



The Justice Reinvestment Initiative

Thinking Local for State Justice Reinvestment

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Justice reinvestment is a data-driven approach to criminal justice reform designed to examine and address cost and population drivers and generate cost savings that can be reinvested in high-performing public safety strategies.

Across all levels of government, leaders seek creative approaches to reduce costs, respond to community needs, and achieve a better return on their investments in programs and services. The Justice Reinvestment Initiative (JRI) exemplifies one such approach. JRI operates at both the state and local levels, helping jurisdictions examine corrections and related criminal justice spending, manage and allocate criminal justice populations in a more cost-effective manner, and reinvest savings in data-driven strategies that enhance public safety. Leaders in 24 states and 17 localities have implemented JRI with the help of technical assistance providers, working with colleagues across multiple agencies and organizations to identify and implement data-driven strategies that prioritize justice system resources according to risks and needs. This approach is designed to target evidence-based programs and services to those who pose the greatest risk to the community. The savings achieved from these measures are to be reinvested in new or expanded evidence-based practices.

A successful justice reinvestment strategy at the state level requires engagement, collaboration, and support from state and local actors. Multiple stakeholders—including state and local police; county sheriffs; locally elected or appointed judges; the broader judiciary; state and county prosecutors; public defenders; probation and parole officers; and the legislators and executives who set policy, fund, and administer justice system agencies—must work together to design and implement reforms. Without these state-local partnerships, justice reinvestment can generate confusion about and competition over resources, pushback on policy and practice changes, and resistance to changes in decisionmaking authority. This is particularly true if solutions shift (or appear to shift) populations from state to local control without taking into account the resources and infrastructure needed to support such a transfer.¹ In designing strategies to manage the size of their prison population more effectively, states must consider the effects that the changes will have on local jurisdictions. Successful change hinges on the collaboration of state and local policymakers and practitioners.

While JRI is currently being implemented at both the state and local levels, this policy brief considers the importance of collaboration with **local justice partners** in the formulation and implementation of **state-level justice reinvestment solutions**. It highlights the importance of

1. sharing data to identify and implement cost-saving solutions,
2. partnering to promote successful policy implementation, and
3. investing locally.

Sharing Data to Identify and Implement Cost-Saving Solutions

With justice reinvestment, data drives policy. Near real-time, system-wide information is critical to every step throughout the JRI process, from learning what is driving prison growth, to identifying promising policy and practice solutions, to facilitating and monitoring effective implementation of cost-saving strategies. Collaboration and data sharing between local and state agencies is central to success at every stage.

The first step toward more cost-effective policy solutions is understanding how the criminal justice system currently works. This requires data. A number of local and state agencies have to contribute information to generate an accurate picture of what is driving prison populations and costs. State-level stakeholders should have readily available information on the corrections population (including prison and often probation and parole) from the state's corrections department. But that is only part of the picture. Local data—such as arrest records, jail custody information, local probation, and sentencing data from the courts—provide greater insight. These data sources support analyses that illuminate which local factors are driving state criminal justice population growth and associated costs. In some states, localities may even be leading the way on this front. For example, leaders in Grant County, Indiana, developed a data dashboard to afford all criminal justice system stakeholders access to key data (e.g., average daily jail population and average length of stay) in near real time. Though the primary

goal of the dashboard was to help stakeholders learn about changes in local criminal justice populations, the Indiana Supreme Court's Division of State Court Administration recognized potential benefits for other counties and the state, and is now implementing the tool. The state intends to use the model as a template for other jurisdictions.²

Although many local agencies will gladly share their data with state leaders, others may be reluctant, particularly if they perceive that the information will be used to increase their workload or result in a reduction of resources. For this reason, it is important for states to involve local jurisdictions in the analysis and interpretation of data from the outset. The local perspective is also critical in ensuring that findings are interpreted correctly. Oregon's work in this area has been particularly successful: representatives of the Oregon Criminal Justice Commission travel throughout the state periodically to convene Regional Implementation Councils. They present data to the councils on how local practices are affecting the state prison population, and provide a forum for discussion.³ Local agencies may then use the data for local criminal justice planning and improvement.

Another critical step in the JRI process is identifying which criminal justice clients have the greatest needs or pose the greatest risk to public safety. Most state-level policy solutions require the effective use of risk and needs assessment at multiple points in the criminal justice process to target services to high-risk populations. In many states, local agencies (e.g., probation authorities) oversee this function, but these agencies may have varying capacity to collect critical information. Thus, state and local partners may want to execute agreements that allow them to share client-level data with each other or create a shared data system or state-wide data repository to facilitate information sharing. They may also benefit from sharing training opportunities and resource materials. Providing local treatment and service providers with access to this information, as well as to staff trained in the principles of evidence-based practice, will allow those providers to target services toward those with the highest risks and needs. These assessments may also help state and local agencies forecast clients' demand for services in the community and ensure that the right clients are assigned the appropriate type (and intensity and dosage) of treatment and supervision.

Spotlight: Ohio

From the outset, judges, prosecutors, sheriffs, police chiefs, county commissioners, community corrections officers, and chambers of commerce in Ohio were deeply involved in the state's justice reinvestment work. Sheriffs noted that probationers were spending a substantial number of days (up to 90) in jail awaiting violation hearings. These long stays were not set by policy, but rather were the result of coordination challenges between jails and the courts. State policymakers responded by limiting the number of days that a probationer could spend in jail awaiting a violation hearing to 30 days after a violation is filed.⁴

Partnering with Local Stakeholders to Promote Successful Policy Implementation

The successful implementation of most state-level policy solutions hinges on strong partnerships with local stakeholders, who control many day-to-day criminal justice system operations. In many states, the majority of prison population drivers are influenced by decisions made by city and county agencies that often control, for example, arrest (police), charging (prosecutors), sentencing (judges), detention (jail administrators, judges, or pretrial programs), and violations or revocations of supervision (probation officers and judges). These agencies may respond to state policies that affect local resources and capacity by developing their own sets of policies and practices that may or may not align with the state's goal of managing growth in the prison population. If states hope to make lasting reductions in the size of the prison population without compromising public safety, they must consider how their policies affect—and are influenced by—local resources and decisionmaking. Further, they must secure buy-in from local stakeholders to maximize success.

Many states that have engaged in justice reinvestment have identified common levers and cost-saving policy solutions to curb prison growth. In fact, state reinvestment strategies often focus on three key decision points—*sentencing*, *release mechanisms*, and *community supervision*—each of which has a major influence on states' public safety expenditures. In many cases, each decision point presents opportunities for states to work with local partners to make smart, cost-effective choices about individuals' placement in custody or the community.

Sentencing

Reforms that amend sentencing statutes and policy have the potential to reduce the size of the prison population. However, sentencing reforms must be consistent with public safety, and successful implementation requires buy-in from local stakeholders. Local actors often have a tremendous amount of discretion in determining which defendants will be sent to prison and for what length of time. Local prosecutors, for example, have full discretion in determining what charges to file. In systems with mandatory minimums, habitual offender laws, and other penalty enhancements, the charges filed heavily influence sentencing outcomes. Local judges also hold discretion at key decision points. Even states with highly prescriptive sentencing laws typically have gray areas that allow for judicial discretion at the local level, especially in deciding between a sentence to prison or jail. This is particularly true in Louisiana, for example, where the judge, prosecutor, and defense attorney must all agree to waive certain mandatory minimum sentences as permitted by their JRI legislation (Noel, Blanchard-Romonach, and Courteau 2014).

Prison sentences may be assumed to be necessary in areas—often rural—where prison is the only programming or treatment option (Camarena 2008). Whether this is true may be a question of perception or reality. In any event, stakeholders must work together to understand the availability of programming and treatment. Where programming is truly scarce, state lawmakers can design JRI policies or target reinvestments to build capacity. Incentive funding of programs or supervision can

encourage judges and other local partners to use or create local options, such as treatment-based alternatives to incarceration (Vera Institute of Justice 2012). Some states provide additional funding to local jurisdictions that opt for community-based placement or jail over prison time. For example, North Carolina's justice reinvestment legislation established the Statewide Misdemeanant Confinement Fund and authorized the Department of Corrections, in collaboration with the North Carolina Sheriffs' Association, to reimburse counties willing to house and care for misdemeanants serving 90- to 180-day sentences.⁵ The state fund covers costs related to each misdemeanant, including housing, care, supervision, transportation, medical care, and other related costs. South Dakota's JRI legislation created a similar locally oriented reinvestment program (Pew Charitable Trusts 2013). A reinvestment fund operated by the Department of Corrections rewards counties for holding probation violators in local jails rather than sentencing them to prison.⁶

Other states have passed legislation that can reduce funding to counties that incarcerate individuals who are reasonable candidates for community placement (Pew Center on the States 2008). For example, Ohio's JRI legislation requires the Department of Rehabilitation and Correction to adopt standards determining which categories of offenders are appropriate for community-based corrections facilities, and bases state financial assistance to local facilities on the number of admitted offenders who satisfy the standards.⁷

Spotlight: Resource Incentives for Local Placement

Pennsylvania passed legislation enabling a new funding mechanism between state and local governments. Under the legislation, the state would provide funding to counties when judges choose sentences involving local custody in lieu of prison for certain defendants facing relatively short prison sentences (admission to prison within one year of reaching parole eligibility). An analysis of the impact of a similar incentive-based strategy in Michigan showed that felony dispositions resulting in a prison sentence fell from nearly 35 percent to less than 22 percent over an eight-year period (Pew Center on the States 2008).

Release Mechanisms

Even for sentences to prison, government can set policies to shift appropriate individuals to safe and less expensive custody options, including parole release or transfer to a local jail or reentry center. Nationally, approximately 80 percent of prisoners will be released before the expiration of their prison sentence (Pew Center on the States 2014), and many will serve less than half of that sentence behind bars.⁸ The vast majority of states offer some type of sentence reduction program.⁹ In 2009, 31 states provided earned-time incentives to at least some state inmates (Lawrence 2009). Most offenders who earn release will be placed on postrelease supervision, which can cut both recidivism and corrections

costs (Pew Center on the States 2014). A number of JRI states have made release mechanisms a central part of their reforms. For example, legislative changes in Louisiana in 2011 and 2012 reduced the length of the sentence first-time nonviolent non-sex offenders had to serve before being eligible for parole, and allowed the parole board to consider second-time nonviolent non-sex offenders for parole (La Vigne et al. 2014).

Although effective in relieving prison populations, policies that promote supervised release to the community can raise public safety concerns. Though some research has shown that expanding earned-release mechanisms and mandating postincarceration supervision have been associated with an overall positive impact on public safety (Drake, Barnoski, and Aos 2009; Pew Charitable Trusts 2014a), high-profile cases in which released parolees commit new crimes may influence public opinion and fuel opposition to these strategies. To prepare for the near certainty of some new crime, state and local policymakers need to build strong partnerships. Corrections leaders must also strive to earn the community's trust to secure support for earned-release policies. Moreover, for policies such as supervised release to be successful, state and local leaders need to communicate to assess jurisdictions' ability to provide services and to ensure that policies are implemented faithfully.

Community Supervision

A sizable portion of individuals on supervision will violate one or more terms of their parole or probation.¹⁰ These violations can prolong time served on supervision and even result in additional prison time.¹¹ This drain on correctional resources is unnecessary, especially with the growing body of literature suggesting more effective ways of responding to violations. Accordingly, many states have developed policies that require or encourage the use of intermediate sanctions (in lieu of revocation) in responding to minor supervision infractions.

Local partners—particularly jail managers, probation officers, and law enforcement—must work with each other, and often with partners at the state level, to achieve a successful violation response strategy. Although the menu of sanctions available to a supervision officer varies, some officers have the authority to sanction a violator to a jail term. And if officers initiate revocation proceedings, probationers or parolees may spend weeks in jail awaiting a hearing. Supervision officers may inadvertently overwhelm counties with probation and parole violators. Further, because supervision functions are rarely controlled by sheriffs or jail administrators even if they are local functions, parole and probation officers have little financial incentive to moderate their use of jail beds.¹² Limited space in county jails could eventually push this population back into the prison system.¹³

In response to this challenge, states are experimenting with the use of performance incentives for probation and parole agencies, to change both their use of revocations to prison and the number and kind of violations that result in jail sanctions.¹⁴ For example, South Carolina's JRI legislation provides incentives for effective probation and parole management by making the Department of Probation, Pardon, and Parole Services eligible to receive a portion of the savings that accrue to the Department of Corrections as a result of reducing revocations (La Vigne et al. 2014). Similarly, Ohio's Department of Rehabilitation and Correction administers incentive grants to probation departments supervising

felony offenders to reduce probation revocations (La Vigne et al. 2014). Others have responded to pressure on jail capacity by setting limits and restrictions on the use of jail in response to probation violations and revocations.

Ultimately, states and local jurisdictions need to work together to ensure that the state's proposed violation-response legislation aligns with local policy, practice, and capacity. For example, some states and localities have incorporated resource considerations into their sanctioning matrices. An Oregon statute provides guidance on the development of a structured sanctions grid for probation violations that takes into consideration the capacity of state prisons and availability of appropriate local sanctions (Lawrence 2008).

California's Public Safety Realignment and Voter-Led Initiatives to Reduce Incarceration

A brief on "thinking local" in state justice reinvestment would be incomplete without a discussion of recent criminal justice reforms in California. Facing a US Supreme Court mandate to reduce its prison population by more than 30,000 prisoners, the State of California enacted sweeping justice realignment legislation in April 2011, effectively shifting responsibility for a sizeable portion of felony offenders from the state to the counties. In passing Assembly Bill 109, or "Realignment," the legislature was clear that the goal was not simply to reduce overcrowding but to reallocate resources toward locally administered, cost-effective, evidence-based alternatives that have the potential to cut recidivism and shut the revolving door of the state's prison system. In addition to Realignment, two voter-led initiatives to reduce incarceration have since passed, each of which affects the incarceration and supervision of offenders at state and local levels. Though the state has not followed the JRI model (forming a bipartisan interbranch working group to develop data-driven policy recommendations), California's recent reforms share common goals and highlight the importance of thinking local in crafting statewide policy solutions.

How California realigned its criminal justice system: Assembly Bill 109 fundamentally changed the state's management of individuals convicted of certain nonserious, nonviolent, nonsexual (N3) felony offenses, shifting responsibility for these offenders from state prisons and parole to county jail and probation. Under Realignment, individuals convicted of eligible N3 offenses serve their sentences under the jurisdiction of the county either in jail, on probation, or on a split sentence (i.e., a jail term followed by probation). Only individuals with a current or prior conviction for a serious or violent felony are eligible to be sentenced in state prison.¹⁵ Similarly, only the most serious offenders are supervised by state parole upon release; others are supervised by county probation under newly created postrelease community supervision. Finally, the majority of individuals with a technical parole violation no longer return to prison—rather, they face a maximum of 180 days in jail.¹⁶

This shift from the state to localities was accompanied by additional funding through a dedicated permanent revenue stream, but counties were charged with developing and implementing individualized management strategies. Each county was directed to create a Community Corrections

Partnership to develop a plan for its local jurisdiction. The law placed few restrictions on how counties could use the funds, giving them discretion to increase local jail capacity and invest in a wide range of noncustodial alternatives.

Additional voter-led initiatives to reduce incarceration: Building on Realignment, voters overwhelmingly approved subsequent ballot propositions in 2012 and 2014. Proposition 36 modified the state’s “three strikes law,” which had previously allowed an individual to be sentenced to life in prison for a nonviolent crime if he or she had two prior felony convictions (California Secretary of State 2012). In contrast, the new law imposes life sentences only for serious or violent new felony convictions. It also allows some individuals sentenced to life for less serious crimes under the three strikes law to apply for resentencing by the courts (California Secretary of State 2012).

Proposition 47 reclassified a number of nonviolent drug and property crimes from felonies to misdemeanors (California Secretary of State 2014). Individuals convicted of these crimes now face reduced penalties, and savings realized from the reform are to be reinvested in truancy prevention, mental health and substance abuse treatment, and victims’ services. Further, like Proposition 36, the new law allows certain offenders convicted of eligible crimes to apply for reduced sentences (California Secretary of State 2014). However, unlike the previous initiative, the vast majority of offenders affected by this change are managed at the county level, and the impacts of the reforms will be observed largely at the local level in reduced time in jail and under community supervision. Notably, however, those individuals who were or would be sent to state prison are now managed at the county level (California Secretary of State 2014).

Measuring the impact of realignment: Though it is still too early to measure long-term results, data are now available to investigate initial impacts. Realignment has clearly succeeded in cutting the state prison population. The California Department of Corrections and Rehabilitation estimates that Realignment has reduced the state’s prison population by about 25,000 (California Department of Corrections and Rehabilitation 2013). A recent analysis by the Public Policy Institute of California (PPIC) also found that although the average daily population in the state’s jails has risen by approximately 12 percent since Realignment was implemented, the overall incarceration rate—including rates for both prisons and jails—has declined (Lofstrom and Raphael 2013a). A companion report documented that Realignment has not resulted in an increase in violent crime, though it does seem to have contributed to an increase in property crime driven entirely by an increase in auto theft (Lofstrom and Raphael 2013b).

It is important to note that statewide analysis masks significant variability from county to county. According to the PPIC analysis, 16 counties reported that their jails were operating over capacity in 2012, up from 11 in 2011 (Lofstrom and Raphael 2013a). And a recent qualitative study identified concerns on the part of local stakeholders about crowding and management of a higher-risk population in local jails and on probation (Petersilia 2014). It will be some time before the long-term fiscal and public safety impacts of these unprecedented reforms on the state and its 58 counties are fully

understood. Yet all eyes are on California as their experience will have wide-ranging implications for justice reinvestment.

Investing Locally

States that have engaged in the JRI process are aware of potential local impacts, and many have taken steps to reduce the potential burden on localities by including funding provisions, implementing graduated sanctions grids or pretrial reforms, expanding earned discharge from probation and parole, and using a number of other strategies. For example, Mississippi's 2014 JRI legislation included a provision aimed at reducing jail overcrowding by capping the time probationers and parolees can be held in jail awaiting hearings for technical violations at 21 days (Pew Charitable Trusts 2014b). The legislation also mandated that the Department of Corrections reimburse counties for holding individuals awaiting technical violation revocation hearings (Pew Charitable Trusts 2014b). In addition, among other policy changes, JRI legislation in Arkansas in 2011 required implementation of graduated sanctions and incentives for offenders on community supervision and streamlined parole release. The state subsequently saw a decline in its county jail backlog, which fell from a high of 2,500 to just 300 in the fall of 2012 (La Vigne et al. 2014). Finally, Kentucky's 2011 JRI legislation included reforms to a number of pretrial policies that resulted in a one-year 5 percent increase in the pretrial release rate and saved counties approximately \$25 million in jail costs (La Vigne et al. 2014).

Yet it is important to recognize that shifting populations from state to local jurisdictions by increasing jail use or local supervision will have an impact on resources and capacity. Even when the state funds local governments to meet demand for services and jail space, local agencies will need time to prepare the space to accommodate an influx of additional clients. Localities may need to build capacity, expand existing infrastructure, train staff, and revise internal policies. Aside from an increase in sheer numbers, assessments of local capacity and resource needs must consider potential changes in the risk profile of the new supervision population.

Justice reinvestment strategies that divert prison inmates to local control may affect jail populations and costs. Addressing capacity and resource issues is particularly important in facilities that are already near or over capacity. In addition to housing limitations, jails have limited space (and usually insufficient staffing) to provide programming and health care services to inmates. Even if funds are available, short lengths of stay¹⁷ and the sizable number of people held pretrial¹⁸ may discourage jails from using those funds to provide programs to the small percentage of inmates who would be eligible and in custody long enough to receive such resources.¹⁹ Residential and outpatient treatment slots may also be at a premium, particularly following state and local budget cuts that reduce funding for mental health, homelessness, and substance abuse services. Community-based treatment and service providers will require adequate funding and support to expand capacity for new clients, and, even when funds are available, they may also need time to hire and train staff, expand facilities, secure new technology, and make other infrastructure changes. Finally, it is important to note that some localities

face additional barriers independent of resource constraints. For example, the jail in Yolo County, California, has been under a consent decree since 1991, which caps the number of inmates who can be incarcerated there.²⁰ Once the jail reaches the limit, the sheriff must release one person for each new admission. While somewhat unusual in the JRI context, multiple counties in California face similar constraints and have developed a number of strategies to manage admissions and releases within this context.

Conclusion

A successful state justice reinvestment strategy must consider how local jurisdictions will be affected by policy changes. Based on experiences in the 24 states in the Justice Reinvestment Initiative, one common question is whether cities and counties have sufficient resources (including time, money, infrastructure, staffing, treatment and programming capacity, and bed space) to implement policies and potentially take on new criminal justice populations. State policymakers will also want to strategize with their local partners about how to align their justice reinvestment efforts. Indeed, at the same time that states are looking to reduce the size of their prison populations, their partners in cities and counties are pursuing similar strategies through a local application of the JRI process. While state and local JRI work share similar goals, the strategies may operate at cross purposes without close coordination. Ultimately, states and local jurisdictions can and should collaborate to understand the potential impacts of criminal justice reforms and to ensure that the agencies responsible for overseeing affected justice populations have the ability and resources to do so.

“Thinking State” in Crafting Local Justice Reinvestment Solutions

At the same time that states are looking to reduce the size of their prison populations, their partners in cities and counties across the country are pursuing parallel solutions to reduce the size of jail populations and reinvest associated savings in evidence-based programming and practice. Though a number of local reinvestment strategies can be executed independently, some require—or would, at minimum, benefit from—coordination with state-level agencies and stakeholders. Thus, it is equally important for local working groups to “think state” and work with partners at the state level to make smart, cost-effective local choices about individuals’ placement in custody or the community. Collaboration and coordination with state colleagues is particularly important for the following efforts:

Improving case processing: One of the most commonly pursued local strategies is expediting case processing to ensure that individuals detained pretrial do not remain in jail longer than necessary. Implementing case processing interventions at the local level requires the cooperation and involvement of the court system at many levels, in particular at the level of county judges and prosecutors. It also requires a commitment from the state judiciary, which must provide the local court system with the funding and training necessary to facilitate efficient case processing.

Securing more flexible funding options: Several local JRI sites are pursuing strategies that shift significant portions of their jail populations to community-based supervision, treatment, or other services. Localities that encounter legal impediments to transferring funds between different agencies or entities to support these shifts can pursue assistance from state decisionmakers in amending laws as necessary. For example, a county may want to reallocate state funds originally slated for jail beds for another function (such as community-based drug treatment). State lawmakers can pave the way for this type of strategy by passing legislation to authorize more flexible use of funds.

Identifying best practices: States can serve as a resource and information hub regarding evidence-based programs, practices, and tools that have been successfully developed or implemented in different localities. As local stakeholders identify promising strategies—including new or improved risk and needs assessments, increased access to substance abuse or mental health treatment, and expanded data capacity—state leaders can provide guidance on local models across the state. Many states also provide regular training opportunities. For example, West Virginia has recently established a Justice Center for Evidence-Based Practice within its criminal justice planning agency that will synthesize relevant research, provide education and training on evidence-based policies and practices, and help stakeholders at all levels of the criminal justice system integrate evidence-based practices into their work.²¹ Staff in the center are currently working to integrate coordinated risk and needs assessment tools throughout the system, including both community programs and institutions.²²

Notes

1. Although specific strategies vary by state and jurisdiction, many involve shifting criminal justice populations to the custody of another agency that provides an appropriate, perhaps less costly, level of security. Individuals who are at low risk of recidivism generally need the least restrictive placement option and the fewest resources, even if their need is very high.
2. Leilah Gilligan (Center for Effective Public Policy), personal communication, August 2014.
3. Craig Prins and Michael Schmidt (Oregon Criminal Justice Commission), personal communication, December 2014.
4. Marc Pelka and Megan Grasso (Council of State Governments), conversation with the lead author, 2011.
5. North Carolina Justice Reinvestment Act, Session Law 2011-192, House Bill 642, Part VII.
6. Public Safety Improvement Act Oversight Council, 2014 Annual Report (State of South Dakota, November 2014).
7. Ohio House Bill 86, 2011.
8. First-time releases served, on average, 49 percent of their sentences in 1999. See Hughes, Wilson, and Beck (2001).
9. See a compilation of state sentence reduction programs from Connecticut's 2008 national good time study: <http://www.ct.gov/doc/lib/doc/pdf/pdfreport/nationalgoodtimestudy.pdf>.
10. One study estimates that about half of individuals on parole in California had at least one technical or criminal violation and about a quarter violated multiple times, typically for minor violations. See Grattet, Petersilia, and Lin (2008).
11. Violators who are returned to prison (just under half of released prison inmates) will serve an average of 13 additional months. See Hughes, Wilson, and Beck (2001) and Pew Center on the States (2011).
12. Some counties have responded proactively by implementing policies that reduce expenditures without sacrificing "swift and certain" response. For example, the postprison supervision department of Multnomah County, Oregon, was able to cut its jail consumption by 75 beds by limiting violators' length of stay in jail. The department expanded the number of sanctions available to supervision officers, resulting in more clients under heightened community supervision, and also allowed *more* violators to be sent to jail, but for shorter periods of time. The program is estimated to have saved the county over \$2 million in jail costs with no adverse impact on public safety. See Taylor (2009).
13. For example, one analysis of technical violators in Ohio found that this population was being held in prison pending violation hearings. See La Vigne and Thomson (2003).
14. In Michigan, counties that authorized probation agents to issue Probation Violation Waivers (in lieu of courts issuing bench warrants or petitions to show cause) experienced fewer jail admissions and a declining number of court appearances (Michigan Task Force on Jail and Prison Overcrowding 2005).
15. Individuals who are required to register as a sex offender or have been convicted of any of a list of specified crimes are also eligible to be sentenced to state prison.
16. Offenders serving an indeterminate life sentence are eligible to return to prison for violations of parole.
17. Jail inmates typically have shorter lengths of stay than those in prisons, with only 19 percent of those admitted to jail staying more than one month (Beck 2006, cited from Crayton et al. 2010).
18. The considerable size of the pretrial population may also discourage counties from developing in-custody programs for inmates who may be ordered to attend or whose custody status means that they will not pose a direct threat to the safety of the host county.
19. Many states provide funding to county jails to support the housing of inmates who are diverted from state prison. However, funding to jails specifically for programming and treatment is less common.

20. See *Roy v. County of Yolo* at the University of Michigan Law School's Civil Rights Litigation Clearinghouse: <http://www.clearinghouse.net/detail.php?id=12354>.
21. "How Three States Are Using Evidence to Build State Criminal Justice Policies," National Center for Justice Planning website, accessed <December 19, 2014>, <http://www.ncjp.org/content/how-three-states-are-using-evidence-build-state-criminal-justice-policies>.
22. Ibid.

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