



## **State Policy Implementation Project**

Five key areas for criminal justice reform that will enhance public safety and reduce state spending:

- Pretrial Release Reform;
- Decriminalization of Minor Offenses;
- Effective Reentry Support Programs;
- Expanded Reliance on Parole and Probation; and
- Community Corrections

# **ABA Urges States to Save Money and Enhance Public Safety by Implementing Criminal Justice Reforms**

The American Bar Association has identified five key areas for criminal justice reform that will enhance public safety, reduce recidivism and save taxpayer money. The five reform areas cover a range of criminal justice topics, but together, create a single, coherent package of reasonable solutions for use by states to confront current pressing safety and monetary issues. A brief description of each reform area is included below, along with links to relevant ABA policy. We hope this information contributes to positive changes in your state's criminal justice system and encourage you to contact us with any questions or comments at [Sarina.Cox@americanbar.org](mailto:Sarina.Cox@americanbar.org) or 202-662-1518.

## **PRETRIAL RELEASE REFORM**

Every year the United States spends close to \$66 billion to keep 2.3 million people behind bars. According to the United States Department of Justice, approximately 500,000 of the 2.3 million people behind bars have not been convicted of any crime; rather, they are accused individuals awaiting trial. Two thirds of the 500,000 individuals incarcerated in jail and awaiting trial are low bail risk, meaning they have been deemed by a magistrate to pose no significant risk to themselves or the community, as well as representing a low risk of flight. They often remain in jail for over a year before standing trial while taxpayers provide them with food, clothing, healthcare, and security – last year alone the United States spent \$9 billion on services for individuals who could not afford bail.

With the development of better tools, methods and technologies, states can better supervise low bail risk offenders, saving money on pretrial detention and reducing risk to the community. Individuals who pose the lowest risk can be identified, released before trial, and then appropriately monitored and supported so they do not become a risk. Enacting reforms under these narrow circumstances, will not only save taxpayers money, but also ensure that communities are not put in increased danger.

Relevant ABA Policy:

[http://www.americanbar.org/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_pretrialrelease\\_toc.html](http://www.americanbar.org/publications/criminal_justice_section_archive/crimjust_standards_pretrialrelease_toc.html)

## **DECRIMINALIZATION OF MINOR OFFENSES**

State budgets have very limited resources. By declassifying certain minor crimes, law enforcement and attorneys can focus on more serious offenses. Many low-level cases go unsolved – declassification would not only direct more resources toward the investigation of serious crimes, but it would also provide states additional income from applicable civil fines.

Relevant ABA Policy:

[http://www.americanbar.org/content/dam/aba/publishing/criminal\\_justice\\_section\\_newsletter/crimjust\\_policy\\_midyear2010\\_102c.pdf](http://www.americanbar.org/content/dam/aba/publishing/criminal_justice_section_newsletter/crimjust_policy_midyear2010_102c.pdf)

## **EFFECTIVE REENTRY PROGRAMS**

Recidivists account for a significant portion of the United States' prison populations – it is estimated that over half of former inmates are re-arrested and incarcerated within three years following release from prison. A key component to combating these high numbers is to more effectively choose those inmates who are prepared for release and to create programs that provide those released with useful counseling and vocational training. Without guidance, former inmates are left without necessary support and job training and quickly return to a life of crime. With the costs of incarceration skyrocketing, states simply cannot afford to repeatedly house the same prisoners. States can actually reduce their costs by providing former inmates with the tools necessary to become successful, productive members of the community.

Relevant ABA Policy:

[http://www2.americanbar.org/sdl/Documents/2004\\_AM\\_121D.pdf](http://www2.americanbar.org/sdl/Documents/2004_AM_121D.pdf)

[http://www.americanbar.org/content/dam/aba/publishing/criminal\\_justice\\_section\\_newsletter/crimjust\\_policy\\_my09101b.pdf](http://www.americanbar.org/content/dam/aba/publishing/criminal_justice_section_newsletter/crimjust_policy_my09101b.pdf)

## **INCREASED USE OF PAROLE & PROBATION**

Unnecessary incarceration is a tremendous expense to the taxpayer, and can do more harm than good with regards to an offender's rehabilitation. Lengthy periods of incarceration should therefore be reserved for offenders who commit the most serious offenses and pose the greatest danger to the community. In contrast, alternatives to incarceration should be provided for those offenders who pose minimal risk to the community and appear likely to benefit from rehabilitation efforts outside a correctional institution.

Recognizing that few convicted persons require lengthy incarceration and many require none, the ABA's *Criminal Justice Standards on Sentencing* call for sentencing schemes that allow administrative parole boards to decide when individuals incarcerated under inadequately determinate sentences should be released. The Standards also include probation options for the courts, substantial "good time" credit for individuals sentenced to total confinement, and the assertion that violations of parole and probation for non-violent offenders should not automatically result in incarceration.

Relevant ABA Policy:

[http://www.americanbar.org/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_sentencing\\_toc.html](http://www.americanbar.org/publications/criminal_justice_section_archive/crimjust_standards_sentencing_toc.html)

[http://www.americanbar.org/groups/criminal\\_justice/policy/index\\_aba\\_criminal\\_justice\\_policies\\_by\\_meeting.html#108](http://www.americanbar.org/groups/criminal_justice/policy/index_aba_criminal_justice_policies_by_meeting.html#108)

[http://www.americanbar.org/groups/criminal\\_justice/policy/index\\_aba\\_criminal\\_justice\\_policies\\_by\\_meeting.html#my07103b](http://www.americanbar.org/groups/criminal_justice/policy/index_aba_criminal_justice_policies_by_meeting.html#my07103b)

[http://www.americanbar.org/groups/criminal\\_justice/policy/index\\_aba\\_criminal\\_justice\\_policies\\_by\\_meeting.html#am04121a](http://www.americanbar.org/groups/criminal_justice/policy/index_aba_criminal_justice_policies_by_meeting.html#am04121a)

## **COMMUNITY CORRECTIONS PROGRAMS**

“Community corrections” refer to sanctions served by an offender within the community where that offender either (a) committed an offense, or (b) currently resides. The objectives of community corrections include punishing an offender in the least restrictive setting consistent with public safety and the gravity of the crime; providing offenders with education, training, and treatment to enable an individual to become a fully functional member of the community upon release from supervision; and making offenders accountable to the community for criminal behavior.

Community corrections envisions a wide-range of locally implemented, non-incarcerative sanctions such as probation, day-reporting centers, community service, home confinement with or without electronic monitoring, drug and alcohol treatment, means-based fines, and restitution to both the victim and the community.

Relevant ABA Policy:

[http://www.americanbar.org/groups/criminal\\_justice/policy/index\\_aba\\_criminal\\_justice\\_policies\\_by\\_meeting.html#my92101d](http://www.americanbar.org/groups/criminal_justice/policy/index_aba_criminal_justice_policies_by_meeting.html#my92101d)

[http://www.americanbar.org/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_sentencing\\_toc.html](http://www.americanbar.org/publications/criminal_justice_section_archive/crimjust_standards_sentencing_toc.html)

[http://www.americanbar.org/content/dam/aba/uncategorized/criminal\\_justice/community\\_corrections\\_act.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/uncategorized/criminal_justice/community_corrections_act.authcheckdam.pdf)

## ***Pretrial Release Reform***

The greatest concerns related to bail reform are that those released before trial pose a danger to public safety and will not appear at trial; despite these concerns, however, many pretrial detainees do not present a significant risk of flight and are unlikely to pose a public danger. The concerns are legitimate and a method to separate those posing a risk of violence from those who do not must be incorporated into pretrial release. Moreover, individuals who are released before trial pose a lower rate of recidivism. With the proper tools to measure a defendant's risk, a jurisdiction can both reap financial benefits and provide a more equitable justice system.

Detaining persons simply because they cannot afford bail is unwarranted and the taxpayer implications of pretrial detention are significant given the expenses of operating detention facilities (maintaining a staff and the building) and housing detainees (providing food, clothing, bed, and healthcare). Although community safety and risk of flight are key components of a pretrial detention determination, two thirds of the 500,000 individuals sitting in jail before trial are *low bail risk*, identified as posing no significant risk to themselves or the community with a likelihood of reappearance at subsequent court dates. Proper identification and release of these individuals will decrease the costs associated with operating detention facilities and housing detainees and reduce the collateral consequences of confinement such as job loss, inability to pay child support and eviction.

The ABA *Criminal Justice Standards for Pretrial Release* call for the assignment of the least restrictive bail conditions and presumption of release pending trial. The Standards recognize that detention is appropriate if an individual presents a flight risk or the release will endanger public safety. However, detention is appropriate only after clear identification of the relevant risk factors by adequate pretrial service agencies. **State pretrial detention policy can be built upon the need to (a) ensure public safety and (b) prevent a defendant's flight from the jurisdiction – otherwise, a defendant can be released pending trial. Execution of clear policy to promote efficient pretrial detention will lead to significant fiscal savings.**

**Releasing low risk defendants leads to significant savings to local and state budgets.** Last year alone, taxpayers spent \$9 billion on pretrial detainees. New York City spends approximately \$45,000 annually to house a single pretrial detainee. In fiscal year 2007-08, Miami-Dade County supervised 11,101 defendants outside detention facilities at a total cost of roughly \$432 per defendant.

**Confining defendants in pretrial detention will cause loss of income, leading to increased recidivism and risk to the public following the individual's subsequent release.** In the Southern District of Iowa, a case study of the effectiveness of alternatives to pretrial incarceration produced significant results – the District released 15% more individuals pretrial, and found that the overall percentage of individuals whose release was not revoked due to re-arrest and new alleged criminal activity increased from 95.6% to 97.3%. The District also saved \$1.7 million in fiscal year 2008-2009.

**Defendants who are economically secure with a familial structure are more likely to appear at subsequent court dates.** In Iowa, the Southern District not only saw a decrease in re-arrest rates of released individuals, but also observed an increased rate of return at subsequent court dates.

The ABA urges states to adopt legislation that models the current ABA Standards and commends to them the Kentucky statute.



# Kentucky: Releasing Defendants while Reducing Recidivism and Saving Money

## Pretrial Release in the United States

State funding for corrections in the United States has risen 272% during the last twenty-year period: from \$12.9 billion to \$48 billion. Unfortunately, greater spending on incarceration has not translated into a better return for public safety and recidivism. This holds true not only in post-conviction incarceration, but pretrial incarceration, as well. Although detaining a defendant in prison prior to trial is often necessary for public safety, there are a significant number of low risk, non-violent offenders who are removed from employment, their families, and the community prior to a conviction. With the high costs of incarceration in the United States, it is essential that states establish a system to correctly identify and release these low-risk offenders. With proper tools and methods, a state can assess an individual and either (a) detain the defendant until trial, (b) release the defendant into pretrial supervision programs, or (c) release the defendant on his/her own recognizance. If a state can identify those individuals who are productive individuals and pose no threat to society, it can save taxpayer dollars, reduce recidivism, and increase public safety.

Recognizing that pretrial release a fundamental element of a state's judicial system, Kentucky has consistently been at the forefront with model pretrial services that not only save money on incarceration costs, but also provide rehabilitation and treatment opportunities for offenders in need.

## Pretrial Release in Kentucky

### *History*

In 1976, Kentucky abolished commercial bail bondsman and implemented its Pretrial Services Agency (PSA). To date, it is one of the few states that operates its pretrial services as a statewide unified system. The program was created to assess pretrial defendants with the assumption that low-risk individuals would be released prior to trial, as opposed to continued confinement that costs taxpayers' money.

Since its inception over thirty years ago, the program has undergone significant changes to adapt to the state's currently judicial environment. A number of these changes took place recently to avoid Kentucky's predicted need to spend \$161 million more than current corrections costs to cover future growth by 2020. If the state can release more low-risk offenders prior to trial, it could avoid the roughly \$50.00 a day it costs to house an offender who, under proper supervision, can remain employed and productive within the community.

To encourage even better results, in 2006 the Kentucky legislature allotted \$172,000 to fund the Social Work Pilot Project through the state's Department of Public Advocacy. The project placed social workers at public defender offices throughout the state to assist in pretrial treatment and rehabilitation for low-risk offenders. The Social Work Pilot Project and the state's general Pretrial Services Agency have both produced successful results.

## **Current Program**

### ***Pretrial Diversion***

The state's pretrial diversion officers are trained to be neutral in all decisions regarding treatment. The state's program has 256 employees and provides investigation and supervision services in all 120 counties in the state. Diversion provides selected individuals with non-punitive case processing if they satisfy certain conditions of release. The program is designed to help an individual before he or she develops long-term destructive behavior and is entirely voluntary, although the district judge and county attorney must approve all participants. If a participant successfully completes the program, the charges are dismissed with prejudice, and the individual avoids the stigma of a criminal record. The program begins almost immediately after arrest when the PSA conducts an initial interview of potential participants. Eligible participants are those charged with the offenses of shoplifting, disorderly conduct, possession of marijuana, public intoxication, criminal trespassing, criminal mischief, and littering. Individuals charged with a DUI, a felony or violent crime, or those who were previously convicted or participated in diversion are ineligible. The interview consists of a risk assessment that evaluates the several aspects of the defendant's life and background. Factors include: criminal record, employment, family stability, and prior substance abuse. The interviews are conducted around the clock and pretrial officers in urban areas are on duty 24 hours a day while rural area officers are on duty 16-20 hours a day and always on call.

Following the interview and assessment, if the defendant is released pretrial the court may impose several different conditions for release. In some instances those conditions are as little as a reporting by phone, whereas other defendants are required to report in-person, to comply with random drug or alcohol testing, curfews, home incarceration, employment requirements, and counseling.

In 2005, Kentucky's PSA also started the Monitored Conditional Release (MCR) program that exists in 48 counties throughout the state. MCR implements a risk-assessment that categorizes defendants into low-, medium-, and high-risk groups prior to an officer making a release recommendation to the judge. Defendants are interviewed within 12 hours of arrest and the risk assessment is meant to determine the defendant's risk to public safety and likelihood of reappearance if released from detention. The program's focus is to assist those counties that are struggling to pay the costs of housing defenders in county jail before trial.

### ***Social Work Pilot Project***

Realizing that even more can be done to save money and reduce recidivism, the 2006 legislature approved the Department of Public Advocacy's Social Work Pilot Project. The Project placed social workers at different public defender offices throughout the state. Social workers were there to assist in treating a defendant's "root" problem. Two hundred twenty nine defendants were served between 2006 and 2007. The social workers were made an integral part of the defense team and able to work with defendants regarding drug and alcohol problems, counseling, and various other treatment. Unlike attorneys, the social workers' training provided defendants with enhanced support that would not have existed otherwise.

## **Success and Savings**

### ***Pretrial Diversion Success***

To date, the Kentucky Pretrial Services Agency (PSA) has saved the state millions of dollars in incarceration costs, as well as saving money by reducing court dockets through release and subsequent dismissal of charges. Since the programs inception in 1976, the state has interviewed more than 2.7 million defendants. In 2008, the department actively monitored 3,668 diversion clients with a success rate of 71% for its general misdemeanor diversion programs. In 2008, diversion clients completed 17,313 hours of community service volunteer work and paid \$38,576 in restitution to victims.

A significant amount of the money saved is due to the Monitored Conditional Release (MCR) program. The program has conducted over 260,000 interviews. Of those interviewed 64% were released pretrial on their own recognizance or into several supervision programs. The release of almost 175,000 individuals has saved millions that can now be allocated to investigate and prosecute more serious offenses. The rate of return at later court dates was also successful: 90% of defendants attended all subsequent court appearances. In addition, 90% of released defendants did not commit new crimes while on pretrial release. The program now receives over 6,000 referrals a year and has saved \$30.8 million to date. In 2007 alone, MCR saved 540,709 jail beds.

### ***Social Work Pilot Project Success***

Between 2006 and 2007, the Social Work Pilot Project saved almost \$1.4 million in reduced incarceration costs. After taking into account the cost of the social worker's services and rehabilitation programs, the program saved \$3.25 for every dollar spent on incarceration. Recidivism was also reduced. Compared to the state's current 29% rate of recidivism, the pilot program's recidivism rate between 2006 and 2007 was only 14%. Annual net savings were \$1,605 per defendant, and 10,000 days of incarceration were saved by *each* of the program's social workers, equivalent to over 75 years of incarceration. If the program is implemented statewide, savings are projected to be \$3.1 to 4 million per year.

## **Conclusion**

Recently, Kentucky PSA was evaluated under the Pretrial Justice Institute's criteria that establish a pretrial program as an "Enhanced Pretrial Services Program" or "Model Program". The evaluation is made up of three categories and sixteen subcategories. Of the sixteen subcategories, Kentucky's program met or exceeded all requirements in all but one subcategory. The state fell short on the validation of its risk assessment since, as of yet, it has only validated the instrument compared to other states, as opposed to in-state validation. Along with this assessment, the state recently passed into law HB 463. The bill implements significant criminal justice reform that includes funding for pretrial services. Overall, the bill is predicted to save \$420 million over the next decade.



## ***Decriminalization of Minor Offenses***

Explosive growth in the number of misdemeanor cases has placed a significant burden on local and state court systems. Throughout the United States, defense attorneys and prosecutors are overburdened with minor cases, left with little time to focus on cases involving more serious offenses. As states continue to cut budgets, caseloads for prosecutors and defense attorneys become increasingly unmanageable. This extremely inefficient cycle burdens both attorneys and American taxpayers, who are left footing the bill to fund our clogged court system. Taxpayers currently expend on average \$80 per inmate per day to lock up individuals accused of misdemeanors with little to no impact on public safety, i.e. as fish and game violations, minors in possession of alcohol, dog leash violations, and feeding the homeless. If states decriminalize these offenses and require the payment of civil fines, taxpayers will save money on court costs and incarceration and states will generate revenue through the collection of fines.

Understanding that the unnecessary use of the criminal court resources to deal with minor infractions may unwisely drain state and local budgets, the ABA passed a resolution calling for governments to review misdemeanor provisions and, where appropriate, replace criminal penalties with civil fines or nonmonetary civil remedies.

**The decriminalization of minor, nonviolent misdemeanors will allow police, prosecutors and defense attorneys to focus on serious cases and provide states with a stream of income derived from civil fines.**

**Minor cases clog court calendars and waste valuable prosecutorial resources that could be spent investigating and handling more serious cases.** In a visit to the Lower Kittitas District Court in Washington State, prosecutors handled 29 cases in one day, 21% were for minor possession of alcohol. Conviction rates suffer when prosecutors are forced to try less serious cases that distract from trials of greater consequence. With so much of the court's docket spent on minor, nonviolent crimes, prosecutors are left with little time to adequately investigate and prosecute more serious offenses, leading to lower conviction rates.

**The caseload pressures of overburdened defender offices make it difficult, if not impossible, for careful and thorough representation.** In Lancaster County, Nebraska, a defense attorney spends an average of 1.1 hours on misdemeanor cases filed in city court. In 2008, attorneys with the Atlanta City Public Defender Office had an average of 2,400 cases; meaning each attorney had roughly fifty-nine minutes to handle each case. The misdemeanor caseload in Cook County, Illinois, is five times the national standard.

**Decriminalization of minor offenses and the use of civil citations will both save money and generate revenue. Civil fines attached to citations will create an income stream for local and state governments.** In addition, the avoidance of court costs creates significant savings. The State of Florida implemented a juvenile civil citation program, in lieu of misdemeanors, in both Leon and Miami-Dade County. In Leon County, law enforcement issued over 400 civil citations; comparing the \$5000 cost of processing a juvenile through the justice system to the \$386 per juvenile for civil citations, Leon County saved \$1.9 million in fiscal year 2008-2009. Not only does the program save money, but in Miami-Dade County, 95% of participants who completed the program did not reoffend within six months.

The ABA urges states to implement decriminalization of nonviolent, minor misdemeanors to promote judicial efficiency and save money.



# Florida: Cost-Effective Means to Increasing Public Safety in Juvenile Justice

## Decriminalization of Minor Offenses in the United States

The number of misdemeanor cases throughout the country has dramatically increased in recent years. These minor cases have placed significant burdens on our country's justice system. With limited resources, many states are forced to sacrifice time that would be better spent investigating and prosecuting serious offenses because the number of misdemeanor cases is extremely high.

Throughout the United States, taxpayers spend an average of \$80 per inmate, per day on individuals accused of misdemeanors such as fish and game violations, minors in possession of alcohol, dog leash violations, and feeding the homeless. As these misdemeanors demonstrate, this explosion of misdemeanor cases is not isolated to adults. Juvenile justice systems all over the country are inundated with minor offenses such as the violation of city and county ordinances, disorderly conduct, and simple possession of alcohol. As with the adult system, resources spent investigating and adjudicating these minor cases inhibit the time law enforcement and attorneys have to focus on serious offenses.

Although decriminalization efforts are taking place throughout the United States, efforts to decriminalize minor offenses in juvenile justice have produced high levels of success. The use of civil citations for first- and (in some instances) second-time misdemeanants has increased public safety, reduced recidivism, and saved millions of taxpayer dollars. Of communities implementing these programs, Florida's civil citation programs stand out as models that focus on rehabilitation, community safety, and efficiency.

## Florida's Civil Citation Programs

### *History*

In the state of Florida between 2004 and 2005, 95,254 juveniles were referred to the juvenile justice system. Of the offenses that were referred, 26,990 were for school-related offenses. One of the reasons for the high number of school-related offenses was the state's zero-tolerance policy in education. The policy led to an overreaction to discipline problems, with high numbers of juveniles arrested and referred to the juvenile justice system for minor behavioral issues that could have been handled without law enforcement involvement. These arrests and referrals then became a part of the juvenile's record. Even worse, such punitive measures were often unevenly applied: in the 2004-2005 school year, 46% of school suspensions and police referrals that took place were for African American students, even though these children made up only 22.8% of the student population.

Problems with such high numbers of referrals and arrests were numerous. Arrest and referral often leads to negative development in children. Those who are suspended and/or arrested miss days of school, fall behind in classes, and may become discouraged and drop out at an earlier age. Further, such misbehavior is often a symptom of unknown mental health or family issues that remain unsolved without proper treatment and counseling. The high number of arrests overburdens the legal system, and these professionals do not have the proper time and resources to address the issues

presented by first-time juvenile offenders. Keeping these problems in mind, the state of Florida passed Florida Statute Section 985.12. The statute authorizes counties to implement civil citation programs for first- and second-time misdemeanants in lieu of arrest and a juvenile record.

### ***Current Programs***

Since Florida's civil citation statute has become law, several counties throughout the state have created departments devoted to civil citation programs. The goal of these programs is threefold: (1) to keep youth that pose no threat to the community out of the justice system, (2) to reduce the cost of processing youth for misdemeanors that take time and resources away from the system, and (3) to focus those limited resources to focus on more serious offenses, thus improving public safety. The focus of the programs is on youth who commit non-serious delinquent acts. In other words, the programs identify and recognize the difference between common youth misbehavior and more serious offenses. Funding for the programs per year vary throughout the state – the lowest being \$113,000 and the highest \$137,000. Each program includes between one and five employees who maintain services. Although programs vary across the state, each follows the same general guidelines.

Almost all programs include four steps: (1) offenses and referral, where the juvenile is given the opportunity to accept or deny inclusion in the civil citation program, as opposed to arrest; (2) intake and assessment, during which the juvenile and his or her parents receive varying levels of counseling and guidance; (3) assignment of sanctions: juveniles may be sanctioned with up to 50 hours of community service, in addition to other sanctions such as counseling, restitution, essays, apology letters to the victim, and written learning assignments; (4) completion and discharge: juveniles are provided a specific timeframe by which community service and other programs must be completed. All services provided by civil citation programs are aimed at reducing recidivism, increasing public safety, and promoting rehabilitation and growth of each youth. The programs promise swift and appropriate sanctions that address a juvenile's needs.

### ***Success and Savings***

Throughout the state, civil citation programs have proven to be highly successful. The average costs associated with civil citations is \$386 per juvenile, compared to the \$5000 it costs to process a juvenile through the justice system. Recidivism rates have also decreased throughout the state. Miami-Dade County, in particular, has experienced significant results. In its first year in 2007, Miami-Dade's civil citation program produced a recidivism rate of only 3%. Between 1998 and the end of the programs first year in 2008, the county reduced juvenile arrests by 46%, and reduced first-time offenders who reoffended within the first year by 80%. State-wide, juvenile arrests decreased only 3%, while arrests in Miami-Dade decreased by 23%, even though the county experienced a population increase of 6.5%.

The program has also proven to greatly benefit minority populations in Miami-Dade County. Of those referred to the program in Miami-Dade, over 90% are minorities, and over 30% are females. Overall, the program has reduced the intake and screening process of law enforcement agencies by 60%. It has also significantly reduced paperwork, eliminated court fees, and lead to immediate cost savings of thousands of dollars per juvenile.

In Leon County, the civil citation has also proven to be a success. In the counties fourth quarter in 2009, 98% of citations were successfully closed. And in that same year, juveniles participating completed over 14,000 hours of community service. Similar to Miami-Dade County, Leon County

was also able to address and reduce the disproportionate number of minorities and females who were previously referred to the juvenile justice system.

### ***Future***

Wansley Walters, the current Secretary of Florida's Juvenile Justice Department has named the implementation of civil citation programs statewide a top priority. And several Florida organizations, such as the Associated Industries of Florida, the Ounce of Prevention Fund of Florida, and the Florida Juvenile Justice Association, have released recommendations and guidelines for successful programs. Based on the programs' success in various counties throughout the state, providing programs statewide will lead to enormous savings. Applying the savings in both Miami- Dade and Leon Counties throughout the state, the number of juveniles processed through the juvenile justice system would be reduced by 40% (34,211 fewer juveniles). Given the difference in costs between the \$386 spent per juvenile in civil citation programs and the \$5000 spent per juvenile in the system, implementing programs statewide would save Florida taxpayers \$157,849,554. When considered in conjunction with the success of these programs in reducing recidivism and promoting rehabilitation, it is clear that the use of civil citations can lead to a significant, positive impact on the juvenile justice system across the country.

### **Conclusion**

Although Florida's civil citation programs are focused on juveniles, the guidelines and principles inherent in the programs are generally applicable to adults, as well. Oftentimes, first-time adult offenders are in need of rehabilitation and treatment, as opposed to a conviction and incarceration. If the successes of Florida's juvenile program are appropriately instituted in adult cases, the results will lead to an increase in public safety and significant savings for taxpayers.

## ***Effective Reentry Programs***

Throughout America, state prison systems are bursting at the seams. Overcrowding has become a crucial issue, especially with the current budget crisis. With the high costs of housing prisoners, successful efforts to reduce recidivism will both save money and promote effective reintegration into the community. Effective reentry programs promote community safety and crime reduction by (a) preparing individuals for life after prison, (b) making smarter decisions about who to release, and (c) providing enhanced supervision and services in the community. Well designed reentry programs can create significant savings. For example, New York State pays \$183 a day to house a single prisoner while Brooklyn's reentry services cost roughly \$54 a day, have produced significant decreases in recidivism and have demonstrated that a successful reentry programs can both save money and contribute to community safety and productivity.

In support of reentry programs, the American Bar Association urges states to prepare prisoners for release back into the community by implementing in-prison programs that include substance abuse treatment, educational and job training, and mental health counseling. ABA policy further advocates that states continue to assist prisoners who have already been released with transitional housing, job placement, and substance abuse avoidance.

**Implementation of comprehensive reentry programs focused on community safety and effective reintegration will lead to reduced recidivism, lower prison population rates, and taxpayer savings**

**Reentry programs lead to reduced recidivism rates.** In Brooklyn, NY, individuals who did not participate in ComALERT (Brooklyn's reentry program) were twice as likely to be rearrested, reconvicted, and incarcerated one year after release. Even two years after release, ComALERT participants showed a significantly lower rate of recidivism – 29% were rearrested, compared to the 48% of non-participants rearrested. The state of Kansas also reduced recidivism through reentry programs: in 2006, probation and parole violations accounted for 65% of prison admissions. However, implementing reentry programs reduced the number of probation and parole violations by 48% in 2009.

**Reducing the number of former prisoners returning to the system saves taxpayer dollars.** In Michigan, it costs over \$32,000 to house an individual for one year in state prison. In 2010, the Michigan Prisoner ReEntry Initiative (MPRI) led to a reduction rate of 33% fewer returns to prison for parole violations or new crimes – roughly 2,700 fewer individuals than initially anticipated from baseline expectations. Since 2007, the state's prison population has dropped from 51,554 to under 46,000. In response to the decreased prison population, Michigan will be closing three prisons and five prison camps in 2010, at a savings of \$118 million annually; the closings are considered to be a direct result of the success of Michigan's reentry policy.

**Not only does reentry save money, but it encourages effective reintegration, helping individuals become productive members of society.** The Berkeley Center for Criminal Justice recently conducted a study and identified obtaining and maintaining employment as critical to the reduction of future crime. In Brooklyn, ComALERT participants are nearly four times more likely to be employed than other parolees, and have much higher earnings. This employment not only reduces recidivism and contributes to public safety, but also promotes community interaction.

The ABA urges states to implement reentry programs that safely promote reintegration into the community, while also reducing recidivism and saving taxpayer dollars.



# **Kings County, New York and Michigan: Creating Safer Communities and Saving Money**

## **Reentry in The United States**

Recidivism has become an over-arching problem throughout the United States. Without proper guidance, support, and preparation, an individual's return to substance abuse and crime is significantly more likely. A study in 2004 revealed that within three years of leaving prison, over two-thirds of the half a million people released each year will be re-arrested for a new offense, almost one-half will be re-convicted, and about one-quarter will be re-sentenced to time in prison. The expenses associated with these disappointing numbers is no less bleak: in 2006, the US spent over \$65 billion on incarceration, and the average annual operating cost per state inmate is around \$26,000 per year. As prison populations continue to grow, in large part due to recidivism, states have begun to look to alternative programs that promote and enhance former inmates' chances for successful reentry into the community.

## **Successful Programs**

As reentry programs gain favor among states, two programs are at the forefront: ComALERT in Brooklyn, New York and the Michigan Prisoner Reentry Initiative (MPRI) in the State of Michigan. Both ComALERT and the MPRI recognize the importance of community involvement in ensuring a former inmate's success. Rehabilitation does not automatically end upon release from prison. Often, inmates need assistance with drug treatment, housing, and employment; along with various other counseling and treatment. Through the use of various partnerships, community outreach, and/or in-prison services, ComALERT and the MPRI have proven to reduce recidivism, lower prison populations, increase community safety, and save significant taxpayer dollars.

## **Brooklyn ComALERT**

### ***Saving Money with Successful Results***

Brooklyn's ComALERT program has saved significant money. In 2010, it cost Brooklyn over \$6,000 to process a single re-arrest. With significantly fewer arrests, Brooklyn saved almost \$450,000 on re-arrest costs alone. And this doesn't reflect the money saved on re-incarceration, which costs over \$53,000 per inmate, per year. Since 2004, the program boasts over \$2 million in re-arrest savings, over \$8 million in re-incarceration savings, and has increased tax revenue by more than \$600,000. Compared to the costs of incarceration (\$183 per day, per inmate), ComALERT's programs cost at most \$44 a day if the cost includes wages for the Doe Fund's transitional employment. In addition to saving money, since implementing the programs current structure in 2004, ComALERT has serviced over 1,000 parolees. Over half of the ComALERT participants graduate

from the program. Of those who don't, the program has still proven to be beneficial in reducing recidivism. Graduates have a low recidivism rate, along with a high employment rate. From July 2004 to December 2006, ComALERT graduates were substantially less likely to be re-arrested, re-convicted, or re-incarcerated than parolees who did not participate:

Recidivism Outcome Percentages of ComALERT Graduates and Non-participants

Status	6 months**		1 year		2 years	
	ComALERT	Other *	ComALERT	Other	ComALERT	Other
Re-Arrest	4	16	11	28	29	48
Re-Incarceration (new crime)	3	8	6	18	19	34
Re-Incarceration (parole violation)	1	6	7	14	16	24
Re-Incarceration (total)	1	6	7	26	19	30

\***Other** refers to parolees who did not participate at all in Brooklyn's ComALERT program.

\*\* Time elapsed since release from prison

### *History*

Prior to the creation of ComALERT, the Brooklyn District Attorney's Office was familiar with the importance of rehabilitation efforts to reform offenders. The Office launched the Drug Treatment Alternative-to-Prison (DTAP) program in 1990. The program recognized that substance abuse was often a significant factor in whether a person committed a drug-related crime: if DTAP could treat an offenders' drug addiction in a community setting, along with providing vocational training, an offender was less likely to reoffend in the future. Seeking to apply the success of the DTAP program on a wider scale, Charles J. Hynes, the District Attorney in Brooklyn, began to explore other ways for the office to assist former offenders and promote effective reentry into mainstream society. Subsequently in 1999, the DA's Office launched ComALERT in three Brooklyn precincts, initially inviting potential participants to meetings discussing several services available from community organizations. Interested participants indicated which services they were most in need of – such as housing, drug treatment, job training, and education, ComALERT then referred them to several service agencies throughout Kings County.

Over time, ComALERT partnered with large organizations such as the Doe Fund, a nonprofit organization that provides transitional housing and employment; the Counseling Service of the Eastern District of New York (CSEDNY), which provides out-patient substance abuse treatment; and HealthFirst, an organization that offers assistance with Medicaid and benefits enrollment; and other community organizations.

### *Current Program*

Brooklyn's ComALERT program's current structure was established in 2004, and serves former inmates paroled to Kings County. In order to be eligible, clients must (a) be at least 18 years old, (b) need substance abuse treatment, (c) not be a sex offender or arsonist, and (c) not suffer from serious and persistent mental illness. ComALERT's eligibility requirements reflect the program's focus on substance abuse treatment and employment assistance, as well as its non-intensive, outpatient treatment. The program lasts three to six months, and clients attend one individual counseling session and one or two group sessions per week. The sessions relate to substance abuse treatment,

anger management, and relapse prevention. Several on-site services are also available and include STD workshops, on-site physical assessments, and moderate mental health treatment. To graduate from ComALERT, clients must be drug-free for three consecutive months and either employed or in school, if physically able. In addition to participation in ComALERT's substance abuse treatment, one-third of its clients are given the opportunity to participate in the Doe Fund's Ready, Willing and Able Program (RWA). RWA provides parolees with transitional employment and housing, vocational training, 12-step programs, and courses on life skills. RWA participants work full time in manual labor positions, and compensation is partially paid in a weekly stipend while the rest is deposited into a savings account for the participant. RWA clients are drug tested on a regular basis and the program has a zero-tolerance policy – one positive toxicology report results in discharge. ComALERT also provides service referral. The program has a network of several service providers throughout Brooklyn, and clients are continuously referred to organizations that provide vocational training, life skills courses, housing, and mental and physical health assistance.

### **Michigan Prisoner Reentry Initiative**

#### ***Saving Money with Successful Results***

Since its inception, the MPRI has led to widespread savings in Michigan's budget. Compared to the \$34,000 per year, per inmate that it costs to house an offender in prison, parole supervision costs only \$2,130 per year, per individual. For 2011, the MPRI has a budget of \$56 million, a small fraction of the \$2 billion budget for the Michigan Department of Corrections. As prison costs have fallen, partially due to the MPRI, the state has reinvested almost one third of its savings into the programs that contribute to the MPRI's success. The state also announced in 2010 that it will be closing three prisons and five prison camps, at a savings of \$118 million annually. Over the years, the MPRI has engaged almost 25,000 prisoners in their intensive reentry units and standard MPRI prison in-reach facilities. At the end of 2009, 92% of these individuals had been paroled. The program has proven to be success: recidivism has dropped and the prison population has decreased by 7,500. For the 22,000 MPRI parolees, the rate of return to prison for new crimes is the lowest it has been since 1995, and the return-to-prison rate has decreased from one in two to one in three. Not only has return for new crimes decreased, but Michigan's overall parole revocation rate in 2009 – 195 per 1,000 parolees – was the lowest rate since at least 1987, when record keeping began.

#### ***History***

A leader in prisoner reentry, the Michigan Prisoner Reentry Initiative (MPRI) is a statewide program that converges three methods of rehabilitation into a comprehensive model for prisoner transition services. The MPRI realistically understands that 95% of all prisoners eventually return home and its ultimate goal is community safety and reducing crime. The program also clearly defines what it is and what it is not: the program will not completely eliminate crime and is *not* an early release program. It is a "comprehensive strategy that pulls together the state, the community, police, mentors, therapists, and others to give each returning prisoner a game plan for success." In 2002, the prison population in Michigan had increased by nearly 10,000 inmates in six years, and the state was running out of beds. With costs soaring, Michigan's Department of Corrections set out to transform the system and launched the MPRI at eight pilot sites in 2005; it now operates statewide in 18 regions. The program recognizes that community members are important stakeholders in a former inmate's successful return to society. With this understanding, the program draws on support from family and human services organizations, and includes community transition teams that work together to help returning prisoners successfully re-integrate into the community.



## ***Current Program***

The MPRI takes place in three phases: (1) Getting Ready, (2) Going Home, and (3) Staying Home. At all phases an individual is provided with treatment, screening, assessment, and training for returning to society following incarceration. The program also includes the use of Transition Accountability Plans (TAPs) at critical points of an offender's treatment. The plans provide clear guides to prisoners and staff of expectations, terms and conditions, and supervision. *Phase One – Getting Ready:* Phase one of the MPRI begins as soon as an inmate is imprisoned. Upon intake, a prisoner undergoes risk assessment, vocational and educational aptitude tests, mental health reviews, and an in-depth review of the offender's history and family life. Offenders are then placed into relevant services that will prepare them for life after prison. The TAP at this phase establishes expectations for the prisoner, and moving to the next phase is based on decisions by the Parole and Commutation Board. *Phase Two – Going Home:* Around two months before an inmate's expected release, treatment shifts to focus on release preparation and the state convenes a transition planning team to review the prisoner's needs and current progress. When the prisoner's parole date finally arrives, a structure and support network of continuing care have already been put in place to promote success upon release. *Phase Three – Staying Home:* Once released, community members from law enforcement and community based organizations apply risk- and needs-assessment instruments to determine appropriate supervision strategies. A supervision officer, who was assigned prior to release, continues to oversee the offender's TAP and various community services monitor substance abuse and provide physical health services, as well as transitional employment and housing.

## **Conclusion**

With prison populations growing, states are increasingly confronted with the reality that recidivism is draining a significant portion of the corrections budget. The high rates of recidivism throughout the United States prove that new ways of handling inmates both during and after prison are essential to ensure community safety, reduce recidivism and save money. ComALERT and the MPRI provide examples of how effective treatment and services both during and following incarceration can promote successful reentry into mainstream society. With a focus on treatment and employment, both programs have created invaluable services within their communities – on the local and state level.

## ***Increased Use of Parole and Probation***

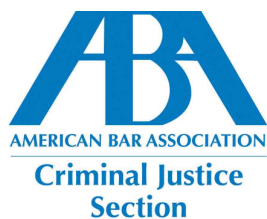
In 2008, the average cost of incarceration in the U.S. was over \$23,000 per inmate, and correctional spending by state and local governments was approximately \$52 billion. These costs arise from incarceration upon conviction and subsequent incarceration for parole violations. According to the Department of Justice, 35% of the 1.4 million individuals incarcerated in State prisons and jails are incarcerated for parole violations. With prison populations growing and state budgets shrinking, states need more effective corrections policies. Individuals who pose the greatest danger to the community should be sentenced to incarceration; however, alternatives or early release should be provided for individuals who pose minimal risk and appear likely to benefit from rehabilitation efforts outside a correctional institution. Incarceration of low-risk individuals separates the individual from work and family life and often fails to address the issues that cause initial violations. These individuals will benefit from intermediate sanctions: such as community service, fines, home detention, or increased reporting.

**The use of probation and parole, as well as alternative sanctions for violations by low-risk individuals, will ensure public safety, reduce incarceration rates and save money. Releasing nonviolent individuals early to supervised parole and providing them with necessary treatment and community reentry programs reduces recidivism rates.** Mississippi recently decreased the portion of sentences that nonviolent individuals are required to serve prior to parole eligibility from 85% to 25%. Using a new risk assessment tool and in-treatment prison programs, the state paroled over 3,000 people a median of 13 months sooner. Over three years, the recidivism rate declined 5% and parolees who completed treatment programs have a recidivism rate of 2%, compared to non-participants' rate of 32%.

**Correctly evaluating and sentencing appropriate individuals to probation will lead to significant savings.** In Missouri, incarceration is five times as expensive as probation. Although lengthy sentences are necessary for serious individuals, such a sentence is often unnecessary for low-level, non-violent individuals. Using a computer algorithm, Missouri judge can view a range of recommended sentences, statistical information about the likelihood of recidivism, and various costs for different sentencing options; the tool could prove to be an effective way to properly sentence individuals and save money.

**Graduated sanctions for parole and probation violations will reduce revocation rates and save money.** Parole violations now account for more than one third of all prison admissions. To remedy this problem, Texas implemented a grant program that provides funding to local probation departments that pledge a 10% reduction in revocations to prison and adopt a progressive sanctions model. Sanctions include increased reporting or a few nights in county jail. Participating departments successfully reduced technical revocations by 16%, compared to non-participants who experienced an 8% *increase* in technical revocations. Had all probation departments increased revocation rates by 8%, it would have cost the state an extra \$119 million, not including the costs of constructing additional prisons.

The ABA urges states to adopt risk assessment tools and implement meaningful graduated sanctions for parole and probation violations.



# Texas & Mississippi: Reducing Prison Populations, Saving Money, and Reducing Recidivism

## **Increased Use Of Parole And Probation In The United States**

The average cost of housing a prisoner in the United States is between \$18,000 and \$31,000 annually. In stark contrast, the average cost of supervising an offender in the community under probation and parole ranges from \$1,250 to \$2,750 annually. The reality of these costs is even more severe when taken into account with our country's exploding prison population – In 1972 there were 175,000 state prisons, now there are 1.4 million (a number that doesn't even include federal prisons and state and county jails).

Although public safety is of utmost importance and violent and career criminals must be subject to incarceration, several studies have shown that state prisons are housing far too many offenders who can be safely supervised and rehabilitated within the community. Even worse, exposing low-risk offenders to the same levels of supervision as high-risk offenders often creates an environment that disrupts the low-risk individual's rehabilitation, creates resentment to the legal system, and may lead to negative influences from high-risk offenders.

## **Successful Programs**

With the soaring costs of corrections in the United States, two states have come forward in recent years and initiated significant reforms in parole and probation. Recognizing that incarceration does not always address the rehabilitation and needs of an offender, Texas and Mississippi have reevaluated how their states handle offenders. Both states have relied heavily on new risk assessment tools that evaluate and categorize offenders based on several relevant factors. If states nationwide implement strategies similar to the initiatives in Texas and Mississippi, states will both save money and reduce recidivism.

## **TEXAS**

### ***Success and Savings***

Texas' reinvestment strategy has been a success. The prison population at the end of 2009 was 1,000 inmates lower than in 2007, and 9,000 inmates lower than the initial 2007 projections. Money invested in new programs and treatment centers allowed 5,600 offenders to be diverted from prison – over 2,000 more than would have been previously feasible. The state's reinvestment resulted in an immediate savings of \$210 million in fiscal year 2008 and 2009, and new prison beds won't be needed until 2014.

Parole grants have also increased. One year after the state's reform, 2,000 more low-risk offenders were released on parole. However, even with the increased number of parolees, revocation has

declined 27% since 2006. Parole is also significantly cheaper – costing only \$4 per day compared to the \$50 a day cost for incarceration.

Similar to parole, probation has also proven to be a safer, more successful alternative: for every \$10.00 spent in prison, probation departments only spend \$1.00. The probation departments that participated in the state's incentive based funding displayed immense success. Technical revocations have reduced by 16% since 2005 and caseloads have been reduced by over 25%. Unfortunately, this success is mitigated by the fact that non-participating departments experienced an 8% increase in revocations. However, by avoiding the 8% increase, participating probation departments avoided an extra 2,640 revocations at a cost of \$119 million, which doesn't even include the costs associated with building the space to house these individuals.

The state's crime rate in 2008 was also the lowest it has been since 1985, and even though Texas' population has increased by 4%, the crime rate has decreased by 3%.

### ***History***

In 2007 it was estimated that Texas' prison population would grow by 17,000 more inmates over the next five years. To accommodate this growth, the state would need to immediately build three new prisons, and complete three to four more in the next four years. Taken as a whole, the costs of the expansion were predicted to be almost \$2 billion dollars. Looking for a better way to run the state's corrections department, Texas turned its focus to the 5,500 imprisoned offenders who had been convicted of multiple DUIs, and the more than 50,000 imprisoned drug offenders, most of whom were non-violent, first-time offenders.

Instead of investing in new prisons, Texas invested \$241 million in several reforms aimed at reducing both costs and the prison population. Some of this investment was spent on parole and probation: \$5.6 million was spent to add 300 additional beds to halfway houses and \$17 million was spent creating additional slots in the state's Intermediate Sanctions Facilities (ISFs). The diversion of funds for the entire project led to the avoidance of almost a half-billion in costs for the Lone Star State.

### ***Current Program***

Texas has approximately 79,000 individuals on parole and 450,000 on probation. Utilizing some of the state's \$241 million in reinvestment funds, legislators allotted millions to creating a new model for parole and probation that included a reduction in caseloads, funding for mental health and halfway houses, and additional beds in short term facilities. The state's parole and probation programs, although similar, do have unique aspects tailored to their participant's needs and rehabilitation.

#### **Probation**

To promote the new programs and facilities, Texas allotted \$55 million for incentive based funding to state probation departments. Department eligibility required the adoption of graduated sanctions for violations and a nonbinding pledge to reduce technical violations. Graduated sanctions include increased reporting, community service, curfews, electronic monitoring, mandatory treatment, and even shock-nights in county jail. Prior to release on probation, participating departments are required to utilize a risk assessment instrument promulgated by the state. The instrument evaluates

several different aspects of the offender's life, such as decision-making skills, substance abuse, prior record, housing, and employment.

### Parole

Similar to probation departments, state parole agencies also utilize risk assessment strategies. Parole officers conduct an assessment of an inmate prior to release and six months following in order to determine whether changes need to be made to the parolee's supervision plan. Graduated sanctions are also employed when violations occur and these immediate sanctions can include a stay in one of the state's ISFs, as opposed to being revoked to prison.

However, although the state has increased its number of parolees, public safety is always at the forefront. Dangerous offenders serve the majority of their sentence: the most dangerous sex offenders are entirely ineligible and the state's most violent inmates serves an average of 87.5% of their sentences, while serious sex offenders serve 97.5%. The program's focus is on the two-thirds of the prison population who enter state lockups for non-violent crimes.

## **MISSISSIPPI**

### ***Success and Savings***

SB 2136, Mississippi's new law that reduces the required time-served from 85% to 25%, was predicted to affect 4,500 inmates, roughly 25% of the state's total prison population. This increased parole eligibility created a projected savings of \$6.5 million.

In November 2008, MDOC announced that it was submitting 2,900 cases for parole under the sentencing requirements. Using the new classification instrument, the state's parole board increased parole grants to around 50%. Between April 2009 and August 2009, almost 3,100 inmates were released early to parole. Had this not taken place, James Austin estimated that it would have cost Mississippi \$200 million over the next decade. A few months after the 2008 legislation went into effect, the projected growth in the Mississippi prison population was eliminated and has steadily declined: the population decreased by 1,233 offenders in 2009. Overall, the population decreased 5.4% between December 2008 and January 2010.

Parole violations and recidivism rates also showed success. Of the 3,076 prisoners released through August 2009, only 121 (4%) have returned to custody, five of which were for new crimes (as opposed to technical violations). The five re-arrested for new crimes were made up of four arrests for burglary related crimes and one DUI. Compared to the nationwide recidivism rate of 10.4% within the first year, Mississippi's recidivism rate following SB 2136 is only .2% – proving that length of stay is not always the best barometer to measure successful rehabilitation.

JFA Institute has since released new predictions that show that the state's long-term population projection is now flat, instead of increasing by over 5,000 inmates by 2017. The state has averted a major overcrowding crisis because of its reduction of time-served, improved assessment tools, and low recidivism.

## ***History***

In the past ten years, the state inmate population in Mississippi has doubled and the corrections budget has tripled. In 1994, the state had an inmate population of 11,250 with a budget of \$109.6 million; in 2007, the population was 22,800 with a budget of \$327 million. A major contributing factor to these high numbers was Mississippi's 'Truth in Sentencing' law. Introduced in 1995, the state's truth in sentencing law required that *all* convicted felons serve at least 85% of their sentence. Although many states enacted similar laws, Mississippi's law was one of the most stringent in the nation, requiring even non-violent felons to spend a significant amount of time incarcerated. In addition to the strict sentencing scheme, severe problems in Mississippi's Department of Corrections (MDOC) came to light in 2002, when brutal living conditions and harsh treatment were discovered at Unit 32 in Parchman Farms, one of the State's seven prisons. The ACLU subsequently filed suit on behalf of several inmates and although many predicted a showdown between the civil liberties organization and the state's corrections system, the opposite happened. Instead, Christopher Epps, the MDOC Commissioner, invited the ACLU to participate in implementing significant reforms not only at Parchman farms, but throughout the state. To implement positive change in the state's corrections system, Christopher Epps also enlisted the help of Senator Willie Simmons. Together, the two promoted and eventually passed SB 2136, bringing sweeping change to the MDOC in 2009.

## **Current Program**

SB 2136 was one of many steps taken to improve Mississippi's prisons. It tackled the state's harsh requirement that all felons complete 85% of their sentence, and reduced that number to 25% (with exceptions for serious offenders; the only inmates included in the new law are those who have never been affected by violent crime). Unlike many laws, SB 2136 was retroactive, and applied not only to new offenders, but also those already in custody. Epps and Simmons drafted the legislation in 2008, and in promoting its passage focused on the fact that early release would not be permitted for offenders who posed a threat to public safety and that even if an offender is eligible for release, he or she still has to be approved by the state's parole board. The promotion paid off, and SB 2136 was subsequently signed into law. Cooperation from the state's parole board was crucial for the new law. Previously, the parole board approved parole for a low number of offenders – only 26% of men and 32% of women.

To promote parole approval, Mississippi enlisted the help of JFA Institute's founder, James Austin. Austin created a new classification instrument that helped increase grants, and case managers were trained and started taking on new cases immediately upon the bill's passage. The new instrument evaluates factors related to the severity of the offense, psychological/psychiatric history, prior record, substance abuse, participation in rehabilitation programs, potential employment and residence, and support or opposition within the community. In addition to SB 2136, the state also passed two other legislative amendments: one that awards additional meritorious earned time (MET) and a second that expands the authority to sentence convicted drug offenders to house arrest with electronic monitoring. Combined together, these reforms have led to successful results for both recidivism and the state's budget.

## **Conclusion**

As Representative Jerry Madden from Texas stated, “its better to have taxpayers than tax burdens.” Both Mississippi and Texas have realized that parole and probation can be used to promote successful reentry and rehabilitation, without the high costs of incarceration. Over 1.3 million offenders are housed in state prisons throughout the United States, and that number continues to grow. By increasing the availability of parole and probation and decreasing the prison population by 10%, agencies would save roughly \$3 billion dollars per year. The success in these two states proves that increased parole and probation will promote community safety, reduce recidivism, and save significant taxpayer dollars.

## ***Community Corrections Programs***

Community corrections has three forefront goals: (1) public safety, (2) holding individuals accountable, and (3) controlling correction costs. With these objectives in mind, community corrections reduce recidivism, save money and encourage stability in family life and employment.

Community corrections can encompass a wide variety of programs, including community service, day reporting centers, probation, home confinement, restitution (to the victim and community), drug and alcohol treatment, and means-based fines. It is important to provide supervision in a setting that is best matched to an individual's treatment and rehabilitation – individualized assessment is necessary before proper placement into programs that directly relate to the risk and needs of an individual.

In contrast to unnecessary incarceration, community based sanctions offer a number of advantages: individuals can remain employed within the community, taxes can be collected on an individual's earnings and restitution is more likely to be paid, families remain intact, and individuals avoid the negative influences of incarceration and reduce recidivism. For example, a 2002 study in Ohio found that placement of high-risk individuals in halfway houses decreased recidivism by 9%, whereas the same placement of low-risk individuals led to higher recidivism rates.

The ABA has adopted policy that urges states to fund programs that enable an individual, in appropriate cases, to be placed under community supervision, in addition to various sentencing standards related to community corrections.

**A community corrections program that recognizes the distinct needs of each individual will enable states to save money and enhance community safety, while reducing prison populations and state crime rates.**

**Community Corrections reduces recidivism.** The University of Connecticut conducted a study that compared individuals placed in alternative community sanctions to incarcerated individuals; the outcomes proved that those placed in alternative programs showed substantially lower re-arrest rates, some as high as 3 to 1. In a 2005 study, the Connecticut General Assembly found that two-thirds of the state's Alternative to Incarceration network had not recidivated at the one-year follow-up point. In Kansas, community corrections programs have contributed substantially to a 7% drop in the prison population, a 50% reduction in parole revocations, and a 36% reduction in new crimes committed by parolees.

**Alternatives to incarceration are more equipped to fulfill the variety of needs of individuals at a lower cost than incarceration.** In Cook County, Illinois, almost 70% of crimes in the county are drug-related, and 82% of persons arrested test positive for a controlled substance. Drug treatment not only develops crucial coping skills and deters future drug related crime; it costs approximately \$20,000 less per person per year than prison incarceration. In 2007, Texas established 3,800 combined beds for residential and out-patient treatment within communities at a savings of over \$210 million for the 2008-2009 fiscal biennium. Halfway Back, New Jersey's community corrections program, assists parolees with job placement, various types of training, anger management, and substance abuse treatment. In combination with the addition of risk assessment centers, it is estimated to have saved New Jersey taxpayers \$14 million in fiscal year 2010.

The ABA urges states to adopt community corrections programs.





# Kansas: A Successful Program that Reduces Recidivism and Saves Money

## Community Corrections in the United States

The United States has the highest incarceration rate in the world. In 2010, there were over 1.4 million individuals housed in state prisons. However, while placing an offender in prison is often necessary, incarceration forces the offender to cut all ties to the community – including employment, family, and education. The loss of these connections creates significant impediments to an offender's subsequent return to the community, and can serve to isolate the individual and promote recidivism.

Unlike incarceration, community corrections programs present an alternative that provides necessary supervision while also allowing the individual to live productively, pay taxes, and receive supervision and treatment. Not only does community corrections reduce recidivism and promote community involvement, it also saves money. With budgets shrinking in states across the country, community corrections provides a safe, cost effective alternative to implement criminal justice reform. As significant budget cuts take effect, states are increasingly interested in community corrections programs – both for reduced recidivism rates for reduced state spending. Kansas has been one state that has implemented a statewide community corrections program that both enhances community safety and costs significantly less than incarceration.

## Kansas Community Corrections

### ***Saving Money with Successful Results***

Since implementing the state's new incentive funding program in 2007, the state has measured reduced revocation against 2006 rates. Prior to participation in the state's incentive funding program, county community corrections programs must promise to reduce revocation rates by 20%. In 2006, there were 1,971 revocations from community corrections. In order to meet the 20% reduction required by the grant program, state programs needed to reduce revocations to 1,577 in 2008. Kansas' programs exceeded this requirement, with only 1,539 revocations – a 21.9% reduction. These numbers were reduced even further in 2009, with a 25% reduction in revocations to 1,479 individuals.

In addition to reduced revocations, the number of individuals who successfully completed the program increased by 28%, and the population of participants increased by 10.4%. Overall, the state's prison population has decreased from its 2004 high by 7.5%. These results have saved millions of dollars and allowed the state to close over 500 prison beds.

The cost of imprisonment in Kansas is an average of \$18,770 per inmate, per year. In contrast, the cost of community corrections programs is an average of \$2,793 per inmate, per year. With these substantial savings, the state's new policies allowed the legislature to reinvest \$7 million of the projected savings into additional treatment programs and efforts to improve community based programs in high-crime areas. If community corrections activities remain successful for ten years,

the state will save over \$80 million and avoid the high costs associated with building space for 1,292 prison beds.

### ***History***

Kansas first passed the Community Corrections Act grant program in 1978, with the goal of reducing the number of adult and juvenile offenders committed to state institutions. The program's principle was that many offenders could be effectively dealt with at the local level, without endangering public safety. The program would then reduce prison populations and restrict such confinement to more serious offenders.

Instead of institutional placement, offenders were placed in local correctional programs, which more adequately treated the individual without removing them from community life. The first full community corrections program in Kansas started operation in 1986 in the 28th District, and the Act was mandated for all counties in 1989; juvenile services were added in 1994. As is the case now, primary functions of the Kansas community corrections program include supervision, enforcement, and intervention. Through the use of intensive supervision probation (ISP), counties are able to monitor all offenders in the program. Supervision takes place through random drug testing, electronic monitoring devices, and continuous communication with law enforcement officers. Intervention programs encompass a wide variety of counseling, education services, and employment services.

However, even though Kansas' initial community corrections program was structured to reduce recidivism and save money, the forthcoming results were less than expected. The prison population was projected to increase 22 percent by 2016 at a cost of \$500 million. And an analysis of the prison population revealed that probation and parole violators accounted for 68% of admissions between 2003 and 2004. By 2006, probation violators filled almost one in five prison beds at an annual cost of \$37.4 million. Recognizing the need for better programs, Kansas requested analyses and policy ideas from the Council of State Governments Justice Center. The subsequent changes to the community corrections program have largely proven to be a success.

### ***Current Program***

Following the Council of State Government's recommendations, the Kansas legislature passed into law a comprehensive package of criminal justice reform meant to avert up to \$80 million over five years. A portion of the bill is a performance-based incentive grant program for state community corrections offices: if local community corrections programs promise to reduce recidivism and develop plans to meet a reduction rate of 20%, the state will fund the programs.

The grant program requires the Kansas Department of Corrections to (1) adopt criteria that targets offenders who are medium and high risk for violations or recidivism, (2) reduce caseloads for community corrections officers, and (3) provide supervision and services to individuals to promote successful completion of the program. Before receiving funding, counties must implement evidence-based programming and practices in addition to administrative sanctions; reentry services and support; and parole and probation officer training. In 2007, \$4 million dollars was appropriated to fund participating programs throughout the state, and yearly funding is distributed based on staff levels, administrative costs, client numbers, and caseload projections.

Before being admitted into a community corrections program, offenders take part in an evidence-based assessment that identifies the risks and needs of each offender based on topics such as criminal history, education and employment background, and prior alcohol and drug use. If eligible, the offender will then be placed in one of the 31 county operated Intensive Supervision Probation programs throughout the state. Once admitted, the offender may be required to participate in several different supervision programs for problems related to substance abuse, anger management, larceny, life skills, domestic violence.

### **Conclusion**

With such successful results, the Kansas Community Corrections Association recently released a legislative platform for the 2011 Kansas Legislature's 2012 in support of continuing current programs. The recommendations come at a crucial time, since Kansas is currently facing budgetary problems.

Due to the state's budget issues, funding for several counties' community corrections programs have flattened, regardless of increased offender participation. These budgetary problems have lead to higher caseloads and lower supervision. In 2010, revocations increased significantly back to 1,801. Although this number is still an 8.6% reduction from the 2006 rates, it reflects the state's current budget problems.

For example, in Leavenworth County, the adult community corrections program has been asked to take an 11 percent budget cut. The cuts would leave the county with a grant request of only \$153,952, which is almost \$20,000 below the county's actual operating costs. Because of the cuts, the county will be cutting evaluations and counseling services. Without these services, revocation and recidivism rates will only continue to climb. Across the state, counties will be spending less to help monitor offenders, and nine of the 27 community mental health centers may have to close.

The recommendations from the Kansas Community Corrections Association address these budget issues. The Association supports the KDOC's request for a \$3.2 million enhancement to meet current community corrections needs and provide a 3% cost of living increase; it opposes funding reductions, based on the millions saved after the 2008 funds were provided to the program; and it opposes the KDOC proposal to consolidate parole services and community corrections. It remains to be seen how Kansas will handle its increased revocation rates and decreasing budget. With such successful results, many of Kansas's legislators and advocates are in favor of continued funding. If successful, community corrections in Kansas will continue to flourish in the future.

## **Time is right for criminal justice reform**

By Wm. T. (Bill) Robinson III, president, American Bar Association and Janet Levine, chair, ABA Criminal Justice  
Section - 10/25/11 03:42 PM ET

Six billion dollars. That is what the federal government spends each year on its prison population.

The 6 billion dollar figure represents a 1,700 percent increase in spending since just 1980. Over the last 30 years, we've seen an increase from 24,000 people incarcerated to 210,000 today. We now have the highest documented incarceration rate in the world. But are we safer? Do the "benefits" outweigh the cost?

Not if you consider that the most significant source of this explosion in prison population—and the accompanying cost to taxpayers—is not from putting away violent criminals. Instead, we're too often putting low-level, nonviolent offenders behind bars — most of them drug offenders.

There is a better way. Many states have implemented criminal justice reforms that safeguard the public and save precious resources. And they have done so on a bipartisan basis, in the interest of accountability, public safety and fiscal responsibility.

Since 1980, state prison populations have declined for the first time. The federal government can learn from these examples.

Kentucky alone expects to save \$422 million and reduce its prison population by more than 3,000 inmates over the next 10 years through the implementation of the 2011 Public Safety and Offender Accountability Act. The law ensures that there is more prison space for violent and career criminals while helping to stop the revolving door for lower-risk, nonviolent offenders.

Other states have implemented their own cost-savings measures. Oklahoma expanded eligibility for community sentencing and the use of parole for nonviolent offenders. South Carolina has removed mandatory minimums for first-time offenders.

And Texas now requires that all drug possession offenders with less than a gram of drugs be sentenced to probation instead of jail time.

The American Bar Association supports and promotes effective policy reform. Through the association's Criminal Justice Section's State Policy Implementation Project, the ABA advocates for: pretrial release reform, decriminalization of minor offenses, effective reentry programs, increased use of parole and probation, and increased community correction programs.

These reforms can be a model for the federal criminal justice system. The ABA urges Congress to support reforms that increase public safety while reducing the federal deficit, including:

- Expanding the use of probation and expungement of criminal convictions for low-level offenders;
- Instituting a review process to accelerate supervised release eligibility;
- Making retroactive congressional reforms to crack cocaine sentencing;
- Enhancing elderly nonviolent offender early release programs;
- Expanding time credits for good behavior; and
- Restoring proportionality to drug sentencing.

Later this week, Sen. Jim Webb(D-VA) will deliver remarks at the ABA Criminal Justice Section's Fall Meeting, co-sponsored by the National Association of Attorneys General and others. Sen. Webb will talk about developing and implementing a more practical criminal justice system based on reforms that have proven results.

The time is right for bipartisan, common sense criminal justice reform. Congress or the president can take the lead by authorizing and appointing a national commission to examine these issues, leading efforts to find solutions. Policymakers on both sides of the aisle have a stake in replacing unnecessary and excessive prison sentences with proven alternatives that will hold people accountable while saving taxpayer dollars. Our system of justice will be better for it. Our country will be better for it.

*By Wm. T. (Bill) Robinson III, president, American Bar Association and Janet Levine, chair, ABA Criminal Justice Section*

# DRAFT LETTER

[DATE]

The Honorable  
[FULL NAME]  
[STATE] Attorney General  
[STREET ADDRESS]  
[CITY STATE ZIP CODE]

Dear Mr. /Ms. \_\_\_\_\_:

Recently you received a letter from American Bar Association (ABA) President Wm. T. (Bill) Robinson III regarding the status of criminal justice spending in [STATE]. Between 1973 and 2009, the prison population in the United States grew by 705 percent, resulting in more than one in 100 adults behind bars. This growth came at substantial cost; total state spending on corrections is now around \$52 billion, the bulk of which is spent on prisons.

The ABA and civic leaders in state and local governments have identified five key reform areas—pretrial release of accused low-risk offenders; the decriminalization of minor offenses; reentry support programs; expanded reliance on parole and probation; and community corrections—that enhance public safety, reduce recidivism and save taxpayer money (available at: [State Implementation Webpage](#)).

It is time we do our part to ensure state policies and initiatives are tailored to address [STATE'S] budget shortfall while making our communities safer. The costs associated with incarcerating individuals are exorbitant compared to the costs associated with proper supervision, reentry support, and programs that reduce recidivism. In implementing long-overdue criminal justice reforms, we have the opportunity to reduce [STATE'S] burgeoning corrections budget and enhance public safety.

I am very willing to work closely with your office in raising the awareness of the importance of these policies in [STATE].

Sincerely,

[YOUR NAME]  
ABA Criminal Justice Section Member

# DRAFT LETTER

[DATE]

The Honorable  
[FULL NAME]  
[STATE] [House of Representatives or Assembly or House of Delegates]  
[STREET ADDRESS]  
[CITY STATE ZIP CODE]

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ABA Criminal Justice Section Member

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[DATE]

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[STATE] Senate  
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[YOUR NAME]  
ABA Criminal Justice Section Member



**Wm. T. (Bill) Robinson III**  
President

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(312) 988-5109  
Fax: (312) 988-5100  
abapresident@americanbar.org

[DATE]

The Honorable  
[FULL NAME]  
[STATE] Attorney General  
[STREET ADDRESS]  
[CITY STATE ZIP CODE]

Dear Mr. /Ms. \_\_\_\_\_:

State and local governments are under extraordinary pressure to identify cost-saving measures and confront spiraling deficits. Recognizing that criminal justice spending is a significant cost burden, the American Bar Association (ABA) Criminal Justice Section brought policymakers, lawyers and judges from across the country together in May to discuss methods to enhance public safety and reduce burgeoning corrections budgets. I am confident that [STATE] would see much needed financial savings and benefit greatly from the proven criminal justice reforms discussed by event participants.

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Many states have already implemented some of these reforms. For example:

The 2011 Public Safety and Offender Accountability Act puts Kentucky at the forefront of states advancing research-driven criminal justice policies designed to protect public safety, hold offenders accountable and control corrections costs. The new law ensures there is more prison space for violent and career criminals, helps stop the revolving door for lower-risk, non-violent offenders, reduces recidivism by strengthening probation and parole and establishes mechanisms for measuring government progress over time. The criminal justice reforms are expected to reduce Kentucky's prison population by more than 3,000 inmates over the next 10 years and save taxpayers an estimated \$422 million.

Florida recently implemented a juvenile civil citation program in both Leon and Miami-Dade County. Leon County saved \$1.9 million in fiscal year 2008-2009 by issuing civil citations, which cost \$386 per juvenile, compared to the \$5,000 cost of processing a juvenile through the justice system. Since commencing its operation in April 2007, Miami-Dade County has successfully improved public safety and produced cost-savings for the county; recent figures show a recidivism rate of 3 percent and by issuing citations in lieu of arrest, the county saves an estimated \$5,000 per juvenile.

In Michigan, it costs over \$32,000 to house an offender for one year in state prison. In 2010, the Michigan Prisoner ReEntry Initiative (MPRI) led to a reduction rate of 33% fewer returns to prison for parole violations or new crimes – roughly 2,700 fewer individuals than initially anticipated from baseline expectations. Since 2007, the state's prison population has dropped from 51,554 to under 46,000. In response to the decreased prison population, Michigan has closed over 14 correctional facilities, at a savings of \$293 million annually; the closings are considered to be a directly attributable to the success of Michigan's reentry policy.

These are just three examples that demonstrate how long-overdue criminal justice reforms are helping states address their budget shortfalls while making communities safer. The costs associated with incarcerating individuals are exorbitant compared to the costs associated with proper supervision, reentry support, and programs that reduce recidivism. The ABA is ready to work with you to develop a strategy to implement proven corrections reforms in [STATE].

For more information, please contact Sarina Cox at [Sarina.Cox@americanbar.org](mailto:Sarina.Cox@americanbar.org) or (202) 662-1518.

Sincerely,



Wm. T. (Bill) Robinson III

More information about the ABA Criminal Justice Section State Policy Implementation Project can be found online at:

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[ABA Urges Pretrial Release Reform](#)

[ABA Urges Decriminalization of Minor Offenses](#)

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[ABA Urges States to Increase the Use of Parole and Probation](#)

[ABA Urges States to Create Community Corrections Programs](#)

**Wm. T. (Bill) Robinson III**  
President

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President

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Sincerely,

A handwritten signature in black ink, appearing to read "Wm. T. Robinson III", enclosed within a large, loopy oval shape.

Wm. T. (Bill) Robinson III

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## OUTREACH

# California

## NAME

Elizabeth Fenton  
Ananda Martin  
Benjamin Gluck  
Bob Weeks  
Brian Hennigan  
Debra Wong Yang  
Eunhae Park  
Gordon Greenberg  
Jake Soberal  
Jan Handzlik  
Janet Levine  
Jeff Adachi  
John C Hueston  
Kathy Brady  
Lindsay Sullivan  
Myna Raeder  
Nina Marino  
Pauline Weaver  
Rory Little  
Zachary Friedberg  
Lawrence Alan Forbes  
Thomas Pye  
Scott Thorpe  
Daniel J. Broderick  
Barry J. Portman  
Reuben Cahn  
Mike Feuer  
Noreen Evans  
Kamala D. Harris

## POSITION

Point Person  
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State Bar Chair  
State Bar Contact  
Prosecution  
Public Defender  
Public Defender  
Public Defender  
Assembly Judiciary Chair  
Senate Judiciary Chair  
Attorney General

# Delaware

## NAME

Christopher Koyste  
Stephen Henderson  
Joseph Gabay  
Janice Myrick  
Paul R. Wallace

## POSITION

Point Person  
CJS Leadership  
State Bar Chair  
State Bar Contact  
Prosecution

Brendan O'Neill  
Melanie L George  
Patricia Blevins  
Joseph "Beau" R. Biden III

Public Defender  
Assembly Judiciary Chair  
Senate Judiciary Chair  
Attorney General

## **Florida**

### **NAME**

### **POSITION**

William Shepherd	Point Person
Albert Krieger	CJS Leadership
Andrew Feldman	CJS Leadership
Benjamin Overton	CJS Leadership
Brice Aikens	CJS Leadership
Bruce Lyons	CJS Leadership
Catherine Anderson	CJS Leadership
Crystal Roland	CJS Leadership
Hugo Rodriguez	CJS Leadership
Jack Fernandez	CJS Leadership
James Felman	CJS Leadership
Jessica Chiappone	CJS Leadership
Katherine Fernandez Rundle	CJS Leadership
Luz Nagle	CJS Leadership
Marcia Cooke	CJS Leadership
Michael Pasano	CJS Leadership
Morris "Sandy" Weinberg	CJS Leadership
Neal Sonnett	CJS Leadership
Paul Johnson	CJS Leadership
Robert Buschel	CJS Leadership
Robert Ervin	CJS Leadership
Sara Dill	CJS Leadership
Steven Wisotsky	CJS Leadership
William Shepherd	CJS Leadership
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Paige Graham	State Bar Contact
John Hogenmuller	Prosecution
Randolph P. Murrell	Public Defender
Kathleen Williams	Public Defender
William Snyder	Assembly Judiciary Chair
Anitere Flores	Senate Judiciary Chair
Pam Bondi	Attorney General
Wansley Walters	Additional Contacts



## **Georgia**

### **NAME**

Wilmer Parker  
Charles R. Morgan  
Timothy Hedeem  
Wilmer Parker  
J. Michael Cranford  
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Rick Malone  
Stephanie Kearns  
Wendell Willard  
Bill Hamrick  
Sam Olens  
Hon. Rich Golick  
Todd Markle  
Rhonda Greenway  
Tom Boller  
Russell N. Sewell Jr

### **POSITION**

Point Person  
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State Bar Contact  
Prosecution  
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Attorney General  
Additional Contacts  
Additional Contacts  
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Additional Contacts

## **Illinois**

### **NAME**

Jorge Luis Montes  
Abigail Schwartz  
Albert W. Alschuler  
Andrew Boutros  
Caryn Lara Trombino  
Georgia Vagenas  
Gil Soffer  
James Holderman  
Kurt Stichter  
Lawrence Wojcik  
Mary Boland  
Mary Harkenrider  
Nancy Marder  
Peggy Daley  
Randolph Stone  
Ronald Smith  
Terence MacCarthy  
Kelli Childress  
Mary M Grant  
Matt Jones

### **POSITION**

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State Bar Chair  
State Bar Contact  
Prosecution

Daniel J. Broderick  
 Terrance F. Mac Carthy  
 Phillip J. Kavanaugh  
 Constance A. Howard  
 A.J. Wilhelmi  
 Lisa Madigan

Public Defender  
 Public Defender  
 Public Defender  
 Assembly Judiciary Chair  
 Senate Judiciary Chair  
 Attorney General

## **Louisiana**

### **NAME**

Randall Smith  
 Ernestine Gray  
 Michael Walsh  
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 E. Pete Adams  
 Virginia Schlueter  
 Rebecca L. Hudsmith  
 Rosalind Jones  
 Yvonne Dorsey  
 James D. Caldwell

### **POSITION**

Point Person  
 CJS Leadership  
 State Bar Chair  
 State Bar Contact  
 Prosecution  
 Public Defender  
 Public Defender  
 Assembly Judiciary Chair  
 Senate Judiciary Chair  
 Attorney General

## **Massachusetts**

### **NAME**

Michael Costello  
 Bruce Western  
 Charlotte Alvarez  
 David Goldstone  
 Jonathan Blodgett  
 Jorge Montes  
 Larry Yackle  
 Michael Costello  
 Ralph Martin  
 Michael L. Fabbri  
 Jean Stevens  
 Geline Williams  
 Miriam Conrad  
 Eugene L. O'Flaherty  
 Cynthia Stone Creem  
 Martha Coakley

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 CJS Leadership  
 CJS Leadership  
 State Bar Chair  
 State Bar Contact  
 Prosecution  
 Public Defender  
 Assembly Judiciary Chair  
 Senate Judiciary Chair  
 Attorney General

## New Jersey

NAME	POSITION
Bruce Levy	Point Person
James Williams	CJS Leadership
Nicholas Harbist	CJS Leadership
Tanisha Simon	CJS Leadership
Deborah G. Cummis Sandlaufer	State Bar Chair
Carol E. Malinowski	State Bar Contact
Thomas Fiskén	Prosecution
Richard Coughlin	Public Defender
Peter J. Barnes	Assembly Judiciary Chair
Nicholas P. Scutari	Senate Judiciary Chair
Paula T. Dow	Attorney General

New York

NAME	POSITION
Hillel Hoffman	Point Person
Anna-Sigga, Nicolazzi	CJS Leadership
Anne Swern	CJS Leadership
Anthony S. Barkow	CJS Leadership
Barry Kamins	CJS Leadership
Barry Scheck	CJS Leadership
Benjamin Gruenstein	CJS Leadership
Brett Dignam	CJS Leadership
Bruce Green	CJS Leadership
Caroline Hsu	CJS Leadership
Charles Hynes	CJS Leadership
Dino Amoroso	CJS Leadership
Ellen Yaroshefsky	CJS Leadership
Eric M. Freedman	CJS Leadership
Harlan Levy	CJS Leadership
Hillel Hoffman	CJS Leadership
Janet Fink	CJS Leadership
Jason Pickholz	CJS Leadership
Jeremy Travis	CJS Leadership
Jesse Furman	CJS Leadership
Jessica Roth	CJS Leadership
Joseph Demarco	CJS Leadership
Justine Luango	CJS Leadership
Kin Ng	CJS Leadership

Lance Ogiste	CJS Leadership
Lisa Smith	CJS Leadership
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Marvin Pickholz	CJS Leadership
Matthew D'Emic	CJS Leadership
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Michael A. Scotto	CJS Leadership
Michael Corriero	CJS Leadership
Pamela Chepiga	CJS Leadership
Peter Pope	CJS Leadership
Richard Andrias	CJS Leadership
Richard Kuh	CJS Leadership
Rita Glavin	CJS Leadership
Robert Del Tufo	CJS Leadership
Roberta Meyers-Peebles	CJS Leadership
Robin Steinberg	CJS Leadership
Ronald Goldstock	CJS Leadership
Samuel Yee	CJS Leadership
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William Fitzpatrick	CJS Leadership
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Alexander Bunin	Public Defender
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John J. Bonacic	Senate Judiciary Chair
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Joseph R. Lentol	Additional Contacts
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Herman D. Farrell Jr	Additional Contacts
Diane J. Savino	Additional Contacts
Amy Paulin	Additional Contacts
Sean M. Byrne	Additional Contacts

Derek P. Champagne  
John Feinblatt  
Jerome E. McElroy  
Stephen P. Younger  
Vincent E. Doyle, III  
Elizabeth Glazer  
Maddy deLone

Additional Contacts  
Additional Contacts  
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Additional Contacts

## **Vermont**

### **NAME**

Rich Cassidy  
Rich Cassidy  
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Jim Mongeon  
Matthew F. Valerio  
Bill Lippert  
Dick Sears  
William H. Sorrell

### **POSITION**

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State Bar Chair  
State Bar Contact  
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Assembly Judiciary Chair  
Senate Judiciary Chair  
Attorney General

## **Alabama**

### **NAME**

Luther Strange  
Paul DeMarco  
Ben Brooks  
Cam Ward  
James Pratt  
Bryan Stevenson  
Randall I. Hillman  
Patrick M. Tuten

### **POSITION**

Alabama Attorney General  
Alabama Assembly  
Alabama Senate  
Alabama Senate  
Alabama Bar President  
Executive Director, Equal Justice Initiative  
Executive Director, Alabama District Attorneys Association  
President, Alabama Criminal Defense Lawyers Association

## **Indiana**

### **NAME**

Greg Zoeller  
Ralph Foley  
Richard Bray  
Jeffry A. Lind  
Larry Landis  
Andrew Cullen  
David N. Powell

### **POSITION**

Indiana Attorney General  
Indiana House of Representatives  
Indiana Senate  
Indiana Bar President  
Executive Director, Indiana Public Defender Council  
Legislative Liaison, Indiana Public Defender Council  
Executive Director, Indiana Prosecuting Attorneys Council

## **Missouri**

### **NAME**

Chris Koster  
Stanley Cox  
Will Kraus  
John Johnston  
Cathy R. Kelly  
Kevin Curran  
Brian Gaddy  
Jason Lamb  
Robert P. McCulloch

### **POSITION**

Missouri Attorney General  
Missouri House of Representatives  
Missouri Senate  
Missouri Bar President  
Director, Missouri State Public Defender  
Secretary, Missouri Association of Criminal Defense Lawyers  
Director, Missouri Association of Criminal Defense Lawyers  
Executive Director, Office of Prosecution Services  
Past President, Missouri Association of Prosecuting Attorneys

## **North Carolina**

### **NAME**

Roy Cooper  
N. Leo Daughtry  
Austin M. Allran  
E. S. (Buck) Newton  
Peter S. Brunstetter  
Thom Goolsby  
Warren Daniel  
Anthony Samuel Di Santi  
David William Venable  
  
Bradley Joseph Bannon  
Christopher Anthony Beechler  
Thomas Maher  
  
Dick Taylor  
Peg Dorer  
  
Karen Wood

### **POSITION**

North Carolina Attorney General  
North Carolina House of Representatives  
North Carolina Senate  
North Carolina Senate  
North Carolina Senate  
North Carolina Senate  
North Carolina Senate  
North Carolina Bar President  
Legislative Chair, North Carolina Criminal Justice Section  
NC Advocates for Justice Liaison, North Carolina Criminal Justice Section  
Chair, North Carolina Criminal Justice Section  
Director, North Carolina's Indigent Defense Services  
Executive Director, North Carolina Actual Innocence Commission  
Director, North Carolina Conference of District Attorneys  
Deputy Director, North Carolina Conference of District Attorneys

## **Ohio**

### **NAME**

Mike DeWine  
Danny R. Bupp  
Tim Grendell  
Carol S. Marx  
  
Gerald S. Gold  
Tim Young  
  
Samuel Porter

### **POSITION**

Ohio Attorney General  
Ohio House of Representatives  
Ohio Senate  
Ohio Bar President  
Criminal Justice Section Chairman, Ohio State Bar Association  
Director, Office of the Ohio Public Defender  
Chair, Ohio Public Defender Commission/Porter, Wright, Morris & Arthur

David Stebbins

Joseph Humpolick

John Murphy

President, Ohio Association of Criminal Defense Lawyers

Awards Chairman, Ohio Association of Criminal Defense Lawyers

Executive Director, Ohio Prosecuting Attorneys Association

## **Oklahoma**

### **NAME**

Scott Pruitt

Gus Blackwell

Anthony Sykes

Deborah A. Reheard

David Brockman

Robert A. Ravitz

Tim Laughlin

John Wampler

David Prater

### **POSITION**

Oklahoma Attorney General

Oklahoma House of Representatives

Oklahoma Senate

Oklahoma Bar President

Criminal Justice Section Chairman, Oklahoma State Bar Association

Chief Public Defender, Oklahoma County Public Defender

President, Oklahoma Criminal Defense Lawyers Association

Vice Chair, District Attorneys Council

Oklahoma County District Attorney

## **Pennsylvania**

### **NAME**

William H. Ryan, Jr.

Ron Marsico

Stewart J. Greenleaf

Mathew J. Creme, Jr.

Francis J. Schultz

Richard W. Long

Michael J. Engle

### **POSITION**

Pennsylvania Attorney General

Pennsylvania House of Representatives

Pennsylvania Senate

Pennsylvania Bar President

President, Pennsylvania District Attorney's Association

Executive Director, Pennsylvania District Attorney's Association

President, Pennsylvania Association of Criminal Defense Lawyers

## **South Carolina**

### **NAME**

Alan Wilson

James H. Harrison

Glenn F. McConnell

Arthur M. Quattlebaum

Jennifer Kneece Shealy

David M. Ross

Samuel C. Bauer

### **POSITION**

South Carolina Attorney General

South Carolina House of Representatives

South Carolina Senate

South Carolina Bar President

Criminal Justice Section Chairman, South Carolina State Bar Association

Executive Director, South Carolina Commission on Prosecution Coordination

President, South Carolina Association of Criminal Defense Lawyers

## **Virginia**

### **NAME**

Kenneth T. Cuccinelli, II  
Beverly J. Sherwood  
S. Chris Jones  
David B. Albo  
Henry L. Marsh  
Linda T. Puller  
L. Louise Lucas  
Mamie E. Locke  
Lucia Ann Triggiani  
  
Michael HuYoung  
Kristie Kane  
Robert Q. Harris

### **POSITION**

Virginia Attorney General  
Virginia House of Delegates  
Virginia House of Delegates  
Virginia House of Delegates  
Virginia Senate  
Virginia Senate  
Virginia Senate  
Virginia Senate  
Virginia Bar Association President  
Virginia State Bar Association, Criminal Justice Section  
Chairman  
President, Virginia Association of Criminal Defense Lawyers  
Director, Commonwealth's Attorneys' Services Council

## **West Virginia**

### **NAME**

Darrell McGraw  
Tim Miley  
Corey Palumbo  
Andrew H. Miller  
Russell S. Cook,  
  
Phillip W. Morrison II

### **POSITION**

West Virginia Attorney General  
West Virginia House of Delegates  
West Virginia Senate  
West Virginia Bar Association President  
Acting Director, West Virginia Public Defender Services  
Executive Director, West Virginia Prosecuting Attorneys  
Institute