Cost-Effective Justice: New Directions for Prisoner Rehabilitation and Re-entry

What Is Driving States’ Corrections Reforms

Linda Mills, JD  Policy Catalysts, LLC
Our nation’s challenge

- US: 5% percent of the world's population
- US prisons: 25% of the world's prisoners
- "Either we're the most evil people on earth, or we're doing something wrong." (US Senator Jim Webb)
U.S Prisoner Count Pushes Up
5-fold increase since 1980

Total state and federal prisoners in December 2009: 1,613,656

1980: 319,598 prisoners
The Long View: 2066% Increase Since 1920

Incarcerated Americans 1920-2006

Sources:
Growth in the Rate of U.S. Incarceration
U.S. Growth in Spending

EXPLOSIVE GROWTH IN PRISON SPENDING

Across 8 states, 88 percent of additional corrections spending since FY1983 has gone to prisons.

- $136.48 million in 1983
- $788.80 million in 2008
- $930.06 million in 1983
- $5,672.74 million in 2008

SOURCES: Only eight states could provide 25-year spending histories (AL, GA, LA, MO, MT, NY, OR and WY).
More prisoners . . .
More prisoners coming home

Sentenced Prisoners Admitted and Released from Federal and State Prison, 1977-2008

Prison Admissions

Prison Releases

735,454 People Released in 2008
The Response from the Federal Government
Federal Initiatives

• Nineties: Anti-gang initiatives

• 2001 forward: Funding for state and local corrections to reduce recidivism & improve reentry outcomes
  • Serious and Violent Offenders (SVORI)
  • Transition from Prison to Community Initiative
  • Ready4 Work
2004: Prisoner Reentry and the Second Chance
George W. Bush State of the Union

This year, some 600,000 inmates will be released from prison back into society. We know from long experience that if they can't find work, or a home, or help, they are much more likely to commit crime and return to prison... America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life.

January 24, 2004
June 23, 2004:
The Second Chance Act is introduced in Congress

As a symbolic political gesture, the Second Chance Act completely reverses recent practice. For the first time in decades, Congress is poised to pass a bill that aims to make the lives of prisoners and ex-prisoners easier, not more difficult.

“The Right Has a Jailhouse Conversion,”
Second Chance Act

Bi-Partisan Support:
- Rob Portman (R-OH), Danny Davis (D-IL), Sam Brownback (R-KS), Joe Biden (D-DE), Carl Levin (D-MI), Rick Santorum (R-PA) – 92 House sponsors; 34 Senate sponsors

224 Supporting Organizations:
Second Chance Act of 2007
Passed and Signed

House: Vote of 347 - 62
11/13/2007

Senate: Unanimous consent
3/8/2008

President signed
4/9/2008
President Bush’s Prisoner Reentry Initiative
2005 - 2008

- DOJ and DOL collaboration
- Built upon Ready4Work model
- Goal: Strengthen urban communities impacted by large numbers of returning prisoners through community-based, mentor-supported and employment focused programs
- DOJ grants -- State agencies for pre-release services and anti-recidivism efforts of faith-based and community organizations.
Goals of the Act

Reduce recidivism:

- Increase public safety
- Promote stable families and communities
- Support evidence-based programs
- Provide necessary services during incarceration and after reentry
The focus starts to shift

- Reentry efforts alone cannot reverse prison growth
- Unsustainable corrections costs
- Research calls for evidence-based practices and policies
- Recession hits
- New private investments (e.g., Pew)
States ask: Why such growth?

- Crime rate up
- Political campaigns
- “Tough on crime”
- New laws passed
  - Truth in Sentencing
- War on Drugs
- Polling data -- fear
### MOST IMPORTANT ISSUES FOR GOVERNMENT TO ADDRESS

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<th>Year</th>
<th>Crime/violence</th>
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In 1994, 36% of Americans said crime was one of the top two issues the government should address.

The Taking Back Our Streets Act was the number 2 item in the contract.

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Harris Poll

Cost-Effective Justice
Alaska Common Ground / Partners for Progress
Linda Mills Policy Catalysts, LLC
September 18, 2010
By June 2010, fewer than 1% of Americans identified crime as one of the top two issues for government to address.

MOST IMPORTANT ISSUES FOR GOVERNMENT TO ADDRESS
"What do you think are the two most important issues for the government to address?"

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Harris Poll
What has changed since 1994?

- Crime rate down
- Federal leadership
- States’ budget pressures
- New coalitions urging change: Fiscal conservatives, evangelicals, liberals / moving past “law and order” pols
- Significant attention by the press
- New resources: Federal government, foundations
- Growing research base
- Shift in public opinion
Significant Shift in Public Opinion

Changing View on Mandatory Sentencing

- Mandatory sentences are a good idea
- Judges should be able to decide

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<thead>
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<th>June 1995</th>
<th>September 2001</th>
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<td>Mandatory sent.</td>
<td>38%</td>
<td>45%</td>
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<td>Judges decide.</td>
<td>55%</td>
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Significant Shift in Public Opinion

Support for Mandatory Supervised Treatment for Drug Crimes

Requiring Mandatory Treatment for Possession
- 76% Strongly/Somewhat Favor
- 20% Somewhat/Strongly Oppose
- 4% Not sure

Requiring Mandatory Treatment/Community Service for Selling Small Amounts
- 71% Strongly/Somewhat Favor
- 27% Somewhat/Strongly Oppose
- 2% Not sure
Significant Shift in Public Opinion

Best Place to Reduce State Spending

- Prisons: 28%
- Roads, bridges, and mass transit: 28%
- Child care for low-income families: 10%
- Security protections against terrorism: 10%
- Education and job training: 5%
- Nursing homes and health care: 2%
Significant Shift in Public Opinion
2006 Zogby Poll

4: State prison systems could offer the following four alternative prison policies for people who have committed nonviolent crime. What would you prefer the state implement?

- **Policy 1:** Treat prison as punishment and do not offer rehabilitation services to people either during their time in prison or after their release.
- **Policy 2:** Make state-funded rehabilitation services available to incarcerated people while they are serving time in prison.
- **Policy 3:** Make state-funded rehabilitation services available to incarcerated people only after they have been released from prison.
- **Policy 4:** Make state-funded rehabilitation services available to incarcerated people both while they are in prison and after they have been released from prison.

[Pie chart showing poll results]

- **Punishment:** 70%
- **Services in prison:** 11%
- **Services after prison:** 11%
- **Services in and out of prison:** 6%
- **Unsure:** 2%
The bottom line...

It does not matter whether a non-violent offender is in prison for twenty-one or twenty-four or twenty-seven months. What really matters is the system does a better job of making sure that when an offender does get out, he is less likely to commit another crime.

% Strongly Agree

75%

% Total Agree

91%
Significant Shift in Public Opinion
2010 Pew Poll

“What percent of the people currently in prison in the United States do you think could be released from prison who would not pose a threat to overall public safety?”

22%
Everybody is writing and talking about U.S. incarceration policies.

Even the Brits.
A shift in attitudes takes hold and garners investment: Improve outcomes with fewer dollars

It starts with data.
States can have less crime at a lower cost:

- **United States**: 14% lower incarceration rate, 24% lower crime rate (1997-2007)
- **Maryland**: -2% lower incarceration rate, -28% lower crime rate
- **New Jersey**: -12% lower incarceration rate, -37% lower crime rate
- **New York**: -15% lower incarceration rate, -39% lower crime rate


**FIGURE 2**

**DIVERGENT TRENDS IN INCARCERATION AND CRIME RATES**

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<tbody>
<tr>
<td>% INCREASE IN RATE OF INCARCERATION</td>
<td>% INCREASE IN CRIME RATE</td>
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<tr>
<td>65%</td>
<td>17%</td>
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Growth shot up, until 2009 . . .

**FIRST STATE DECLINE IN 38 YEARS**

The number of state inmates grew 708% between 1972 and 2008 before dropping in 2009.

- Jan. 1, 2010: 1,404,503 prisoners
  - 0.3% decrease
- 1972: 174,379 prisoners
  - 1.5% decrease
- 1925: 85,239 prisoners

**NOTE:** Annual figures prior to 1977 reflect the total number of sentenced prisoners in state custody. Beginning in 1977, all figures reflect the state jurisdictional population as reported in the Bureau of Justice Statistics’ “Prisoners” series. Data for both sentenced prisoners in custody and the jurisdictional population are reported for 1977 to illustrate the transition.
Alaska is among the 8 states with the greatest prison growth.
The public supports reform

Reduce prison time for low-risk, non-violent offenders and re-invest some of the savings to create a stronger probation and parole system that holds offenders accountable for their crimes.

Send fewer low-risk, non-violent offenders to prison and re-invest some of the savings to create a stronger probation and parole system that holds offenders accountable for their crimes.

Reduce prison time for low-risk, non-violent offenders so that state funding can be used to keep violent criminals in prison for their full sentence.

Public Safety Survey – March 2010
The country was built on the belief that each human being has limitless potential and worth. Everybody matters. We believe that even those who have struggled with a dark past can find brighter days ahead. One way we act on that belief is by helping former prisoners who've paid for their crimes -- we help them build new lives as productive members of our society.

The bill I'm signing today, the Second Chance Act of 2007, will build on work to help prisoners reclaim their lives. In other words, it basically says: We're standing with you, not against you.
Thank you, Alaska

Linda Mills
LMillsEsq@comcast.net