Purpose: To reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.
Roadmap to the Justice Systems’ Team Portfolio

Scope of the Problem

Behavioral Health and Local Criminal Justice Reform

Conditions of Confinement

Reentry and the Second Chance Act

System-wide Reform Through Justice Reinvestment
The criminal justice system has experienced unprecedented growth.

State prison population trends vary.

Reduction excluding California due to effects of Realignment: -3.1%

Source: BJS, Prisoners series using 2010 and 2014 data
Current incarceration practices are not necessary to preserve public safety.

2010 to 2015: Imprisonment fell 8.4% while violent and property crime declined 14.6%.

2015: Crime dropped faster in states with larger prison declines.

Crime trends were consistent across the 35 states where imprisonment dropped and the 15 states where it increased.

The system has not been effective.

68% rearrested

47% reconvicted

52% returned to prison

...within 3 years of release.

High rates of sickness might be better served by a stronger public health system.

System contact has added consequences for people with mental illness and justice system practitioners.

Police are routinely first responders to people with mental illness. Up to 10% of calls for service involve severe mental illness, and those calls use 87% more resources.

People with mental illness are frequently arrested for minor crimes.

Strains relationships between police and community, increases workload for CJ practitioners, and increases corrections population.

40% of people with serious mental illness face prison or jail in their lifetimes.

3X more seriously mentally ill people in jails and prisons than in hospitals.

Tend to stay longer in jail and upon release are at a higher risk of returning than individuals without these disorders.

And are overrepresented in solitary confinement.

People with substance use disorders are overrepresented in the CJ system.

Adults under correctional control are 4x more likely to have a disorder than the general public.

They are overrepresented but underserved.

Half of females and one-third of males have a substance use disorder that warrants treatment services.

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Setting</th>
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<tbody>
<tr>
<td>68%</td>
<td>jail</td>
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<tr>
<td>53%</td>
<td>prison</td>
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<tr>
<td>35%</td>
<td>parole</td>
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<td>50%</td>
<td>probation</td>
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Less than 10% access treatment. And it is likely mismatched to the severity of their disorder.

More than 95% of people in prisons and jails will return home.

Investing in their success reduces recidivism, saves taxpayer dollars, and makes our communities safer.
We translate research about what works to the field to reform policy and practice.
Consider the parts, the sum, and effects of the system.
And invest in strategies to increase efficiency and effectiveness.
Pursue system reform for people with behavioral health problems.

Administer grants and direct technical assistance through the Justice and Mental Health Collaboration competitive grant program.
The Justice and Mental Health Collaboration diverted nearly 32,000 people from the CJ system in FY 2015.

JMHCP grantees experienced tremendous success in the diversion and treatment of individuals who came into contact with the criminal justice system and who also suffer from mental illness, substance use, and co-occurring disorders.
Training curriculum for law enforcement to de-escalate and redirect people with mental illness to a health care setting.

Crisis Intervention Team Training

CITs are local initiatives designed to improve the way law enforcement and the community respond to people experiencing mental health crises.

They are built on strong partnerships between law enforcement, mental health provider agencies and individuals and families affected by mental illness.

Support law enforcement-mental health provider partnerships.

Toolkit for law enforcement to partner with mental health providers to effectively respond to calls for service and improve outcomes for people with mental illness, including diversion.

Choose a model
Crisis Intervention, Co-Responder, Mobile crisis team, Case Management

Implement

Evaluate
Support counties to reduce the number of people with mental illnesses in jails.

Convene or draw on a diverse team of leaders and stakeholders (*Sheriffs, jail administrators, judges, community corrections, treatment providers, people with mental illness and their families*)

- Collect and review prevalence data and assess people’s treatment needs
- Examine treatment and service capacity and identify policy and resource barriers
- Develop a plan with measurable outcomes
- Implement research-based approaches
- Create a process to track and report on progress

Technical assistance is available.
Support the criminal justice system to comply with the 21st Century Cures Act.

- 2017: Work with policy teams and counsel, collect feedback
- 2018: Updated solicitation released
Uphold federal standards and guidelines to assess and improve conditions of confinement.

Complete mandated audits and administer grants and direct technical assistance through the Prison Rape Elimination Act and Safe Alternatives to Segregation competitive grant programs.
Uphold the Prison Rape Elimination Act (PREA) through the PREA Management Office (PMO).

Bi-partisan legislation passed both houses of Congress unanimously, and was signed into law in 2003. Amended by the 2016 reauthorization of Justice For All Act.

To prevent, detect, and respond to sexual abuse and sexual harassment of inmates, residents, and detainees in prisons and jails, juvenile, lockups, and community confinement.
PMO implements the PREA statute and standards to protect individuals from sexual victimization in confinement.

**Direct grants and technical assistance**
- To state, local, and tribal jurisdictions to implement the PREA standards and work towards “zero tolerance” cultures, including through the PREA Resource Center

**Collect data collection**
- BJS measures prevalence of sexual abuse and sexual harassment in confinement facilities

**Implement and oversee the one-of-a-kind Audit Function**
- Train and certify auditors to conduct audits that hold facilities accountable to for implementing standards
- Ensure high quality, objective, comprehensive, and reliable audits

**Promote nationwide compliance**
- Jurisdictions that do not submit a certification of full compliance must reallocate or lose 5% of certain DOJ grant funds
PMO is building the infrastructure to support nationwide implementation.

- **2003**: PREA legislation passes
- **2009**: DOJ receives draft standards and begins the rule making process
- **2012**: DOJ issues final standards, immediately applicable to Federal Bureau of Prisons
- **2013**: PMO established by DAG and the first 3-year audit cycle begins August 20, 2013
- **2014**: First year for potential reductions through DOJ grants to states
- **2016**: First 3-year audit cycle ends August 19, 2016

Key Milestones:
- ~30 auditors trained
- 10 audits completed
- 800+ auditors trained
- 900+ audits completed
Safely reduce the use of restrictive housing.

“This practice should be used rarely, applied fairly, and subjected to reasonable constraints.”

- DOJ Report and Recommendations Concerning the Use of Restrictive Housing, January 25, 2016

Standards are immediately applicable to federal correctional and detention systems, and should guide state and local systems.

BJA administers programs to
1) safely and effectively reduce reliance on restrictive housing,
2) improve facility management to lessen the negative impact, and
3) evaluate the effectiveness of segregation.
Safe Alternatives to Segregation supports state and local correctional systems undertaking restrictive housing reforms.

1. Investigate and analyze
2. Deliver findings and recommendations
3. Implement reforms
Common themes identified across the first cohort will carry into implementation.

Summary of Findings

- High contact rates with segregation
- Disciplinary segregation frequently used for non-violent behavior
- Infrequent use of alternatives
- Disproportionate contact for certain specific populations
- Long lengths of stay in administrative segregation with no clear path out
- Broad placement criteria for administrative segregation

Summary of Recommendations

- Tighten placement criteria
- Develop alternatives for special populations
- Strengthen review process
- Incentivize good behavior
- Staff training
- Implement strategies to decrease infractions
- Change the environment in segregation
- Define plans and programs to transition people out of segregation
We already see innovations and reforms.

**Disciplinary segregation**

Nebraska Department of Correctional Services
elimination of disciplinary segregation

**Administrative segregation**

Middlesex County Adult Correction Center (NJ) creation
of Precautionary Supervision unit

North Carolina Department of Public Safety creation of
Rehabilitative Diversion unit

**Specific populations**

Oregon Department of Corrections reforming
behavioral health unit

New York City Department of Correction moving to
eliminate use for young adults
Improve reentry programs, services, and supervision to address individuals’ risk, need, and responsivity.

Administer grants and direct technical assistance through the Second Chance Act competitive grant programs.
The Second Chance Act (SCA) established a national vision to improve reentry outcomes and reduce recidivism.

- Signed into law on April 8, 2008 with bipartisan support
- Helped established reentry efforts as paramount to improved public safety
- Authorizes grants to support programs, policies and practices that reduce recidivism
- Provides resources and tools to realize the vision
SCA grants have seeded and expanded reentry programs across 49 states.
Statewide Recidivism Reduction (SRR) funds comprehensive reentry reform.

Strategies for reducing recidivism and enhancing public safety that incorporate four principles:

1. Focus on the individuals most likely to recidivate
2. Use evidenced-based programs proven to work and that ensure the delivery of high-quality services
3. Deploy supervision policies and practices that balance sanctions and treatment
4. Develop research, data, and quality assurance systems to monitor long-term performance
SRR states see interim success.

**Georgia:** Developed and implemented a single case plan form to follow individuals across probation, prison, and parole. Improves data sharing, efficiency and accountability.

**Illinois:** Roll out risk assessment in DOC and integrate risk into parole release decision-making and supervision.

**Iowa:** Comprehensive culture change through review of staff classifications and revisions to hiring, training, performance evaluation.

**Minnesota:** Review service provider programs and update contract language to promote EBPs, and establish a preferred network of providers.

**Vermont:** Update policies, and procedures and training to reflect best practices for risk tools, case planning, sanctions and incentives, classification, and supervision.
Apply a **scientific approach to improve public safety** through data-driven, research-based, and innovative strategies and partnerships.

*Administer grants and direct technical assistance through the Smart Suite of competitive grant programs.*
The Smart Suite of programs funds comprehensive reentry reform.

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<tr>
<th>Byrne Criminal Justice Innovation</th>
<th>Field-Initiated Programs</th>
<th>Prescription Drug Monitoring Program</th>
<th>Project Safe Neighborhoods</th>
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<tr>
<td>Smart Policing Initiative</td>
<td>Smart Prosecution</td>
<td>Smart Defense</td>
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<td>Smart Supervision</td>
<td>Smart Reentry</td>
<td>Swift, Certain, and Fair Supervision</td>
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Enact and implement system-wide change using the **Justice Reinvestment** model.

*JRI is a public-private partnership with The Pew Charitable Trusts. Administer grants, direct technical assistance, and evaluation through the Justice Reinvestment Initiative competitive grant programs.*
The JRI model uses data-driven policies and practices to reduce corrections populations and reinvest savings in proven public safety strategies.

The goal of the JRI is to manage and allocate criminal justice populations and spending more cost-effectively, thereby generating cost-savings that can be reinvested in evidence-based strategies that increase public safety.
More than half the states have used the JRI process to get smarter on crime.

States have made substantial legislative and administrative changes to their sentencing, release, and supervision policies in an effort to cut recidivism and control rising prison populations and costs.
JRI helps states safely reduce the prison population and close prisons.

Texas was going to require 17,000 additional prison beds until the state change course in 2007. The state averted billions in costs, the prison population declined by 4,500 people, and they closed 3 facilities.

North Carolina’s prison population fell 8 percent between 2011 and 2015. NC closed 11 small prisons.

Since enacting justice reinvestment reforms in 2014, the Mississippi prison population has declined by 15 percent.

South Carolina has closed 2.5 prisons since enacting justice reinvestment legislation in 2010.
JRI helps states prioritize prison space for people convicted of serious & violent crimes.

Ohio increased the maximum sentence length for the most serious felony convictions and provided judges with increased options for sentencing lower-level convictions.

Alabama created a new felony category for the lowest-level property and drug offenses and required sentences to community corrections programs or intensive probation instead of prison.

Idaho established a parole decision-making process that prioritizes consideration of people convicted of property and drug offenses over people convicted of violent offenses.

Mississippi placed caps on the amount of time probationers and parolees can be returned to prison for violating the conditions of their supervision.
JRI helps states increase accountability for people on supervision.

North Carolina probation and parole officers have adopted tools to respond to supervision violations immediately, such as “quick dips” of two to three days in jail.

Alabama’s justice reinvestment legislation established intermediate sanctions to respond to technical violations of probation and parole, and the state has begun to allow short jail stays as a possible sanction option prior to revocation.

South Dakota created two pilot probation programs to deter crime through frequent drug testing combined with swift and certain sanctions.

Georgia allowed probation officers to impose graduated sanctions to respond to supervision violations with swiftness and certainty.