

Justice Reinvestment

Justice reinvestment is a data-driven strategy for policymakers to reduce spending on corrections, increase public safety, and improve conditions in the neighborhoods to which most people released from prison return.

STATE SPENDING ON CORRECTIONS HAS RISEN FASTER OVER 20 YEARS THAN SPENDING ON NEARLY ANY OTHER STATE BUDGET ITEM—INCREASING FROM \$9 BILLION TO \$41 BILLION A YEAR.¹

Despite mounting expenditures, recidivism rates remain high and by some measures have actually risen. These failure rates are a key reason prison populations continue to swell nationally; the fastest growing category of admissions to prison are people already under some form of community-based supervision (many of whom were recently released from jail or prison). Any real effort to contain spending on corrections must have as its centerpiece a plan to manage the growth of the prison population.

ELECTED OFFICIALS CONCERNED ABOUT CRIME ROUTINELY REFER TO THE RECORD NUMBERS OF PEOPLE RETURNING TO THE COMMUNITY FROM PRISON OR JAIL: IN 2004 ALONE, MORE THAN 670,000 PEOPLE WERE RELEASED FROM PRISONS, AND AN ESTIMATED 9 MILLION WERE RELEASED FROM JAILS.²

Of those released from prison, half are returned within three years. Even more are rearrested.³ To increase public safety, policymakers must improve the success rates for people released from prisons and jails.

IN EVERY STATE THERE ARE A HANDFUL OF “HIGH-STAKES” COMMUNITIES TO WHICH MOST PEOPLE RELEASED FROM PRISONS AND JAILS RETURN; THESE ARE ALSO THE COMMUNITIES WHERE TAXPAYER-FUNDED PROGRAMS ARE DISPROPORTIONATELY FOCUSED.

State and community agencies often provide costly uncoordinated services to the same neighborhoods, and to the same families, without successful outcomes. To improve results and accountability, policymakers must identify which distinct programs overlap in particular neighborhoods, integrate these efforts, and then employ place-based strategies to increase the capacity for receiving people returning from prison and for engaging individuals at risk of becoming involved in crime.

1. National Association of State Budget Officers, *State Expenditure Report 2004* (Washington, D.C.: National Association of State Budget Officers, 2005). This study provides an analysis of state spending, including corrections expenditures, for fiscal year 2003 and fiscal year 2004, and estimated data for fiscal year 2005. The state spending numbers for 1984 come from the National Association of State Budget Officers, *State Expenditure Report 1987* (Washington, D.C.: National Association of State Budget Officers, 1987). From 1991 to 2001, state spending on corrections grew faster than any other state budget item except Medicaid expenditures, according to the National Conference of State Legislatures, “State Spending in the 1990s,” report available at <http://www.ncsl.org/programs/fiscal/stspend90s.htm>.

2. The number of people released from prisons has been steadily increasing—from about 600,000 in 2000 to more than 670,000 in 2004. See P. M. Harrison and A. J. Beck, *Prison and Jail Inmates at Midyear 2005*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ213133 (Washington, D.C.: U.S. Government Printing Office, 2006). The jail numbers (2004) come from A. J. Beck, “The Importance of Successful Reentry to Jail Population Growth,” presented at the Jail Reentry Roundtable of the Urban Institute, Washington, D.C., June 27, 2006.

3. Two out of three people released from prison are rearrested within three years. See P. A. Langan and D. J. Levin, *Recidivism of Prisoners Released in 1994*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ193427 (Washington, D.C.: U.S. Government Printing Office, 2002).

How Justice Reinvestment Works

1 Analyze the prison population and spending in the communities to which people in prison often return.

Justice reinvestment experts review prison admission data to determine what is driving increases in the population. They calculate the length of stay for various categories of people incarcerated, determine when and how people are released from prison, assess compliance rates for people under probation and parole supervision, and identify categories of people particularly likely to recidivate. Using mapping technology, these experts provide geographic analyses to pinpoint which neighborhoods receive people released from prison. These maps also highlight how spending on programs—Temporary Assistance to Needy Families (TANF), food stamps, child support, unemployment insurance, housing subsidies, Medicaid, and others—often converges on the same families and communities. These data highlight opportunities to manage the prison population growth, increase the integration of government programs and funding streams, and strengthen particular “high-stakes” neighborhoods.

“We’ve got a broken corrections system. Recidivism rates are too high and create too much of a financial burden on states without protecting public safety. My state and others are reinventing how we do business by employing justice reinvestment strategies that can put our taxpayers’ dollars to better use.” — U.S. SENATOR SAM BROWNBACK (R-KANSAS)

2 Provide policymakers with options to generate savings and increase public safety.

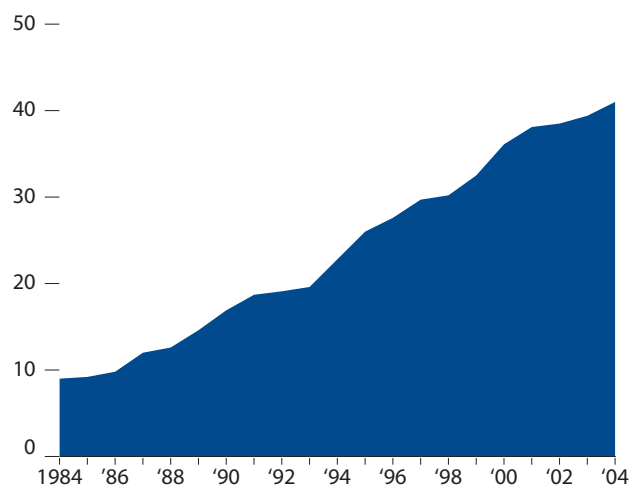
The justice reinvestment experts generate various options that recognize the uniqueness of each state’s criminal justice system and tailor them to that jurisdiction, such as strategies to

- reduce parole and probation revocations,
- focus supervision resources where they can have the greatest impact, and
- hold offenders (and service providers) accountable for the successful completion of programs such as drug treatment and job training.

When implemented correctly, these and other options moderate the growth of a state’s prison population and make programs more effective and efficient—results that help policymakers contain and cut spending. At the same time, using data to focus resources on those people most likely to re-offend makes communities safer.

State Spending on Corrections by Year

BILLIONS OF DOLLARS



Data Source: National Association of State Budget Officers, *State Expenditures Report*, 1985–2004

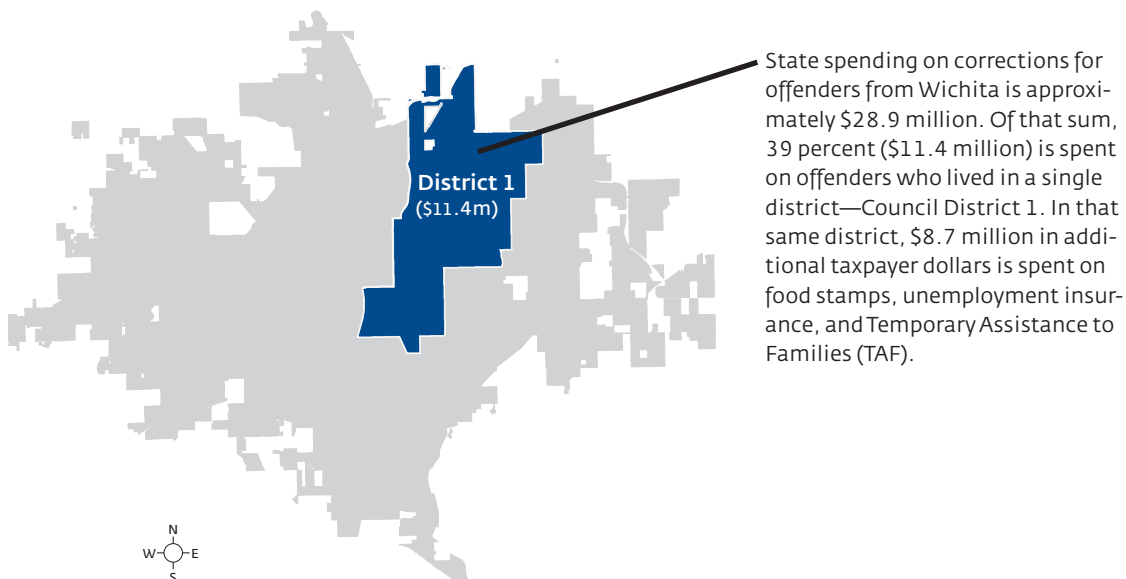
3 Quantify savings and reinvest in select high-stakes communities.

State and city leaders work with the justice reinvestment team to determine how much they will save, and avoid spending, by adopting some or all of the options identified by the experts. Policymakers and the team's experts develop plans for reinvesting a portion of these savings in new or enhanced initiatives in areas where the majority of people released from prisons and jails return. For example, officials can reinvest the savings and deploy *existing* resources in a high-stakes neighborhood to redevelop abandoned housing and better coordinate such services as substance abuse and mental health treatment, job training, and education. Unlike a prison reentry program, which residents may perceive negatively as prioritizing limited resources for people released from prison, these efforts are viewed generally as benefiting everyone in the community, regardless of their involvement in the criminal justice system.

4 Measure the impact and enhance accountability.

For each policy adopted, an appropriate state agency is charged with setting performance measures and projected outcomes, such as the amount of corrections costs saved or avoided, recidivism rates, and indicators of community capacity. Policymakers can use these measures to determine whether agencies are implementing the new policies effectively, assess how closely the actual impact of these new policies corresponds to projections, and make any necessary adjustments. The appropriate state agency is also charged with establishing systems that can span multiple agencies to collect and analyze data and provide periodic reports to policymakers. These integrated reports provide a comprehensive portrait of the effectiveness of state expenditures to increase public safety and build stronger neighborhoods.

Overlapping Spending in District 1, Wichita, Kansas



Data Sources: Kansas Department of Corrections, "Prison Admissions 01/01/04–12/30/04." Kansas Department of Labor, "Unemployment Insurance Recipients in December 2004." Kansas Department of Social and Rehabilitation Services, "Temporary Assistance to Families Recipients in December 2004" and "Food Stamp Recipients in December 2004."

Pursuing a Justice Reinvestment Strategy

The Council of State Governments Justice Center, with support from the U.S. Department of Justice's Bureau of Justice Assistance and private grant makers such as The Pew Charitable Trusts, the JEHT Foundation, and the Open Society Institute, is providing intensive technical assistance to a limited number of states that demonstrate a bipartisan interest in justice reinvestment.

Policymakers in **Connecticut**, facing an unprecedented budget deficit and a prison population growing faster than any other state, were presented with two options: release people from prison early or contract with other states for additional prison beds to relieve crowding. Instead they chose a third way—a justice reinvestment strategy. With nearly unanimous support in the legislature, the state enacted laws that streamlined the parole process for low-risk offenders, addressed the high rate of probation violations, and developed a comprehensive strategy to reduce recidivism. Almost \$13 million of the nearly \$30 million saved was reinvested in community-based pilot projects. Probation violations dropped from 400 in July 2003 to 200 in September 2005. The decrease in the prison population over a two-year period was steeper than that seen in almost any other state while the crime rate continued to drop.

In **Kansas**, violations of parole and probation accounted for 68 percent of state prison admissions in 2004; 50 percent of the violations were classified as drug/alcohol use or failure to report to supervision. The state, as part of a justice reinvestment strategy started in 2005, is making a concerted effort to cut these violations in half. If successful, the initiative could help policymakers avoid spending millions of dollars on new prison construction and operating costs. Geographical analyses illustrate that one-third of people completing their prison terms in Kansas return to a single county; within that county, people disproportionately return to one neighborhood. Using some of the anticipated savings, state and local officials are partnering to reinvest in the transformation of a neighborhood with numerous boarded-up houses, high crime rates, and a large number of prison admissions. The joint effort seeks to redevelop the neighborhood's housing stock, integrate and improve the delivery of services to support strong families, and expand employment opportunities for neighborhood residents (including those recently released from prison and jail).

“It’s always been safer politically to build the next prison, rather than stop and see whether that’s really the smartest thing to do. But we’re at a point where I don’t think we can afford to do that anymore. . . . We have to look for a better solution to the problem, and that isn’t more new prisons.” —**TEXAS STATE SENATOR JOHN WHITMIRE (D-HOUSTON), CHAIRMAN OF THE SENATE CRIMINAL JUSTICE COMMITTEE**

Council of State Governments Justice Center

100 Wall Street,
20th Floor
New York, NY 10005
tel: 212-482-2320
fax: 212-482-2344

4630 Montgomery Avenue
Suite 650
Bethesda, MD 20814
tel: 301-760-2401
fax: 240-497-0568

PROJECT CONTACT:
Crystal Garland
(646) 383-5744
cgarland@csg.org

www.justicecenter.csg.org
www.justicereinvestment.org