

**Justice Reinvestment:  
Increasing Public Safety and  
Managing the Growth of  
Pennsylvania Prison Population**

Dr. Tony Fabelo

Fred C. Osher, MD

Michael Thompson

June 4, 2007

Harrisburg, PA

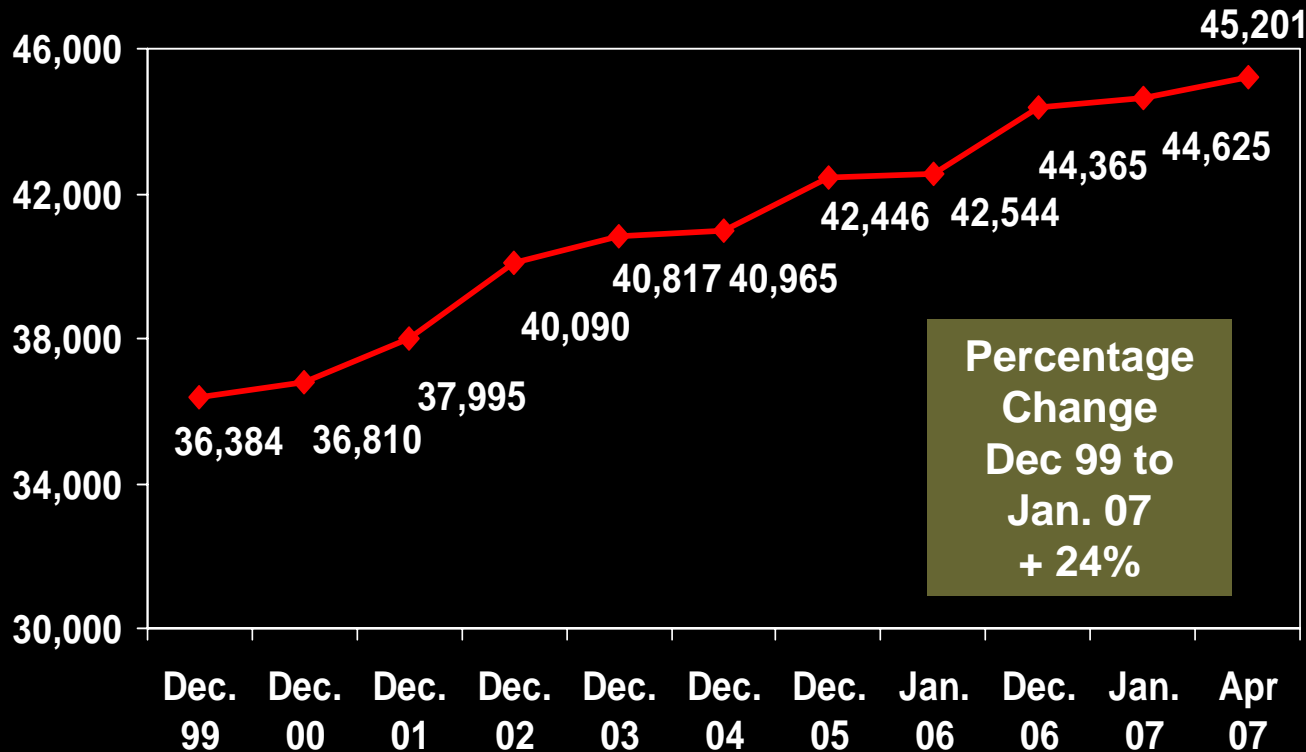
# Overview

**Challenge**

**Drivers**

**Options**

# The PDOC Population Has Grown Significantly Since 1999 and the Growth Has Accelerated in 2007



**Monthly average increase**  
**Dec. 1999 to Dec. 2005**  
**92 inmates per month**

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**Jan. 2006 to April 2007**  
**177 inmates per month**

# Prison Expansion Plan Has Been Proposed by PDOC to Address Prison Population Growth

Capacity Expansion Projects Required					
Opening Date	Institution	Type	Capacity Gain	Capital Costs	Annual Operating Costs
Jul-07	Pittsburgh	Re-open Institution	1,500	\$ -	\$ 47,770,000
Aug-07	Laurel Highlands	Modular Unit	150	\$ -	\$ 348,000
Aug-07	Pine Grove	Modular Unit	150	\$ -	\$ 348,000
Aug-07	Retreat	Modular Unit	150	\$ -	\$ 348,000
Jun-08	Laurel Highlands	New Housing Unit	230	\$ 13,500,000	\$ 957,000
Jun-08	Mercer	New Housing Unit	230	\$ 13,500,000	\$ 957,000
Jun-08	Muncy*	New Housing Unit	230	\$ 17,447,000	\$ 957,000
Jun-08	Smithfield	New Housing Unit	179	\$ 13,500,000	\$ 1,005,000
Dec-08	Coal Township	New Housing Unit	230	\$ 13,500,000	\$ 957,000
Dec-08	Cambridge Springs*	New Housing Unit	230	\$ 13,500,000	\$ 957,000
Dec-08	Pine Grove	New Housing Unit	230	\$ 13,500,000	\$ 957,000
Dec-08	Forest	New Housing Unit	128	\$ 15,500,000	\$ 1,053,000
Jun-09	Dallas	New Institution	2,300	\$ 195,500,000	\$ 41,300,000
Jun-10	Huntingdon	New Institution	2,000	\$ 181,500,000	\$ 39,900,000
Dec-10	Rockview	New Institution	2,000	\$ 181,500,000	\$ 39,900,000
<b>Total</b>			<b>9,937</b>	<b>\$ 672,447,000</b>	<b>\$ 177,714,000</b>

\* Female Inmates Only

**2,819 bed expansion approved**

**7,118 proposed**

**Total  
9,937**

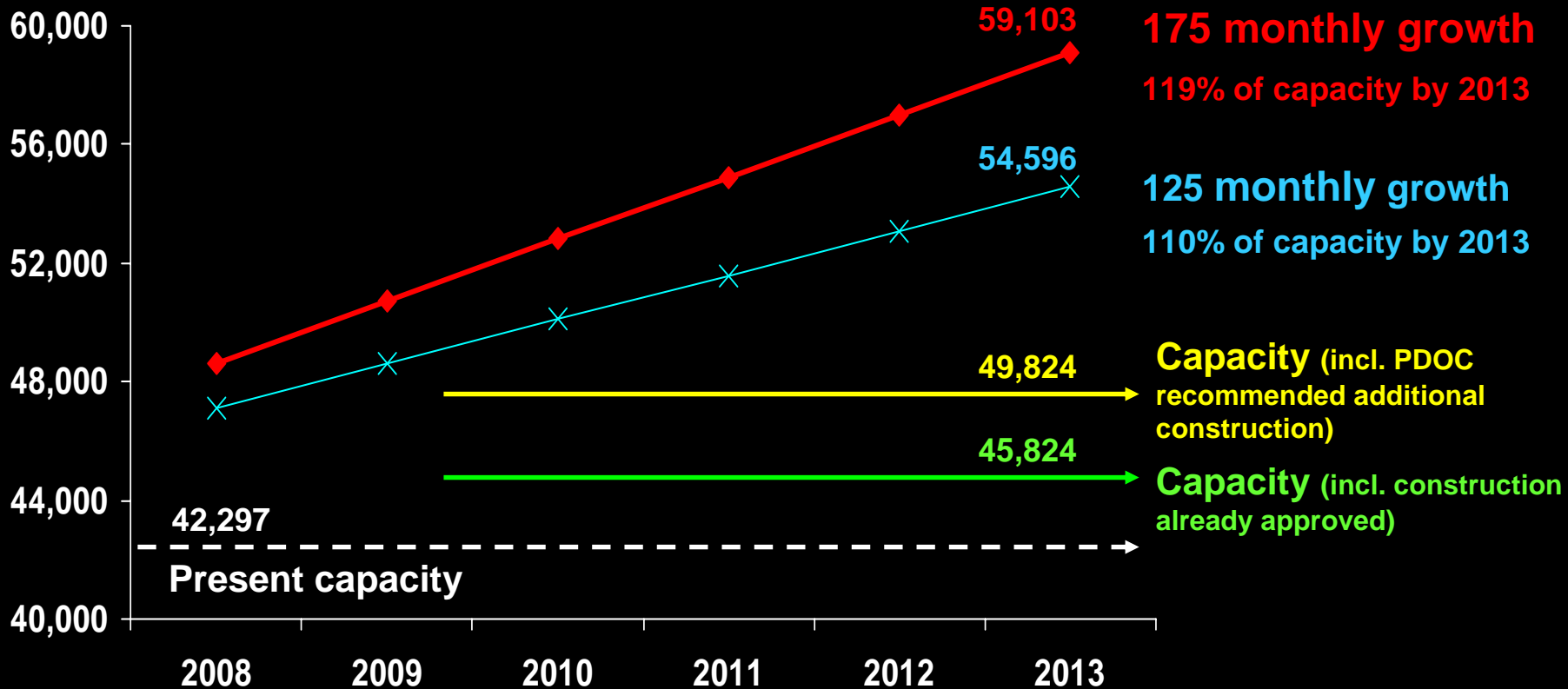
**Capital expansion cost: \$672.5 million**

**New annual operating expense: \$177.7 million**

**PDOC annual operating budget by 2012: \$1.8 billion**

# If Most Recent Growth Rate Continues PA Faces Significant Challenges Even with Capacity Expansion

Project PDOC Population Assuming Population Growth Rate of 2006 (175 Monthly Growth) and Lower Growth Rate (125 Monthly Growth)



# PDOC Population Growth is Driven by Practices and Policies Not by State Population Growth or Crime

<b>Pennsylvania Population</b>	<b>2000</b> 12,281,054	→	<b>2005</b> 12,429,616	→	<b>+ 1.2%</b>
<b>Reported Index Crimes</b>	<b>2000</b> 367,858	→	<b>2005</b> 353,205	→	<b>- 3.9%</b>
<b>Crime Rate</b>	<b>2000</b> 2,995	→	<b>2005</b> 2,841	→	<b>- 5.1%</b>
<b>Sentences</b>	<b>2001</b> 81,173	→	<b>2006</b> 91,804	→	<b>+ 13%</b>
<b>Prison Admissions</b>	<b>2000</b> 12,545	→	<b>2006</b> 18,141	→	<b>+ 45%</b>
<b>Prison Population</b>	<b>2000</b> 36,810	→	<b>2006</b> 44,365	→	<b>+ 21%</b>

# Overview

**Challenge**

**Drivers**

**Options**

# Main Drivers of Growth

## Pressure of jail overcrowding

More offenders admitted to prison for less severe offenses

Higher percentage of offenders being sentenced to prison than jail, particularly those with short sentences

## Low utilization of some prison diversion programs

Low utilization of State Intermediate Punishment (SIP) and intermediate sanctions for parole

## Recycling of offenders back to prison

Increase in parole violators admitted to prison

Shortage of prison programs and intermediate sanction capacity to reduce recidivism

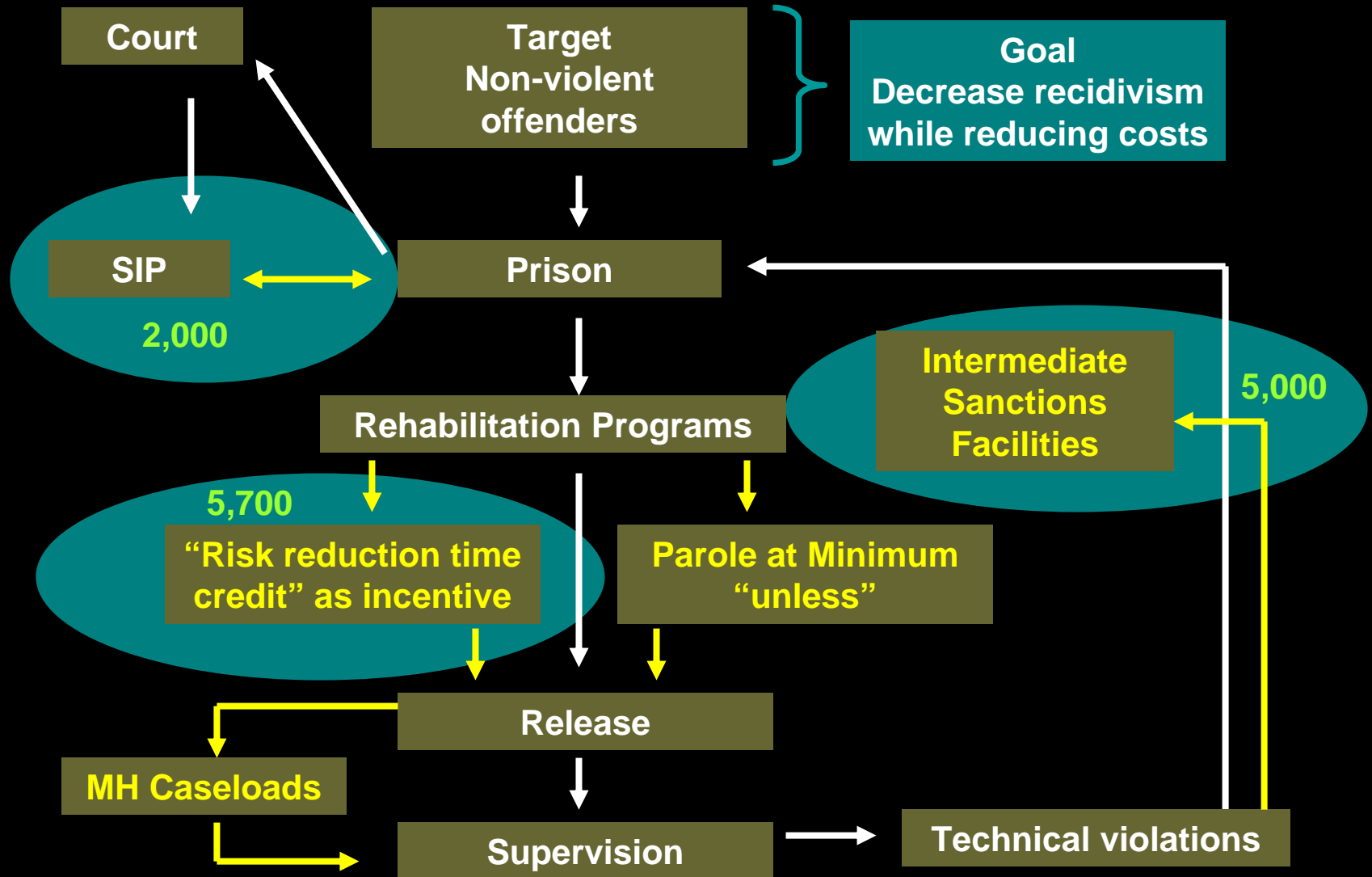
# Overview

**Challenge**

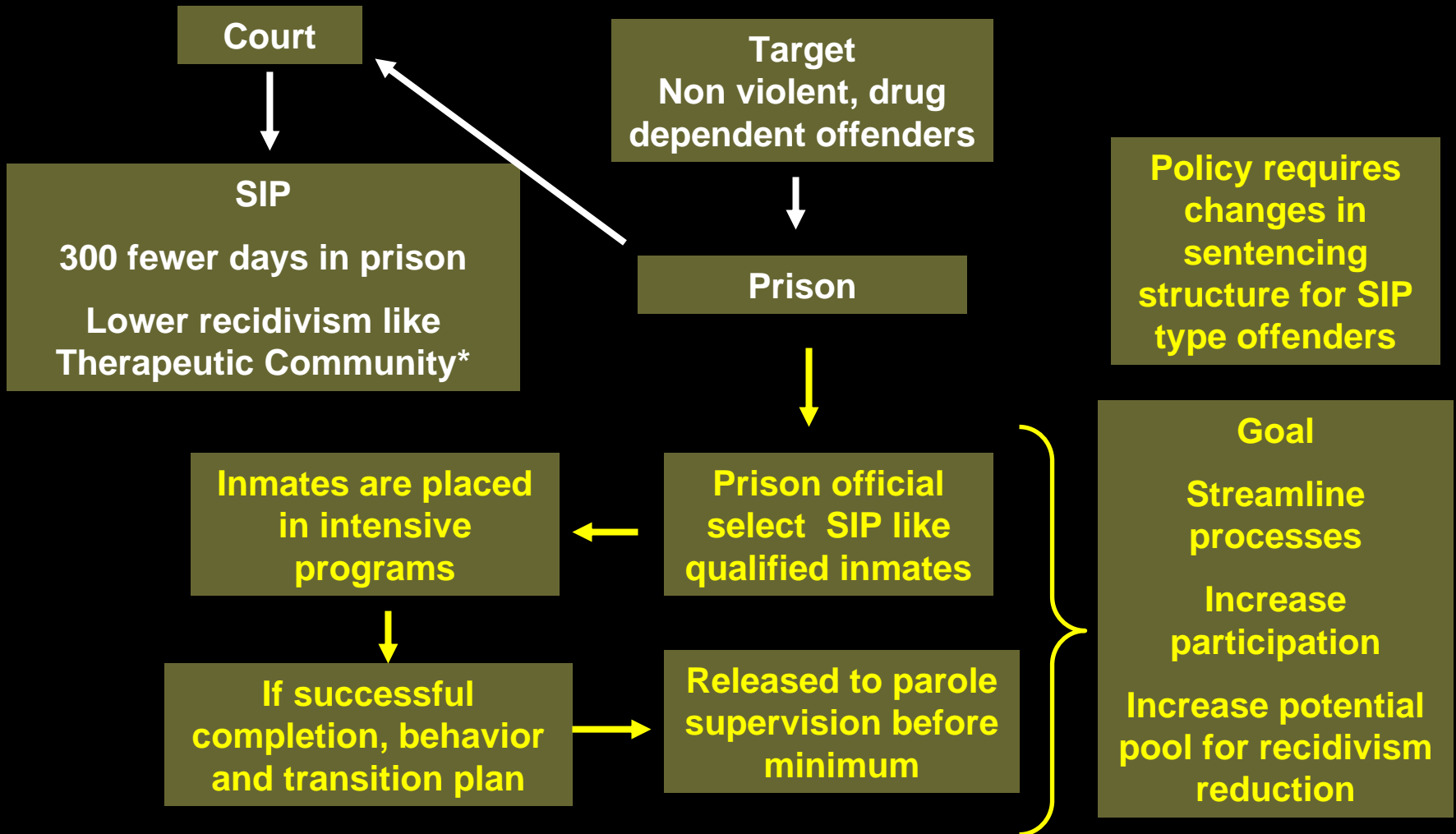
**Drivers**

**Options**

# Policy Elements of Any Short Term Reform

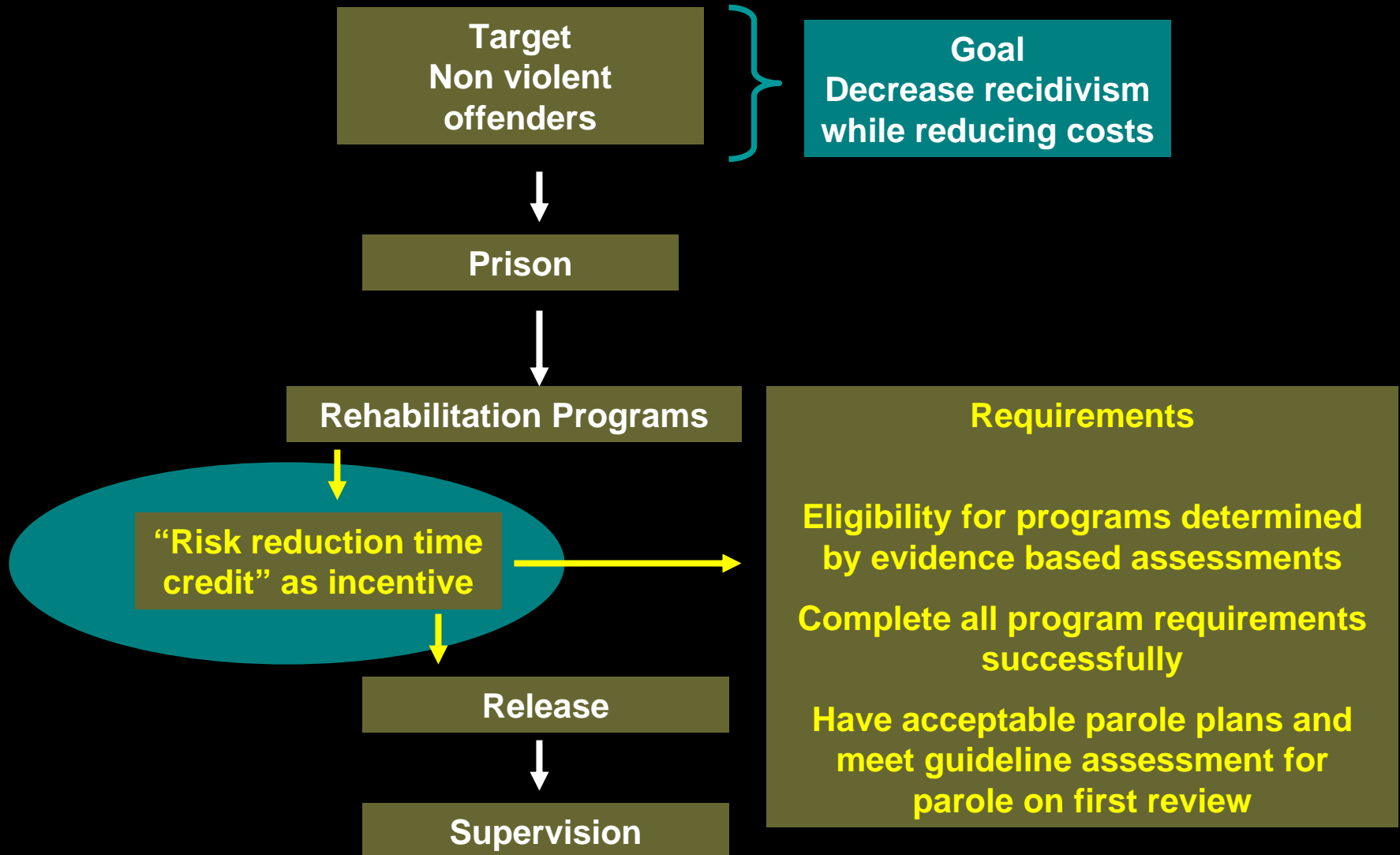


# Restructuring of SIP an Issue to Explore

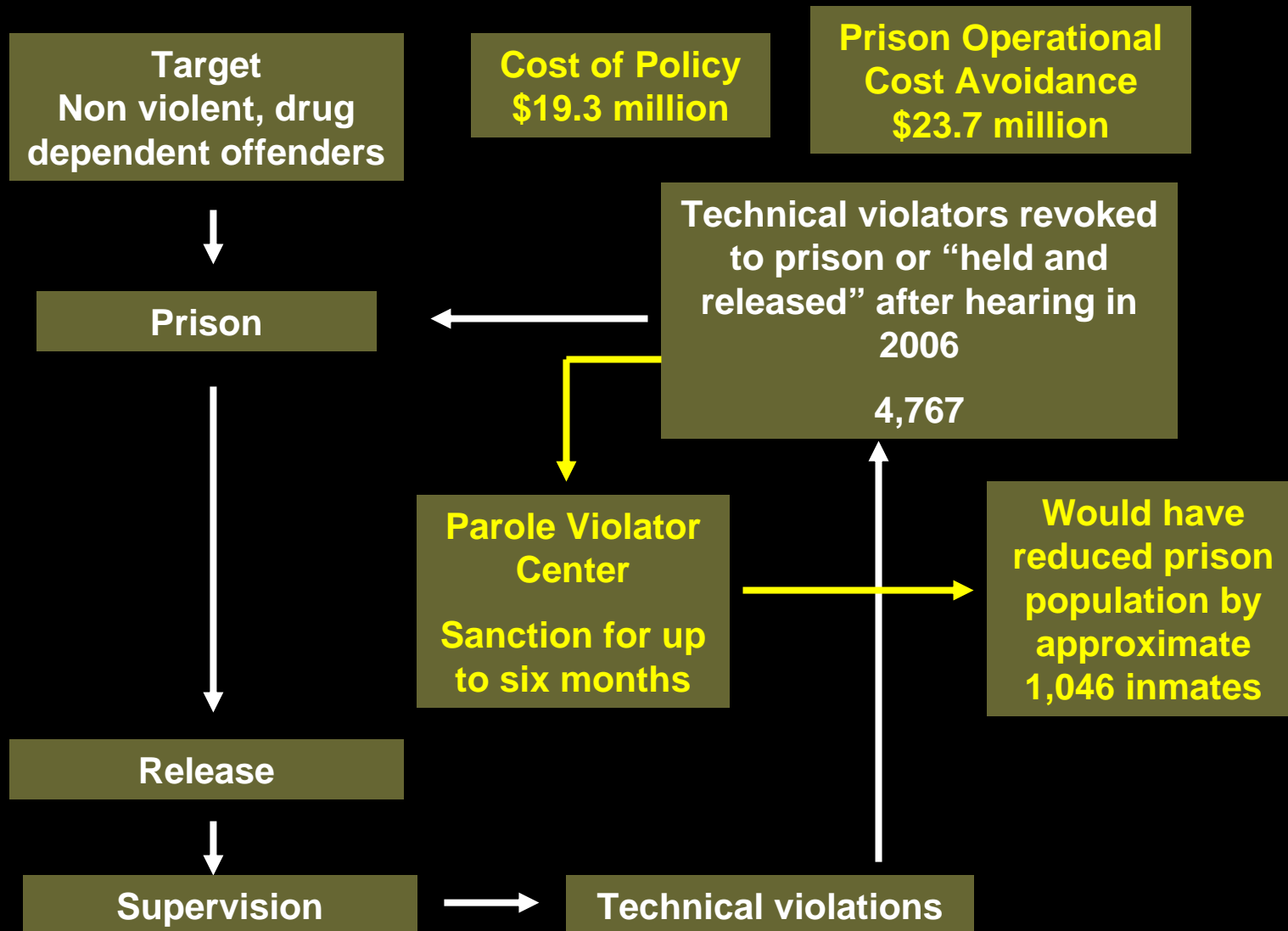


\* Recidivism rate for this group to be studied by DOC

# Risk Reduction Earned Time as Policy to Encourage and Reward Successful Program Completion

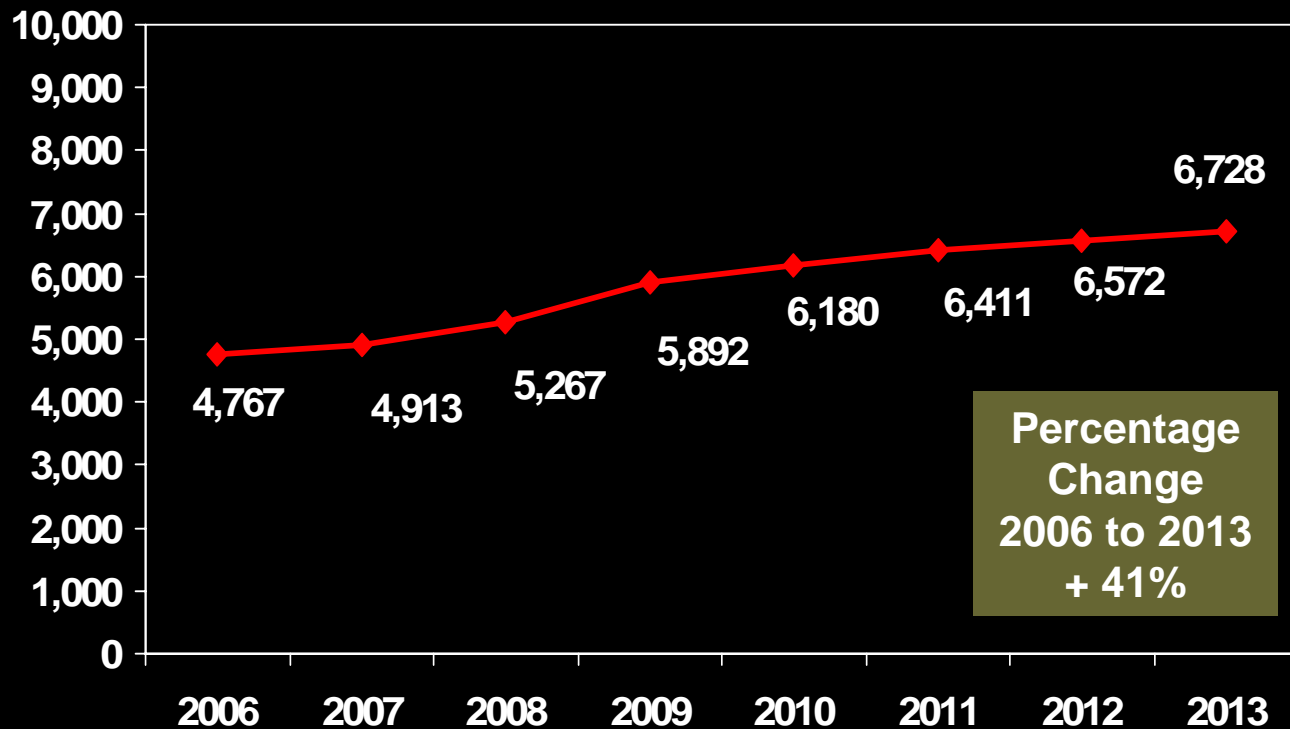


# Parole Intermediate Sanction Capacity a Key Policy to Sanction Violators Short of Prison Revocation



# Number of Violators Revoked or Held Projected to Increase Under Status Quo

Projected Technical Violators Revoked to Prison and Violators “Held and Released” with No Recommitment Action



# Reform Scenarios

Target: Non-Violent Offenders

## Scenario 1

### SIP

- Judges and DA stay involved in process
- 20% of potential SIP eligible will participate in program

### Risk Reduction Credit

- 20% of minimum sentence credit
- 50% of eligible population receives credit

### Technical Parole Violators

- 70% of technical parole violators diverted to new Violation Centers
- 25% failure rate

## Scenario 2

### SIP

- Alternate method to be determined for direct DOC program selection
- 50% of potential SIP eligible will participate in program

### Risk Reduction Credit

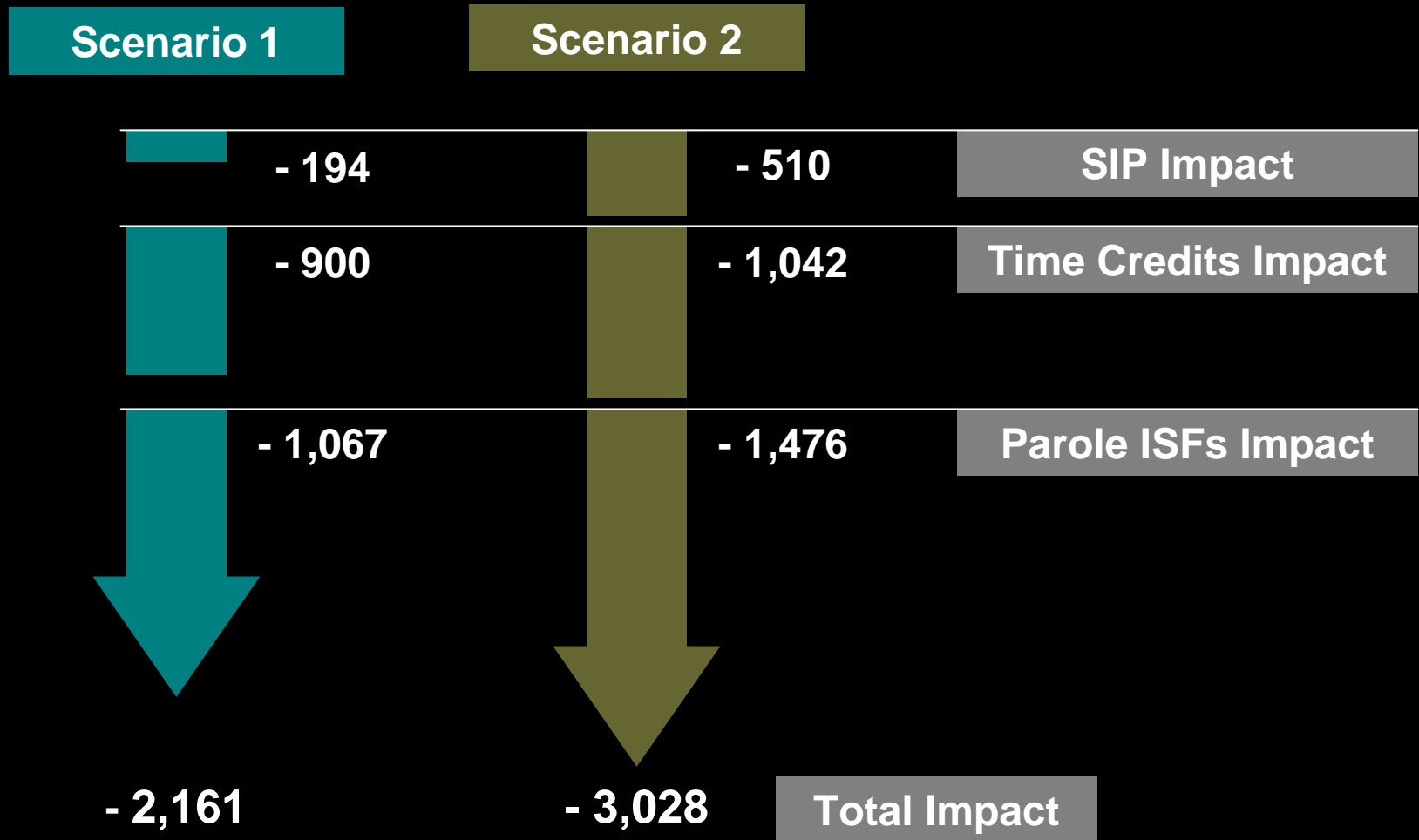
- 25% of minimum sentence credit
- Same

### Technical Parole Violators

- 100% of parole technical violators diverted to new Violation Centers
- Same

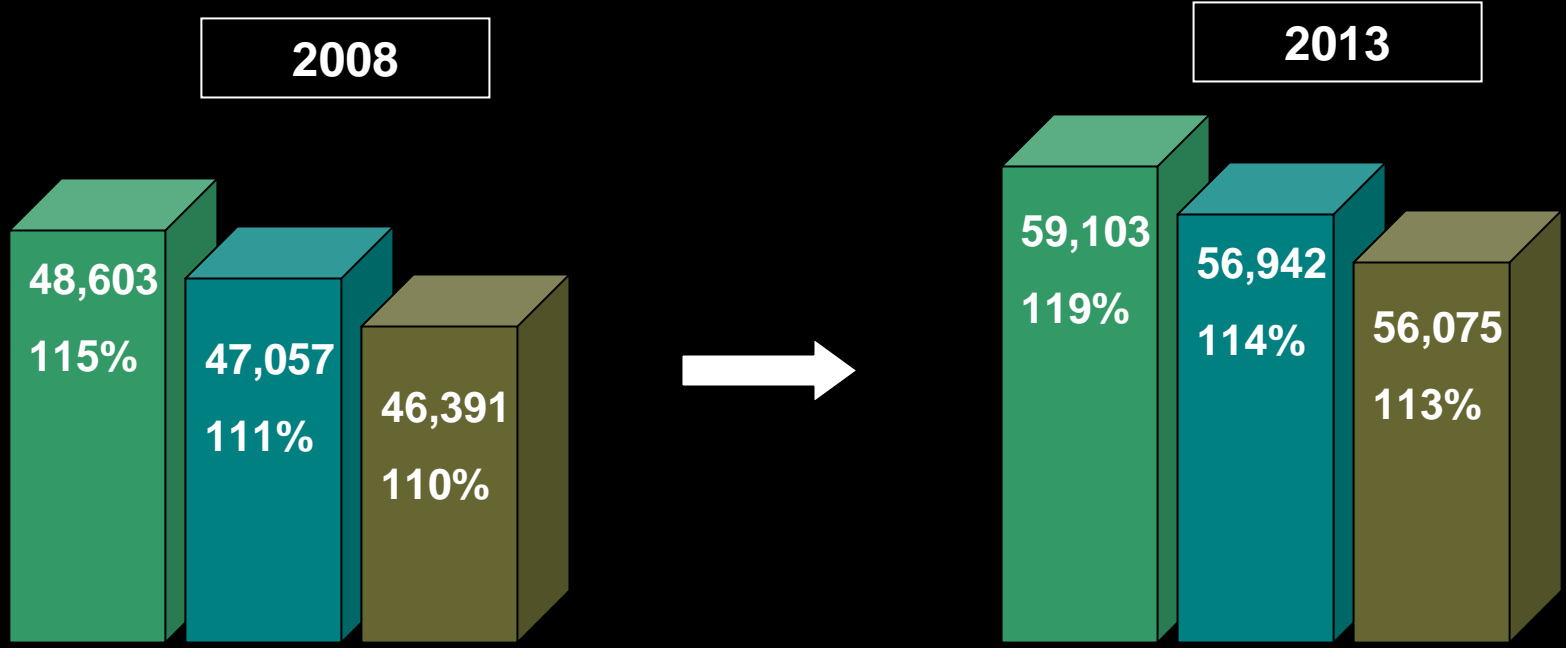
# Projected Impact of Policy Reform Scenarios

## INMATE POPULATION REDUCTION BY 2013



# Projected Impact on Population and Operating Percentage of Capacity – High Growth

## Projected DOC Population at 175 Monthly Growth Rate



Status Quo	Scenario 1	Scenario 2
175 Pop. Growth Per Month		

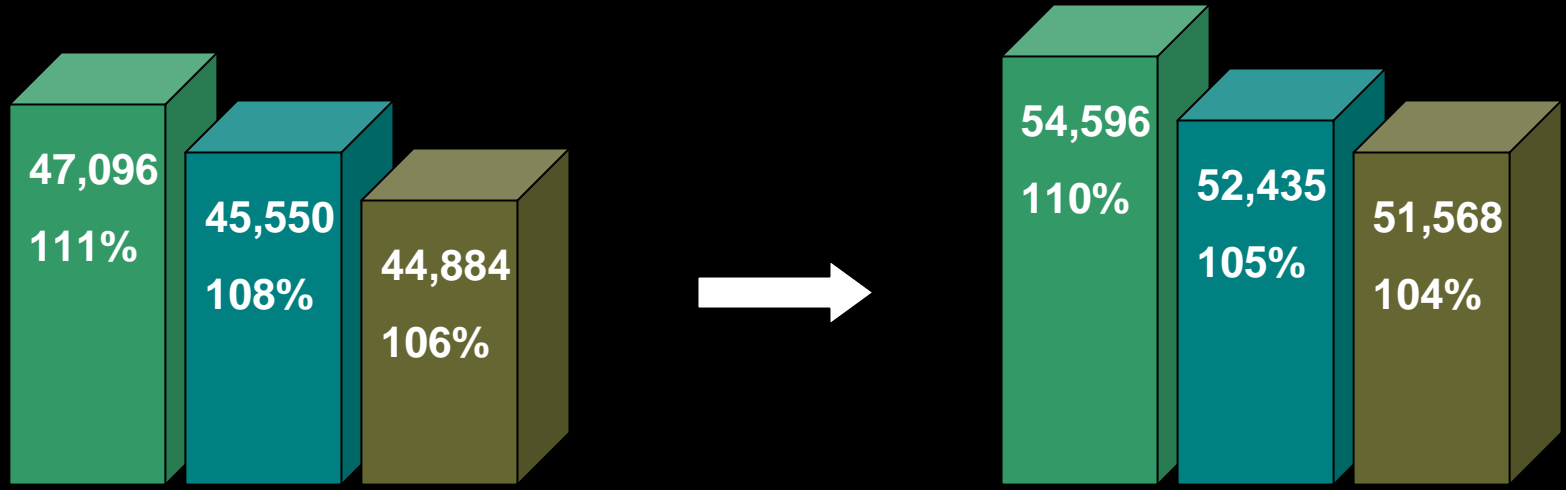
Operating prison capacity percentage based on assumption that all prison capacity authorized and proposed will be added

# Projected Impact on Population and Operating Percentage of Capacity – Low Growth

## Projected DOC Population at 125 Monthly Growth Rate

2008

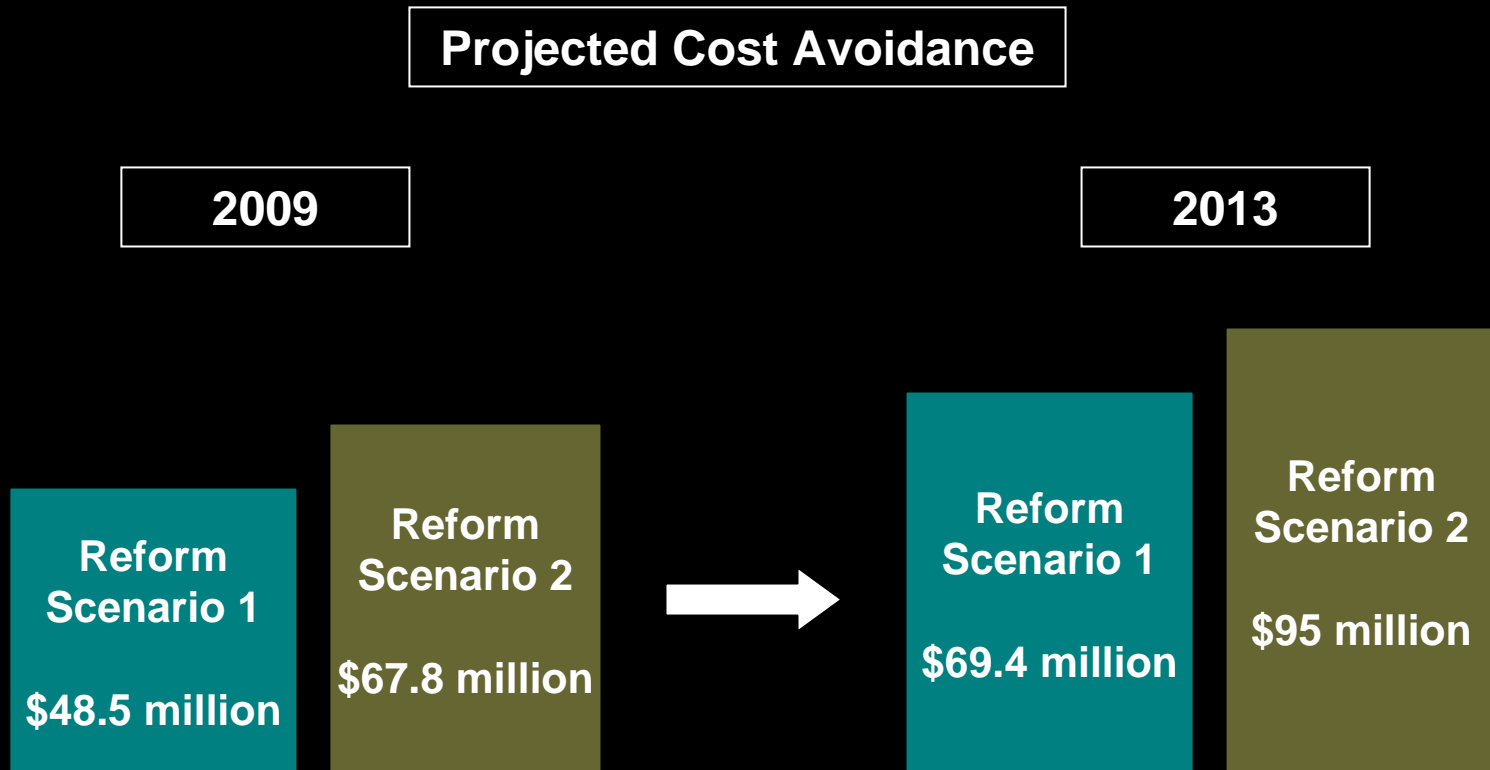
2013



Status Quo	Scenario 1	Scenario 2
175 Pop. Growth Per Month		

Operating prison capacity percentage based on assumption that all prison capacity authorized and proposed will be added

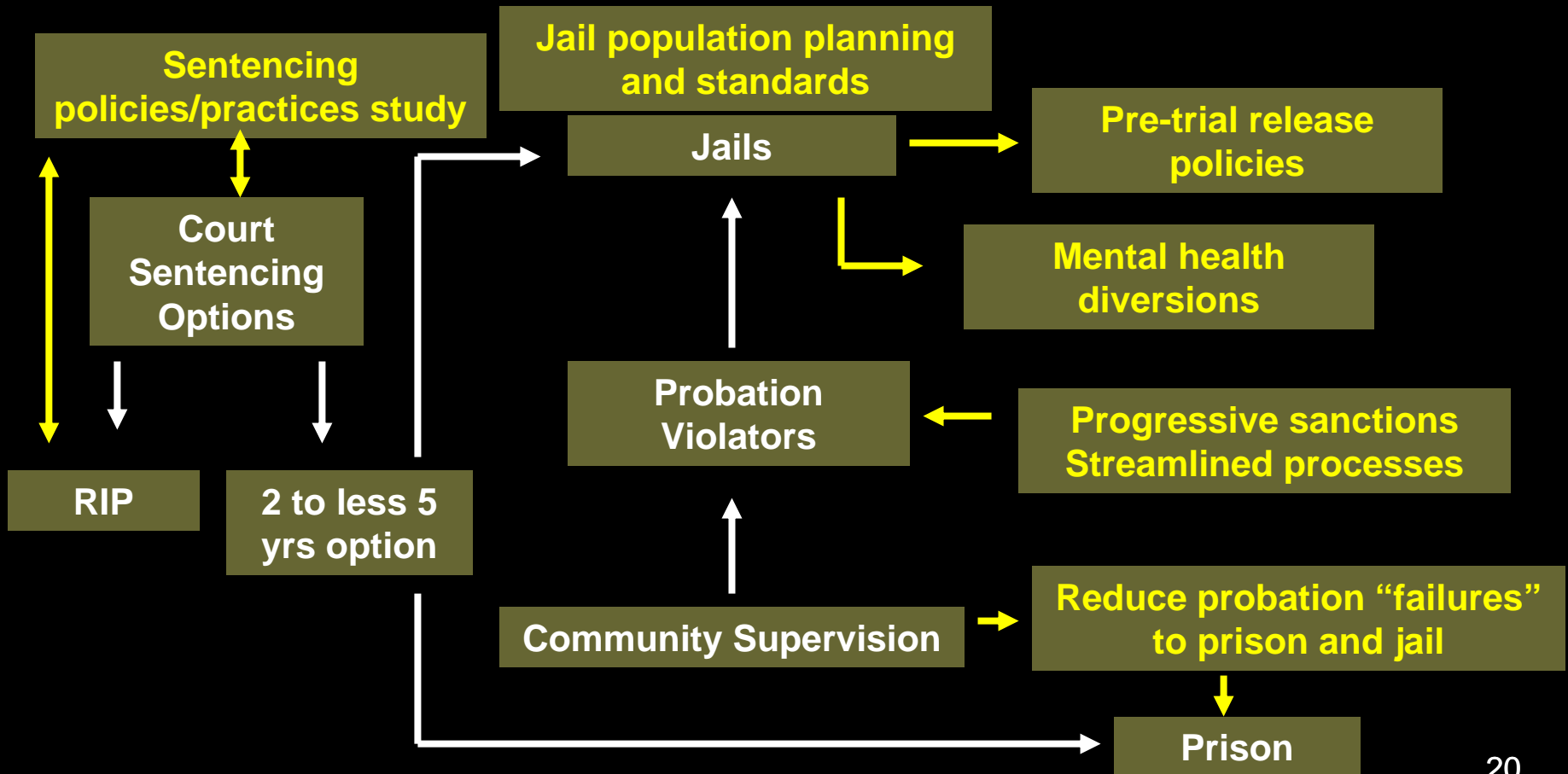
# Projected Cost Avoidance Due to Reduction in Prison Population



Based on an average prison operational cost of \$86 per day

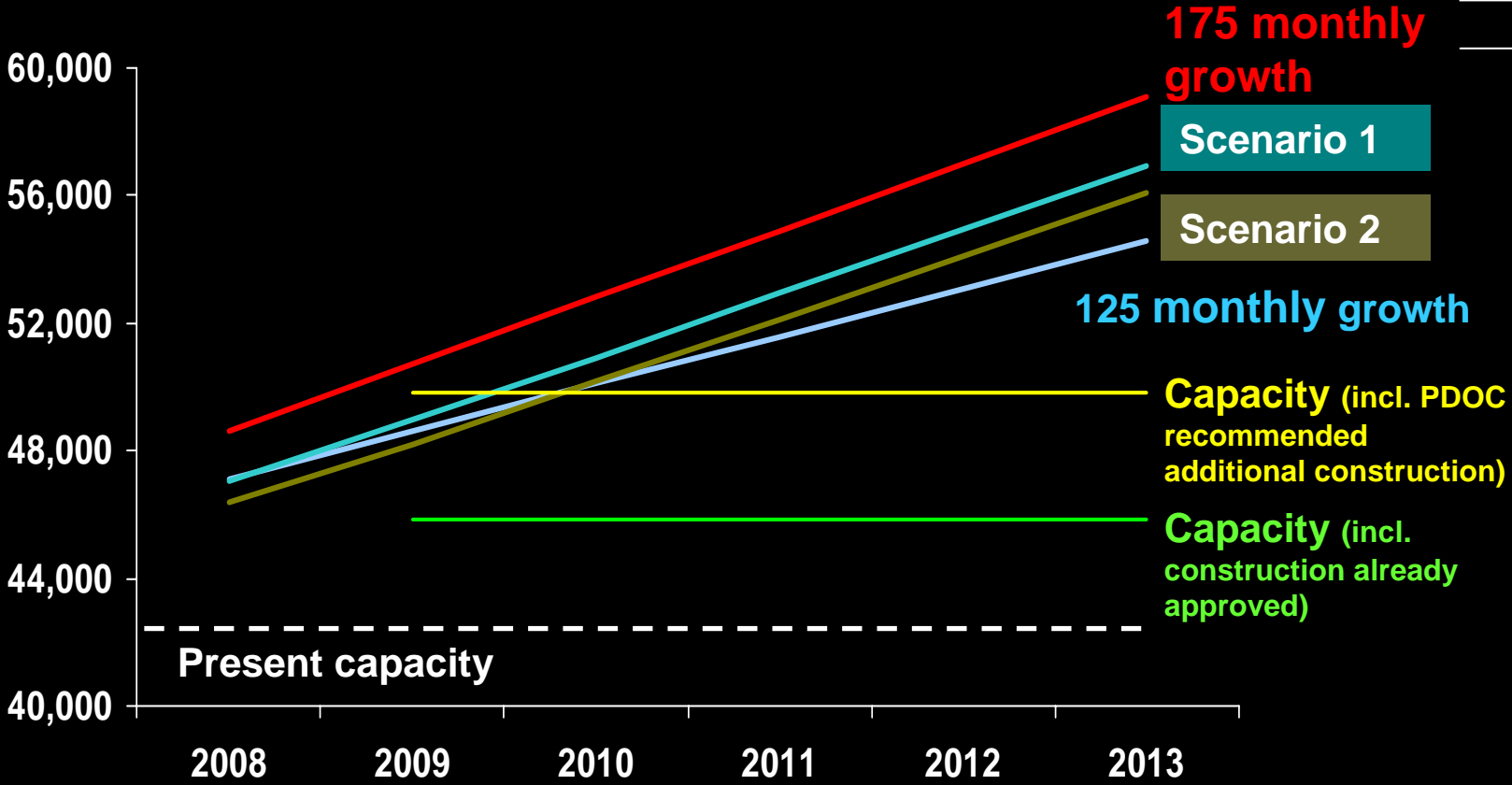
# Policy Elements to Explore for Long Term Reforms

**Goal**  
Reduce jail overcrowding to reduce local pressure to use prisons as a relief valve



# Projected Impact of Policy Options on Prison Population

Discrepancy of 9,279 beds



# Overview

## Challenge

Prison population growth

## Drivers

Pressure of jail overcrowding impacting sentencing and number of offenders sentenced to prison

Low utilization of front-end & back-end diversion programs

High recidivism of offenders released from prison

## Options

Re-examination of SIP program to increase participation

Adoption of risk reduction time credits and establishment of Parole Violator Centers for non-violent offenders

Examination of long-term issues dealing with sentencing, pre-trial, mental health and jail overcrowding

# **Pennsylvania's Opportunity to Improve Public Safety Through Effective Treatment**

**Fred C. Osher, MD**  
**Director of Health Systems and Services Policy**

**June 4, 2007**

# Overrepresentation of People with Mental Illnesses in the Criminal Justice System: How Did We Get Here?

**Arrested at disproportionately higher rates**

**Co-occurring substance use disorders**

**Jails as housing of last resort**

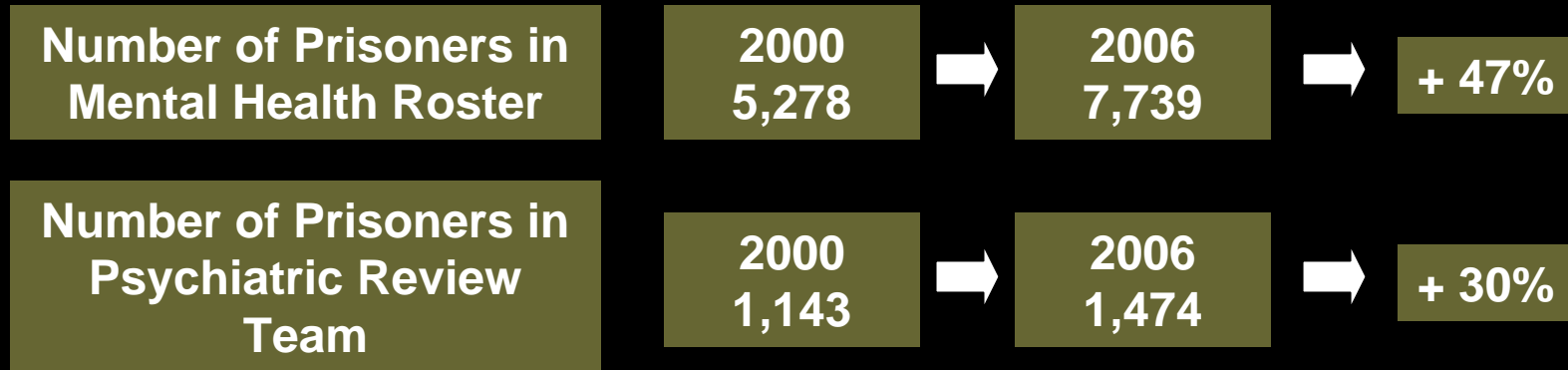
**Pathogenic nature of incarceration environments**

**Longer lengths of stay**

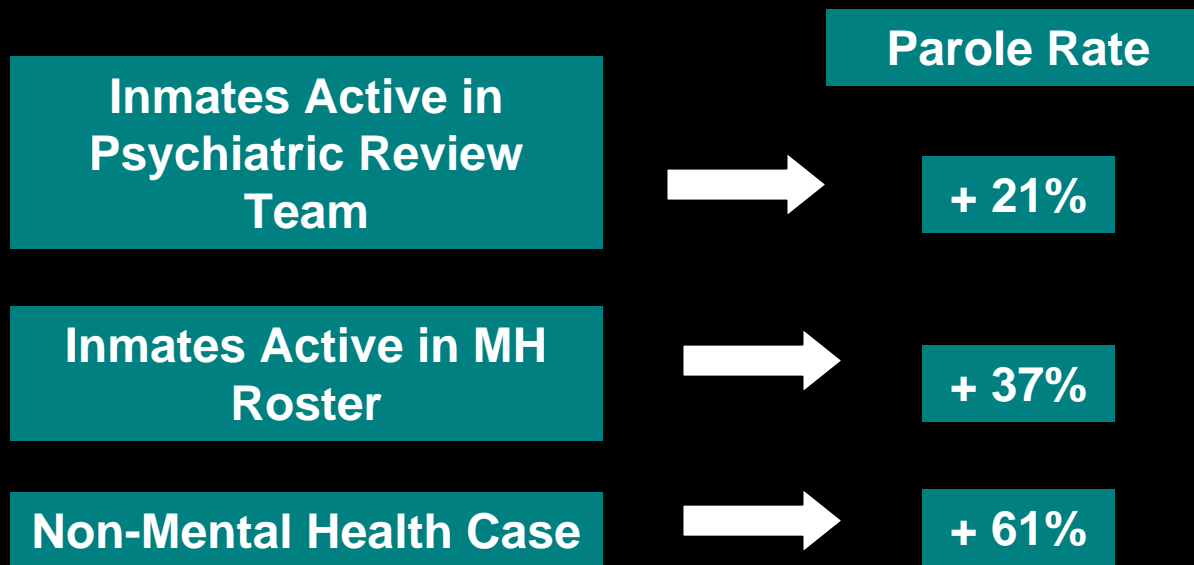
**Inadequate behavioral health services**

**Higher recidivism rates**

# Pennsylvania: Increasing rates of individuals with mental illnesses in prison



## Inmates with Mental Illness Are Less Likely to Be Granted Parole



(PBPP Spreadsheet: November, 2006)

# Senate Resolution 125

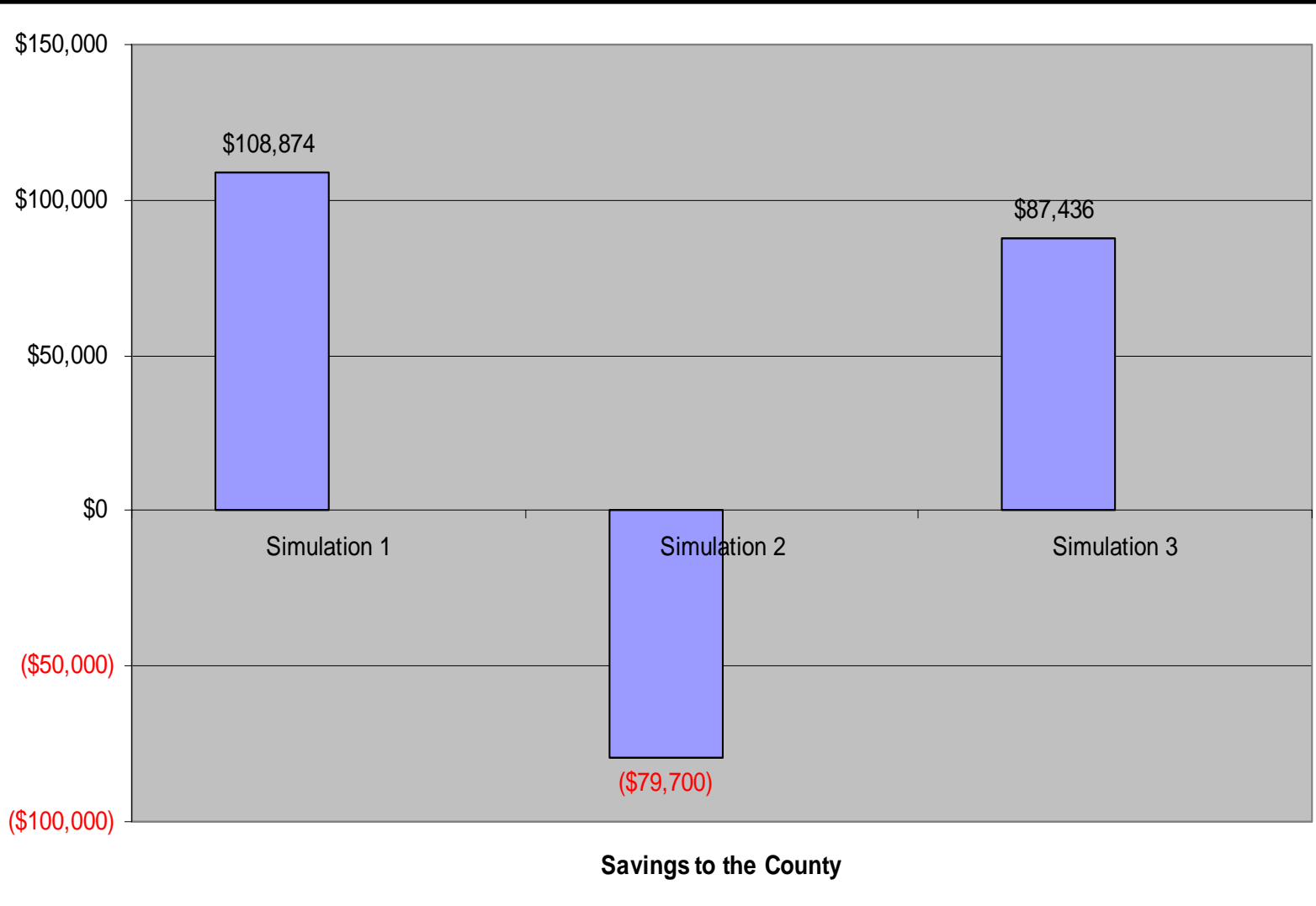
**Evaluate fiscal impact of three collaborative programs**

**Jail diversion program in Chester County**

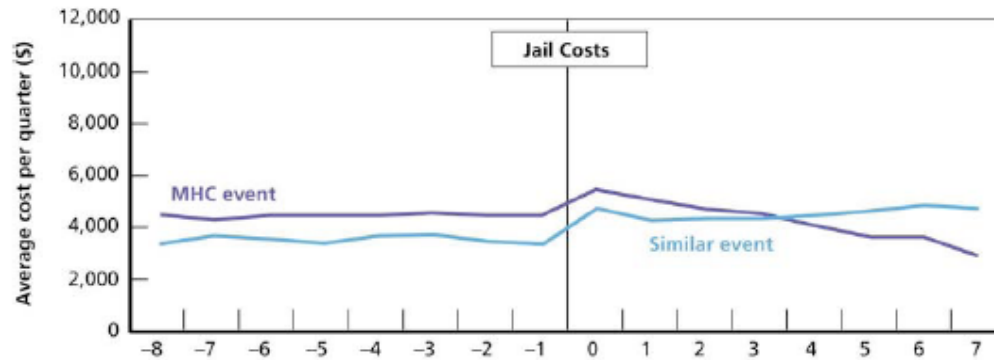
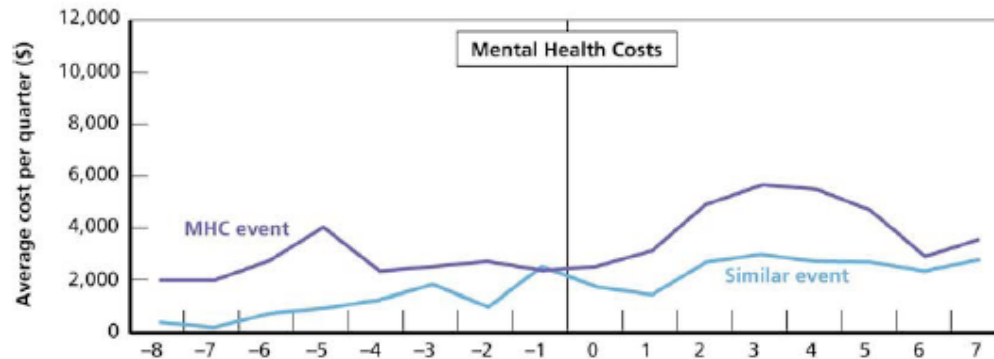
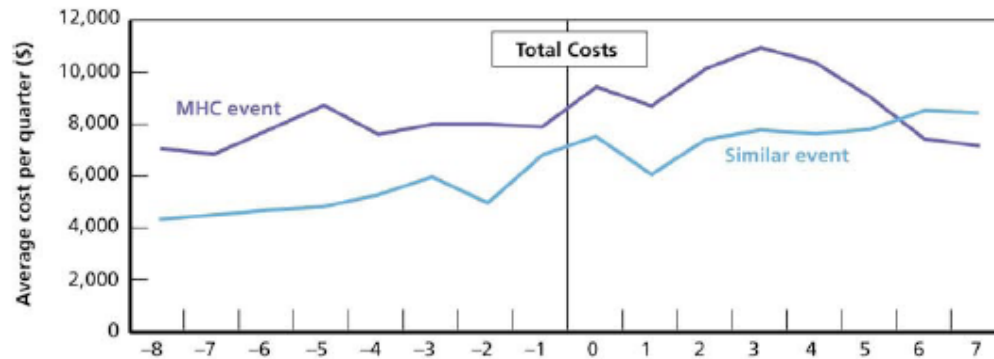
**Mental health court in Allegheny County**

**Re-entry program in Philadelphia**

# Chester County Simulation Planning Tool for Jail Diversion: Projecting Costs and Savings



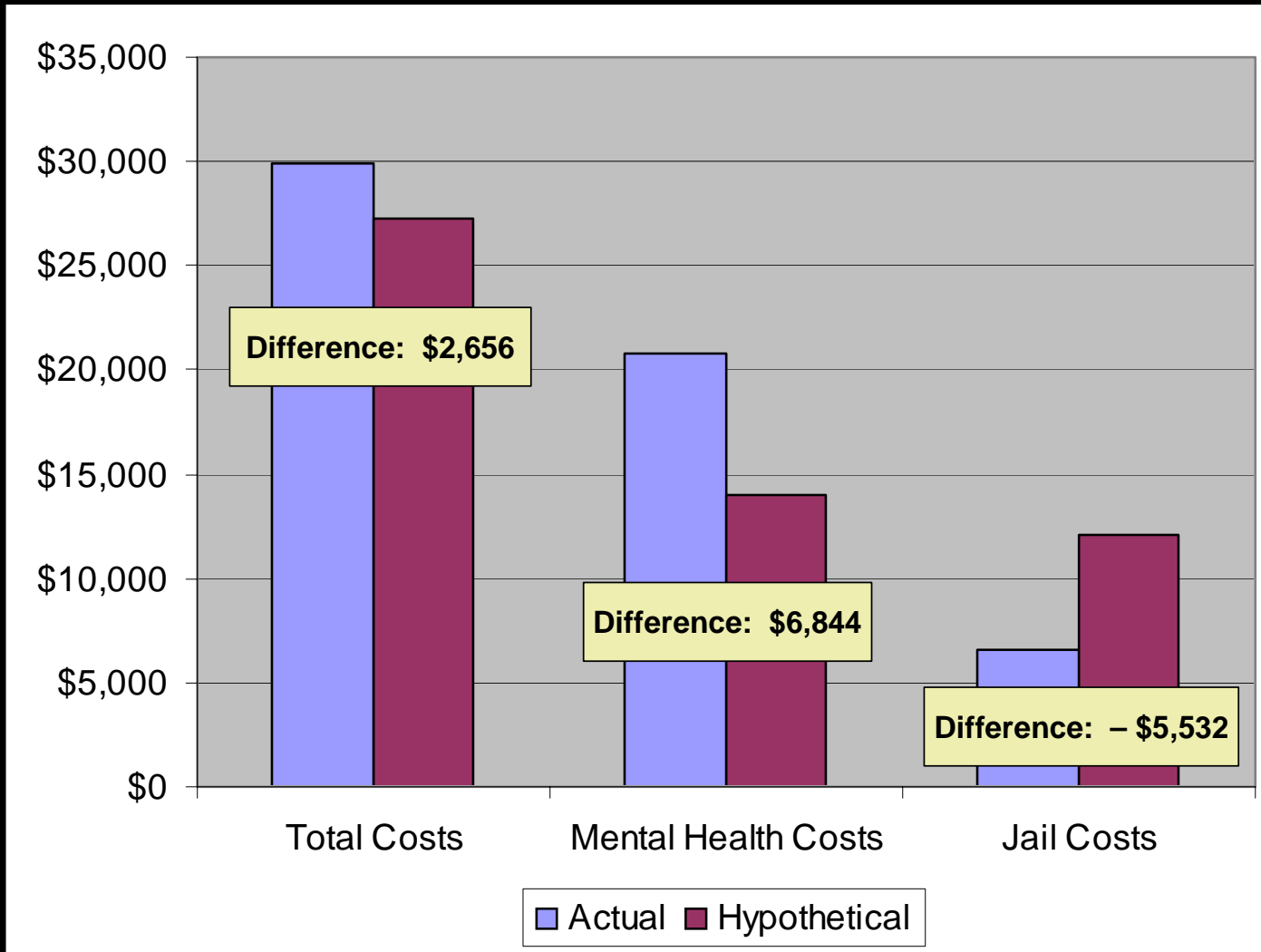
# Justice, Treatment, and Cost: An Evaluation of the Fiscal Impact of Allegheny County Mental Health Court



Quarters (Jail or arrest starts at the beginning of quarter 0)

(Ridgely et al., 2007)

# Justice, Treatment, and Cost: An Evaluation of the Fiscal Impact of Allegheny County Mental Health Court



(Ridgely et al., 2007)

# Mental Illness and Reincarceration among Persons Released from Pennsylvania State Prisons to Philadelphia Locations in 2001

**Significantly more likely to be reincarcerated (jail or prison) two years post release period, even after adjusting for differences in population characteristics**

**Gaudenzia FIR-St. sample size too small to determine effects of specialized residential programming**

# Well-managed Prison Programs Can Reduce Recidivism

## Change in Recidivism Rates for Adult Offenders



Steve Aos, Marna Miller, and Elizabeth Drake. (2006). *Evidence-Based Adult Corrections Programs: What Works and What Does Not*. Olympia: Washington State Institute for Public Policy.

# Programs Supplementing Supervision Can Also Have a Positive Impact in Reducing Recidivism

## Change in Recidivism Rates for Adult Offenders



Steve Aos, Marna Miller, and Elizabeth Drake. (2006). *Evidence-Based Adult Corrections Programs: What Works and What Does Not*. Olympia: Washington State Institute for Public Policy.

# Recommendations

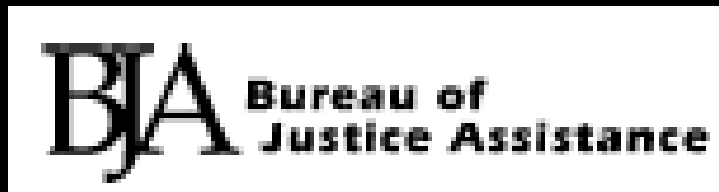
## **Front end:**

**A statewide grant program to improve response to people with mental illness in contact with police, courts, and jails.**

## **Back end:**

**Making the transition from prison to community more successful.**

# Thank You



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