

CONTROLLING CORRECTIONAL COSTS THROUGH REENTRY

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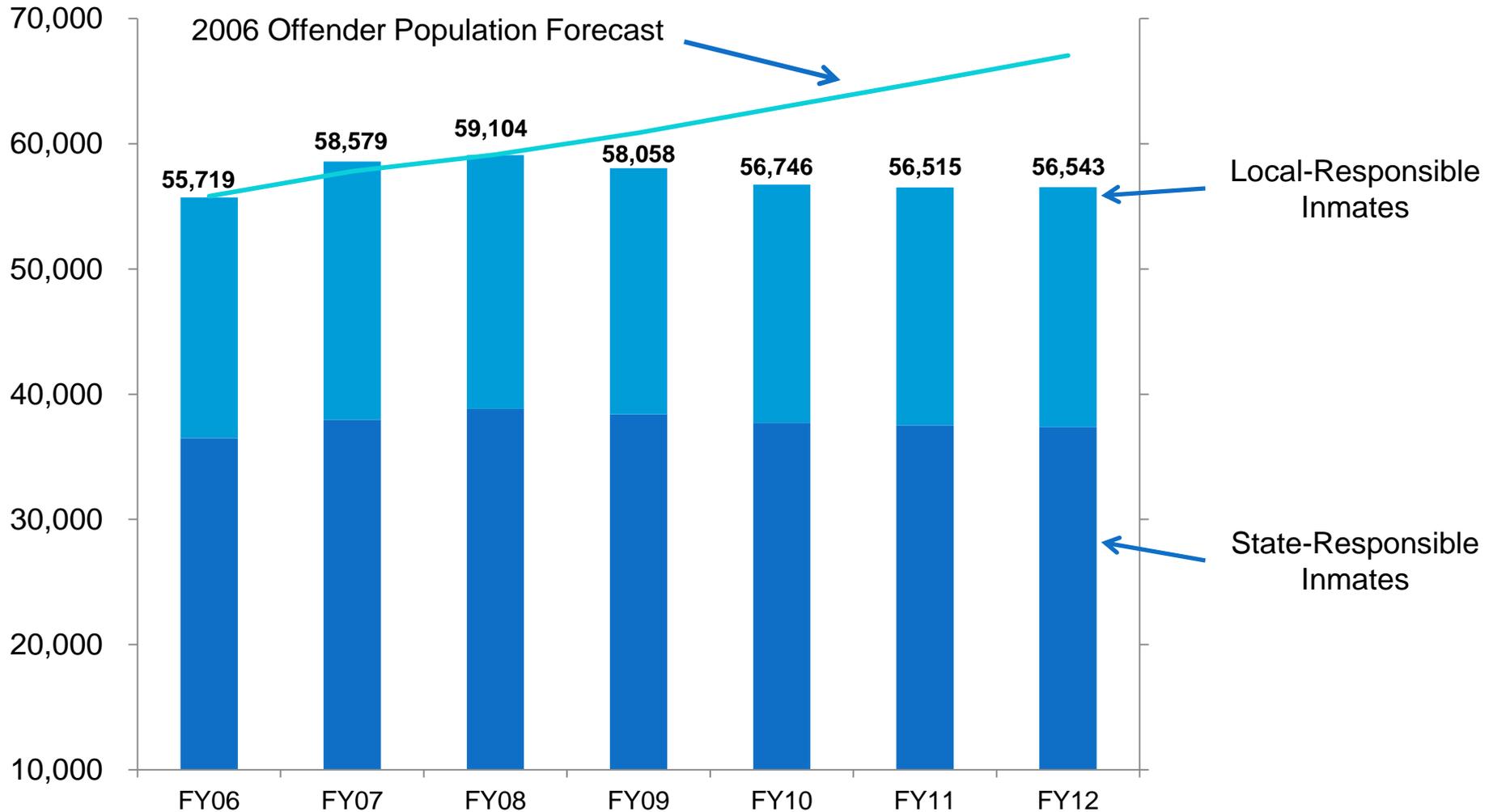
HAC Staff

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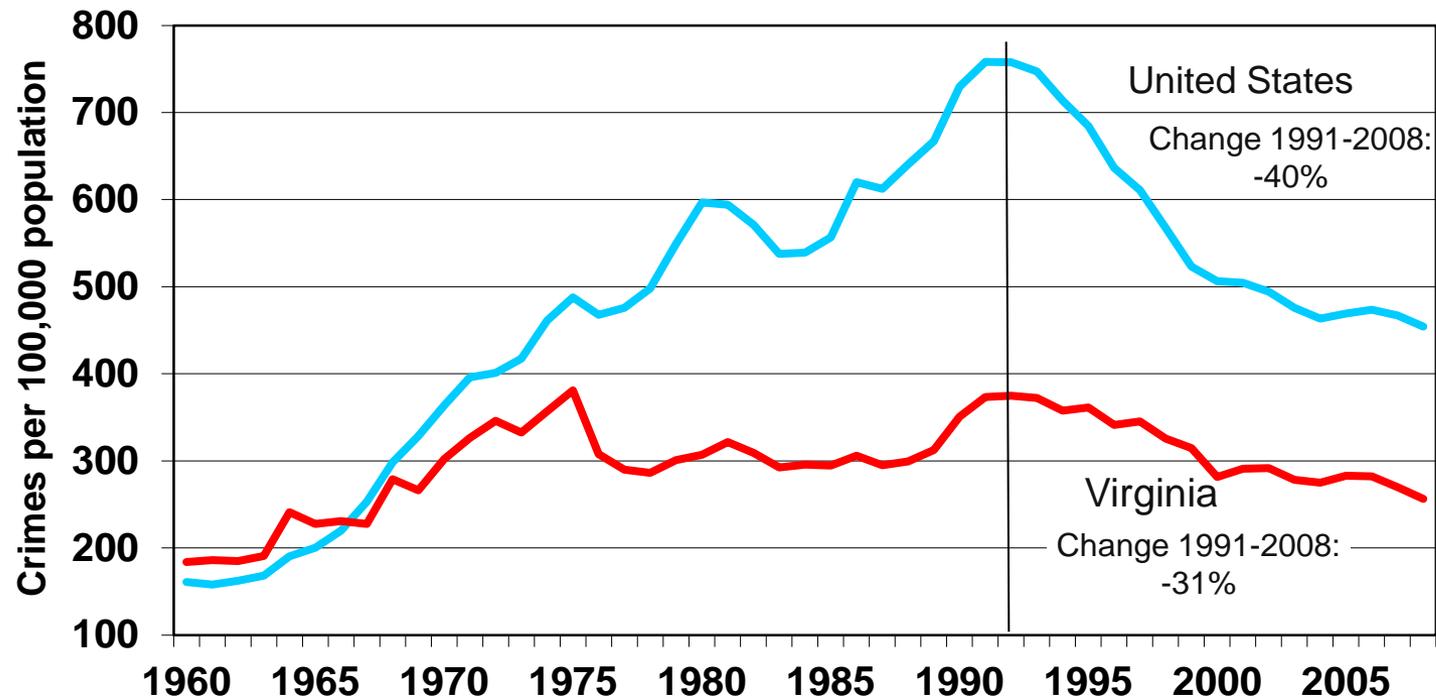
Introduction

- For the last few years, the growth in the state-responsible and local-responsible offender populations has been far less than forecasted
- Given lower populations, and budget constraints since FY 2008, DOC has closed a number of inefficient prison facilities
- However, because no local and regional jails have been closed and new jail capacity has been added, DOC has been able to place state-responsible offenders in these facilities without adverse effects on those local and regional jails
- Better management of probation violators could provide opportunities to reduce the state-responsible and local-responsible offender populations
- The General Assembly and DOC have recently implemented measures to address the re-entry of offenders into the community
 - These measures could lower Virginia's already low recidivism rate
 - But, these measures need time to take hold and be evaluated before new initiatives are funded

State and Local Inmates Populations Well Below Forecast

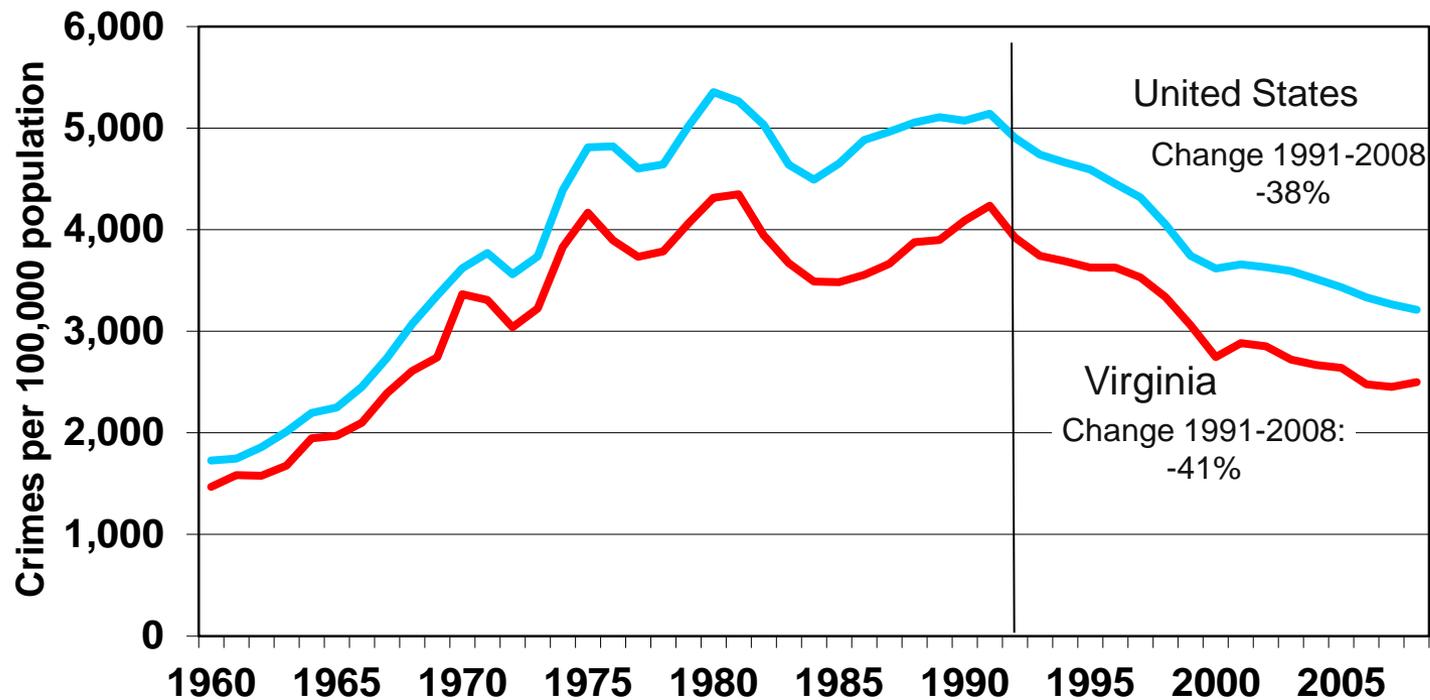


Violent Index Crime Rates in Virginia and the US, 1960 – 2008



Violent index crimes are murder/non-negligent manslaughter, forcible rape, robbery and aggravated assault

Property Index Crime Rates in Virginia and the US, 1960 – 2008



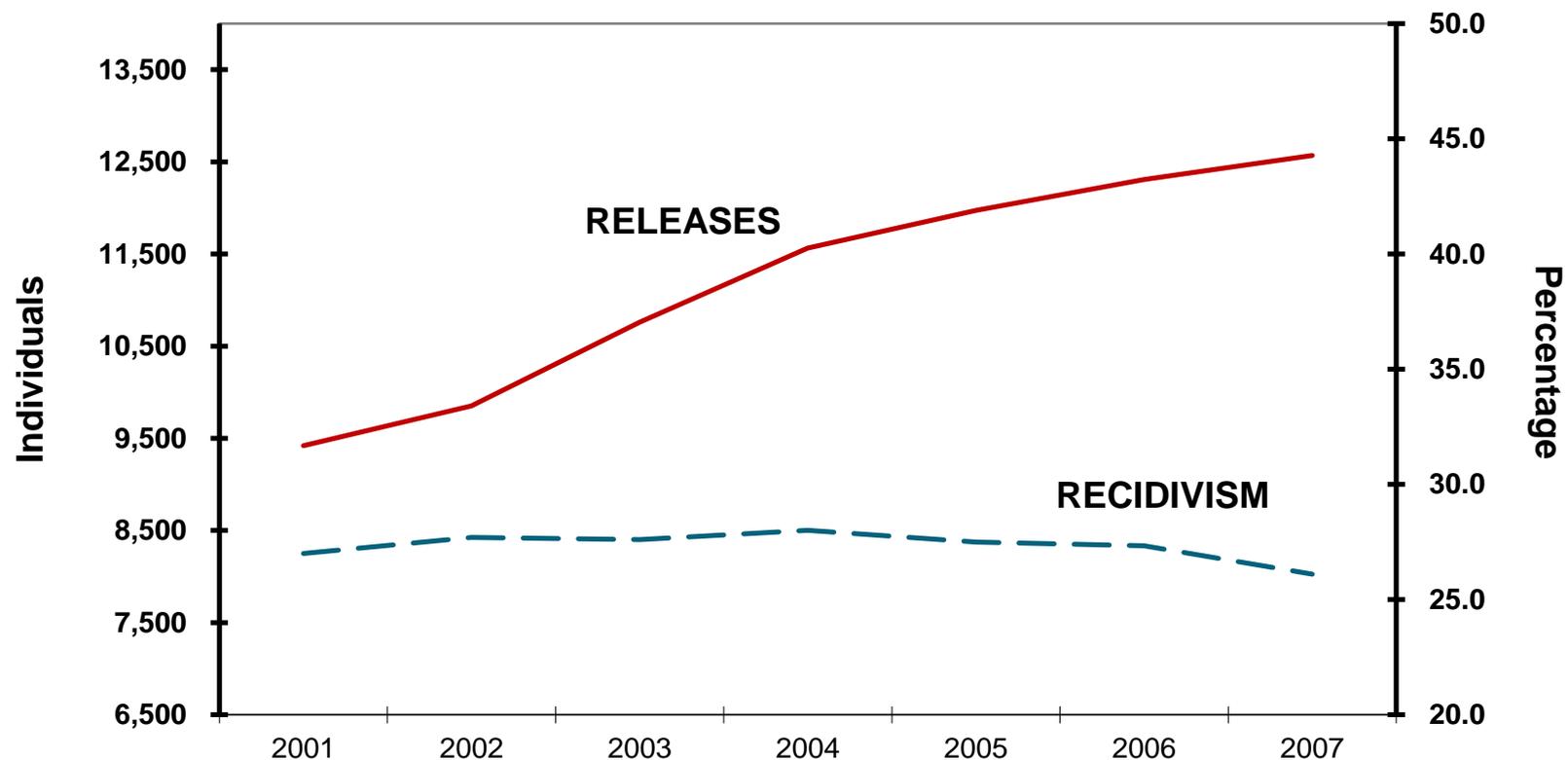
Property index crimes are burglary, larceny and motor vehicle theft

Truth-in-Sentencing Reduces Recidivism Despite Increase in Releases

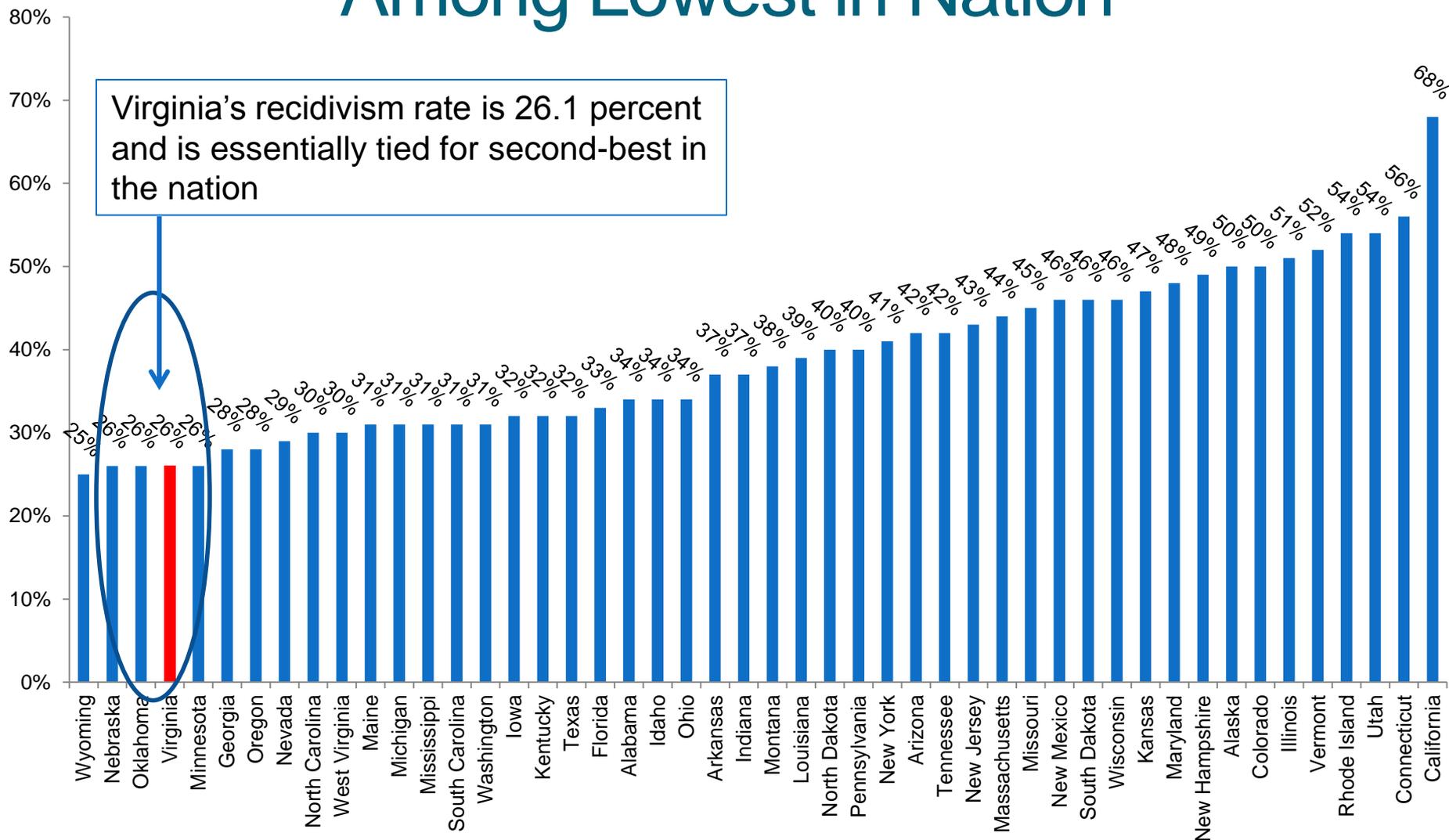
Averaged Time Served

2001: 26 Months

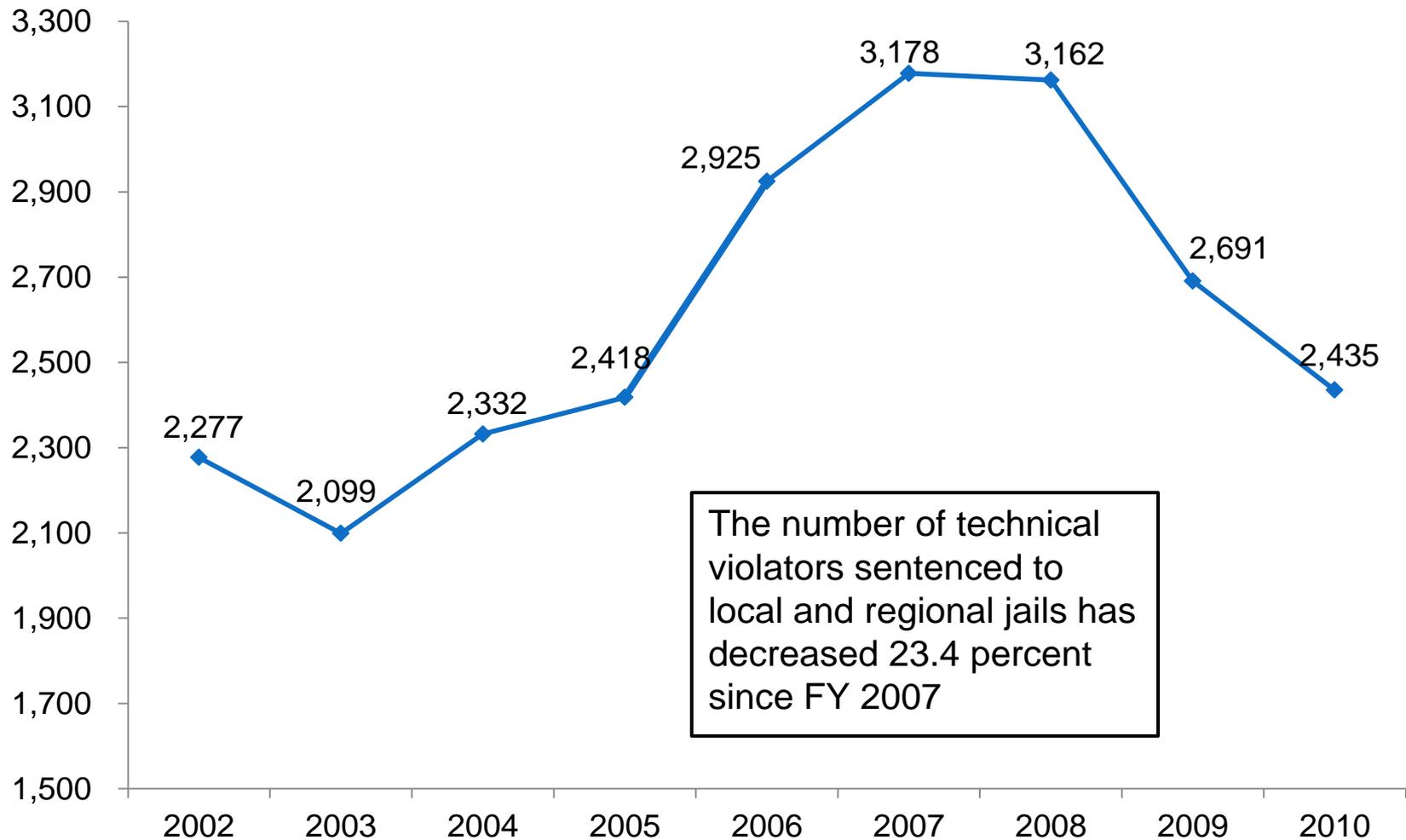
2010: 36 Months



Virginia's Re-incarceration Rate Already Among Lowest in Nation



Technical Violators Sentenced to Jail Have Decreased Since FY 2007



Probation Violators Sentenced to Prison Have Decreased Since FY 2007

	Percentage of All New Sentences	New Crime Violations	Technical Violations
FY 2002	48.5%	4,555	735
FY 2003	49.4%	4,827	921
FY 2004	49.8%	4,650	1,103
FY 2005	49.7%	4,512	1,280
FY 2006	51.6%	5,201	1,265
FY 2007	50.2%	5,423	1,262
FY 2008	48.5%	5,275	1,030
FY 2009	47.0%	4,920	896
FY 2010	45.4%	4,698	782

- The number of probation violators sentenced to prison for the commission of new crimes has decreased by 13.4 percent and for technical violations of probation has decreased by 38.2 percent since FY 2007
- But, as shown in the table, probation violators, regardless of release date, still constitute about 45.4 percent of annual new commitments to the DOC
 - These offenders' failure to successfully re-enter society places additional pressure on prison capacity

Actions that May Explain Reduction in Probation Violators Since FY 2007

- The General Assembly has focused attention and funding on initiatives reducing recidivism
- The General Assembly has previously provided funding to:
 - Add 97 additional probation officers
 - Expand transitional substance abuse treatment beds
 - Create transition specialists to assist offenders secure identification, apply for Medicaid and other services, and obtain jobs
 - Initiate VASAVOR programs to provide services to violent offenders
 - Support nonprofit re-entry and transitional service organizations
 - Provide evidence-based practices training for DOC staff
- The reductions seen in the number of probation violators sentenced to jail or prison would appear to coincide with the funding provided for these initiatives

2011 Legislative Actions Reducing Recidivism

- During the last Session, a number of actions were taken to improve offender re-entry and possibly reduce recidivism, including:
 - Funding for Additional Probation Officers
 - Approved \$2.2 million GF and \$1.1 NGF for 45 additional probation officers
 - 35 of these positions have been assigned to Intensive Re-entry Programs
 - If the annual prison population decreases by 128 inmates, this would equal the cost of the probation officers
 - Veterans and Active Military Criminal Justice Procedures
 - HB 1691 (Stolle) provides assistance from the Wounded Warrior project for localities that develop special procedures for dealing with veterans and military personnel in the criminal justice system
 - Driver's License Reinstatement Fees
 - HB 1791 (Tata) reduces the need for violators to address multiple license suspensions or revocations in multiple jurisdictions by paying the single largest reinstatement fee plus \$5 for each additional suspension or revocation, which should enable more released offenders to obtain licenses and employment
 - Reentry Savings Plans
 - HB 2225 (Wright) required that 10 percent of an offenders' earnings and other funds be placed in a personal trust account up to maximum of \$1,000
 - Savings plan would be used by offender upon release to help in adjusting to the community or for addressing their court costs and fines

Recent DOC Actions to Reduce Recidivism

- DOC submitted the Virginia Adult Re-entry Initiative (VARI), a four-year strategic plan for improving offender re-entry, to the Governor on July 1, 2010
 - The VARI is based upon the National Institute of Corrections' Transition from Prison to Community model
 - It builds on a number of existing DOC programs like: substance abuse treatment, life skills and anti-criminal thinking, VASAVOR programs, and re-entry efforts like securing identification documents and CSB mental health services for offenders
- The VARI includes seven goals and 140 recommended improvements, including:
 - While security is DOC's primary focus, the agency has realized that it needs to be more aggressive in preparing incarcerated offenders for their eventual release into the community
 - DOC's recommended improvements include organizational changes, the use of offender risk and needs assessments to determine offender program participation, the prioritization of programs and vocational training to those offenders within five years of release, the implementation of new initiatives like Intensive Re-entry Programs, the development of methods to monitor and evaluate DOC's performance, and educating community organizations about the needs of released offenders
- To date, two of the VARI's seven goals have been completed

Additional Re-entry Funding Likely to Be Sought

- The Department of Corrections has requested several items related to implementation of the VARI, including:
 - \$345,000 GF annually for the creation of a VASAVOR (Virginia Serious and Violent Offender Re-entry) program in the City of Richmond
 - DOC has two such programs now – Fairfax County and the City of Newport News
 - \$869,000 GF annually for 16 new sex offender monitoring positions
 - There are 3,751 adult probation and parole offenders who are required to register on Virginia's Sex Offender Registry
 - \$400,000 to create a pilot return to custody center permitting work-release for offenders within 90 days of release at Indian Creek and St. Brides Correctional Centers in Hampton Roads
 - Very limited participation – only 82 beds for return to custody center
 - Indian Creek (level 2) holds 1,002 total inmates and St. Brides (level 2) holds 1,200 inmates
 - Indian Creek Correctional Center (level 2) is a dormitory style facility specializing in substance abuse and is one of the largest therapeutic community programs in the nation
 - St. Brides Correctional Center (level 2) is a reception and diagnostic in addition to a long-term behavioral treatment program
- In addition, the Non-Violent Offender Task Force will likely request \$150,000 GF for a pilot technical violator rapid enforcement program in three to five locations

Measuring Results Before Expanding Re-entry Funding

- Virginia's recidivism rate for released offenders is better than all large states and Virginia provides better supervision than many other states
- Prior to funding any new re-entry proposals, performance measures should be developed to gauge the proposal's expected outcomes and value
 - This is mentioned in the National Institution of Corrections' re-entry model – which served as the basis for the VARI – as a necessary condition for a credible program
- Funding proposals should be primarily measured in terms of their impact on Virginia's recidivism rate
 - Every re-incarcerated probation violator costs on average \$24,024 for each year held in DOC facilities
 - If Virginia's current 26.1 percent recidivism rate were reduced by just one percent, the need for 368 beds could be eliminated – saving about \$8.8 million
- Measures could include:
 - Re-arrest rates, reconviction rates, reductions in the number of violators committing new crimes, or reductions in the number of technical probation violators
 - DOC has now began tracking re-arrest and reconviction rates for probation violators
- In addition, consideration should be given to a proposal's purpose
 - Does the creation of day reporting centers for nonviolent offenders make sense when they were often used in the past for intensive supervision of violent offenders?

Final Thoughts

- In response to budget constraints, Virginia has managed its state-responsible and local-responsible populations more systematically, using available capacity in prisons and local and regional jails
 - Both prisons and local and regional jails were constructed with state funding
 - Closing additional prison facilities may be difficult
- While Virginia has an excellent recidivism rate, there may be opportunities to improve the recidivism rate through currently on-going offender re-entry efforts
 - For instance, if the number of re-incarcerated probation violators over a 3-year period could be reduced by just one percent, 368 beds – the size of two field units – could be eliminated
- New crimes are unpredictable, so to bend the cost curve on Virginia's correctional costs, more effective strategies will have to be developed to reduce probation violations, especially technical violators, which constitute 45.4 of new prison sentences
 - HAC staff have previously recommended graduated sanctions for technical probation violators, who are likely the "low hanging fruit" in offender re-entry
 - More time is necessary for implementation of recent General Assembly initiatives and the VARI, and these efforts should be given the necessary time to reduce Virginia's recidivism rate prior to the initiation of new initiatives
- The General Assembly is likely to hear more about the recommendations offered by the Non-violent Offender Task Force and Department of Corrections during the Session
 - However, any funding request must be accompanied by performance measures for subsequent evaluation
 - In addition, given Virginia's exceptionally low recidivism rate, the General Assembly must be aware that there may be diminishing marginal returns for any new re-entry related funding requests