



Justice Reinvestment

a data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease crime and strengthen neighborhoods.

Nationwide, state spending on corrections has risen faster in the 20 years from 1988 to 2008 than spending on nearly any other state budget item—increasing from about \$12 billion to \$52 billion a year.¹

Most states are taking an expensive, unsuccessful, and unsustainable approach to prison and corrections policies. Any real effort to contain spending on corrections must have as its centerpiece a plan to limit the growth of, or reduce, the prison population. Unless policymakers act, state spending on corrections is projected to continue to increase.²

Despite mounting corrections spending, rates of reincarceration remain high and, by some measures, have actually worsened.

Policymakers are questioning whether simply building more prisons will yield the best possible investment of public safety dollars. In 2008, more than 683,000 people were released from state prisons.³ Based on a prior Bureau of Justice Statistics' study, it is estimated that half would be reincarcerated within three years. Even more would be rearrested.⁴

The fastest growing category of prison admissions is people already under some form of community supervision.⁵ To increase public safety and manage the growth of prison populations, policymakers must work toward the safe and successful return to the community of individuals released from prison.

Research points to practices and programs that can effectively reduce crime and rates of recidivism.

When states began to expand their prison systems three decades ago, little was known about how to stop the revolving door of the criminal justice system. But, over time, the volume of research documenting what does and does not reduce criminal behavior and recidivism has grown dramatically. One key finding: interventions, treatment programs, and intensive supervision should identify and focus on those individuals at greatest risk for committing crimes.

Often, policymakers do not have information about what factors are driving crime, re-offense rates, and the growth of correctional populations. They also lack geographic analyses about which benefits and services are being invested and coordinated in neighborhoods where many people under criminal justice supervision live.

Most state policymakers are forced to make decisions about prison and public safety policies without comprehensive, independent analyses of their criminal justice data. State agencies also often lack the capacity to conduct regular evaluations and audits of programs and systems to determine if they are reducing crime and the numbers of people returning to prison.

How Justice Reinvestment Works

To get started, policymakers establish a small, high-level, interbranch, bicameral, and bipartisan team of elected and appointed officials to work with the Justice Center’s nationally recognized criminal justice policy experts. These experts then consult with a broad range of stakeholders in the jurisdiction, which may include prosecutors; public defenders; judges; corrections and law enforcement officials; service providers and community leaders; victims and their advocates; people who have been incarcerated; and health, housing, human service, education, and workforce professionals.

Together, these policymakers, experts, and stakeholders work to accomplish the following:

1 Analyze data and develop policy options.

Justice Center experts analyze crime, arrest, conviction, jail, prison, and probation and parole supervision data provided by state and local agencies; map specific neighborhoods where large numbers of people under criminal justice supervision live and cross-reference this information with reports of criminal activity and the need for various services (including substance abuse and mental health treatment programs) and resources (such as unemployment or food stamp benefits); and assess available services critical to reducing recidivism. Using that state-specific information, the Justice Center develops practical, data-driven, and consensus-based policies that reduce spending on corrections to reinvest in strategies that can improve public safety.

2 Adopt new policies and put reinvestment strategies into place.

Once government officials enact the policy options, they must take steps to verify that the policies are adopted effectively. The Justice Center assists jurisdictions with translating the new policies into practice, and ensuring related programs and system investments achieve projected outcomes. This assistance includes developing implementation plans with state and local officials and keeping policymakers apprised through frequent progress reports and testimony to relevant legislative committees.

3 Measure performance.

Finally, the Justice Center ensures that elected officials receive brief, user-friendly, and up-to-date information that explains the impact of enacted policies on jail and prison populations, and on rates of reincarceration and criminal activity. Typically, this includes a “dashboard” of multiple indicators that make it easy for policymakers to track—in real time—the changes in various components of the criminal justice system.

Case Studies

More than ten states have worked with the Justice Center to develop state-specific, data-driven policies that save taxpayer dollars and direct some of those savings to strategies that can make communities safer and stronger. Case studies of two states, Texas and Kansas, illustrate the justice reinvestment approach and its positive outcomes.

Texas



In 2007, the prison population in Texas was projected to grow by more than 14,000 people over the next five years. After reviewing the Justice Center’s detailed analyses that revealed the reasons for this trend, along with a set of suggested policy options, state lawmakers enacted a comprehensive policy package to avert the anticipated growth and save \$443 million. As part of their efforts—and to improve the success rates of people under supervision—the legislature reinvested \$241 million to expand the capacity of substance abuse and mental health treatment and diversion programs, and to ensure that the release of low-risk individuals is not delayed due to lack of in-prison and community-based treatment programs.⁶

Since the enactment of the new policies, the number of people on probation and parole who have been returned to prison decreased significantly. The prison population has stabilized and has not been projected to grow, allowing the state to cancel plans to build any additional prisons for the foreseeable future. While these developments occurred, crime rates in nearly every major urban area in Texas have declined.

Kansas



Also in 2007, the Kansas prison population was expected to increase 22 percent by 2016 at a cost of approximately \$500 million in additional construction and operating costs. The governor and legislative leaders requested assistance from the Justice Center to analyze the prison population and work with policymakers to develop strategies to reinforce Kansas’s “tough and smart” criminal justice philosophy. The Justice Center found that parole and probation revocations accounted for 65 percent of prison admissions.⁷ During the 2007 legislative session, state policymakers approved a set of policies designed to reduce the risk of individuals under supervision and directed \$7.9 million to expand treatment programs and strengthen probation and parole.⁸

From 2007 to 2009, the state prison population decreased by 4 percent. The number of probationers and parolees revoked for violating the conditions of their supervision or convicted for committing new crimes dropped by more than 20 percent for that same period, making Kansas a safer place to live. Taxpayers have not needed to fund the construction of any new facilities for the foreseeable future, and the decline in the prison population enabled policymakers to close a handful of smaller facilities in 2009 to help narrow the state budget gap.

Learn more about these and other states’ experiences
at www.justicereinvestment.org.

Utilizing the Justice Reinvestment Approach

The Council of State Governments Justice Center, with support from the U.S. Justice Department's Bureau of Justice Assistance and private grant makers such as the Public Safety Performance Project of The Pew Charitable Trusts' Center on the States, helps state and local policymakers use a justice reinvestment approach to increase public safety. The Justice Center provides assistance to jurisdictions where elected leaders demonstrate the following:

- Bipartisan, interbranch interest in justice reinvestment
- Willingness to provide access to data
- Financial commitment to support some of the costs associated with the technical assistance



THE
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BJA
Bureau of Justice Assistance
U.S. Department of Justice

To learn more about receiving assistance from the Justice Center to utilize a justice reinvestment approach in your jurisdiction, contact the Justice Center at info@justicereinvestment.org.

www.justicereinvestment.org

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. It provides practical, nonpartisan advice and consensus-driven strategies—informed by available evidence—to increase public safety and strengthen communities.

Council of State Governments Justice Center

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1. National Association of State Budget Officers, *Fiscal Year 1988 State Expenditure Report*, p. 71 (Washington, DC: National Association of State Budget Officers, 1989), <http://www.nasbo.org/Publications/StateExpenditureReport/StateExpenditureReportArchives/tabid/107/Default.aspx>. National Association of State Budget Officers, *Fiscal Year 2008 State Expenditure Report*, p. 54 (Washington, DC: National Association of State Budget Officers, 2009), <http://www.nasbo.org/Publications/StateExpenditureReport/tabid/79/Default.aspx>.
2. National Association of State Budget Officers, *Fiscal Year 2008 State Expenditure Report*, p. 54 (Washington, DC: National Association of State Budget Officers, 2009), <http://www.nasbo.org/Publications/StateExpenditureReport/tabid/79/Default.aspx>. Public Safety Performance Project, *Public Safety, Public Spending: Forecasting America's Prison Population 2007–2011* (Washington, DC: Public Safety Performance Project, The Pew Charitable Trusts, 2007).
3. William J. Sabol, Heather C. West, and Matthew Cooper, *Prisoners in 2008*, NCJ 221944 (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2009).
4. Patrick A. Langan and David J. Levin, *Recidivism of Prisoners Released in 1994*, NCJ 193427 (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2002).
5. Timothy A. Hughes, Doris James Wilson, and Allen J. Beck, *Trends in State Parole, 1990–2000*, NCJ 184735 (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2001). Adam Gelb, Presentation at the National Summit on Justice Reinvestment (Washington, DC, January 27, 2010).
6. Texas Legislative Budget Board, Conference Committee Projection Scenario, May 7, 2007; Texas lawmakers also reinvested some of the savings generated to other community-based programs, such as appropriating \$4.3 million for years 2008–2009 to expand the Nurse Family Partnership Program, which research has demonstrated improves outcomes for at-risk mothers and children, and reduces the risk of future involvement in the criminal justice system.
7. Tony Fabelo, "Tough and Smart: Opportunities for Kansas Policymakers to Reduce Crime and Spending" (Presentation to Kansas Legislature, Wichita, KS, December 12, 2006).
8. *An Act Concerning the Department of Corrections*, Senate Bill 14 (2007), Kansas Legislature.