

Congress of the United States
Washington, DC 20515

March 16, 2018

The Honorable John Culberson
Chairman
House Appropriations Subcommittee on
Commerce, Justice, Science, and Related
Agencies
H-309, The Capitol
Washington, D.C. 20515

The Honorable José Serrano
Ranking Member
House Appropriations Subcommittee on
Commerce, Justice, Science, and Related
Agencies
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Culberson and Ranking Member Serrano:

We write to request your continued support for the Justice Reinvestment Initiative and ask you to support robust funding for the Justice Reinvestment Initiative in FY 2019. The subcommittee's support for the program over the years has enabled states to develop innovative and local programs and responses to improve public safety and prevent recidivism, while saving substantial taxpayer funding on state corrections.

Over the past 28 years, state spending on corrections has skyrocketed nationally, from \$12 billion in 1988 to almost \$58 billion in 2016. As corrections costs continue to rise, states must find effective ways to address public safety concerns while controlling costs. The Justice Reinvestment Initiative provides small grants to support states in developing targeted, data-driven criminal justice policies to effectively use limited resources, maximize their impact, and promote cost savings and safer communities. The benefits of this approach are tremendous.

State leaders recognize that to respond effectively to their specific criminal justice challenges, a data-driven approach is necessary to identify factors contributing to crime, arrests, substance use disorders, recidivism, high corrections costs, as well as large probation, parole, and prison populations. Justice reinvestment provides states with an intensive and objective agency-spanning analytical capacity they could not otherwise procure on their own, enabling states to develop a policy framework that helps cut crime and recidivism by focusing resources on important services, such as effective substance use and mental health treatment.

The Justice Reinvestment Initiative synthesizes a significant amount of available data and information gathered from an extensive stakeholder engagement process to identify shortcomings in the criminal justice system. With leadership from all branches of state government, criminal justice stakeholders, and local government, state-specific policies are developed using evidence-based strategies that address those problems and reduce taxpayer costs. Savings realized through reforms are "reinvested" in programs proven to improve public safety.

The small federal investment required to support the Justice Reinvestment Initiative is critical to helping states achieve these benefits. Many states have already utilized this program to implement innovative, evidence-based criminal justice policies after identifying the drivers of rising costs and crime. Here are some of the many tremendous results that justice reinvestment has helped yield:

- In **Texas**, justice reinvestment policies that increased substance use and mental health treatment capacity in the prison system and expanded probation and parole diversion options were adopted in 2007. Justice reinvestment efforts resulted in **\$1.5 billion in prison construction savings** and **\$340 million in annual averted operating costs**. Texas's prison population has fallen by more than 8,000 people since 2011, and the state has closed three prison facilities.
- In 2015, **Alabama** had the most crowded prison system in the nation and state leaders passed bipartisan legislation to address this crisis. Policy changes include strengthening community-based supervision through the use of graduated sanctions for violations of the conditions of probation and parole, diverting people convicted of the lowest-level drug and property offenses from prison to community corrections programs, and ensuring supervision for everyone upon release from prison. These policies are projected to reduce Alabama's prison population by 16 percent and **save \$380 million** in averted construction and operating costs by FY2021. Since 2015, the prison population has decreased by more than 4,000 people, and probation and parole revocations for technical violations have fallen 13 and 14 percent, respectively.
- In **West Virginia**, substance use was driving the state's prison growth and the state led the nation in drug overdose deaths. In 2013, state leaders responded by passing bipartisan legislation that mandates unprecedented collaboration between human services and corrections agencies, graduated sanctions for violations of supervision conditions, and improvements in supervision. West Virginia is projected to **avert \$287 million in costs** by 2018.
- In **North Carolina**, a bipartisan group of state leaders passed comprehensive legislation in 2011 that focuses supervision and treatment resources where they can have the greatest impact. Policy changes included swift and certain sanctions that hold people accountable while remaining cost-effective, concentration of supervision resources on people at a high risk of reoffending, and a requirement that every individual convicted of a felony who leaves prison receive supervision. Since enactment of these reforms, probation revocations are down by about 65 percent, admissions to prison have declined 19 percent, and the state's prison population has dropped more than 9 percent, allowing the state to close 11 small prisons. The state's crime rate continues to decline and has fallen more than 19 percent since enactment of justice reinvestment legislation. North Carolina has documented **saving more than \$165 million** and has invested more than **\$30 million**, largely in efforts to strengthen community supervision.
- In **Pennsylvania**, bipartisan legislation passed in 2012 redesigned the commonwealth's residential community corrections programs as parole transition and violation centers, allowing the Department of Corrections to enter into performance-based contracts with local

treatment and service providers to expand and improve supervision resources. Pennsylvania's legislation also required swift and certain responses to parole violations and addressed parole release inefficiencies. In 2015, Pennsylvania recorded the largest one-year decline in the state's prison population over the last 40 years, allowing **Pennsylvania to end 2015 with its lowest prison population since 2009**. State leaders have again requested support in employing a justice reinvestment approach to build on prior successes and increase public safety and reduce corrections spending. A new policy package will be considered in the 2018 legislative session.

- **Arkansas's** criminal justice system faced serious challenges. Between 2004 and 2015, the state's prison population grew 29 percent and was projected to increase an additional 28 percent over the next decade. To address this significant growth, Arkansas adopted a bipartisan package in 2017 that strengthens probation and parole supervision practices, establishes a more effective and less costly approach for sanctioning violations of supervision, creates crisis intervention training requirements for law enforcement agencies, and establishes Crisis Stabilization Units throughout Arkansas to divert people experiencing a mental health crisis away from county jails to provide treatment at the local level. With these changes, resources will be enhanced for services in the community and Arkansas is estimated to **avert \$288 million in corrections costs**.
- Despite an imprisonment rate that was nearly double the national average in 2015, **Louisiana's** crime and recidivism levels remained high, costing more than \$660 million annually. The state legislature passed a bipartisan package of bills in 2017 based on the input of a wide range of stakeholders, from faith-based organizations to law enforcement and business groups. The legislation, now signed into law, is expected to reduce the prison and community supervision population by 10 and 12 percent, respectively, over 10 years, and **save an estimated \$262 million**, a portion of which will be invested in evidence-based public safety and victim services programs.

Savings generated through the justice reinvestment process are reinvested in services for victims of crime, grants to local law enforcement agencies, community-based treatment and reentry programs, and the most cost-effective, research-based strategies available for increasing public safety and strengthening communities. For example:

- At a time when budgets were cut dramatically amid a fiscal crisis, **Alabama's** legislature demonstrated its support for justice reinvestment by appropriating a total of \$42.6 million over 2016 and 2017 to hire probation and parole supervision offices to improve community supervision, expand behavioral health services, improve victim services, and more.
- In **West Virginia**, the legislature invested a total of \$11.6 million from 2014 to 2017 to expand substance use treatment and services for people at risk of failing on probation or parole. Substance use issues are a leading factor for those who fail to meet the conditions of supervision, and services provided through the grants are prioritized for people most likely to reoffend.

- **Nebraska** reinvested \$15.3 million in FY2016 and FY2017 for additional probation officers, community-based programs and treatment, improvements to parole supervision, quality assurance measures, and financial assistance to county jails.

In 2017, bipartisan majorities in **Arkansas, Georgia, Louisiana, Montana, North Dakota, and Rhode Island** all successfully enacted historic policy changes to their adult criminal justice systems after conducting intensive data analysis through the Justice Reinvestment Initiative.

In 2018, state leaders in **Kentucky, Massachusetts, Missouri, Ohio, Oklahoma, Pennsylvania, and South Carolina** will use analysis of state data trends to develop state-specific policy options. Legislatures in all seven states are expected to consider legislation designed to reduce corrections spending and increase public safety in their states' 2018 or 2019 legislative sessions.

In November 2017, all 50 states convened in Washington, DC for the 50-State Summit on Public Safety. State teams emerged from the summit having identified clear strategies for reducing crime and recidivism, improving outcomes for people with mental health and substance use disorders, and reducing spending on prisons and jails. Following the summit, all states were invited to host a State Forum on Public Safety. Up to 25 states will be approved to host these meetings in 2018 that will include a data-rich public safety discussion between a broad cross-section of policymakers, criminal justice professionals, behavioral health practitioners, and advocates, and a chance for state leaders to identify opportunities to increase public safety.

We believe the Justice Reinvestment Initiative can pave the way toward reducing crime and the number of crime victims. In recent years, more than 30 states have enacted substantial reforms to their criminal justice systems. **Cumulative cost savings from the states exceed \$1.1 billion.** Most of the states have also seen a corresponding drop in crime. Their experience proves that we can reform the criminal justice system without compromising public safety.

Given the enormous successes that the Justice Reinvestment Initiative has helped deliver, we urge you to support robust funding for the program in FY 2019 so that more states are able to save taxpayer dollars and better protect the public by employing data-driven strategies to combat recidivism and hold people accountable.

Sincerely,



Adam B. Schiff
Member of Congress



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Member of Congress

Nanette Diaz Barragán

Nanette Diaz Barragán
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Joyce Beatty

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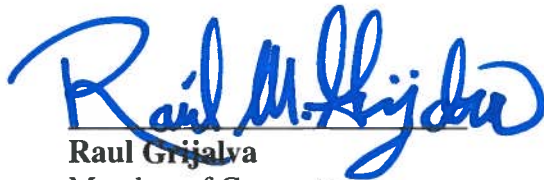
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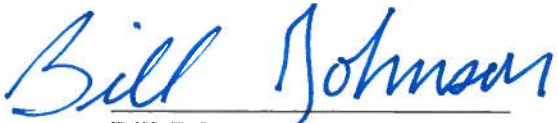
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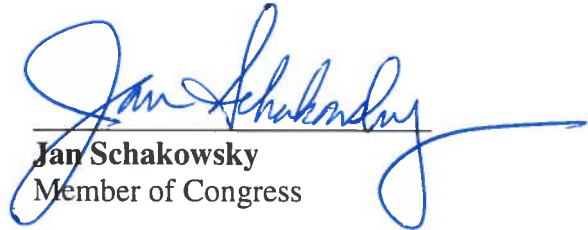
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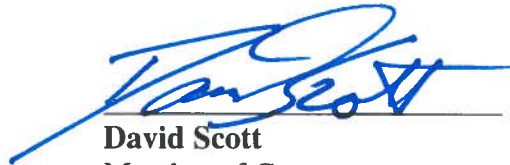
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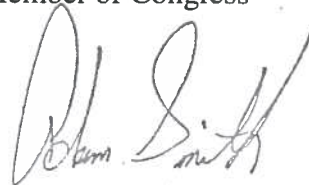
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