

JUSTICE REINVESTMENT IN OHIO: GETTING SMART ON CRIME

“There is growing consensus within the correctional policy community that the new way forward should be to reduce prison spending and use these resources more effectively by investing in education, workforce training and mental health and substance abuse treatment. The latter is particularly important, because an estimated 80 percent or more of incarcerated offenders have a history of alcohol and/or substance abuse problems.” – Ohio Chamber of Commerce

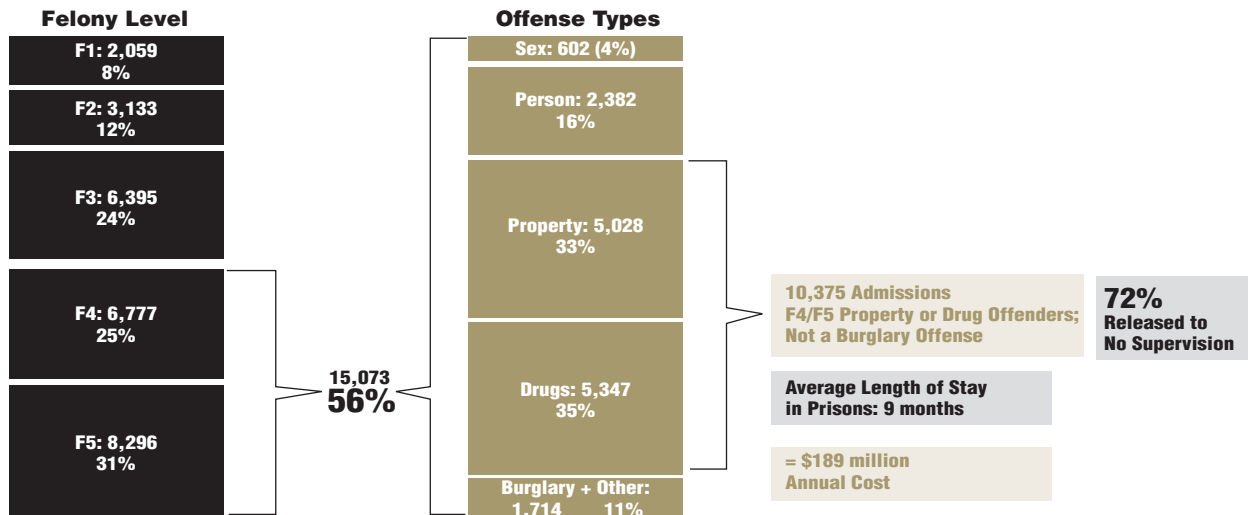
In 2008, Ohio began down a bipartisan path to employ a justice reinvestment approach given the pressures faced by the criminal justice system in the context of the overall state budget shortfall. Specifically, Ohio had nearly 51,000 people locked up in the prison system on any given day – 33% over capacity – with a projection that the system would grow by another 3,000 people by 2015. Much of that growth could be traced to people convicted of property and drug offenses, who received short-term sentences and were subsequently released from prison with no supervision.

Research conducted by the Council of State Governments Justice Center highlighted how access to community behavioral health services are an important component of achieving better outcomes for individuals and society while saving money in criminal justice expenditures. Their studies revealed that a large percentage of people committing non-violent low level felonies need behavioral health treatment, but resources are insufficient to meet the demand for services. Additionally, even when Ohio was engaging in prison diversion programming, it was often targeted in an ineffective manner because it was not filtering out those participants who would not benefit from intensive programs and, too often, the intensive supervision was not combined with treatment programs.

- Thirty-six percent of people admitted to prison because of a probation violation have mental health needs; 85 percent of such prison admissions indicate recent drug use.
- Two-thirds of probation departments report that there are insufficient mental health resources in their jurisdiction.
- Evaluations of intensive supervision probation programs demonstrate that intensive supervision is effective in reducing recidivism only when combined with treatment programs that address criminogenic needs.

Ohio’s Revolving Door: Low Severity Offenders “In and Out” of Prison

Prison Admissions in 2008



Source: CSG Justice Center

Ohio's answer to reinventing the criminal justice system came in the form of the passage of House Bill 86, with many of the provisions slated to take effect at the end of this month. The bill sets forth a framework which addresses three core issues. One set of provisions requires first-time property and drug offenders to serve probation terms and attend treatment. A second set of provisions establish statewide criteria for community correction programs, prioritizing placement of people who would benefit most from community supervision and treatment. The legislation also establishes statewide standards for probation, to ensure an even quality in community supervision from county to county. Additionally, it expands earned credit provisions and other incentives for positive behavior and makes some reforms to the juvenile justice system, including provisions to establish juvenile competency to stand trial and raising the age at which judges apply blended adult and juvenile sentencing guidelines.

Implementation of HB 86 is expected to reduce the state's prison costs by about \$78 million per year. Without the reforms, it is likely the prison population would continue to increase as projected, costing the state about \$925 million by 2018 and requiring the construction of new prisons.

There were concerns raised during the legislative process regarding a lack of funding committed in the bill to help DRC and communities build the infrastructure envisioned by the legislation. This is of particular concern to many behavioral health advocates who have witnessed a significant decline in non-Medicaid community behavioral health services over the past several years that are so integral to reducing recidivism.

“I know that some have raised concerns in the past that DRC will not have the capacity to provide the level of programming that would be required by the bill. Let me assure you that I have also been concerned about this issue, and that I am committed to making sure that we get the right inmates in the right programs in a timely fashion...”

~ Director Gary Mohr, Ohio Department of Rehabilitation and Correction

The basic framework for reinventing how we approach non-violent offenders has been laid in the passage of House Bill 86. Now Ohio must go about actually pulling together the programming – both inside the prisons and at the community level – that will reduce recidivism and truly reform how we prepare our non-violent offenders to become productive members of our society. Where and how we reinvest any savings to the prison system will be very important if Ohio is to experience the positive outcomes other states have seen with their justice reinvestment initiatives.

The Texas Justice Reinvestment Experience

Problems Identified in 2006

- Between 1985 and 2005, the prison population grew 300 percent
- Prison population exceeded the capacity of the state's prisons by 3,000 and was projected to continue growing
- Cuts in community-based substance abuse and mental health services led to a shortfall of treatment beds, with over 2,000 persons waiting on space in various treatment programs
- State's parole guidelines not being followed, if they had, an additional 2,252 people might have been released

Actions Taken

- \$241 million reinvested to expand the capacity of in-prison and community-based treatment and diversion programs to avert projected growth in prison population

Outcome

- Texas saved \$210.5 million for the 2008-2009 biennium
- Texas so far has saved \$1 billion, which was reinvested in corrections changes and crime prevention
- This year, for the first time in state history, a prison was closed



Sources:

CCAO County Advisory Bulletin 2011-01
HB 86 Language and Testimony

Council of State Governments Justice Center
Ohio Department of Rehabilitation and Corrections