

Reducing Recidivism in Vermont

Briefing for House and Senate Committees

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Director, Council of State Governments Justice Center

March 31, 2011

- **National non-profit, non-partisan membership association of state government officials**
- **Represents all three branches of state government**
- **Justice Center provides practical, nonpartisan advice informed by the best available evidence**

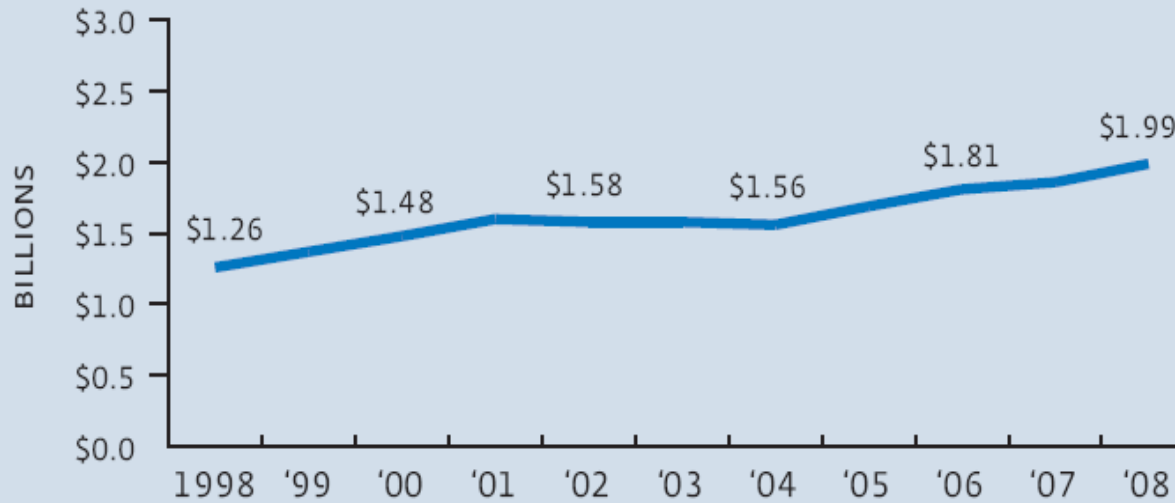
**Criminal Justice
/ Mental Health**

**Reentry Policy
Council**

**Justice
Reinvestment**

Growth in Spending on Corrections in MI

Michigan Department of Corrections Budget, 1998-2008



Source: Data analyzed by Citizen's Research Council.

Landmark Federal Legislation: Second Chance Act

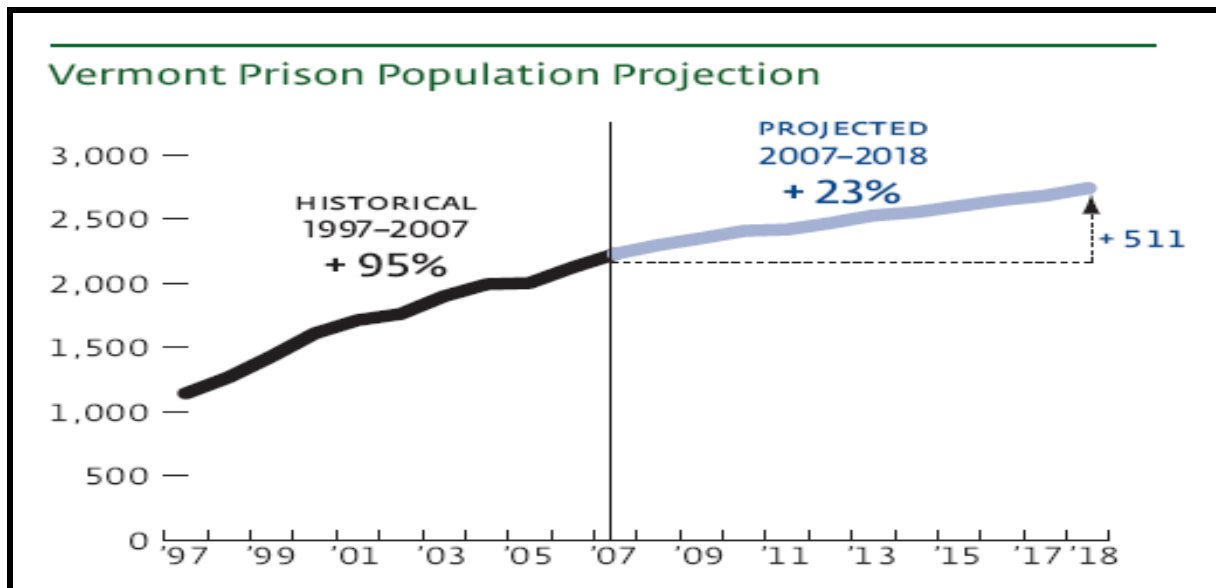


Overview

- **Recap: Justice Reinvestment in Vermont**
- **What We Know Works to Reduce Recidivism**
- **Reducing Recidivism in Vermont**

1996 – 2006: Vermont's Prison Population Doubles

- Spending on corrections increased 129 percent from \$48 million in FY 1996 to \$130 million in FY 2008
- Population projected to increase 23% by 2018 at a projected cost of \$82 million for contract beds over 10 year or \$206 million to build and operate additional prison beds



Vermont Selected to Receive Intensive Technical Assistance through Justice Reinvestment Initiative

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Report says state could save \$54 million in Corrections costs

Thursday, 01/10/08 7:36am and 7:36am
MONTPELIER, Vt. (AP)

As state leaders struggle with growing Corrections costs, a report says the state could save \$54 million and decrease the prison population if certain changes are made.

The recommendations are to expand the use of community corrections, including the state's work camp. The report also suggests getting more offenders into treatment; providing offenders on probation with intensive supervision; and releasing offenders eligible for reintegration into the community.

State officials and legislators called the recommendations "a realistic amount of time offenders spend in prison and the cost of running the system."

The study was released Wednesday by the Council on Corrections, Vermont's Correction's system over nine months with the goal of finding ways to save money.

The Corrections budget rose 129 percent from \$48 million in 1998. If the changes aren't made, the prison population will increase to 1,500 by 2010.



Douglas: Act on Prison Reorganization

Recommend | Be the first of your friends to recommend this.



Montpelier, Vermont - April 24, 2008

Gov. Jim Douglas, R-Vermont, says lawmakers should act this session on a plan to reorganize Vermont's prison system.

The Senate passed a bill that calls for closing the women's prison, shifting prisoners around and releasing some low-risk offenders into the community. The goal is to slow the rate of increase in the corrections budget-- it grows by 10-percent every year. But the House worries the plan moves too fast. They're instead calling for a year of study to examine several options.

"I don't know that further study is going to be particularly useful. I think we ought to make a decision. Whether it's the Senate plan or another one that's been offered by some lawmakers, I think we should move forward and make some of these changes," said Douglas.

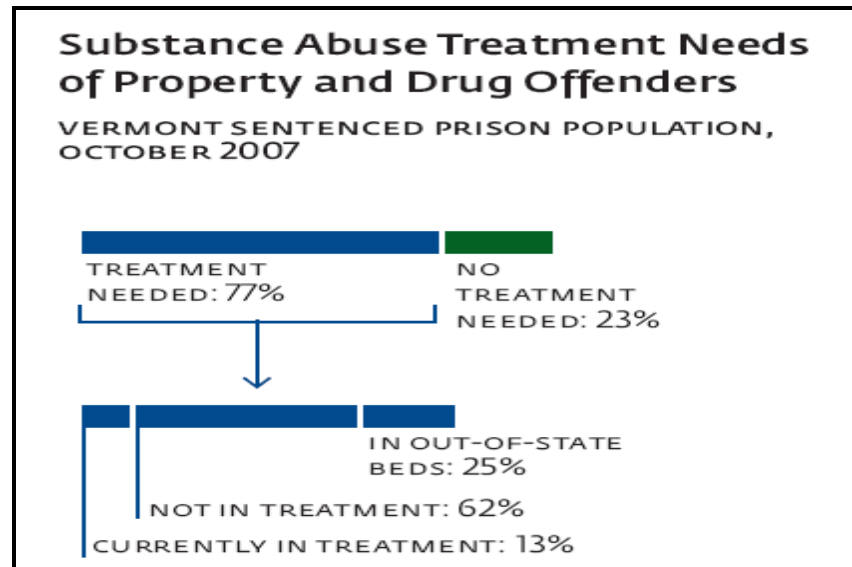
A group of representatives and senators will now meet to try to work out a compromise on the prison plan.

Kristin Carlson - WCAAX News



Analysis Indicated Property and Drug Offenders Were Fastest Growing Segment of Prison Population

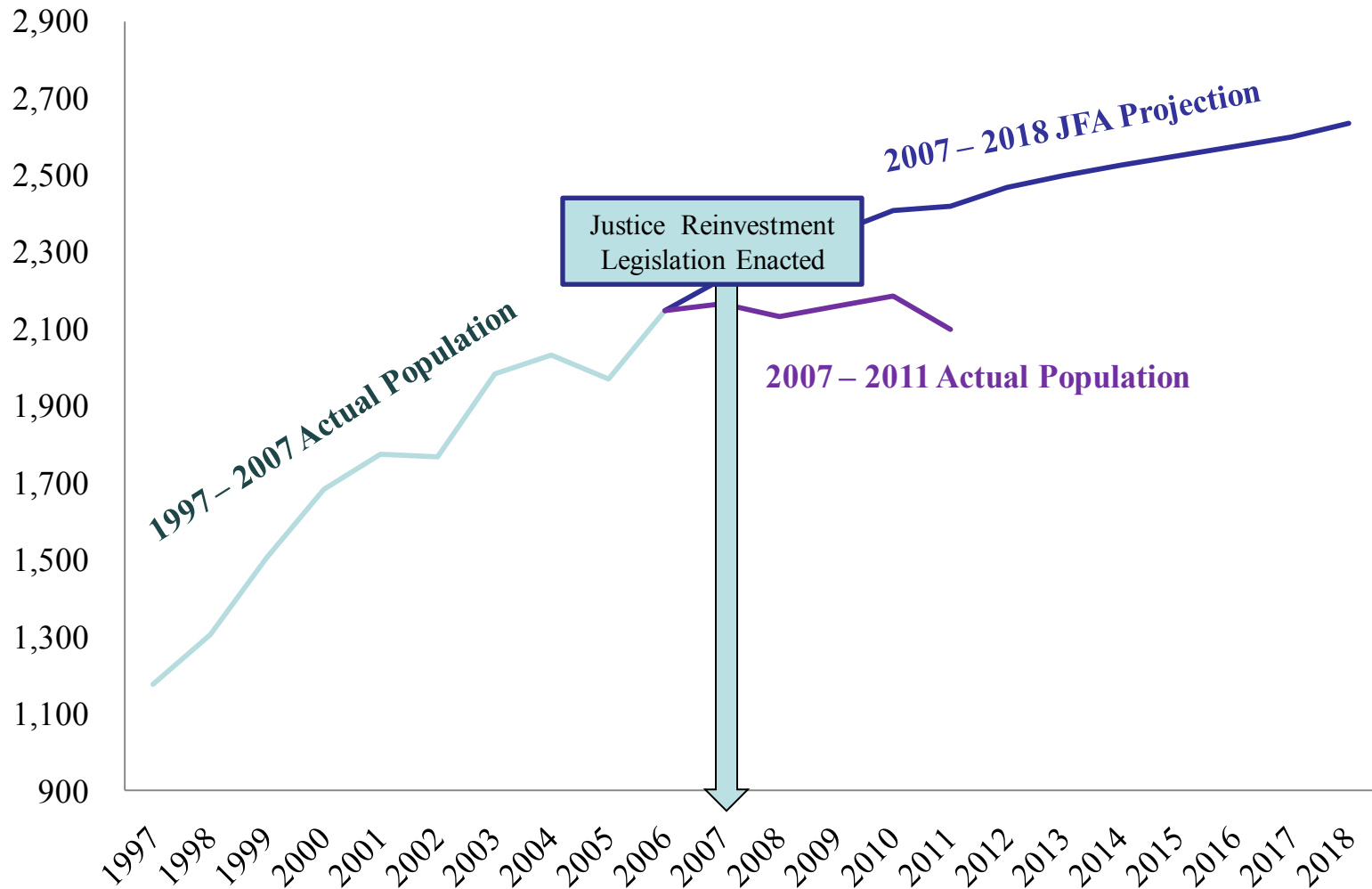
- **Over half of the increase in the felony prison population in Vermont between 2000 and 2006 was attributable to property and drug offenders**
 - ✓ Although 77% of people sentenced to prison for property and drug offenses reported substance use disorders only 13% were in an in-prison treatment program
 - ✓ Intensive supervision and community based services designed for reintegration assistance was under-utilized due to insufficient housing options in the community



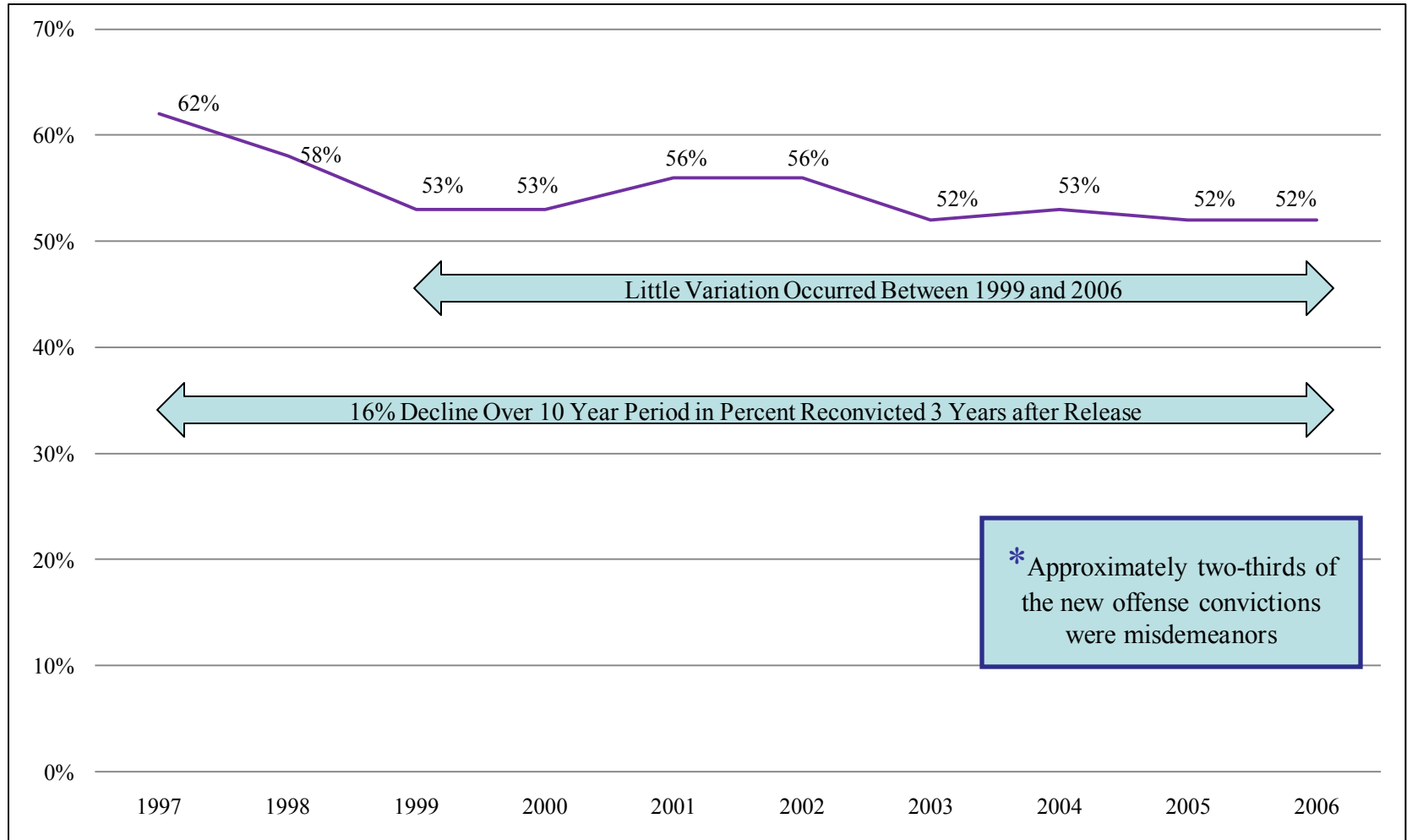
HB 859 Passed in 2008 Incorporated Justice Reinvestment Working Group Recommendations

- **The Justice Reinvestment Working Group proposed a number of policies that were passed by the Legislature and signed into law by the Governor in 2008. Policies included:**
 - ✓ Establishment of a new 100-bed work camp for males with substance abuse treatment needs
 - ✓ Pilot screening and assessment prior to sentencing to identify people appropriate for treatment and diversion programs
 - ✓ Expansion of Intensive Substance Abuse Treatment program to divert offenders to intensive community supervision and treatment program
 - ✓ Steps to improve supervision and outcomes of high risk offenders
- **Since the bill passed:**
 - ✓ 100 bed camp opened in Windsor
 - ✓ Phoenix House, the department's substance abuse treatment provider, uses the Addiction Severity Index and Texas Christian University's treatment assessment instruments to assess appropriate treatment placement
 - ✓ Expanded the capacity of the Intensive Substance Abuse Treatment program to serve outpatient clients at a higher service level
 - ✓ New Risk Management Supervision directive incorporates additional evidence-based risk reduction and risk control strategies

Vermont's Prison Population Growth Has Slowed, Even Declined



Vermont's Reconviction Rate Has Declined in the Last 10 Years



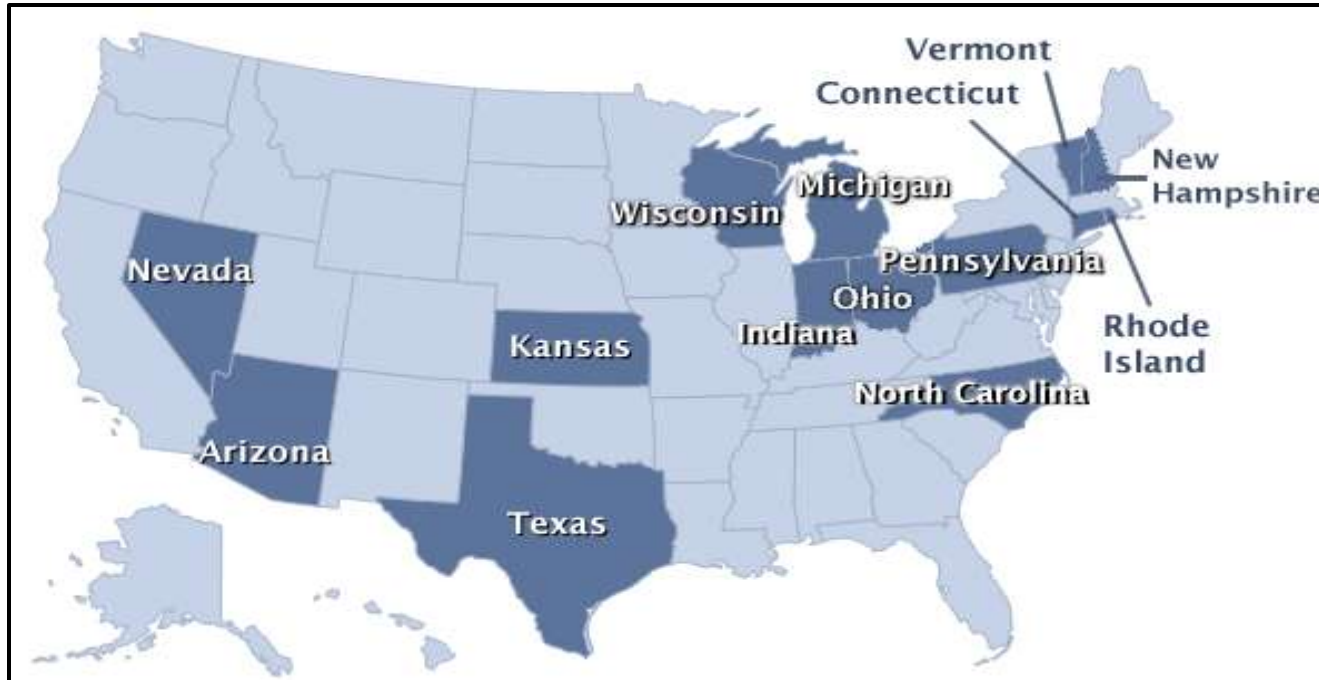
Sen. Leahy: Champion of the Second Chance Act (SCA)

- VT's Second Chance Act Grant: Coming Home Full Circle reentry program
 - ✓ Vermont's Reentry Strategic Plan utilizes local Community Justice Centers to review and support reentry efforts
 - ✓ Under the SCA Coming Home grant, Circles of Support and Accountability (COSA) will be developed by Community Justice Center staff and work collaboratively with local groups providing services to offender

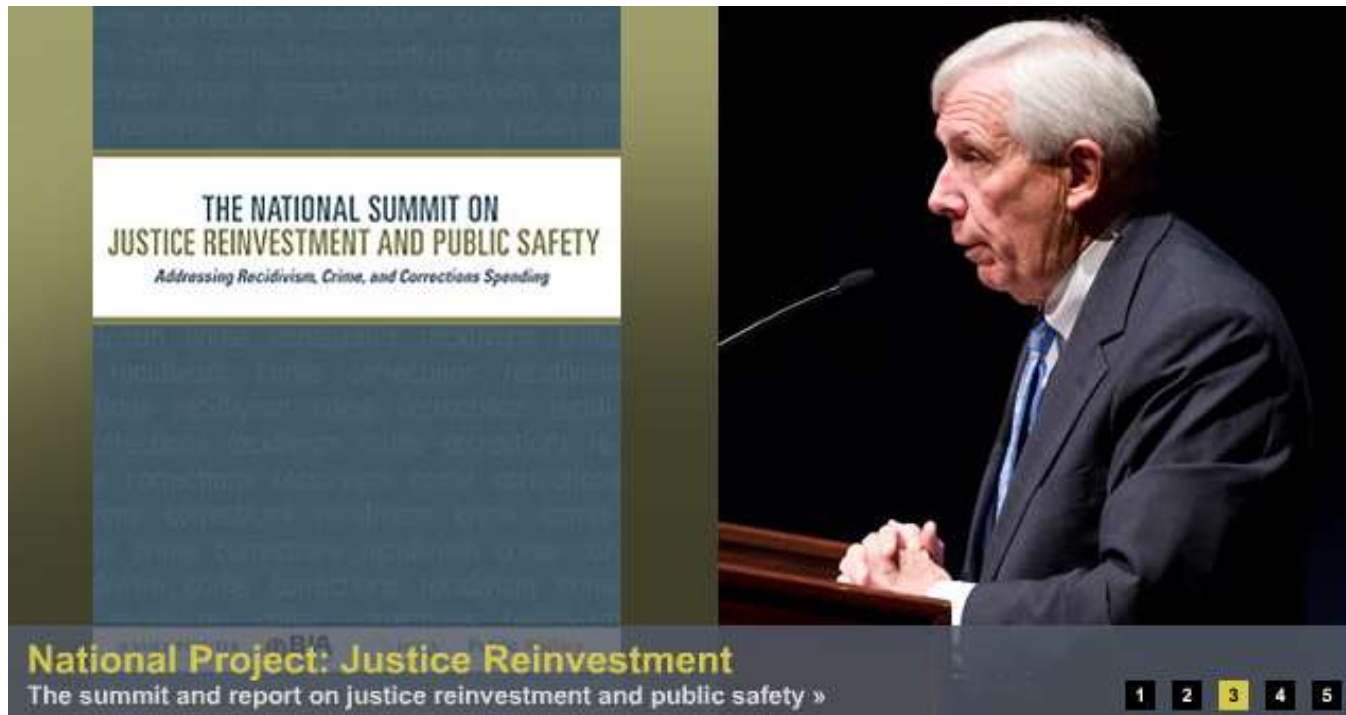
Overview

- **Recap: Justice Reinvestment in Vermont**
- **What We Know Works to Reduce Recidivism**
- **Reducing Recidivism in Vermont**

Justice Reinvestment Project Has Promoted Evidence-Based Practices Known to Reduce Recidivism



National Summit on Justice Reinvestment and Public Safety



What works to reduce recidivism

When someone is released matters little to their re-offense rate.

- 1. Focus on the offenders most likely to commit crime**
Who
they are
- 2. Invest in programs that work, & ensure they are working well**
What
they do
- 3. Strengthen supervision and deploy swift & certain sanctions**
How
they are supervised
- 4. Use place-based strategies**
Where
they return

1. Focus on offenders most likely to re-offend



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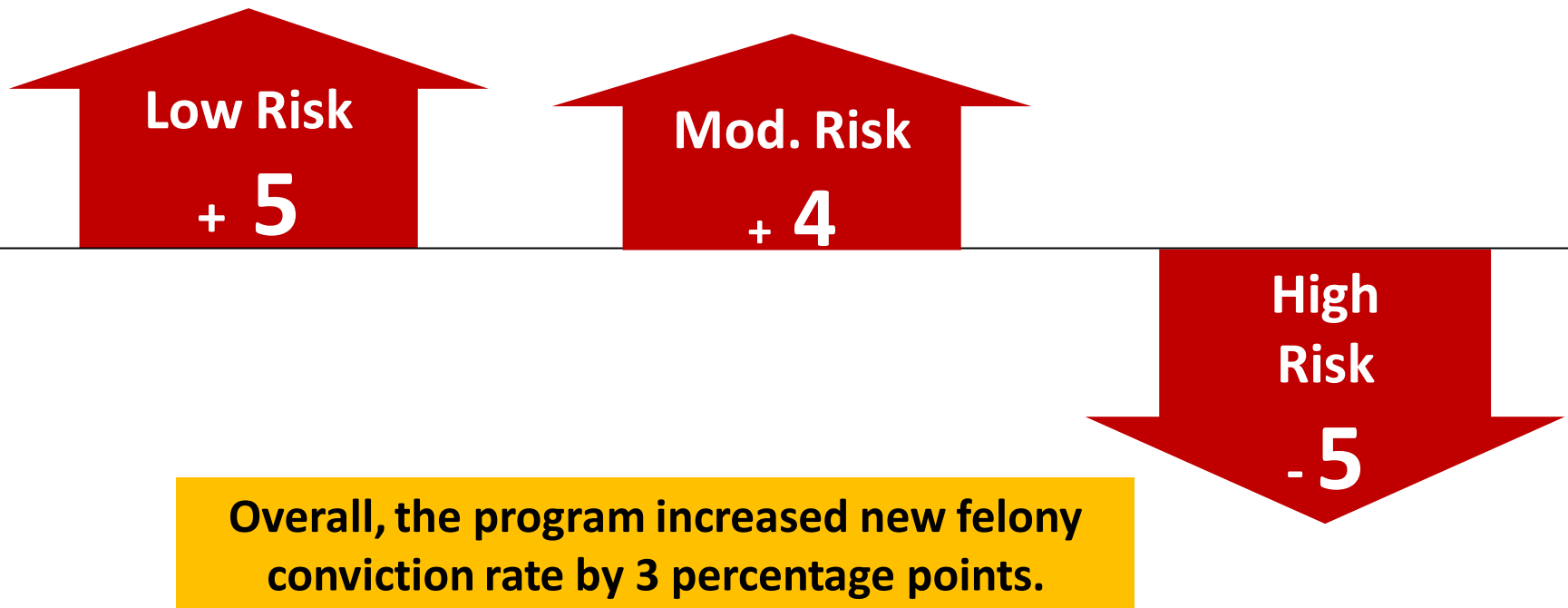
10% re-arrested

35% re-arrested

70% re-arrested

Focusing on low risk offenders can actually increase crime

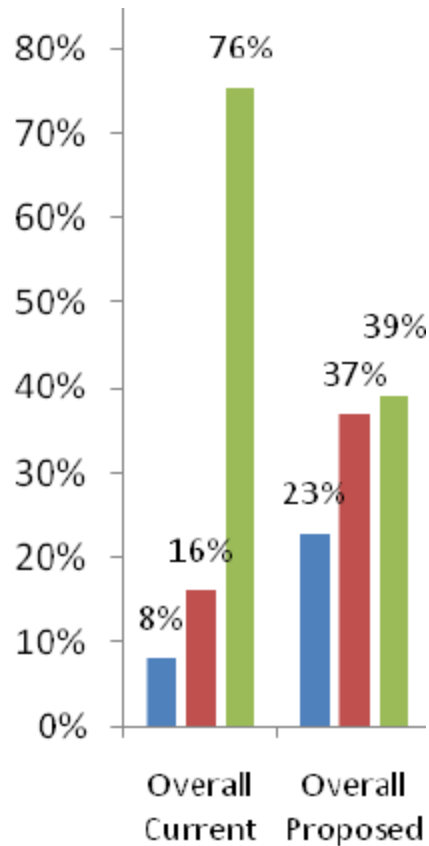
Impact of Ohio Community Based Correctional Facility Program on New Felony Conviction Rate Compared with Probation Supervision



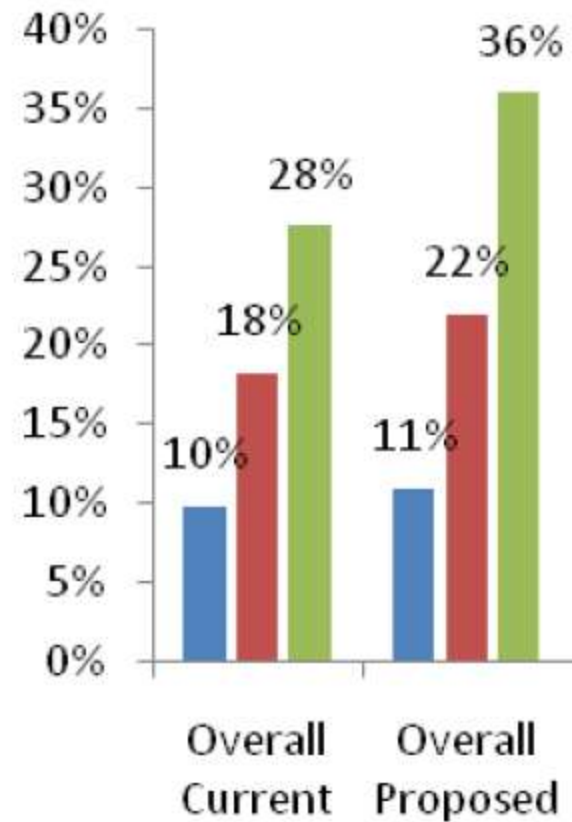
Revising Risk Targeting

- Low Risk
- Medium Risk
- High Risk

Distribution by Risk Level



Re-Offense Rates by Risk Level



Re-offense refers to a new offense within 3 years

2. Invest in programs that work

Adult Corrections: What Works?

Estimated Percentage Change in Recidivism Rates (and the number of studies on which the estimate is based)

Drug treatment in the community	-12.4%	(5)
Drug treatment in jail	-6.0%	(9)

Programs for the General Offender Population

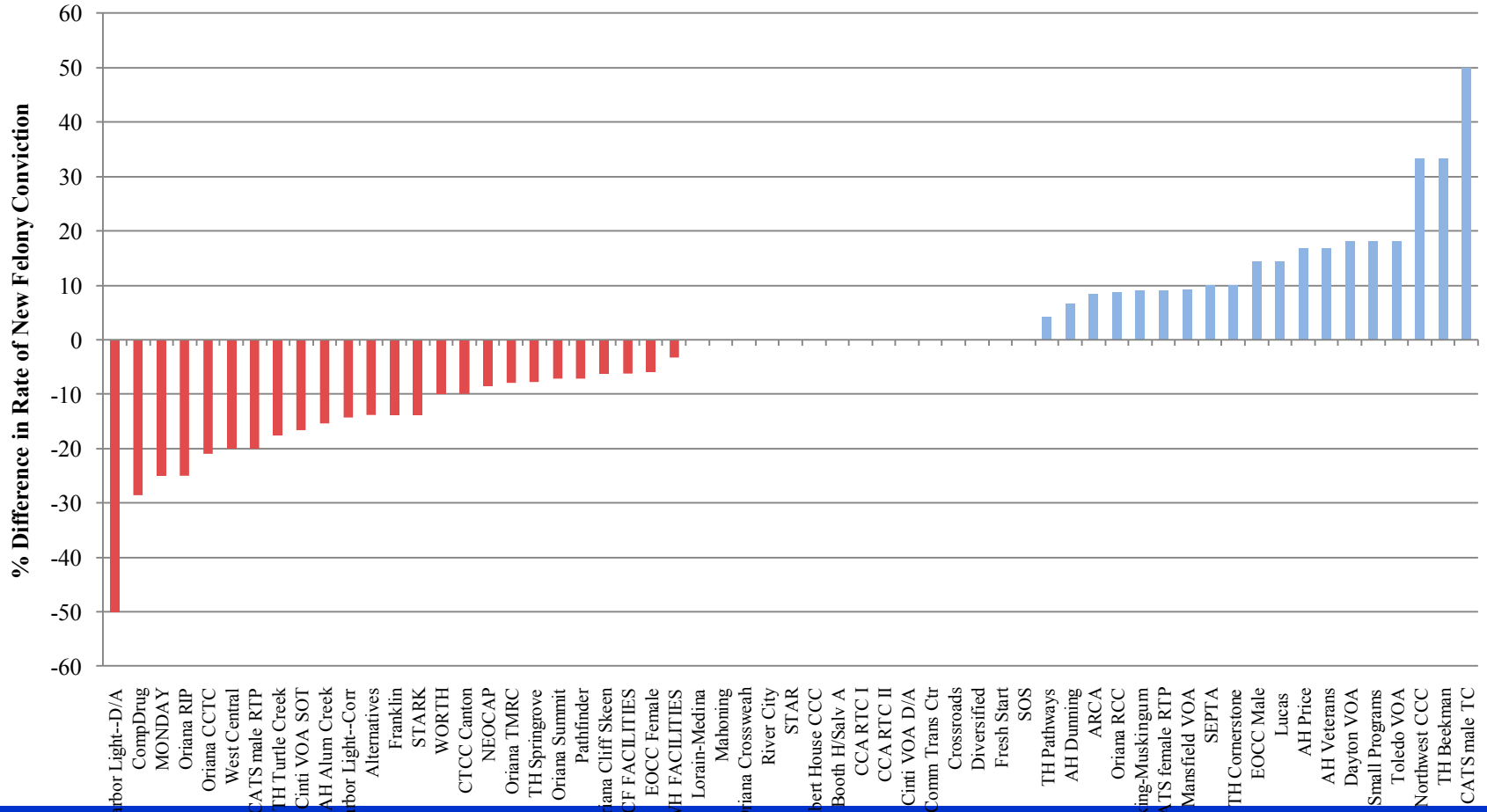
General and specific cognitive-behavioral treatment programs	-8.2%	(25)
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Intermediate Sanctions

Intensive supervision: surveillance-oriented programs	0.0%	(24)
Intensive supervision: treatment-oriented programs	-21.9%	(10)

...and ensure those programs are working well.

Impact of Ohio Residential Correctional Programs on Recidivism (Annual State Funding: \$104m)



* Results for all participants

3. Strengthen supervision

Ensure that the offenders most likely to reoffend receive the most intensive supervision

Higher risk offenders

Initial period of supervision

Develop a supervision plan that balances monitoring compliance with mandating participation in programs that can reduce their risk to public safety

Respond to violations with swift, certain, and proportional sanctions

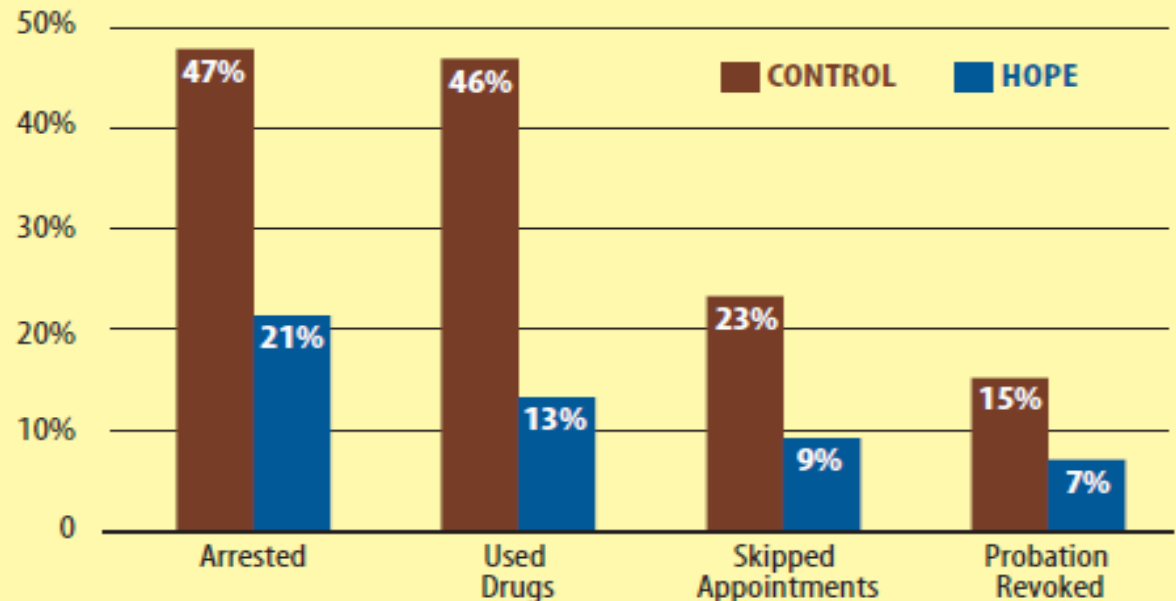
Research Suggests Short, Swift & Certain Sanctions Work Best to Reduce Recidivism

Georgia POM

Enabling probation officers to employ administrative sanctions & probationers to waive violation hearings reduced jail time three-fold, reduced time spent in court, and increased swiftness of responses to violations.

Hawaii HOPE

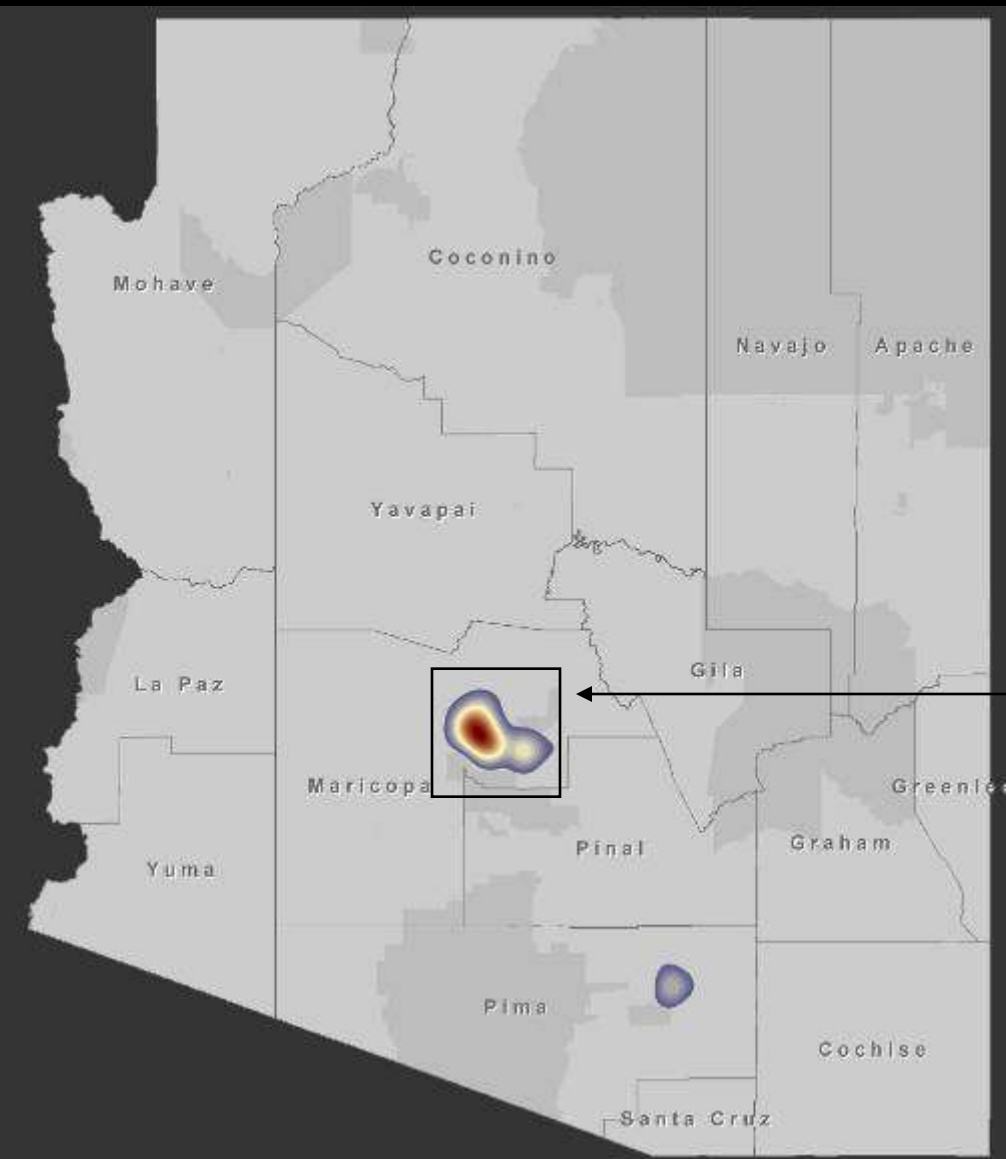
Court-run intensive, random drug testing with swift, certain, and brief jail sanctions.



4. Use place-based strategies

Prison Admissions Hotspots

Arizona, 2004



60% of the State's prison population comes from and returns to the Phoenix-Mesa metropolitan area.

Prison Admissions, 2006

Maricopa County

1/2 Mile Grid Map

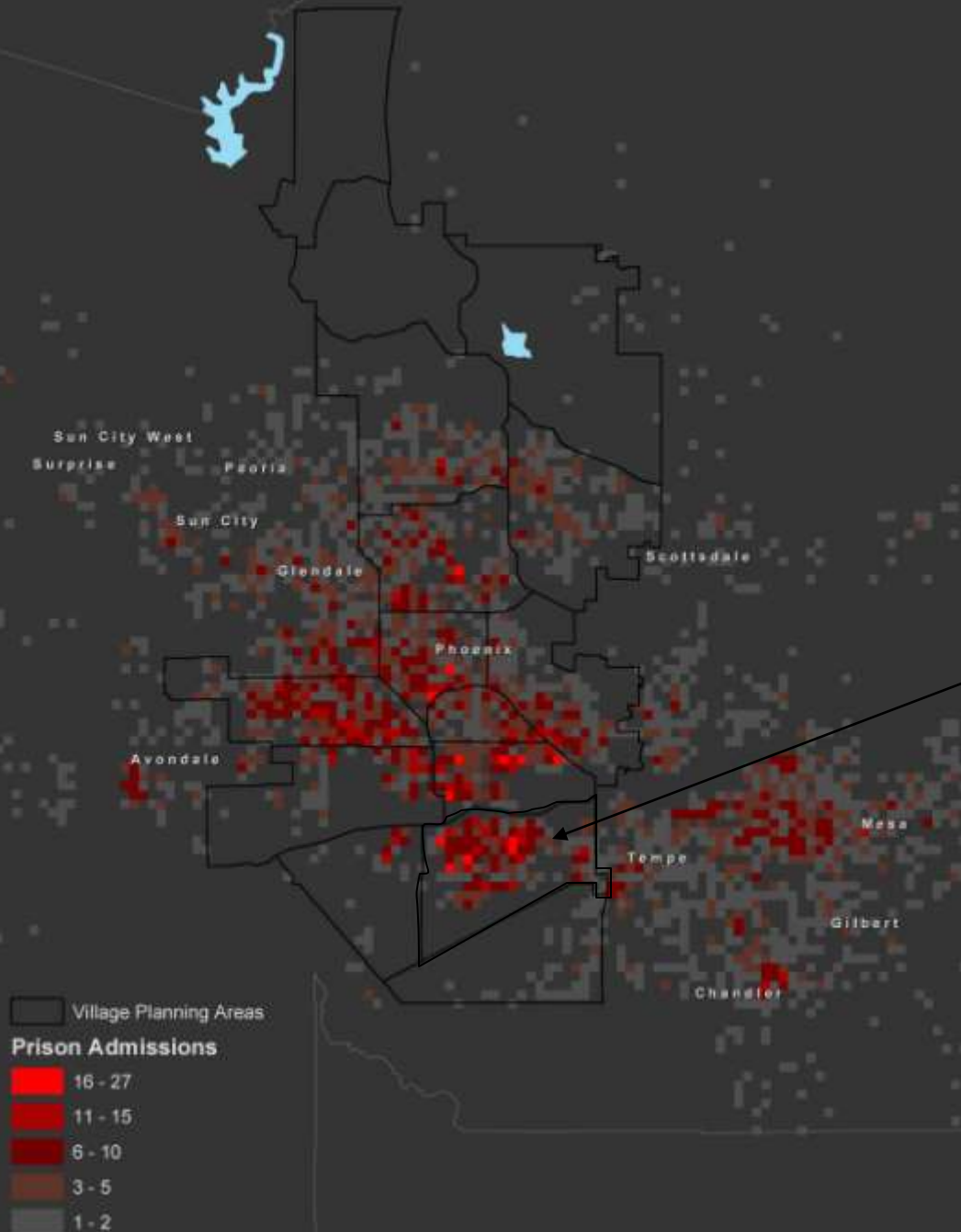
A single neighborhood in Phoenix is home to 1% of the state's total population but 6.5% of the state's prison population

South Mountain Zip Code 85041

Prison Admissions = 31.8 per 1000 adults

Jail Bookings = 96.5 per 1000 adults

Probation = 25.1 per 1000 adults

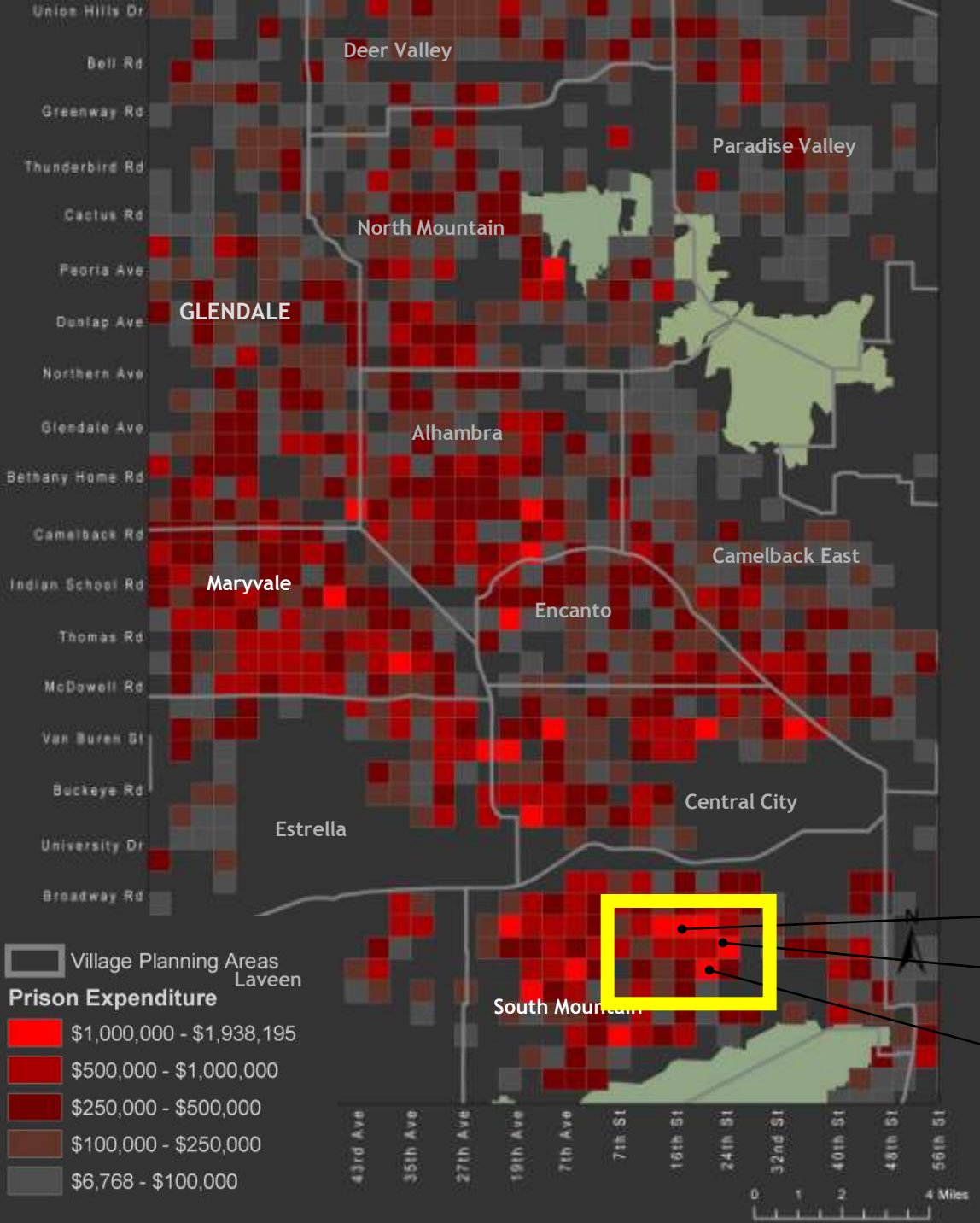


Prison Expenditures

Dollars, 2004

Maricopa County

1/2 Mile Grid Map

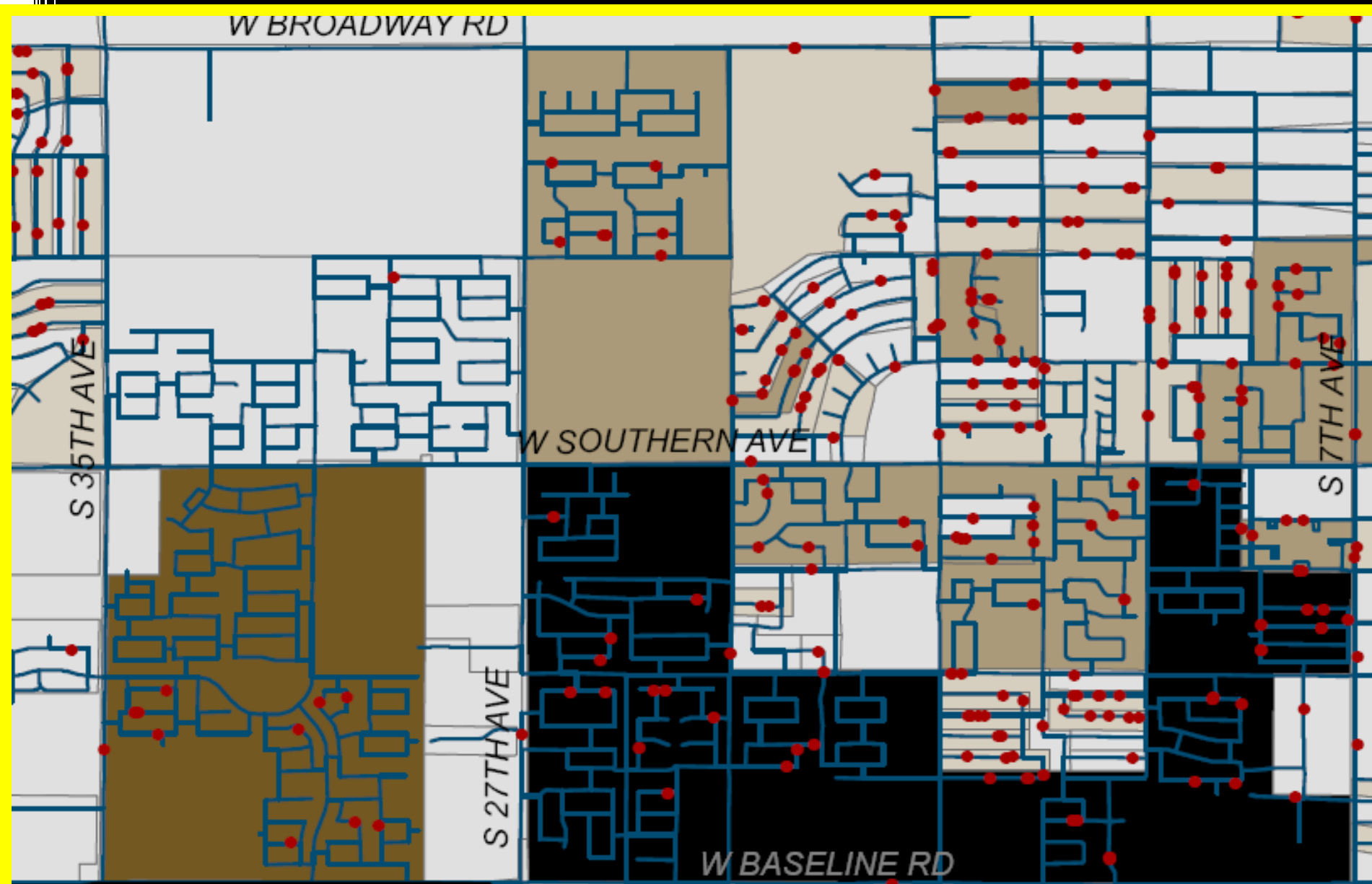


\$1.1 Million

\$1.8 Million

\$1.6 Million

Within high expenditure neighborhoods there are numerous, smaller area, million dollar block groups



Perspective on Vermont's Efforts to Address Factors Impacting Correctional Costs and Population Pressure

- **Vermont Justice Reinvestment Project 2007-2008: History and Progress**
- **What We Know Works to Reduce Recidivism**
- **Recidivism in Vermont**

Applying Principles of Recidivism Reduction to VT

- ✓ Does the state use a validated and reliable risk assessment instrument to differentiate the population by risk of recidivating? Are the risk assessment data being used to inform program assignment to ensure that high risk offenders are appropriately targeted?
- ✓ Are programs science based, using designs and practices that have been validated as effective in reducing recidivism?
- ✓ Are supervision policies and practices and employed consistent with what the research shows reduces recidivism?
- ✓ Are reentry strategies place based?

Definition of Recidivism Critical to Calculating Rate

- No national standard exists for defining recidivism
- Measures of recidivism used by correctional agencies include:
 - ✓ Arrest
 - ✓ Convictions
 - ✓ Return to Incarceration
- Standard follow-up periods are also necessary when comparing recidivism rates.
 - ✓ In general offenders tracked for 3 years will have higher recidivism rates than offenders only tracked for one year due to a longer period at risk of recidivating



Track for 3 Years

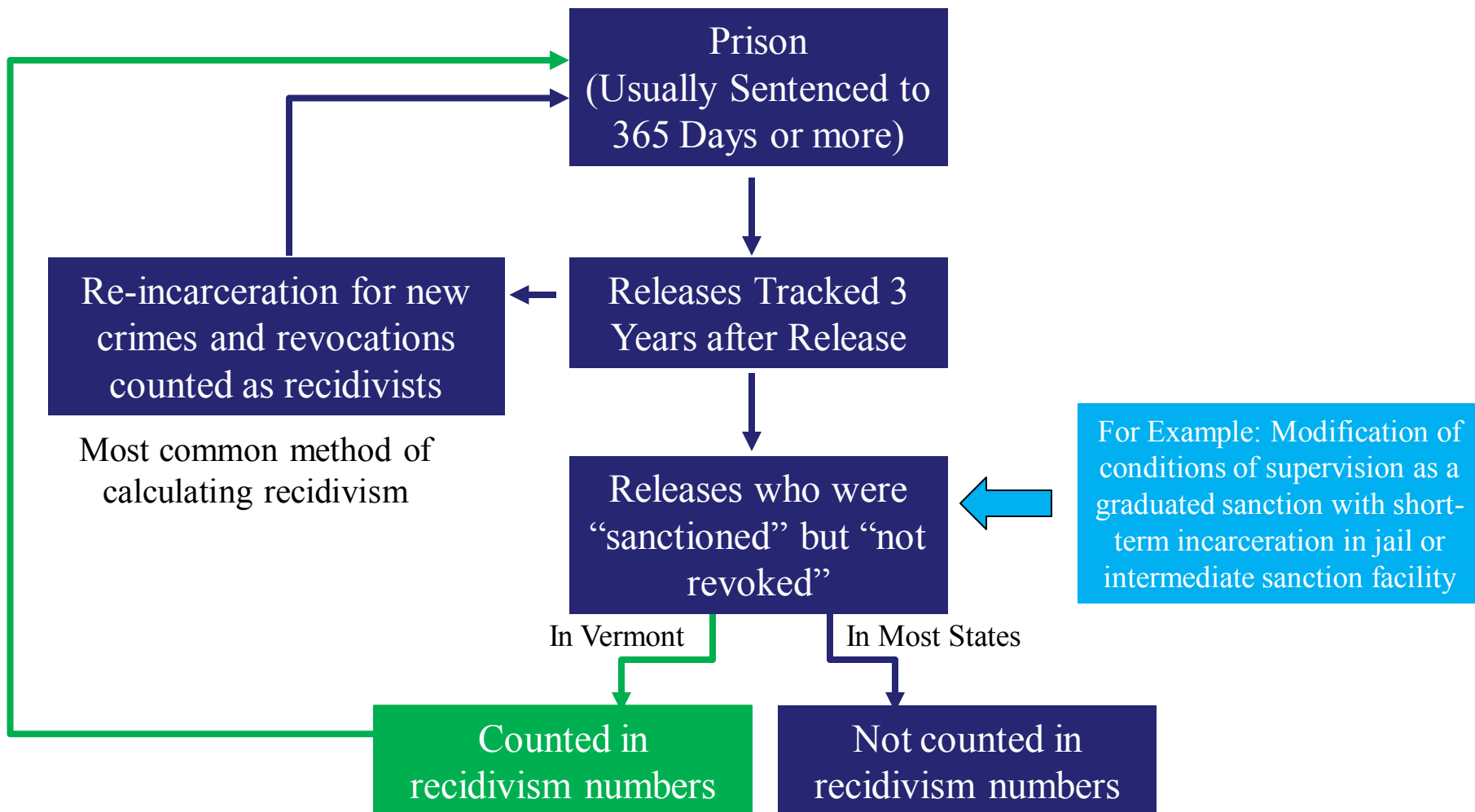
Percent Return to Prison
for New Offense or
Revocation of Supervision

Release from Prison

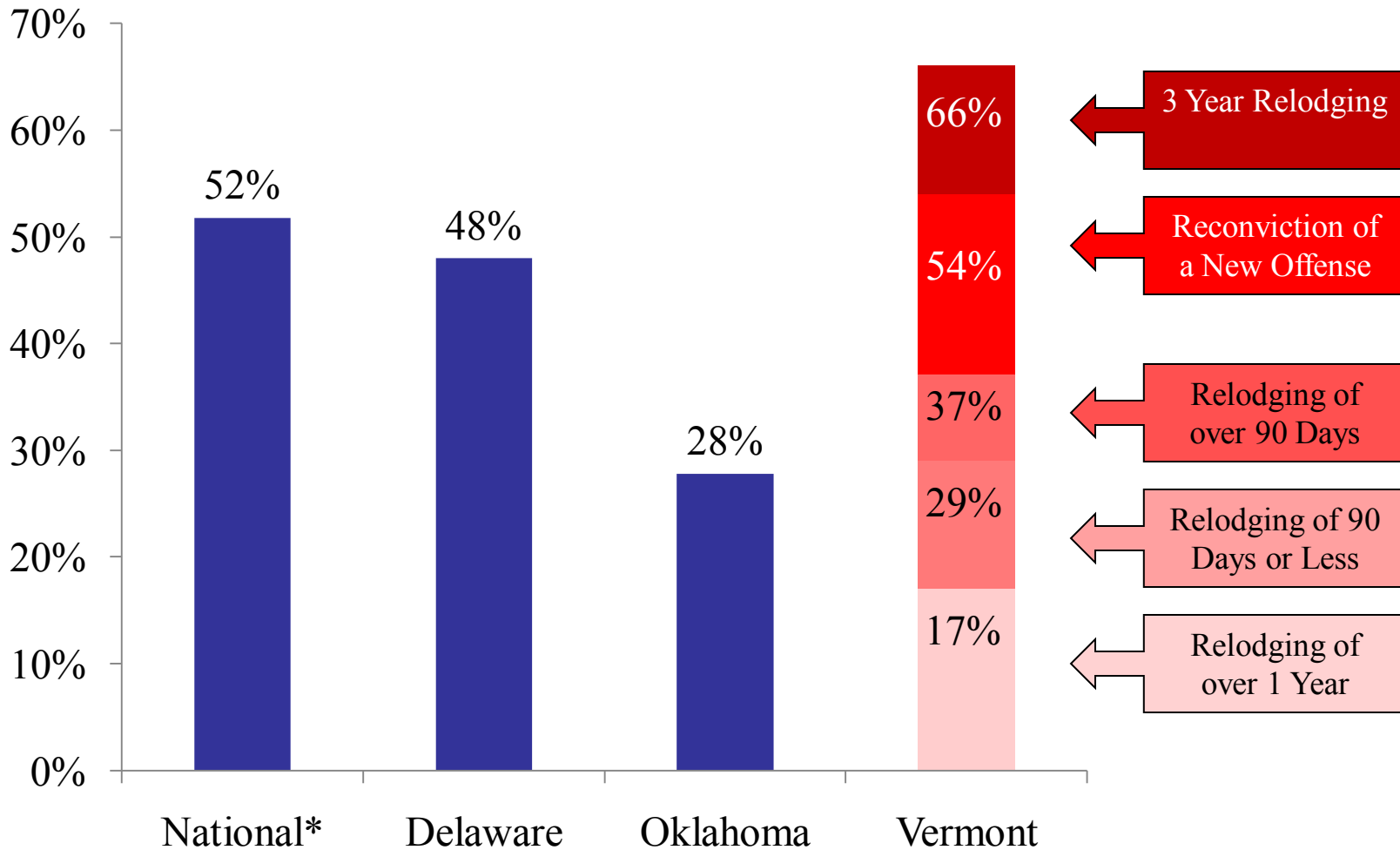
How Does Vermont Measure Recidivism?

- **Vermont's primary method for measuring recidivism is the percent of offenders reconvicted for a new offense within 3 years**
 - ✓ 52% of offenders released from prison in Vermont were reconvicted within 3 years of release for any offense
 - ✓ Reconviction (for any offense) includes offenders who may not be sentenced to prison or jail
 - If reconvictions only included offenders who served time in prison or jail upon a reconviction the percent reconvicted would be reduced to 40%. It would be reduced to 23% if prison sentences of 1 year or more were required in the definition
- **Most States and the Bureau of Justice Statistics utilize the percent of offenders returned to prison for a new sentence of 1 year or more or for a revocation of supervision to measure recidivism**
 - ✓ Vermont has rarely computed this rate due to a number of issues
 - ✓ 66% of offenders released from prison in Vermont returned to prison within 3 years for any reason or length of time
 - Returns included graduated sanctions and furlough admissions
 - These type of admissions are not counted in other state's recidivism rate as illustrated in the next slide

Vermont Counts Some in Recidivist Populations Who Are Not Counted in Other States



Vermont Does Not Have a Recidivism Definition Easily Comparable to Other States



* Back in prison, serving time for a new prison sentence or for a technical violation <http://bjs.ojp.usdoj.gov/content/pub/pdf/rpr94.pdf>

Comparisons to States with Unified Jail/Prison Systems is Difficult

- **Rhode Island and Connecticut have unified jail/prison systems.**
 - ✓ Recidivism is tracked differently in each of these states
- **Rhode Island tracks sentenced offenders released from the Rhode Island Department of Corrections (including releases from Home Confinement) returned as a sentenced readmission within 3 years.**
 - ✓ The most recent 3 year recidivism rate is 54%
- **Connecticut tracks any sentence offender returned on a new sentence within 3 years**
 - ✓ The most recent 3 year rate is 56.5%

Improve Measurement of Recidivism and Set a Measurable Goal of Reducing It

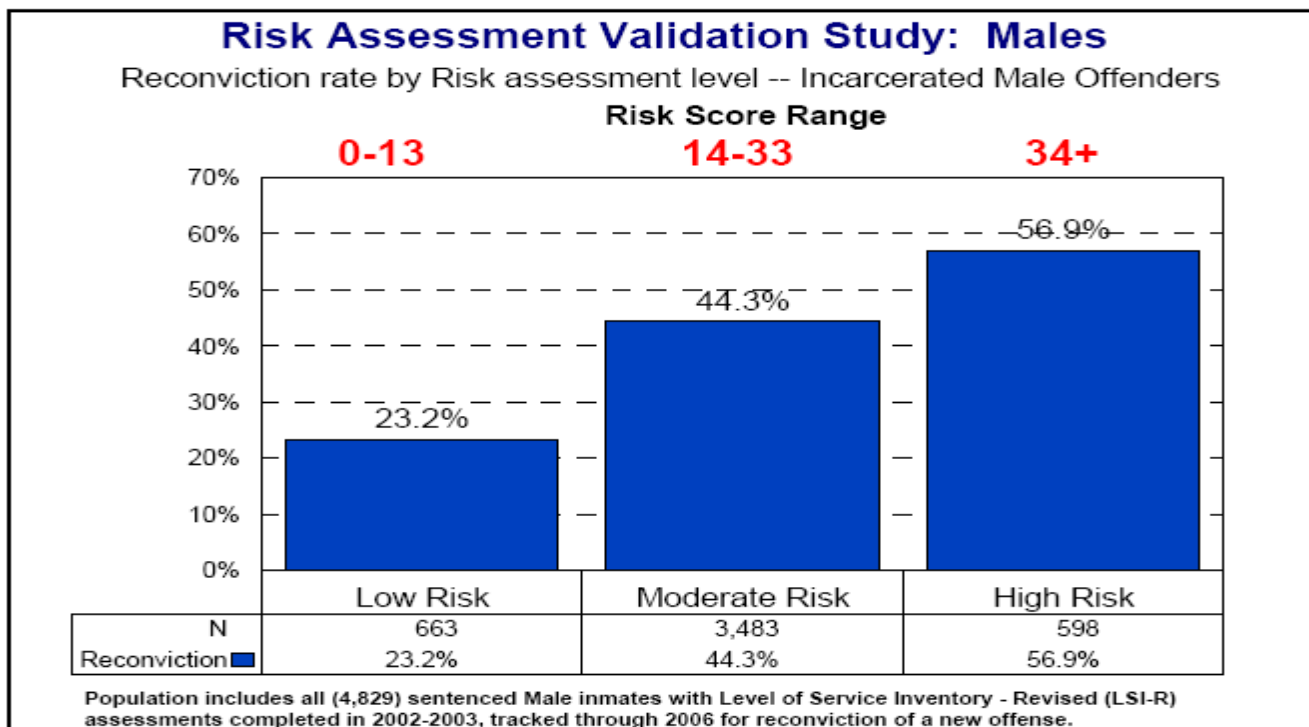
- **Recommended steps to improving measurement of recidivism**
 - ✓ Define recidivism measure consistent with most states
 - Percent return to prison within 3 years for new offense conviction or revocation of supervision
 - Develop procedures to capture admission type necessary to calculate recidivism rate
 - In first year of implementation generate reports indicating admission types
 - Begin producing 1 year recidivism rates
 - Identify high recidivism populations to target for intervention
- **Establish a measurable goal of reducing recidivism**
 - ✓ A number of Justice Reinvestment states have established goals for reducing the number of recidivists returning to prison
 - ✓ Goals have ranged from a 10% to 20% reduction in the number of recidivists returned to prison, usually accomplished over a 1 to 2 year period
 - Justice reinvestment states such as Wisconsin, Ohio, Indiana and Texas have adopted recidivism reduction goals within those ranges

Initial Findings: Vermont Requires Evidence-Based Practices and the Use of the LSI-R to Allocate Resources by Risk

- **Policy directives are in place that:**
 - ✓ Uses a validated risk assessment instrument to differentiate offender populations by risk of reoffending
 - ✓ Prioritize program assignments by risk
 - ✓ Requires the use of evidence-based practices in program design
 - ✓ Allocates supervision resources by risk of reoffending
 - Risk based contact standards are in place and graduated sanctions are allocated according to risk
- **The answer to each of the four questions posed earlier appears to be that policy directives are in place to positively impact recidivism. The question remains as to whether directives lead to practices that impact recidivism.**

Initial Findings: Vermont Uses a Validated Risk Assessment Instrument to Differentiate the Population by Risk

- **The Level of Service Inventory-Revised was validated on a sample of Vermont prison releases.**
 - ✓ As the chart below indicates the LSI differentiates the release population into three different levels of risk of recidivism.



Next Steps

- **Determine if policy directives are implemented and practiced as designed**
 - ✓ Focus groups with practitioners (supervising officers, treatment providers, program administrators) to assess implementation
- **Review department plans to:**
 - ✓ Implement Correctional Program Checklist (CPC) to assess if programs are using evidence-based practices in operations (currently receiving training)
 - ✓ Evaluate effectiveness of programs and supervision similar to evaluations conducted by the University of Cincinnati for the Ohio Department of Corrections and Rehabilitation
- **Develop policy recommendations related to the calculation and use of recidivism rates for review by policy makers and department administrators**
 - ✓ Recommendations regarding targeting of high risk offenders
 - ✓ Recommendation requiring methodology and calculation of recidivism rates and setting a goal to reduce recidivism
 - Departmental policy or statutory requirement?

Thank You



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