Justice Reinvestment in Oklahoma

Initial Work Group Meeting

June 23, 2011

Council of State Governments Justice Center

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Mike Eisenberg, Senior Research Manager
Jessy Tyler, Senior Research Associate
Robert Coombs, Senior Policy Analyst
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
Overview

1. Justice Reinvestment Process & Data To Be Analyzed

2. Initial Analysis

3. Proposed Timeline
Justice Reinvestment

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

## Bipartisan, inter-branch, bicameral structure

<table>
<thead>
<tr>
<th>1</th>
<th>Analyze Data &amp; Develop Policy Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Analyze data to look at crime, court, corrections, and supervision trends</td>
<td></td>
</tr>
<tr>
<td>• Solicit input from stakeholders</td>
<td></td>
</tr>
<tr>
<td>• Map allocation of resources</td>
<td></td>
</tr>
<tr>
<td>• Develop policy options &amp; estimate cost savings</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2</th>
<th>Adopt New Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Identify assistance needed to implement policies effectively</td>
<td></td>
</tr>
<tr>
<td>• Deploy targeted reinvestment strategies to increase public safety</td>
<td></td>
</tr>
<tr>
<td>• Review implementation progress</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3</th>
<th>Measure Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Track the impact of enacted policies/programs</td>
<td></td>
</tr>
<tr>
<td>• Monitor recidivism rates &amp; other key measures</td>
<td></td>
</tr>
</tbody>
</table>
## Data Requested

<table>
<thead>
<tr>
<th>Data</th>
<th>Source</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crime</td>
<td>OSBI</td>
<td>Pending</td>
</tr>
<tr>
<td>Arrests</td>
<td>OSBI</td>
<td>Pending</td>
</tr>
<tr>
<td>Felony Court Dispositions</td>
<td>AOC</td>
<td>Pending</td>
</tr>
<tr>
<td>Probation</td>
<td>DOC</td>
<td>Received</td>
</tr>
<tr>
<td>DA Probation</td>
<td>DA’s Office: Tulsa County &amp; Oklahoma County</td>
<td>Pending</td>
</tr>
<tr>
<td>Community Sentencing</td>
<td>DOC: Division of Community Sentencing</td>
<td>Received</td>
</tr>
<tr>
<td>Drug &amp; Other Specialty Courts</td>
<td>Oklahoma Department of Mental Health and Substance Abuse</td>
<td>Pending</td>
</tr>
<tr>
<td>Prison Admissions, Releases &amp; Annual Population Snapshot</td>
<td>DOC</td>
<td>Received</td>
</tr>
<tr>
<td>Parole</td>
<td>DOC</td>
<td>Received</td>
</tr>
</tbody>
</table>
Court Disposition Data

• Requested data from the Administrative Office of the Courts for two counties (Tulsa and Oklahoma).

• Data elements requested (felony & misdemeanor):
  ✓ Filing dates
  ✓ Disposition dates
  ✓ Most serious offense charged
  ✓ Disposition type (guilty, acquittal, dismissal)
  ✓ Sentence imposed (probation, community sentencing, prison, jail)
Jail Population Surveys Suggest the Overall Jail Population Increased

<table>
<thead>
<tr>
<th>County</th>
<th>2006 Population</th>
<th>2010 Population*</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oklahoma</td>
<td>2,700</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Tulsa</td>
<td>1,267</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Comanche</td>
<td>294</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Creek</td>
<td>229</td>
<td>329</td>
<td>+44%</td>
</tr>
<tr>
<td>Pottawatomie</td>
<td>215</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Carter</td>
<td>186</td>
<td>157</td>
<td>-16%</td>
</tr>
<tr>
<td>Jackson</td>
<td>170</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Cleveland</td>
<td>163</td>
<td>342</td>
<td>+110%</td>
</tr>
<tr>
<td>Grady</td>
<td>155</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Rogers</td>
<td>154</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Total on Matched Facilities</td>
<td>1,826</td>
<td>2,036</td>
<td>+12%</td>
</tr>
<tr>
<td>Total</td>
<td>8,600</td>
<td>NA*</td>
<td></td>
</tr>
</tbody>
</table>

* In 2010, the censuses included in the Oklahoma State Department of Health Jail Inspection Unit’s inspections were only done on 26 of the 71 counties surveyed in 2006.

1. Justice Reinvestment Process & Data To Be Analyzed

2. Initial Analysis

3. Proposed Timeline
Big Picture (2006-2010)

Reported Crime*
Violent: +2%
Property: -8%

Arrests*
Violent: +7%
Property: +26%
Drug: -5%

Felony Court Filings ??%

Jail Population
Total: ??%

Admissions to Prison for New Offenses
+16%

Prison Population (Includes Jail Backlog)
+5%

Probation Population
-13%

Probation Placements
-40%

Probation Revocations
+3%

Released to No Supervision
+28%

Released to Parole
-31%

Parole Population
-16%

Parole Revocations
-54%

Community Sentencing
+8%

DA Probation
?

* Data is from 2005-2009

Source: UCR, BJS, OKDOC Database, OKDOC “Facts at a Glance”, and OKDOC Annual Report
Three Big Challenges

• Violent Crime Rate High & Unchanged

• Offenders Released Without Supervision

• Prison Population Growth
Violent Crime Increased; Arrests Unchanged

8% increase in violent crimes from 2000 to 2009

Violent crime rate declined 15% nationally, but slightly increased in Oklahoma.

Violent crime arrests dropped 1% from 2000-2009

Property Crime Declined Modestly; Arrests Increased

Property crime rate dropped 16% nationally, but only by 6% in Oklahoma

Number of Drug Arrests is Stable

Need to Analyze Violent Crime Trends

• What specific types of violent crime keep Oklahoma’s rate high, while other states have been able to drive rates down?

• Are there variations in violent crime rate trends across the state?

• What challenges do police, prosecutors and communities face in reducing violent crime?
Three Big Challenges

• Violent Crime Rate High & Unchanged

• Offenders Released Without Supervision

• Prison Population Growth
Number of State Probationers Has Declined Since 2000

Source: BJS: Probation and Parole in the United States; 2006 missing
Community Sentencing Admissions Peaked in 2002

Community Sentencing is a prison alternative that serves those at moderate risk or anyone with a mental health diagnosis.

Source: Community Sentencing Records
No Statewide Data Currently Exists About DA Probation

• Data collected by individual DA offices

• Requested from Tulsa County DA Tim Harris & Oklahoma County’s DA Office
  – Oklahoma County recently upgraded IT systems, data may not be retrievable
In the last five years, fewer people are being released to parole, and more are coming out unsupervised.

The number of offenders released to parole dropped in half.

51% released unsupervised in 2010.

The number of offenders released to parole dropped in half.

High Percentages of High Risk and Violent Offenders Are Released Unsupervised

Source: OKDOC
Need to Analyze How Supervision Resources are Allocated

• Across the criminal justice system, who is being supervised and who is not?

• What are the relative levels of risk and potential danger of those who are supervised versus those who are unsupervised?

• Why is the number of people being released unsupervised increasing?

• How effective are the various forms of community supervision in Oklahoma given current resources?
Three Big Challenges

- Violent Crime Rate High & Unchanged
- Offenders Released Without Supervision
- Prison Population Growth
Oklahoma’s Prison Population Continues to Grow

1996 - 2010: +37%
2000 - 2010: +17%

1,348 offenders were backlogged in jail

OK: OKDOC Annual Reports 2009 and 2010
National: Sourcebook of criminal justice statistics
Violent & Serious Offenders Represent a Growing Share of Prison Admissions, but Still Only 30% of Admissions

<table>
<thead>
<tr>
<th>Type</th>
<th>2005</th>
<th>2010</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>85% Offense</td>
<td>918</td>
<td>1,181</td>
<td>28%</td>
</tr>
<tr>
<td>Violent Not 85%</td>
<td>1,284</td>
<td>1,642</td>
<td></td>
</tr>
<tr>
<td>Non-Violent Not 85%</td>
<td>6,528</td>
<td>6,550</td>
<td>0%</td>
</tr>
<tr>
<td>Total</td>
<td>8,730</td>
<td>9,373</td>
<td></td>
</tr>
</tbody>
</table>

Source: Oklahoma Department of Corrections Admissions Files FY2006-FY2010
New Receptions Were 71% of 2010 Admissions

9,373 2010 Admissions

6,614 New Receptions

1,564 Violent
1,529 Property
2,543 Drug

978 Other

2,352 From Probation
1,204 Technical Violations
1,148 New Crimes

110 Parole Violation
36% Assault
18% Rob.
38% Burglary
30% Larceny
58% Distribution
42% Poss.
32% Others
Eligibility for Parole & Earned Credits Narrows the Window for Parole

Sentence Imposed

Minimum Time Required to Serve

Parole Release Window

Earned Credits
Need to Analyze Prison Population Growth

• What factors explain what percent of the growth in the prison population over the past 15 years?

• How do the parole process, 85% and earned time credit policies 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?
Overview

1. Justice Reinvestment Process & Data To Be Analyzed

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3. Proposed Timeline
### Proposed Timeline

<table>
<thead>
<tr>
<th>Dates</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>June</td>
<td>• Data Collection</td>
</tr>
<tr>
<td>June 21</td>
<td>• <strong>Initial Working Group Meeting</strong></td>
</tr>
<tr>
<td>June 23</td>
<td>• Press Conference Kick Off</td>
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<tr>
<td>July-August</td>
<td>• Finish Data Collection</td>
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<tr>
<td></td>
<td>• Begin Detailed Data Analysis</td>
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<td></td>
<td>• Begin Soliciting Stakeholder Input</td>
</tr>
<tr>
<td>August 4</td>
<td>• <strong>Working Group Meeting</strong></td>
</tr>
<tr>
<td>September-October</td>
<td>• Additional Data Analysis</td>
</tr>
<tr>
<td></td>
<td>• Meetings with Stakeholders</td>
</tr>
<tr>
<td>October 20</td>
<td>• <strong>Working Group Meeting</strong></td>
</tr>
<tr>
<td>November-December</td>
<td>• Policy Development &amp; Stakeholder Consultation</td>
</tr>
<tr>
<td>December 8</td>
<td>• <strong>Working Group Meeting</strong></td>
</tr>
</tbody>
</table>
Thank You

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abettesworth@csg.org

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