Washington State
Justice Reinvestment Taskforce

Fourth Meeting

December 5, 2014
Council of State Governments Justice Center

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Carl Reynolds, Senior Legal and Policy Advisor
Monica Peters, Senior Research Associate
Karen Chung, Policy Analyst
Council of State Governments Justice Center

- National nonprofit, nonpartisan membership association of state government officials
- Engages members of all three branches of state government
- Justice Center provides practical, nonpartisan advice informed by the best available evidence
Justice Reinvestment

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

I. The Process
   - Project Charter
   - Work Summary
   - Next Steps

II. Summary & Goals

III. Policy Options & Impacts
State leaders requested assistance leading up to a project launch in June of 2014.
Justice Reinvestment Process – Phase I

Bipartisan, bicameral, interbranch working group

Phase I
Analyze Data and Develop Policy Options

• Analyze data: Look at crime, courts, corrections, sentencing, and supervision trends
• Solicit input from stakeholders
• Develop policy options and estimate cost savings

Phase 2
Implement New Policies

• Identify assistance needed to implement policies effectively
• Deploy targeted reinvestment strategies to increase public safety
• Track the impact of enacted policies/programs
• Monitor recidivism rates and other key measures
Data from Washington State agencies have enabled an incredible degree of matching and analysis.

- Washington State Patrol
  - Felony and Misdemeanor Arrests 1980–June 2014
    - 8.7 million records

- Administrative Office of the Courts
  - Felony and Misdemeanor Court Disposition—Criminal History Database provided by WSIPP
    - 8 million records

- Caseload Forecast Council
  - Felony Convictions 2000–2013
    - 370,000 records

- Department of Corrections
    - 800,000 records

Linking of files on State ID (SID) Number
Key stakeholders in the criminal justice system have been engaged in reviewing analysis and providing input and ideas.

June–December Stakeholder Engagement

- Administrative Office of the Courts ✓
- Caseload Forecast Council ✓
- Community Corrections Officers ✓
- Counties (WSAC / WACO) ✓
- Department of Corrections ✓
- Jail Administrators ✓
- Labor Unions (WFSE and Teamsters Local 117) ✓
- Law Enforcement (WASPC) ✓
- Legislators ✓
- Legislative Staff ✓
- Office of the Governor ✓
- Prosecutors (WAPA) ✓
- Public Defenders (WACDL / WDA) ✓
- Sentencing Guidelines Commission ✓
- Superior Court Judges ✓
- Victim Advocates ✓
- WA State Institute for Public Policy ✓

CSG Justice Center will continue to work with stakeholders to vet the Justice Reinvestment policy framework.
Phase I Project Timeline

- **Project Launch**: May
- **Taskforce Meeting #1**: May
- **Taskforce Meeting #2**: Jun
- **Taskforce Meeting #3**: Jul
- **Taskforce Meeting #4**: Aug
- **Policy Subcommittee Meeting #1**: Sep
- **Policy Subcommittee Meeting #2**: Oct
- **Policy Subcommittee Meeting #3**: Nov
- **Final Report and Bill Introduction**: Dec

**Stakeholder Involvement**
- **Stakeholder Engagement**: May
- **Policy Option Development**: Jun
- **Bill Drafting**: Jul
- **Provide Info to Policymakers and Media and Keep Stakeholders Involved**: Aug

**Data Analysis**
- **Initial Data Analysis**: May
- **Detailed Data Analysis**: Jun
- **Final Data Analysis**: Jul
- **Impact Analysis**: Aug

**Timeline**
- May
- Jun
- Jul
- Aug
- Sep
- Oct
- Nov
- Dec
- 2015 Session
Overview of Presentation

I. The Process

II. Summary & Goals
- Prison Growth & Property Crime
- Sentencing Policies
- Applying What Works

III. Policy Options & Impacts
Washington’s prison population exceeds capacity and is projected to continue to increase.

Washington now ranks #1 in property crime.

Washington’s property crime rate has remained high, while the national average has decreased.

Property Index Crimes per 100,000 Population, 2008–2013

Property offenders have been largely unsupervised post-prison since 1984, and post-jail since 2003.

<table>
<thead>
<tr>
<th>Post-Jail/As a Sentence</th>
<th>Post-Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pre-1984</strong></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>L,M</td>
</tr>
<tr>
<td>Drug</td>
<td>L,M</td>
</tr>
<tr>
<td>Violent*</td>
<td>L,M</td>
</tr>
<tr>
<td><strong>Post-1984</strong></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>L,M</td>
</tr>
<tr>
<td>Drug</td>
<td>L,M</td>
</tr>
<tr>
<td>Violent*</td>
<td>L,M</td>
</tr>
<tr>
<td><strong>1999</strong></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>L,M</td>
</tr>
<tr>
<td>Drug</td>
<td>L,M</td>
</tr>
<tr>
<td>Violent*</td>
<td>L,M</td>
</tr>
<tr>
<td><strong>2003</strong></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>H</td>
</tr>
<tr>
<td>Drug</td>
<td>H</td>
</tr>
<tr>
<td>Violent*</td>
<td>H</td>
</tr>
<tr>
<td><strong>Today</strong></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>H</td>
</tr>
<tr>
<td>Drug</td>
<td>H</td>
</tr>
<tr>
<td>Violent*</td>
<td>H</td>
</tr>
</tbody>
</table>

*Violent includes violent offenses and crime against a person offenses.

Supervision has been maintained for serious violent offenses, sex offenses, and those with alternative sentences regardless of risk.

Source: Communications with Washington Department of Corrections staff.
Washington State Legislature. 56th Legislative Session. [SB 5421] Enhancing supervision of offenders.
Washington State Legislature. 58th Legislative Session. [SB 5990] Changing times and supervision standards for release of offenders.
Washington State Legislature. 61st Legislative Session. [SB 6162] Providing for the supervision of offenders sentenced to community.
Washington utilizes supervision less than the national average and other recent JR states.

<table>
<thead>
<tr>
<th></th>
<th>Washington</th>
<th>Michigan</th>
<th>BJS National Study</th>
<th>North Carolina</th>
<th>Idaho</th>
<th>Kansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prison</td>
<td>39%</td>
<td>21%</td>
<td>Prison 41%</td>
<td>Prison 42%</td>
<td>Prison 42%</td>
<td>Prison 24%</td>
</tr>
<tr>
<td>Jail</td>
<td>49%</td>
<td>55%</td>
<td>Jail 28%</td>
<td>Jail 24%</td>
<td>Jail 7%</td>
<td></td>
</tr>
<tr>
<td>Probation Only</td>
<td>23%</td>
<td>27%</td>
<td>Probation Only 34%</td>
<td>Probation Only 58%</td>
<td></td>
<td>Probation Only 69%</td>
</tr>
<tr>
<td>Supervision In Lieu of Incarceration</td>
<td>10%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Washington has a wider sentence range for second-degree burglary compared to other states.

- Washington: 1–68 months confinement
- North Carolina: 10–19 months probation, 10–30 months confinement
- Kansas: 12–27 months presumptive probation, 29–32 months confinement
- Minnesota: 12–21 months probation, 21–36 months confinement
Approximately 80% of drug and property offenders who recidivate commit a drug or property offense as their first re-arrest.
Recidivism rates vary little for property offenders with offender scores other than “0.”

Two-Year Felony Reconviction Rates by Grid Cell Location for Property Offenders Released from Jail and Prison, FY2010–2011

Offender Score

<table>
<thead>
<tr>
<th>Seriousness Level</th>
<th>0</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9+</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV</td>
<td>20%</td>
<td>22%</td>
<td>24%</td>
<td>29%</td>
<td>28%</td>
<td>22%</td>
<td>22%</td>
<td>24%</td>
<td>31%</td>
<td>23%</td>
</tr>
<tr>
<td>III</td>
<td>25%</td>
<td>32%</td>
<td>29%</td>
<td>32%</td>
<td>34%</td>
<td>29%</td>
<td>32%</td>
<td>28%</td>
<td>23%</td>
<td>35%</td>
</tr>
<tr>
<td>II</td>
<td>21%</td>
<td>23%</td>
<td>27%</td>
<td>30%</td>
<td>27%</td>
<td>22%</td>
<td>24%</td>
<td>28%</td>
<td>26%</td>
<td>29%</td>
</tr>
<tr>
<td>I</td>
<td>19%</td>
<td>26%</td>
<td>27%</td>
<td>33%</td>
<td>32%</td>
<td>34%</td>
<td>30%</td>
<td>30%</td>
<td>38%</td>
<td>38%</td>
</tr>
</tbody>
</table>

Column average: 21% 26% 27% 31% 30% 27% 27% 27% 29% 31%

Source: Justice Center analysis of DOC, CFC, and WSP data.
A comprehensive strategy is required to reduce property crime.

258,662 Reported property index crimes (2013)

35,954 Arrests for property index crimes (2013)

16,171 Individuals arrested for felony property offenses (FY2013)

- 32% No prior felony arrests
- 60% Prior felony arrests
- 8% Released from prison within last 2 years

Deter crime

Reduce recidivism

Prolong incapacitation

Source: UCR data; Justice Center analysis of DOC and WSP data.
Supervision and programs are now based on research about what works and what doesn’t.

**Traditional Supervision**

- Supervise everyone the same way
- Assign programs that feel or seem effective
- Deliver programs the same way to every offender

**Evidence-Based Supervision**

- Assess risk of recidivism and focus supervision on the highest-risk offenders
- Prioritize programs addressing the needs most associated with recidivism
- Deliver programs based on offender learning style, motivation, and/or circumstances

Evidence-Based Supervision

Council of State Governments Justice Center
Individuals assessed as “high nonviolent risk” who are supervised have lower recidivism rates than those who are not supervised.

Three-Year Felony Rearrest Rates by DOC Risk Level and Supervision, FY2010 Prison Releases

Source: Justice Center analysis of DOC and WSP data.
Washington State is viewed as a leader in employing evidence-based criminal justice strategies.

Washington Institute for Public Policy

Washington has been recognized nationally for supporting criminal justice research to inform decision making and highlighting what works in programs to reduce recidivism and crime.

Evidence-Based Criminal Justice Policies

In 2012, Washington became the first state to implement “swift and certain” sanctions statewide to increase offender compliance on supervision.

Evidence-Based Juvenile Justice Policies

Washington has a rich history of investing in evidence-based and promising prevention and intervention services for juveniles.

Supervision Strategies

The Washington State Department of Corrections continues to refine its approach to community supervision, focusing its resources on higher-risk individuals and using tactics to change offender behavior.

Effective Changes to Drug Sentencing

In 2003, Washington began implementing a separate drug offense sentencing grid with the intent to reduce recidivism among drug offenders.
Policy Goals Agreed to at October 15 Taskforce Meeting

- Increase public safety by addressing the state’s high property crime rate
- Reduce recidivism among property offenders and drug offenders
- Avert growth in the state prison population
- Ensure any solution is a win-win for counties and the state
- Gain consensus among stakeholders and the legislature
Overview of Presentation

I. The Process

II. Summary & Goals

III. Policy Options & Impacts
   - Reduce Property Crime & Support Victims
   - Hold Offenders Accountable
   - Reduce Recidivism
# Washington State Justice Reinvestment Policy Framework

## Goals:
Increase public safety, reduce recidivism, and avert prison population growth

<table>
<thead>
<tr>
<th>1</th>
<th>Reduce property crime and support victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Invest in law enforcement efforts to deter property crime</td>
</tr>
<tr>
<td>b)</td>
<td>Create a victim compensation benefit for victims of property crime and sustain victim notification</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2</th>
<th>Hold offenders accountable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Develop a sentencing grid for property offenders that includes a period of supervision and treatment</td>
</tr>
<tr>
<td>b)</td>
<td>Address double-counting of prior felony convictions in offender score for property offenders</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3</th>
<th>Reduce recidivism</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Ensure reinvestments in supervision and treatment are sustained through oversight and coordination</td>
</tr>
<tr>
<td>b)</td>
<td>Incentivize counties to use risk assessments to inform pretrial release decisions</td>
</tr>
</tbody>
</table>

### Reduce property crime rate
- **15%**
- By 2021

### Supervise & connect to treatment after jail/prison
- **2,000** Previously unsupervised property offenders

### Avert prison capital and operating costs
- **Up To $291 Million**
- By 2021

### Invest in law enforcement, supervision, treatment, support for victims, and counties
- **$80 Million**
- By 2021

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Council of State Governments Justice Center
Reduce Property Crime and Support Victims

Invest in law enforcement’s efforts to deter crime.

Options

• Establish a state-funded competitive grant program to support local law enforcement agencies to:
  - Increase the use of technology and data analysis
  - Increase staffing
  - Deploy innovative policing strategies to reduce and prevent crime

• Leverage Byrne Justice Assistance Grants and other federal funding to support crime deterrence efforts.

Goal

Reduce the state’s property crime by 15 percent by 2021.

Pending WSIPP impact analysis:
Reinvest $4 million in first biennium and $8 million in second biennium

Examples of evidence-based policing strategies:
- Crime analysis
- Hot spot policing
- Focused deterrence

In 2012, Oklahoma established the Justice Reinvestment Violent Crime Reduction Grant Program to provide competitive grant funds for law enforcement agencies to reduce and prevent violent crime with evidence-based policing practices, crime analysis strategies, increased technological capacity, and community partnerships.
Three Big Policy Levers to Impact Crime

**Deter crime**
Increase law enforcement’s ability to use hot spot strategies and deploy additional officers to increase the perceived certainty of apprehension.

**Reduce recidivism**
High quality supervision (risk, need,responsivity), consistent sanctioning, and high-quality treatment programs tailored to needs.

**Prolong incapacitation**
Increase length of stay to hold moderate- to high-risk offenders in prison for an additional 3 months, adding 250 to the prison population.

**Benefit to Cost Ratio**
Benefits per dollar of cost.

$   $$$$$$$  $$$$$$$  $$

Support victims of property and other crimes.

Options

• Create a victim compensation benefit to provide client assistance for victims of property crimes, including compensation for towing and impoundment fees associated with stolen motor vehicles, and to support court filing fees for civil remedies.

• Fund the SAVIN-VINE victim notification programs in King, Pierce, and Snohomish counties, funding for which is slated to end by 2016.

• As the state assesses policy and practice related to legal financial obligations, consider expanding the requirement to pay a victim penalty assessment to include participants in specialty courts.

Annual Reinvestment:
$400,000 (leverage federal funding)

Annual Reinvestment:
$100,000
Hold Offenders Accountable

Develop a sentencing grid for property offenders that includes a period of supervision and treatment.

**Seriousness Level III**

**Offender Score 3**

**Current offense:** Burglary 2

**Prior Adult Felony Convictions:**
1. Theft 2
2. Drug Possession
3. Drug Possession

**CURRENT**

9–12 Jail

**PROPOSED**

0–8m Jail + 12m Supervision

- 9–12 months county funded jail
- 12 months state funded supervision
Hold Offenders Accountable

Develop a sentencing grid for property offenders that includes a period of supervision and treatment.

<table>
<thead>
<tr>
<th>Offender Score</th>
<th>0</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seriousness Level</td>
<td>IV</td>
<td>3-9</td>
<td>6-12</td>
<td>12+-14</td>
<td>13-17</td>
<td>15-20</td>
<td>22-29</td>
<td>33-43</td>
<td>43-57</td>
<td>53-70</td>
</tr>
<tr>
<td>Current Grid</td>
<td>III</td>
<td>1-3</td>
<td>3-8</td>
<td>4-12</td>
<td>9-12</td>
<td>12+-16</td>
<td>17-22</td>
<td>22-29</td>
<td>33-43</td>
<td>43-57</td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>0-90 d</td>
<td>2-6</td>
<td>3-9</td>
<td>4-12</td>
<td>12+-14</td>
<td>14-18</td>
<td>17-22</td>
<td>22-29</td>
<td>33-43</td>
</tr>
<tr>
<td></td>
<td>I</td>
<td>0-60 d</td>
<td>0-90 d</td>
<td>2-5</td>
<td>2-6</td>
<td>3-8</td>
<td>4-12</td>
<td>12+-14</td>
<td>14-18</td>
<td>17-22</td>
</tr>
</tbody>
</table>

**Proposed Property Grid**

<table>
<thead>
<tr>
<th>Proposed Property Grid</th>
<th>0-6</th>
<th>0-8</th>
<th>0-10</th>
<th>0-12</th>
<th>12+-16</th>
<th>14-18</th>
<th>16-24</th>
<th>24-30</th>
<th>30-36</th>
<th>36-42</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV</td>
<td>0-6</td>
<td>0-8</td>
<td>0-10+12</td>
<td>0-12+12</td>
<td>12+-16+12</td>
<td>14-18+12</td>
<td>16-24+12</td>
<td>24-30+12</td>
<td>30-36+12</td>
<td>36-42+12</td>
</tr>
<tr>
<td>III</td>
<td>0-3</td>
<td>0-6</td>
<td>0-6+12</td>
<td>0-8+12</td>
<td>0-10+12</td>
<td>0-12+12</td>
<td>12+-16+12</td>
<td>14-18+12</td>
<td>16-24+12</td>
<td>24-30+12</td>
</tr>
<tr>
<td>II</td>
<td>0-90 d</td>
<td>0-4</td>
<td>0-6+12</td>
<td>0-6+12</td>
<td>0-8+12</td>
<td>0-10+12</td>
<td>0-12+12</td>
<td>12+-16+12</td>
<td>14-18+12</td>
<td>16-20+12</td>
</tr>
<tr>
<td>I</td>
<td>0-60 d</td>
<td>0-90 d</td>
<td>0-4+12</td>
<td>0-6+12</td>
<td>0-8+12</td>
<td>0-10+12</td>
<td>0-12+12</td>
<td>12+-16+12</td>
<td>14-18+12</td>
<td>16-20+12</td>
</tr>
</tbody>
</table>
Hold Offenders Accountable

Develop a sentencing grid for property offenders that includes a period of supervision and treatment.

Characteristics of proposed property sentencing grid:

- Trades incarceration time for a period of supervision and treatment in the community under supervision by DOC
- Mandates 12 months of supervision for those with offender score 2+ including individuals released from county jails
- Reduces lower end of jail-bound sentences to “0” to provide judges and prosecutors with discretion
Hold Offenders Accountable

Develop a sentencing grid for property offenders that includes a period of supervision and treatment.

Level I–IV Property Offenses to be Considered Under Proposed Grid

Excluded offenses under proposed grid

Offenses to be included under proposed grid

Seriousness Levels

<table>
<thead>
<tr>
<th>Seriousness Levels</th>
<th>Offenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>XVI</td>
<td>Arson 1</td>
</tr>
<tr>
<td>XV</td>
<td>Burglary 1 (deadly weapon or assault)</td>
</tr>
<tr>
<td>XIV</td>
<td>Theft of a Firearm</td>
</tr>
<tr>
<td>XIII</td>
<td>DWI</td>
</tr>
<tr>
<td>XII</td>
<td>Poss. of a Stolen Firearm</td>
</tr>
<tr>
<td>XI</td>
<td>Malicious Mischief 1 &amp; 2</td>
</tr>
<tr>
<td>X</td>
<td>Organized Retail Theft</td>
</tr>
<tr>
<td>IX</td>
<td>Poss. of Stolen Property 1 &amp; 2</td>
</tr>
<tr>
<td>VIII</td>
<td>Trafficking Stolen Property</td>
</tr>
<tr>
<td>VII</td>
<td>Poss. of a Stolen Vehicle</td>
</tr>
<tr>
<td>VI</td>
<td>Theft of Motor Vehicle</td>
</tr>
<tr>
<td>V</td>
<td>TMVWOP</td>
</tr>
<tr>
<td>IV</td>
<td>Residential Burglary</td>
</tr>
<tr>
<td>III</td>
<td>Arson 2</td>
</tr>
<tr>
<td>II</td>
<td>Burglary 2</td>
</tr>
<tr>
<td>I</td>
<td>Forger</td>
</tr>
<tr>
<td></td>
<td>Identity Theft 1 &amp; 2</td>
</tr>
<tr>
<td></td>
<td>Unlawful Issuance of Checks</td>
</tr>
</tbody>
</table>

Excluded offenses under proposed grid

- Poss. of a Stolen Vehicle
- Theft of Motor Vehicle
- TMVWOP
- Residential Burglary
- Arson 2
Hold Offenders Accountable

Address double-counting of prior felony convictions in offender score for property offenders.

Options

• Eliminate double-counting and triple-counting of prior felony convictions in offender scoring for second-degree burglary and theft of a motor vehicle.

Double-counting Burglary 2 affected **20%** of felony sentences for Burglary 2 in FY2013. Removing this double-counting would result in a **10%** reduction in Burglary 2 sentences to prison-bound grid cells.

Impacts to be modeled.
Reduce Recidivism

Reinvest in supervision and treatment; make the quality of supervision more transparent and accountable to stakeholders.

<table>
<thead>
<tr>
<th>Current Policy</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervision of ~2,070 property offenders (offender score 2+)</td>
<td>None</td>
</tr>
<tr>
<td>Assessment of risk &amp; needs</td>
<td>None</td>
</tr>
<tr>
<td>Regular meetings with supervision officer</td>
<td>None</td>
</tr>
<tr>
<td>Treatment required if needed</td>
<td>None</td>
</tr>
<tr>
<td>Ability to sanction behavior short of new criminal activity</td>
<td>None, until law enforcement is called</td>
</tr>
<tr>
<td>Drug testing</td>
<td>None</td>
</tr>
<tr>
<td>Cognitive behavioral treatment to address criminal thinking</td>
<td>None</td>
</tr>
</tbody>
</table>

To ensure intensive supervision, with caseloads averaging 30 per officer, supervision costs associated with supervising property offenders under the policy in 3a would cost:

- FY2016: $353,481
- FY2017: $7,303,365
- FY2018: $11,368,392
- FY2019: $11,704,769
- FY2020: $11,761,782
- FY2021: $11,790,288

Source: Data received from the Department of Corrections Budget Office.
Reduce Recidivism

Ensure reinvestments in supervision and treatment are sustained through oversight and coordination.

Options

• Designate an interbranch committee to monitor and evaluate the policies, practices, and budgetary implications of enacted justice reinvestment policies. The entity should track the state’s progress in reducing property crime through grants to law enforcement, holding property offenders accountable with supervision, and reducing recidivism with effective supervision and treatment.

• Consider the consolidation of other criminal justice coordinating entities.

Goal

Ensure legislative and stakeholder support in DOC’s continual efforts to strengthen the quality of community supervision.
Spending on community corrections has increased significantly to support DOC’s efforts to improve the quality of supervision.

Source: DOC Budget Office data.
Reduce recidivism

Incentivize counties to use risk assessments to inform pretrial release decisions.

Options

- Create a state-funded grant program to support and incentivize county efforts to adopt pretrial risk assessment tools.

Goal

Increase public safety by ensuring that pretrial defendants who pose a high likelihood of reoffending are supervised if released.

Potentially reduce jail pretrial ADP and generate cost savings for counties.

Annual Reinvestment:

$500,000

A portion of pretrial defendants will reoffend upon release.

Unless identified and the risk of recidivism is mitigated, these individuals pose a public safety challenge.

Actuarial tools identify those most likely to reoffend, and help avoid detaining low-risk defendants.
Estimated Impact on Prison Population

Average Daily Prison Population and Projected ADP Impact Estimates, FY2002 to FY2024

- Current forecasted population
- Forecasted population with property grid
- Potential bed savings: ~900

*Projected prison population growth rate was adjusted slightly higher than the CFC forecast in order to account for an assumed higher growth rate for property offenders, based on previous CSG analysis.
Methodology for Estimating Averted Prison Costs

Average Daily Prison Population and Projected ADP Impact Estimates, FY2002 to FY2024

New Construction Costs Averted:

$4.7 M Planning (FY2016)

$188.8 M Construction (FY2018)

17,502 17,950 18,542

New Operating Costs Averted:
Operating costs that would be assumed by the state through adding prison capacity.

Current Operating Costs Averted:
Operating costs currently assumed that would have to be maintained if the population was at or above current ADP.

17,187 17,631 17,104

*Projected prison population growth rate was adjusted slightly higher than the CFC forecast in order to account for an assumed higher growth rate for property offenders, based on previous CSG analysis.
## Impact Analysis: Prison Population

### Current Prison Population (FY2014 ADP)

17,502

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC Forecast (ADP)</td>
<td>17,624</td>
<td>17,793</td>
<td>17,950</td>
<td>18,046</td>
<td>18,198</td>
<td>18,321</td>
</tr>
<tr>
<td>Projected Number Averted</td>
<td>-67</td>
<td>-486</td>
<td>-846</td>
<td>-896</td>
<td>-901</td>
<td>-904</td>
</tr>
<tr>
<td>Projected Prison Pop. (ADP) with JR</td>
<td>17,557</td>
<td>17,307</td>
<td>17,104</td>
<td>17,150</td>
<td>17,297</td>
<td>17,417</td>
</tr>
</tbody>
</table>

### Averted Current & New Operating Costs

<p>| | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,931,945</td>
<td>$10,783,889</td>
<td>$17,802,057</td>
<td>$20,005,738</td>
<td>$22,584,777</td>
<td>$24,658,926</td>
<td></td>
</tr>
</tbody>
</table>

### Averted Capital Costs

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>&lt; $4,700,000</td>
<td>&lt; $188,800,000</td>
</tr>
</tbody>
</table>

### Prison cost savings

**FY2016–2021**

Up To $291 million

# Impact Analysis: Supervision Population

## Current Supervision Population (ADP)

<table>
<thead>
<tr>
<th>FY2016</th>
<th>FY2017</th>
<th>FY2018</th>
<th>FY2019</th>
<th>FY2020*</th>
<th>FY2021*</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC Forecast (ADP)</td>
<td>17,207</td>
<td>17,673</td>
<td>17,920</td>
<td>18,170</td>
<td>18,424</td>
</tr>
<tr>
<td>Estimated Impact of Property Grid</td>
<td>62</td>
<td>1,281</td>
<td>1,994</td>
<td>2,053</td>
<td>2,063</td>
</tr>
<tr>
<td>Projected Supervision Pop. (ADP) with JR</td>
<td>17,269</td>
<td>18,954</td>
<td>19,914</td>
<td>20,223</td>
<td>20,487</td>
</tr>
<tr>
<td>Supervision Cost Estimate</td>
<td>$353,481</td>
<td>$7,303,365</td>
<td>$11,368,392</td>
<td>$11,704,769</td>
<td>$11,761,782</td>
</tr>
</tbody>
</table>

* CFC forecast not available, projected increase of 1% was applied to previous year.

Source: Population and Caseload vs. Forecast Report, June 2014; Department of Corrections Budget Office.
Impact Analysis: County Jail Population

Statewide county jail population

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>-54</td>
<td>-28</td>
<td>-22</td>
<td>-22</td>
<td>-22</td>
<td>-23</td>
</tr>
</tbody>
</table>

Estimated bed impact of property grid

Jail Grid Cells Under Proposed Property Grid

<table>
<thead>
<tr>
<th>Seriousness Level</th>
<th>Offender Score</th>
<th>Change under property grid</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV</td>
<td>0</td>
<td>No change</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>III</td>
<td>0</td>
<td>No change</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>~ 500 sentences</td>
</tr>
<tr>
<td>III</td>
<td>0</td>
<td>No change</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>~ 2,300 sentences</td>
</tr>
<tr>
<td>I</td>
<td>0</td>
<td>No change</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

Reducing the sentence range for a large portion of felony jail sentences helps to offset the addition of new jail-bound grid cells.

Source: Office of Financial Management.
## Summary of Averted Costs and Reinvestment

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Prison</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Operating Costs Averted</td>
<td>$2,392,904</td>
<td>$4,883,977</td>
<td>$4,319,498</td>
<td>$2,515,617</td>
<td>$1,043,061</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Construction Costs Averted</td>
<td></td>
<td>Up To $4,700,000</td>
<td></td>
<td></td>
<td>Up To $188,800,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Operating Costs Averted</td>
<td>$1,931,945</td>
<td>$8,390,985</td>
<td>$12,918,080</td>
<td>$15,686,240</td>
<td>$20,069,160</td>
<td>$23,615,865</td>
<td></td>
</tr>
<tr>
<td><strong>Total Aveted Costs</strong></td>
<td>$6,631,945</td>
<td>$10,783,889</td>
<td>Up To $206,602,057</td>
<td>$20,005,738</td>
<td>$22,584,777</td>
<td>$24,658,926</td>
<td>Up To $291,267,331</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Law Enforcement Property Crime Reduction Grants</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>1b. New Victim Compensation Benefit for Victims of Property Crime</td>
<td></td>
<td>$400,000</td>
<td>$400,000</td>
<td>$400,000</td>
<td>$400,000</td>
<td>$400,000</td>
<td></td>
</tr>
<tr>
<td>1b. Victim Notification for King, Pierce, and Snohomish Counties</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td></td>
</tr>
<tr>
<td>2a. Mandatory 12m Supervision for Property Offenders</td>
<td>$353,481</td>
<td>$7,303,365</td>
<td>$11,368,392</td>
<td>$11,704,769</td>
<td>$11,761,782</td>
<td>$11,790,288</td>
<td></td>
</tr>
<tr>
<td>3c. County Pretrial Improvement Grants</td>
<td>$500,000</td>
<td>$500,000</td>
<td>$500,000</td>
<td>$500,000</td>
<td>$500,000</td>
<td>$500,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total Reinvestment Costs</strong></td>
<td>$3,355,481</td>
<td>$10,303,365</td>
<td>$16,368,392</td>
<td>$16,704,769</td>
<td>$16,761,782</td>
<td>$16,790,288</td>
<td>$80,284,077</td>
</tr>
<tr>
<td><strong>Net Savings</strong></td>
<td>$3,756,988</td>
<td>$193,534,634</td>
<td>$13,691,633</td>
<td>$210,983,254</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# Washington State Justice Reinvestment Policy Framework

## Goals:
Increase public safety, reduce recidivism, and avert prison population growth

<table>
<thead>
<tr>
<th>Goals</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reduce property crime and support victims</strong></td>
<td><strong>Hold offenders accountable</strong></td>
<td><strong>Reduce recidivism</strong></td>
<td></td>
</tr>
<tr>
<td>a) Invest in law enforcement efforts to deter property crime</td>
<td>a) Develop a sentencing grid for property offenders that includes a period of supervision and treatment</td>
<td>a) Ensure reinvestments in supervision and treatment are sustained through oversight and coordination</td>
<td></td>
</tr>
<tr>
<td>b) Create a victim compensation benefit for victims of property crime and sustain victim notification</td>
<td>b) Address double-counting of prior felony convictions in offender score for property offenders</td>
<td>b) Incentivize counties to use risk assessments to inform pretrial release decisions</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reduce property crime rate</th>
<th>15%</th>
<th>Supervise &amp; connect to treatment after jail/prison</th>
<th>Avert prison capital and operating costs</th>
<th>Invest in law enforcement, supervision, treatment, support for victims, and counties</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2,000 Previously unsupervised property offenders</td>
<td>Up To $291 Million By 2021</td>
<td>$80 Million By 2021</td>
</tr>
</tbody>
</table>

By 2021:
- Reduce property crime rate: 15%
- Supervise & connect to treatment after jail/prison: 2,000 previously unsupervised property offenders
- Avert prison capital and operating costs: Up To $291 Million By 2021
- Invest in law enforcement, supervision, treatment, support for victims, and counties: $80 Million By 2021
Next Steps

The **Washington State Institute for Public Policy** will model the Justice Reinvestment policy framework’s impact on crime and recidivism.

The **CSG Justice Center** will be available to:

- Vet the Justice Reinvestment policy framework with key stakeholder groups
- Assist in the drafting of legislation
- Develop a written report summarizing Washington’s Justice Reinvestment process and policy framework
- Brief legislators on the proposed policy framework
- Provided legislation is enacted, provide implementation technical assistance and help leverage implementation funding support from the Bureau of Justice Assistance
Next Steps

- **May**: Project Launch
- **Jun**: Taskforce Meeting #1
- **Jul**: Taskforce Meeting #2
- **Aug**: Taskforce Meeting #3
- **Sep**: Taskforce Meeting #4
- **Oct**: Final Report and Bill Introduction
- **Nov - Dec**: 2015 Session

**Data Analysis**
- Initial Data Analysis
- Detailed Data Analysis
- Final Data Analysis
- Impact Analysis

**Stakeholder Involvement**
- Stakeholder Engagement
- Policy Option Development
- Bill Drafting
- Provide Info to Policymakers and Media and Keep Stakeholders Involved
Thank You

Karen Chung, Policy Analyst
kchung@csg.org
csgjusticecenter.org/subscribe

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