Tough and Smart: Opportunities for Kansas Policymakers to Reduce Crime and Spending

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JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS
Overview

- Tough and Smart Criminal Justice Framework Under Pressure
- Policy Options to Strengthen Framework
- Neighborhood Based Strategies for Long-Term Success
Technical Assistance to 3Rs Committee: Kansas Framework is Tough & Smart

- **Tough:**
  Increased punishments for violent offenders

- **Smart:**
  Increased alternatives for low-level nonviolent offenders

**Pressure on framework:**
High number of revocations consuming a large percentage of prison capacity
Framework Under Pressure

Impact of “off-grid” sentences and increase in probation condition violators

Current Capacity (9397)

1834 bed shortfall

$500 m 10 yr Costs

$180 m Construction

$320m Operating

20% increase

26% increase
Probation Revocations Rising

- 17% increase from 1,772 to 1,857
- 46% increase from 1,488 to 2,170

“Technical” Violations

1996: 1,463
1997: 1,772
1998: 1,488
1999: 1,857
2000: 2,170
Probation Revocations

- Revocation rate unchanged since FY04
- Lack of Consistent Supervision Strategies
- 19% of prison population
- Annual cost of $37.4 million

Prison Admissions FY2006

- New Court Commitments: 27 percent
- Probation Violations: 36 percent
- Parole Violations, Conditions: 29 percent
- Prob./Parole, New Sentence: 5 percent
Parole Revocations Decreasing

Year: 1996-2006

- 1996: 1,691
- 1997: 2,462
- 1998: 3,500
- 1999: 1,815

- 26% decrease from 1998 to 1999
- 48% decrease from 1999 to 2000
- 90% "Technical" Violations from 2000 to 2006
Parole Revocation Decrease Has Already Averted Prison Costs

Parole Revocations as Share of Prison Population
(FY05 Projection vs. Actual Population & Est. Averted Costs)

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY05 Projections</td>
<td>1180</td>
<td>1138</td>
</tr>
<tr>
<td>Actual Population</td>
<td>996</td>
<td>737</td>
</tr>
<tr>
<td>Bed “Savings”</td>
<td>184</td>
<td>401</td>
</tr>
<tr>
<td>Averted Costs</td>
<td>$4,037,696</td>
<td>$8,799,544</td>
</tr>
<tr>
<td>Two Year Averted Costs*</td>
<td></td>
<td>$13,837,240</td>
</tr>
</tbody>
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*Based on average total cost per day (not marginal cost savings)
Challenge is to Sustain Lower Parole Revocation Rate

- Reducing risk in the community requires adequate supervision and treatment capacity
- 8% of prison population
- Annual cost of $15.7 million
Without Treatment Capacity, Supervision is Unable to Reduce Risk of Offenders

Prison-Based Program Completion

Prisoners are being released without completing programs to reduce their risk

- 72% of prisoners needing vocational education do not participate in programs prior to release
- Half of prisoners in need of substance abuse treatment do not participate in treatment prior to release

Offenders in Need of Vocational Education: Program Participation & Completion Prior to Release

- No Participation: 72%
- Completed: 18%
- Not Completed: 10%

Offenders in Need of Substance Abuse Treatment: Program Participation & Completion Prior to Release

- No Participation: 52%
- Completed: 36%
- Not Completed: 12%
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Policy Options

1. Maintain Lower Parole Failure Rate

2. Strengthen Community Corrections to Reduce Probation Failures

3. Reduce Risk Before Release
Policy Option 1
Maintain Lower Parole Failure Rate

Proposal

Maintain the average number of parole violators at 90 each month
(from 135 per month currently projected)

Reentry/Program Funds
JEHT Foundation: $4.6 m
Governor’s Budget: $2.4 m

Focus increased resources toward counties with high revocation rates
Policy Option 2
Strengthen Community Corrections

Proposal

Reduce the number of probation/community corrections violators by 20 percent
(from 170 to 142 per month)

Provide incentive grant funding to community corrections to reduce caseloads, expand treatment & sanctioning capacity

Require community corrections programs and judges to develop consistent supervision and sanctioning strategies

HB2141: Community Corrections Revocation Reduction Grant Program ($4m)
Policy Option 3
Reduce Risk Before Release

Proposal

Create a “Risk Reduction Program Credit” for guideline offenders who successfully complete treatment, educational, and vocational programs before release

- Use risk/need assessments to determine which offenders should be required to complete programs prior to release
- Expand substance abuse, vocational, and educational programming in prison using savings generated from program credit

HB2142: An Act Concerning Program Credits
### Policy Option 3
Reduce Risk Before Release

#### Change in Recidivism Rates for Adult Offenders

<table>
<thead>
<tr>
<th>Intervention Type</th>
<th>Recidivism Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>No intervention</td>
<td>0%</td>
</tr>
<tr>
<td>In-prison therapeutic communities</td>
<td>-5.3</td>
</tr>
<tr>
<td>General cognitive-behavioral programs</td>
<td>-8.2</td>
</tr>
<tr>
<td>Vocational education in prison</td>
<td>-12.6</td>
</tr>
</tbody>
</table>

Options for policymakers
FY2008-2016 (9 years) Projected Prison Population

Current Capacity: 9,397

Options:
- Status Quo
- Option 1
- Option 2
- Option 3

Combined Impact

- 1,631
- $320 million
- $177 million
- $497 million
Assumptions & Challenges

- **Financing Policy Options**
  - Assumption of adequate investment in FY2008

- **Implementation Effectiveness**
  - Assumption that all guideline offenders are eligible for the “risk reduction program credit,” but on average lose 16 percent of eligible time off their sentence

- **Accountability Monitoring**
  - Assumption that policy and practices will be implemented to monitor the effectiveness of policy options and their impact on the prison population
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### Justice Reinvestment Framework

<table>
<thead>
<tr>
<th>Step 1</th>
<th>Analyze prison population and “high stakes” communities to which offenders return</th>
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<td>Revocations consume a large chunk of prison space and a disproportionate share of prison admissions come from a handful of neighborhoods</td>
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<thead>
<tr>
<th>Step 2</th>
<th>Control prison population growth to generate savings</th>
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<td>Reduce failure to meet conditions of parole and probation, and increase completion of programs in prison to reduce the risk of offenders prior to release</td>
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<tr>
<th>Step 3</th>
<th>Capture some “savings” from reduced prison costs to “reinvest” in neighborhood-based strategies</th>
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<td></td>
<td>Reinvest in strengthening parole and community corrections, expanding evidence-based programming in prison, and better coordination of resources in “high-stakes” neighborhoods to improve community outcomes for all residents</td>
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Focus on Neighborhoods
Wichita, Kansas

$11.4 million spent on prison commitments from a single year
Prison Admissions & TAF Recipients
Expressed as Standard Deviations from the Mean Value

Prison Admissions per 1000 SD

TAF Recipients per 1000 SD

Produced by The Justice Mapping Center with The JFA Institute and the Spatial Information Design Lab, GSAPP, Columbia University.
Thank You

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