



# JUSTICE REINVESTMENT IN WEST VIRGINIA: POPULATION DRIVERS, IMPLEMENTATION, AND PERFORMANCE MEASUREMENT

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National Forum on Criminal Justice  
The Justice Reinvestment Initiative: Research Guiding Policy

August 3, 2015

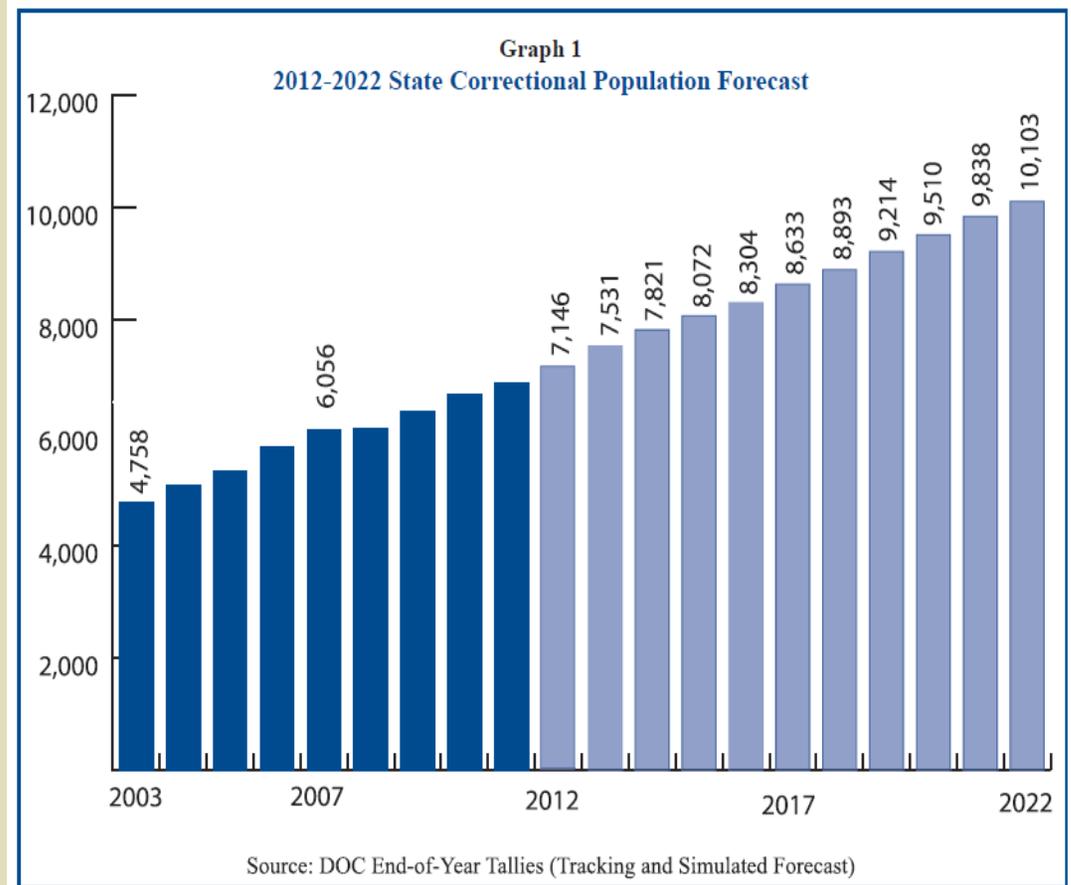
Justice Center for Evidence Based Practice

# Office of Research and Strategic Planning (ORSP)

- Located in the WV Division of Justice and Community Services
  - WV's criminal justice planning agency or SAA
  
- **Criminal Justice Statistical Analysis Center (CJSAC)**
  - Collect, analyze, and disseminate justice data in WV
  - Contribute to effective state policy through statistical services, research, evaluation, and policy analysis
  
- **Justice Center for Evidence Based Practice (JCEBP)**
  - Promote the use of EBP in the administration of justice in WV
  - Synthesize current research on EBP, translate to policymakers and system administrators
  - Education and training on EBP
  - Quality assurance policies and procedures (QA-TIPS)

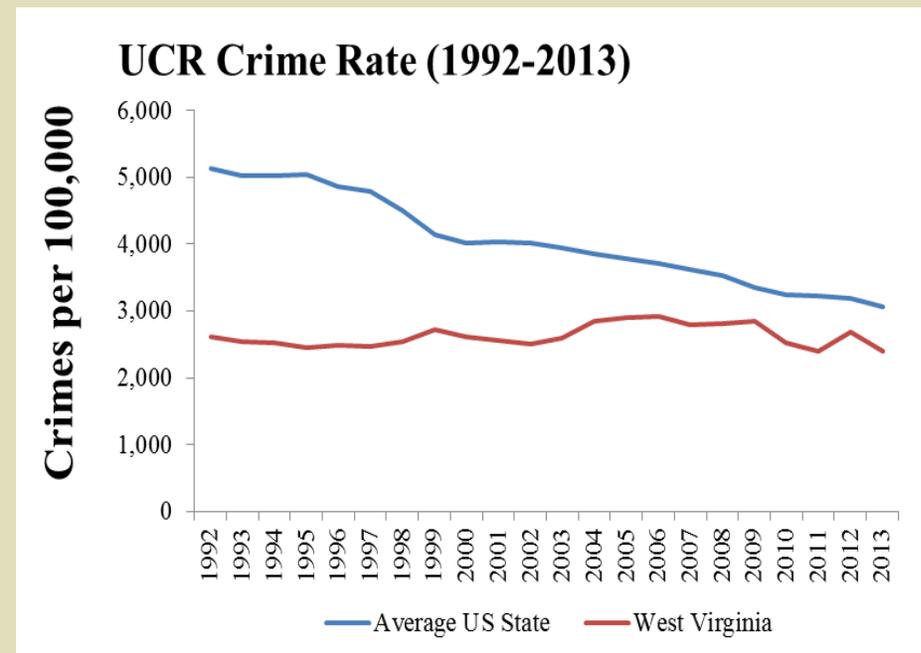
# West Virginia Population Trends

- Prison population growth rate among fastest in the nation since 1992
- Projected to grow over the next decade at an average annual rate of 4.1%
- Prison population was projected to grow to unsustainable level: 10,000 prisoners by 2022



# State Crime and Population Trends

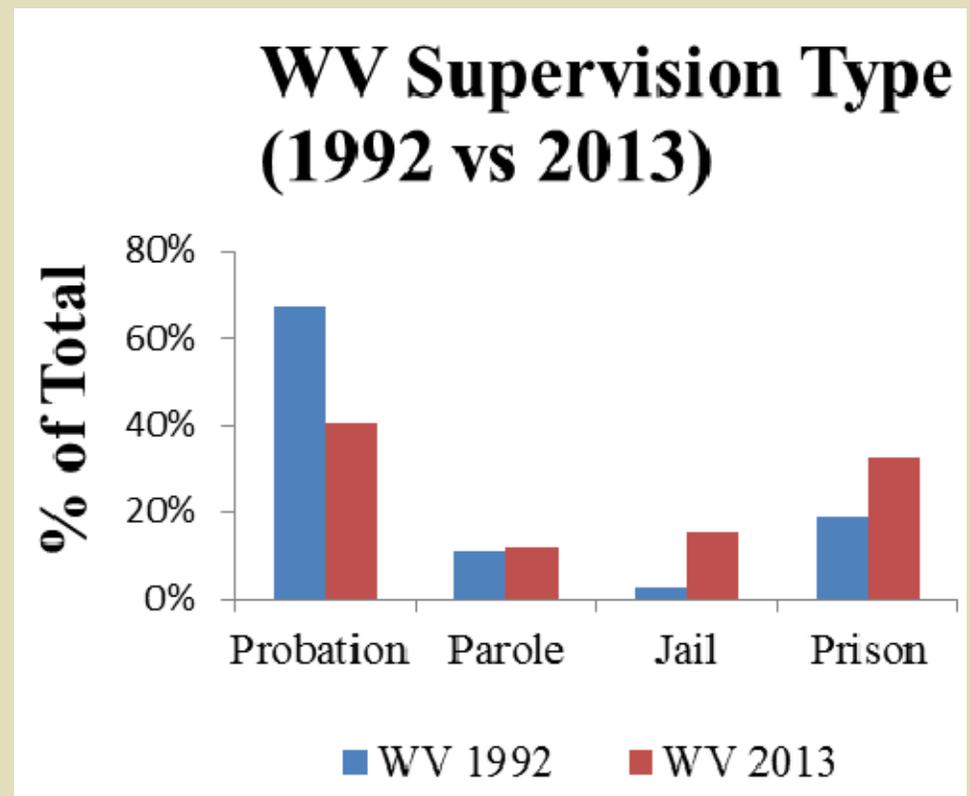
- State has a considerably lower crime rate than the average US state
- No significant change in the crime rate from 1992-2013
- Hence, prison population growth is not due to increases in “serious” crime



Source: Annual FBI UCR Crime Report, includes murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson

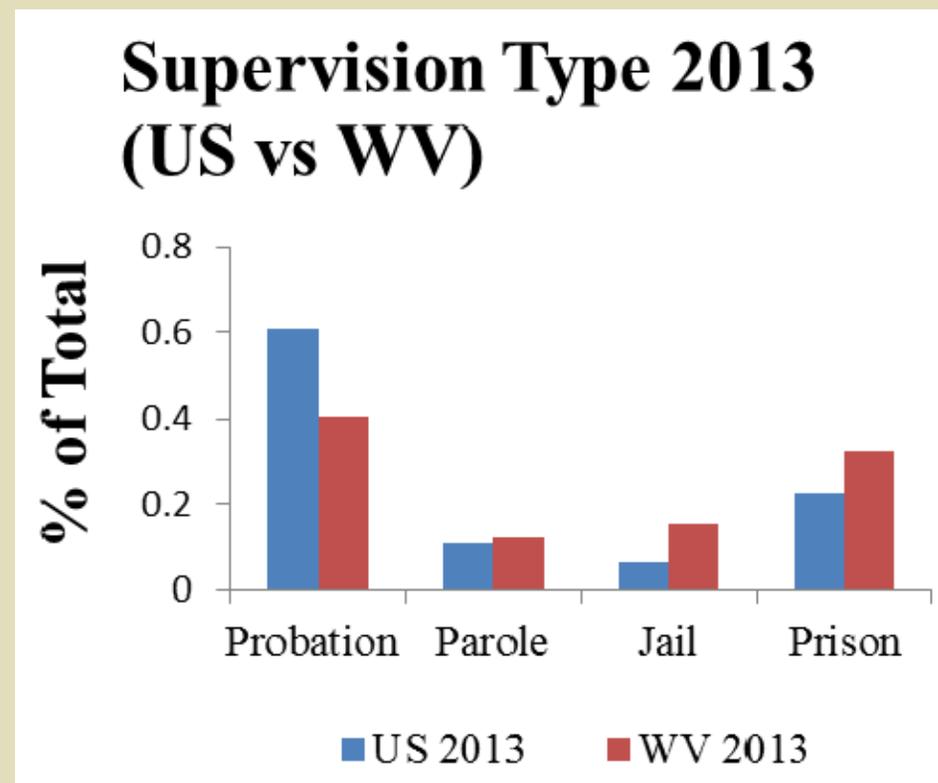
# West Virginia Trends and Problems

- From 2011 to 2014, over half of new commitments were convicted of nonviolent offenses
- Increasing overreliance on prisons and jails
- Smaller proportion on probation and more in prison by 2013



# Comparison of Supervision Type, 2013

- WV supervision patterns out of balance with the US, suggesting a “sorting” issue
- Greater reliance on secure confinement in WV compared to the US
- Less use of probation supervision compared to the US



# Justice Reinvestment: Data-driven approach

- Strongest drivers of prison growth: community supervision revocations and length of stay once reincarcerated (informal policy)
  - Substance use contributed to growing number of probation and parole revocations
  - Recidivism rate increased from 19.6% in 2001 to 28.5% in 2008
  
- Risk assessment tools were *not* used to inform probation and parole practices
  
- More offenders released from prison without any supervision

# WV's Justice Reinvestment Legislation: Senate Bill 371



- ❑ Passed with bipartisan support in 2013 legislative session
- ❑ Signed into law by Governor Tomblin on May 2, 2013
- ❑ Most major provisions effective July 12, 2013

# JR Policy Framework and Recommendations

Goals	1. Strengthen Community Supervision	2. Improve Accountability	3. Reduce Substance Use
Policies	<p><b>1 (A):</b> Adopt a statewide risk/need assessment instrument to determine an individual's likelihood of reoffending and to focus supervision resources on people who are most likely to reoffend.</p> <p><b>1 (B):</b> Maximize potential of Day Report Centers to reduce recidivism.</p> <p><b>1 (C):</b> Ensure effective implementation of evidence-based practices.</p>	<p><b>2 (A):</b> Ensure that all people released from prison to the community are supervised.</p> <p><b>2 (B):</b> Respond to violations with swift, certain, and cost-effective sanctions.</p> <p><b>2 (C):</b> Streamline correctional system processes to reduce delays in parole eligibility and other inefficiencies.</p>	<p><b>3 (A):</b> Invest in community-based treatment for people on supervision with substance use needs.</p> <p><b>3 (B):</b> Establish effective partnerships and resources across systems.</p> <p><b>3 (C):</b> Ensure effective substance use treatment for people incarcerated in state prisons.</p>

Source: Council of State Governments Justice Center (January 2013). Justice Reinvestment in West Virginia: Analyses and Policy Options to Reduce Spending on Corrections and Reinvest in Strategies to Increase Public Safety.

# JRI Implementation: Specific Activities

- **EBP trainings for criminal justice and behavioral health professionals**
  - Level of Service/Case Management Inventory (LS/CMI)
  - Cognitive Behavioral Interventions for Substance Abuse (CBI-SA)
  - Thinking for a Change (T4C)
  - Correctional Program Checklist (CPC)
  - Motivational Interviewing (MI)
  - Effective Practices in Community Supervision (EPICS)

# JRI Implementation: Specific Activities

- DOC development of a parole matrix, greater use of graduation sanctions, reduce revocations
  
- **Treatment Supervision**
  - Greater justice-behavioral health cooperation
  - Establish system to address addiction in the community
  - DRCs working in cooperation with Tx providers
  
- **Quality Assurance for Treatment Intervention Programs and Supervision (QA-TIPS)**
  - Monitoring of inter-rater reliability of assessment, case plans, MI, and core correctional practices for quality
  - Electronic peer-to-peer with supervisory oversight
  - Feedback loop for coaching and improved fidelity

# JRI Implementation: Specific Activities

- **Inter-agency Information Sharing**
  - Foster continuum of care across agencies and departments
  - ORSP facilitation of LS/CMI online system
    - All Executive Branch agencies, non-profit and private treatment providers
    - State behavioral health, private treatment providers, DOC/parole access and share risk assessment results, treatment and case supervision plans
  - ORSP coordinates access to Community Corrections Information System (CCIS); provides collateral information

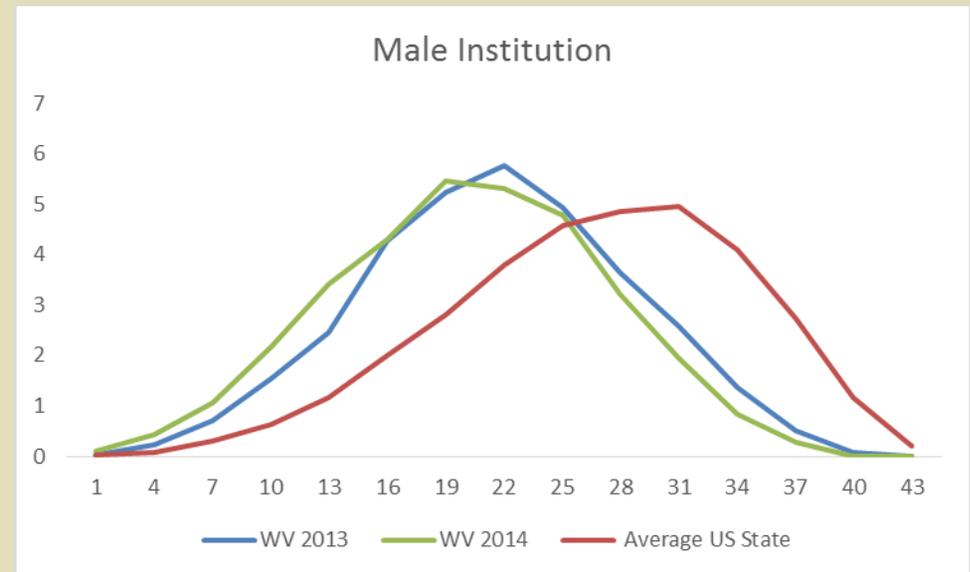
# JRI Performance Measures

- ORSP continues to develop metrics for performance monitoring
  
- **Performance Indicators (current)**
  - Risk composition (med-high risk per supervision type)
  - Pretrial confinement in jails (number and time served)
  - Parole decisions (grant rates, further considerations)
  - Population and supervision trends (community/institutional)
  - State corrections spending/savings for reinvestment
  - Regional jail backlog (DOC inmates housed in jails)
  - Recidivism rates (DOC and all community supervision)
  - Risk assessment rate

# Risk Score Composition for WV and US

- WV has a lower risk population compared to the US normative sample
- Focus on mod-high risk offenders
- Expect both community and prison populations to have greater risk over time

LS/CMI Risk Scores for WV 2013-2014 and US Normative Sample, Male DOC Inmates

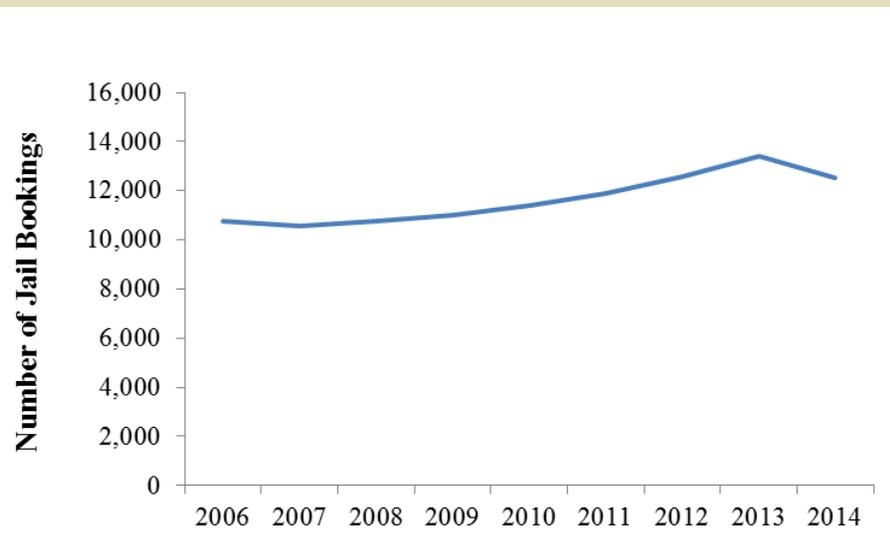


Source: WV LS/CMI Online System and LS/CMI US Normative Sample

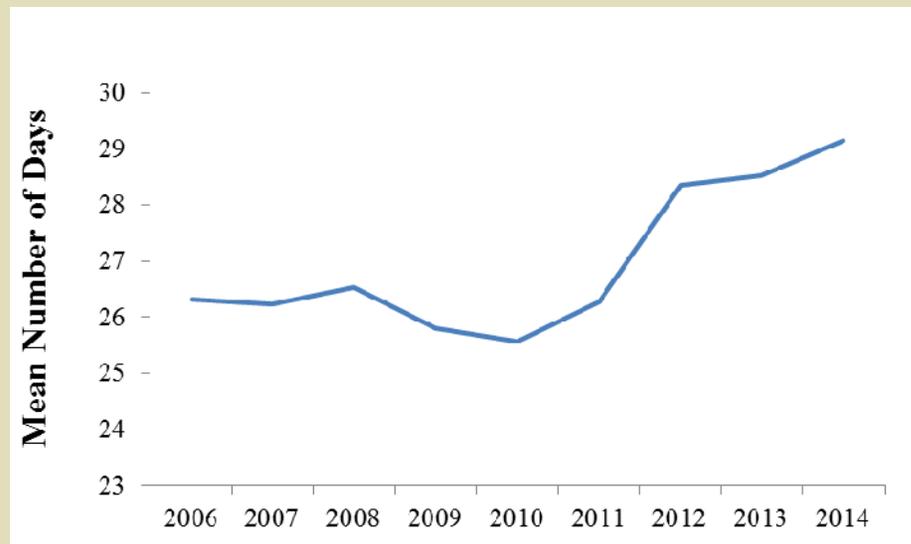
# Trends in Pretrial Jail Confinement, 2006-2014

- ❑ Pretrial bookings increased through 2013 with first decline in several years occurring in 2014
- ❑ Mean number of days confined has grown considerably since 2010

WV Pretrial Jail Bookings, 2006-2014



Mean Number of Days for WV Pretrial Jail Bookings, 2006-2014



# Performance Measurement: Parole Decisions

## Parole Decisions by Type and Year, 2008-2013

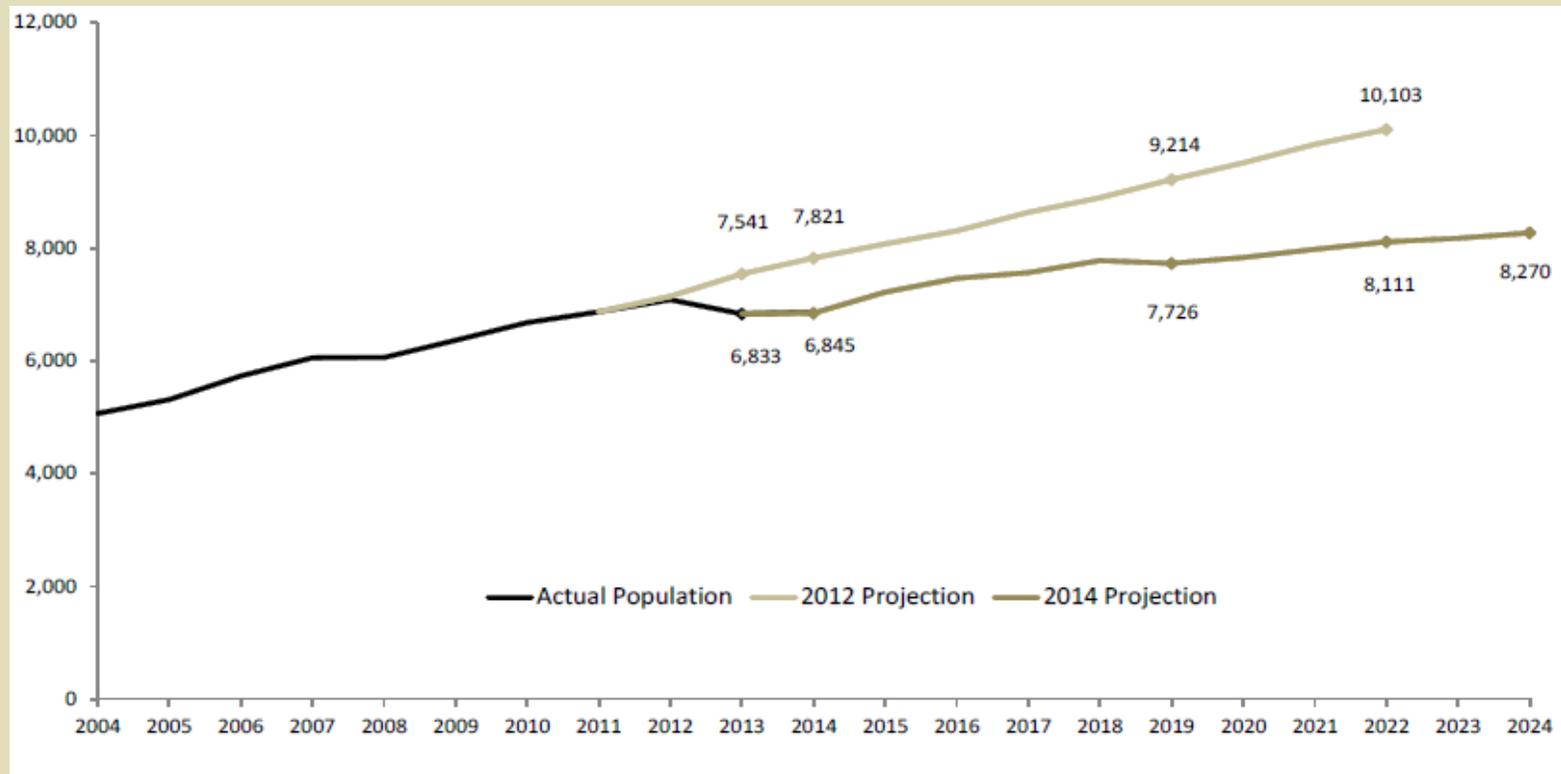
Year	<u>Granted</u>		<u>Denied</u>		<u>Total</u>		<u>Further Consideration</u>
	N	(%)	N	(%)	N	(%)	N
2008	1,376	(53.4)	1,199	(46.5)	2,575	(100.0)	957
2009	1,328	(52.3)	1,210	(47.6)	2,538	(100.0)	1,305
2010	1,336	(46.2)	1,554	(54.7)	2,838	(100.0)	1,199
2011	1,334	(47.0)	1,504	(52.9)	2,838	(100.0)	1,207
2012	1,477	(48.5)	1,564	(51.4)	3,041	(100.0)	1,414
2013	2,536	(56.9)	1,917	(43.0)	4,453	(100.0)	601

- Accelerated parole program established in 2012; early consideration of Parole Board upon completion of rehabilitation and programming

Source: Haas, S. & Spence, D. (2015). Assessing the Impact of Correctional Population Reductions in West Virginia: Population Forecast Projections and Cost Estimates for 2014-2024. WV Division of Justice and Community Services, Office of Research and Strategic Planning.

# Forecast Projections and Performance, 2014-2024

- ❑ Previous forecast estimated a 4.1% annual growth rate; current (2014) estimates 1.8%
- ❑ Monthly projections are tracking well with divergence of only 1.07% on average for the first 6 months of 2015



Source: Haas, S. & Spence, D. (2015). Assessing the Impact of Correctional Population Reductions in West Virginia: Population Forecast Projections and Cost Estimates for 2014-2024. WV Division of Justice and Community Services, Office of Research and Strategic Planning.

# Sustainability and Future Directions

- T4T model to build capacity and sustain fidelity
- JRI performance measures website, provide feedback to stakeholders on trends, outcomes, and LS/CMI validation
- Continue to build relationship with behavioral health through Treatment Supervision
- Quality Assurance for Treatment Intervention Programs and Supervision
  - Training certification criteria, recertification policies
  - Routine assessment/case plan/relationships and community supervision monitoring
  - Expansion of QA-TIPS; fidelity checklists for programs and trainers

# Contact Information

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