



33 States Reform Criminal Justice Policies Through Justice Reinvestment

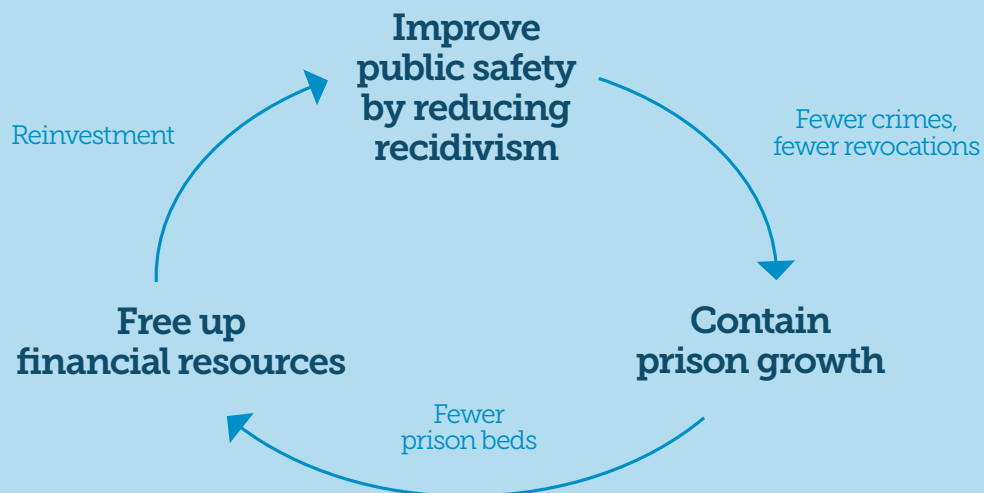
Overview

Since 2007, 33 states have reformed their sentencing and corrections policies through the Justice Reinvestment Initiative, a public-private partnership that includes the U.S. Justice Department's Bureau of Justice Assistance, The Pew Charitable Trusts, the Council of State Governments Justice Center, the Crime and Justice Institute, the Vera Institute of Justice, and other organizations. Although reforms vary from state to state, all aim to improve public safety and control taxpayer costs by prioritizing prison space for serious and repeat offenders and investing some of the savings in alternatives to incarceration for low-level offenders that are effective at reducing recidivism.

Justice reinvestment policies generally fall into four categories: sentencing laws that instruct courts about how to sanction convicted defendants; release laws that determine the conditions for offenders' departure from prison; supervision laws that guide how those on probation or parole are monitored; and oversight laws that track the progress of these changes.

In the years since the wave of reforms began, the total state imprisonment rate has ticked downward while crime rates have continued their long-term decline. At the same time, states that have enacted justice reinvestment laws expect to save billions of dollars as a result of their reforms.¹

How Justice Reinvestment Works



Sentencing and Corrections Reforms in Justice Reinvestment States

		2016		2015			2014		2013			2012				2011				2010		2009		2008			2007			Total																
Policy reform		AK	MD	UT	AL	NE	ID	MS	OR	SD	WV	KS	MO	DE	GA	PA	HI	OK	AR	KY	AL	LA	NC	OH	SC	NH	MI	IL	WI		AZ	PA	CT	RI	VT	KS	NV	TX								
Sentencing/pretrial	Reclassify/redefine drug offenses	✓	✓	✓	✓	✓		✓	✓	✓					✓				✓	✓			✓	✓															13							
	Reclassify/redefine property offenses	✓	✓		✓	✓		✓	✓	✓						✓				✓				✓	✓																11					
	Establish presumptive probation for certain offenses	✓				✓		✓	✓	✓							✓			✓				✓																	8					
	Revise sentencing enhancements	✓		✓	✓			✓								✓				✓				✓		✓															8					
	Revise mandatory minimums	✓	✓							✓						✓		✓					✓		✓		✓														7					
	Reduce crack-powder cocaine disparity		✓											✓										✓	✓																4					
	Revise sentencing guidelines/establish sentencing commission	✓		✓																				✓					✓													4				
	Improve pretrial release systems	✓									✓				✓			✓			✓																					5				
	Establish pre-sentence assessment	✓									✓				✓	✓			✓		✓															✓						7				
	Revise drug-free school zone			✓																	✓				✓																		3			
	Authorize risk-reduction sentencing																							✓	✓							✓												3		
Release	Revise parole hearing/decision/eligibility standards	✓	✓	✓	✓	✓	✓	✓			✓					✓			✓	✓		✓		✓	✓	✓						✓	✓									17				
	Expand good/earned-time prison credits/re-entry leave	✓	✓	✓				✓	✓		✓			✓	✓								✓	✓	✓	✓	✓							✓	✓		✓	✓				15				
	Establish/expand geriatric or medical parole	✓	✓		✓			✓												✓			✓		✓		✓																8			
Community corrections	Establish/expand for earned discharge	✓	✓	✓			✓	✓	✓	✓		✓	✓						✓	✓				✓	✓	✓			✓														15			
	Authorize performance incentive funding		✓	✓	✓				✓					✓			✓			✓	✓			✓	✓		✓			✓								✓					12			
	Authorize administrative jail sanctions	✓		✓	✓	✓	✓	✓			✓	✓	✓							✓	✓		✓	✓	✓	✓	✓																15			
	Authorize graduated responses for violations	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓			✓	✓		✓	✓		✓												✓	✓				20			
	Cap revocation time	✓	✓	✓	✓		✓	✓				✓	✓			✓	✓	✓				✓		✓																			14			
	Establish/improve electronic monitoring							✓			✓					✓				✓	✓		✓														✓						7			
	Establish mandatory re-entry supervision				✓	✓					✓	✓							✓		✓			✓	✓	✓	✓																10			
	Require/improve risk-needs assessment	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓			✓	✓		✓	✓	✓	✓	✓		✓	✓						✓							22			
	Require evidence-based practices	✓	✓	✓	✓	✓				✓					✓	✓	✓				✓	✓			✓				✓	✓							✓				✓			16		
	Reform/pilot specialty courts (HOPE, drug courts, etc.)							✓	✓	✓	✓					✓				✓	✓	✓	✓																					9		
	Reduce probation terms	✓			✓													✓																				✓				✓			5	
Improve interventions for substance abuse, mental health, CBT, etc.	✓		✓	✓	✓	✓			✓	✓	✓			✓									✓	✓				✓		✓			✓			✓	✓	✓	✓					18		
Sustainability	Require fiscal impact statements							✓	✓	✓										✓				✓					✓															6		
	Establish leadership/board qualification requirements						✓																✓		✓																			3		
	Require data collection/performance measurement	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓															22	
	Establish measures to streamline/improve efficiency of system			✓		✓	✓	✓		✓	✓					✓	✓			✓	✓		✓	✓				✓				✓	✓													15
	Improve restitution/victim notification systems	✓	✓		✓	✓	✓	✓		✓						✓	✓	✓							✓																					10
	Establish oversight council	✓	✓	✓	✓	✓	✓	✓	✓	✓				✓		✓										✓																				12

See table notes on following page.

Notes: The Justice Reinvestment Initiative is supported by The Pew Charitable Trusts and the U.S. Department of Justice's Bureau of Justice Assistance. Intensive technical assistance to the states is provided by Pew, the Council of State Governments Justice Center, the Crime and Justice Institute at Community Resources for Justice, the Vera Institute of Justice, and other partners.

A bipartisan, interbranch working group developed each state's policy reforms based on an analysis of the state's specific criminal justice challenges. The number of reforms in a state does not correspond with the impact on prison populations, costs, or recidivism.

Reforms reflected in the chart were enacted through legislation or executive or court order during each state's justice reinvestment process. Similar reforms that states may have adopted outside the justice reinvestment process are not included in this document.

Reforms were enacted in Georgia in 2012 and 2013; in Louisiana in 2011 and 2012; and in Connecticut in 2004 and 2008.

For more details about policies, impacts, and reinvestments, see individual state pages at pewtrusts.org/publicsafety.

Endnote

- 1 Urban Institute, *Justice Reinvestment Initiative State Assessment Report* (January 2014), <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/412994-Justice-Reinvestment-Initiative-State-Assessment-Report.PDF>.

For further information, please visit:

pewtrusts.org/publicsafety

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