

THE
PEW

CHARITABLE TRUSTS

Protecting Public Safety
and Containing Corrections
Costs in South Carolina

Sentencing Reform and Oversight Committee
Columbia, South Carolina
August 16, 2017

Agenda

- Leadership Charge
- National Landscape
 - South Carolina
 - Case Studies: *Mississippi and Louisiana*
- Next Steps
 - Work Plan
 - Proposed Meeting Schedule
 - Policy-Focused Working Groups

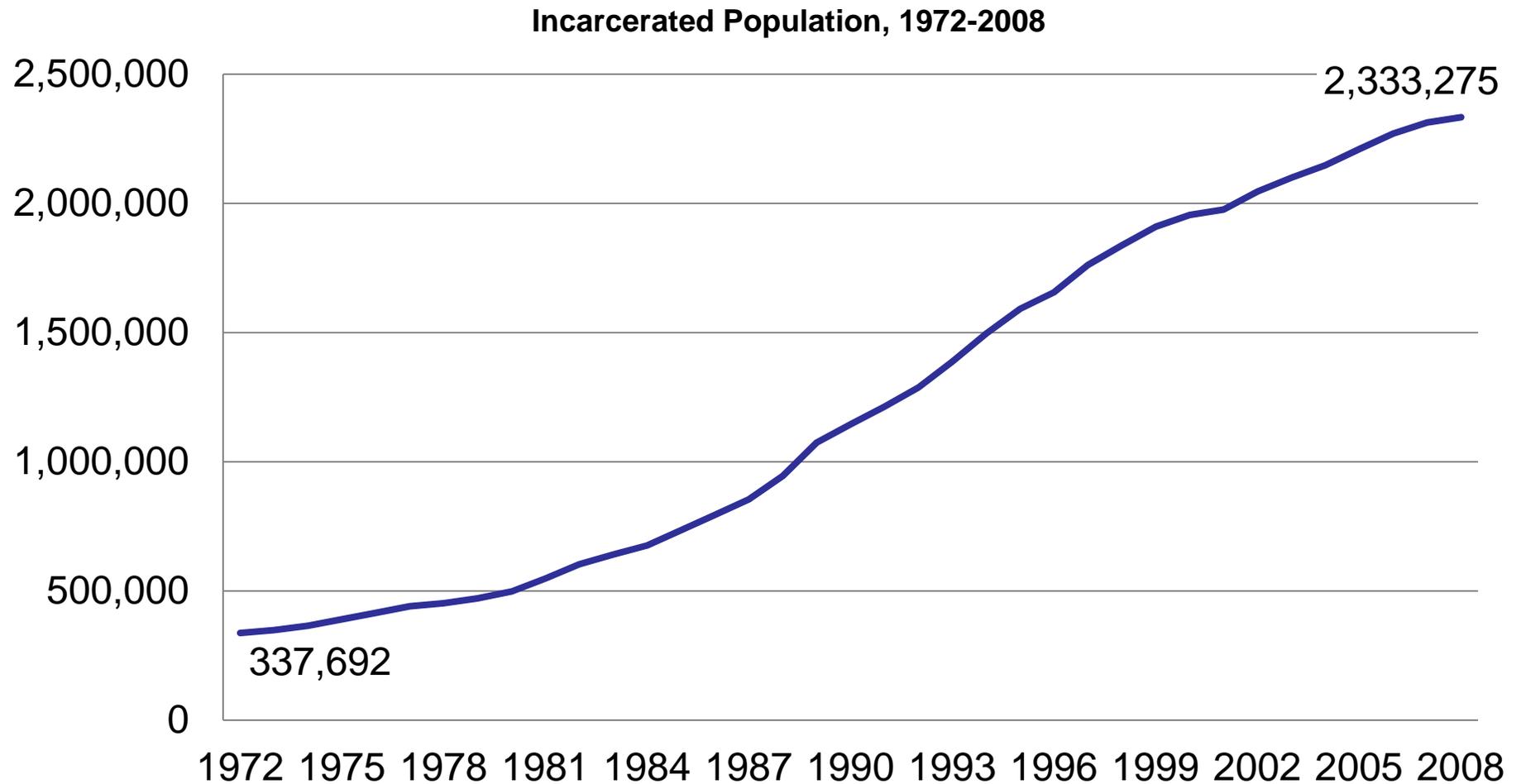
LEADERSHIP CHARGE

State Leadership has Charged the South Carolina Sentencing Reform Oversight Committee with:

...“forging consensus on a comprehensive package of statutory and budgetary reforms that will help South Carolina achieve a better public safety return on its corrections spending.”

NATIONAL LANDSCAPE

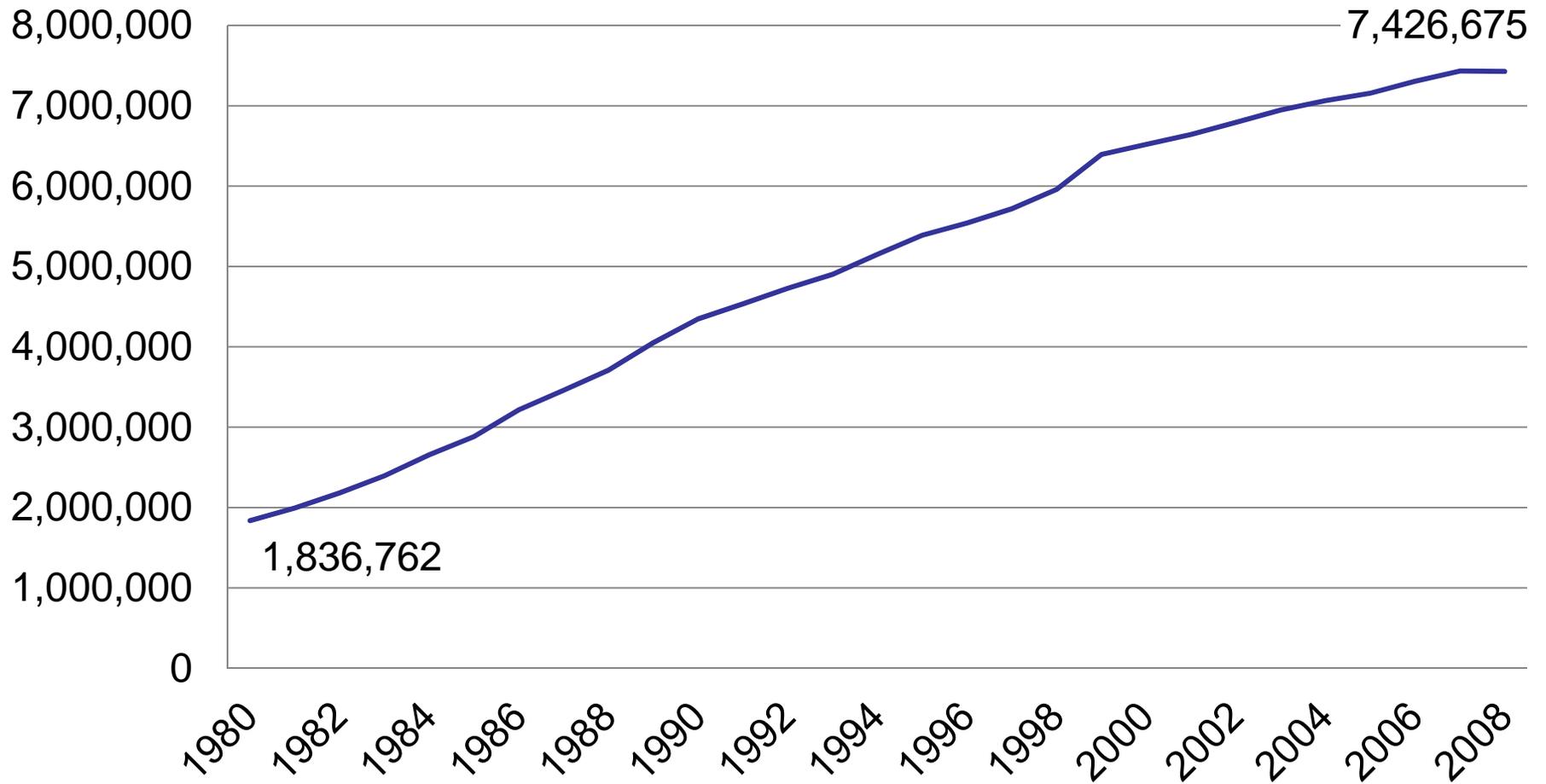
by 2008: 1 in 100 Adults Behind Bars



Source: Department of Justice, Bureau of Justice Statistics

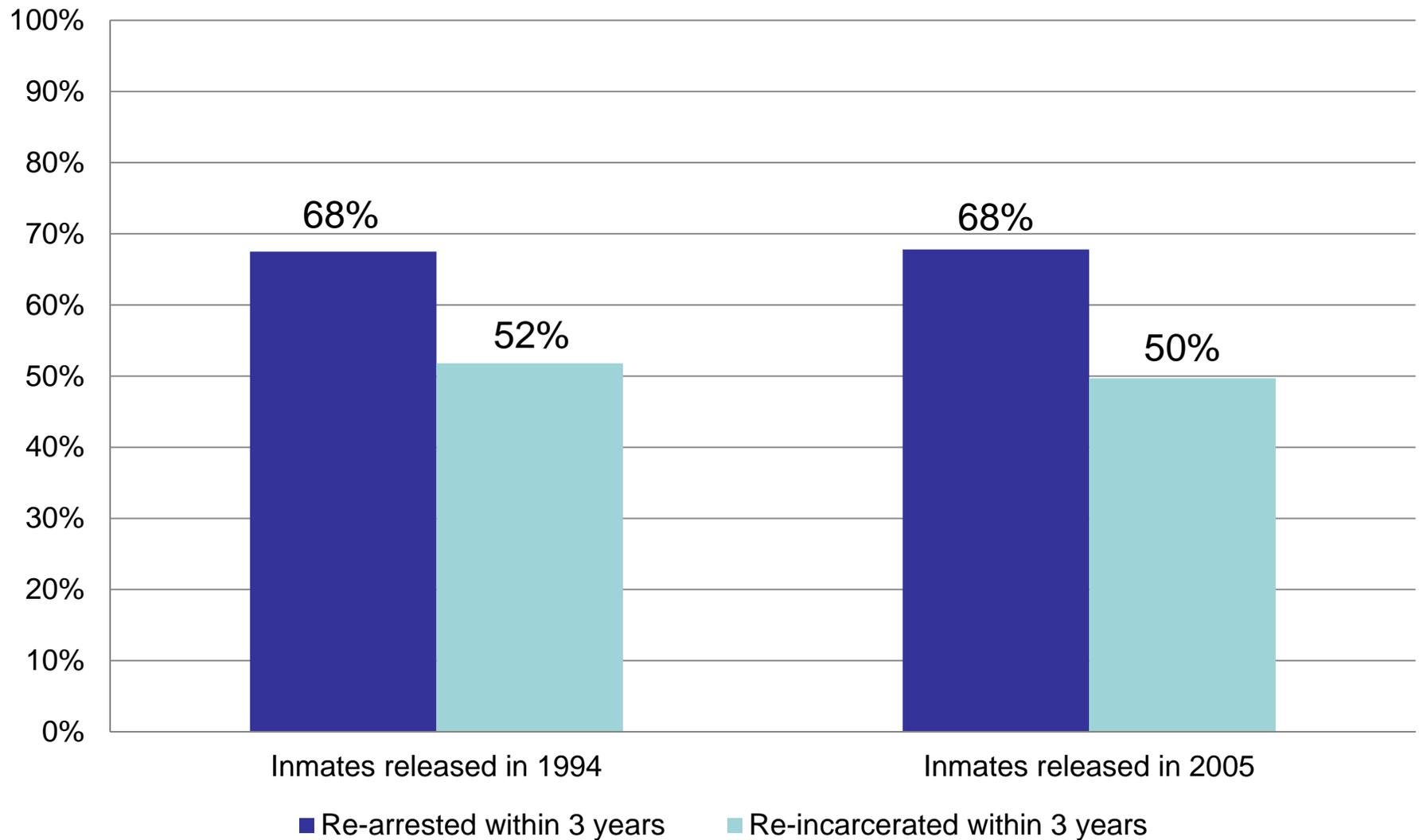
by 2008: 1 in 31 Adults Under Correctional Control

Correctional Population (prison, jail, probation, and parole), 1980-2008



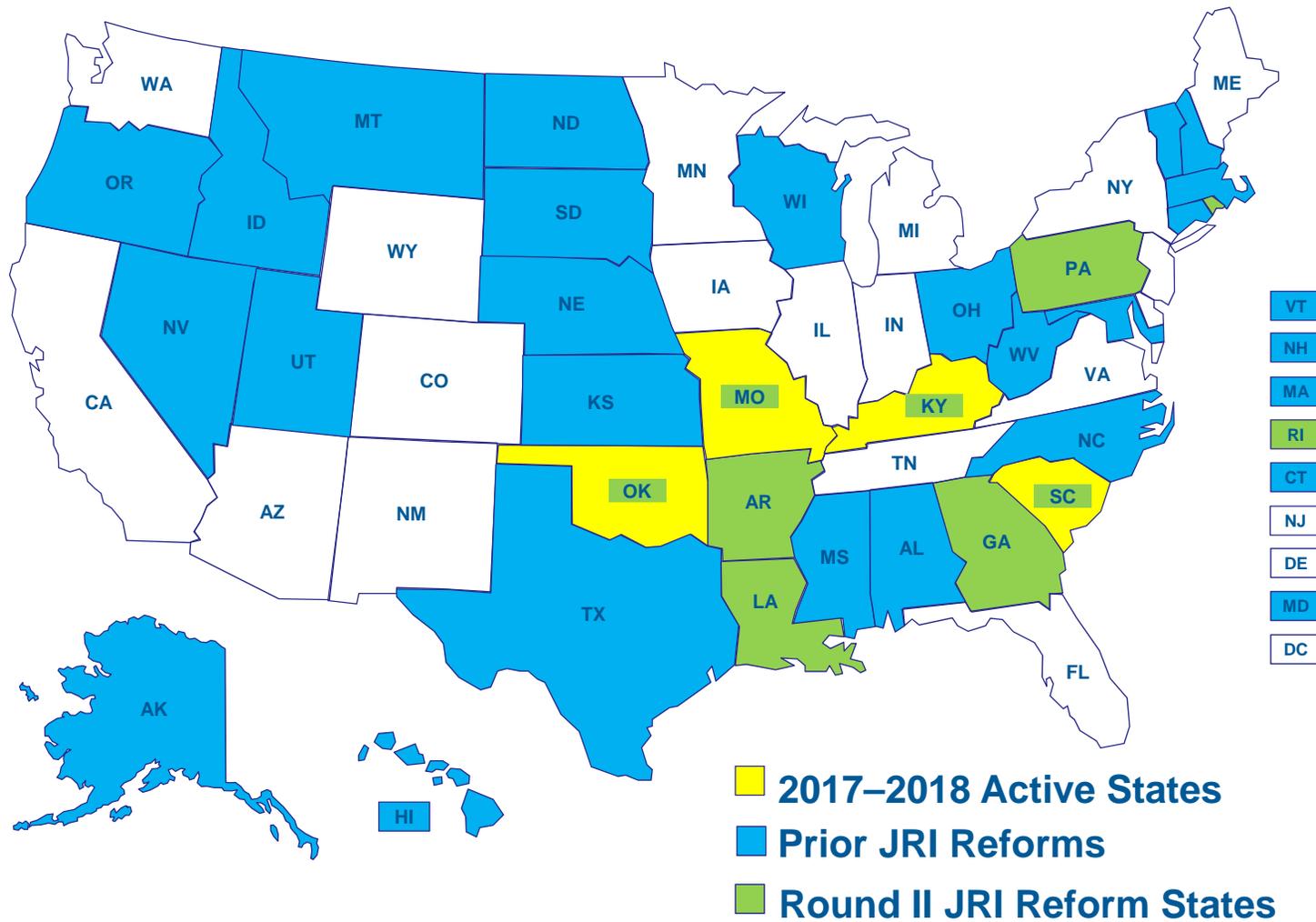
Source: Department of Justice, Bureau of Justice Statistics ₇

Despite Increased Spending, Recidivism Remains High

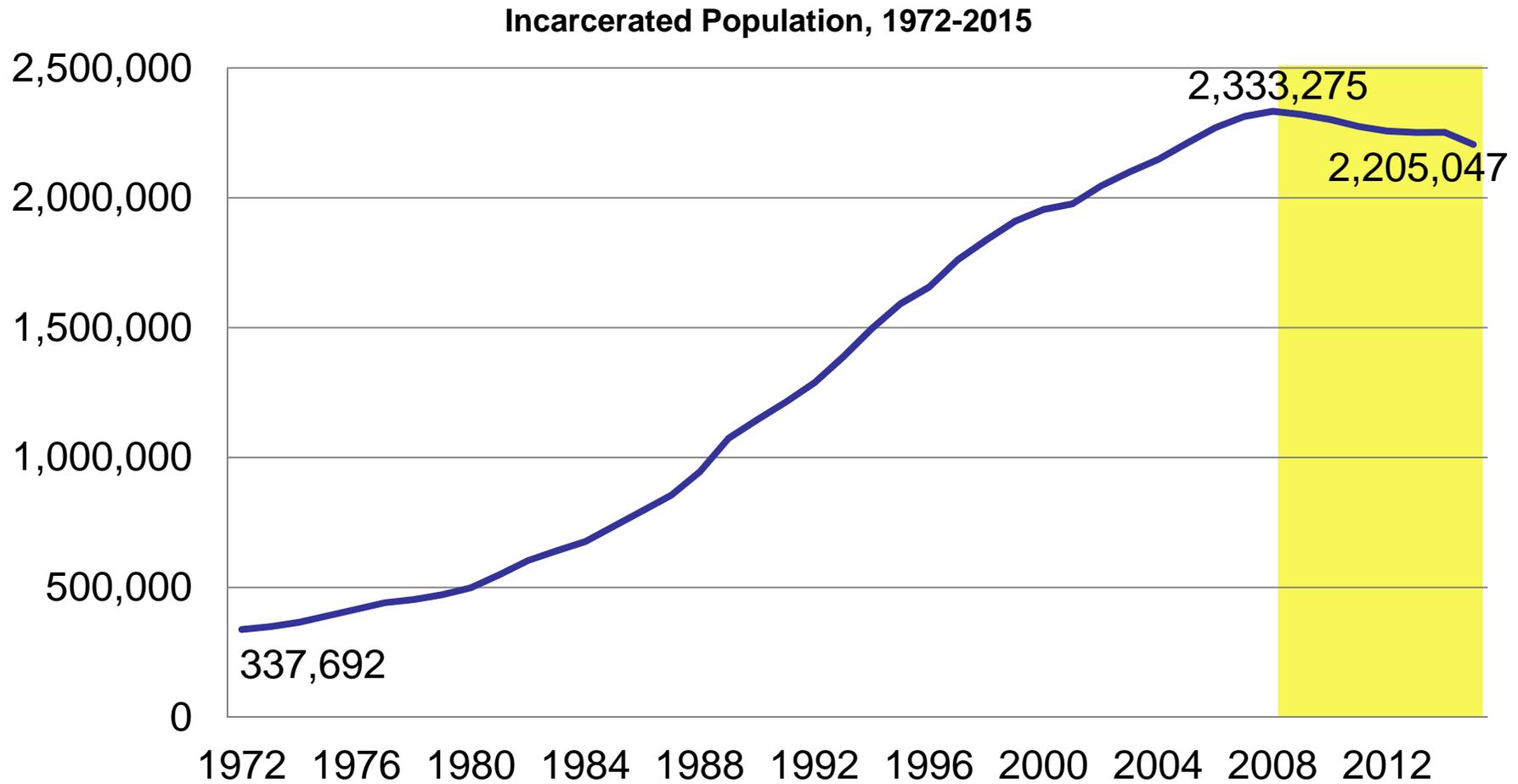


Source: Department of Justice, Bureau of Justice Statistics

Justice Reinvestment States

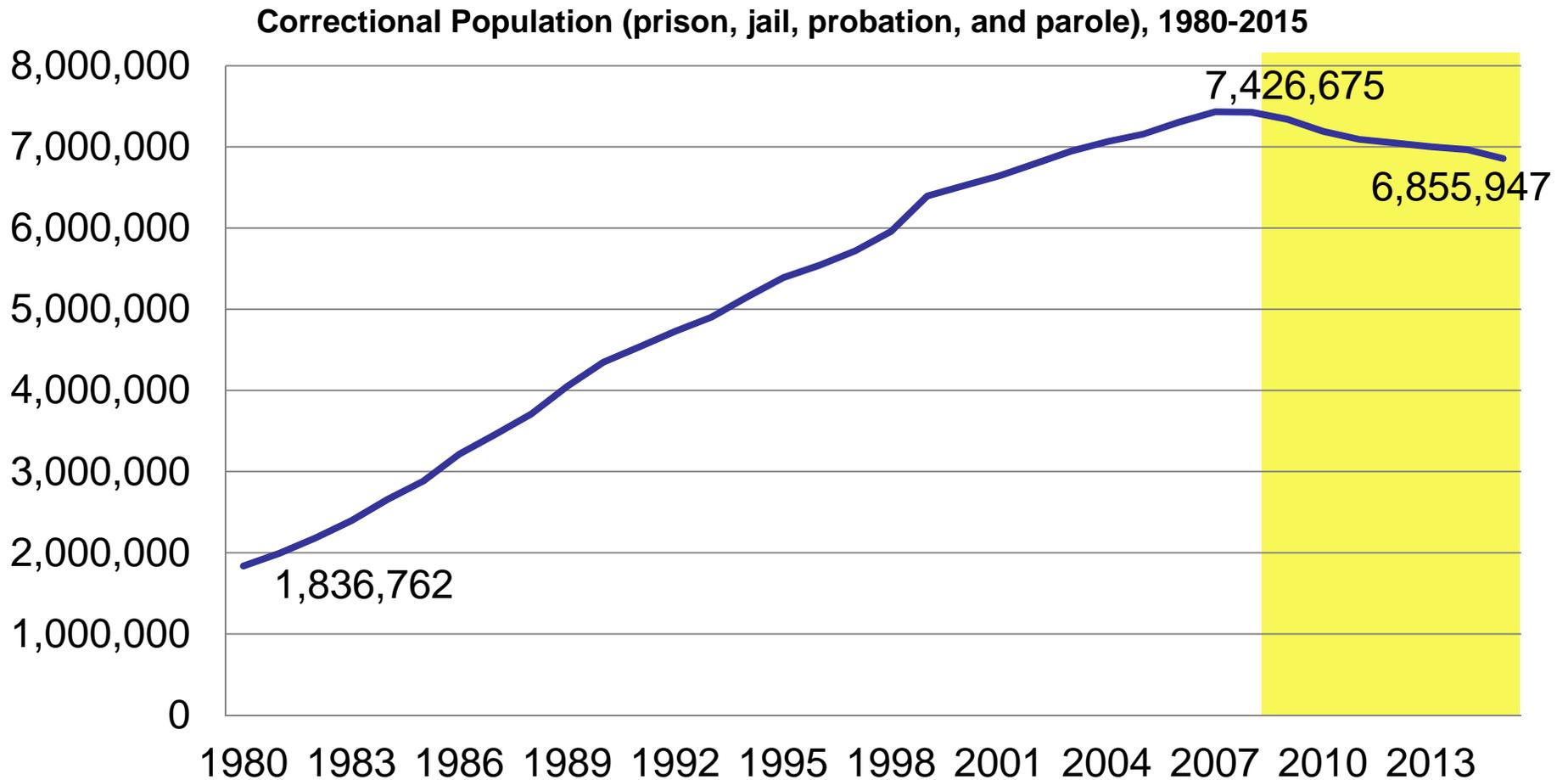


by 2015: 1 in 112 Behind Bars



Source: Department of Justice, Bureau of Justice Statistics

by 2015: 1 in 36 Under Correctional Control

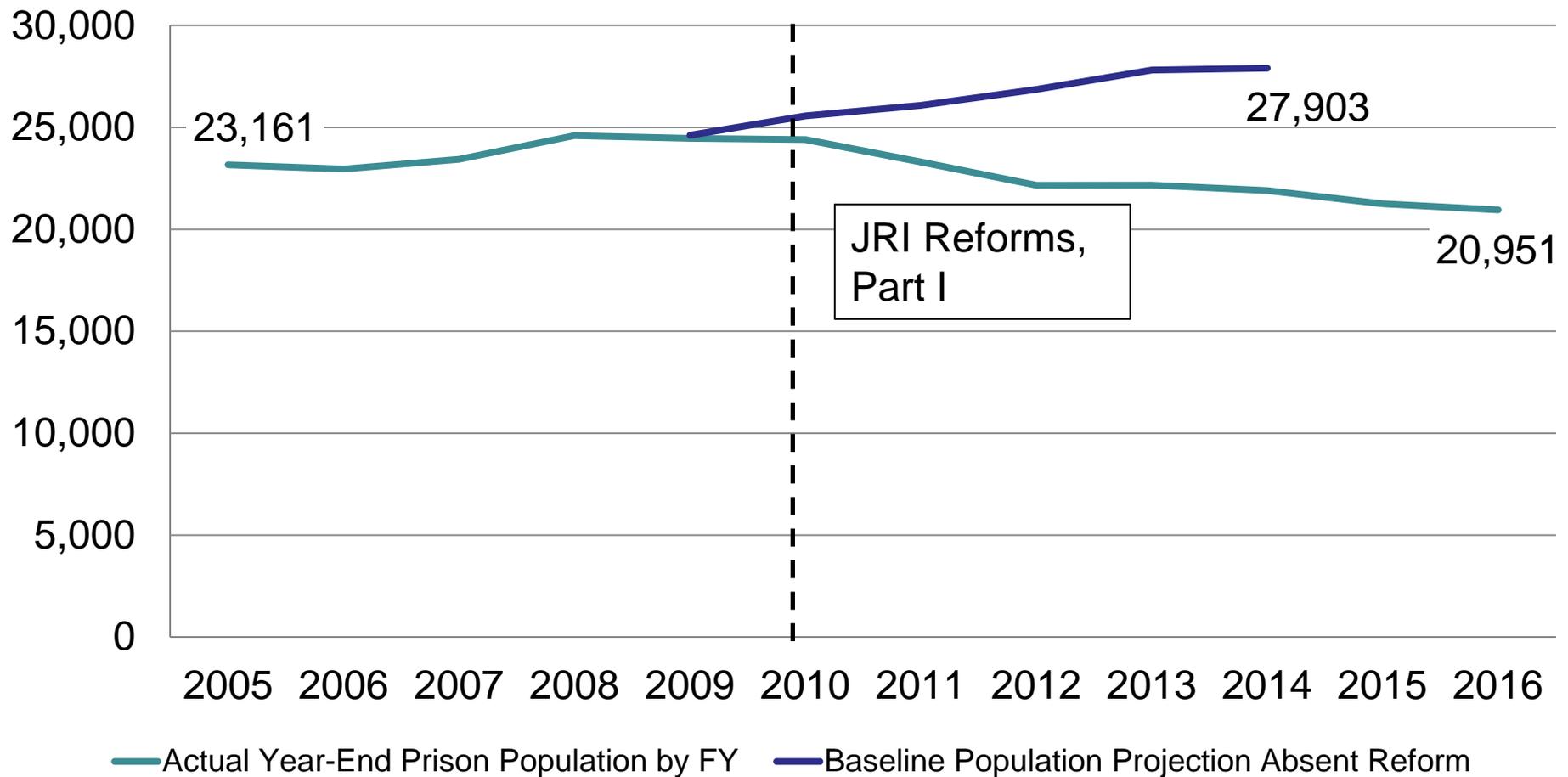


Source: Department of Justice, Bureau of Justice Statistics

SOUTH CAROLINA

Since Reform, South Carolina Averted All Projected Growth and Decreased Prison Population by 14%

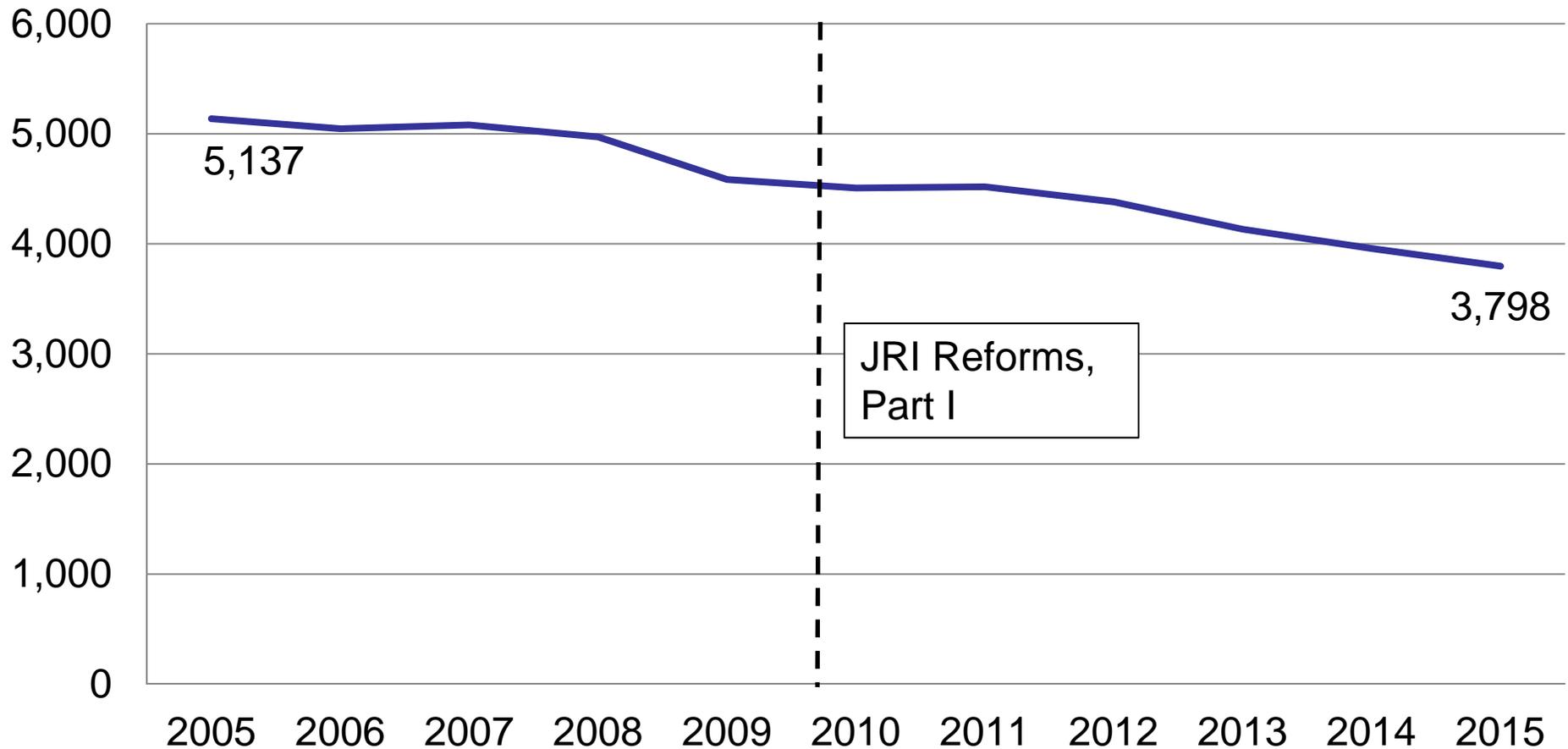
South Carolina's Prison Population



Source: South Carolina Department of Corrections (prison population); Applied Research Services (projection) ¹⁴

Since Reform, South Carolina's Crime Rate Declined 16%

Index Crime Rate per 100,000 Residents, 2005-2015



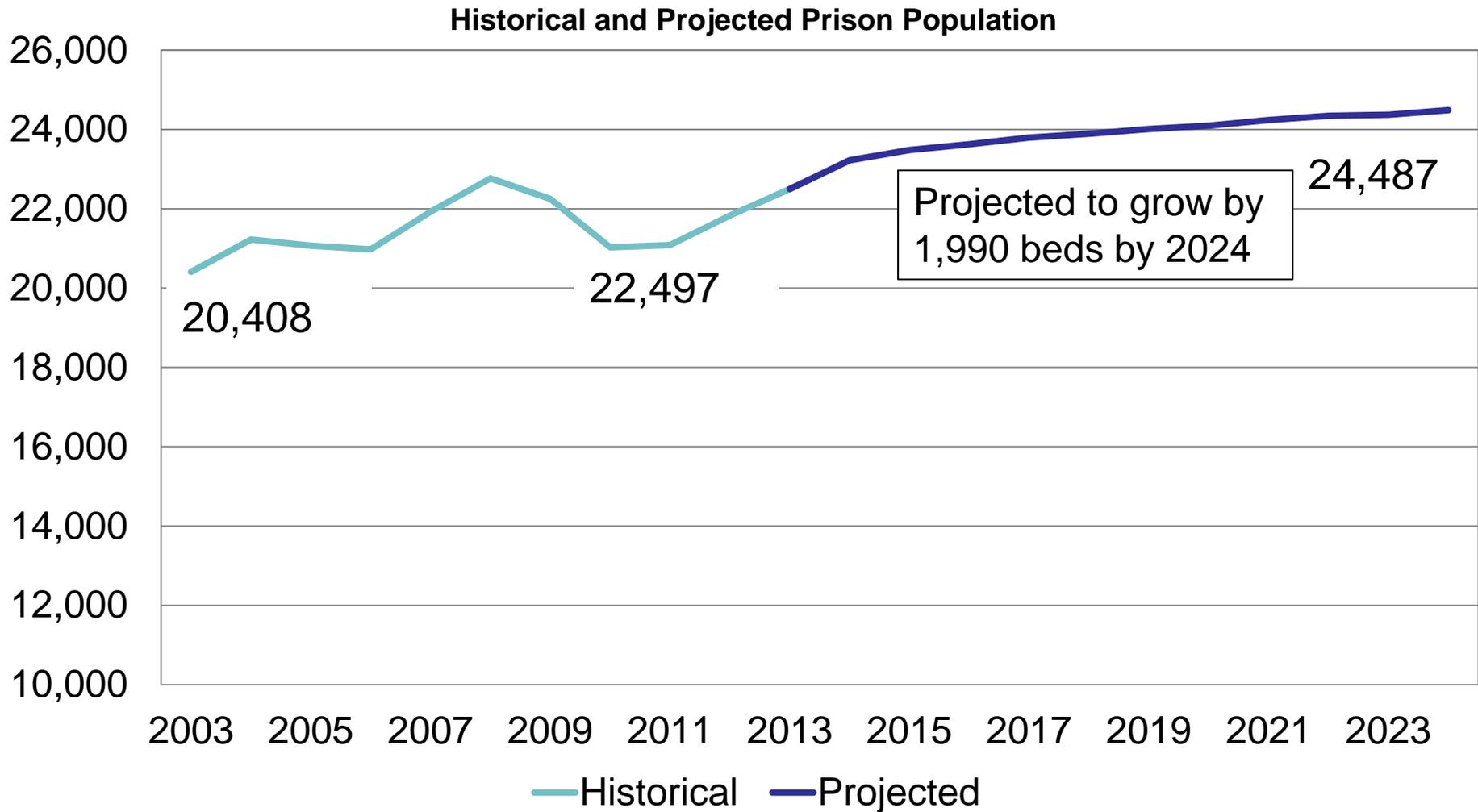
Source: Federal Bureau of Investigation

CASE STUDIES

MISSISSIPPI: ROUND 1
2013-2014

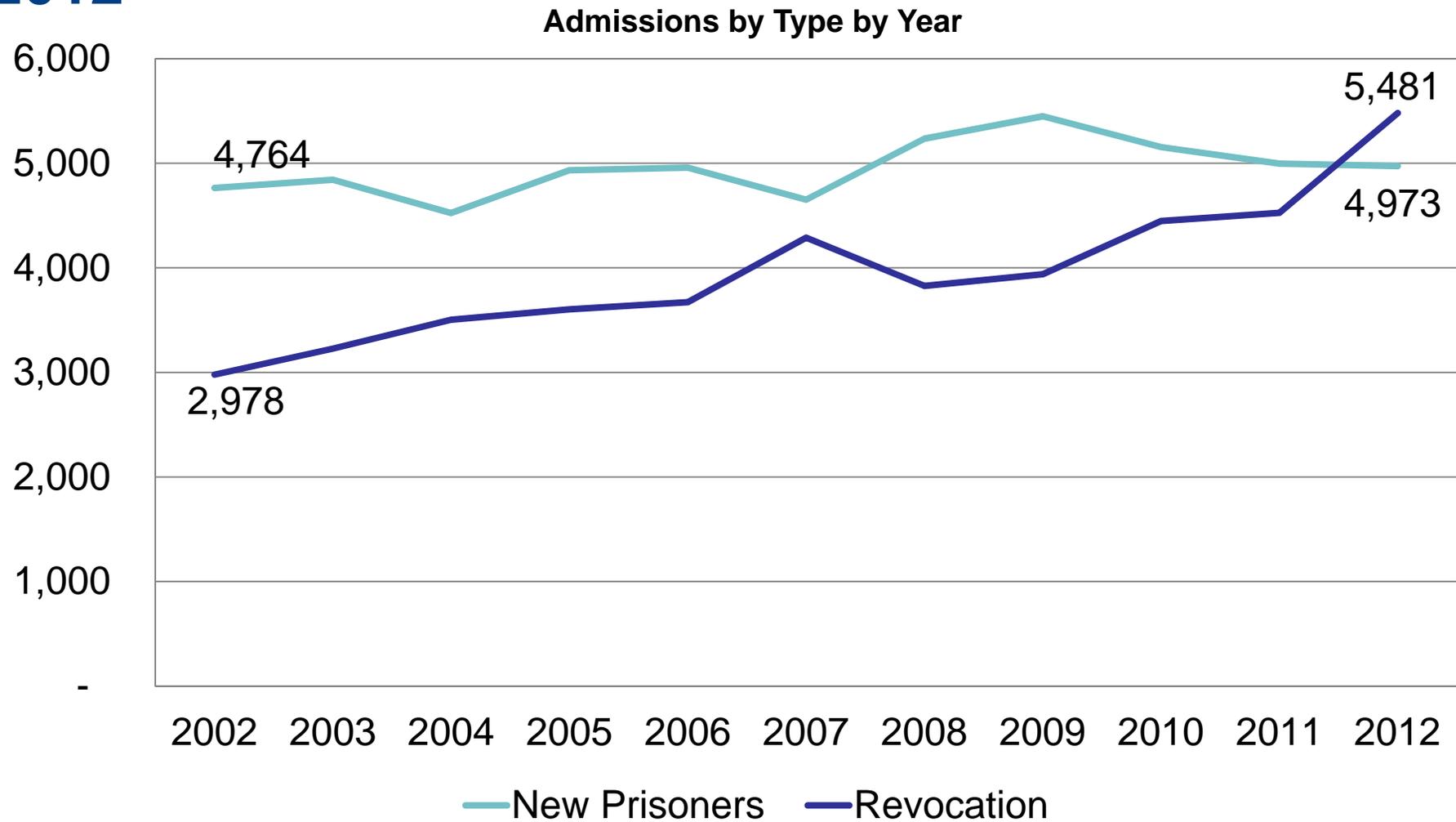


Mississippi's Cost of Doing Nothing: \$266 Million Over 10 Years



Source: Mississippi Department of Corrections

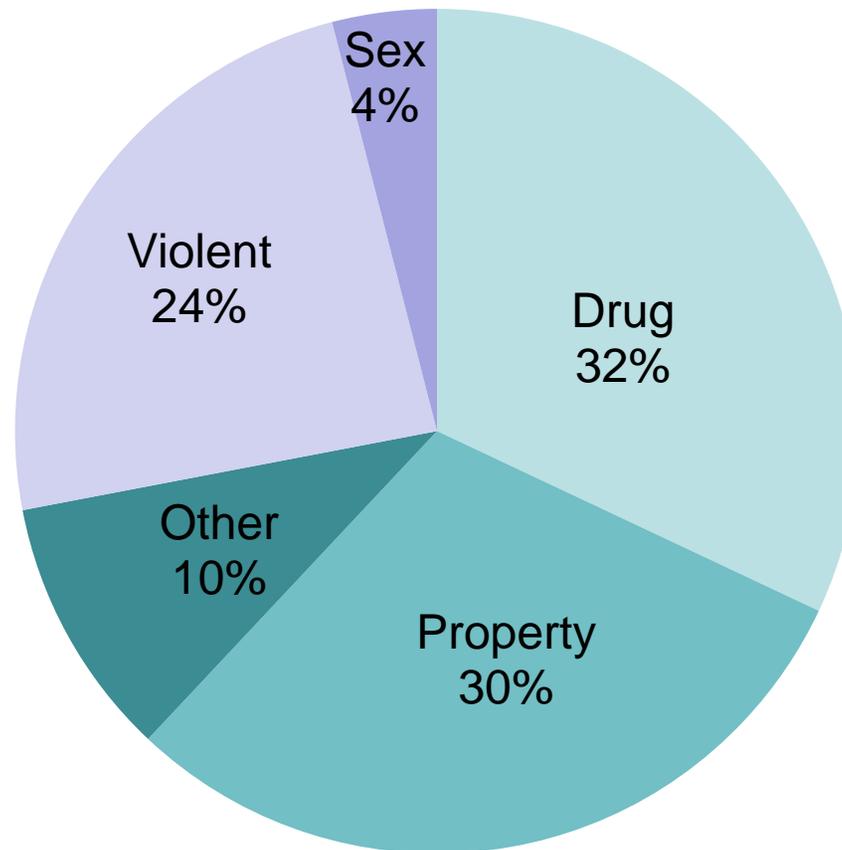
Finding: More People Entered Prison For a Revocation of Supervision Than as New Prisoners in 2012



Source: Mississippi Department of Corrections

Finding: Almost Three-Quarters of Admissions Sentenced for Nonviolent Crimes

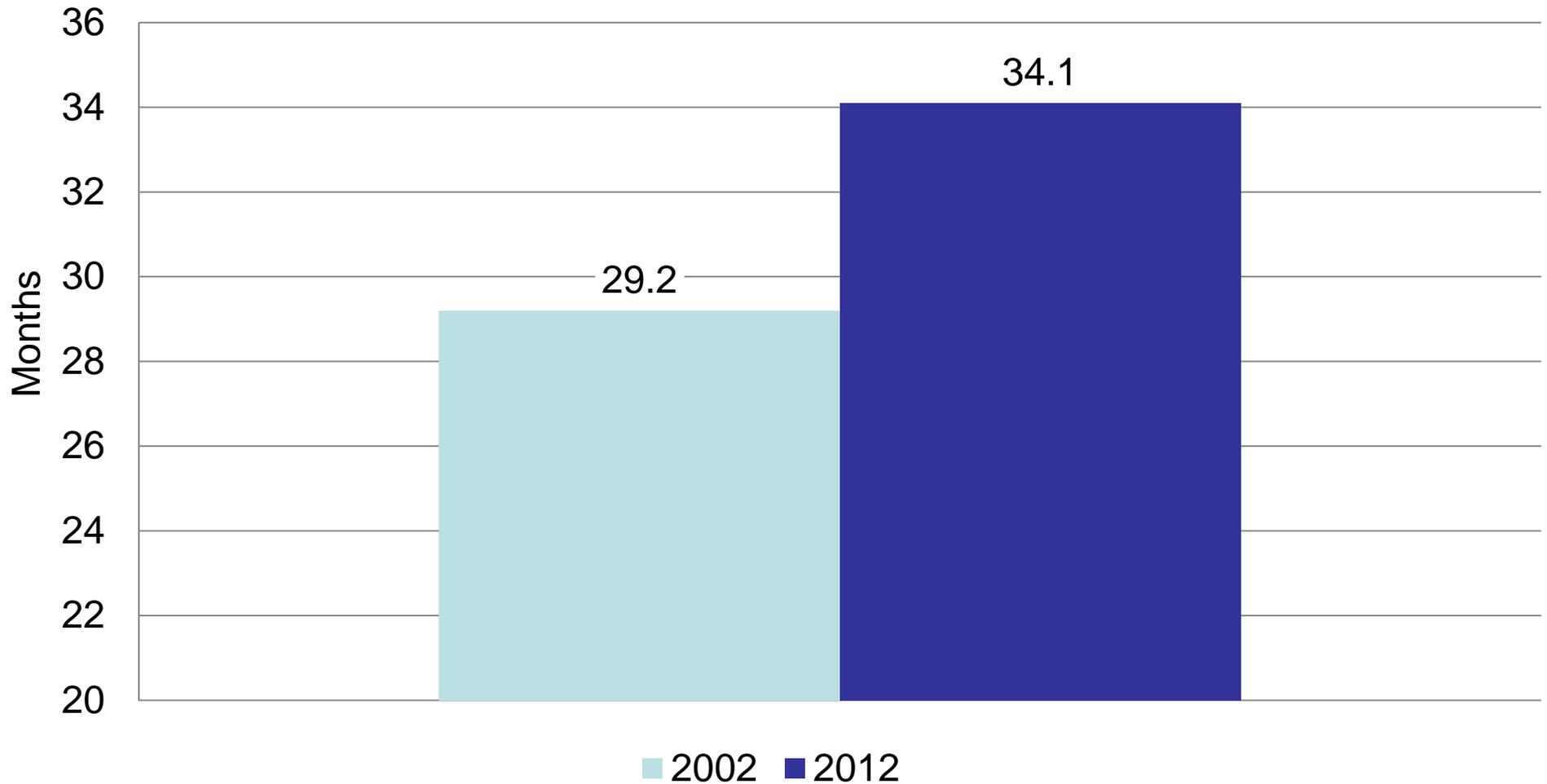
Admissions by Primary Offense Type, 2012



Source: Mississippi Department of Corrections

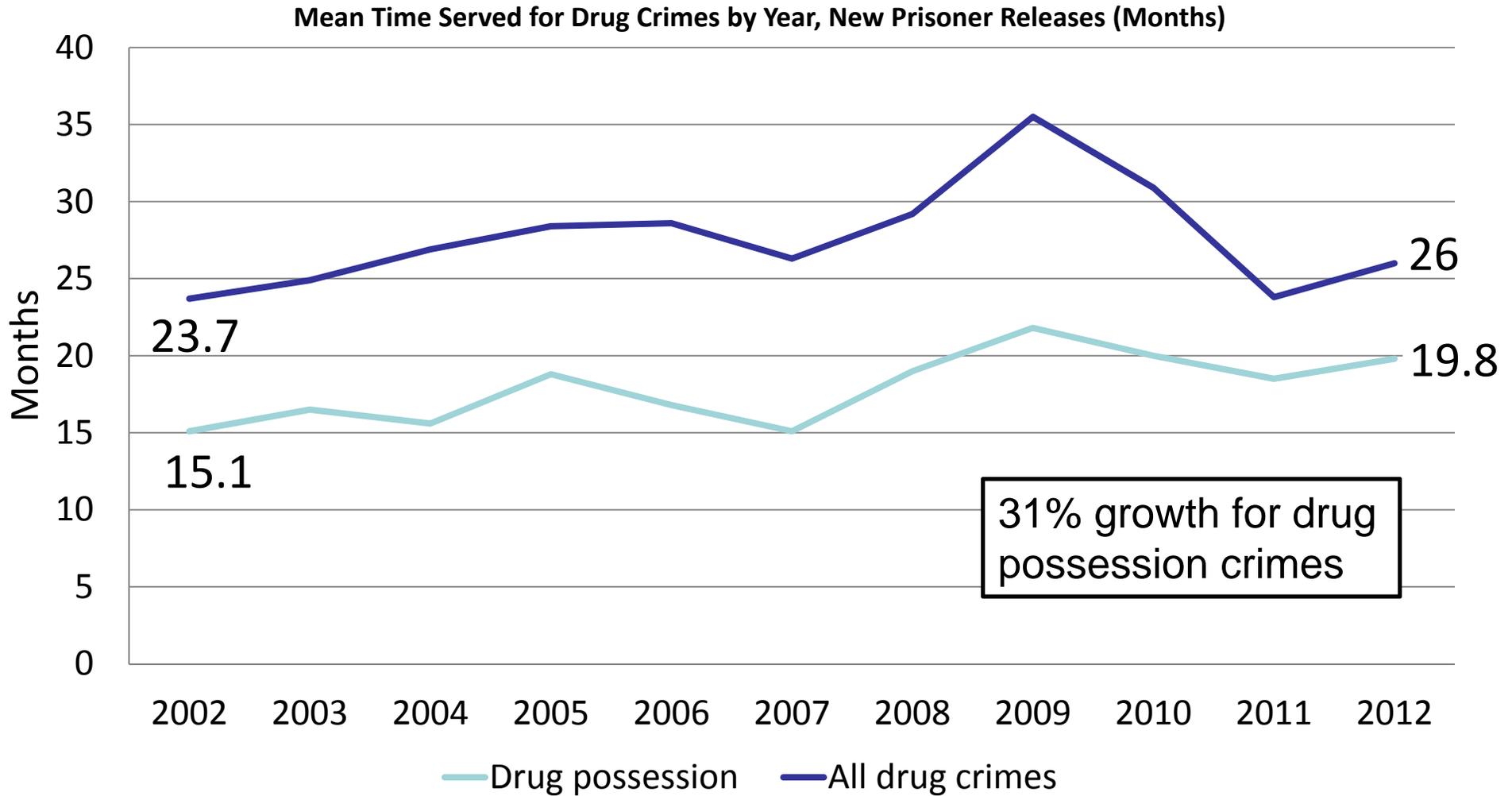
Finding: New Prisoners Released in 2012 Served 17% Longer Than Those Released in 2002

Mean Time Served, 2002 and 2012 (Months)



Source: Mississippi Department of Corrections

Finding: Mean Time Served for Drug Possession Rose 31%, Compared to 10% for All Drug Crimes



Source: Mississippi Department of Corrections

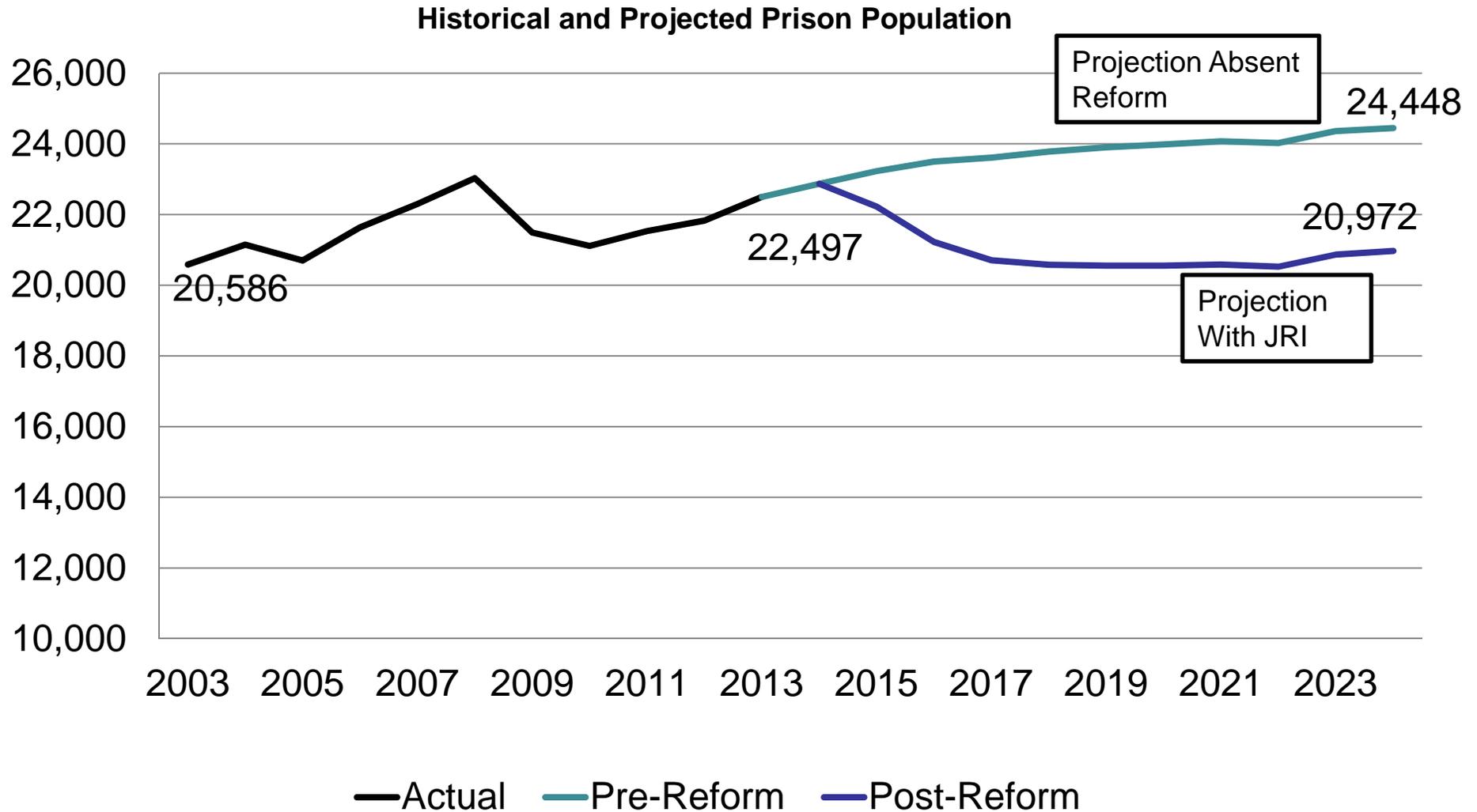
Task Force Key Findings and JRI Reforms

- **Finding: More offenders entered prison from supervision than as new prisoners in 2012**
 - Reforms:
 - Strengthens community corrections through the use of graduated sanctions and earned discharge; and limits incarceration periods for technical violations of supervision.
- **Finding: Almost three-quarters of admissions sentenced for nonviolent crimes**
 - Reforms:
 - Raises felony theft threshold for property crimes; and develops presumptive probation for certain lower-level property and drug crimes.

Task Force Key Findings and JRI Reforms

- **Finding: New prisoners released in 2012 served 17% longer than those released in 2002**
 - Reforms:
 - Creates structured sentences for drug crimes based on weight and criminal history; expands eligibility for earned time to certain drug offenders; and ensures that all nonviolent offenders are parole eligible at 25%.

Mississippi Reforms: Minimum of \$266 Million Averted Over 10 Years



Source: Mississippi Department of Corrections

Mississippi Reforms: Widespread Political Support



POLICY BRIEF

Justice Reinvestment in Mississippi NONPARTISAN RESEARCH AND ANALYSIS

“ALEC’s legislative members believe that criminal justice spending should be held accountable and support policies that give taxpayers a better public safety return on every dollar spent. By slowing the growth of Mississippi’s prisons, the state can avoid \$266 million in corrections spending over the next ten years while maintaining public safety.”

Mississippi Reforms: Widespread Political Support



“Our Christian faith tells us the criminal justice system must be anchored in principles supported by the Bible and rooted in history. **[H.B. 585] would restore victims, justly punish criminals and provide opportunities for redemption.** It also acknowledges that almost every prisoner will one day rejoin our communities, and ensures each of them receives mandatory reentry support. That’s good for returning offenders, and it’s good for public safety too.”

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Porter".

Dr. Jimmy Porter, Executive Director
Christian Action Commission

A handwritten signature in black ink, appearing to read "Craig DeRoche".

Craig DeRoche, President
Justice Fellowship

Mississippi Reforms: Widespread Political Support

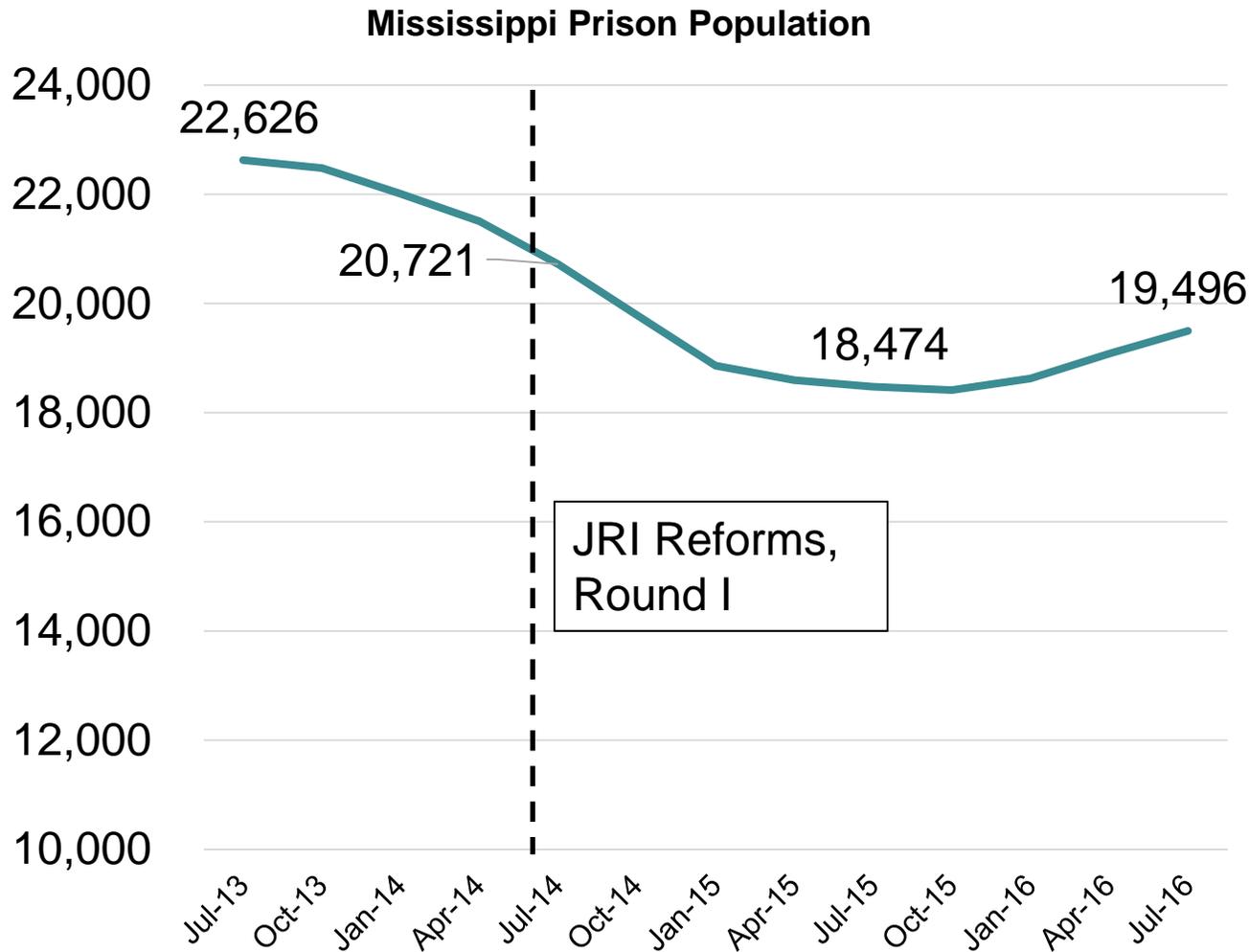


“[...] MEC recognizes that the corrections reform measures included in HB 585 **are in alignment with our long-held policies in support of government efficiency**, which is why I am writing today on behalf of our organization in support of the legislation.”

Sincerely,

Blake A. Wilson

Mississippi Sees Lower Prison Population and Other Improvements

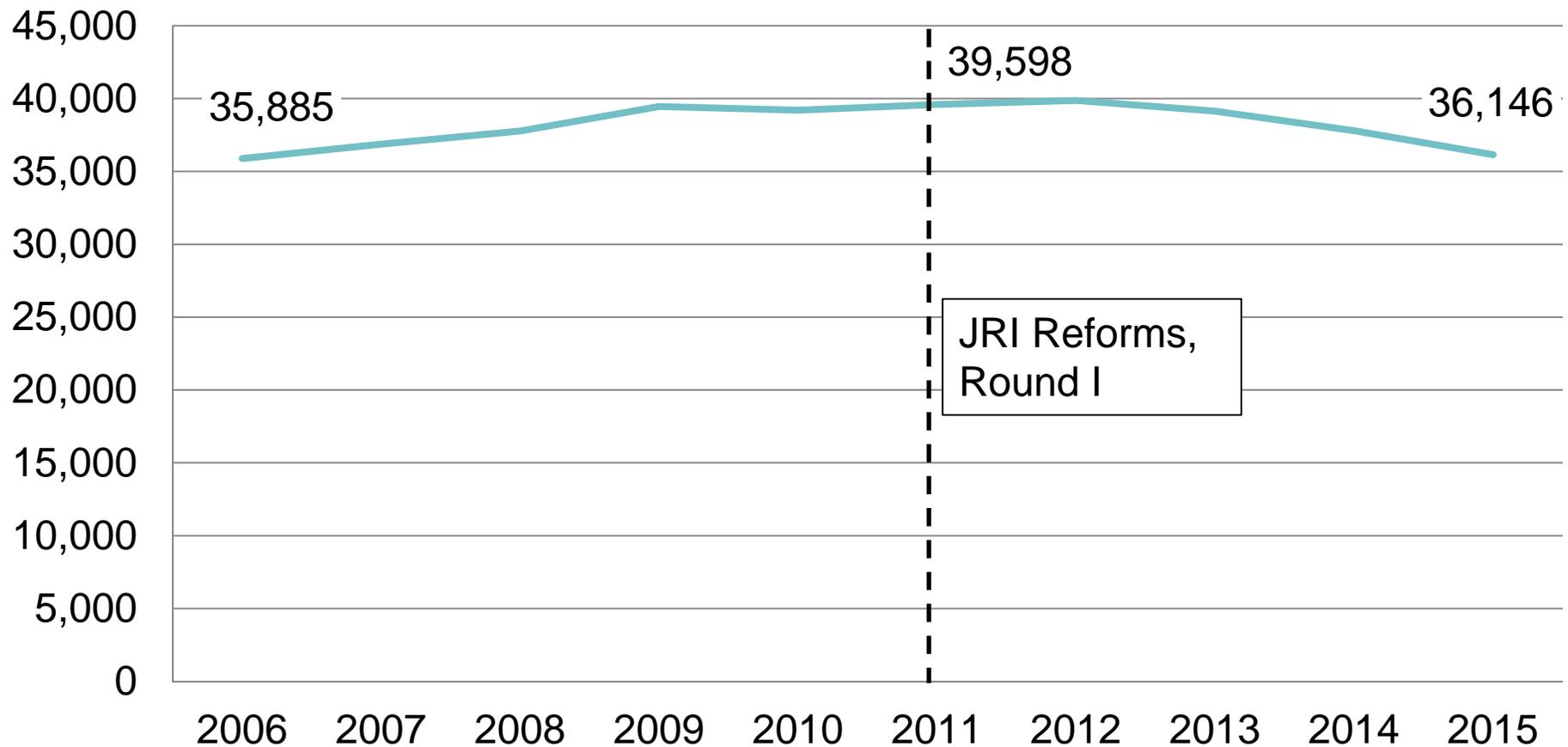


- Probation success rates up
- State's prison space better focused on violent offenders
- Prison admissions for low-level crimes have declined

LOUISIANA: ROUND II
2016-2017

After JRI Round I, Louisiana's Prison Population Dropped by 9%

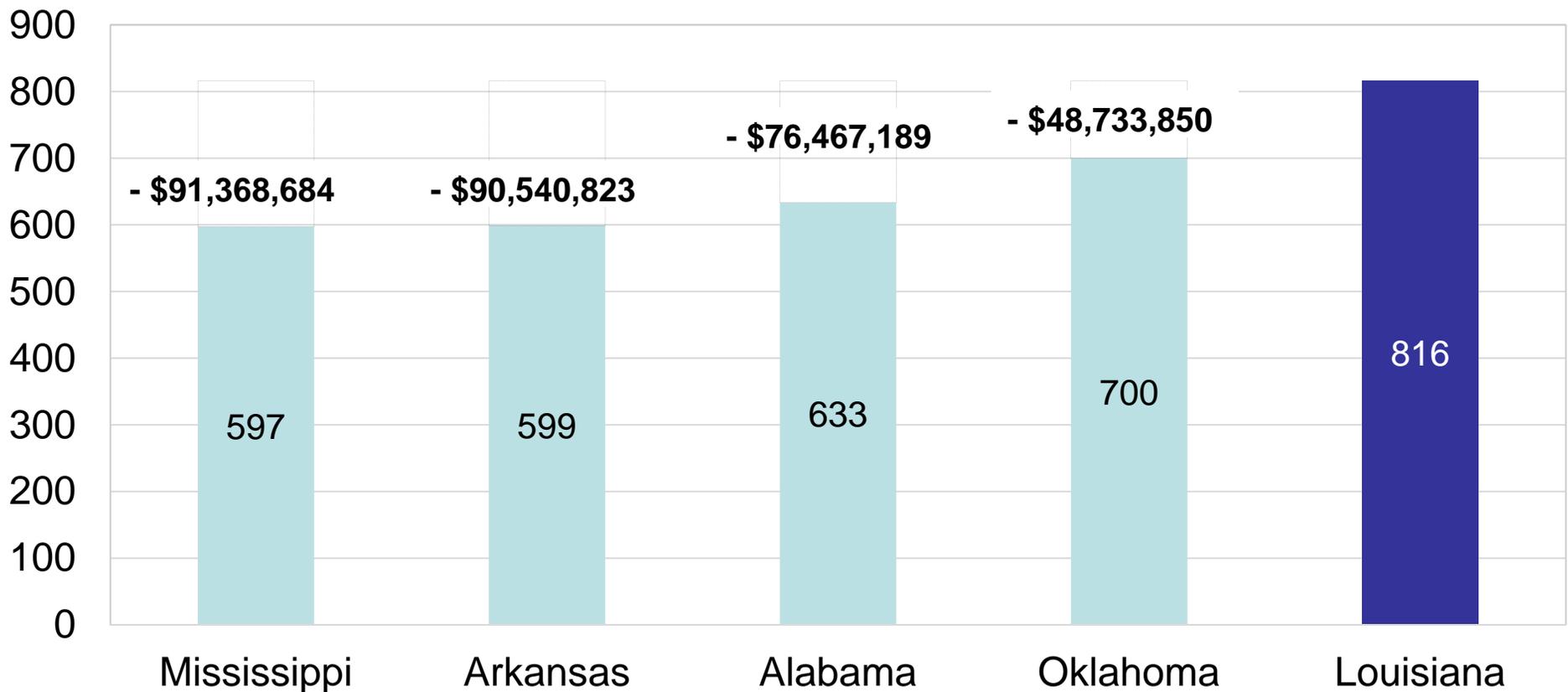
Prison Population by Year (December 31 Annual Snapshot)



Source: Louisiana Department of Corrections

Cost of Being #1: If Louisiana Had the Second Highest Imprisonment Rate in 2014, It Would Have Saved \$49 Million

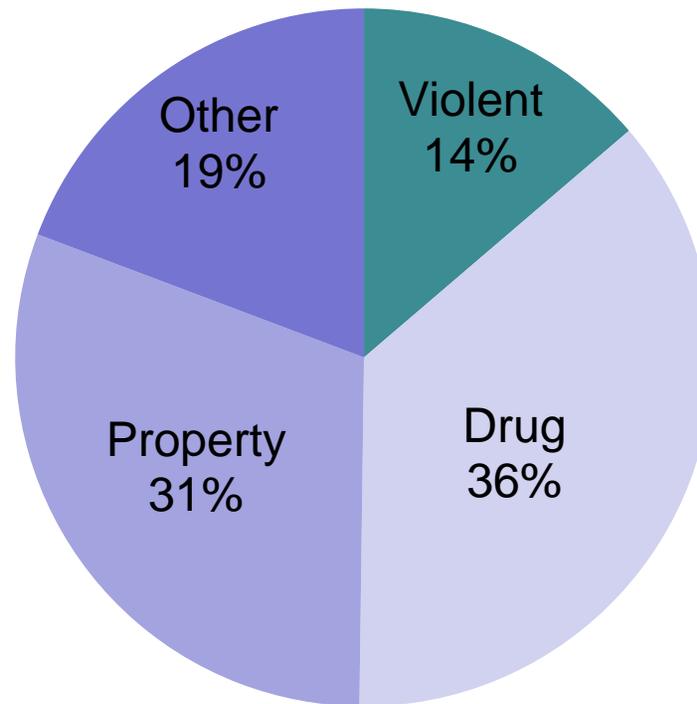
Estimated 2014 Savings If Louisiana's Imprisonment Rate Matched Other States



Source: Bureau of Justice Statistics

Finding: 86% of Prison Admissions Are Nonviolent

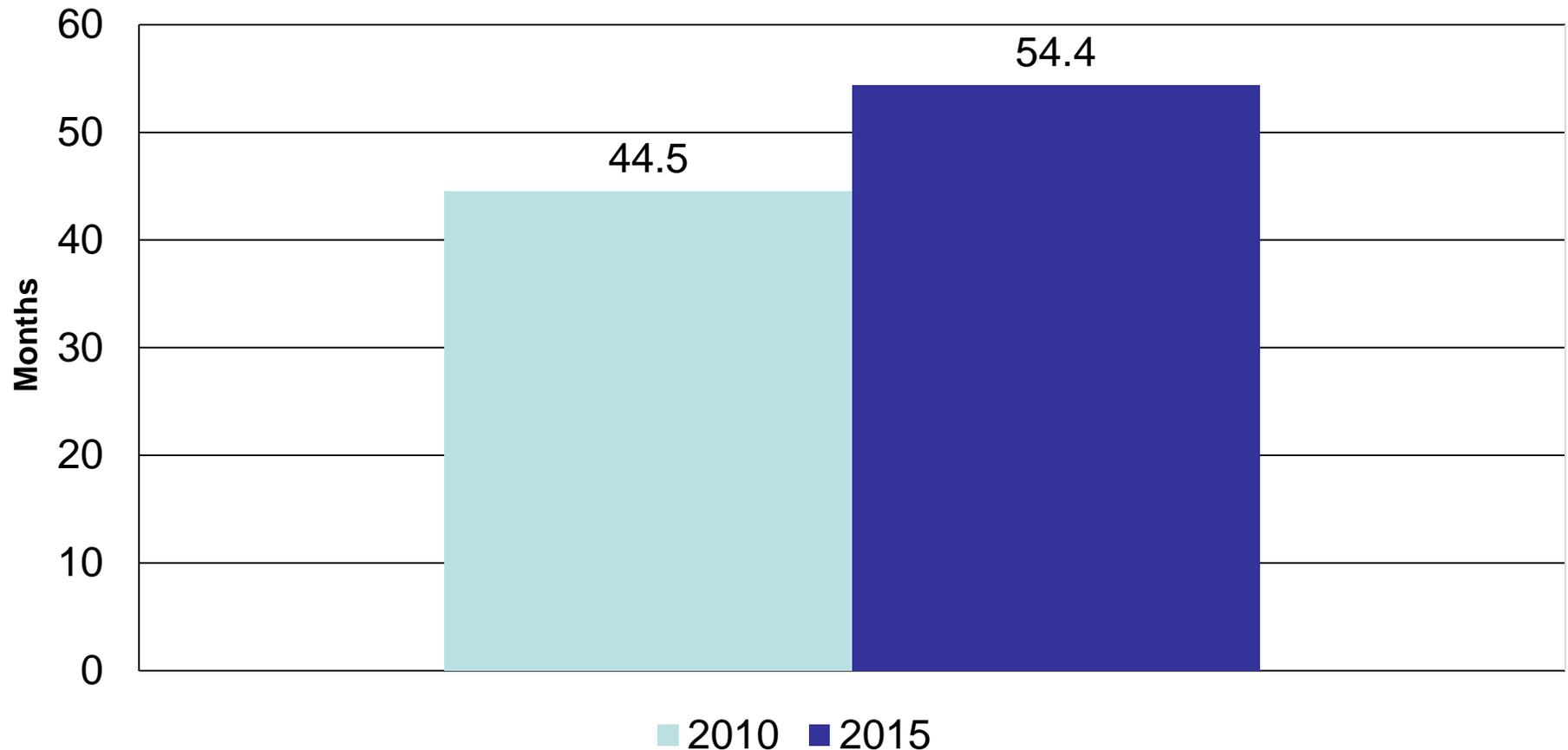
Admissions by Primary Offense Type, 2015



Source: Louisiana Department of Corrections

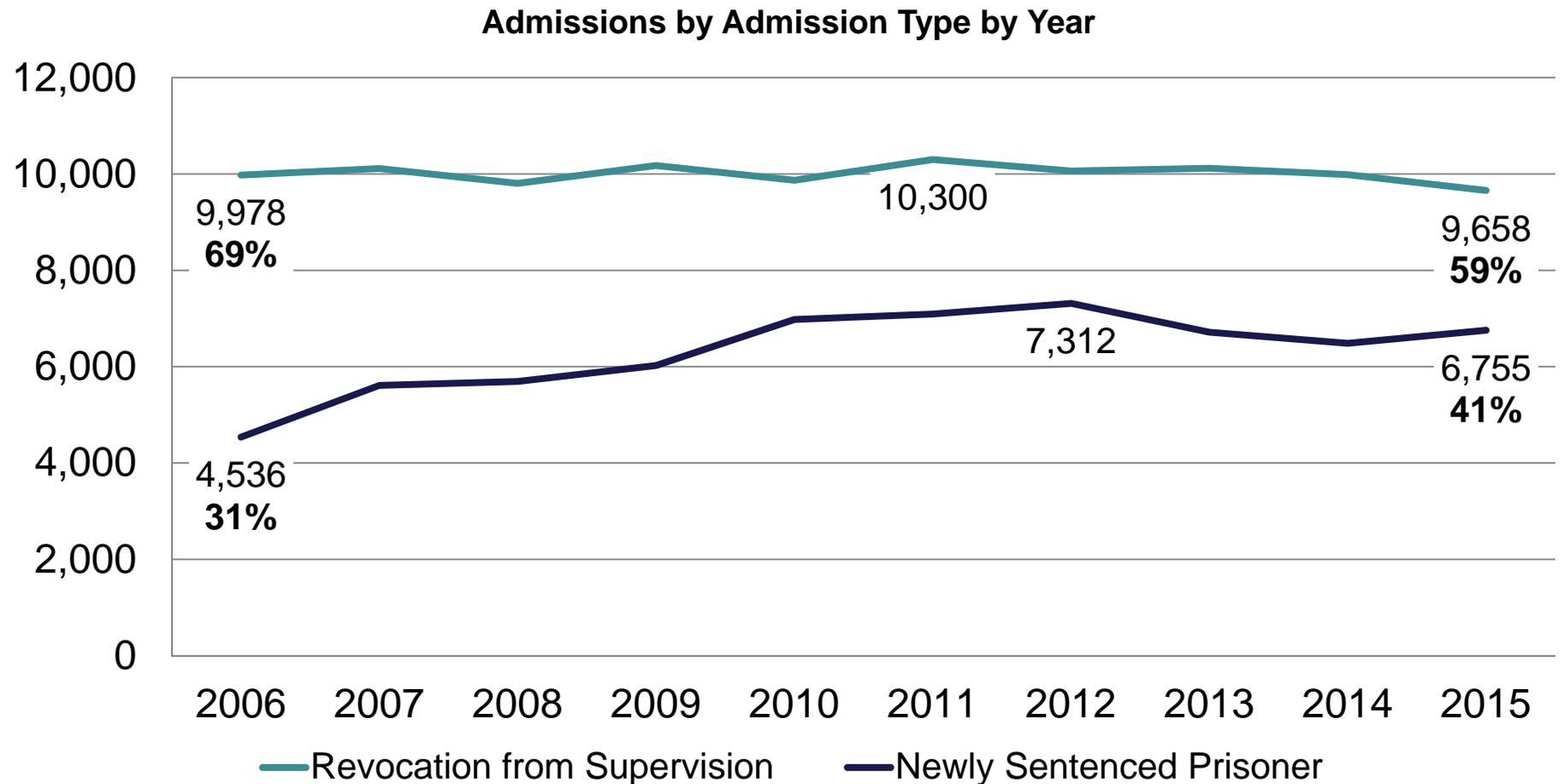
Finding: Average Sentence Length for Common Nonviolent Offenses Has Increased in Last 5 Years

Mean Sentence Length for Newly Sentenced Prisoners,
2010 and 2015 File Review Release Sample



Source: Louisiana Department of Corrections

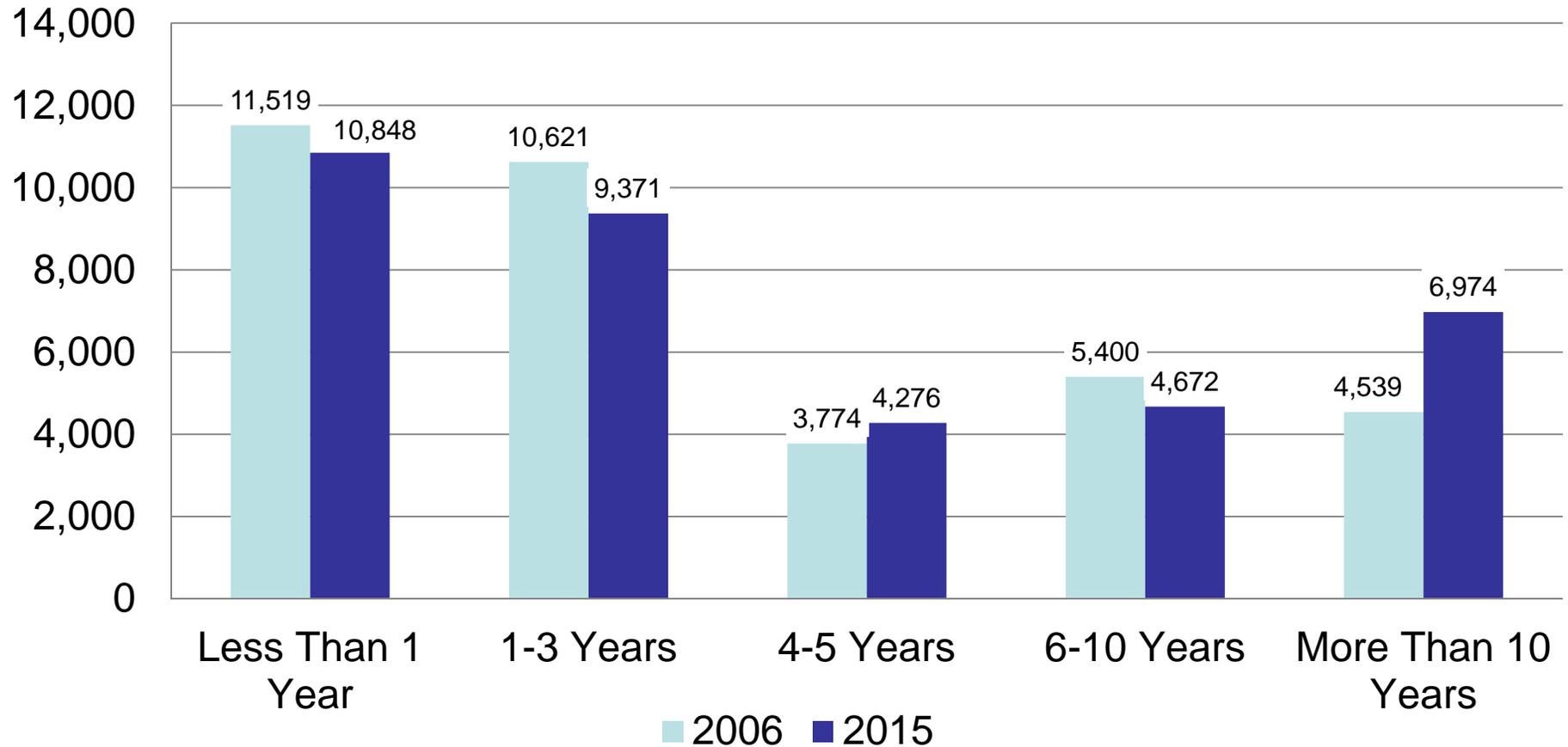
Finding: Most Prison Admissions Are for Failures on Supervision



Source: Louisiana Department of Corrections

Finding: Share of Inmates That Have Served More Than 10 Years Increased in Last Decade

Prison Population by Time In So Far Category, 2006 and 2015



Source: Louisiana Department of Corrections

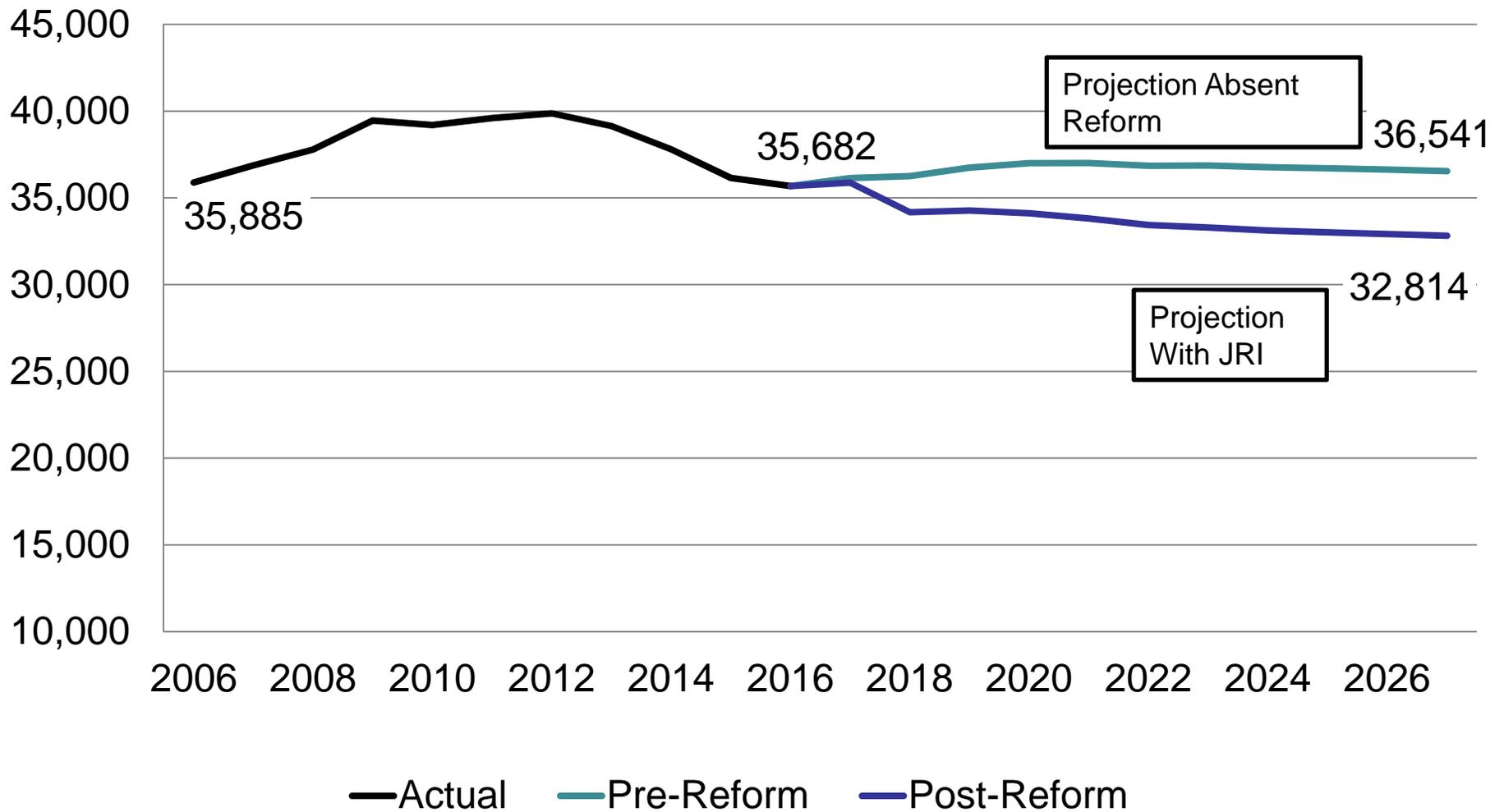
Task Force Key Findings and JRI Reforms

- **Finding: 86% of prison admissions are nonviolent**
 - Reforms:
 - Expands eligibility for probation and other alternatives to incarceration, including drug court.
- **Finding: Average sentence length for common nonviolent offenses has increased in last 5 years**
 - Reforms:
 - Tailors sentences for drug offenses by weight, trimming penalties for possession and sale of small weights; expands parole eligibility for violent and nonviolent offenses; streamlines parole release; and authorizes increased earned time credits.

Task Force Key Findings and JRI Reforms

- **Finding: Most prison admissions are for failures on supervision**
 - Reforms:
 - Creates earned compliance credits; and caps jail time as a sanction for violations at 15, 30, and 45 days.
- **Finding: Share of inmates that have served more than 10 years increased in last decade**
 - Reforms:
 - Reduces habitual offender penalties by lowering mandatory minimum sentences; retroactively expands parole to individuals serving time for nonviolent offenses; and permits most people sentenced to life as juveniles to be considered for parole after serving 25 years in prison.

Louisiana Reforms: Minimum of \$262 Million Averted Over 10 Years



Source: Louisiana Department of Corrections

Louisiana Reforms: Widespread Political Support



“Given Louisiana’s budget pressures and workforce needs, **continuing along the same path is unsustainable.** It’s time to take a hard look at the criminal justice system and **make smarter choices about who we lock up and for how long.** That’s why business community leaders from across the state applauded the [...] Justice Reinvestment Task Force.”

Louisiana Reforms: Widespread Political Support



“Louisiana voters take a results-focused view about what counts when it comes to crime and punishment. **A 68% majority (53% “strongly”) side with the view that it is not the length of the sentence that is important, but rather whether the system ensures that offenders are less likely to commit another crime.** Only 25% support the view that longer sentences are more effective.”

Louisiana Reforms: Widespread Political Support

THE
ADVOCATE

*Our Views: At last, a real shot
at prison reform*

“[The Justice Reinvestment Reforms are] the boldest change of direction for Louisiana since the reform of New Orleans public schools after Hurricane Katrina [...]. Approval of the[se] 10 measures [...] **is an illustration of what can happen when citizens and lawmakers approach Louisiana’s most vexing problems collaboratively**”

NEXT STEPS

Justice Reinvestment Work Plan

1. *Prison Trends*

- **Examine major trends in the state's correctional population;** how the prison and supervision populations have changed over the last decade.

2. *Policy Development*

- **Evaluate and discuss potential policies;** reach out to interested stakeholders.

3. *Final Findings and Recommendations*

- **Finalize recommendations and task legislature with codifying them into law.**

Justice Reinvestment Schedule

1. ***Data trends, Part I: Week of Sept 4th***
2. ***Data trends, Part II: Week of Sept 25th***
 - *1st round of working groups: Week of Oct 16th*
 - *2nd round of working groups: Week of Oct 30th*
 - *3rd round of working groups: Week of Nov 6th*
3. ***Report-out of working groups: Week of Nov 6th***
 - *4th round of working groups: Week of Nov 27th*
4. ***Finalize policies and impacts: Week of Dec 11th***

Justice Reinvestment Working Groups

- *Two to four small, policy-focused workgroups designed to closely review and discuss possible reforms.*
- *Content of the workgroups will depend on the trends of prison and community corrections populations, as well as the interest of the members.*
- *Workgroups will be composed of members of the SROC and external stakeholders; all recommendations from the workgroups will be presented to the full SROC for adoption.*
 - *Groupings will be designated by the Chair and Co-Chair.*

Justice Reinvestment Meeting Times

Meeting	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
Data trends, part I	Sept. 5 th	Sept. 6 th	
Data trends, part II	Sept. 28 th	Sept. 29 th	
1 st round of working groups	Oct. 16 th	Oct. 17 th	Oct. 20 th (pm)
2 nd round of working groups	Oct. 30 th	Nov. 1 st	
3 rd round of working groups	Nov. 8 th	Nov. 9 th	Nov. 10 th
Report-out of working groups	Nov. 8 th	Nov. 9 th	Nov. 10 th
4 th round of working groups	Nov. 27 th	Nov. 28 th	
Finalize policies and impacts	Dec. 15 th		

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Public Safety Performance Project
www.pewtrusts.org/publicsafety