Less Crime at Lower Cost
Key Data, Emerging Options

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Public Safety Performance Project
Pew Center on the States
PRISON COUNT PUSHES UP

Between 1987 and 2007, the national prison population has nearly tripled.


SOURCES: Bureau of Justice Statistics; Pew Public Safety Performance Project
Indiana Sentence Enhancement Timeline

- New crime: HEA1103
  - Enhancements: SEA289
  - Enhancements: HEA1193
  - Enhancements: HEA1921

- New crimes: HEA1533
  - SEA 97
  - SEA 477
  - HEA 1388
  - Enhancements: HEA 1392
  - Enhancements: SEA 609
  - Enhancements: SEA 50

- New crimes: HEA 1669
  - Enhancement: SEA 13
  - Enhancement: SEA 39
  - Enhancement: SEA 500

- New crimes: HEA 1731
  - Enhancement: SEA 242
  - SEA 6
  - HEA 1620

- New crimes: HEA 1367
  - Enhancement: SEA 144
  - HEA 1820
  - HEA 1855
  - HEA 2111
  - SEA 33
  - SEA 80
  - HEA 1942

- New crimes: HEA 1077
  - Enhancement: SEA 242
  - SEA 6
  - HEA 1731

- New crimes: HEA 1386
  - Enhancement: HEA 1386
  - HEA 1653
  - HEA 1387

- New crimes: HEA 1381
  - SEA 045

- New crimes: HEA 1006
  - SEA 181

- New crimes: HEA 1097
  - HEA 1256

- New crimes: HEA 1072
  - HEA 1245
  - HEA 1394

- New crime: SEA 73
  - Enhancement: HEA 1137
  - SEA 74
  - HEA 1051
  - SEA 73

- New crimes: HEA 1001
  - HEA 1201
  - HEA 1253
  - HEA 1419
  - HEA 1747
  - SEA 0096
  - SEA 0165
  - SEA 0292

- New crimes: SEA 156
  - Enhancement: SEA 0355
  - Enhancement: HEA 1037
  - HEA 1353
  - SEA 374
  - SEA 432

- New crimes: SEA 325
  - SEA 115

- New crimes: SEA 73
  - Enhancement: HEA 1137
  - SEA 74
  - HEA 1051
  - SEA 73

- New crimes: SEA 156
  - Enhancement: SEA 0355
  - Enhancement: HEA 1037
  - HEA 1353
  - SEA 374
  - SEA 432

- New crimes: HEA 1001
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  - HEA 1124
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  - HEA 1232
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TWENTY YEARS OF RISING COSTS

Between fiscal years 1987 and 2007, total state general fund expenditures on corrections rose 315 percent.

SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Inflation adjusted figures are based on a reanalysis of data in this series.

NOTE: These figures represent state general funds. They do not include federal or local government corrections expenditures and typically do not include funding from other state sources.
SOURCE: Bureau of Justice Statistics correctional surveys.
NOTE: Due to offenders with dual status, the sum of these four correctional categories slightly overstates the total correctional population.
PRISONS DOMINATE SPENDING

- **88%**
  - **Amount to Prisons**: $18.65 billion
  - **Amount to Probation and Parole**: $2.52 billion

**Total Corrections Spending**: $21.17 billion

**Sources**: Spending figures were collected from AR, AL, AK, CO, DE, GA, ID, IA, KY, LA, ME, MD, MI, MN, MS, MO, MT, NC, ND, NE, NH, NM, NY, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA and WY.

**Explosive Growth in Prison Spending**

- **$5,672.74 million**
  - **2008**: $788.80 million
  - **1983**: $136.48 million

**Sources**: Only eight states could provide 25-year spending histories (AL, GA, LA, MO, MT, NY, OR and WY).
Oregon Correctional Populations
Oregon Correctional Costs

**TOTAL SPENDING PER YEAR**
- Prison: $1.50 in 1983, $1.50 in 2008
- Parole: $37.43 in 1983, $37.43 in 2008
- Total: $454.18 in 2008

**PER OFFENDER PER DAY**
- Prison: $2.54 in 1983, $2.54 in 2008
- Probation: $2.70 in 1983, $2.70 in 2008
- Parole: $7.89 in 1983, $7.89 in 2008
- Total: $84.43 in 2008
“The [prison] forecast relies on history beginning in 2003; as trends prior to that are not instructive because of the influence of significant law and policy changes.”

“Sentence lengths as opposed to crime rates are the most significant driver of the inmate population.”

Office of Economic Analysis
Oregon Corrections Population Forecast
October 1, 2009
Impact of expanded AIP

Felony Assault IV
Felony DUI
Repeat Property Offender Impact
Measure 11 Impact
Baseline Population
Actual Population

Source: State of Oregon Criminal Justice Commission
Oregon has much to its credit…

- Large decreases in crime, and comparatively low violent crime rate
- Endorsement of evidence-based practices
- Mandate for administrative sanctions in community supervision
- Solid data and research to ground debate
- Modest incarceration rate
  - Viewed as making good use of P&P
  - 70/15/10 ratio for violent/property/drug in prison
But challenges remain…

• Prison population projected to increase ~18% to 16,500 by 2020
• Correctional cost growth and strained budgets
  – Corrections consuming 1 in 9 state general fund dollars
  – Debt service well over $100 million/biennium
  – DOC now consumes more than $700/household/biennium
And as the landscape shifts, due to…

- **Trend toward Managing for Results**
  - Focus moves from inputs/outputs to outcomes across government

- **Advances in Science of Behavior Change and Supervision Technology**
  - Cognitive-behavioral treatment, motivational interviewing
  - Third-generation risk assessment tools
  - Rapid-result drug screens, GPS, alcohol monitoring

- **Fiscal Crisis**
  - States facing massive budget gaps
  - Second fastest growing state budget category behind Medicaid

- **New Evidence on the Diminishing Returns of Prison**
  - Growing evidence and recognition that we can’t “build our way out”

- **Decreased Public Attention and Solid Supportive for Alternatives**
  - Crime/drugs low on public radar amidst economy, health care, wars
  - Polls regularly show 70% (+/-) support concept of “alternatives” for “non-violent”
The test for criminal justice policies changes from

“How do we prove we’re tough on crime?”

to

“How do we get the best public safety return on investment for our taxpayers?”
Kansas Takes a New Approach (CSG, 2007)

**Problem**
- 22% prison growth by 2016
- $500 million in additional costs

**Analysis**
- FY06: 65% of admissions were P&P violators, costing $53 million/year

**Solution**
- Grant program to local community corrections to reduce revocations by 20%
- 60 day credit for risk-reduction programs
- Restore earned time for non-violent inmates

**Outcome**
- Parole revocations down 46%; parole reconvictions down 26%
- Probation revocations down 28%
- Avert $80 million in costs over 5 years
Problem
• Added 100,000 beds in past 20 years but still faced 14-17,000 bed shortfall by 2012
• $523 million in additional costs for FY09

Analysis
• High recidivism rate, low parole grant rate
• Technical violators a primary driver

Solutions
• Expand network of residential, community diversion/treatment facilities ($241M)
• Comply with state parole rate statute

Outcomes
• Probation revocations down 26%
• Parole revocations down 4%
• Actual savings of $512M in FY08/09. Est. savings much higher through FY12
• 2009 Legislature continued $120M annual reinvestment in community corrections
Some Common Denominators

• Screen and sort offenders by risks, needs and assets
  – VA and risk assessment
  – First-timers
  – OR prisoners: 15% severe MH problems; 60% severe SA problems

• Create incentives for performance
  – State-local alignment (AZ, KS, IL, CA)
  – Offender incentives (moving earned time into community corrections)

• Construct reliable deterrents
  – High property crime rates demand focus on 30k+ probation and post-release offenders
  – Administrative sanctions, HOPE and the keys of deterrence
WSIPP Earned Time Study

• Benefits
  – 3.5% reduction in felony recidivism = $5,100 reduced crime, $3,000 reduced CJ processing
  – 63 fewer days behind bars = $5,500
  – Increased employment = $1,800
• Costs
  – Additional property crimes from lost incapacitation = $8,200
• Net benefit = $7,200 per participant
• Return-on-investment = $1.90 per $1
Mississippi Earned Time

- 1995: MS adopts 85% across board
- Prison population doubles by 2007
- 2008 law moves parole eligibility to 25% of sentence for selected non-violent offenders
  - Retroactive: 3,000 inmates immediately eligible
  - 85% for median inmate was 4.25 years; now 1.25 years
  - Also removes 180-day cap on MET
- New risk assessment tool for parole board
- Through August 2009, 3,076 inmates released under new law
  - No uptick in revocation rate
  - 121 returned to custody; all but 5 for technical violations
  - Population stabilized, averting 5,000 beds over next ten years
Other (Increasingly Common) Options

Redefining criminal offenses

- **Alabama** raises class C felony threshold from $250 to $500 and Class B to $2,500. Projects 3,000 prison bed saving over 5 years.

Reclassifying criminal offenses

- **Iowa** downgrades burglary offenses involving cars and boats by creating new class D felony and aggravated misdemeanor.

Changing sentence lengths

- **Pennsylvania** grants judges the option to sentence offenders to an early “risk reduction” release date conditioned on successful program completion.

Analyzing options and simulating impacts

- **North Carolina** develops robust sentencing commission, prison population projection capacity, and offender information system.
But Won’t Less Incarceration Lead to More Crime?

• Research (from Spelman to Western to Piehl/Liedka)
  – The other 75 percent
• Limitations on incarceration
  – Diminishing marginal returns
  – Replacement
  – Aging-out (and length-of-stay)
  – Rules of deterrence (and length-of-stay)
• Effectiveness versus best use of public safety dollars
Incarceration/Crime Change Pairings

% Change in Incarceration Rates

% Change in Crime Rates

-20% 0% 20% 40% 60% 80% 100%

-20% -40% -60%

States represented in the chart include: TX, NC, SC, OH, KS, AK, RI, HI, WA, VA, WY, CA, OK, MI, DE, AZ, CT, UT, NY, NJ, ND, SD, ID, OR.
States Can Have Less Crime at a Lower Cost

14%  
United States

-24%

INCARCERATION RATE

CRIME RATE

1997-2007

-2%

Maryland

-28%

-12%

New Jersey

-37%

-15%

New York

-39%