

# Justice Reinvestment in Pennsylvania

## Second Presentation to the Working Group

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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 engages members of **all three branches** of state government.

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THE COUNCIL OF STATE GOVERNMENTS

Justice Center provides **practical, nonpartisan advice** informed by the best available evidence.

# What is Justice Reinvestment?



## **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 includes a two-part process spanning analysis, policy development, and implementation.

## Pre-Enactment

1	<b>Bipartisan, interbranch Working Group</b>	Assemble practitioners and leaders; receive and consider information, reports, and policies
2	<b>Data Analysis</b>	Analyze data sources from across the criminal justice system for comprehensive perspective
3	<b>Stakeholder Engagement</b>	Complement data analysis with input from stakeholder groups and interested parties
4	<b>Policy Option Developments</b>	Present a policy framework to reduce corrections costs, increase public safety, and project the impacts

## Post-Enactment

5	<b>Policy Implementation</b>	Identify needs for implementation and deliver technical assistance for reinvestment strategies
6	<b>Monitor Key Measures</b>	Monitor the impact of enacted policies and programs, adjust implementation plan as needed

# Data acquisition and stakeholder engagement update

Data Type	Source	Status
Arrests	Pennsylvania State Police	Pending
Jail	Counties	Scoping
Court Filings	Administrative Office of Pennsylvania Courts	Received
Sentencing	Pennsylvania Commission on Sentencing	Received
Prison	Pennsylvania Department of Corrections	Received
Parole Supervision	Pennsylvania Board of Probation and Parole	Received
Parole Decision Making	Pennsylvania Board of Probation and Parole	Received
Probation Supervision	Counties/CCAP	Scoping
Behavioral Health	Pennsylvania Department of Corrections/ Department of Drug and Alcohol Programs/	Received
	Department of Human Services	Scoping

## Stakeholder Engagement Since the March Working Group Meeting

### Victim Advocates Roundtable

More than 20 participants from multiple organizations, including the Office of the Victim Advocate and Pennsylvania State Police

### Surveys

- **Adult Probation** chief officers, deputy chiefs, supervisors/managers, and line officers were all invited to participate in an online survey  
 - **Working Group** members surveyed on areas of focus for the justice reinvestment project

### National Stepping Up Summit

Teams from 3 counties (Allegheny, Berks, and Franklin) participated in the National Stepping Up Summit in Washington, DC, to help create or refine plans to reduce the prevalence of people with mental illness in jails

### CJAB Conference

CSG Justice Center staff participated in last month's Criminal Justice Advisory Board Conference in State College

### Stakeholder Calls

23 calls with stakeholders, including defense attorneys, prosecutors, judges, chief adult probation officers, judiciary committee members, and representatives from PCCD, DOC, PBPP, and the governor's office

Results of the working group survey to date indicate strong interest in pretrial, probation, access to services and outcomes.



**Topics of highest interest:**  
 Bail and Pretrial  
 Probation Practices and Outcomes  
 Criminal History  
 Race/Ethnicity  
 Parole Decisions and Violators  
 Behavioral Health Services  
 Juvenile Justice

About half of the working group has responded to the survey so far.

# Engaging victims and victim advocates in justice reinvestment

## Victim Advocate Roundtable

April 11, 2016

State Victim Advocate Jennifer Storm, CSG Justice Center staff, and National Victim Advocate Anne Seymour met with Pennsylvania victim advocates.

### Roundtable Themes

- Victim should be able to receive information at the pretrial stage.
- Victim should receive notification about early accountability proceedings.
- Criminal justice professionals should receive training on victims' rights.
- To help victims navigate a complicated system, available services and opportunities to provide impact statements at criminal justice system stages should both be mapped out.
- Victim restitution data (i.e., orders and collections) should be analyzed to assess how orders are managed—if data are available.
- Compensation eligibility, benefits, and utilization should be analyzed to determine whether the needs of victims are being met.
- Victims do not know about the services available to them.

### Next Steps

- June and July regional meetings with victim services agencies and advocates.
- Additional data requests, policy review, and victim advocate input.

## Recap of March Presentation

1

Three-quarters of Pennsylvania's criminal justice population is on county supervision and incarceration, but outcomes for this population are largely unknown.

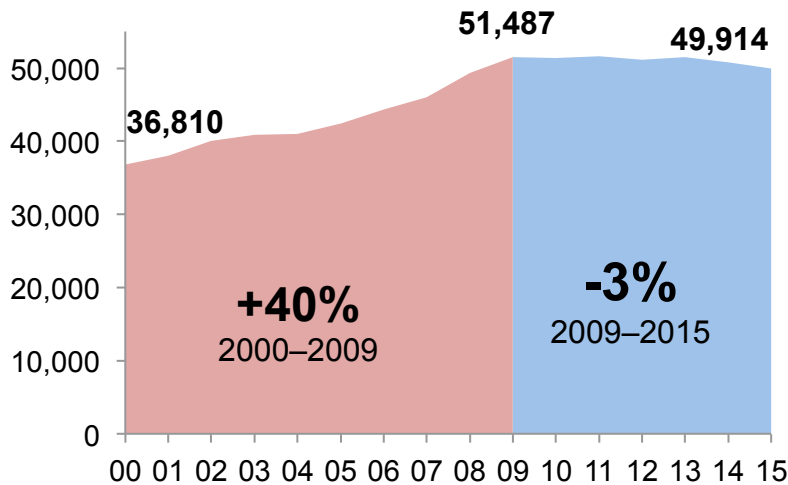
Criminal Justice Population	% of Total	Recidivism Measure		
		Supervision Violation	Re-arrest	Re-incarceration
<b>Probation, CIP, Local Parole</b> and other county supervised cases	<b>66%</b>	Some summary information in CAPP report	Not reported	Some summary information in CAPP report
<b>Jail</b>	<b>10%</b>	N/A	No regular statewide tracking or reporting; some occurs in individual counties	
<b>Prison</b>	<b>14%</b>	N/A	Reported annually in a published report	
<b>Parole</b> and other state supervised cases	<b>11%</b>	Reported annually in a published report		



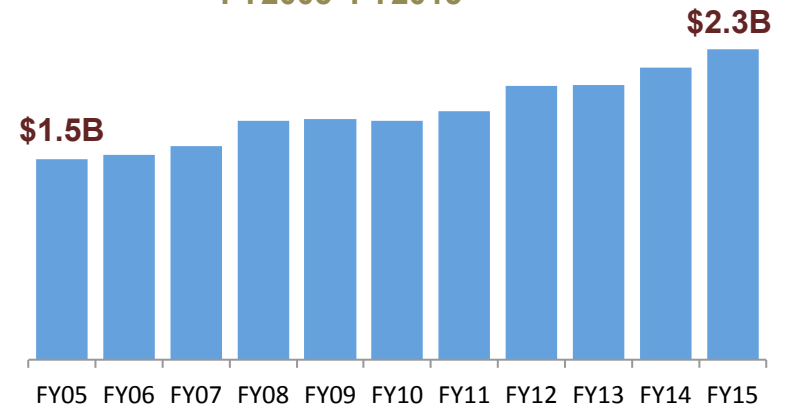
# Recap of March Presentation

**2** Efforts to curb prison population growth have contributed to recent reductions, but state corrections spending has continued to climb, reaching \$2.3 billion.

**Pennsylvania Prison Population, 2000–2015**



**General Fund Corrections Expenditures in Billions, FY2005–FY2015**



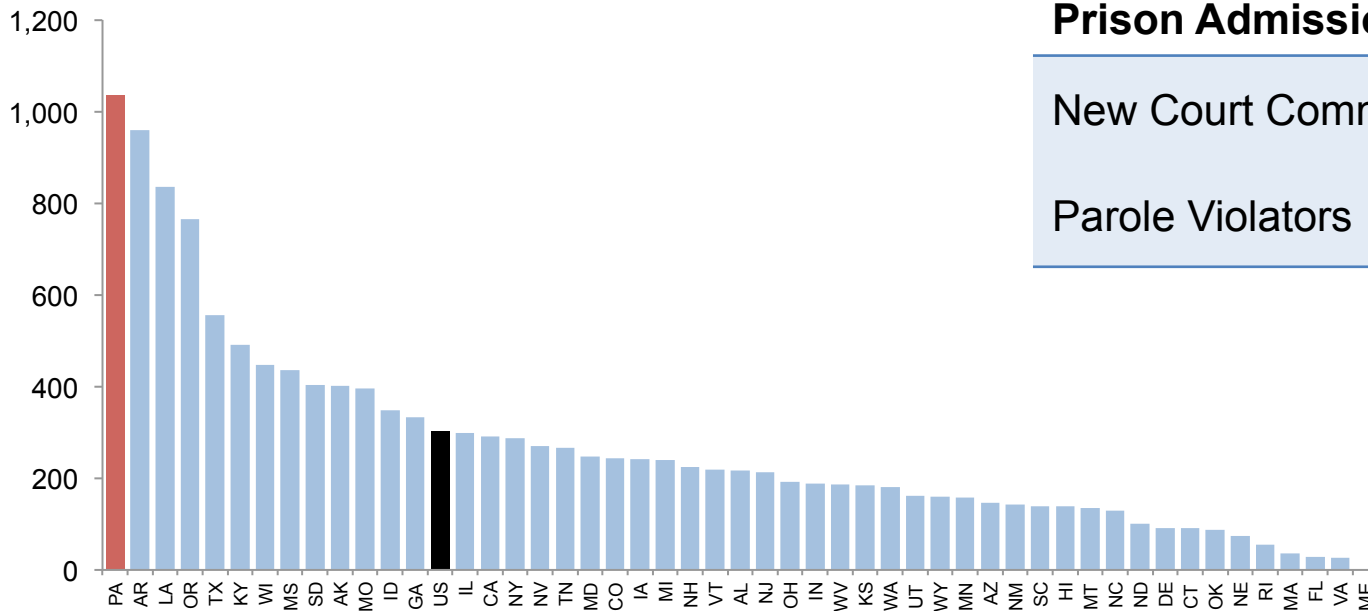
Corrections spending grew at twice the rate of overall state budget from FY2005 to FY2015

# Recap of March Presentation

3

Pennsylvania has the highest rate of adults on parole supervision in the U.S., and parole violators account for nearly half of prison admissions.

Parole Population per 100,000 Residents, 2014



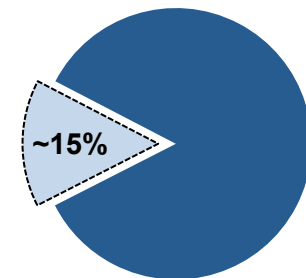
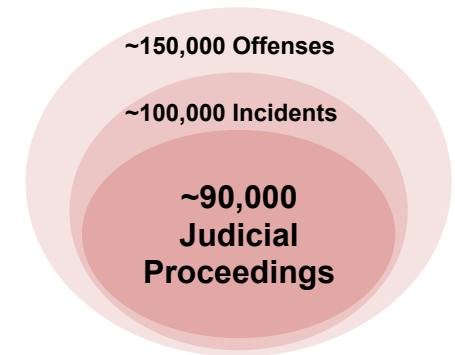
## Prison Admissions by Type, 2014

New Court Commitments	53% (10,321)
Parole Violators	47% (9,130)

BJA, Probation and Parole in the United States, 2014; PA DOC 2014 Annual Statistical Report.

# May presentation data analysis notes

- Switch to **judicial proceedings** rather than criminal incidents to better reflect the volume of people being sentenced to different options. We use the terms *sentences* and *judicial proceedings* interchangeably throughout the presentation.  
“A judicial proceeding includes all offenses committed by an offender that are sentenced on a given date. A judicial proceeding may contain a single criminal incident or multiple criminal incidents.”
- Look beyond just the most serious sanction to uncover **split sentences** that receive probation in addition to incarceration.
- **Philadelphia Municipal Court data**, including most misdemeanors, are not included in the sentencing analysis, and we estimate this amounts to about 15% of the state misdemeanor total.



# Glossary of terms used in this presentation

**Prior Record Score (PRS)**—Score that depicts the seriousness and extent of an individual’s prior criminal record for use in the sentencing guidelines. Prior Record Scores range from 0 to 5 with two additional higher categories for repeat offenders, on the X axis of the sentencing guidelines grid.

**Offense Gravity Score (OGS)**—Score assigned to the gravity of the current conviction offense for use in the sentencing guidelines. Offense Gravity Scores range from 1 to 14 on the Y axis of the sentencing guidelines grid.

**Split Sentence**—A sentence that combines jail or prison incarceration with a probation sentence (or tail) following completion of incarceration and any parole period.

**County Intermediate Punishment (CIP)**—A direct sentencing alternative that consists of a restrictive intermediate punishment, such as a short jail stay or home confinement, and a restorative sanction/probation period.

**Drug and Alcohol Restrictive Intermediate Punishment (D&A RIP)**—A subgroup of CIP sentences and refers to the program established by PCCD that supports clinically prescribed drug and alcohol treatment for qualifying individuals through a state appropriation. D&A RIP funds support assessment, evaluation, treatment, case management, and supervision services, specifically for offenders falling under Levels 3 or 4 of the sentencing guidelines.

**Evidence-Based Practice (EBP)**—EBP is the objective, balanced, and responsible use of current research and the best available data to guide policy and practice decisions. Used originally in the health care and social science fields, evidence-based practice focuses on approaches demonstrated to be effective through empirical research rather than through anecdote or professional experience alone.

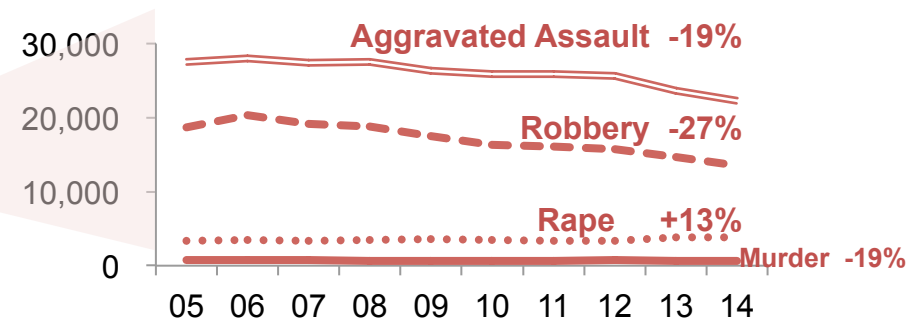
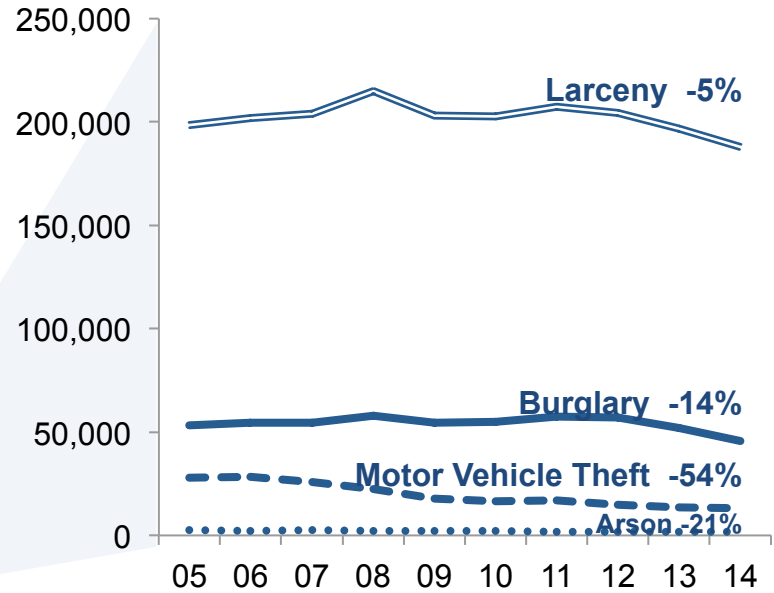
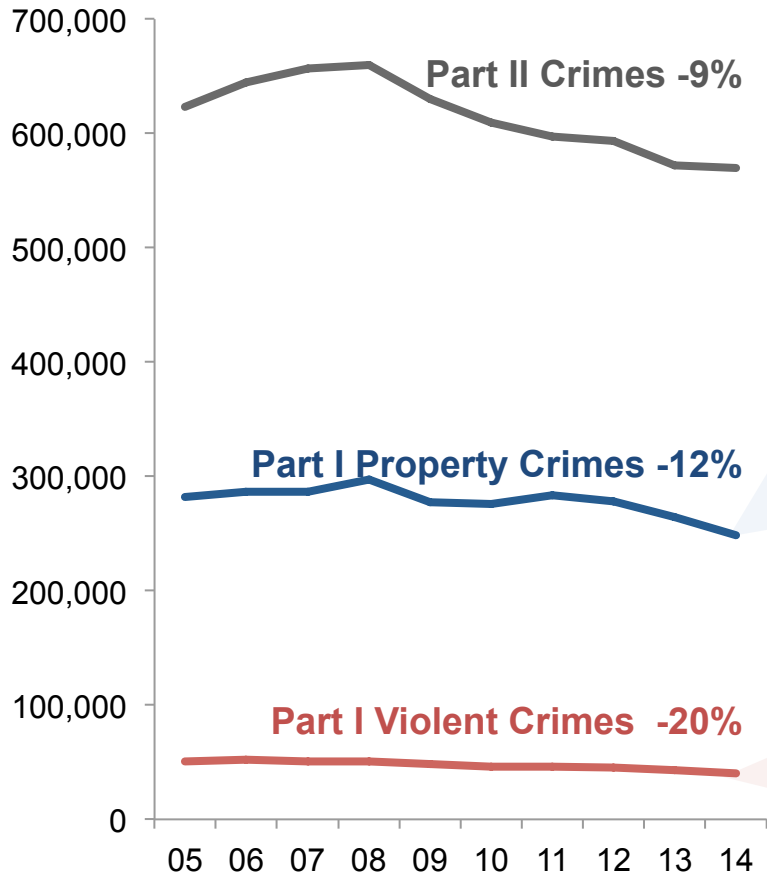


# Overview

- 1 Relevant Trends
- 2 Sentencing Choices
- 3 Strengthening Supervision

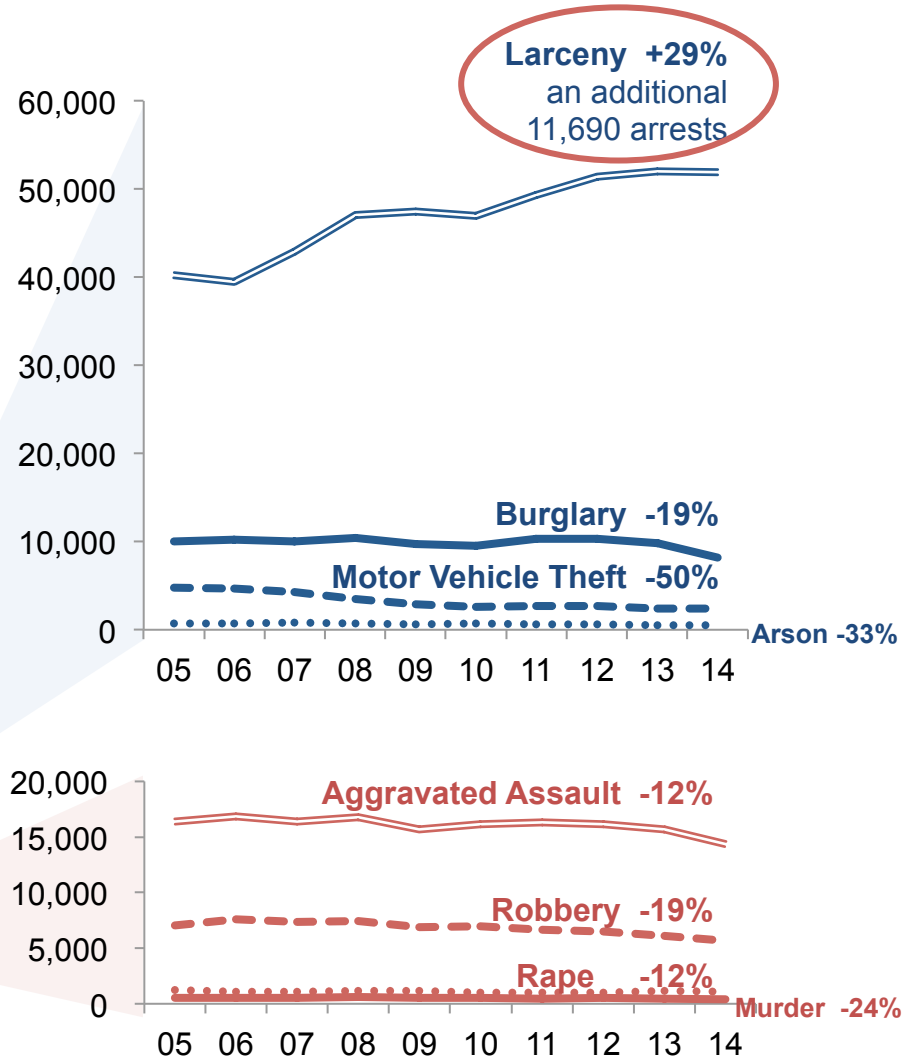
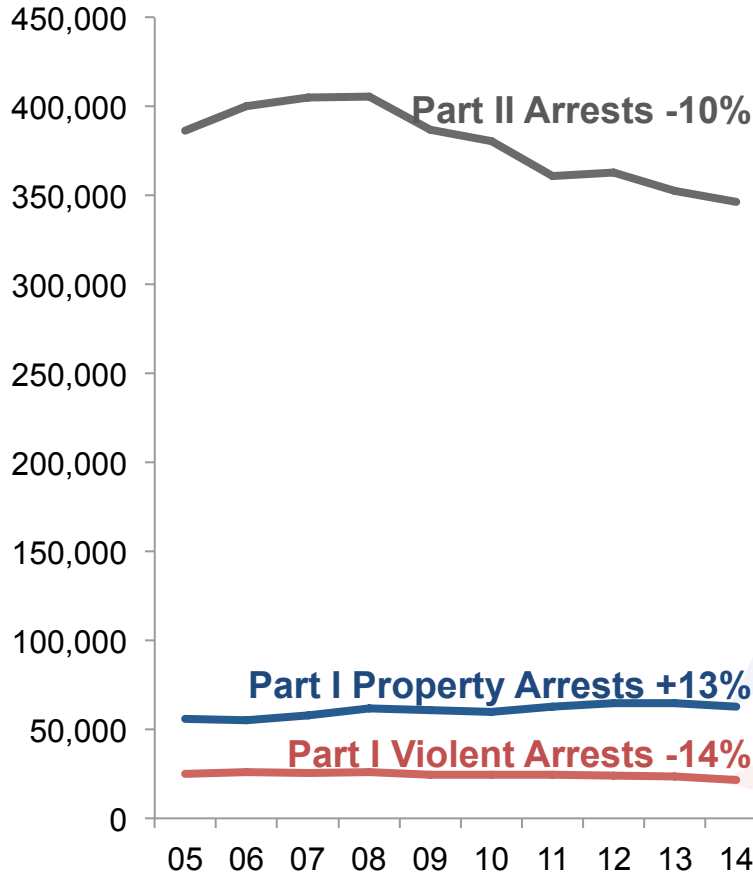
# Almost all reported crime is trending downward.

Part I and Part II Reported Crimes, 2005–2014



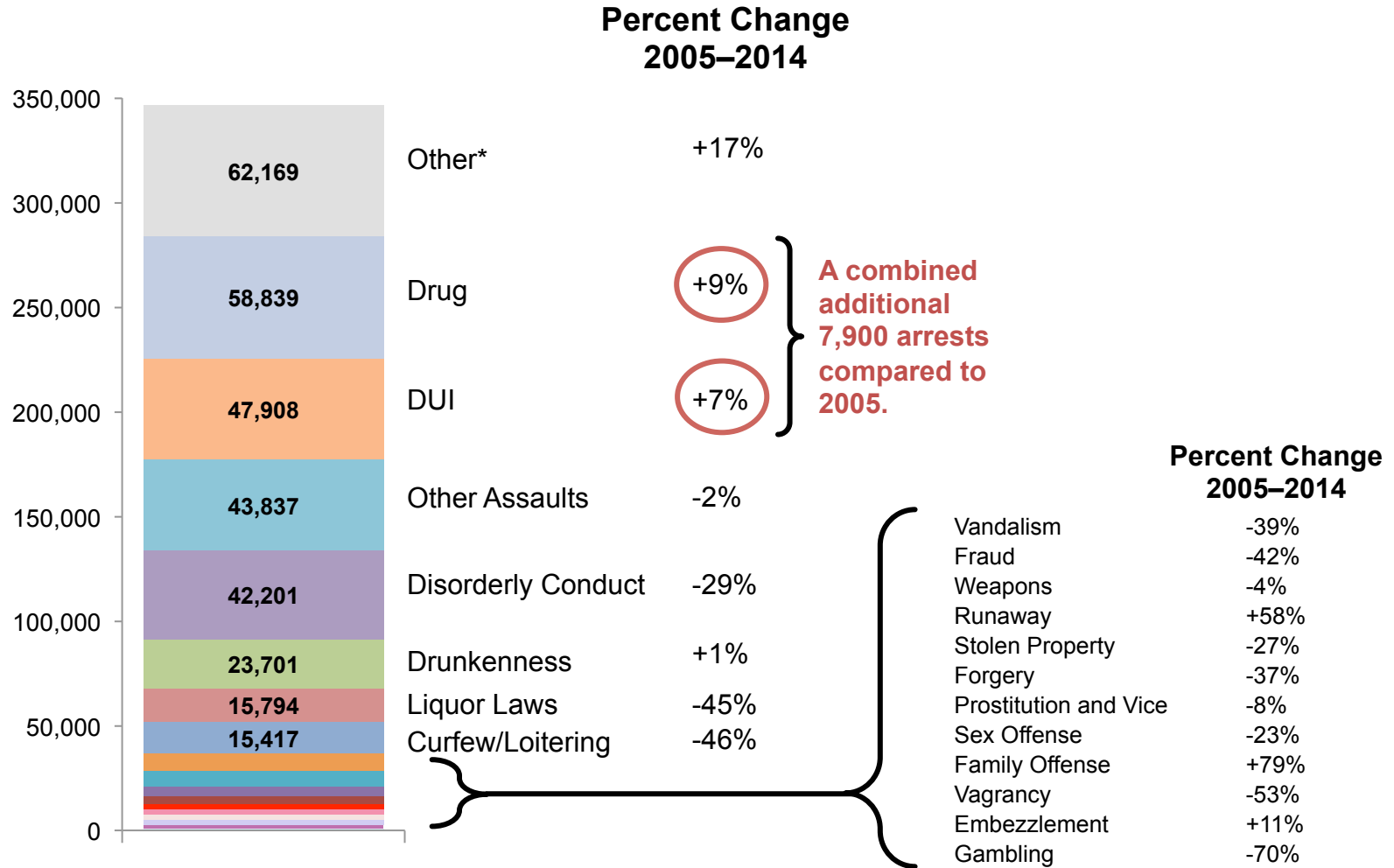
# Part I property arrests have increased, driven by arrests for theft.

**Part I and Part II Arrests, 2005–2014**



# Within Part II arrests, the most notable increases were among drug and DUI.

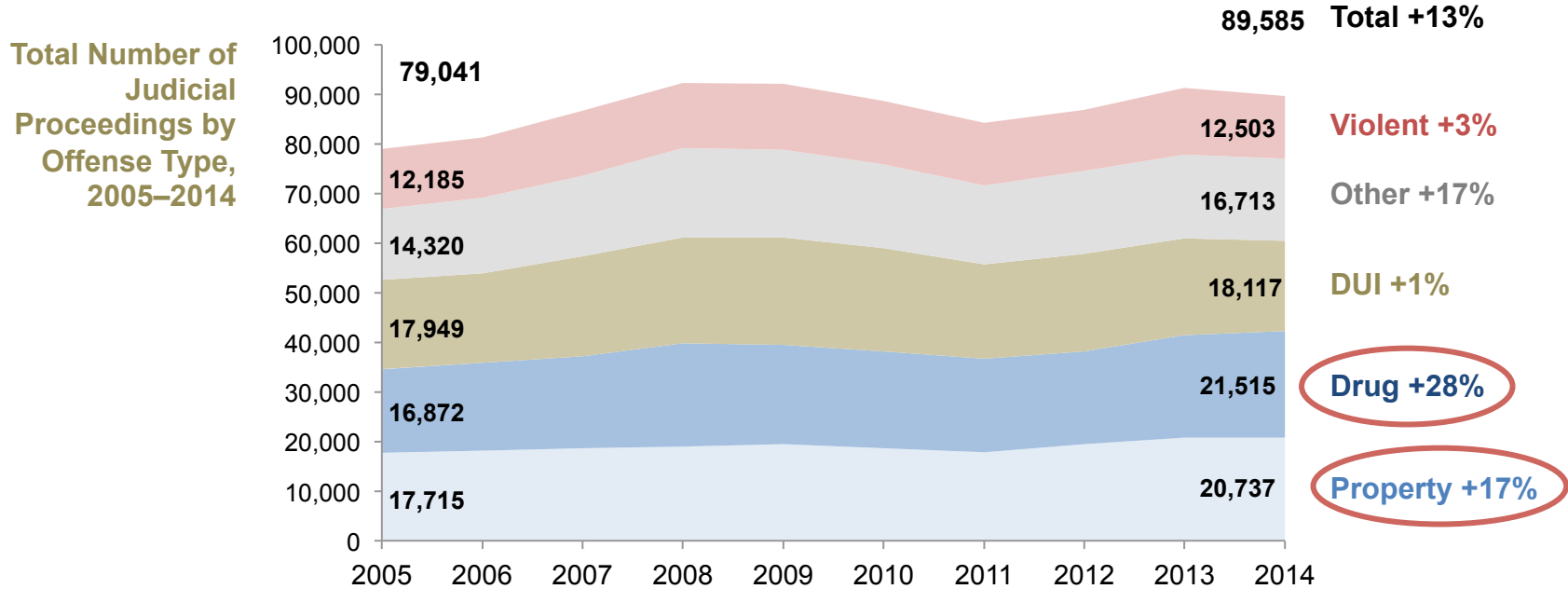
Part II Arrests  
by Offense  
Type, 2014



\* "Other" includes crimes not specified by the FBI as Part I or Part II, such as: Blackmail; bribery; contempt of court; perjury; contributing to juvenile delinquency; possession of burglar's tools, drug paraphernalia, or obscene materials; public nuisances; trespassing; some weapons possession; and violations of state regulatory laws and municipal ordinances.



Sentences for drug offenses had the largest growth in the last ten years, while property and 'other' offenses also increased.



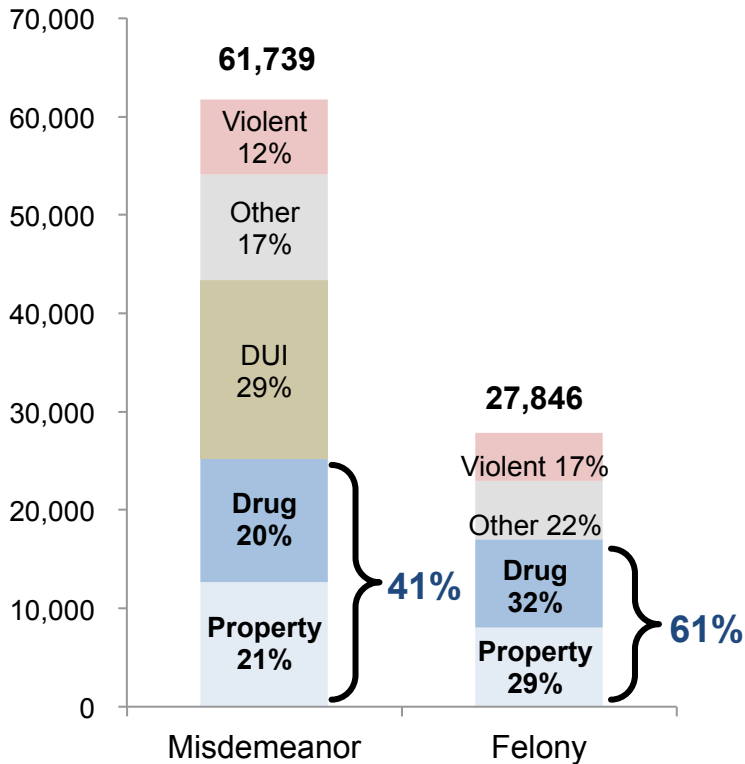
	2005	2014
Violent	15%	14%
Other	18%	19%
DUI	23%	20%
Drug	21%	24%
Property	22%	23%

Increases in property and drug offenses constituted **73%** of the 10,544 increase in total judicial proceedings from 2005 to 2014.

Justice Center analysis of Pennsylvania Commission on Sentencing data.

# Property and drug offenses comprise 61 percent of felony sentences.

Misdemeanor and Felony Sentences by Offense Type, 2014



## Violent

### Misdemeanor

- 62% Simple Assault
- 14% Terroristic Threats
- 14% Reckless Endangerment
- 7% Stalking/Harassment

### Felony

- 31% Robbery
- 31% Aggravated Assault
- 15% Rape/Sexual Assault
- 11% Homicide
- 10% Burglary of Occupied House

## Other

### Misdemeanor

- 15% Escape/Hindering/Resisting
- 11% Disorderly Conduct
- 9% Criminal Mischief/Trespassing
- 8% Instruments of Crime
- 7% Weapons
- 6% False ID to Law Enforcement

### Felony

- 26% Weapons
- 19% Trespassing
- 6% Sex Offender Registry
- 5% Child Pornography

## Drug

### Misdemeanor

- 59% Possession
- 39% Drug Paraphernalia

### Felony

- 93% Possession w/Int. to Deliver
- 5% Acquisition by Fraud

## Property

### Misdemeanor

- 94% Theft/Retail Theft
- 4% Bad Checks

### Felony

- 72% Theft/Retail Theft
- 19% Other Burglary
- 7% Forgery

Offense type in this presentation is based on the most serious offense of the judicial proceeding only.

Justice Center analysis of Pennsylvania Commission on Sentencing data.



## Section One Recap

**Although total reported crime is down, arrests for property and drug offenses increased.**

- Part I violent crime fell 20 percent and property crime dropped 12 percent.
- Increases in theft, drug, and DUI accounted for 19,590 additional arrests in 2014 compared to 2005.

**Property and drug offenses drove the increase in sentences and comprise the majority of felony sentences.**

- Between 2005 and 2014, the total number of judicial proceedings increased 13 percent.
- Property and drug offenses were responsible for 73 percent of the sentencing increase.
- In 2014, 61 percent of felony sentences were for property and drug offenses.

**Most sentences fall into guideline levels that allow for most sentencing options.**

- In 2014, 75 percent of sentences fell within guideline levels 3 and 4, which allow for sentences to probation, intermediate punishment, or incarceration.



# Overview

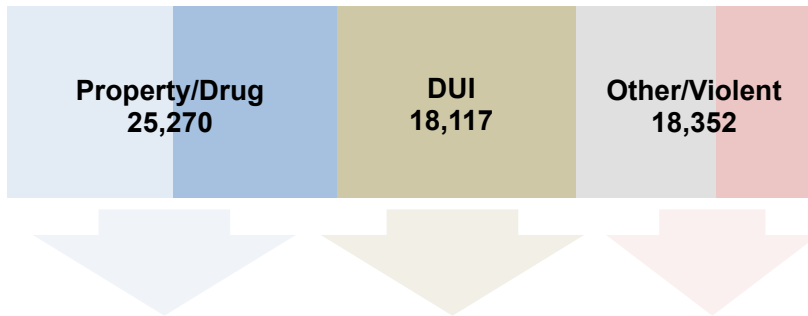
1 Relevant Trends

2 Sentencing Choices

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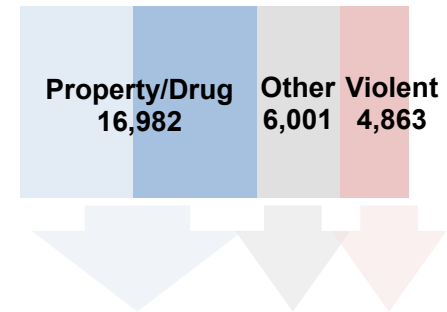
Incarceration is used for a substantial proportion of property and drug offense sentences.

Misdemeanor Sentences by Offense Type and Disposition, 2014



Disposition	Property/Drug	DUI	Other/Violent
Probation	67%	6%	58%
CIP	3%	37%	5%
Jail	<b>23%</b>	53%	32%
Prison	2%	3%	4%
Other	4%	0%	2%

Felony Sentences by Offense Type and Disposition, 2014

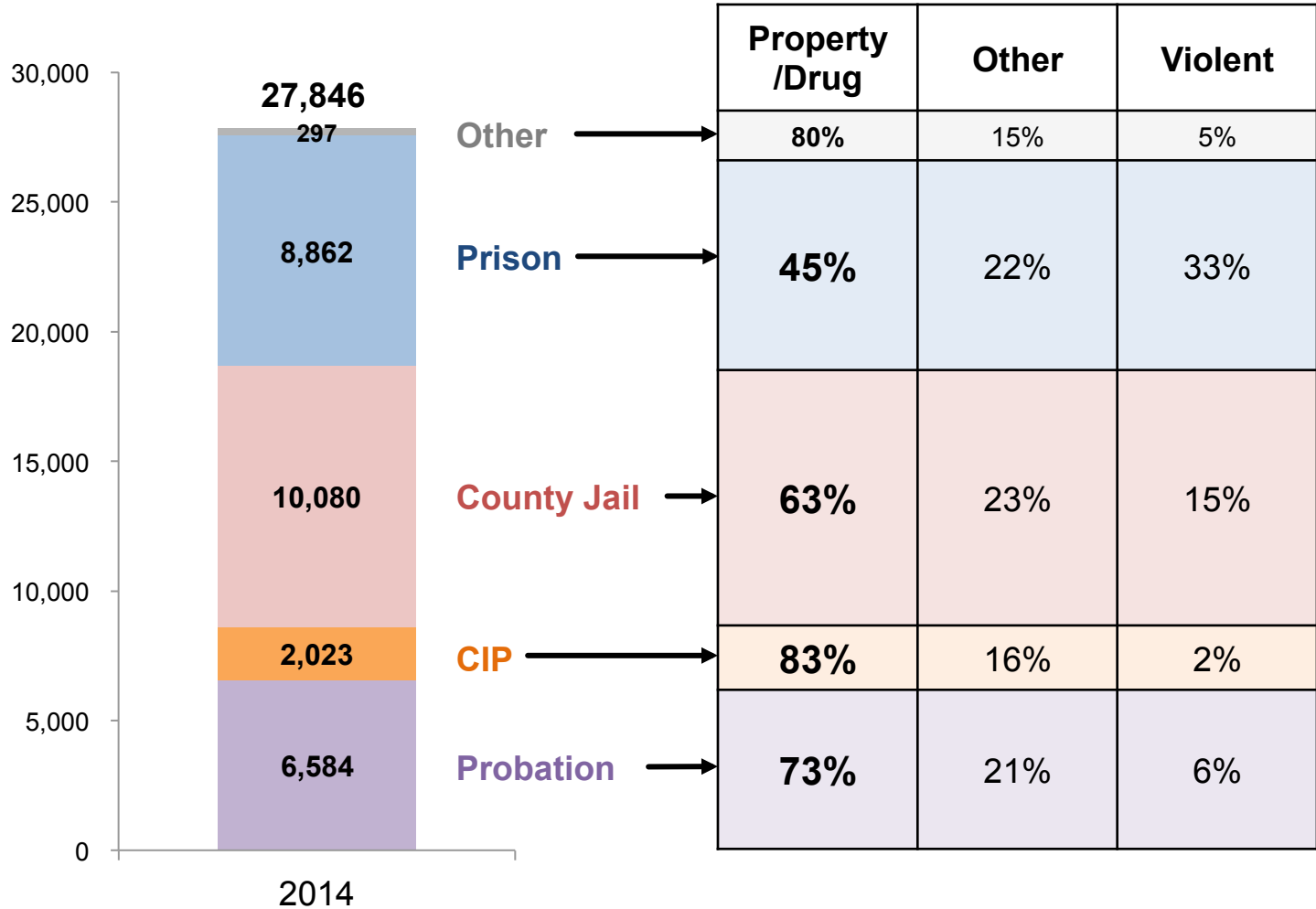


Disposition	Property/Drug	Other	Violent
Probation	28%	24%	8%
CIP	10%	5%	1%
Jail	<b>37%</b>	38%	30%
Prison	<b>23%</b>	32%	61%
Other	1%	1%	0%

Justice Center analysis of Pennsylvania Commission on Sentencing data.

Felony property and drug offenses are the largest offense category within all sentencing options.

Total Judicial Proceedings by Sanction Type, 2014



Justice Center analysis of Pennsylvania Commission on Sentencing data.

# Incarcerating property and drug offenses costs Pennsylvania taxpayers more than \$500 million per year.

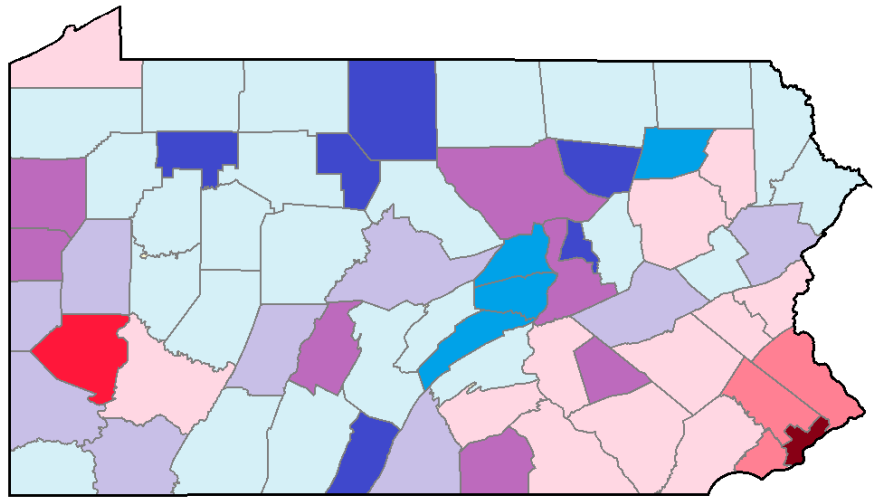
	Probation	CIP	D&A RIP <sup>1</sup>	Jail	Prison
Estimated Annual Admissions	22,000	1,400	1,000	12,000	4,700
Estimated Average Length of Stay	20.0 months	18.0 <sup>2</sup> months	15.8 <sup>2</sup> months	4.5 months	30.5 months
Annual Cost per Participant	\$1,000 <sup>3</sup>	\$1,300 <sup>4</sup>	\$4,130	\$24,500 <sup>5</sup>	\$36,500 <sup>6</sup>
<b>Cost per Sentence (Length of Stay x Cost per Day)</b>	<b>\$1,667</b>	<b>\$1,950</b>	<b>\$5,438</b>	<b>\$9,188</b>	<b>\$92,771</b>
Total Cost per Year (Cost per Sentence x Annual Admissions)	\$37M	\$3M	\$5M	<b>\$110M</b>	<b>\$436M</b>
Bearer of Cost	County	County <small>with some state support</small>	State	County	State
Likelihood of Receiving Risk-reduction Programs/Treatment	Possible	Possible	Certain	Unlikely	Likely
Recidivism Rate	<b>Comparative recidivism rates will be analyzed in the coming months.</b>				

1. State Funded D&A RIP only.
2. Average LOS for all offense types.
3. Legislative Budget and Finance Committee, Funding of County Adult Probation Services, February 2015.
4. Cost estimate based on blend of state and county funds.
5. Average statewide county jail cost per day in 2014.
6. Fully loaded cost per year.

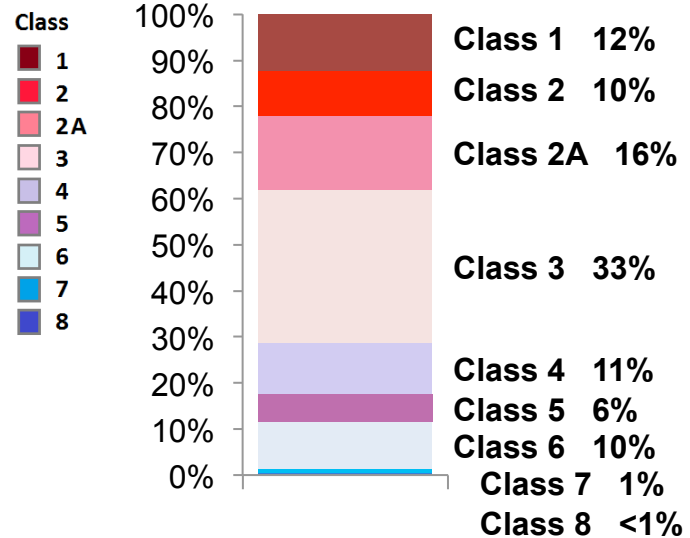
Note that these cost estimates do not include the additional cost of post-incarceration supervision.



# Geographic variation in sentencing can be explored through Pennsylvania's county classification scheme.



Percent of 2014 State Population



**Class 1 - Population of 1,500,000 or more**  
Philadelphia County

**Class 2 - Population of 800,000 to 1,499,999**  
Allegheny County

**Class 2A - Population of 500,000 to 799,999**  
3 Counties (Bucks, Delaware, Montgomery)

**Class 3 - Population of 210,000 to 499,999**  
12 Counties (Berks, Chester, Cumberland, Dauphin, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Northampton, Westmoreland, York)

**Class 4 - Population of 145,000 to 209,999**  
9 Counties (Beaver, Butler, Cambria, Centre, Fayette, Franklin, Monroe, Schuylkill, Washington)

**Class 5 - Population of 90,000 to 144,999**  
7 Counties (Adams, Blair, Lawrence, Lebanon, Lycoming, Mercer, Northumberland)

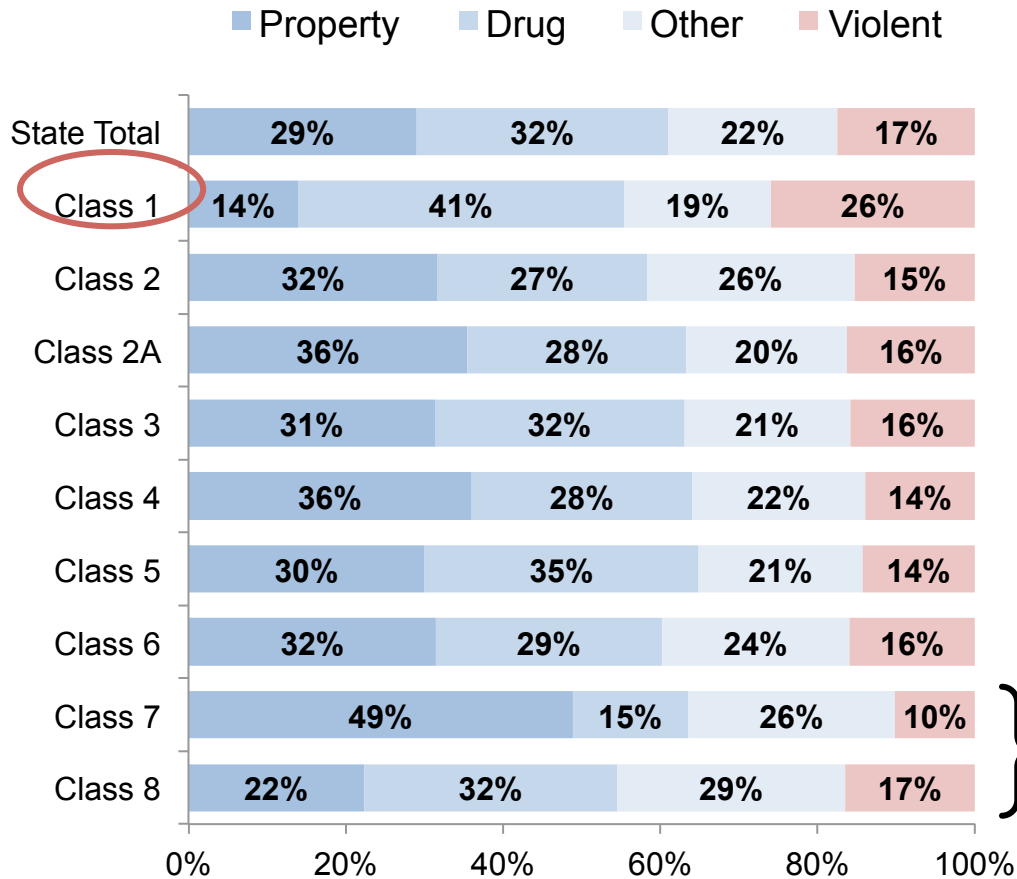
**Class 6 - Population of 45,000 to 89,999**  
24 Counties (Armstrong, Bedford, Bradford, Carbon, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Greene, Huntingdon, Indiana, Jefferson, McKean, Mifflin, Perry, Pike, Somerset, Susquehanna, Tioga, Venango, Warren, Wayne)

**Class 7 - Population of 20,000 to 44,999**  
4 Counties (Juniata, Snyder, Union, Wyoming)

**Class 8 - Population of less than 20,000**  
6 Counties (Cameron, Forest, Fulton, Montour, Potter, Sullivan)

With the exception of Philadelphia, distribution of offense types within county classes is similar.

Felony Sentences by Offense Type and County Class, 2014

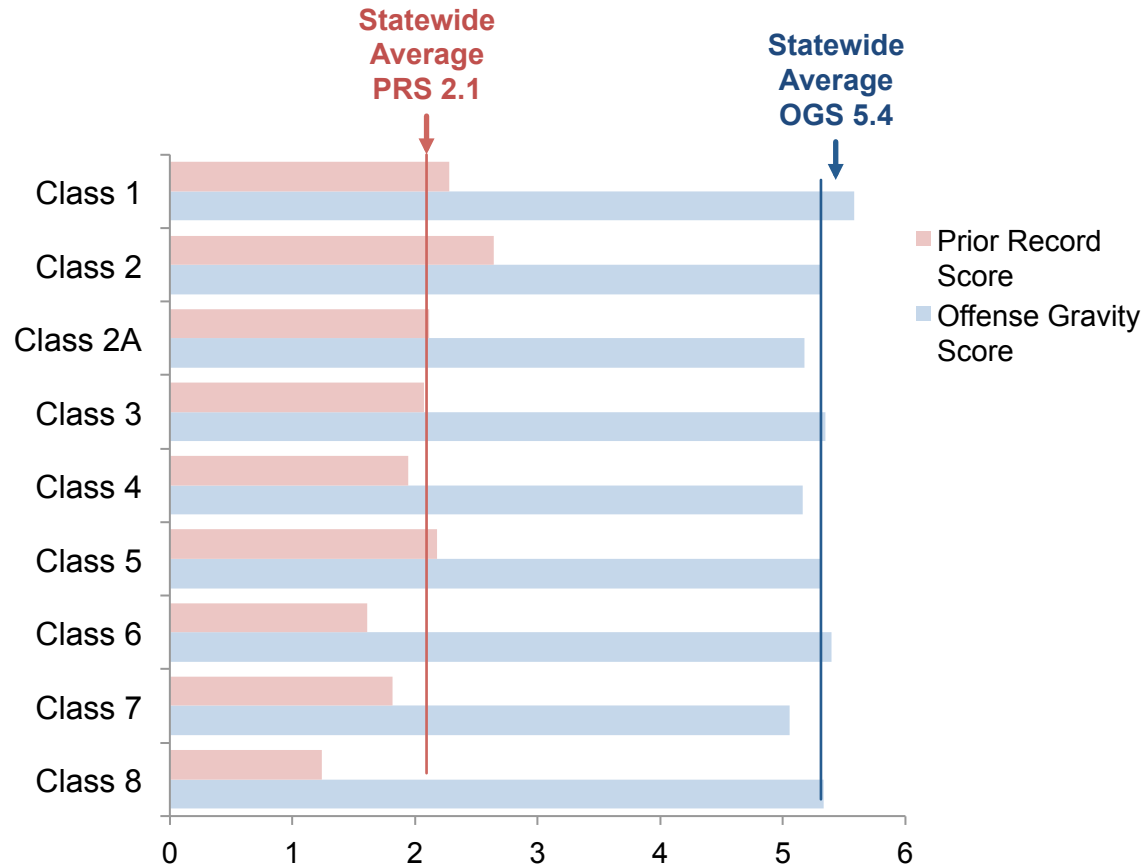


Felony volume in Class 7 and 8 counties is very low, accounting for only 1% of the state total.

Justice Center analysis of Pennsylvania Commission on Sentencing data.

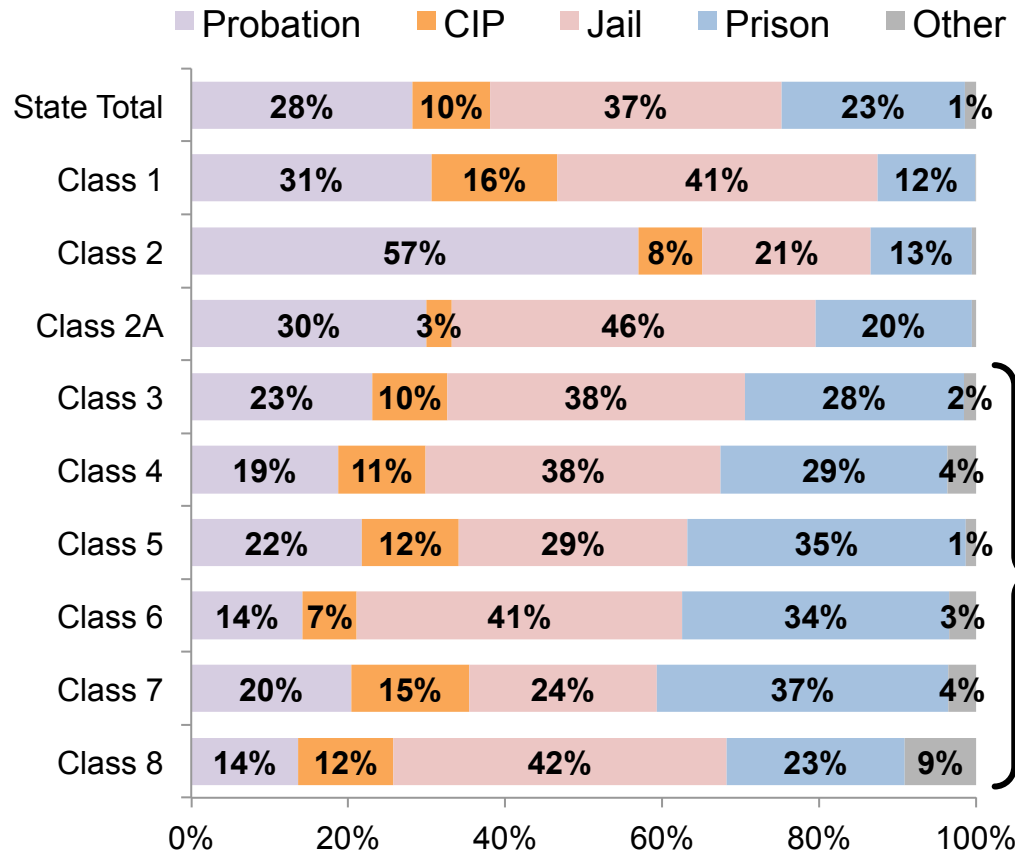
# Average property and drug Offense Gravity Scores and Prior Record Scores are lower in the smaller population county classes.

Felony Property and Drug Sentence Average Prior Record and Offense Gravity Scores by County Class, 2014



# Property and drug sentencing varies widely by county class, with Allegheny County sentencing the largest portion to probation.

**Felony Property and Drug Sentences by Disposition and County Class, 2014**



Use of prison sentences for property and drug offenses in Classes 3 through 8 is twice as high as 1 and 2.

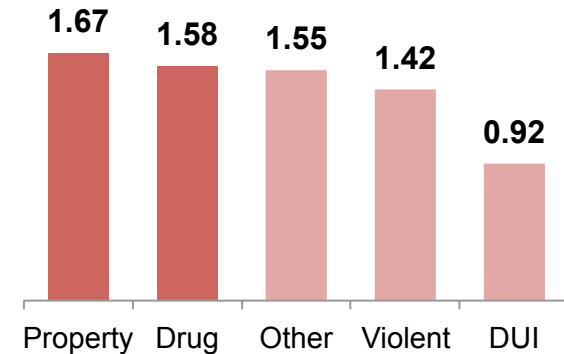
Justice Center analysis of Pennsylvania Commission on Sentencing data.

People sentenced for property and drug offenses present the biggest challenge, and opportunity, for recidivism-reduction.

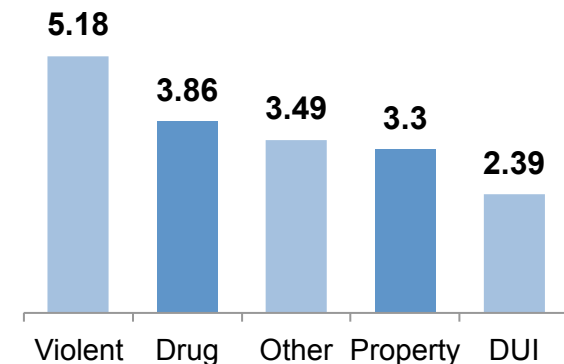
### What we know about people convicted of property and drug offenses

- Property and drug crimes represent a large share of arrests and sentences, consuming law enforcement and court resources.
- They tend to have criminal records (higher PRS) but are convicted of nonviolent offenses (lower OGS).
- They may have significant criminogenic needs, including substance use and criminal attitudes, that must be addressed to prevent future criminal behavior. For example, among new property and drug admissions to prison in 2014, 68% had a substance abuse disorder indicator.
- Addressing these criminogenic needs presents resource challenges for criminal justice and behavioral health systems.

Average Prior Record Score by Offense Type, 2005-2014



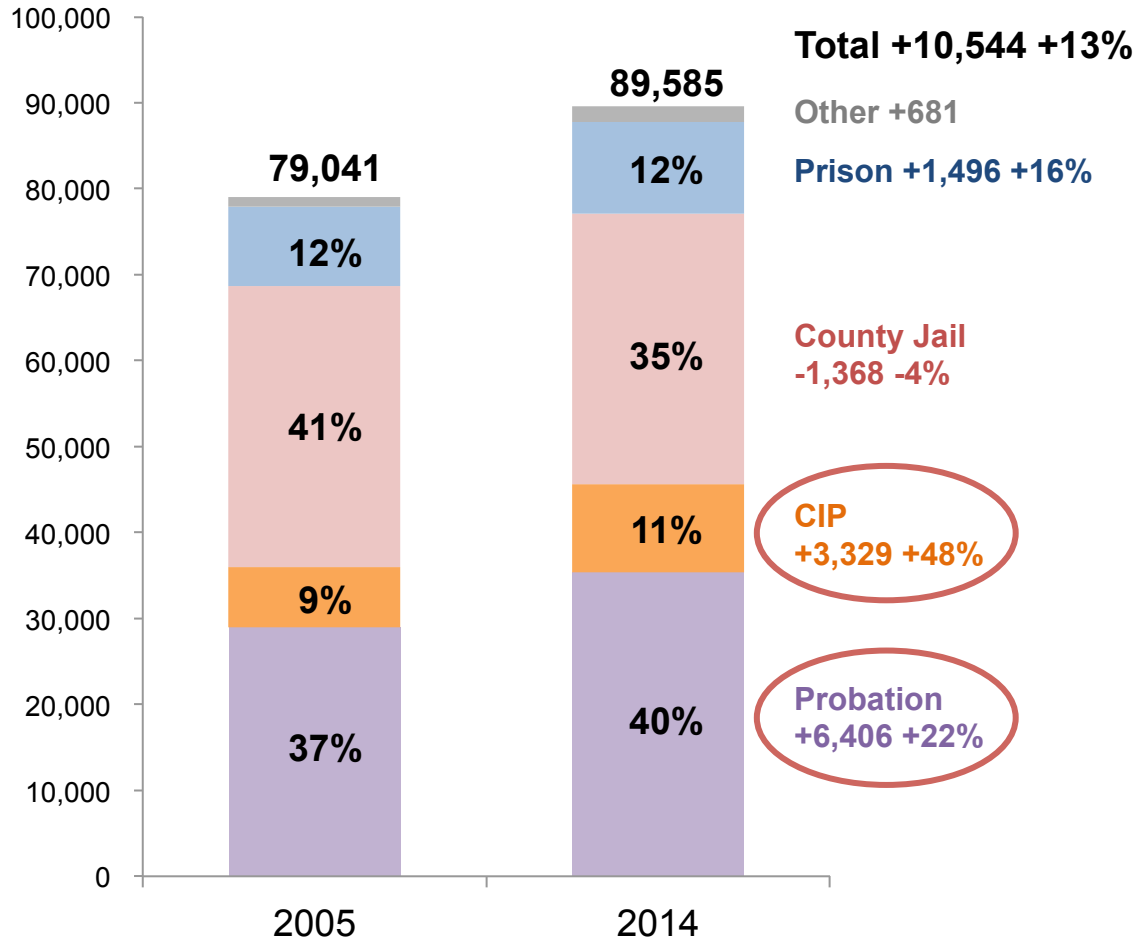
Average Offense Gravity Score by Offense Type, 2005-2014



Justice Center analysis of Pennsylvania Commission on Sentencing data and PA DOC admissions data.

Total judicial proceedings increased 13 percent, with larger growth among probation and CIP sentences.

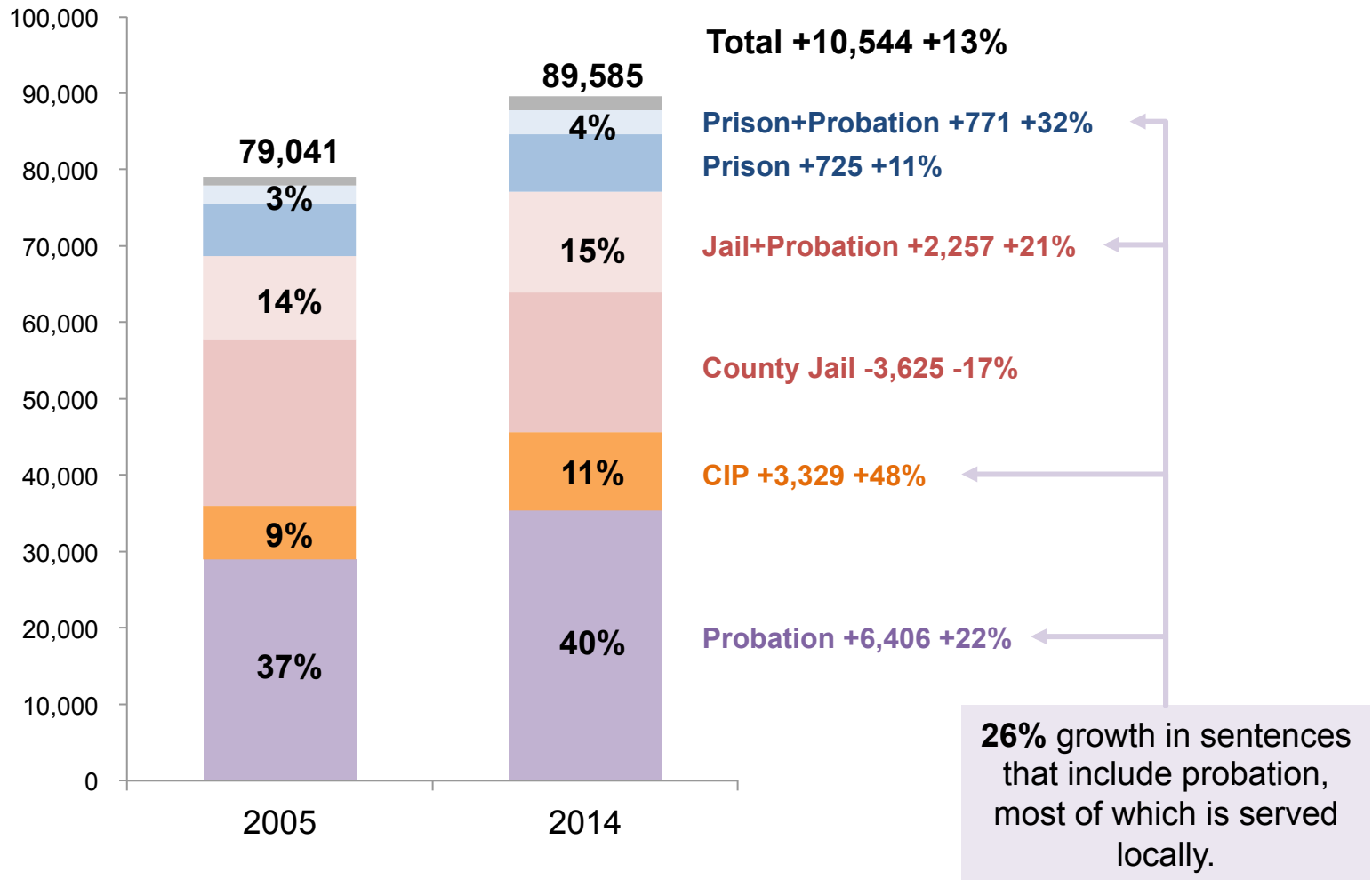
**Total Judicial Proceedings by Sanction Type, 2005 and 2014**



Justice Center analysis of Pennsylvania Commission on Sentencing data.

# Depicting the most serious sanction masks an additional layer of split sentencing: to incarceration, plus probation.

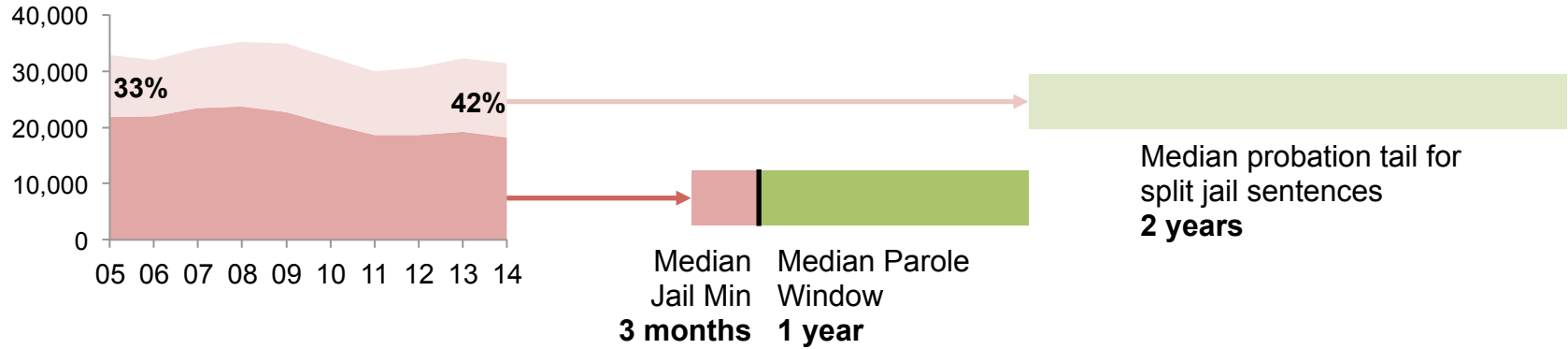
Total Judicial Proceedings by Sanction Type, 2005 and 2014



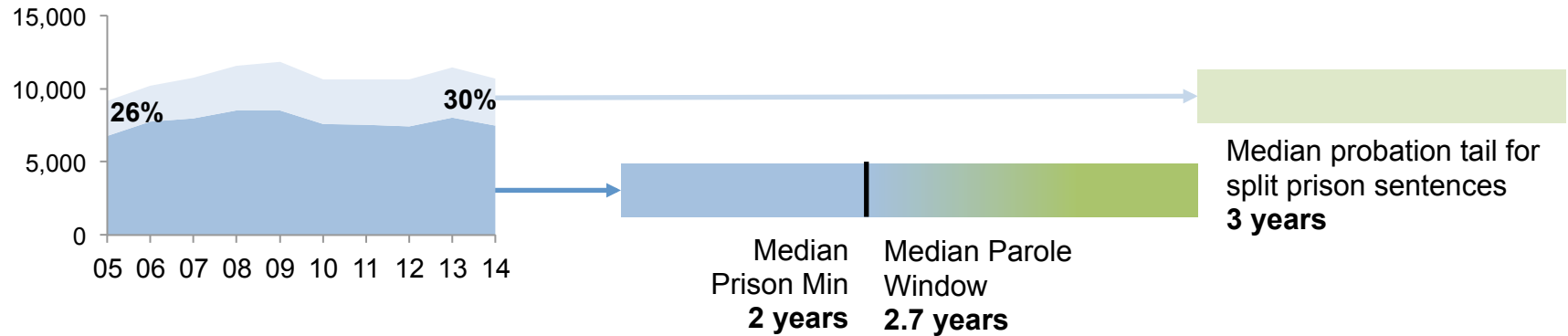
Justice Center analysis of Pennsylvania Commission on Sentencing data.

# Growing volumes of split sentences add significant supervision time on top of a likely parole period.

**Proportion of jail sentences with a probation tail**



**Proportion of prison sentences with a probation tail**

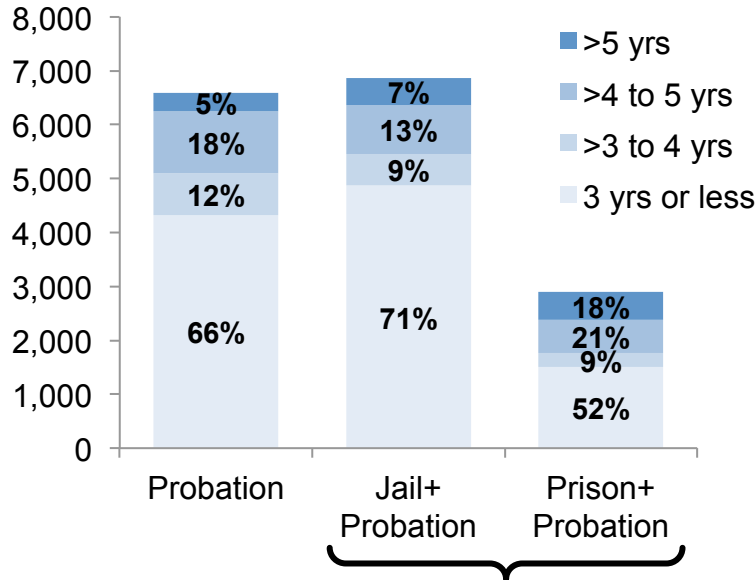


Justice Center analysis of Pennsylvania Commission on Sentencing data.

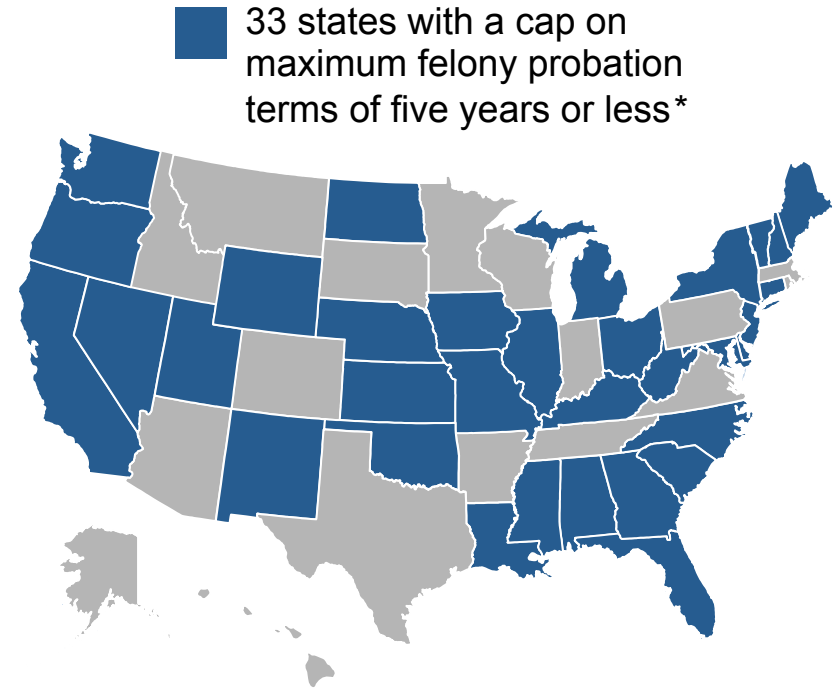


# A third of felony straight probation sentences and half of felony prison split sentences have probation terms over three years in length.

**Probation Sentence Lengths by Type, 2014**



In addition to the proportions subject to longer probation terms, those with split sentences may also spend a period of time on local or state parole.



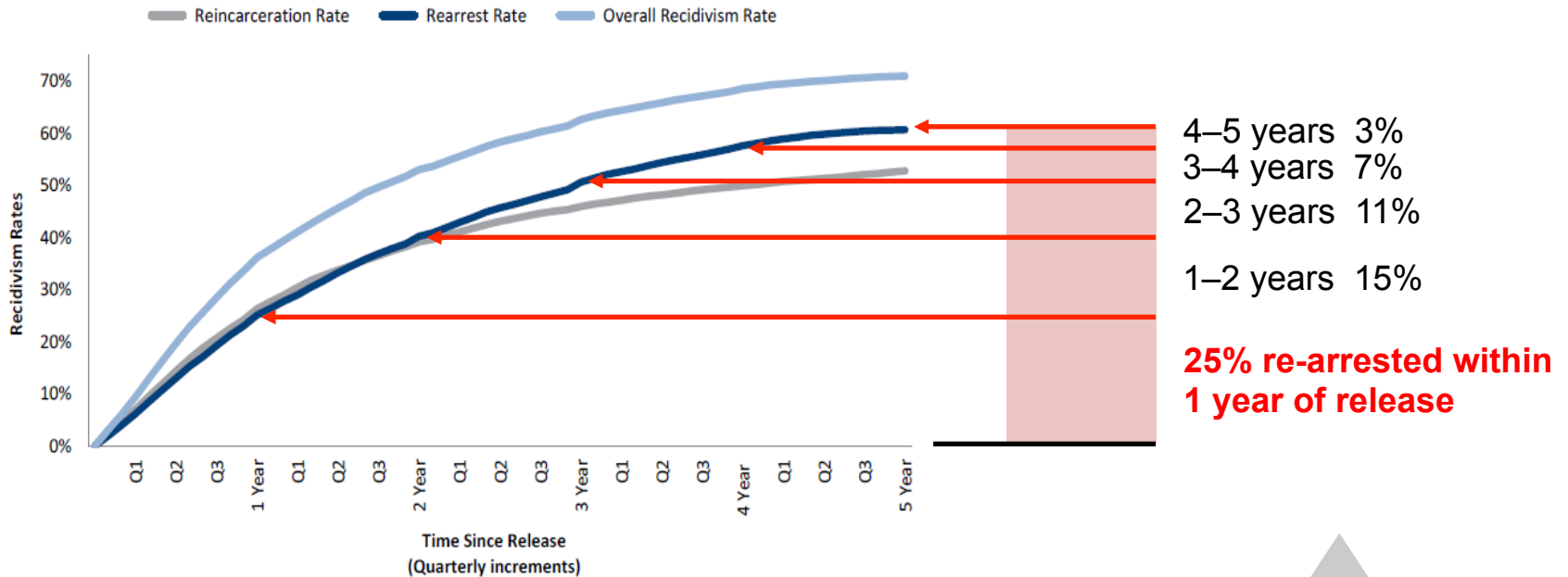
\* Many states exempt some crimes from the cap

Additional note: 38% of Pennsylvania misdemeanor probation terms are longer than one year.

Justice Center analysis of Pennsylvania Commission on Sentencing data.

The likelihood of recidivism is highest in the first year on supervision and decreases in each subsequent year.

FIGURE 7: 5-YEAR RECIDIVISM RATES IN PENNSYLVANIA (2006 RELEASES)



Likelihood of failure on supervision is highest in the first year, and declines in each subsequent year.

## Section Two Recap

### **Large proportions of sentences to jail and prison are for property and drug offenses.**

- 45 percent of sentences to prison and 63 percent of sentences to jail are for property and drug offenses.

### **Incarcerating property and drug offenses costs taxpayers more than \$500 million per year.**

- Although offenses comprising sentences are similar across most counties, the utilization of probation varies considerably.
- Allegheny County sentences property and drug offenses to probation at almost twice the rate of other county classes.

### **Growing volumes of split sentences layer significant supervision periods onto incarceration and likely parole periods.**

- Between 2005 and 2014, the number of sentences including additional probation periods increased 26 percent.
- The likelihood of recidivism is highest in the first year on supervision and decreases in each subsequent year.
- A third of felony probation sentences and half of prison split sentences include probation terms exceeding three years.



# Overview

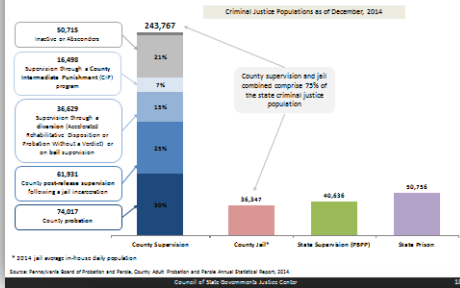
1 Relevant Trends

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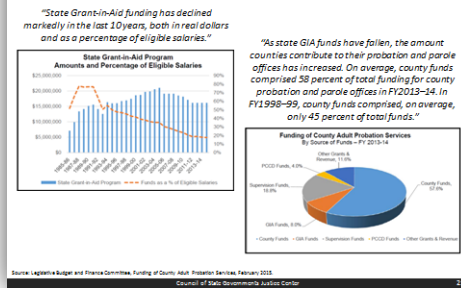
# Review of March analysis: Pressure on county probation and parole

Almost a quarter million people are supervised by 65 county adult probation departments on any given day.



Almost 250,000 people are supervised by adult probation departments on any given day

State Grant-in-Aid funding has declined, and counties bear most of the cost of local supervision.



At least 58% of probation funding comes from counties and the proportion is trending upward

Supervision practices that are demonstrated to reduce recidivism depend on manageable caseloads.

There is no accepted, universal caseload size standard, however supervision can reduce recidivism rates when the dosage of time and attention is matched with the risk and need level of the client. An example of potential caseload levels stratified by risk:  
Low: 120-200 cases    Moderate: 50-60 cases    High: 20-30 cases

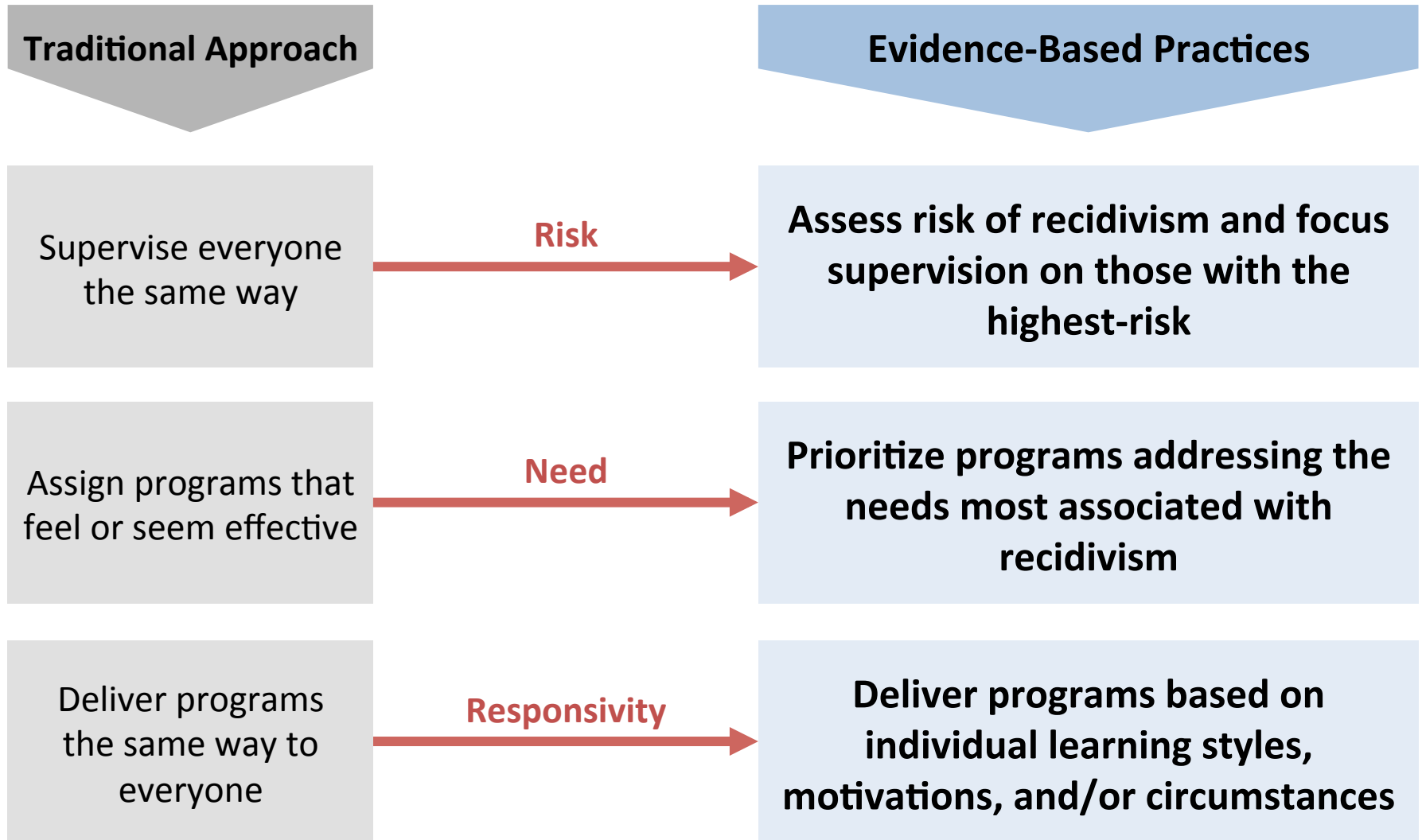
	State Probation/Parole	County Probation/Parole
Number of Agents	498	1,724
Active Cases (All supervision types and levels)	33,082	187,707
Average Active Caseload per Agent	66	109

County caseloads are generally comprised of less serious offenders and could be higher than state caseloads. Still, these county caseloads appear to be high.

County probation/parole caseloads are high, and the supervision population is on the rise

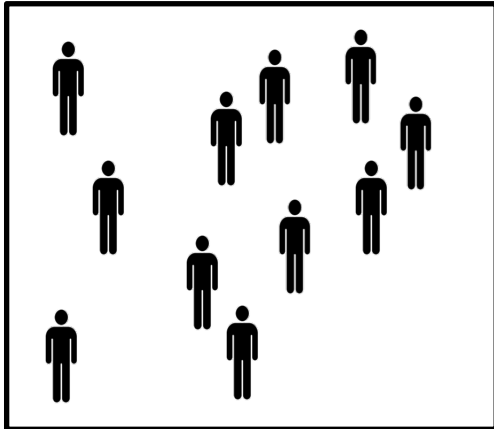
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APA County Adult Probation and Parole Annual Statistical Report, 2014. <http://www.pabb.org/annual-statistical-report-2014>  
Legislative Budget and Finance Committee, Funding of County Adult Probation Services, February 2015.  
Council of State Governments Justice Center

Risk-Need-Responsivity principles are key to containing costs and reducing recidivism.

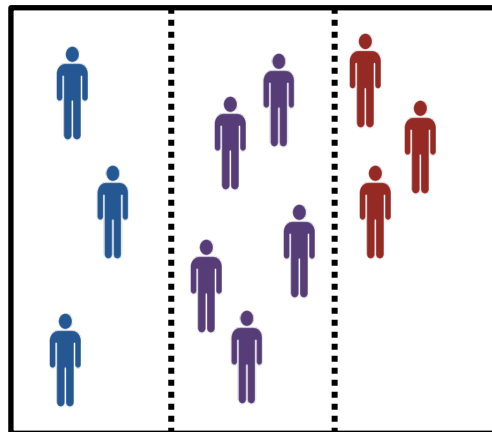


Risk assessment should lead to sorting the population by risk, and focusing resources and effort on the higher-risk population.

### Assess Population for Risk



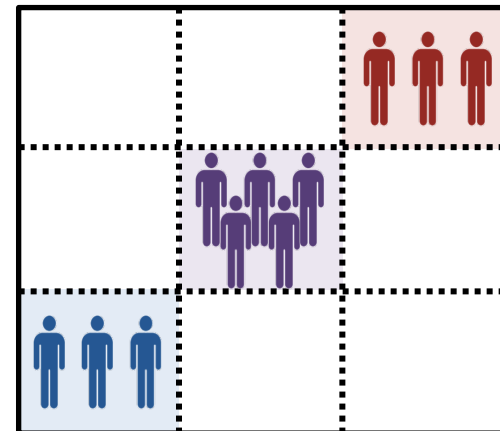
### Determine Appropriate Supervision Levels



#### Risk of Recidivism

<b>Low</b> 10% re-arrested	<b>Moderate</b> 35% re-arrested	<b>High</b> 70% re-arrested
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### Focus Resources on Higher-risk Populations

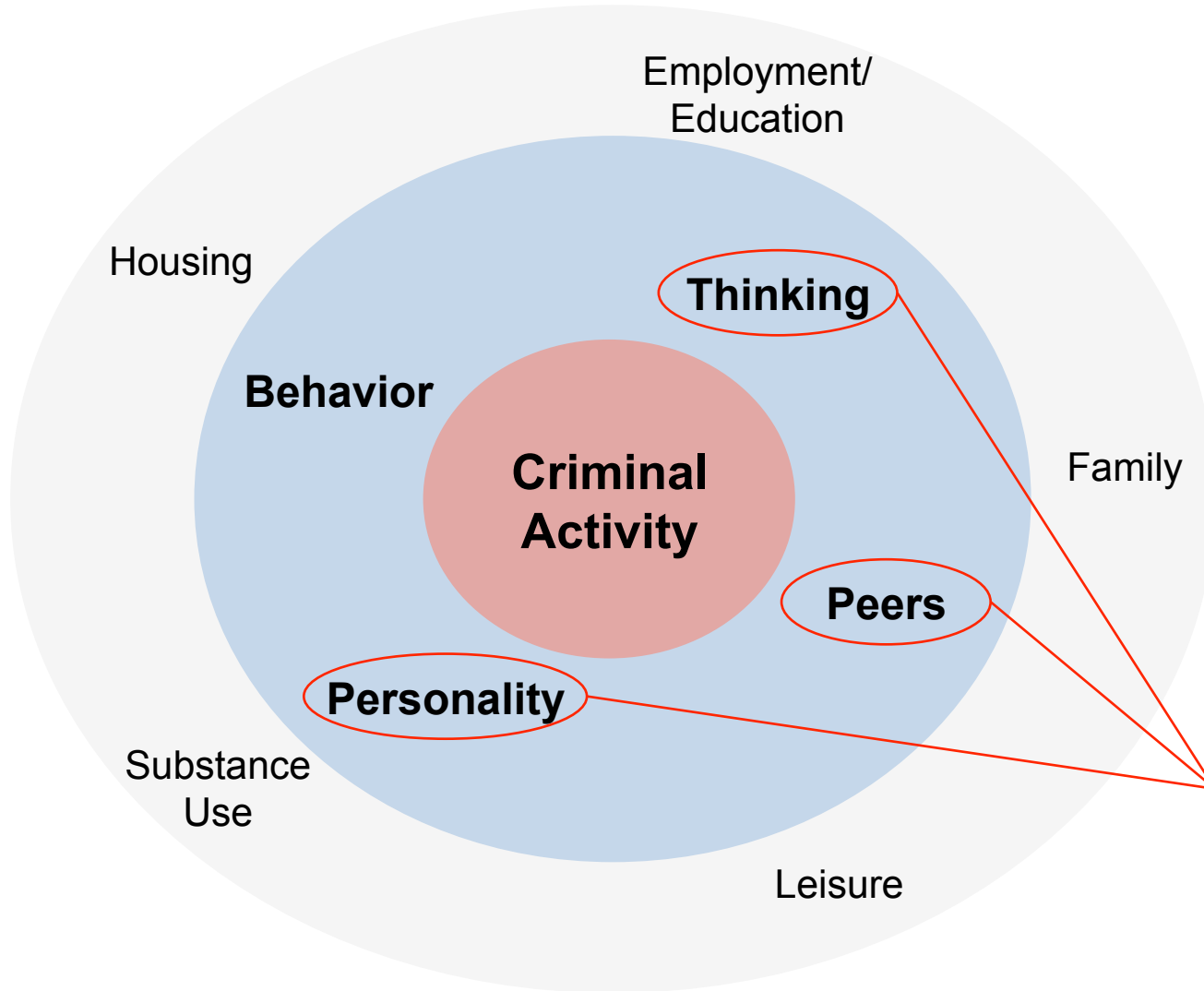


**High**  
Supervision/  
Program  
Intensity

**Moderate**  
Supervision/  
Program  
Intensity

**Low**  
Supervision/  
Program  
Intensity

Targeting criminogenic, dynamic risk factors is essential to reducing recidivism.



### Big Four Antisocial Risk Factors

Higher-risk individuals are likely to have more of these major drivers in criminality.

The most successful supervision and programming models will address these three dynamic risk factors. The fourth, past antisocial behavior, cannot be changed.



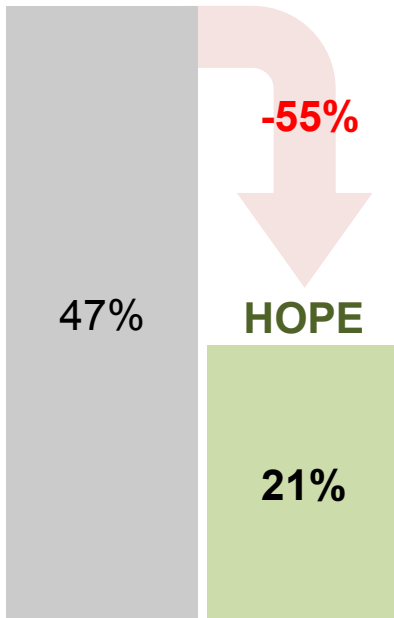
Swift and certain responses to violation behavior are also critical to population management in jail and prison, and recidivism reduction.

### Hawaii HOPE

*Intensive, random drug testing with swift, certain, and brief jail sanctions to supervision violations.*

#### Percent Arrested

Status Quo

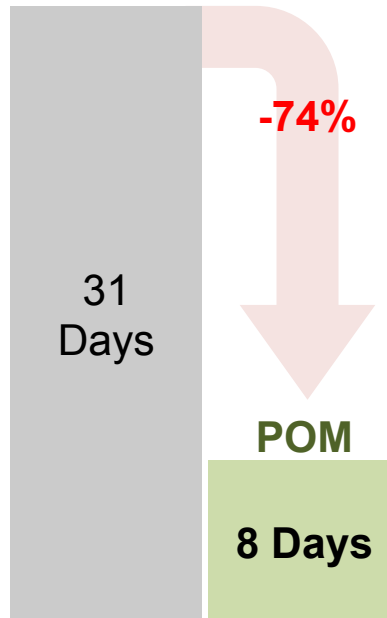


### Georgia POM

*Prompt sanctions to correct behavior of troublesome Probationers.*

#### Days in Jail

Status Quo

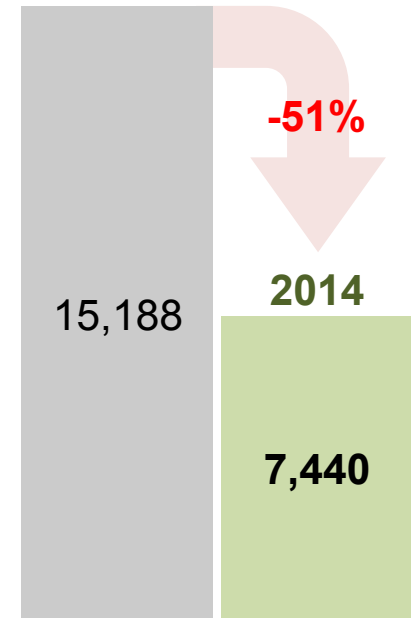


### North Carolina

*Swift and certain “dips” of brief jail sanctions and “dunks” of prison sanctions in response to violations*

#### Prison Admissions

2011



Source: An Evaluation of Georgia's Probation Options Management Act, Applied Research Services, October 2007; Managing Drug Involved Probationers with Swift and Certain Sanctions: Evaluating Hawaii's HOPE, Hawken, Angela and Mark Kleiman, December 2009.

Research shows that behavior modification requires four positive responses for every negative response.

**INCENTIVES:** Responses to supervision compliance can reduce recidivism as much as or more than sanctions, when the probationer/parolee is aware of them.

Modify supervision level      Modify restrictiveness of conditions      Modify travel restrictions      Verbal praise

Increase reporting requirements      Program referrals      Short Jail stay      Problem-solving courts      Revocation to jail or prison

**SANCTIONS:** The most restrictive responses available should be prioritized based on probationers' risk level and the seriousness of violation.

# Survey of officers and chiefs shows opportunities for assessment, programming, and responding to violations.

## Evidence-Based Practice

Assess probationers' criminogenic needs



26% reported that risk assessments are conducted on all cases. 40% reported that assessment has been validated.

Deliver programs addressing antisocial thoughts, peers, and attitudes



63% reported their department does not provide any cognitive therapy to individuals.

Elicit positive responses and engage in the behavioral change process

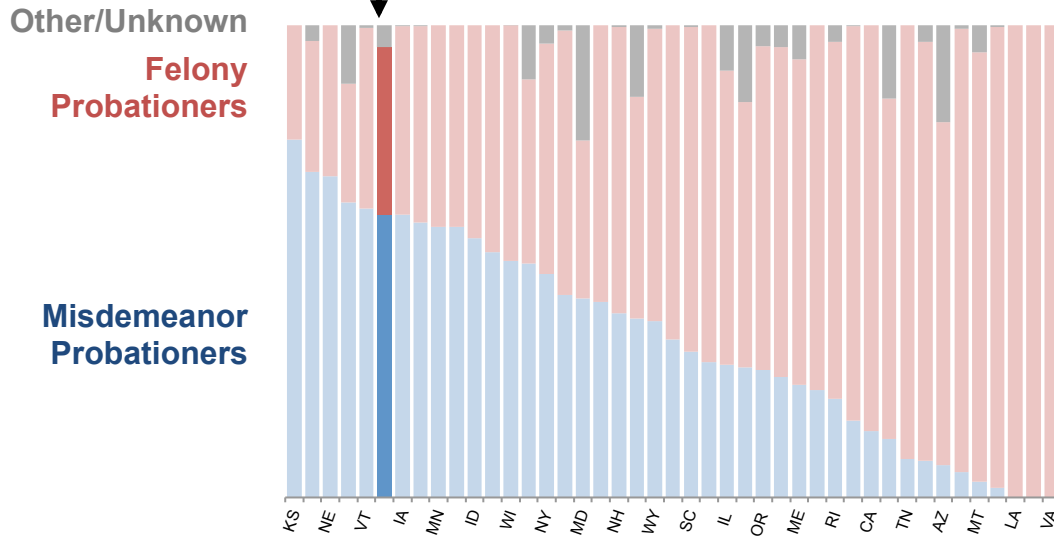


59% reported their department does not have a written policy on the use of rewards & incentives to encourage positive behavior.

534 probation chiefs and officers responded to the survey. Snyder, Sullivan, and Juniata counties did not have a respondent.

# Pennsylvania has a high proportion of misdemeanor probationers and high caseloads.

In 2014, 60% of Pennsylvania probationers were misdemeanants, the sixth highest percentage among 43 states. The national average was 38%.



Average active caseload size among probation officers respondents was 132.

Among those that indicated that more than half of their caseload was high risk, 59% reported spending less than half of their week in direct contact with probationers.

The large volume of misdemeanants on probation can present a challenge when trying to focus supervision on those with higher risk and more serious offenses.

Pennsylvania has standards, auditing, and data collection, but opportunities exist for state policies to strengthen supervision.

## Current Approach

PBPP has 173 county adult probation standards. Of the 57 standards audited in FY2014, 42 were deemed non-applicable for many counties.

Audits of departments are conducted annually to assess compliance with one-third of the standards.

Grant-in-aid funding may be withheld for county departments that are not in compliance with standards.

Most known information on probation comes from survey information reported annually in the CAPP report.

## Opportunities for Improvement

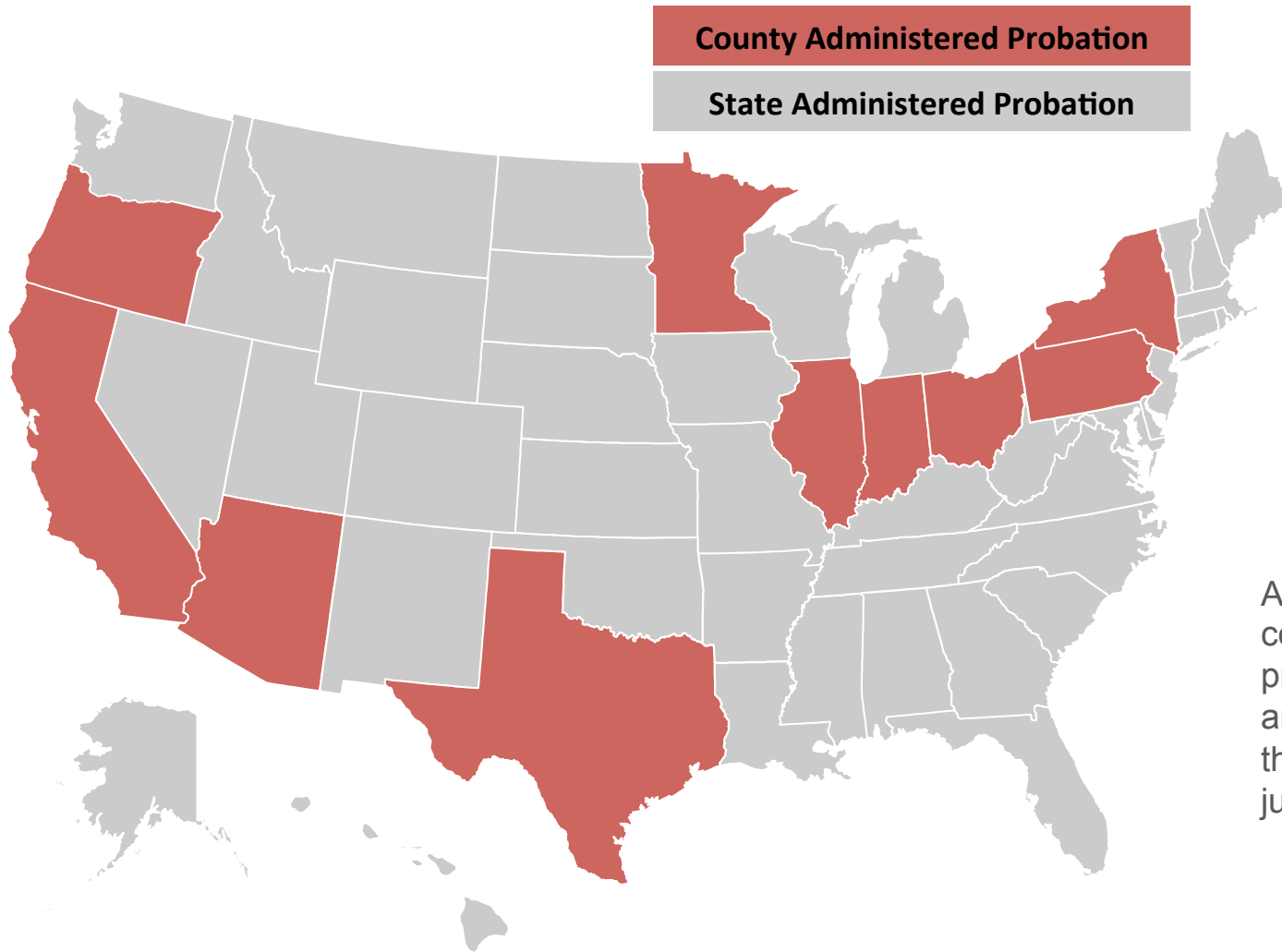
Prioritize the probation standards that are most related to effective probation policy and practice.

Provide training and strategic support for counties that are not meeting standards.

Increase financial incentives for compliance with prioritized standards.

Enable case-level data analysis, tracking of trends, and focus on progress toward adopting evidence-based practices.

Pennsylvania is one of ten states with county-administered probation, which presents a challenge.



At both the state and county levels, probation systems are housed in either the executive or judicial branch.

The structure of CIP and D&A RIP resembles approaches in Ohio and Texas, but those states invest much greater state funding.



**Texas**

Diversion program residential beds, alternative sanction programs	\$129M
Community corrections beds, alternative sanction programs	\$46M
Treatment alternatives to incarceration	\$12M
<b>Total</b>	<b>\$187M</b>



**Ohio**

Jail diversion programs	\$14M
Prison diversion	\$47M
Secure residential	\$75M
<b>Total</b>	<b>\$136M</b>



**Pennsylvania**

CIP	\$3M
Drug and Alcohol Restrictive Intermediate Punishment (D&A RIP)	\$15M
<b>Total</b>	<b>\$18M</b>

Are CIP and D&A RIP models that Pennsylvania could build upon to provide sentencing options for probationers who otherwise would receive a sentence to incarceration?

2015 Fact Sheet, Ohio Department of Rehabilitation and Correction Funded Community Corrections; Operating Budget FY2016 Submitted to the Governor's Office of Budget, Planning and Policy and the Legislative Budget Board, Texas Board of Criminal Justice; Pennsylvania Commission on Crime and Delinquency.

# Efforts to strengthen supervision are gaining momentum in Pennsylvania.

Evidence-Based Practices	<p><b>Assess EBP &amp; conduct workload analysis (with U.Penn. researchers)</b>            Data gathered Sept. 2014 and Dec. 2014            CCAPPOP</p>
	<p><b>EBP Strategic Plan</b>            Set goals, review survey results, begin action plan (with outside consultant)            At least 2-year plan (began Dec. 2015)            CCAPPOAP, CCAP, PCCD, AOPC, DOC, PBPP</p>
	<p><b>EBP Coordinator Position</b>            Assess and improve voluntary adoption of EBP            3-year position (begins June 2016)            CCAPPOAP, CCAP collaboration with PCCD, AOPC, DOC, PBPP</p>
Data Capacity and Outcome Tracking	<p><b>Criminal Justice Unified Case Management System (CJ-UCM) and LORYX</b>            Case management for jails, probation officers, and district attorneys</p>
	<p><b>Analyze number of probation revocations to prison</b>            Sentencing Commission, PCCD (JRI 2012)</p>
Staff Skills and Resources	<p><b>Effective Practices in Community Supervision (EPICS) training</b>            Limited number of probation officers, began Sept. 2015            CCAPPOP, PBPP, BCC (JRI 2012)</p>
	<p><b>JRI 2012 reinvestment</b>            \$2M invested in supporting county implementation of EBP strategic plan            FY2015–2017            PCCD (JRI 2012)</p>



## Section Three Recap

### **High caseloads present challenges to county supervision departments.**

- Probation officers' survey responses indicate that high caseloads present challenges to delivering adequate dosage of supervision.
- People with misdemeanor sentences comprise a larger share of the probation population in Pennsylvania than most other states.

### **Adoption of evidence-based practices would help focus resources on higher-risk probationers.**

- Research shows that assessing for risk of recidivism, focusing resources on high risk probationers, and responding to behavior with swiftness and certainty helps lower recidivism.
- A number of efforts are underway to strengthen county supervision in Pennsylvania.

### **Although state funding for CIP is comparatively low, it delivers intensive supervision and treatment to a population that otherwise would be likely bound for incarceration.**

- Other states with county-administered probation invest more in intensive supervision and treatment to avoid incarceration costs and lower recidivism.
- CIP, a similar approach used in Pennsylvania, received 10,000 sentences in 2014.

# Presentation Summary

## **Section One**

- Although total reported crime is down, arrests for drug and some property offenses have risen.
- Property and drug offenses drove the increase in total sentences over the past 10 years and comprise the majority of felony offense types.
- Three-quarters of sentences fall into guideline levels that allow for most sentencing options.

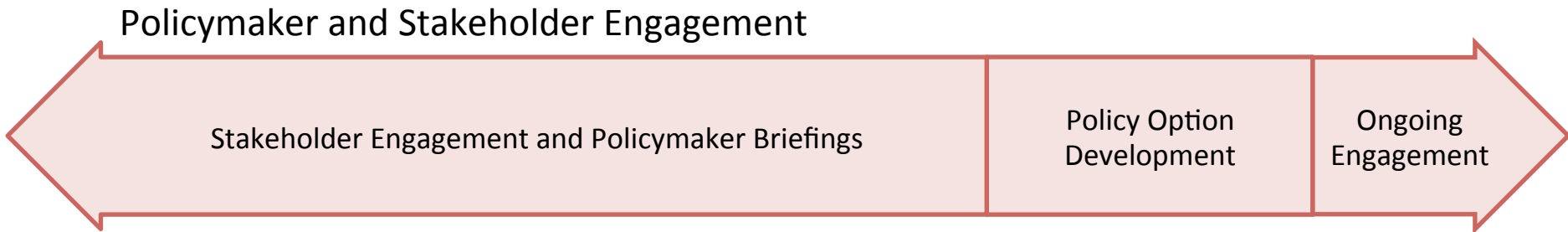
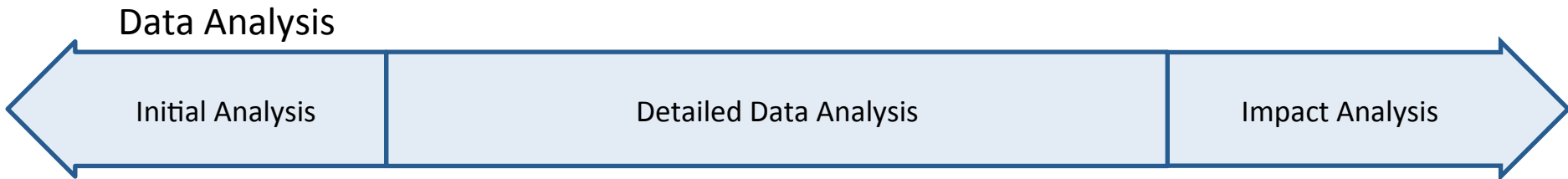
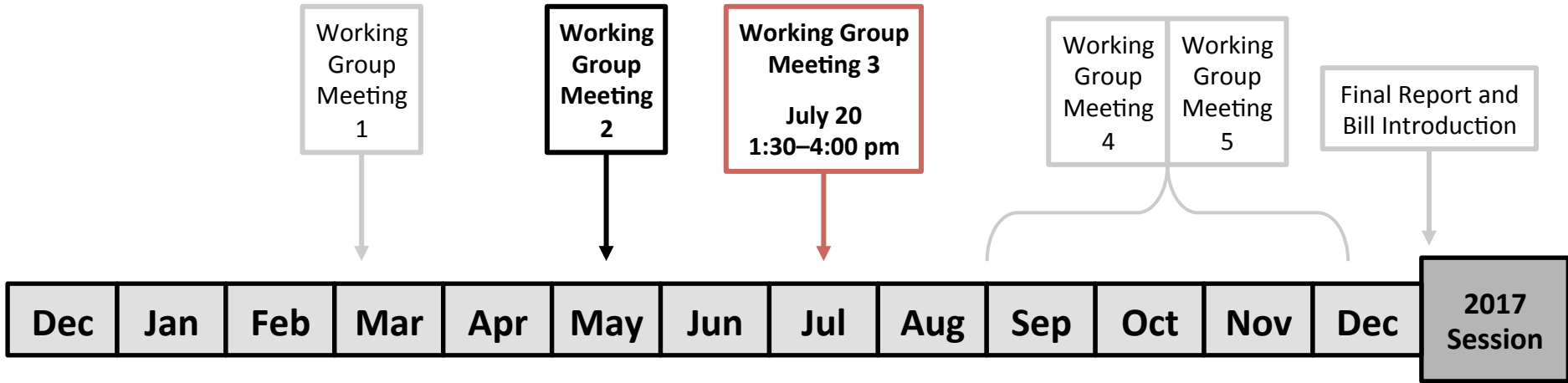
## **Section Two**

- Large proportions of sentences to jail and prison are for property and drug offenses.
- Incarcerating property and drug offenses costs taxpayers over \$500 million per year.
- Growing volumes of split sentences layer significant supervision periods onto incarceration and likely parole periods.

## **Section Three**

- High caseloads present challenges to county supervision departments.
- Adoption of evidence-based practices would help focus resources on higher-risk probationers.
- Although state funding for CIP is comparatively low, CIP delivers intensive supervision and treatment to a population that otherwise would be likely bound for incarceration.

# Proposed Pennsylvania Justice Reinvestment Timeline



# Thank You

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