Justice Reinvestment in Missouri

First presentation to the Missouri State Justice Reinvestment Task Force

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The Council of State Governments Justice Center

Corrections  Justice Reinvestment

Mental Health  Reentry

Substance Abuse  Youth

Courts  Law Enforcement

National nonprofit, nonpartisan membership association of state government officials that engage members of all three branches of state government.

Justice Center provides practical, nonpartisan advice informed by the best available evidence.
Missouri’s criminal justice system faces challenges

Missouri’s incarceration rate is the eighth-highest in the nation, and the rate has increased 4 percent since 2010, while the national incarceration rate has declined 8 percent.

Missouri has the fastest-growing female prison population in the United States. Between 2010 and 2015, Missouri’s female prison population increased 33 percent.

Rates of violent and property crime in Missouri are well above the national average. From 2010 to 2015, the state’s violent crime rate increased 9 percent.

Outcomes in Missouri’s probation and parole system are lackluster. Nearly half of admissions to prison are driven by failures on supervision.
Missouri’s criminal justice system faces challenges

There have also been recent changes in Parole Board membership, allegations of abusive work environments at Missouri Department of Corrections facilities, and management changes at community-oriented facilities in response to misconduct.
State leaders requested technical assistance through the Justice Reinvestment Initiative

In May 2017, Governor Greitens authored a letter requesting technical assistance for Missouri. State leaders from all three branches signed on in support.

Upon approval of the state’s request in July 2017, Governor Greitens issued Executive Order 17-17 on June 28, 2017, which established the Missouri State Justice Reinvestment Task Force.
What is justice reinvestment?

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

The Justice Reinvestment Initiative is supported by funding from the U.S. Department of Justice’s Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts.
**Justice reinvestment prioritizes public safety**

**Reduces recidivism** means people who commit crimes are held accountable, receive the intervention needed to change the behavior, and do not reoffend.

**Repairs harm** means victims are safe, have access to help, understand how the criminal justice system works, see accountability, and heal.

**Stops first time offenses** means a state utilizes policing strategies and public safety approaches to decrease crime and violence, not just reported incidents of crime.

**Builds trust** means communities heavily impacted by crime and incarceration are supported, and any underlying conditions of distrust are directly addressed.
Justice reinvestment includes a two-part process spanning analysis, policy development, and implementation

**Pre-enactment**

<table>
<thead>
<tr>
<th>Step</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bipartisan, Interbranch Working Group - Assemble practitioners and leaders; receive and consider information, reports, and policies</td>
</tr>
<tr>
<td>2</td>
<td>Data Analysis - Data should come from across the criminal justice system for comprehensive analysis</td>
</tr>
<tr>
<td>3</td>
<td>Stakeholder Engagement - Complement data analysis with input from stakeholder groups and interested parties</td>
</tr>
<tr>
<td>4</td>
<td>Policy Options Development - Present a policy framework to reduce corrections costs, increase public safety, and project the impacts</td>
</tr>
</tbody>
</table>

**Post-enactment**

<table>
<thead>
<tr>
<th>Step</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Policy Implementation - Identify needs for implementation and deliver technical assistance for reinvestment strategies</td>
</tr>
<tr>
<td>6</td>
<td>Monitor Key Measures - Monitor the impact of enacted policies and programs, adjust implementation plan as needed</td>
</tr>
</tbody>
</table>
States using the justice reinvestment approach with the CSG Justice Center

Past states
- NV
- AZ
- TX
- KS
- OK

Current states (Phase I or II)
- WI
- NC
- IN
- OH
- VT
- NH
- CT
- MI
- WV
- RI
- ID
- AL
- NE
- MO
- ND
- AR
- WA
- MT
- ND
- NE
- OK
- TX
- HI
- PA
- ND
- NE
- KS
- MO
- AR
- AL
- GA
- WI
- NC
- IN
- OH
- VT
- NH
- CT
- MA
- RI
- CT
- CT
The Justice Reinvestment process allows for policy solutions that are customized to the specific needs of states.

**IDAHO**
Overhaul correction programs and focus investments on what works to reduce recidivism.

**ARKANSAS**
Expand law enforcement response and referral options for people with mental disorders.

**NORTH CAROLINA**
Lower probation revocations and shift avoided costs to fund community sanctions and programs.
Justice reinvestment is highly intensive and includes many visits to the state, detailed data analysis, and wide-ranging stakeholder engagement.

Arkansas (2015–16)

In 2015, Arkansas faced a rapidly growing prison population and other criminal justice challenges. The CSG Justice Center provided technical assistance to Arkansas through a justice reinvestment approach.

Missouri (2017–18)

250+ Calls and Meetings
30 Site Visits
4,000+ Miles Driven

20 Calls and Meetings
3 Site Visits
1,000+ Miles Driven
Overview

1. Recent Criminal Justice Landscape in Missouri
2. Possible Areas for Analysis
3. Expectations for Justice Reinvestment in Missouri
Missouri previously used a justice reinvestment approach in 2011. The Justice Reinvestment Act, signed into law in 2011, was designed to decrease the prison and supervision populations in Missouri. The resulting legislation, House Bill 1525, included a number of policies designed to decrease the prison and supervision populations in Missouri.

### Key Policies

- **Creation of Earned Compliance Credits (ECC)** for people on probation or parole supervision. Credits designed to act as an incentive for good behavior while on supervision.
- **Authority granted to probation and parole officers to give short-term sanctions to be served in local jail.**
- **Placement in 120-day institutional treatment programs** operated by MDOC allowed as a supervision sanction.

### Outcomes

- Missouri’s combined probation and parole population declined 20 percent from over 73,000 people in FY2010 to fewer than 59,000 in FY2016.
- Impacts on the state’s prison population—estimated to decline by as many as 677 beds—have failed to materialize as the state’s prison population has increased steadily in recent years.

Source: Bureau of Justice Assistance: Justice Reinvestment Sites: Missouri; Missouri Department of Corrections Offender Profile, FY2016.
Missouri’s revised criminal code went into effect in January 2017

Senate Bill 491 of 2014 contained extensive revisions to the state’s criminal code, which were the result of years of work between prosecutors, defense attorneys, legislators, and other stakeholders. The changes took effect on January 1, 2017 and include the following:

- **Creation of new offense classes**, including Class E felonies and Class D misdemeanors, as well as changes to sentencing ranges and fine schedules for each offense class.
- Changes to the organization of, and penalties for, **assault offenses**.
- Adjustments to previous law around **sex offenses**, especially those involving children.
- Creation of new classification for **repeat DUI offenses** and expansion of boating while intoxicated offenses.
- Changes to previous law around **drug possession**, primarily for marijuana. The act makes possession of less than 10 grams of marijuana a Class D misdemeanor punishable by a fine.

**System Impacts**

No formal assessment of the impact of the code revisions on Missouri’s criminal justice system exists.

**Source:** Missouri SB491 of 2014.
Summary of Missouri’s criminal justice trends

- High incarceration rates and growing prison population
- Largest growth in female prison population in the country
- High crime rates impacting many parts of state
- Increasing prison admissions, driven largely by nonviolent offenses and supervision violators
- Significant behavioral health needs among those supervised in community
Missouri ranks eighth in the number of people incarcerated in proportion to their population.

### Incarceration Rate by State, 2015

<table>
<thead>
<tr>
<th>State</th>
<th>Incarceration Rate</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>776</td>
<td>1</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>715</td>
<td>2</td>
</tr>
<tr>
<td>Alabama</td>
<td>611</td>
<td>3</td>
</tr>
<tr>
<td>Mississippi</td>
<td>609</td>
<td>4</td>
</tr>
<tr>
<td>Arizona</td>
<td>596</td>
<td>5</td>
</tr>
<tr>
<td>Arkansas</td>
<td>591</td>
<td>6</td>
</tr>
<tr>
<td>Texas</td>
<td>568</td>
<td>7</td>
</tr>
<tr>
<td><strong>Missouri</strong></td>
<td><strong>530</strong></td>
<td>8</td>
</tr>
<tr>
<td>Georgia</td>
<td>503</td>
<td>9</td>
</tr>
<tr>
<td>Florida</td>
<td>496</td>
<td>10</td>
</tr>
<tr>
<td>Kentucky</td>
<td>489</td>
<td>11</td>
</tr>
<tr>
<td>Virginia</td>
<td>457</td>
<td>12</td>
</tr>
<tr>
<td>Ohio</td>
<td>449</td>
<td>13</td>
</tr>
<tr>
<td>Nevada</td>
<td>444</td>
<td>14</td>
</tr>
<tr>
<td>Delaware</td>
<td>441</td>
<td>15</td>
</tr>
<tr>
<td>Idaho</td>
<td>436</td>
<td>16</td>
</tr>
<tr>
<td>Michigan</td>
<td>429</td>
<td>17</td>
</tr>
<tr>
<td>Tennessee</td>
<td>425</td>
<td>18</td>
</tr>
<tr>
<td>South Carolina</td>
<td>414</td>
<td>19</td>
</tr>
<tr>
<td>South Dakota</td>
<td>413</td>
<td>20</td>
</tr>
<tr>
<td>Wyoming</td>
<td>413</td>
<td>21</td>
</tr>
<tr>
<td>Indiana</td>
<td>412</td>
<td>22</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>387</td>
<td>23</td>
</tr>
<tr>
<td>West Virginia</td>
<td>386</td>
<td>24</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>377</td>
<td>25</td>
</tr>
<tr>
<td>Oregon</td>
<td>376</td>
<td>26</td>
</tr>
<tr>
<td>Colorado</td>
<td>364</td>
<td>27</td>
</tr>
<tr>
<td>Illinois</td>
<td>360</td>
<td>28</td>
</tr>
<tr>
<td>Montana</td>
<td>355</td>
<td>29</td>
</tr>
<tr>
<td>North Carolina</td>
<td>352</td>
<td>30</td>
</tr>
<tr>
<td>Maryland</td>
<td>339</td>
<td>31</td>
</tr>
<tr>
<td>New Mexico</td>
<td>335</td>
<td>32</td>
</tr>
<tr>
<td>California</td>
<td>329</td>
<td>33</td>
</tr>
<tr>
<td>Kansas</td>
<td>328</td>
<td>34</td>
</tr>
<tr>
<td>Connecticut</td>
<td>312</td>
<td>35</td>
</tr>
<tr>
<td>Alaska</td>
<td>306</td>
<td>36</td>
</tr>
<tr>
<td>Iowa</td>
<td>281</td>
<td>37</td>
</tr>
<tr>
<td>Nebraska</td>
<td>279</td>
<td>38</td>
</tr>
<tr>
<td>Hawaii</td>
<td>262</td>
<td>39</td>
</tr>
<tr>
<td>New York</td>
<td>260</td>
<td>40</td>
</tr>
<tr>
<td>Washington</td>
<td>252</td>
<td>41</td>
</tr>
<tr>
<td>North Dakota</td>
<td>233</td>
<td>42</td>
</tr>
<tr>
<td>New Jersey</td>
<td>228</td>
<td>43</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>217</td>
<td>44</td>
</tr>
<tr>
<td>Utah</td>
<td>215</td>
<td>45</td>
</tr>
<tr>
<td>Vermont</td>
<td>206</td>
<td>46</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>204</td>
<td>47</td>
</tr>
<tr>
<td>Minnesota</td>
<td>196</td>
<td>48</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>179</td>
<td>49</td>
</tr>
<tr>
<td>Maine</td>
<td>132</td>
<td>50</td>
</tr>
</tbody>
</table>

*Rate is per 100,000 residents

Source: Bureau of Justice Statistics, Prisoners in 2015.
Missouri’s total prison population increased slightly between 2010 and 2015

Missouri’s prison population has grown, and this growth is projected to continue.

![Missouri Prison Population and Projected Growth, FY2010–2020](image)

Actual population is based on population counts as of June 30 of each year. Population projections are from ADP based forecast in FY16 budget.

**Source:** Missouri Department of Corrections Offender Profile, FY2016; Missouri Department of Corrections, March 2017 Population Forecast
Missouri ranks fifth in the number of women incarcerated in proportion to their population.

<table>
<thead>
<tr>
<th>State</th>
<th>Female Incarceration Rate</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Dakota</td>
<td>112</td>
<td>3</td>
</tr>
<tr>
<td>Arizona</td>
<td>105</td>
<td>4</td>
</tr>
<tr>
<td>Missouri</td>
<td>105</td>
<td>5</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>151</td>
<td>1</td>
</tr>
<tr>
<td>Kentucky</td>
<td>115</td>
<td>2</td>
</tr>
</tbody>
</table>

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Source: Bureau of Justice Statistics, Prisoners in 2015.

*Rate is per 100,000 female residents*
Missouri had the fastest-growing female prison population in the nation from 2010 to 2015

The female prison population is projected to grow at a much faster rate than the male population.

Missouri Prison Population and Projected Growth by Gender, FY2010–2020

Actual population is based on population counts as of June 30 of each year. Population projections are from ADP based forecast in FY16 budget.

Source: Missouri Department of Corrections Offender Profile, FY2016; Missouri Department of Corrections, March 2017 Population Forecast
Missouri’s crime rates have trended similarly to the national average.

<table>
<thead>
<tr>
<th>Change in Crime Rates since 1990</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Crime</strong></td>
</tr>
<tr>
<td>US Total</td>
</tr>
<tr>
<td>Missouri</td>
</tr>
<tr>
<td><strong>Violent Crime</strong></td>
</tr>
<tr>
<td>US Total</td>
</tr>
<tr>
<td>Missouri</td>
</tr>
</tbody>
</table>

Source: Missouri SB491 of 2014.
Though trending downward, Missouri’s crime rates are higher than the national average.

**Index Crimes per 100,000 Population, Missouri and US Total**

**Property Crime Rates**
- Missouri: -15%
- U.S. Total: -16%

**Violent Crime Rates**
- Missouri: +9%
- U.S. Total: -5%

*Source: FBI UCR Online Data Tool and Crime in the U.S., 2015.*
Despite a decline in reported crimes and arrests, the number of felony sentences and the prison population have increased.

- **Reported Crimes**: Down 10%
- **Arrests**: Down 15%
- **Felony Sentences**: Up 5%
- **Prison Population**: Up 4%

*Reported crimes and arrests include only UCR index crimes (murder/manslaughter, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson). 2014 and 2015 numbers include human trafficking offenses.*

**Source**: Crime in Missouri reports, 2013 and 2015; Missouri Department of Corrections Offender Profile, FY2014 and FY2015; Missouri Sentencing Advisory Commission Annual Report on Sentencing and Sentencing Disparity Fiscal Year 2015
Decrease in reported crimes is driven by a drop in property crime

**Total Reported Crimes***

<table>
<thead>
<tr>
<th>Year</th>
<th>Violent</th>
<th>Property</th>
<th>Total Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>227,226</td>
<td>200,121</td>
<td>227,051</td>
</tr>
<tr>
<td>2011</td>
<td>227,051</td>
<td>200,199</td>
<td>228,012</td>
</tr>
<tr>
<td>2012</td>
<td>228,012</td>
<td>200,873</td>
<td>216,341</td>
</tr>
<tr>
<td>2013</td>
<td>216,341</td>
<td>190,314</td>
<td>204,253</td>
</tr>
<tr>
<td>2014</td>
<td>204,253</td>
<td>177,421</td>
<td>204,786</td>
</tr>
<tr>
<td>2015</td>
<td>204,786</td>
<td>174,574</td>
<td></td>
</tr>
</tbody>
</table>

*Reported crimes include only UCR index crimes (murder/manslaughter, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson). 2014 and 2015 numbers include human trafficking offenses.

**Source:** Crime in Missouri reports, 2013 and 2015
Arrests for property offenses have decreased, while arrests for violent offenses have stayed flat.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Arrests*</th>
<th>Violent</th>
<th>Property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>52,728</td>
<td>41,989</td>
<td>10,739</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>53,431</td>
<td>42,541</td>
<td>10,890</td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>54,905</td>
<td>44,574</td>
<td>10,330</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>51,593</td>
<td>41,594</td>
<td>9,999</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>48,371</td>
<td>38,791</td>
<td>9,580</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>48,505</td>
<td>37,774</td>
<td>10,731</td>
<td></td>
</tr>
</tbody>
</table>

*Reported arrests include only UCR index crimes (murder/manslaughter, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson). 2014 and 2015 numbers include human trafficking offenses.

Source: Crime in Missouri reports, 2013 and 2015
The number of felony dispositions has increased slightly since 2010, but the sentence breakout has remained constant.

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**Total Felony Sentences, FY2010–2015**

<table>
<thead>
<tr>
<th>Year</th>
<th>Prison</th>
<th>Shock or Treatment</th>
<th>Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>63%</td>
<td>11%</td>
<td>25%</td>
</tr>
<tr>
<td>2011</td>
<td>63%</td>
<td>12%</td>
<td>26%</td>
</tr>
<tr>
<td>2012</td>
<td>63%</td>
<td>12%</td>
<td>25%</td>
</tr>
<tr>
<td>2013</td>
<td>64%</td>
<td>11%</td>
<td>25%</td>
</tr>
<tr>
<td>2014</td>
<td>64%</td>
<td>11%</td>
<td>25%</td>
</tr>
<tr>
<td>2015</td>
<td>65%</td>
<td>11%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Percentages may not add to 100% due to rounding.

**Source:** Missouri Sentencing Advisory Commission Annual Report on Sentencing and Sentencing Disparity Fiscal Year 2015
Admissions to prison are split evenly between new admissions and returns from supervision.

Source: Missouri Department of Corrections Offender Profile, FY2016
The number of males admitted to prison is decreasing, but the number of females is increasing

Source: Missouri Department of Corrections Offender Profile, FY2016
85 percent of women newly admitted to prison are admitted for nonviolent offenses, compared to 69 percent of men.

New Prison Admissions by Offense Type and Gender, FY2016

- Total New Admissions: 16% Violent Offenses, 6% Sex and Child Abuse Offenses, 40% Nonviolent Offenses, 33% Drug Offenses, 6% DWI Offenses.
- Males: 18% Violent Offenses, 7% Sex and Child Abuse Offenses, 40% Nonviolent Offenses, 29% Drug Offenses, 6% DWI Offenses.
- Females: 8% Violent Offenses, 3% Sex and Child Abuse Offenses, 36% Nonviolent Offenses, 49% Drug Offenses, 3% DWI Offenses.

Figures represent new admissions only and exclude admissions for supervision violations. About half of all new admissions were for long-term treatment and were not the result of a new court sentence. Nonviolent Offenses include property offenses, public order offenses, other weapons offenses, and other traffic offenses.

Source: Missouri Department of Corrections Offender Profile, FY2016
Two-thirds of women admitted to prison for supervision violations are admitted for technical violations, compared to just over half of men.

**Prison Admissions for Returns from Supervision by Reason and Gender, FY2016**

<table>
<thead>
<tr>
<th></th>
<th>Law Violations</th>
<th>Technical Violations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Returns</strong></td>
<td>45%</td>
<td>55%</td>
</tr>
<tr>
<td><strong>Males</strong></td>
<td>47%</td>
<td>53%</td>
</tr>
<tr>
<td><strong>Females</strong></td>
<td>35%</td>
<td>65%</td>
</tr>
</tbody>
</table>

*Figures represent admissions for supervision violations only*

*Source: Missouri Department of Corrections Offender Profile, FY2016*
People admitted to prison in Missouri have substantial behavioral health needs.

- **People Admitted to Prison Who Require Substance Abuse Treatment***
  - 88%

- **People Admitted to Prison Who are Identified as Mentally Ill**
  - 14%

* Those assessed as having moderate to severe substance abuse require treatment. The substance abuse classification and assessment (SACA) is completed upon admission to prison.

* Those requiring regular clinic care and psychotropic medication.

**Source:** Missouri Department of Corrections Offender Profile, FY2016
Missouri’s return to incarceration rate has remained stable in recent years, yet is higher than the national rate.

Percent of Adults Exiting Parole Who Returned to Incarceration

*Returns to incarceration for any reason.

Missouri has the sixth-highest return to incarceration rate for parolees.

Percent of Adults Exiting Parole Who Returned to Incarceration, 2015*

*Returns to incarceration for any reason. Rates were not available for Alaska, California, Maine, Oregon, Vermont, and Wisconsin.

Three-year recidivism rates have remained stable for people on probation supervision

Probation Three-Year Recidivism Rates, FY2010–FY2013 Starting Cohorts

Rates shown here are recidivism by year for new probation offenders on first return to prison for violation or new conviction (new prison or probation sentence). Recidivism is a cumulative measure which increases as time from release increases. Recidivism rate of new probation includes only those offenders sentenced for a new offense to serve probation. The time to the first incarceration or first new conviction is calculated from the start of supervision.

Source: Missouri Department of Corrections Offender Profile, FY2016
Over a quarter of supervision terminations are revocations

Supervision Terminations by Type, FY2010–2016

Includes both probation and parole supervision

Source: Missouri Department of Corrections Offender Profile, by fiscal year
More parolees than probationers require substance use treatment, but the percentage for probationers is increasing.

**Percent of Supervised People Identified as Requiring Substance Use Treatment***

*People assessed as having moderate to severe substance use issues require treatment. The substance abuse classification and assessment (SACA) is completed at the start of supervision (probation or parole). Percentages are based on probation/parole populations as of June 30 of each year.

Source: Missouri Department of Corrections Offender Profile, by fiscal year
Missouri’s population is concentrated in a few counties

Source: Crime in Missouri data, 2016; US Census Bureau 2016 population estimates
Violent and property crime impact different counties

Property crimes include burglary, larceny, and motor vehicle theft. Violent crimes include murder/manslaughter, rape, robbery, and aggravated assault.

Source: Crime in Missouri data, 2016; US Census Bureau 2016 population estimates
Summary of Missouri’s criminal justice trends

- High incarceration rates and growing prison population
- Largest growth in female prison population in the country
- High crime rates impacting many parts of state
- Increasing prison admissions, driven largely by nonviolent offenses and supervision violators
- Significant behavioral health needs among those supervised in community
Overview

1. Recent Criminal Justice Landscape in Missouri
2. Possible Areas for Analysis
3. Expectations for Justice Reinvestment in Missouri
CSG Justice Center staff have already been on-site in Missouri speaking with criminal justice leaders and system stakeholders

In April 2017, CSG Justice Center staff met with Governor Greitens’ staff, Senator Bob Dixon, Director Precythe and other MDOC leadership and staff, and Chairman Jones and other MBPP members and staff. These meetings included conversations about system trends, current policy and practice, data availability, and more.

In June 2017, CSG Justice Center staff returned to Missouri and met with representatives of the following organizations/entities:

- Governor’s Office
- Missouri Supreme Court
- Office of the State Court Administrator
- Department of Corrections, Public Safety, Mental Health, Health and Senior Services, Social Services
- Missouri Association of Prosecuting Attorneys
- Missouri Public Defender Commission
- Missouri Sheriffs Association
- Missouri Association of Counties
- Missouri Chiefs of Police Association

In July 2017, CSG Justice Center staff observed MDOC supervision operations and met with Probation and Parole Officers (PPO), supervisors, and administrators in St. Louis and nearby counties (Lincoln and Warren) as well as meeting with victim and community advocates in the St. Louis area.
Based on discussions with Missouri stakeholders, several areas warranting further analysis and possible reform have become evident.

- **Drivers of crime** in Missouri and how trust in the system in some communities may be rebuilt.
- **Recent growth**, including Missouri’s female prison population, and how this growth can be curbed.
- **Policy and practice** around MDOC county reimbursement and its impacts at the state and local level.
- **Use of structured reentry services** to improve the transition from prison back into society.
- **Parole decision-making practices** and how they can be improved and streamlined.
- **Supervision practices and outcomes**, including the high volume of people who enter prison for failing on supervision.
- **Interconnected Justice reinvestment** will take a comprehensive approach in addressing these issues.
Structured Reentry

The overwhelming majority of people entering jail and prison in Missouri will eventually be released. Preparing people for release, connecting them to appropriate services in the community, and providing necessary supervision and support are all critical components of an effective reentry strategy.

Justice reinvestment will explore ways in which policy, practice, and resources in Missouri can be used to improve the likelihood of success for those returning to the community and decrease recidivism. This includes policy and practice both inside and outside institutional settings designed to incentivize good behavior and provide the necessary skills for returning and succeeding in the community.
Most people leaving prison in Missouri are released as a result of a decision by the Missouri Board of Probation and Parole (MBPP). The board is responsible for weighing factors such as offense severity, criminal history, individual criminogenic risk and need factors, input from victims and law enforcement, and others to determine if it is appropriate to release a person from prison to community supervision prior to the completion of their sentence.

Justice reinvestment will evaluate current MBPP policy and practice relating to how decisions are made regarding release readiness, programming and treatment needs, and appropriate supervision conditions.
Nearly two-thirds of people under the jurisdiction of the Missouri Department of Corrections (MDOC) are on a form of supervision in the community—either probation or parole. **Policy and practice governing supervision of people on probation or parole in Missouri directly impact the likelihood of success in the community** by informing how probation and parole officers (PPOs) incentivize good behavior, respond to violations of conditions, and connect those in need to treatment and programming, and other community resources.

Justice reinvestment will analyze supervision **policy and practice.** This includes a detailed review of current risk and needs assessment tools, available community resources, quality of programming and treatment while on supervision, effectiveness of incentive and sanctioning options, and training of PPOs to fulfill their core mission.
Criminal justice begins and ends at the local level. Crime directly affects victims, families, and the communities in which it occurs. Arrests are typically made by local law enforcement. Charging decisions are made by locally-elected prosecuting attorneys and any detention prior to an admission to prison is in a local facility, typically a county jail. Most people involved in the criminal justice system are under supervision in the community, either on probation in lieu of a prison sentence or released from prison on parole.

Justice reinvestment will seek to incorporate the views of people in communities impacted by crime and the criminal justice system in Missouri. The process will also analyze current criminal justice practice at the local level and provide realistic policy options related to successful front-end diversion and development of local strategies and resources.
Other states have recently adopted policies addressing similar issues using a justice reinvestment approach

<table>
<thead>
<tr>
<th>State</th>
<th>Challenge</th>
<th>Policy Enacted</th>
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</thead>
</table>
| North Carolina | High volume of supervision violators fueling prison admissions, many times for technical violations | • **Improving training** for supervision officers on evidence-based practices
• Establish **intermediate sanctioning options** to respond more appropriately to technical violations while on supervision
• **Cap the length of prison** sanctions for technical violations to better focus use of the state’s most expensive resource
• **$8M reinvested in community-based treatment** |
| Arkansas       | Information sharing and decision making processes hampering ability to effectively and efficiently prepare people for release from prison | • Adjust the **timing and flow of assessment, treatment, and programming information** from DOC to the Parole Board to improve decision making and allow for on-time release
• **Adopt evidence-based parole guidelines** to ensure that decision making is informed by risk/needs of the individual and core principles as agreed upon by members of the Board. |
| North Dakota   | Good time policies not utilized effectively to incentivize behavior and on-time release | • **Expansion of existing good time policy at the state level to time served in the county jail.** This policy incentivizes good behavior and participation in programming while incarcerated, increasing the likelihood of a timely return to the community and better preparedness. |
Overview

1. Recent Criminal Justice Landscape in Missouri
2. Possible Areas for Analysis
3. Expectations for Justice Reinvestment in Missouri
### Justice reinvestment requires extensive data collection and analysis

<table>
<thead>
<tr>
<th>Data Requested</th>
<th>Source of Data</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Prison admissions and releases</td>
<td>Missouri Department of Corrections (MDOC)</td>
<td>Received</td>
</tr>
<tr>
<td>- Prison population snapshots</td>
<td></td>
<td></td>
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<tr>
<td>- Supervision openings and terminations</td>
<td></td>
<td></td>
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<tr>
<td>- Supervision population snapshots</td>
<td></td>
<td></td>
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<tr>
<td>- Screening and assessment data</td>
<td></td>
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<tr>
<td>- Treatment and programming participation</td>
<td></td>
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<tr>
<td>- Parole board decisions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Statewide arrests</td>
<td>Missouri Department of Public Safety (MDPS)</td>
<td>Pending</td>
</tr>
<tr>
<td>- Criminal history information for prison and supervision populations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Felony and misdemeanor sentences</td>
<td>Missouri Office of Court Administration (OSCA)</td>
<td>Pending</td>
</tr>
</tbody>
</table>

### Examples of planned analyses:

- Statewide trends in corrections populations: admissions by offense types and whether previously on supervision, criminal histories, risk levels and other assessments
- Calculate recidivism by various measures: rearrest, reconviction, and reincarceration
- Of all people arrested in the state during a specified time frame, how many were on probation or parole at the time of arrest?
Justice reinvestment requires direct stakeholder engagement

Many in-person meetings and phone calls will be conducted with Missouri stakeholders, including, but not limited to:

- **Justice Reinvestment Task Force**
  Individual meetings/calls with task force members and their staff

- **Courts, Prosecutors, and Defense Attorneys**
  Meetings and calls with individual judges, prosecuting attorneys, public defenders, defense attorneys, and more

- **Law Enforcement**
  Meetings with police chiefs, sheriffs, and their officers and deputies across Missouri

- **Behavioral Health Treatment Providers**
  Meetings with treatment providers for people who are incarcerated or on supervision in Missouri

- **Missouri Legislature**
  Meetings with senators, House representatives, and legislative staff

- **Missouri Department of Corrections**
  Meetings with MDOC leadership and staff, including supervision officers and administrators, treatment providers, correctional officers and administrators, and more

- **Missouri Board of Probation and Parole**
  Meetings with MBPP leadership, members, and staff

- **Organizations and Community Members**
  Meetings with representatives of Missouri’s counties, victims organizations, representatives of communities impacted by crime and violence, and more
Proposed timeline for justice reinvestment in Missouri

- **July**: JR in Missouri Launch Presentation
- **August**: JR in Missouri 2nd Presentation
- **September**: JR in Missouri 3rd Presentation
- **October**:
  - Initial Analysis
  - Detailed Data Analysis
  - Impact Analysis
- **November**: JR in Missouri Policy Options Presentation (Timing at discretion of Task Force)
- **December**:
  - Stakeholder Engagement and Task Force Presentations
  - Policy Option Development
- **January**:
  - Briefings for Legislators and other Stakeholders (as necessary/requested)
- **February**:
- **March**
Next Steps

Upcoming activities in July:

• Meetings with MDOC and MBPP leadership and staff to ensure full understanding of raw data transferred and to begin conversations about current policy and practice and ways in which they might be improved.
• Observation of MDOC Probation and Parole operations, including field operations with P&P officers and residential facility operations in a Community Supervision Center (CSC).
• Ongoing data analysis and stakeholder engagement

Upcoming activities in August:

• CSG site visit to St. Louis and surrounding areas to meet with area stakeholders. Further meetings TBD at this time.
• Ongoing data analysis and stakeholder engagement

Next Task Force Meeting

• Next meeting time/location at the discretion of the task force. Recommending early to mid-September, but available as soon as late August.
Thank You

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