

SWIFT, CERTAIN, AND FAIR

**Presentation to the Commission
on Criminal Justice & Sentencing Reform
Community Corrections Subcommittee**

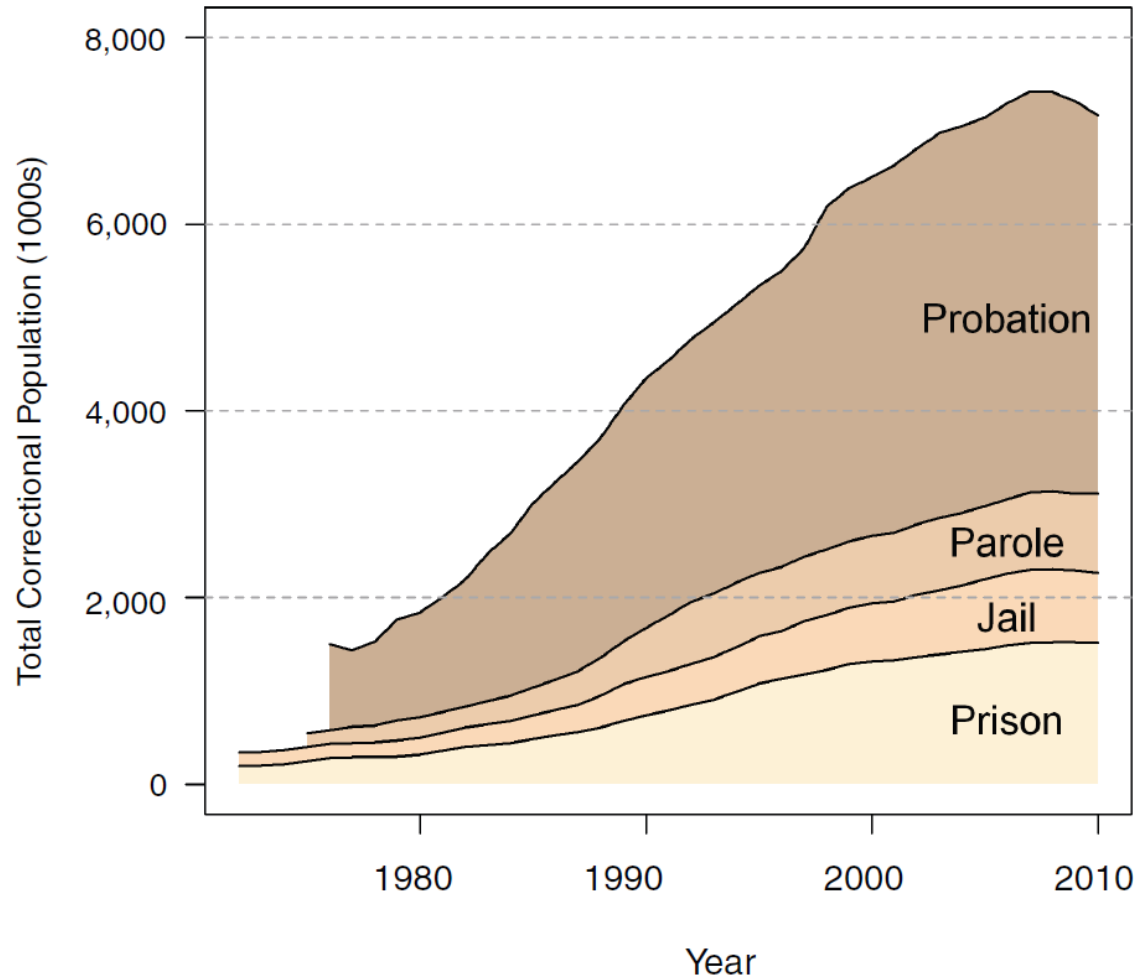
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Incarceration Rates

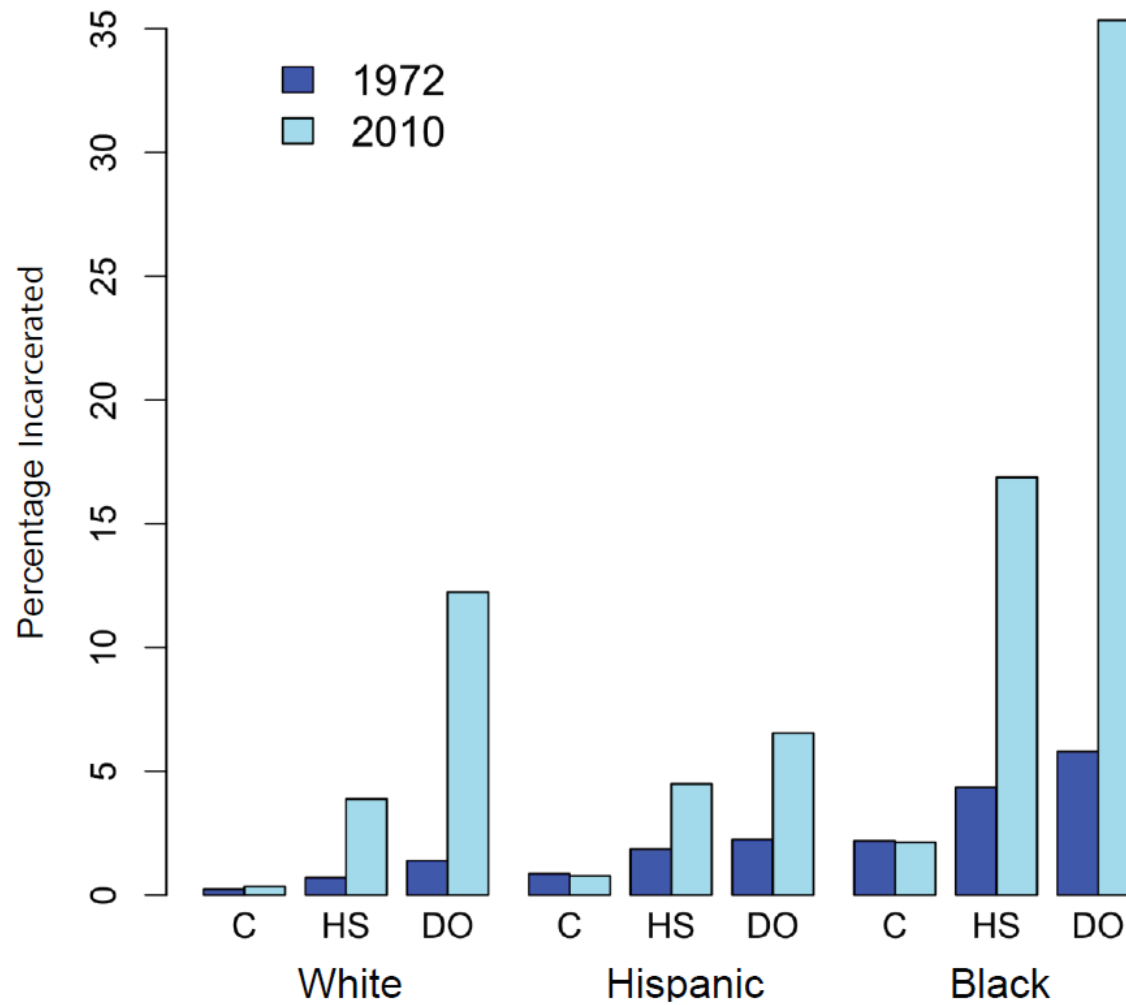
<u>Country/Region</u>	<u>Prison Population Per 100,000</u>	<u>% of US</u>
US	707	100%
Russia	467	66%
Brazil	289	41%
Iran	283	40%
Mexico	215	30%
Venezuela	174	25%
United Kingdom	149	21%
Australia	143	20%
Spain	141	20%
US (1900-75)	130	18%
China	124	18%
Canada	118	17%
Belgium	105	15%
France	102	14%
Austria	99	14%
South Korea	98	14%
Italy	88	12%
Switzerland	87	12%
Germany	81	11%
Egypt	76	11%
Norway	75	11%

- **The US has the world's highest incarceration rate**
- We are back to 1965 crime rates. To get back to our historic level of incarceration, we'd have to reduce the prisoner headcount by 80%
- We are well past the point where adding prisoners has significant crime-control value

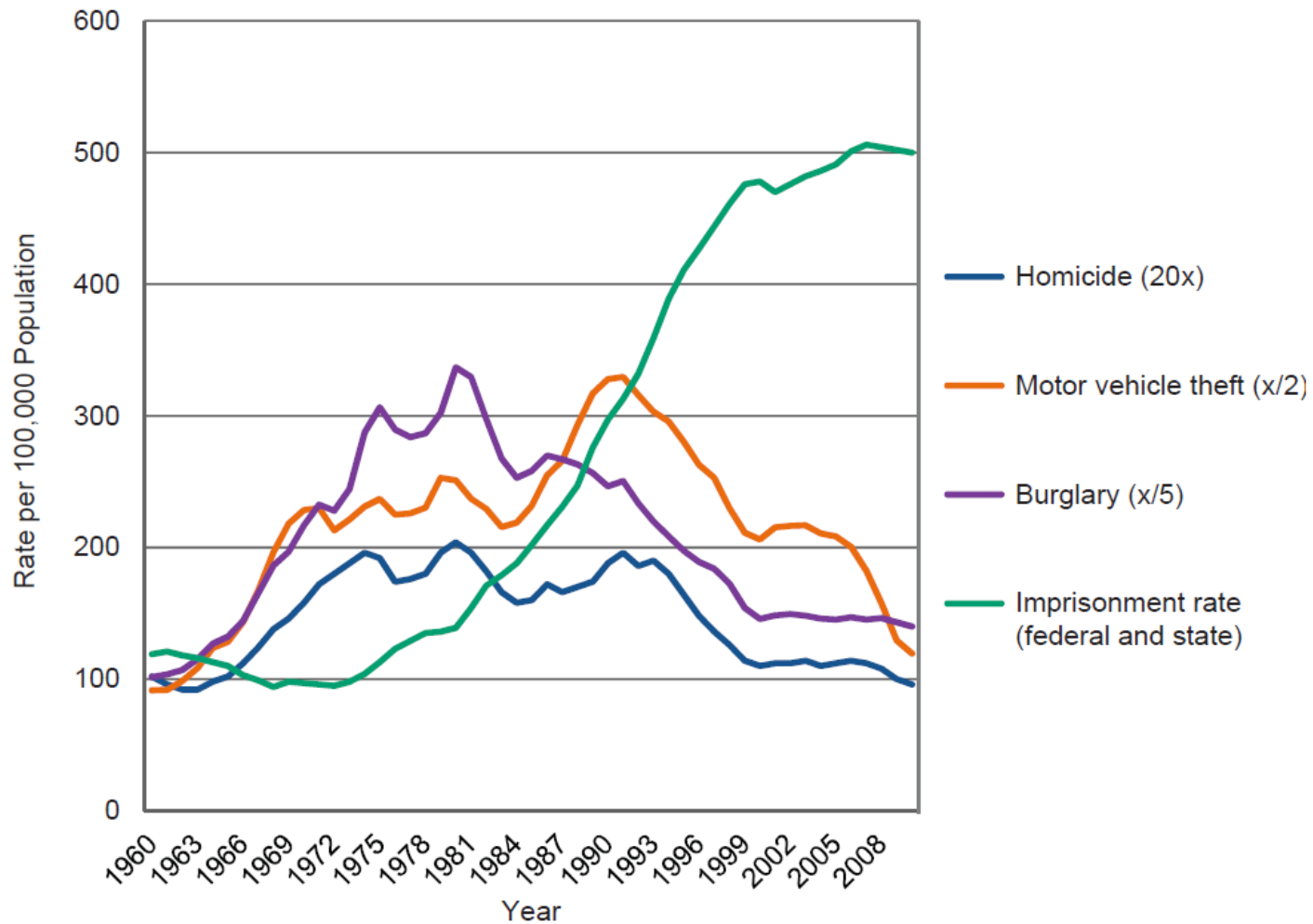
Growth in the Correctional System



Disproportionate Effects



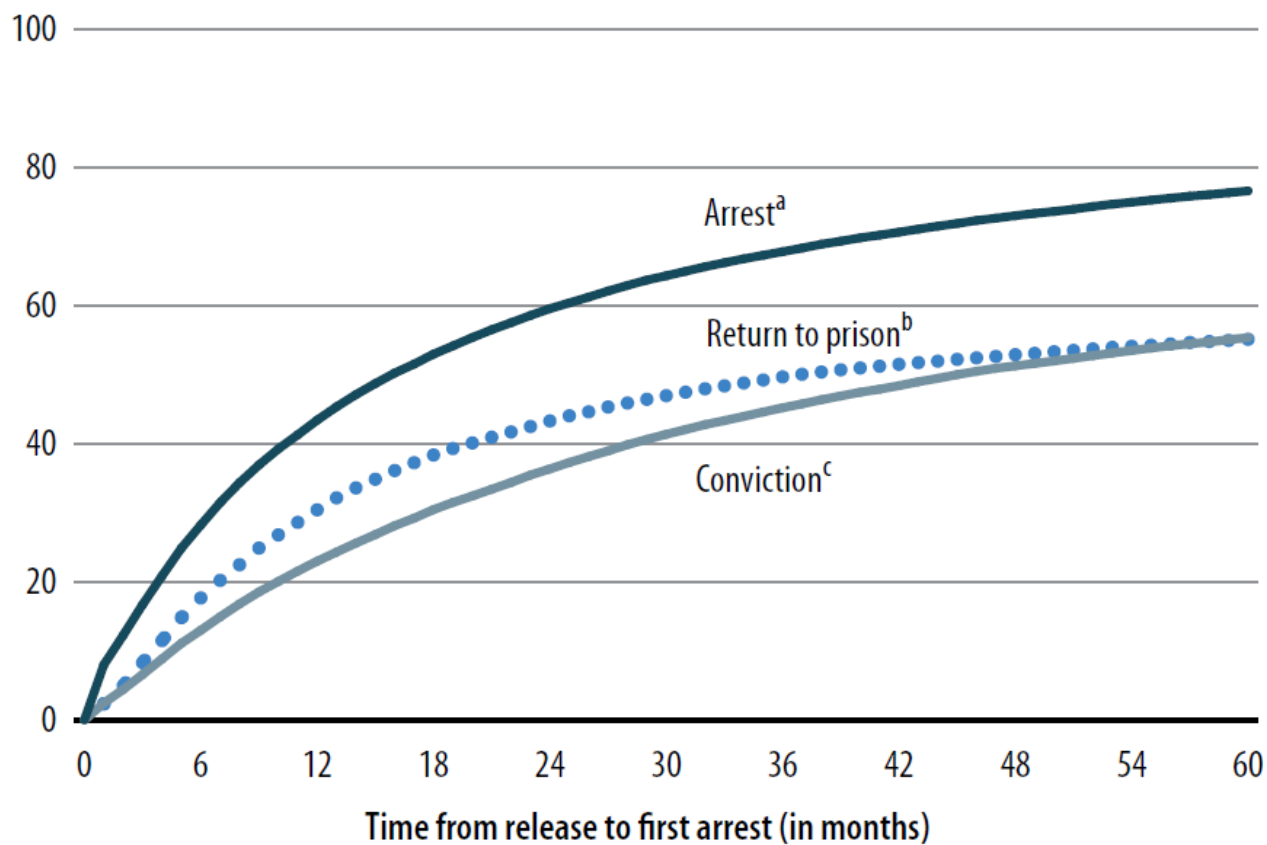
Crime Rates & Incarceration Rates



Recidivism Rates

Recidivism of prisoners released in 30 states in 2005, by time from release to first arrest that led to recidivating event

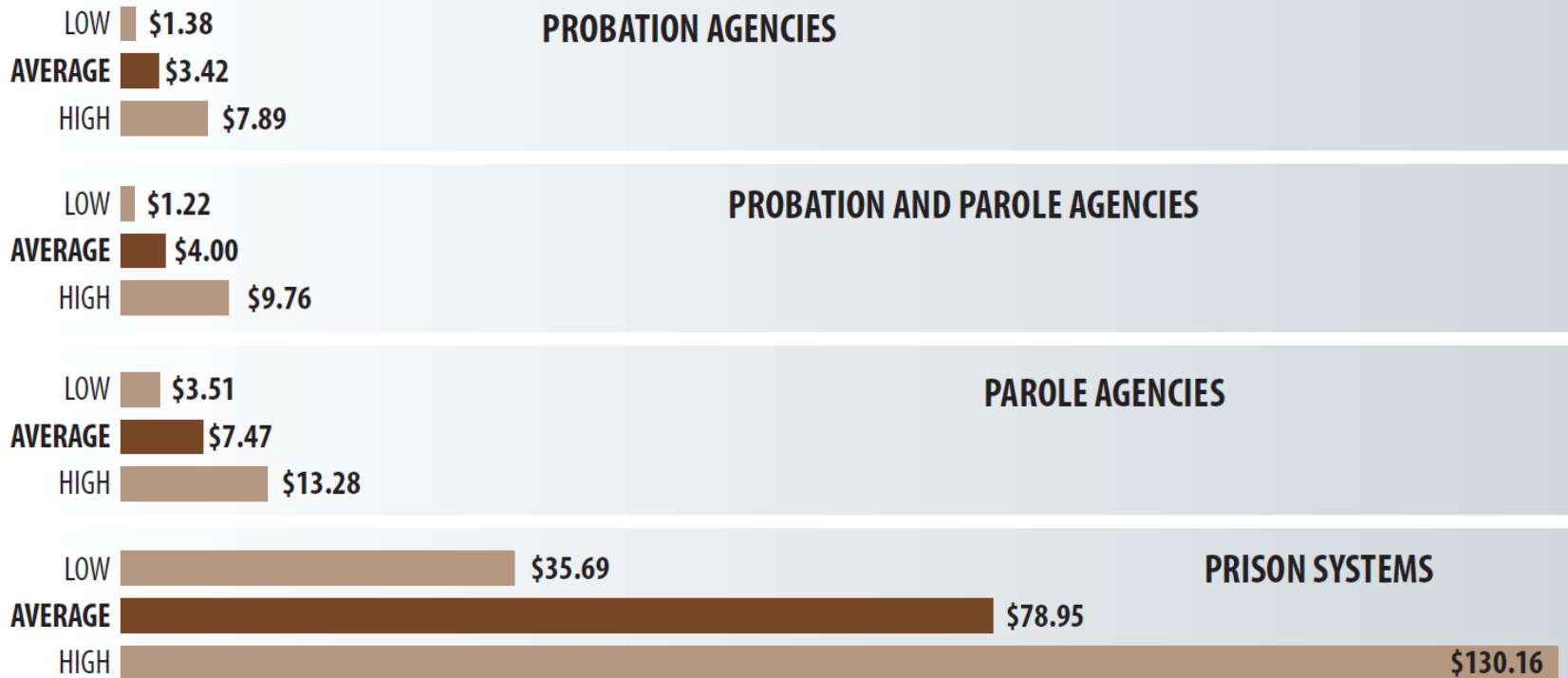
Percent who recidivated



Comparative Costs of Corrections

STATE DAILY COSTS PER OFFENDER

1 day in prison costs more than 10 days on parole or 22 days on probation.



SOURCES: Spending figures were collected from AR, AL, AK, CO, DE, GA, ID, IA, KY, LA, ME, MD, MI, MN, MS, MO, MT, NC, ND, NE, NH, NM, NY, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA and WY.
NOTE: Caution should be used in making interstate comparisons since a wide variety of factors beyond agency performance or efficiency can account for daily cost differences. Some states have separate probation and parole agencies while others have combined them.

Probation-as-Usual vs. SCF

- Probation as Usual (PAU):
 - Too many rules
 - Too little monitoring
 - Sanctioning that is sporadic and delayed, but occasionally severe
 - Mandates to services that many probationers neither want nor need
 - Gross over-use of financial impositions
- SCF:
 - Limited set of rules
 - Clear warnings
 - Close monitoring
 - Some small consequence for every violation

SCF/HOPE

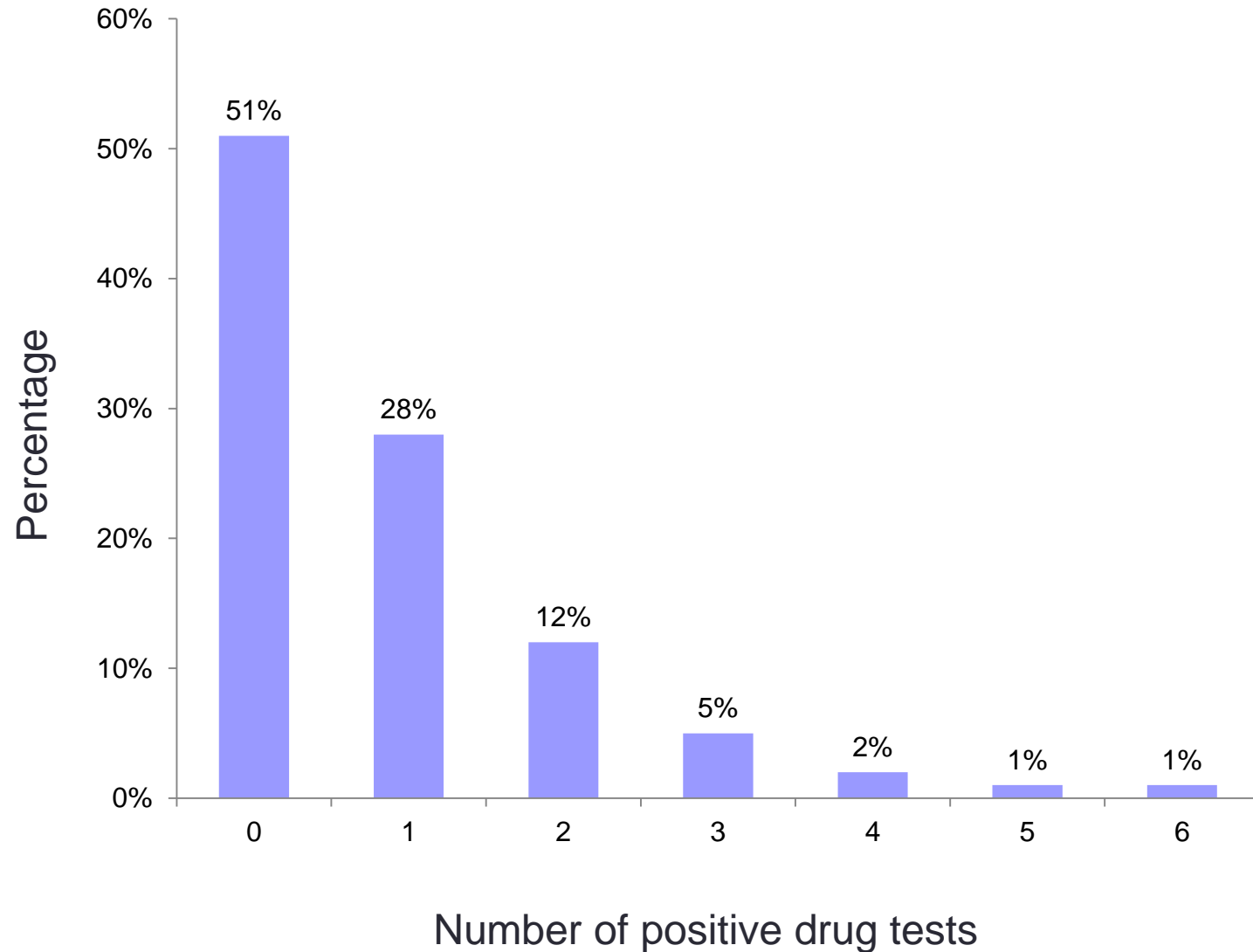
- Based on credible threats
- Supervision conditions closely monitored and actually enforced
- Formal orientation hearing (procedural justice)
- Clearly articulated rules
- Regular random drug testing (6x/month to start)
- **Every** violation is met with an immediate **modest** sanction
- No one mandated to treatment if complying
- Probationer/parolee controls the supervision and treatment experience through their behavior
 - Treatment always provided if requested
 - 3+ violations → mandated care

Outcomes (RCT Hawaii)

Outcome	HOPE	Control
No-shows for probation appointments (average of appointments per probationer)	9%	23%
Positive urine tests (average of tests per probationer)	13%	46%
Revocation rate (probationers revoked)	7%	15%
Incarceration (days sentenced)	138 days	267 days

Long term followup (at 7 years and 10 years) shows reductions in drug use is sustained at followup. Significant reductions in drug charges, and returns to prison

SCF as a “Behavioral Triage Model”



Important innovations

- Less is more: small punishment dose
- Non-incarcerating responses (Ohio is the state to watch)
- Continuum of supervision to reduce returns to prison (integrating with drug courts retooled to take high-risk)
- Rewards for compliance (e.g. early discharge in Hawaii and structured release time in WA)
- Now we see in-custody and other applications of these principles

Swift, Certain, and Fair Programs

- First movers:
 - Hawaii HOPE (2004)
 - Swift in Texas (2004)
 - 24/7 Sobriety Program (South Dakota, 2007)
- Newer programs:
 - 28+ states currently operating SCF programs
 - Two statewide implementations (Washington State and Alaska)
- Federal support:
 - Round 1: DOJ funded four state Demonstration Experiment
 - AR, MA, OR, TX
 - Round 2: DOJ funded sites in six states and one tribal court
 - AL, AK, MI, NH, OH, NY, and the Lummi Nation
 - Round 3: support for additional states soon to be announced
 - Established SCF Resource Center

SCF in Prisons

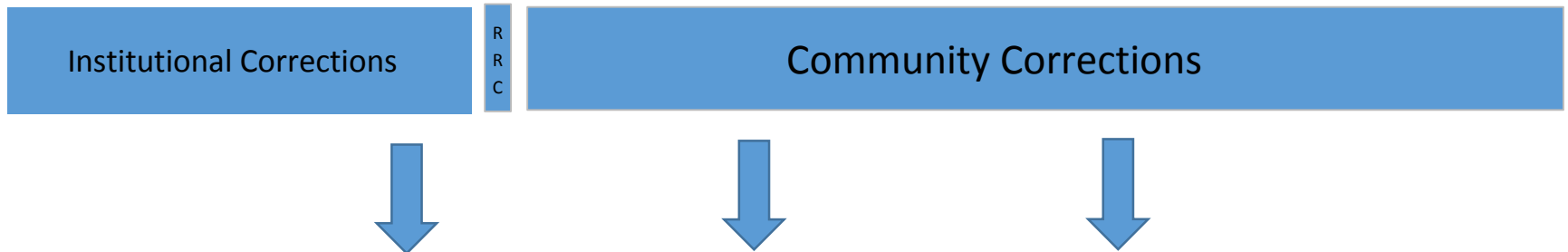
- The same principles of SCF can be applied within prisons and jails to improve safety and lower reliance on harsh punishments such as solitary confinement
- Current Sites:
 - Washington
 - WADOC reports 60% reduction in lost Good Time Credit since implementing SCF in prison
 - Ohio
 - Their SCF pilot prison showed substantial reductions in the number of inmates in Administrative Segregation following SCF. Is now being expanded to other facilities

SCF Reentry: Graduated Reentry

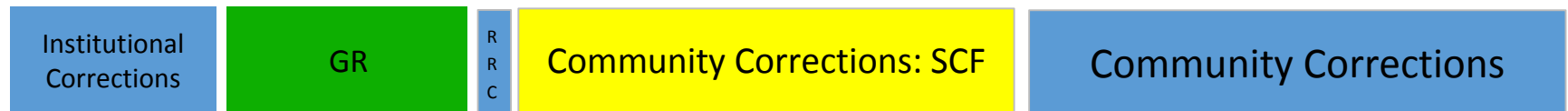
- How can we utilize SCF principles to create a viable alternative to incarceration for those that are too risky for community supervision?
- Graduated Reentry:
 - SCF Sanctions/Rewards
 - Scattered-site housing
 - Technology-Enabled Monitoring
 - Work/Work Search
 - Drug Testing
 - Curfew

Changing the Correctional Mix

Current Correctional Continuum



Proposed Correctional Continuum



Institutional Corrections = Prison & Jail

RRC = Residential Reentry Center (Halfway House)

Community Corrections = Probation & Parole

GR = Graduated Reentry

SCF = Swift, Certain, and Fair