

# Justice Reinvestment in West Virginia

*Presentation to WV Behavioral Health Planning Council*

October 16, 2014

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## Outline of Presentation

1. The Justice Reinvestment Process
2. Senate Bill 371
3. Expanding Community-Based Substance Abuse Treatment and Other Important Criminal Justice Initiatives

## 1. The Justice Reinvestment Process

# Justice Reinvestment

*a data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease recidivism and increase public safety.*



## Two phases of Justice Reinvestment

### Phase 1

#### Analyze Data and Develop Policy Options

- Analyze data
  - crime/arrests, courts, corrections, and supervision trends
- Solicit input from stakeholders
- Assess behavioral health system and treatment capacity
- Develop policy options and estimate impacts

### Phase 2

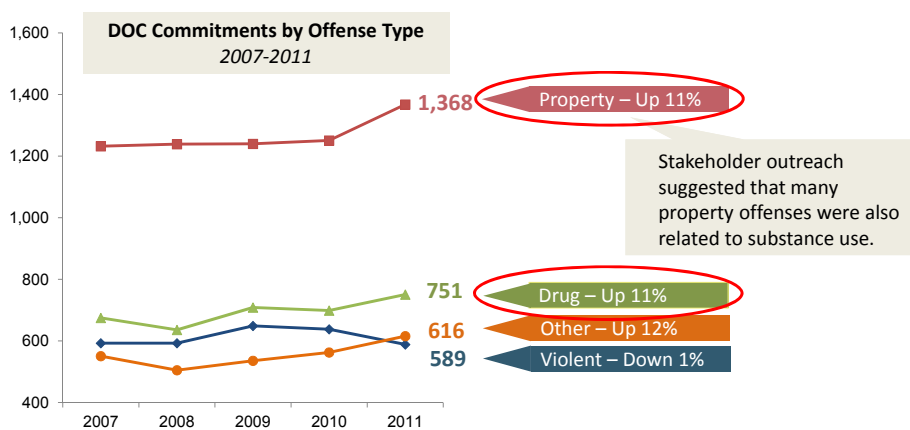
#### Implement New Policies

- Identify assistance needed to implement policies effectively
- Deploy targeted reinvestment strategies to increase public safety
- Track the impact of enacted policies/programs
- Monitor recidivism rates and other key measures

### Why Reform?

- Between 2007 and 2012, the prison population in West Virginia had grown 20%.
- Over the next five years, an additional 1,400 individuals would enter the system.
- A new prison facility would cost an estimated \$200 million dollars.
- THE DATA did not show that the number of people we incarcerated actually made the citizens of West Virginia any safer.

### Justice Reinvestment Analysis Finding: Substance Use Major Driver for West Virginia Prison Growth



Source: WV DOC commitments dataset

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### Few Substance Abuse Services Provided for Individuals Supervised in the Community

	DRC	Probation	Drug Court	DOC	Parole
<b>Funding for services</b>	\$986,088	\$0	\$1,137,838	\$872,000	\$0
<b>Capacity to provide services</b>	Unknown	None	430	ALADRUE: 944 RSAT: 427	None
<b>Estimated demand for services – Total</b>	108	1,449	263	2,431	492
Outpatient	43	580	105	973	197
Intensive Outpatient	43	580	105	973	197
Residential with step down	22	290	53	486	98

Source: D.A. Andrews & James Bonta, "ColorPipt Profile Form for Men," *The Level of Service Inventory - Revised: U.S. Norms*, 2003  
Steven Belenkoa & Jordon Peugh "Estimating Drug Treatment Needs Among State Prison Inmates." *Drug and Alcohol Dependence* 77, no. 3 (2005): 269–281.  
Conversation with Alexa Eggleston and Fred Osher, November, 2012.

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### Findings of Justice Reinvestment Working Group

- Inconsistent revocation standards for probation and parole;
- Some inmates being released without ANY supervision; and
- A need for more community-based substance abuse resources.

## 2. Senate Bill 371



- Result of extensive analysis conducted by CSG Justice Center, with leadership from bi-partisan, inter-branch Work Group
- Policy options passed by legislature in 2013 session with bipartisan support
- Signed into law by Governor Tomblin on May 2, 2013
- Most major provisions became effective July 12, 2013

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## Goal of Senate Bill 371

- To strengthen community-based supervision and the use of risk assessments;
- To ensure that no violent inmates are released without supervision; and
- To invest in drugs courts and other community-based treatment for substance abuse and mental health issues.

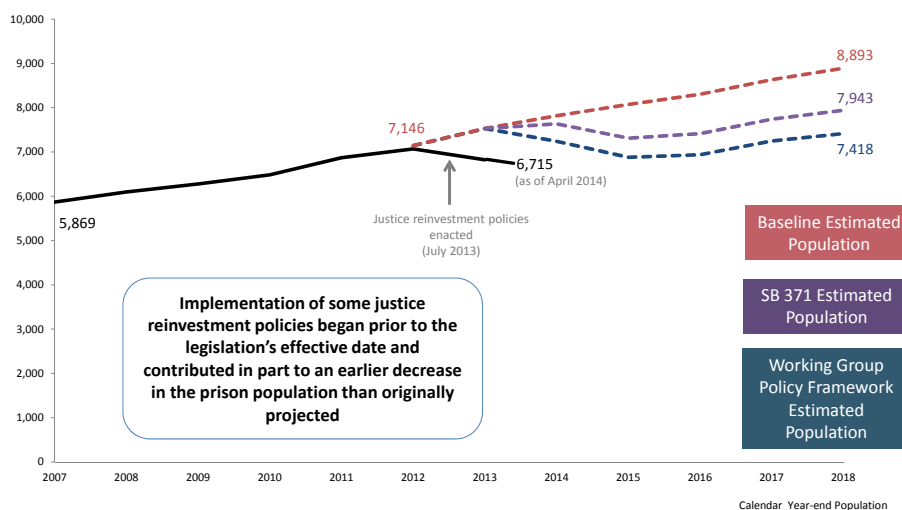
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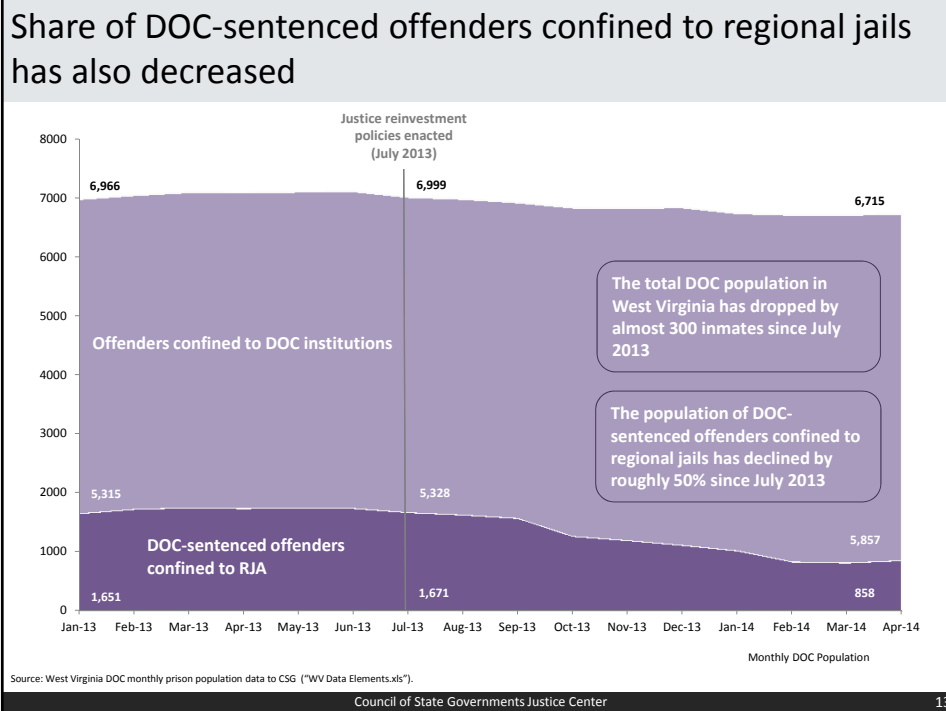
## Senate Bill 371

- Justice Reinvestment policies outlined in Senate Bill 371:
  - Adopt a statewide risk/needs assessment and focus supervision resources on higher-risk individuals
  - Respond to supervision violations with swift, certain, and cost-effective sanctions
  - **Invest in community-based substance abuse treatment for people on supervision with substance abuse treatment needs**

## Since JR implementation began, West Virginia's prison population has declined



Source: Estimates and population figures can be found in the CSG Justice Center's "Justice Reinvestment in West Virginia: Analyses & Policy Options to Reduce Spending on Corrections & Reinvest in Strategies to Increase Public Safety." WVDOC provides actual prison population monthly to CSG.



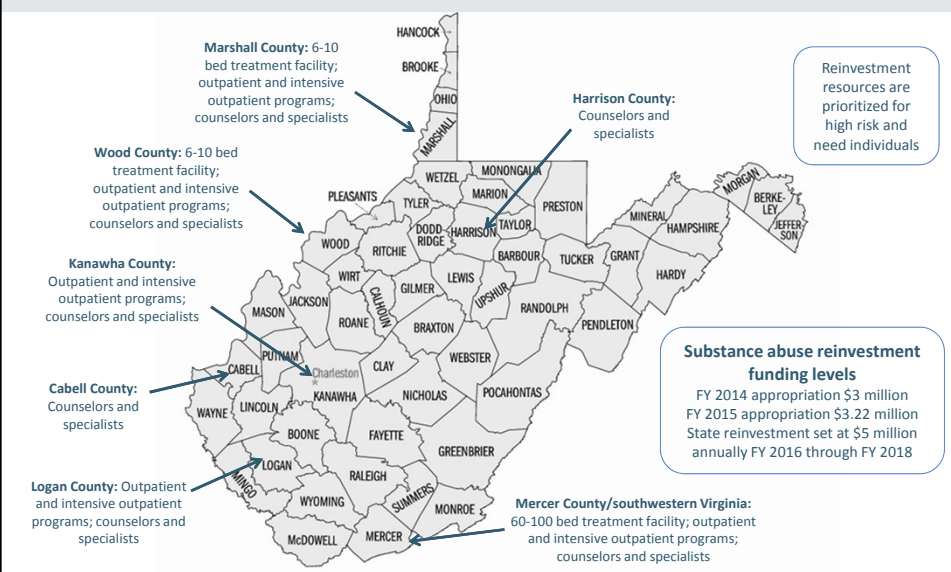
### Reduction in Incarceration Following S.B. 371

- Almost 5% Reduction in Total Prison Population
  - 10/16/14 Population: 6,793
  - 4/13/13 Population: 7,078
- 1,000 Fewer People in Prison Than Projected
- Reduced Overcrowding at Regional Jails by Over 800 People.

### 3. Expanding Community-Based Substance Abuse Treatment and Other Important Criminal Justice Initiatives

SB 371 Provision	Implementation Status
West Virginia's upfront reinvestment in community-based substance abuse treatment (FY 2014 Supplemental Appropriation to DMAPS, FY 2015 Appropriation to DJCS)	<b>In progress.</b> Phase 1 sites awarded May 2014. Phase 2 roll out planned for late 2014
Treatment supervision sentencing option; Effective date Jan. 1, 2014 (§62-15-6a)	<b>In progress.</b> Sentencing to substance abuse treatment resources through treatment supervision became available in 7 pilot counties as part of Reinvestment pilots, awarded May 2014
Statewide expansion of drug courts by 2016 (§62-15-4)	<b>In progress.</b> Supreme Court received grant to facilitate drug court expansion and education

### \$1.2 million for first phase of reinvestment pilot sites awarded May 2014



Source: "Governor Tomblin Announces \$1.2 Million in Justice Reinvestment Treatment Supervision Grant Awards," press release from Office of the Governor, May 22, 2014.



## Implementing statewide rollout of expanded substance abuse services

- Identify methods to address gaps in available resources
- Target funds according to risk/needs
- Ensure that services are available for offenders supervised in the community through parole, probation, drug court, DRCs, and treatment supervision

## Coordinating Workforce Training and Assistance

- Director of Housing and Employment in DOC
- Workforce WV Involvement in Facilities
  - Job fairs; interview and resume preparation;
  - Bonding program (\$10K) and tax credit for employers who hire individuals with criminal conviction
- Division of Rehabilitation Services
  - “Substance abuse” is a disability
  - Federal funding to help people obtain and maintain better jobs

## Improving coordination of parolee management processes between the Parole Board and DOC

- DOC and the Parole Board have requested intensive technical assistance to support joint implementation efforts
  - Review current policy, procedure, and practice
  - Restructure case information provided by DOC to the Parole Board
  - Training for Parole Board
  - Training for DOC staff



## Leveraging the Affordable Care Act to maximize funds for substance abuse treatment

- DMAPS and DHHR requested intensive technical assistance to support collaborative efforts already underway to leverage the Affordable Care Act
  - Enrollment
  - Data-sharing needs and processes
  - Strategies to leverage Medicaid
  - Progress metrics



Continue inter-agency, inter-branch collaboration and coordination with other statewide initiatives

- GACSA
- Community Corrections Subcommittee
- Information Sharing Committee
- State Recidivism Reduction (SRR) Planning Grant
- Affordable Care Act roll out

