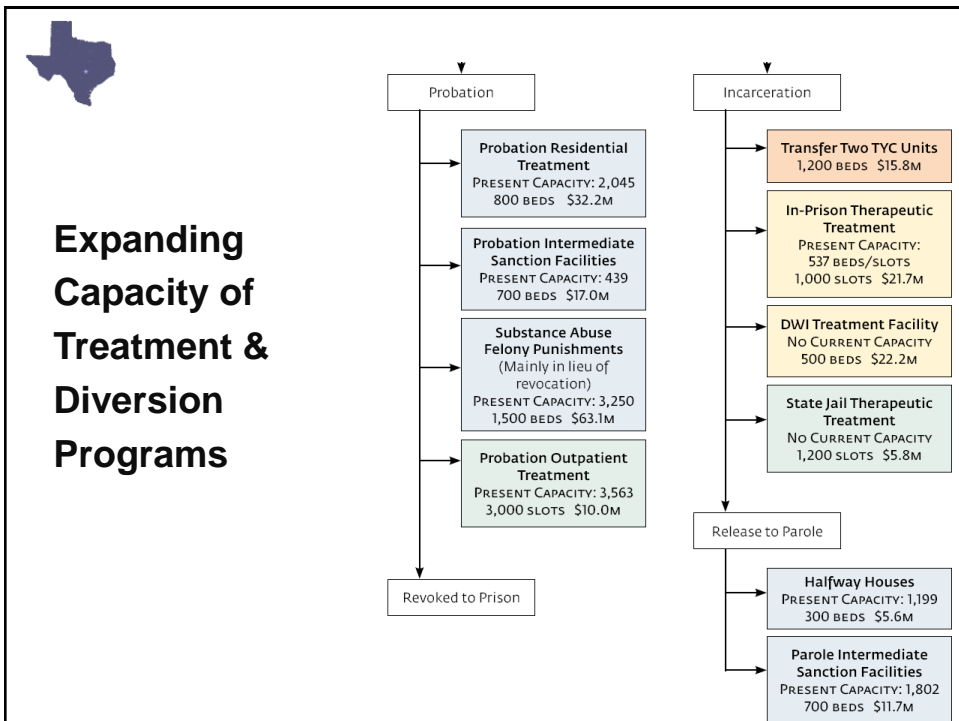
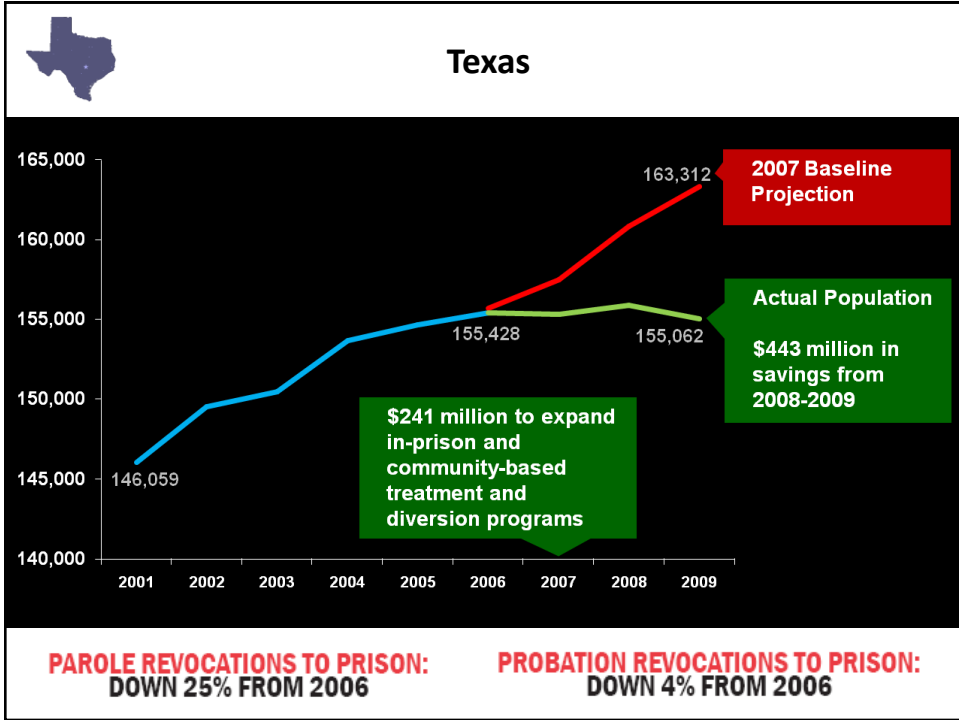
Data Requested in Hawaii

Data	Source	Status
Arrests	CJIS	Pending
Felony Court Dispositions	AOC	Pending
Probation	AOC	Pending
Prison Admissions, Releases & End of Year Population Snapshots	PSD	Received (adms and rels) Pending (pop snapshot)
Parole	HPA	Pending

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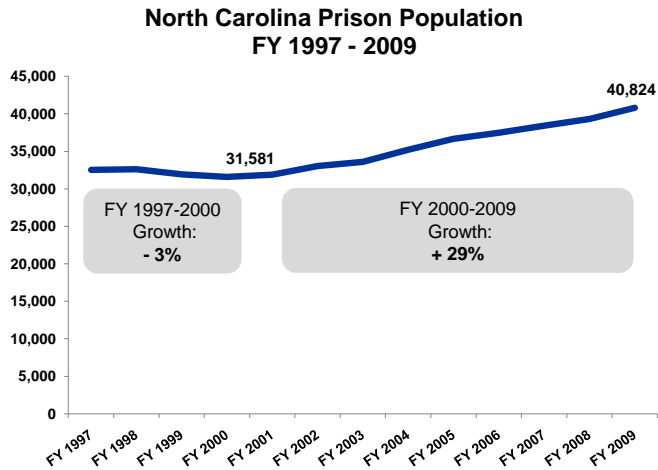
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North Carolina

- DOC Expenditures:
 - \$899 million – FY00
 - \$1.51 billion – FY09
 - **68% Increase**



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North Carolina Policy Framework

Strengthen probation supervision

Enable swift & certain administrative sanctions.

Focus supervision resources on those most likely to commit crime.

Hold offenders accountable in more meaningful ways

Ensure all offenders released from prison serve a period of mandatory supervision

Sentence second time B&E offenders more harshly and modify habitual offender law

Increase time served for inmate misconduct.

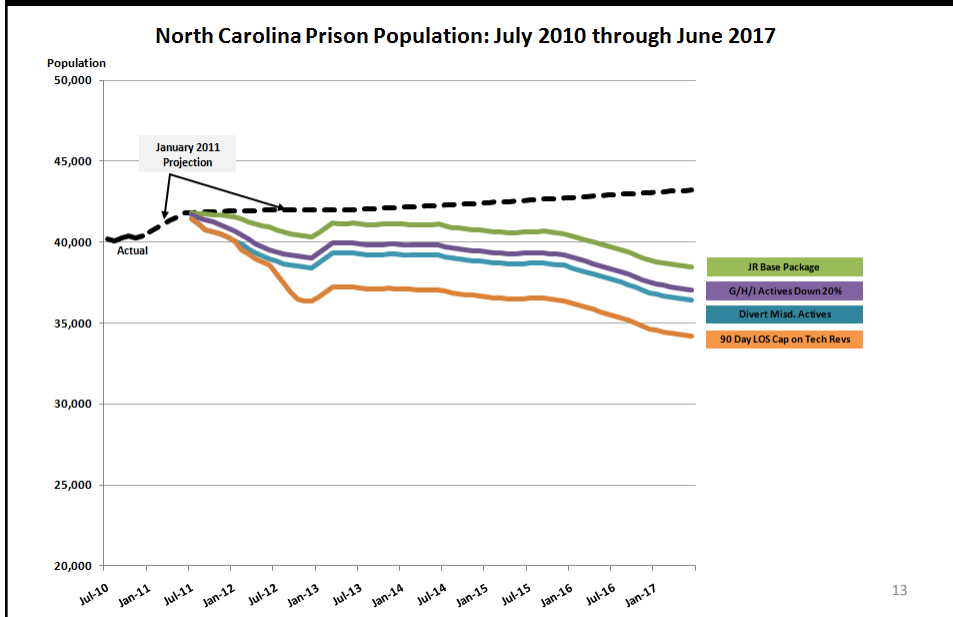
Reduce risk of re-offending

Create a new misdemeanor class for nonviolent drug possession offenders.

Provide incentives to inmates identified by judges to complete risk reduction programs.

Focus CJPP resources on those programs that use proven models and practices that will have the biggest impact on reducing crime.

Estimated Impact of Justice Reinvestment Framework



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Hawaii Compared to U.S. and Select States

State	Population		Violent Crime Rate		Property Crime Rate		2009 Incarceration Rate
	2009	2000-09	2009	2000-09	2009	2000-09	
HI	1,288,198	+ 6%	276	+ 13%	3,689	- 26%	317
US	307,006,550	+ 9%	429	- 15%	3,036	- 16%	442
AK	698,473	+ 11%	633	+ 12%	2,946	- 20%	357
CT	3,518,288	+ 3%	299	- 11%	2,336	- 16%	382
DE	885,122	+ 13%	637	- 7%	3,350	- 12%	447
RI	1,053,209	< 1%	253	- 15%	2,611	- 18%	211
VT	621,760	+ 2%	131	+ 16%	2,401	- 16%	277

Source: Crime in Hawaii 2009, Department of the Attorney General; Crime in the US, FBI, <http://www.fbi.gov/about-us/cjis/ucr/ucr>; Prisoners in 2009, Bureau of Justice Statistics Dec. 2010..

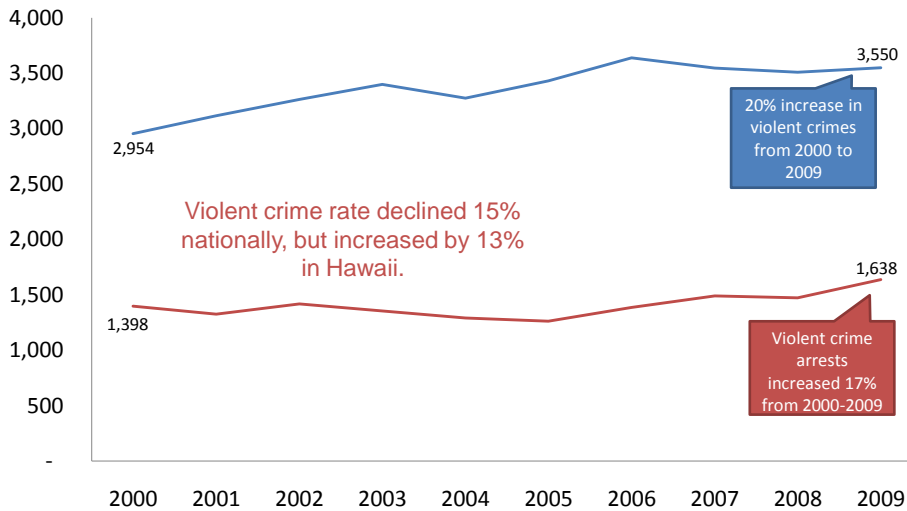
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Primary Areas to Investigate

- Violent Crime Rate Increasing
- Prison Population Growth
- Recidivism and Alternative Sanctions
- Unique Role of Paroling Authority

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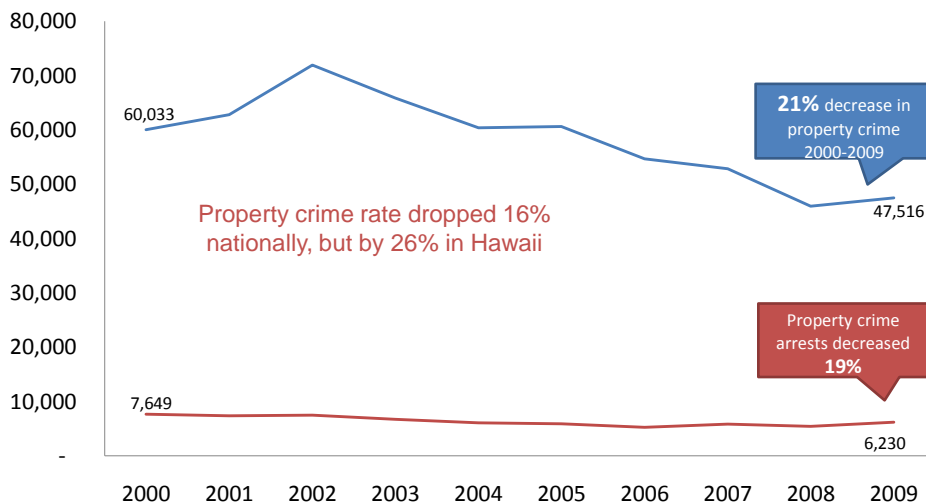
Violent Crime and Arrests Increased Significantly



Source: Crime in Hawaii 2009, Department of the Attorney General; and United States Department of Justice, Federal Bureau of Investigation, (September 2010). Crime in the United States, 2000-2009. From <http://www.fbi.gov/ucr/09cius.htm>.

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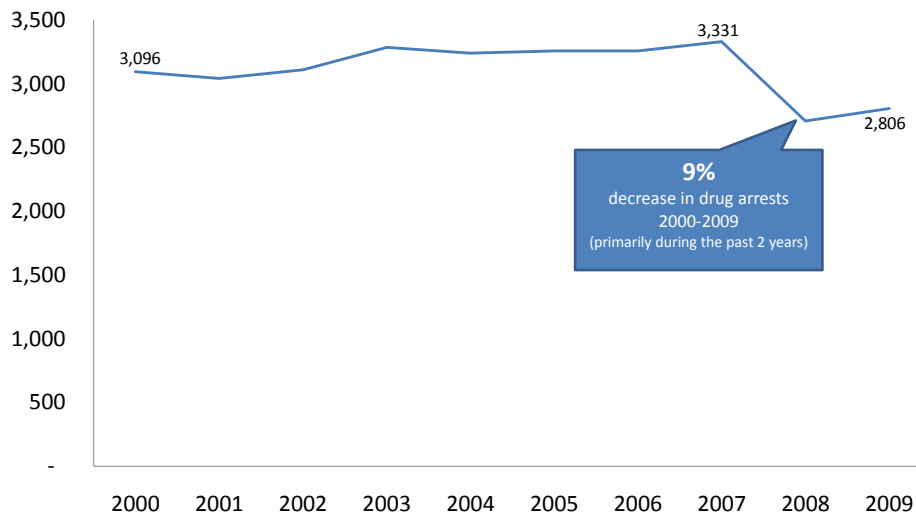
Property Crime and Arrests Declined Significantly



Source: Crime in Hawaii 2009, Department of the Attorney General; and United States Department of Justice, Federal Bureau of Investigation, (September 2010). Crime in the United States, 2000-2009. From <http://www.fbi.gov/ucr/09cius.htm>.

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Number of Drug Arrests Has Recently Decreased



Source: Crime in Hawaii 2009, Department of the Attorney General

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Need to Analyze Violent Crime Trends

- What specific types of violent crime have driven Hawaii's rate higher?
 - Rape and Aggravated Assaults are up by 11% and 46% respectively since 2000
 - Clearance rates for Rape are higher than in 2005, but 30% lower than in 2000
- Are there variations in violent crime rate trends across the state?
- What challenges do police, prosecutors and communities face in reducing violent crime?

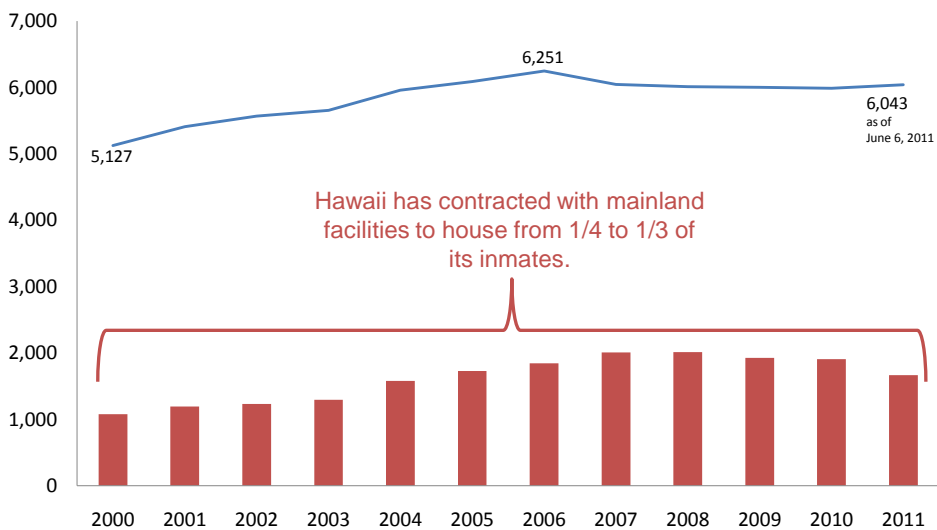
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Hawaii's Prison Population Has Increased 18% from 2000 to 2011



Source: Hawaii PSD Annual Reports (2000-2008), communication from PSD staff (2009-10), and PSD Weekly Population Updates (2011).

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Need to Analyze Prison Population Growth

- What factors explain what percent of the growth in the prison population over the past 10 years?
 - New Sentences vs. Revocations of Probation and Parole
- How do the parole process and mandatory minimums interact to affect time served and supervision upon release?
- To what extent is prison space focused on incapacitating the most violent and highest risk offenders?
- Is the population projected to increase?

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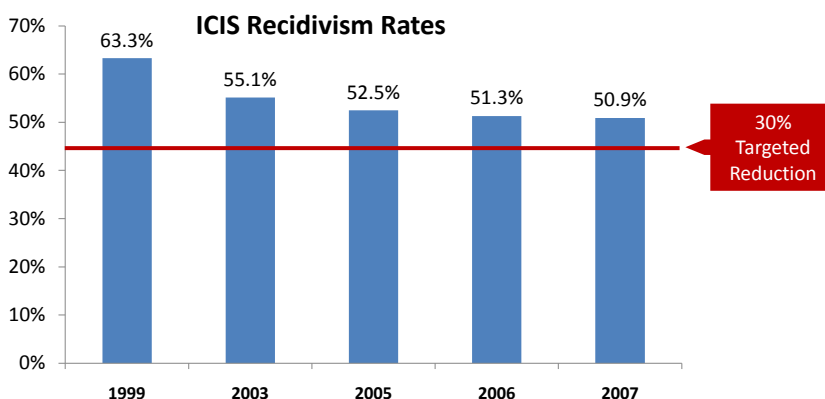
Goal of Reducing Recidivism by 30%, Set by ICIS in 2002

- Baseline rate of 63% established by tracking 1999 cohort for 3 years
 - Cohort consists of felony probationers, parolees, and offenders maxing out of PSD
 - Recidivism consists of criminal re-arrests or contempt of court, technical supervision violations, or revocation

- Interagency Council on Intermediate Sanctions (ICIS) has conducted regular updates on the recidivism rates.
 - 2003 cohort (report in 2007)
 - 2005 cohort (report in 2009)
 - 2006 cohort (report in 2010)
 - 2007 cohort (report in 2011)

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Most Recent Update Indicates 20% Reduction



Source: Hawaii ICIS 2010 Recidivism Update, February 2011.

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Potential for Drilling Down Into Specific Areas

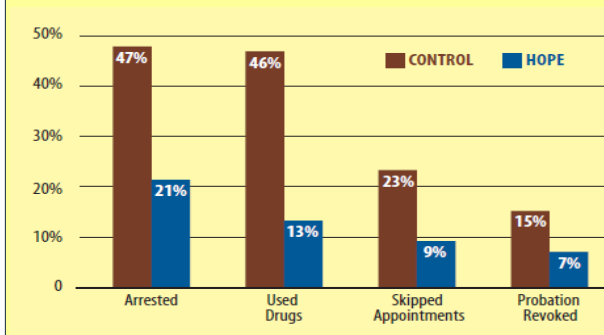
- How does risk assessment align with actual recidivism rates?
 - Are higher risk offenders rearrested at higher rates?
- What proportion of “recidivism” is due to rearrest? Technical violations of supervision? Reincarceration?
 - Not all arrests result in charges being filed or determination of guilt.
- How do recidivism rates of probationers compare to parolees and those maxed out from PSD?

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Hawaii Has Experience with Effective Alternative Approaches

Hawaii HOPE

Court-run intensive, random drug testing with swift, certain, and brief jail sanctions.



To what degree has Hawaii used other alternative sanctions programs?

- ✓ Given the role of parole in terms of how inmates are released and supervised in the community, are there any alternatives sanctions short of revocation for responding to violations of parole?

Source: NJ Evaluation of Hawaii HOPE:
<http://www.ncjrs.gov/pdffiles1/nij/grants/229023.pdf>.

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Hawaii Paroling Authority Has Key Role in Determining Time Served

- Determines minimum sentence lengths
- Makes the release decision once the minimum sentence length is served
- Reviews violations in the community and decides whether to revoke an offender to prison

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Minimum Terms Have Increased Slightly

The minimum term punishment falls into one of three levels based on maximum term imposed by court and implementation of guidelines.

Maximum Term Imposed by Court	Level I	Level II	Level III
5 Years	1 – 2 yrs	2 – 3 yrs	3 – 5 yrs
10 Years	1.5 – 3 yrs	3 – 5 yrs	5 – 10 yrs
20 Years	2 – 5 yrs	5 – 10 yrs	10 – 20 yrs
Life w/ Parole	5 – 10 yrs	10 – 20 yrs	20 – 50 yrs

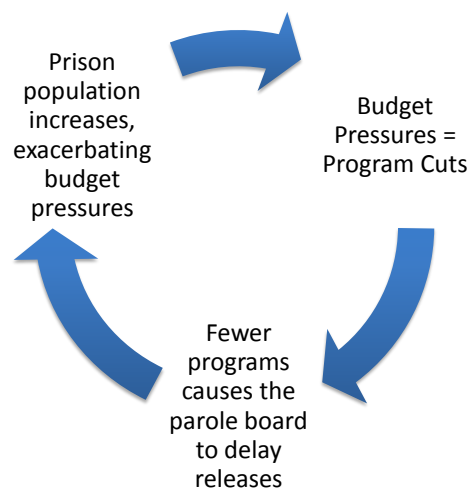
Average Minimum Terms Set		
Offense Category	FY 2006	FY 2010
Person	5.1	9.4
Property	3.6	3.7
Sex	6.3	9.7
Drug	3.6	3.4

Note: The above represents total minimums set by charges, not persons. Only select offenses are reflected.

Source: HPA Guidelines for Establishing Minimum Terms of Imprisonment (1989); HPA Annual Statistical Reports (2008-02010)

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Reducing Funding for Programs Can Trigger Parole Backlogs and Inefficiencies



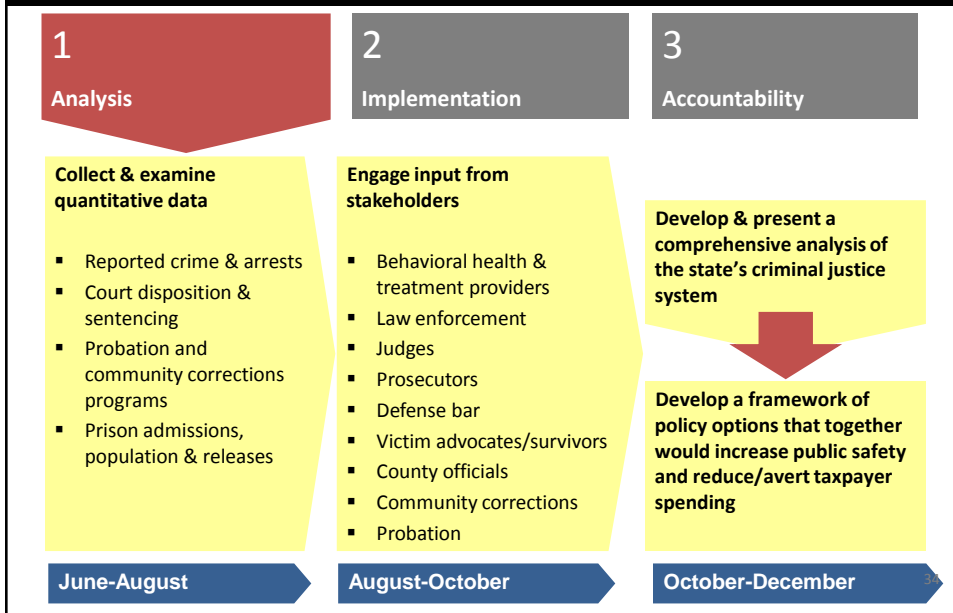
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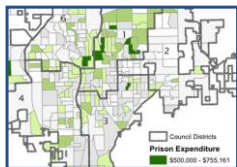
Proposed Hawaii Justice Reinvestment Process



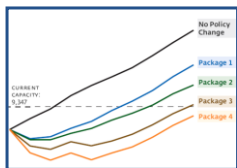
Proposed Timeline

Dates	Activity
June	<ul style="list-style-type: none"> Data Collection
June 28	<ul style="list-style-type: none"> Initial Working Group Meeting Press Conference Kick Off
July-September	<ul style="list-style-type: none"> Finish Data Collection Begin Detailed Data Analysis Begin Soliciting Stakeholder Input
September 28	<ul style="list-style-type: none"> Working Group Meeting
October-November	<ul style="list-style-type: none"> Additional Data Analysis Meetings with Stakeholders
November TBD	<ul style="list-style-type: none"> Working Group Meeting
November-December	<ul style="list-style-type: none"> Policy Development & Stakeholder Consultation
January 25	<ul style="list-style-type: none"> Working Group Meeting

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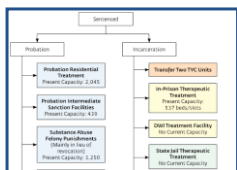


Thank You



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