



**Justice Center**  
THE COUNCIL OF STATE GOVERNMENTS

**March 2018**

# **50-STATE DATA** *on* PUBLIC SAFETY

## **WEST VIRGINIA WORKBOOK: Analyses to Inform Public Safety Strategies**



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The Council of State Governments (CSG) Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The CSG Justice Center provides practical, nonpartisan, research-driven strategies and tools to increase public safety and strengthen communities. Points of view, recommendations, or findings stated in this document are those of the authors and do not necessarily reflect the official position or policies of The Council of State Governments Justice Center or The Council of State Governments' members. To learn more about The Council of State Governments Justice Center, visit [csgjusticecenter.org](http://csgjusticecenter.org).

# Introduction

## The Public Safety Challenge

A look at the criminal justice landscape across the country reveals a wide range of challenges from state to state with no one-size-fits-all solution. Crime rates are increasing across some crime types and regions while decreasing in others; law enforcement leaders describe engaging with more and more people who have mental illnesses; and the opioid crisis has ravaged countless communities. At the same time, policymakers struggle to break the cycle of reoffending and control the costs of corrections. To tackle these challenges, state leaders need to find innovative and cost-effective ways to promote public safety.

## A Way Forward

The road to success begins with a thorough understanding of crime, corrections, and behavioral health trends in each state so that policymakers can address their state's unique needs with strategies based on research and lessons learned from other states for improving criminal justice systems and public safety. To do this, state leaders need the following:

- Analyses that sift through data and isolate current crime, arrest, and correctional system trends in their state;
- Context for these data to help explain how these trends compare to the experiences of other states; and
- Examples of innovative approaches that different states are employing to address these trends.

The Council of State Governments (CSG) Justice Center responded to these needs by conducting interviews with corrections research staff in all 50 states to collect data on state criminal justice practices and corrections policy. The result was an up-to-date depiction of the national public safety policy landscape presented in this workbook, which has been customized to each state.

## About This Workbook

The CSG Justice Center produced this workbook in conjunction with a forthcoming, web-based interactive 50-state report.

This workbook contains both national and state-specific analyses of data on crime, arrests, recidivism, correctional populations, and other criminal justice system metrics, as well as information about state research capacity and supervision practices collected through structured interviews conducted by the CSG Justice Center with each state's corrections departments. The data from these interviews represents each state's assessment of its programs and practices, not an assessment by the CSG Justice Center. Further, interview responses reflect programs and practices as of December 2017 and do not reflect changes in practice that may have occurred since that time.

This workbook also includes questions that policymakers can ask to help assess a state's criminal justice system and identify opportunities to strengthen policy, practice, and public safety.

For information on the 50-state report, visit ***50statespublicsafety.us***.

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# Methodological Notes

## General Notes

The FBI's annual *Crime in the U.S.* report was used to analyze state-level crime and arrest data for 2006–2016. The latest full year of crime and arrest data available at the time these workbooks were produced was 2016. States may have more complete information about crime and arrests, including non-index crimes and arrests for which there are gaps in federal reporting, but this information was not included in this report. Reported crime in this report includes only index crime unless otherwise noted.

For this workbook, annual data collections from the Bureau of Justice Statistics (BJS) were used to analyze state prison, probation, and parole populations as well as national victimization rates for 2005–2015. The latest year of data available for these annual data collections at the time these workbooks were produced was 2015.

## Notes on Crime, Arrest, and Victimization Data

- The FBI reports two types of index crime: property and violent. Violent index crimes include homicide, rape, robbery, and aggravated assault. Property index crimes include burglary, larceny-theft, motor vehicle theft, and arson. Due to gaps in reporting on arson, this offense type is excluded from property crime rates.
- In 2013, the FBI expanded its definition of rape. Starting that year, states reported figures corresponding to both the legacy and the revised definitions. In this workbook, analysis of rape data between 2006 and 2016 uses the legacy definition. Analysis involving only 2016 data uses the revised definition.
- Non-index arrests include arrests for all crimes other than the eight index crimes noted above, including but not limited to drug offenses, DUI, simple assault, and shoplifting.
- Information on crime victimization in this workbook is based on the BJS National Crime Victimization Survey (NCVS), a national survey using a representative sample of all U.S. residents age 12 or older examining the frequency and characteristics of crime victimization. Victimization rates reported in this workbook include the number of victimizations per 1,000 residents. Violent crimes included in victimization data are rape or sexual assault, robbery, aggravated assault, and simple assault. Homicides are excluded from violent crime victimization data.

## Notes on Probation and Parole Data

- Unless otherwise noted, probation data in this workbook comes from the BJS Annual Probation Survey. This survey is completed by state agencies and includes a count of people on probation for felony offenses and may or may not include misdemeanor offenses, depending on the state's ability to report misdemeanor probation.
- The term "parole" in this workbook includes any post-release supervision period following release from prison outside of post-release probation. Some states that have abolished discretionary parole may still have "parole" populations under this definition.

## Racial Disproportionality in the Criminal Justice System

Racial disproportionality in rates of people who are victimized, arrested, and incarcerated compared with the general population are a significant concern for the public and officials sworn to treat people fairly under the law.

Yet national and state data related to race suffer from inconsistent methodological approaches to the collection and interpretation of this data, which hampers researchers seeking to understand the causes of disproportionality across agencies and to what extent policies or practices exacerbate them.

Without comprehensive analyses of high-quality data and a thorough evaluation of related policies and practices, policymakers and criminal justice officials will continue to be frustrated in their attempts to respond to concerns about racial disproportionality and to make sure the justice system treats individuals fairly and equitably.

# Reducing Crime and Strengthening Communities

## Use data to understand crime trends

Understanding the full extent of criminal activity can be challenging. Policymakers must consider data and trends across three measures, each with unique limitations:

1. **Crime data**, which represents only the portion of criminal activity that is reported to law enforcement agencies.
2. **Arrest data**, which reflects only suspected crime and is collected by law enforcement agencies, at times with gaps or inconsistencies in reporting.
3. **Victimization surveys**, which collect data on certain crimes where there is a victim and the victim is aware of the crime. These surveys are given to only a representative sample of all households and produce estimates for the amount of certain types of crime.

While a historical review of crime, arrest, and victimization trends at the national level provides a point of comparison for states, policymakers must understand how local dynamics are influencing trends in their states in order to develop effective policies that respond to these trends.

Without a clear, data-driven understanding of where crime is occurring, what types of crime are on the rise and in which jurisdictions, how the volume of arrests for those crimes has changed over time, and who is being victimized, law enforcement and other local criminal justice stakeholders cannot develop effective strategies to respond to crime in their communities. Insufficient data collection, reporting, and sharing between criminal justice agencies, along with limited analytical capacity within agencies, all hinder efforts to improve understanding of crime trends and develop crime-prevention strategies.

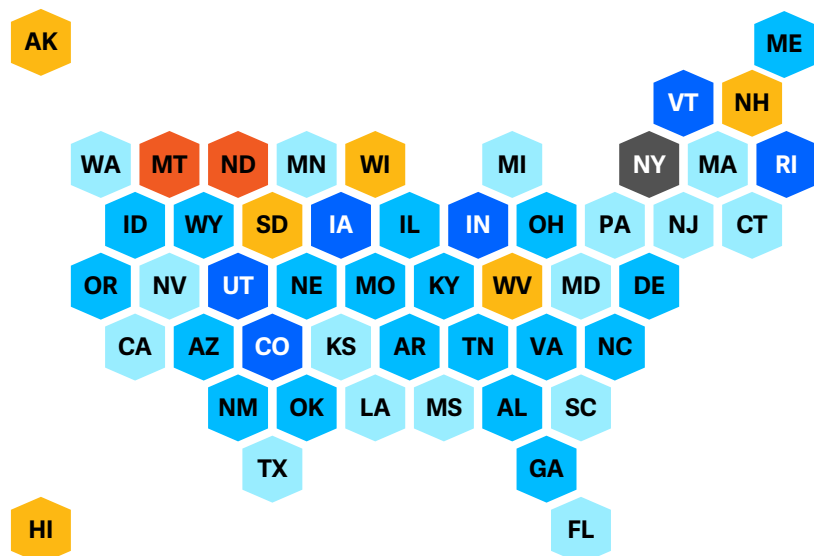
State policymakers can help local law enforcement and other criminal justice stakeholders by taking the following steps:

- Examine crime, arrest, and victimization data.
- Expand data collection metrics.
- Enhance data sharing to improve public safety.



**While only 18 states had increases in the overall rate of violent crime during the last decade, 33 states had increases of more than 5 percent in at least one of the four categories of violent crime.**

Change in U.S. Violent Crime Rate (Incidents per 100,000 Residents) by Offense Category, 2006–2016\*



**2** states had increases of more than 5 percent in **four** categories of violent crime

**6** states had increases of more than 5 percent in **three** categories of violent crime

**6** states had increases of more than 5 percent in **two** categories of violent crime

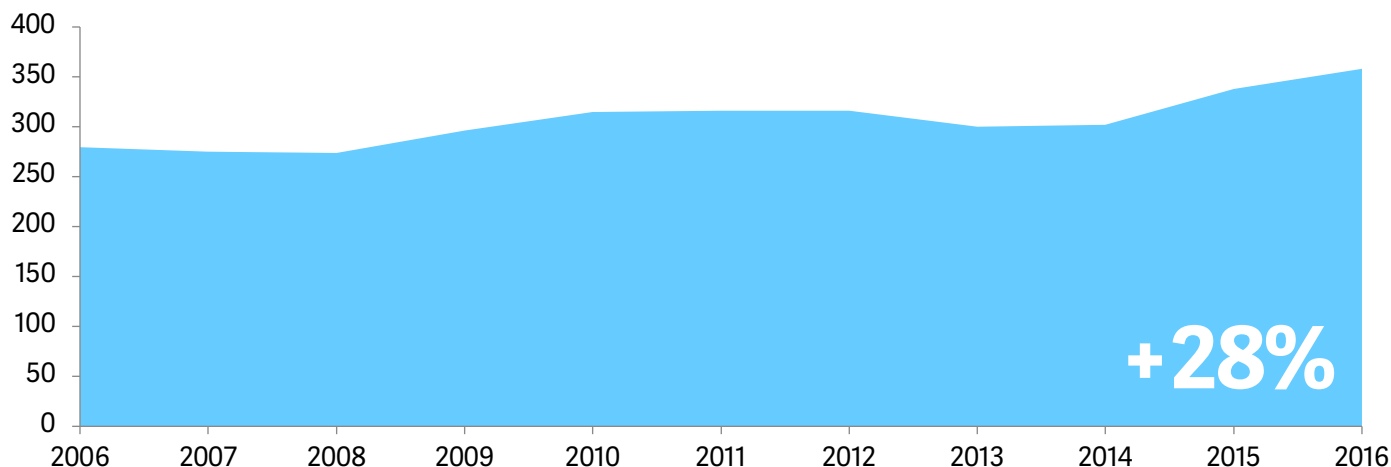
**19** states had an increase of more than 5 percent in **one** category of violent crime

**16** states had **no** increase of more than 5 percent in any category of violent crime

Source: FBI, *Crime in the U.S.*, 2006–2016.

\*The four categories of violent crime include homicide, rape, robbery, and aggravated assault. NY data was excluded.

Overall Violent Crime Rate in West Virginia (Incidents per 100,000 Residents), 2006–2016



Source: FBI, *Crime in the U.S.*, 2006–2016.

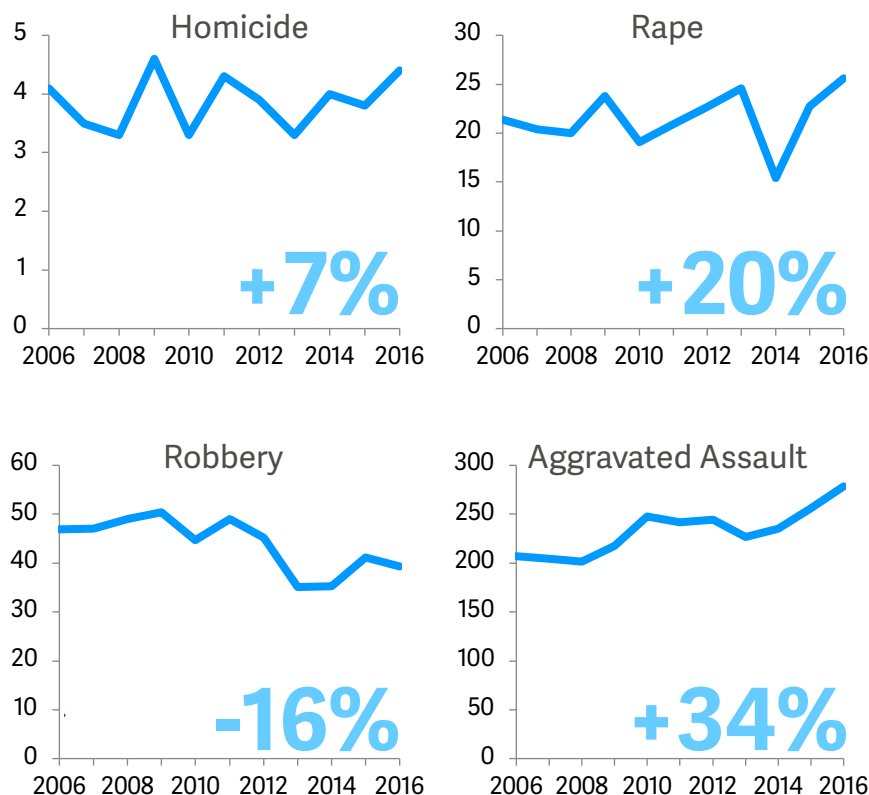




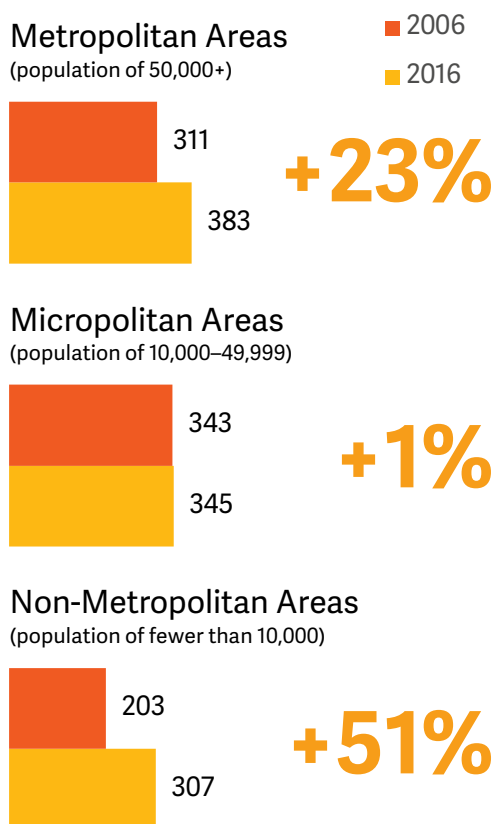
# West Virginia's violent crime rate increased overall between 2006 and 2016.

West Virginia's 28-percent increase in the violent crime rate between 2006 and 2016 was the sixth-largest increase in the country and resulted in a 10-year high for the state in 2016. The state went from having the 39th-highest violent crime rate in the country in 2006 to the 27th-highest rate in 2016.

**Violent Crime Rate in West Virginia (Incidents per 100,000 Residents) by Offense Category, 2006–2016\***



**Overall Violent Crime Rate in West Virginia (Incidents per 100,000 Residents) by Population Area, 2006 and 2016**



- West Virginia's 20-percent increase in the rape rate was the seventh-largest increase in the country in this category of violent crime between 2006 and 2016.
- Following a 16-percent decline in the robbery rate between 2006 and 2016, West Virginia maintained the 10th-lowest robbery rate in the country in both 2006 and 2016.
- West Virginia was one of only eight states to have had an increase of at least 5 percent in three or more categories of violent crime between 2006 and 2016.

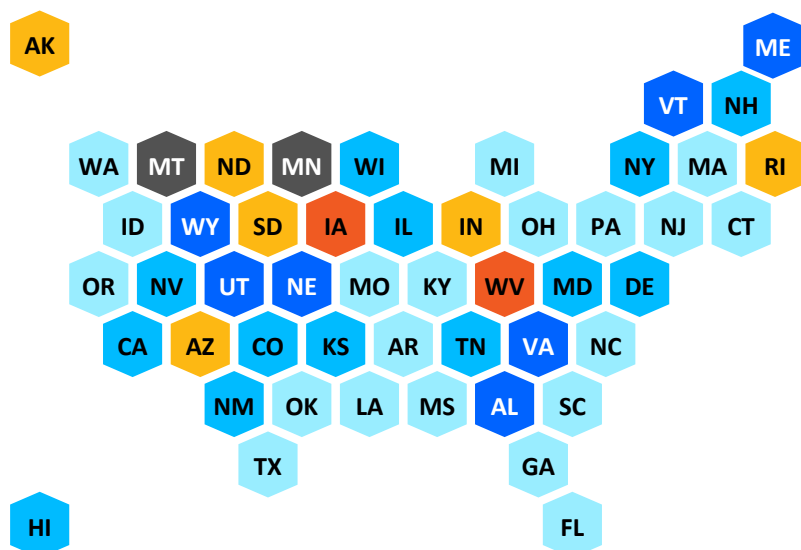
\* Percentage change may appear inflated in states with small numbers of incidents.

Source: FBI, *Crime in the U.S.*, 2006–2016.



## While arrests for violent crime increased in only 17 states in the past decade, 28 states saw arrests increase more than 5 percent in at least one of four categories of violent crime offenses.

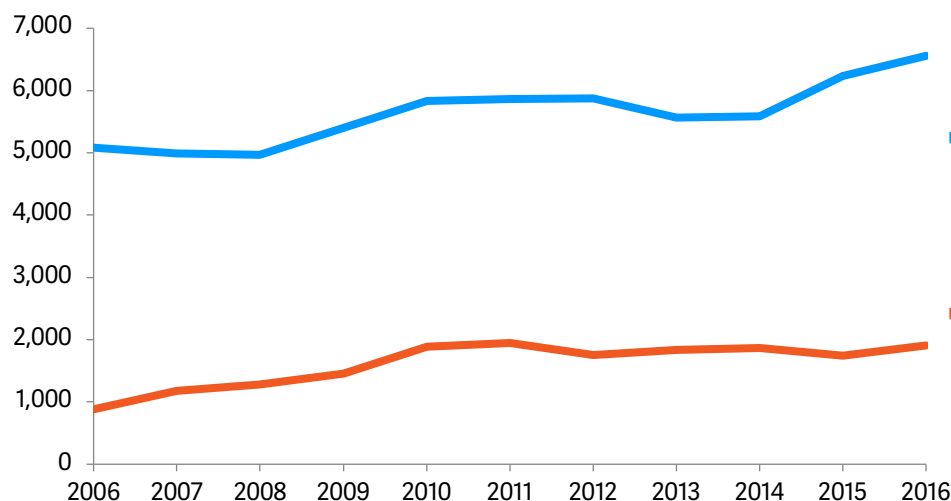
Change in U.S. Violent Crime Arrest Rate (Incidents per 100,000 Residents) by Offense Category, 2006–2016\*



\*Arrest data by crime category was not available for 2006 in MT or MN.

Source: FBI, *Crime in the U.S.*, 2006–2016.

Overall Violent Crime and Arrests in West Virginia (Volume), 2006–2016



**+29%**  
change in violent crime

**+116%**  
change in arrests for violent crime

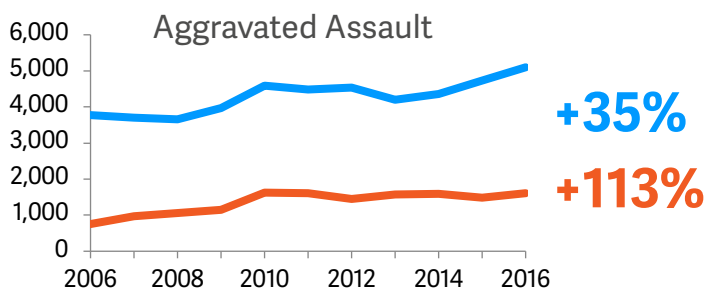
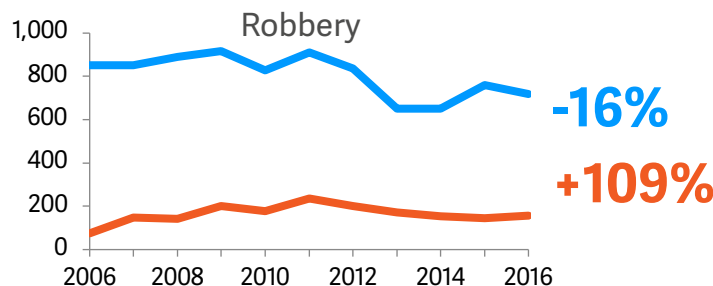
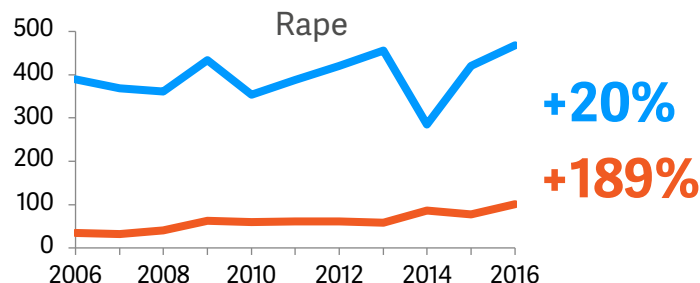
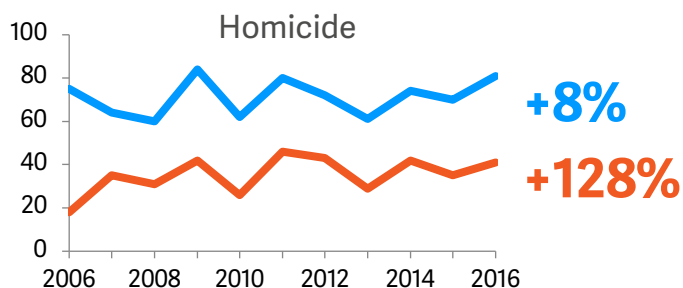
Source: FBI, *Crime in the U.S.*, 2006–2016.



## Arrests for violent crimes in West Virginia followed similar trends as violent crimes.

Violent Crimes and Arrests in West Virginia (Volume) by Offense Category, 2006–2016

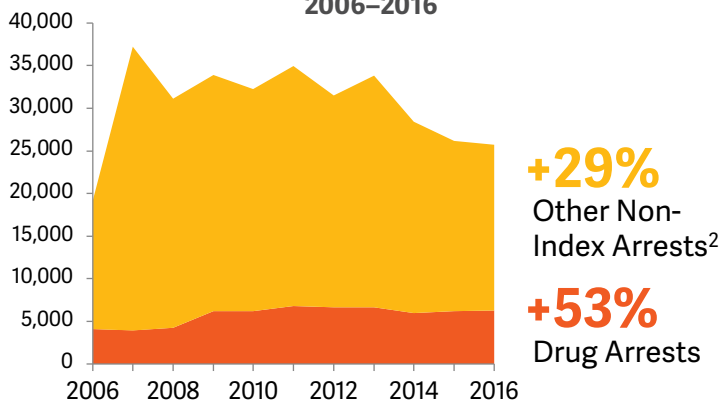
Arrests Crime



The number of arrests for three of the four violent crime categories trended in the same direction as the number of violent crimes in West Virginia between 2006 and 2016. During this period, arrests for homicide, rape, and aggravated assault increased with corresponding increases in crime in those categories. Arrests for robbery also increased but robberies decreased. Arrests for homicide, rape, and aggravated assault increased at a higher rate than crime in those categories during this period.

- West Virginia was one of only eight states to have an increase of at least 5 percent in the number of arrests for all four violent crime categories between 2006 and 2016.
- West Virginia's 53-percent increase in the number of drug arrests was the sixth-largest increase in the country between 2006 and 2016.

Non-Index Crime Arrests in West Virginia (Volume), 2006–2016



<sup>2</sup> The largest contributors to "other" arrests besides drug offenses were simple assaults and DUI.

<sup>1</sup> Percentage change may appear inflated in states with small numbers of incidents.

Source: FBI, *Crime in the U.S.*, 2006–2016.

## National property and violent crime rates have dropped 50 percent since their peak in the early 1990s.

U.S. Property and Violent Crime Rates (Incidents per 100,000 Residents), 1960–2016



Source: FBI, *Crime in the U.S.*, 1960–2016.

Since 2006, all but two states have experienced a decline in the property crime rate, with more than half of states experiencing a decrease of more than 25 percent. Variation in property crime rates across states is modest, with the highest state property crime rate three times greater than the lowest.

Violent crime trends have varied widely across states since 2006. Eighteen states experienced increases in violent crime, while 32 experienced decreases. Violent crime rates varied significantly across states: the highest violent crime rate was more than six times higher than the lowest.

Property Crime Rate (Incidents per 100,000 Residents)  
All States, 2006–2016



Violent Crime Rate (Incidents per 100,000 Residents)  
All States, 2006–2016



Source: FBI, *Crime in the U.S.*, 2006–2016.

## In 2016, the violent crime rate was at a 10-year low in some states, but at a 10-year high in others.

Violent Crime Rate in 4 States (Incidents per 100,000 Residents), 2006–2016

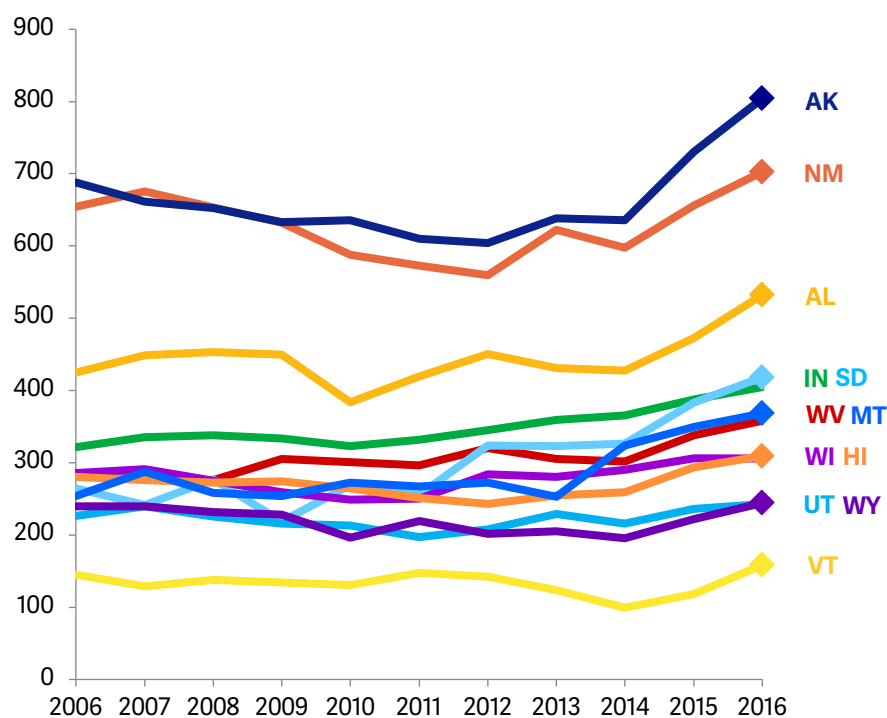


The violent crime rate in 2016 was at its **lowest** point in the last 10 years in 4 states.



Source: FBI, Crime in the U.S., 2006–2016.

Violent Crime Rate in 12 States (Incidents per 100,000 Residents), 2006–2016



The violent crime rate in 2016 was at its **highest** point in the last 10 years in 12 states.



Source: FBI, Crime in the U.S., 2006–2016.

## In 16 states, violent crime rates decreased overall, but increased in areas with fewer than 50,000 people.

Change in Violent Crime Rate (Incidents per 100,000 Residents) by State and Population Area, 2006–2016

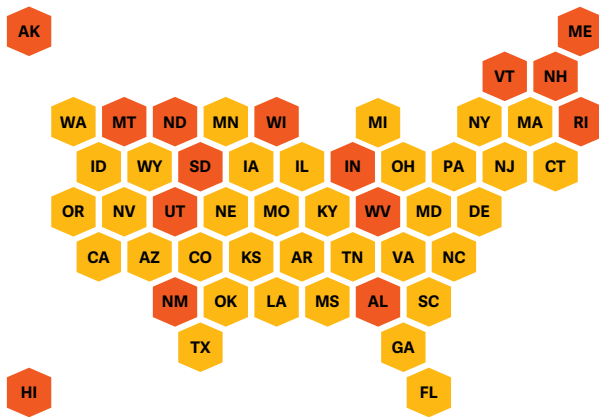
less than 5%

increase in violent crime rate or a decrease in violent crime rate

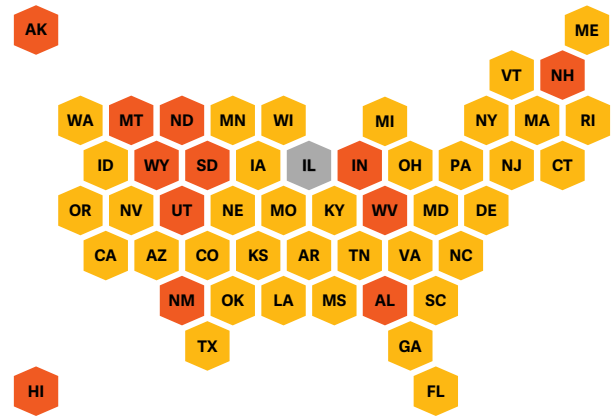
5% or more

increase in violent crime rate

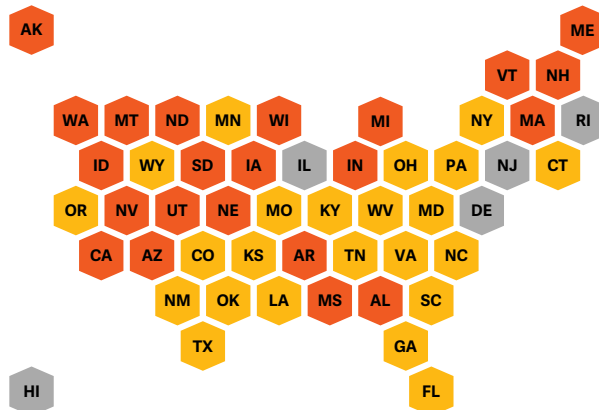
### Statewide



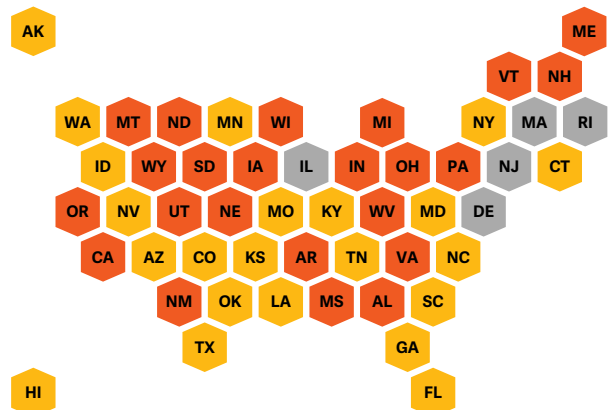
### Metropolitan Statistical Areas<sup>1</sup> (population of 50,000+)



### Micropolitan Statistical Areas<sup>2</sup> (population of 10,000–49,999)



### Nonmetropolitan Areas<sup>3</sup> (population of fewer than 10,000)



<sup>1</sup>Illinois did not have crime rates available by population area.

<sup>2</sup>Delaware, Hawaii, New Jersey, and Rhode Island did not have areas qualifying as micropolitan in 2006 and/or 2016.

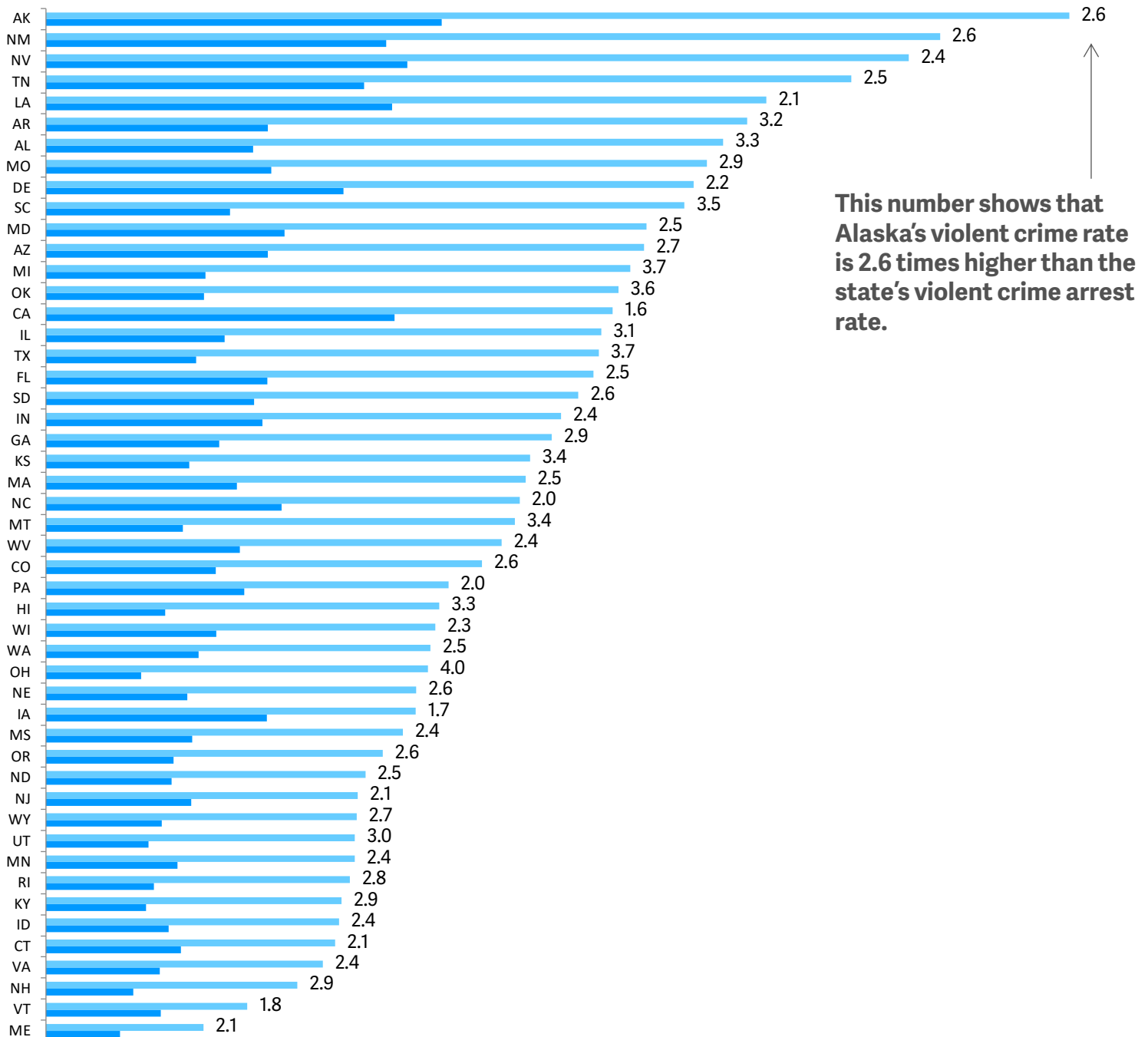
<sup>3</sup>Delaware, New Jersey, Massachusetts, and Rhode Island did not have areas qualifying as nonmetropolitan in 2006 and/or 2016.

Source: FBI, UCR Crime in the U.S., 2006 and 2016.

## In 12 states, violent crime rates are at least three times higher than arrest rates for violent crime.

Proportional Difference of Violent Crime Rate in Relation to Violent Crime Arrest Rate  
(Incidents per 100,000 Residents) by State, 2016<sup>1</sup>

Violent crime rate      Violent crime arrest rate



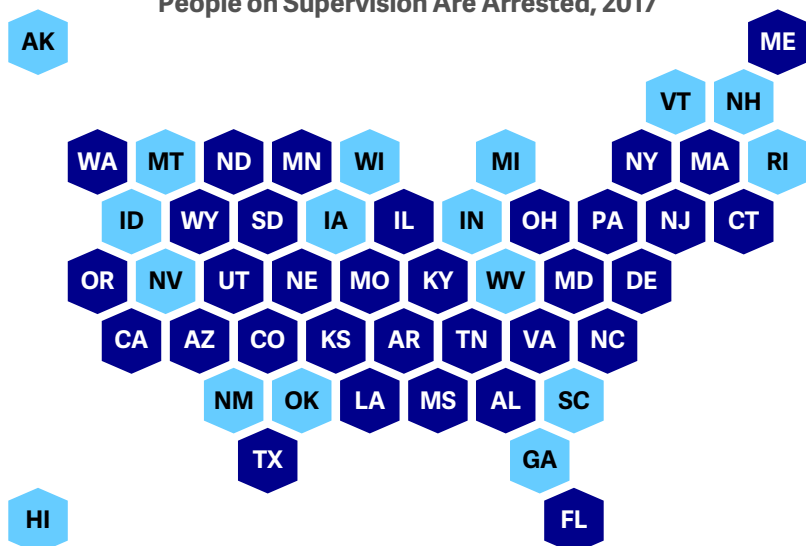
<sup>1</sup>Because no 2016 arrest data were received from the New York City Police Department, the ratio of violent crime to arrests in NY are not presented here. For complete New York State crime and arrest information, please visit:

<http://www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm>

Source: FBI, *Crime in the U.S.*, 2016.

## More than half of states report having systems that allow for sharing of information between law enforcement and supervision agencies, but this is not necessarily done automatically.

States That Report Having a System for Sharing Information Between Law Enforcement and Supervision Agencies When People on Supervision Are Arrested, 2017

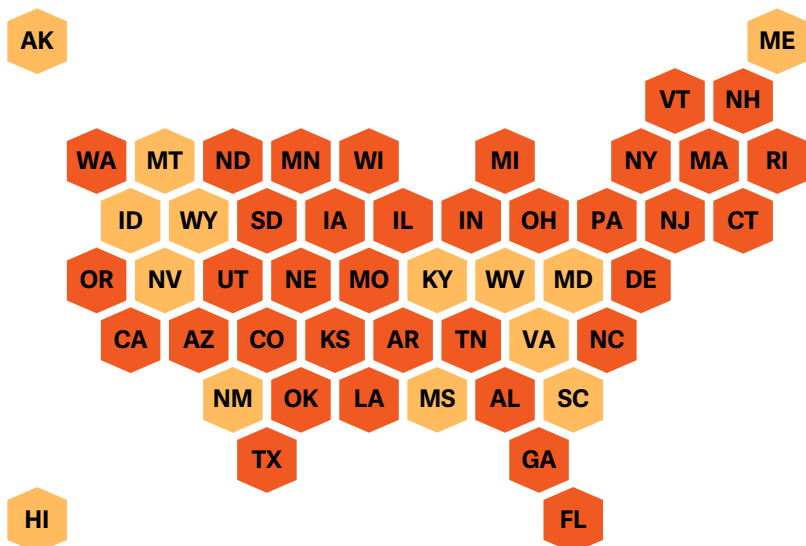


33

states report **having** a system that gives supervision officers the ability to determine when people on their caseloads are arrested

17

states report **not having** a system that gives supervision officers the ability to determine when people on their caseloads are arrested or did not know



36

states report **having** a system that gives law enforcement the ability to determine supervision status when a person is arrested

14

states report **not having** a system that gives law enforcement the ability to determine supervision status when a person is arrested or did not know

Source: CSG Justice Center, structured interviews, Aug. 2017.



## Male violent victimization rates have recently fallen below that of females for the first time since the early 1970s.

U.S. Violent Crime Victimization Rates (Incidents per 1,000 People Age 12 and Older) by Gender, 2005–2015\*



**-53%** male violent victimization  
**-9%** female violent victimization

Source: Bureau of Justice Statistics, NCVS Victimization Analysis Tool (NVAT).

## Despite some declines over the past decade, people of color continue to experience higher rates of violent victimization compared to white people.

U.S. Violent Crime Victimization Rates (Incidents per 1,000 People Age 12 and Older) by Race/Ethnicity, 2005–2015\*



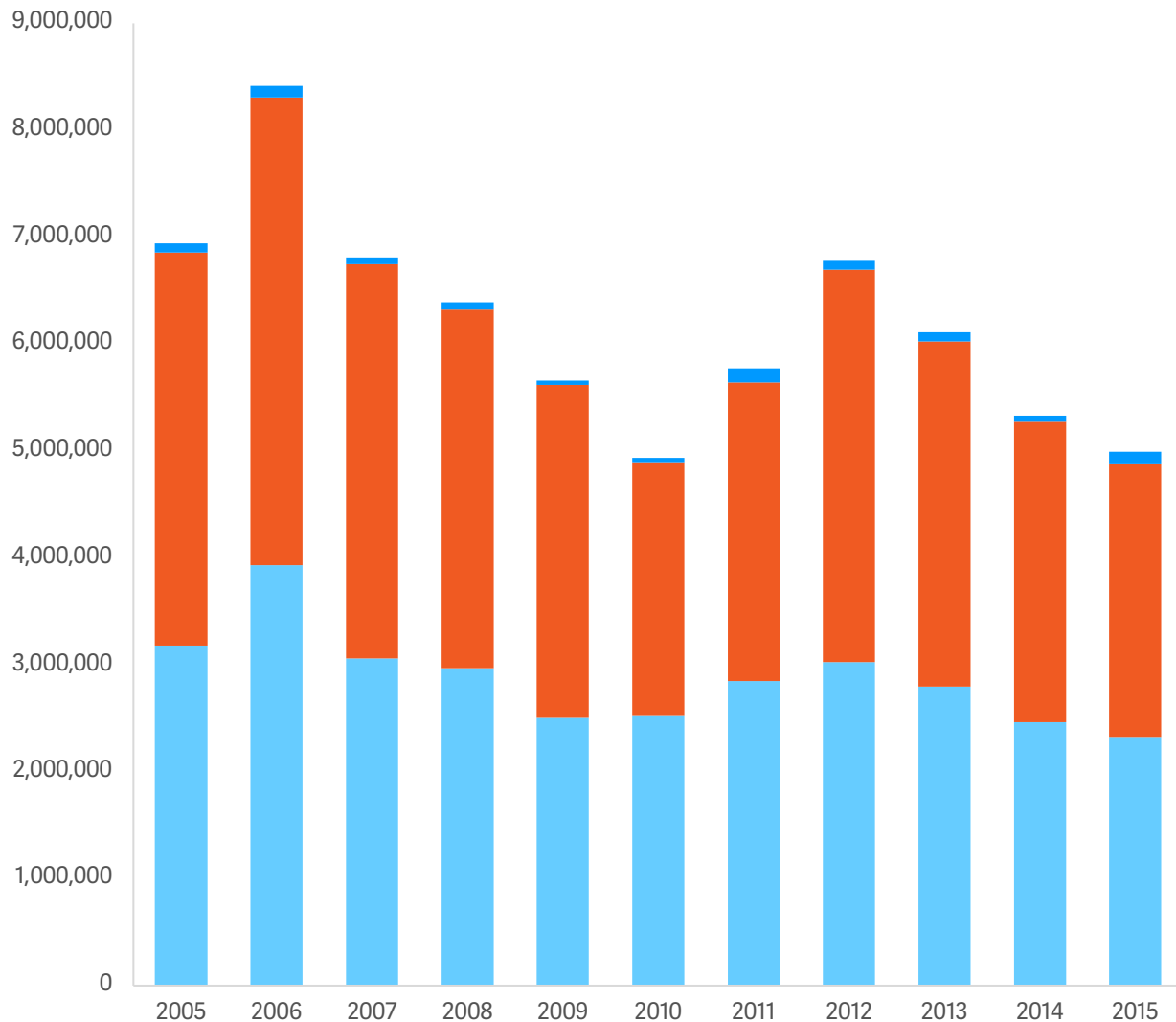
**-45%** victimization of black people  
**-40%** victimization of Hispanic people  
**-3%** victimization of people who are not black, Hispanic, or white  
**+30%** victimization of white people

\*2015 was the latest year of the victimization survey. Rates are calculated using a representative sample.

Source: Bureau of Justice Statistics, NCVS Victimization Analysis Tool (NVAT).

## More than half of people who experience violent crime each year do not report these incidents to police.

Estimated Number of Violent Victimizations in the U.S. Reported to Police, 2005–2015



**51%** of people who experienced violent crime in 2015 **did not report** the incident to police

**47%** of people who experienced violent crime in 2015 **reported** the incident to police

**2%** of people who experienced violent crime in 2015 **do not know** if they reported the incident to police

Source: Bureau of Justice Statistics, NCVS Victimization Analysis Tool (NVAT).

## Transitioning to the National Incident-Based Reporting System (NIBRS) from the Summary Reporting System (SRS) can help enhance crime and arrest reporting.

<b>Old Reporting System (SRS)</b>	<b>10</b> offense classifications	<b>1</b> offense counted per crime incident
<b>New Reporting System (NIBRS)</b>	<b>52</b> offense classifications	Up to <b>10</b> offenses counted per crime incident

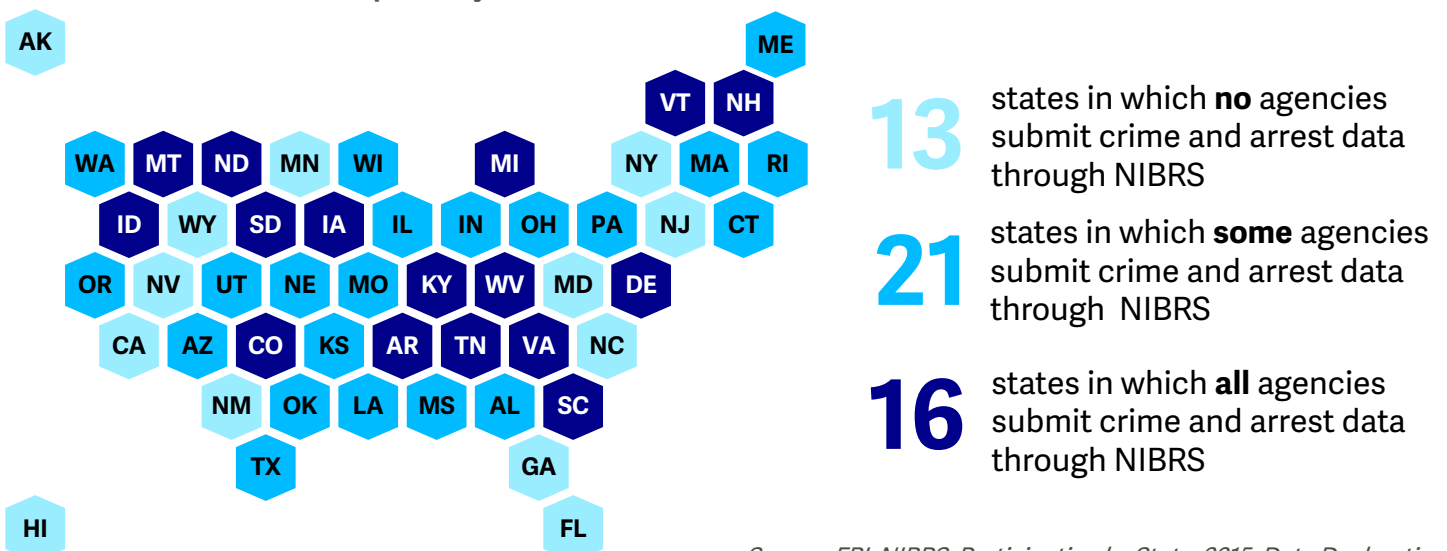
  

	Time and location of incident	Weapon used	Demographics	Relationship to victim	Property description and monetary value	Clearance date
<b>Old Reporting System (SRS)</b>	X	X	X	X	X	X
<b>New Reporting System (NIBRS)</b>	✓	✓	✓	✓	✓	✓

Source: FBI, CJIS Link, "SRS to NIBRS: The Path to Better UCR Data", 2017.

Since NIBRS was implemented in 1991, only 16 states have converted all local law enforcement agencies to this system for reporting crime and arrests.

NIBRS Participation by State, 2015



Source: FBI, NIBRS, Participation by State, 2015, Data Declaration.

### Key Questions About State Data

*Notes:*

**1.** Which, if any, categories of violent crime experienced increases in your state between 2006 and 2016? (*page 9*)

**2.** Did violent crime increase in particular regions of your state during this period? (*page 9*)

**3.** How did arrest trends in your state change between 2006 and 2016? (*page 10*)

**4.** Did certain types of crime increase at a higher rate than arrests in your state between 2006 and 2016? (*page 11*)

### Questions for Further Research and Discussion

**5.** Is there a council, task force, or commission in your state comprising state and local criminal justice officials that regularly examines crime, arrest, and victimization trends and other public safety challenges?

**6.** How are state and local officials coordinating to develop and implement strategies to reduce crime?

**7.** What are the most pressing public safety challenges for local law enforcement agencies in your state?

**8.** What kind of demographic information does your state require to be collected and reported on when people are arrested, sentenced, admitted to incarceration, or start supervision?

**9.** Do law enforcement and corrections agencies have the ability to share information effectively?

## **Improve responses to people who have behavioral health needs in local criminal justice systems**

The proportion of people in the criminal justice system who have behavioral health needs is much higher than it is for the general public. Yet few jurisdictions are able to routinely identify and track criminal justice and health outcomes for this population. Without this critical information, it's impossible to develop and target comprehensive responses at each juncture of the criminal justice system.

Further, even though law enforcement officers and court officials are often willing to divert certain people who have behavioral health conditions from incarceration to community-based supports and services, when appropriate, they frequently lack effective options to do so. A lack of community-based behavioral health services also undermines investments in prison and jail-based treatment because gains people have made in these programs can quickly erode without continuity of care in the community. People who need supports and services often face long waiting lists, and lack the financial means to pay for these services, transportation to reach them, and affordable, stable housing. Additionally, the behavioral health treatment services that are delivered are not coordinated between criminal justice, behavioral health, and other social services agencies, and are rarely aligned with what works to both improve health outcomes and reduce recidivism.

To help local leaders improve responses to people who have behavioral health needs in local criminal justice systems, state leaders can take the following steps:

- Improve the identification of people who have behavioral health needs in the criminal justice system.
- Ensure that a range of behavioral health treatment and service options are available within jails and prisons and in the community for people in the criminal justice system.
- Increase the effectiveness of treatment and support services to improve public safety and health outcomes.
- Strengthen collaboration between behavioral health and criminal justice agencies at the state and local level.

## The capacity of behavioral health care providers varies from state to state.

Number of Residents per Behavioral Health Care Provider by State, 2017\*



\*Includes credentialed behavioral health care providers and does not include paraprofessional staff.

Source: Mental Health America, *The State of Mental Health in America, 2017*.

Nearly every state had an increase in overdose death rates of more than 5 percent between 2006 and 2016. In 16 states, overdose death rates more than doubled during this period.

fewer than 10

drug overdose deaths  
per 100,000 residents

10 to 19

drug overdose deaths  
per 100,000 residents

20 to 29

drug overdose deaths  
per 100,000 residents

30 or more

drug overdose deaths  
per 100,000 residents

Drug Overdose Death Rate (per 100,000 Residents), 2016\*



Percent Change in Drug Overdose Death Rate by State (per 100,000 Residents, 2006–2016)\*



\*Age-adjusted death rates were used. See source for information on age-adjusted rates.

Source: CDC, *Increases in Drug and Opioid-Involved Overdose Deaths, United States*.

## Key Questions About State Data

*Notes:*

1. How does the number of people in your state per behavioral health care provider compare to states of similar size? (*page 22*)

2. How much have drug overdose deaths increased in your state between 2006 and 2016? (*page 23*)

## Questions for Further Research and Discussion

3. What more can your state do to promote the use of uniform, validated screening and assessment to systemically identify people who have mental illnesses and addictive disorders upon entry into jails and prisons?

4. How can your state improve behavioral health data collection and information sharing between criminal justice and behavioral health agencies to strengthen service planning, access to treatment and services, and accountability?

5. How can your state take steps to finance and incentivize the provision of treatment and services that effectively reduce recidivism and improve recovery for people who have behavioral health needs in the criminal justice system?

6. What more can be done in your state to model and incentivize collaboration between criminal justice and behavioral health systems and strong multi-agency partnerships, both at the state and local level?

7. What steps are your state taking to reduce the prevalence of people with mental illnesses in jails and overdose deaths for people who are at a high risk of overdosing when they exit incarceration?



## **Help local governments use jail space cost effectively**

With about 11 million people cycling in and out of jails each year and approximately 700,000 people in jails nationwide on any given day, it's not surprising that counties often report that their biggest budget item is spending associated with local jails.

Given that, on average, approximately 60 percent of the jail population nationwide is awaiting trial, local jurisdictions are exploring ways to improve pretrial release decision making while maintaining public safety. Many local governments across the country are adopting pretrial risk assessments, which assess people for risk of rearrest and failure to appear in court. These tools can help courts determine who can safely be released pretrial and set appropriate release conditions, such as supervision, drug testing, or electronic monitoring. Since jurisdictions vary greatly in their use of pretrial risk assessments, some states provide either statutory or court guidance on the use of these tools to ensure that they are used consistently across jurisdictions.

Counties frequently face resource and technology constraints that can limit jail data collection. Jails rarely track and report data showing how many people are booked into jail by offense type and risk level, whether they are in jail for supervision violations, how many people need behavioral health treatment, how long people stay in jail, and how many return. Only by analyzing such data can counties determine if they are using jail space cost effectively. For example, this data allows counties to assess the effectiveness of their pretrial practices, determine whether people who have behavioral health needs are held in jail longer than people without these needs, and understand how people who violate the terms of supervision are impacting jail populations. With these and other analyses, state and local leaders can make more informed decisions about how to use jail space cost effectively.

State leaders can support consistency in jail policies and practices across the state and expand promising efforts to promote public safety and control costs statewide, if they take the following steps:

- Support collection and analysis of jail data.
- Adopt policies that improve pretrial decisions and reduce burdens on jails.

## The local jail population has quadrupled since the 1980s, but has leveled off in the last 10 years.

Total U.S. Local Jail Population, 1980–2015\*



Source: Bureau of Justice Statistics, *Jail Inmates*, 2015.

## The number of people admitted to jail each year is far greater than the number of people admitted to prison or the number that start probation or parole supervision.

U.S. Local Jail and State Probation, Parole, and Prison Admissions, 2015\*

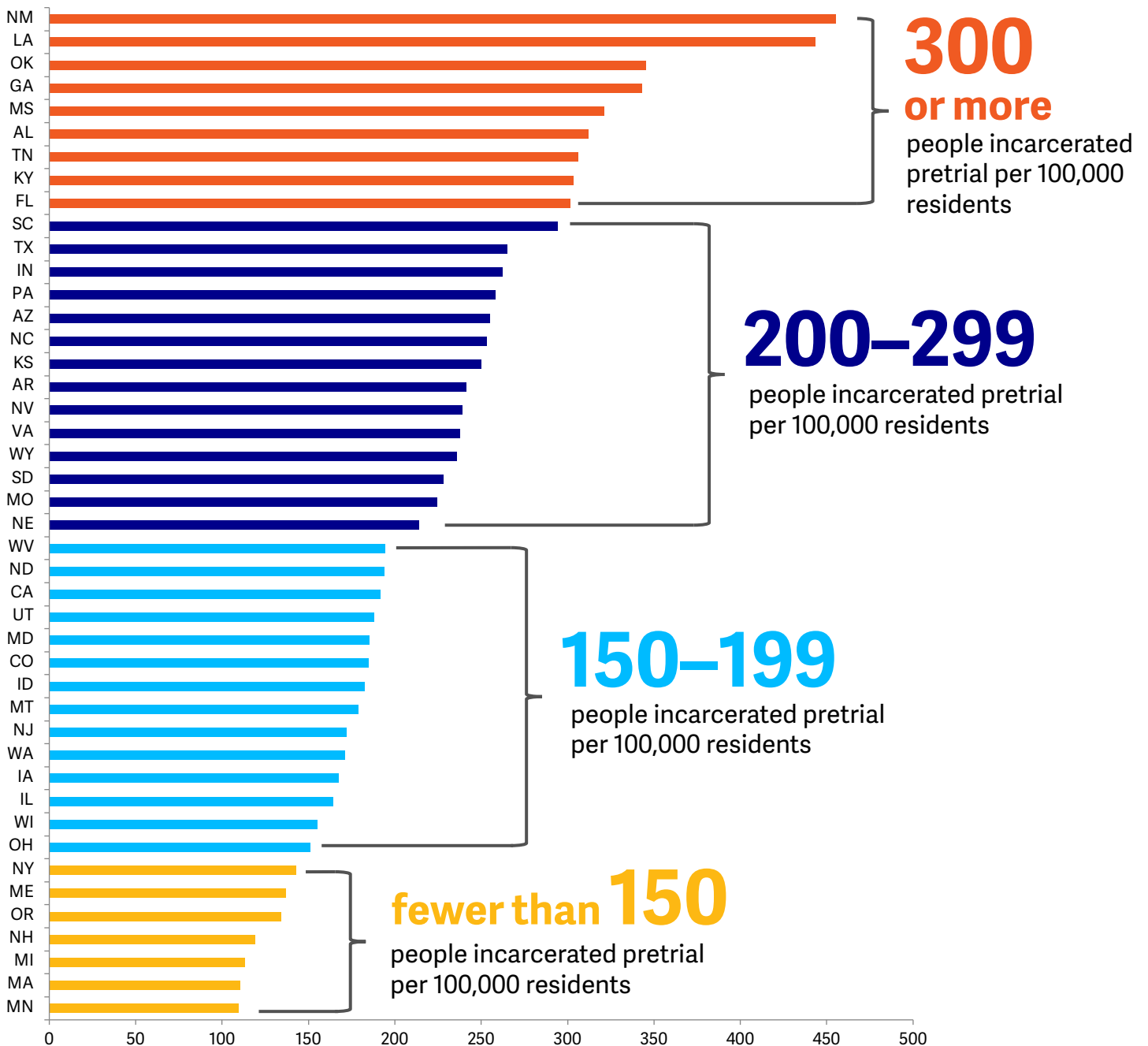


\*Population includes single-day counts of people in local jails. Prior to 2015, the last weekday in June was used as the reference date for data collection. Starting in 2015, the reference date changed to December 31.

Source: Bureau of Justice Statistics, *Jail Inmates*, 2015, *Prisoners* 2015, and *Probation and Parole* 2015.

## Pretrial incarceration rates vary greatly by state.

Pretrial Incarceration Rate by State (per 100,000 Residents), 2014\*

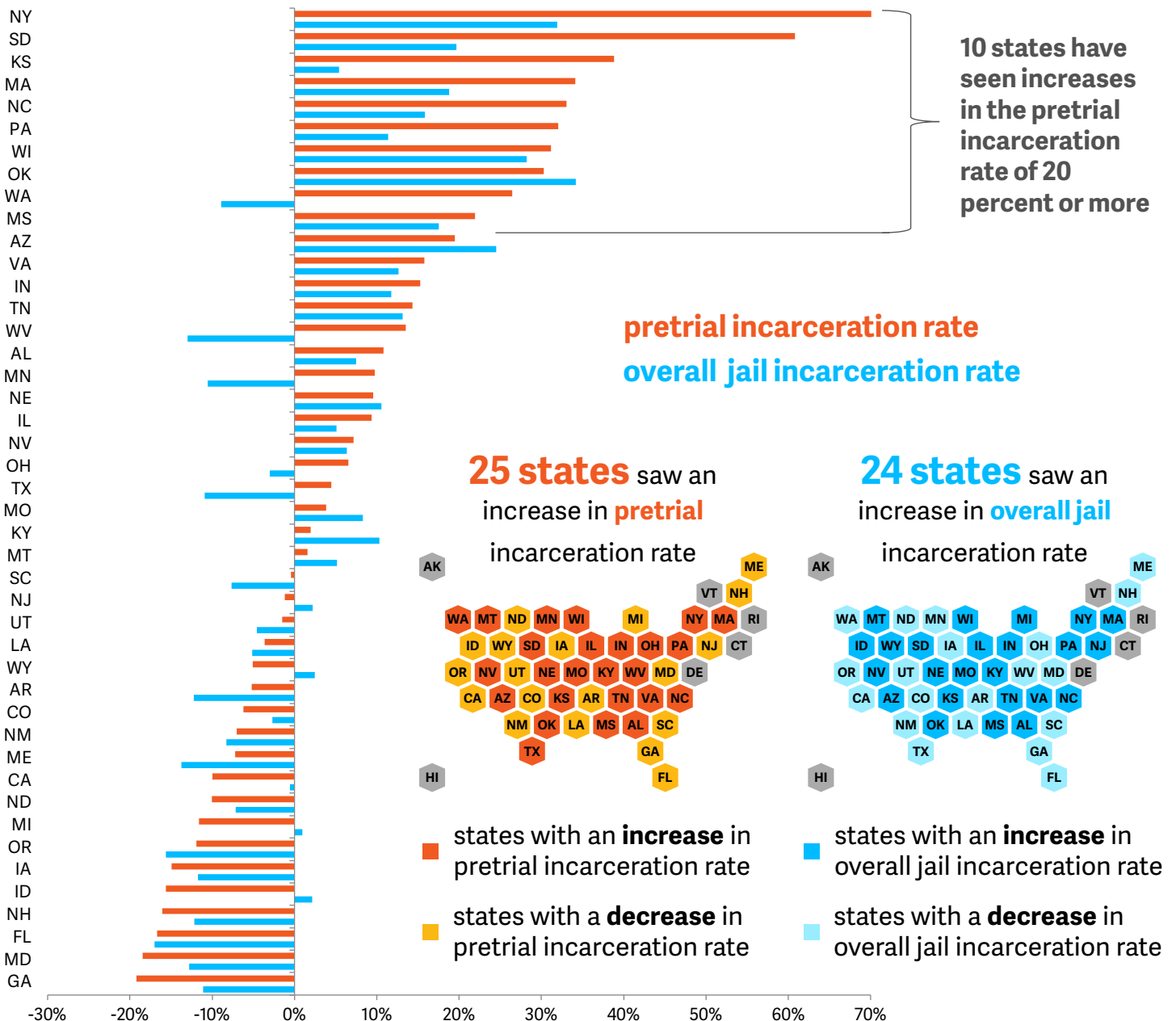


\*Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont were excluded because they operate unified systems that combine prisons and jails. 2014 was the latest year of state-level jail data available. Youth under age 15 and adults over 64 were excluded to calculate incarceration rates. Pretrial incarceration rates were calculated using a single-day count of people incarcerated while on pretrial status.

Source: Vera Institute, Incarceration Trends.

## Pretrial and overall jail incarceration rates have increased in approximately half of states.

Percent Change in Pretrial and Overall Jail Incarceration Rate by State (per 100,000 Residents ), 2004–2014\*



\*Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont were excluded because they operate unified systems that combine prisons and jails. 2014 was the latest year of state-level jail data available. Youth under age 15 and adults over 64 were excluded to calculate incarceration rates. Pretrial incarceration rates were calculated using a single-day count of people incarcerated while on pretrial status, while overall jail incarceration rates were calculated using average daily population. Single-day counts are more prone to fluctuations than an average daily population.

Source: Vera Institute, Incarceration Trends.

## More people arrested for felony offenses are on pretrial release at the time of the new arrest than any other type of criminal justice status.

Criminal Justice Status of Felony Defendants in Large Urban Counties at Time of Arrest, 2006\*

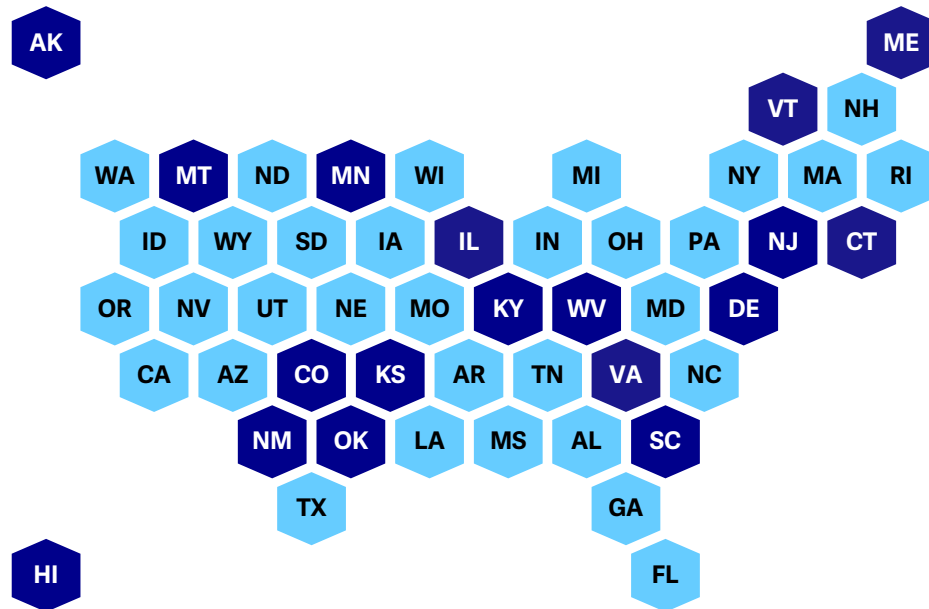


\*2006 is the latest year that national data of this type is available. BJS released *Felony Defendants in Large Urban Counties, 2009*, but that report does not include pretrial release, probation, and parole as independent categories of arrests. In the report, only the total number of felony defendants and the percentage breakdown of criminal justice status are provided. The numbers included outside the circle represent estimates based on the percentage applied to the total number of felony defendants.

Source: Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2006*.

## 18 states have passed legislation to require or authorize the use of pretrial risk assessment.

State Statutory Guidance on Use of Pretrial Risk Assessment, 2017



## 18 states

**have statutes** that require or authorize use of pretrial risk assessment

## 32 states

**have no statutory guidance** on use of pretrial risk assessment; however, courts or other entities in these states may have issued regulatory guidance

*Source: The National Conference of State Legislatures, "Guidance for Setting Release Conditions" and The Pretrial Justice Institute, "Where Pretrial Improvements are Happening."*

## Key Questions About State Data

*Notes:*

**1.** How high was your state's pretrial incarceration rate in 2014 compared to the rate in neighboring states? *(page 27)*

**2.** Did your state's pretrial incarceration rate increase or decrease between 2004 and 2014? *(page 28)*

**3.** Does your state statutorily require or authorize pretrial risk assessments? *(page 30)*

## Questions for Further Research and Discussion

**4.** How could your state further support local governments in managing the size of their pretrial population?

**5.** How might your state help local jails improve data collection and reporting?

**6.** What more could your state do to support use of pretrial risk assessments?

## **Develop crime-reduction strategies that prevent violent crime and strengthen trust in law enforcement**

The role of law enforcement officers in American communities has changed over the last several decades. While it has always been expected that police officers will respond to neighborhood crime, officers are now also expected to prevent and reduce crime and serve as first responders to people experiencing a mental health crisis or overdose.

Pressure to tackle these newer challenges has risen as many states have begun to see violent crime rates increase for the first time in several decades. Between 2006 and 2016, two-thirds of states experienced an increase in at least one category of violent crime. While some states saw increases in violent crime in large metro areas, nearly half of states experienced more than a 5-percent increase in violent crime rates in areas with fewer than 50,000 people.

Unfortunately, these increased responsibilities for police officers come at a time when officer involved shootings, high crime rates, and low clearance rates for those crimes have led to mistrust of law enforcement in some communities. This atmosphere of mistrust has a negative impact on public safety and quality of life in these communities and strains the mental health of officers who work there.

While these are significant challenges to overcome, a number of jurisdictions have shown that change is possible. Training for leadership and line officers on effective policing strategies and increased utilization of strategies known to improve community trust can have a significant positive impact on public safety. Providing the resources and training officers need to stay healthy in the field can further these goals while also improving the quality of life for those who serve.

State policymakers can work with local law enforcement agencies to support improvements by taking the following steps:

- Ensure that local law enforcement agencies use evidence-based policing strategies to combat violent crime.
- Advance violent crime reduction efforts by improving reciprocal trust between communities and police.
- Provide law enforcement officers with the necessary resources to respond to the needs of their communities.

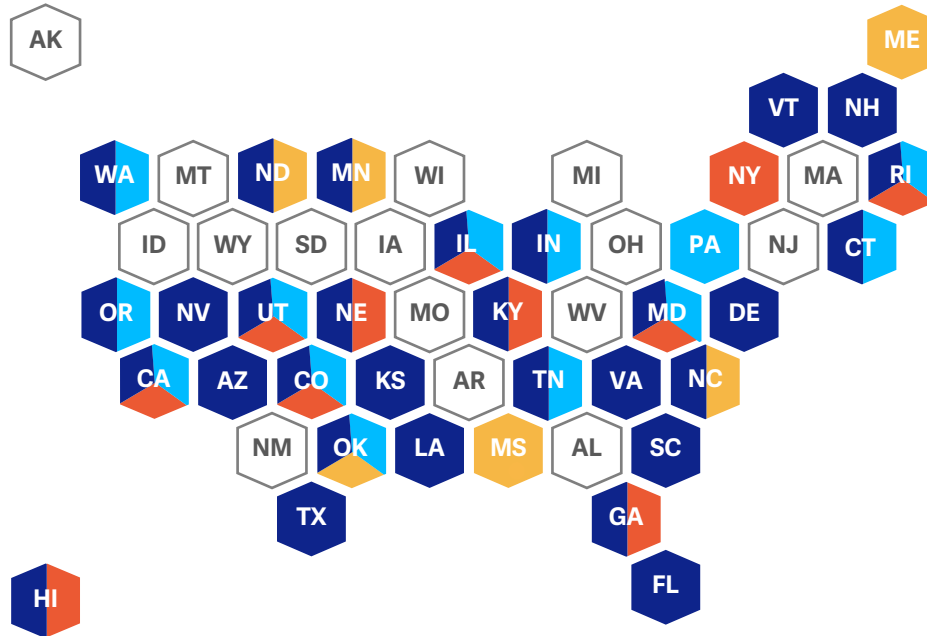


## Reducing Crime and Strengthening Communities:

Develop crime-reduction strategies that prevent violent crime and strengthen trust in law enforcement

# Two-thirds of states have recently passed legislation to improve policing policies and practices.

States Where Legislation Was Enacted in 2015 and 2016



**30 states**

passed laws to improve transparency regarding interactions between police and communities

**13 states**

passed laws to enhance guidelines on police use of force, prejudicial profiling, and responses to people experiencing a mental health crisis

**11 states**

passed laws to improve transparency and the investigation process for police use of force cases

**6 states**

passed laws to improve responses to violence directed toward law enforcement

Source: Vera Institute, *To Protect and Serve: New Trends in State-Level Policing Reform, 2015–2016*.

Develop crime-reduction strategies that prevent violent crime and strengthen trust in law enforcement

## State Requirements on Police Training in Responses to People Who Have Behavioral Health Needs, 2016\*



## Key Questions About State Data

*Notes:*

**1.** What types of policies has your state passed in 2015 and 2016 to improve policing policies and practices? *(page 33)*

**2.** What training requirements does your state have related to police responses to people who have behavioral health needs? *(page 34)*

## Questions for Further Research and Discussion

**3.** How can your state ensure that law enforcement has access to the latest research on strategies to combat violent crime?

**4.** How can state leaders support law enforcement agencies to use data and adopt effective strategies to combat violent crime?

**5.** What can state leaders do to ensure that your state crime lab can keep up with the processing volume to solve and prevent crime?

**6.** How might state leaders ensure that law enforcement officers have the training they need to respond effectively to people who have behavioral health needs?

**7.** How can your state assist local law enforcement in strengthening trust with the communities they serve?

# Breaking the Cycle of Reoffending

## Use data to drive recidivism-reduction efforts

Over the past decade, reducing recidivism has become a priority for most state correctional agencies. But, states cannot know the impact of those efforts if they do not measure recidivism. Unfortunately, most states still do not collect and analyze recidivism metrics in a comprehensive or timely enough fashion to use the data to improve practices.

Currently, recidivism metrics fall short in three dimensions:

1. Nearly all states track recidivism for people leaving prison, but 30 use a **narrow definition of recidivism** that only includes **reincarceration**, not also **rearrests** and **reconvictions**.
2. Most states **focus narrowly on people released from prison** without consideration for the much larger probation population: only 11 states collect and report any measure of recidivism for the millions of people starting probation supervision each year.
3. Most states **report on recidivism at two- or three-year intervals** rather than using measures that permit more timely analysis about whether recidivism-reduction efforts are working; only 24 states track and publish both probation and parole revocations to prison, which enable more month-to-month and year-to-year tracking of these key recidivism events.

To ensure that state leaders, criminal justice stakeholders, and the public are aware of recidivism figures and that correctional agencies are held accountable for those results, recidivism information needs to be tracked and published.

A small number of states report on recidivism defined as more than reincarceration, across a broad correctional population, and with a frequency that allows for useful analysis of recidivism-reduction practices. By doing so, these states have been able to measure and report significant reductions in recidivism.

States can be better positioned to understand and positively impact recidivism trends by taking the following steps:

- Track and publish multiple measures of recidivism.
- Expand recidivism tracking to include the probation population.
- Use measures that permit more timely analysis in addition to cohort-based measures.
- Set recidivism-reduction goals for all people leaving prison and people on probation.

## Every state now tracks and publishes at least one measure of recidivism for people exiting prison, but few states track and publish multiple measures or for the probation population.

Percent of states that track and publish recidivism data for people released from prison by:

Reincarceration

**96%**

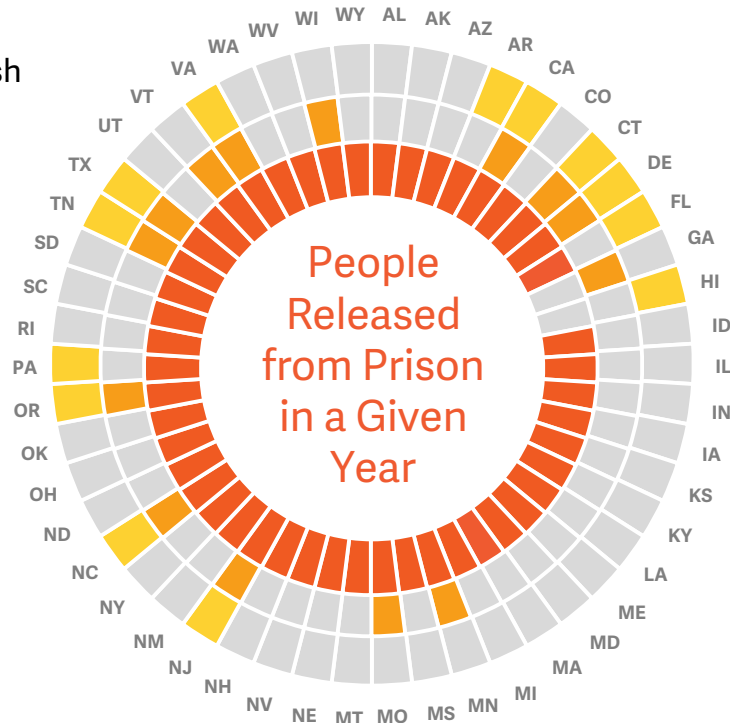
Reconviction

**30%**

Rearrest

**25%**

States Tracking and Publishing Recidivism, 2017



Percent of states that track and publish recidivism data for people starting probation by:

Incarceration

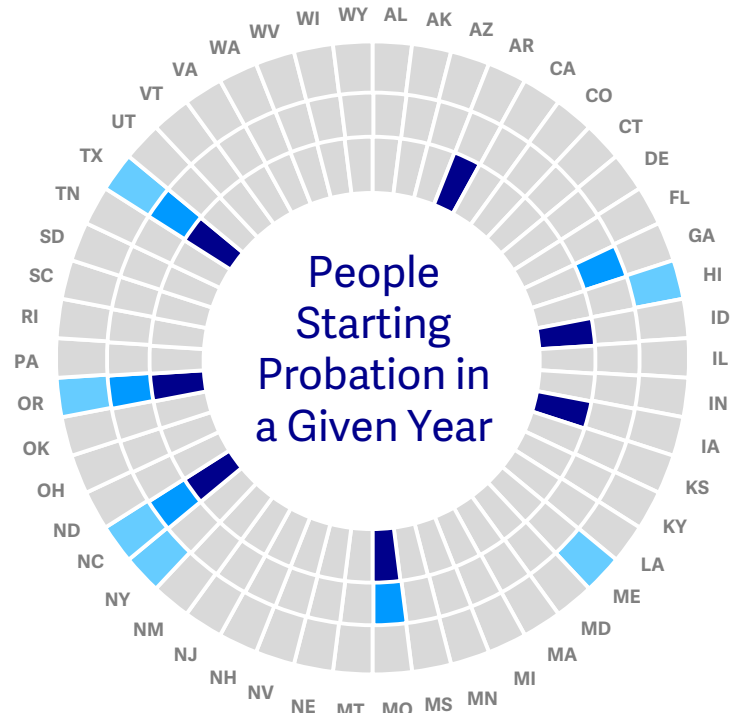
**14%**

Reconviction

**10%**

Rearrest

**12%**



Source: CSG Justice Center, structured interviews, Aug. 2017.

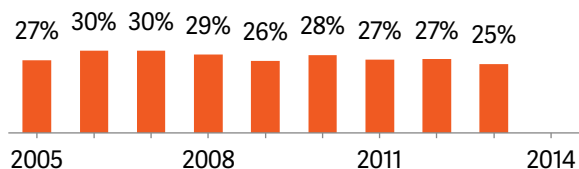


## West Virginia

Three-Year Recidivism Rates, 2005–2014\*

### People Released from Prison

#### Reincarceration



#### Reconviction

DATA NOT AVAILABLE



#### Rearrest

DATA NOT AVAILABLE



### People Starting Probation

#### Incarceration

DATA NOT AVAILABLE



#### Reconviction

DATA NOT AVAILABLE



#### Rearrest

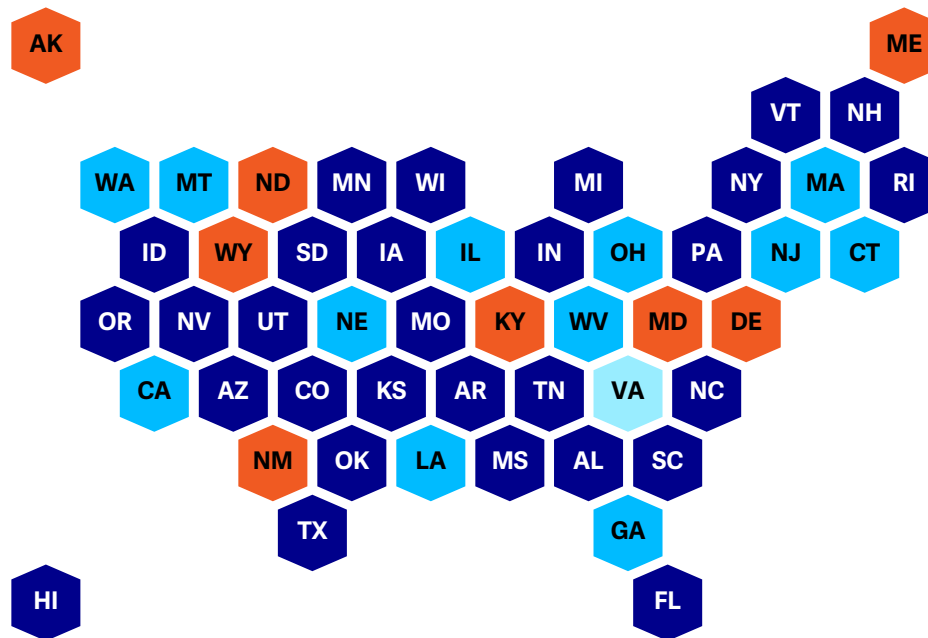
DATA NOT AVAILABLE



\* Defined as the percentage of people released from West Virginia Division of Corrections who return to custody within three years of release. See source for more details on methodology and other recidivism analyses not shown above.

Source: <http://www.wvdoc.com/wvdoc/Portals/0/documents/Recidivism2013.pdf>

## States Tracking and Publishing Probation and Parole Revocations to Prison, 2017



**do not** publish probation  
or parole revocations to  
prison

publishes **probation**  
revocations to prison

publish **parole** revocations  
to prison

publish **both probation and parole** revocations to prison

West Virginia State Workbook | 39

## Efforts to reduce recidivism for the probation population can have a greater impact than focusing only on people released from prison.

Potential Recidivism Events for People Released from Prison and Starting Probation in the U.S., 2015



Source: Bureau of Justice Statistics, Correctional Populations in the U.S. 2015.



**Most states report not using a common ID number across criminal justice data systems, which limits their ability to conduct timely measures of recidivism.**

Reported Use of SID Number in Data Systems by State, 2017



**18 states**

report that a SID number is **used** across all criminal justice data systems

**20 states**

report that a SID number exists, but is **not used** across all criminal justice data systems

**12 states**

report that a SID number **does not exist**

**By not having a unique state identification (SID) number for each person in the criminal justice system that exists across data systems, matching data for key analyses such as recidivism is difficult and accuracy is compromised.**

*Source: CSG Justice Center, structured interviews, Aug. 2017.*

## Key Questions About State Data

*Notes:*

**1.** How does your state define recidivism and how often does your state publicly report on recidivism? *(page 37)*

**2.** Has your state's recidivism rate increased or decreased in recent years? *(page 38)*

**3.** Does your state publish probation and parole revocation data? *(page 39)*

**4.** Does your state require the use of a unique state identification number for each person in the criminal justice system across all criminal justice agencies? *(page 41)*

## Questions for Further Research and Discussion

**5.** What steps can your state take to improve comprehensive recidivism data collection and reporting?

**6.** How can state leaders help strengthen data sharing across different parts of the criminal justice system?

**7.** Does your state have a recidivism-reduction goal for people leaving prison? What would be an appropriate goal for your state?

**8.** Does your state have a recidivism-reduction goal for people starting probation supervision in a given year? What would an appropriate goal be for your state?

## Ensure the effective use of risk and needs assessments

The research on reducing recidivism is clear: focusing supervision time, treatment, and programming resources on people who are at a high risk of reoffending can *decrease* their likelihood of reoffending, while focusing those resources on people who are at a low risk of reoffending can *increase* their likelihood of reoffending.

Yet applying the research on what works to reduce recidivism is difficult; states are increasingly utilizing risk and needs assessments, for example, but many are not using their assessment tools properly, or using the results to focus resources to have the greatest impact on recidivism.

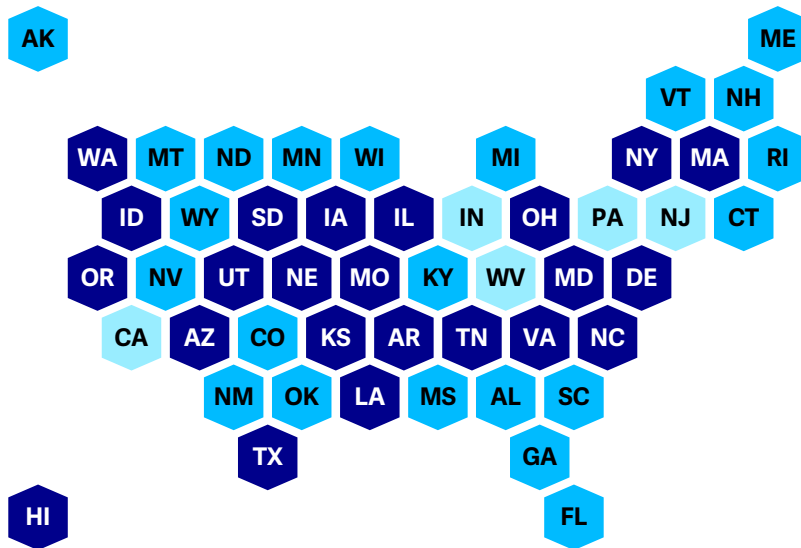
State policymakers can support corrections agencies in adopting and refining their use of risk and needs assessments by taking the following steps:

- Design policies to support the statewide use of risk and needs assessment.
- Establish quality assurance practices for the use of risk and needs assessment, including routine validation.

## Only about half of states that use risk assessments for supervision populations report validating the tools on their supervision populations within the last five years.

Reported Use of Risk Assessment Tools That Have Been Validated on Supervision Populations Since 2012 by State

### Probation population

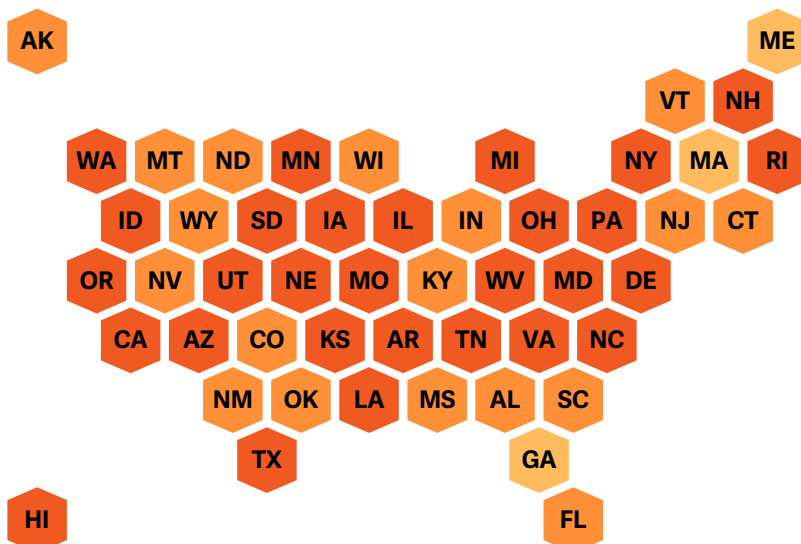


23 states report using risk assessment tools that **have** been validated on the state's probation population since 2012

22 states report using risk assessment tools but **have not** validated them on the state's probation population since 2012

5 states **did not respond**, report **not using** risk assessment tools, or **do not know** if they have been validated on the state's probation population since 2012

### Parole population



29 states report using risk assessment tools that **have** been validated on the state's parole population since 2012

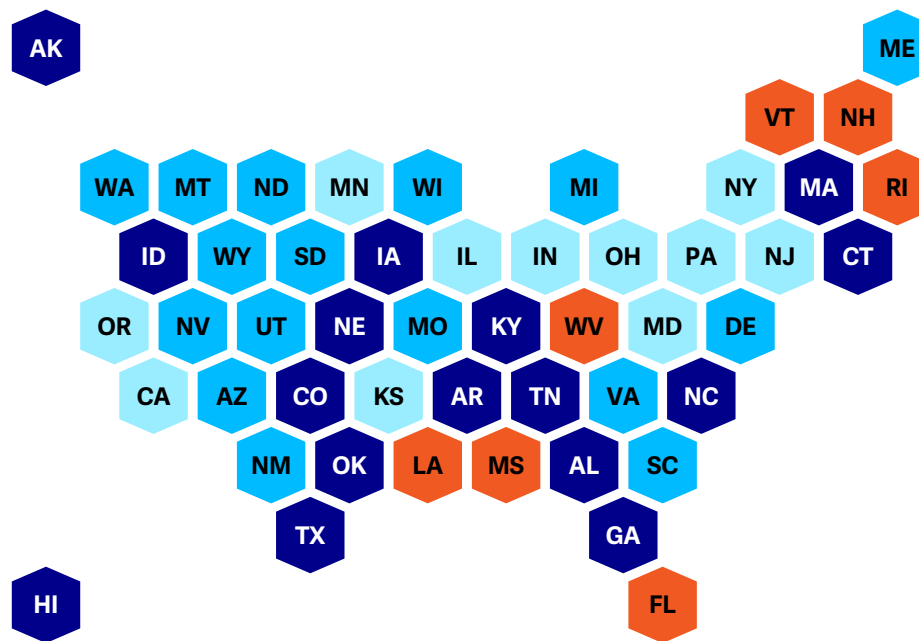
18 states report using risk assessment tools but **have not** validated them on the state's parole population since 2012

3 states **did not respond**, report **not using** risk assessment tools, or **do not know** if they have been validated on the state's parole population since 2012

Source: CSG Justice Center, structured interviews, Aug. 2017.

## In 16 states, probation agencies report universal screening for behavioral health needs by using specialized behavioral health screening tools.

Reported Use of Behavioral Health Screening for People on Probation, 2017



**7 states**

have probation agencies that report screening for behavioral health needs intermittently or not at all

**11 states**

have probation agencies that report that behavioral health screening varies by county or local jurisdiction

**16 states**

have probation agencies that report conducting criminogenic risk and needs assessments for everyone on probation

**16 states**

have probation agencies that report using specialized screens for behavioral health needs for everyone on probation

Source: CSG Justice Center, structured interviews, Aug. 2017.

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## Key Questions About State Data

*Notes:*

**1.** Have probation and parole agencies in your state validated their risk assessment tool in the past five years? *(page 44)*

**2.** How does your state's probation agency screen for behavioral health needs? *(page 45)*

## Questions for Further Research and Discussion

**3.** What should your state do to ensure that risk assessments are conducted across the criminal justice system?

**4.** How can your state ensure that results of risk assessments are interpreted consistently across agencies and across different tools?

**5.** What can your state do to ensure that risk assessment tools are validated regularly and check for bias?

**6.** What should your state do to ensure that people who conduct risk assessments are properly trained on their use?

**7.** What can your state do to ensure that risk assessments are used to inform supervision and service delivery?

## **Improve the quality of supervision**

Done well, supervision can increase public safety by holding people accountable for their criminal behavior while reducing their likelihood of reoffending. Conversely, ineffective supervision can actually increase recidivism.

In recent years, states are increasingly taking a closer look at their probation and parole supervision systems to determine what is and isn't working and how state policies, agency practices, and funding can be improved to reduce recidivism.

State leaders can help improve the effectiveness of supervision by taking the following steps:

- Focus supervision resources on people who are most likely to reoffend.
- Ensure that supervision officers are trained to deliver impactful supervision.
- Provide supervision officers with tools to respond swiftly and appropriately to the behavior of people on supervision.

In 2015, states spent more than \$40 billion on prisons, or nearly 10 times the amount spent on community supervision, yet state probation and parole populations are three times the size of state prison populations.

State Spending on Corrections, 2015\*

**\$42.8 billion**  
spent on state prisons

**\$5 billion**  
spent on state  
probation and  
parole

U.S. Criminal Justice Populations by  
Correctional or Supervision Status, 2015

**4.5 million**  
people on probation and parole

**1.5 million**  
people in state prison

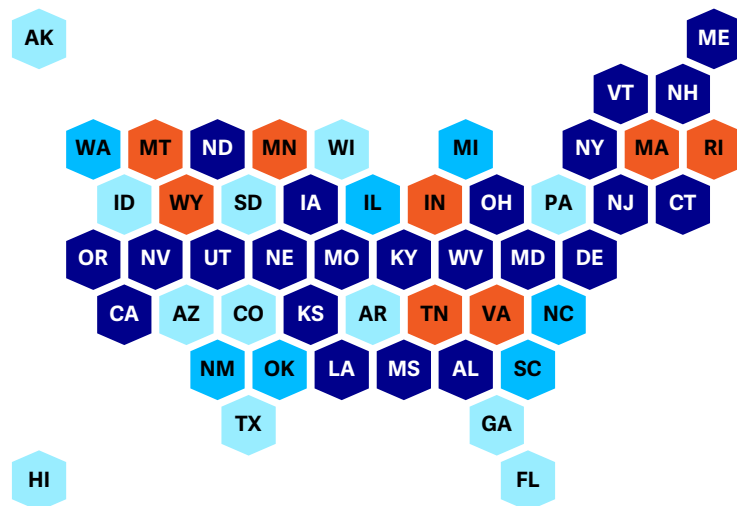
\*Probation and parole funding includes latest fiscal year available, which may vary by state. In six states, probation is funded at the county level. In five states, there is limited or no parole.

Source: CSG Justice Center, structured interviews, Aug. 2017; Vera Institute of Justice, *The Price of Prisons*; Bureau of Justice Statistics, *Correctional Populations*.



## Most states have caps on felony probation terms and/or mechanisms to shorten them.

Statutory Cap of Five Years or Less on Probation Terms, a Statutory Mechanism for Shortening Probation Terms, or Both by State



8 states have **neither** a cap of 5 years or less nor a mechanism to shorten felony probation terms

12 states have statutes allowing for probation terms to be shortened

7 states have a cap on felony probation terms of 5 years or less

23 states have **both** a cap of 5 years or less and a mechanism for shortened probation

Source: National Conference of State Legislatures, "Probation Term Maximums".

## Rearrest rates for people released from prison in 30 states over five years shows that the bulk of recidivism occurs within the first year of release.

Five-Year Rearrest Rates for People Released from Prison in 30 States, 2005



Source: Bureau of Justice Statistics, Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010, 2014.

# Three-quarters of states report that probation officers are trained in core correctional practices (CCP), but fewer states provide ongoing training or related performance evaluations.

Reported Use of CCP in Probation Departments by State\*



## New Officer Training

38

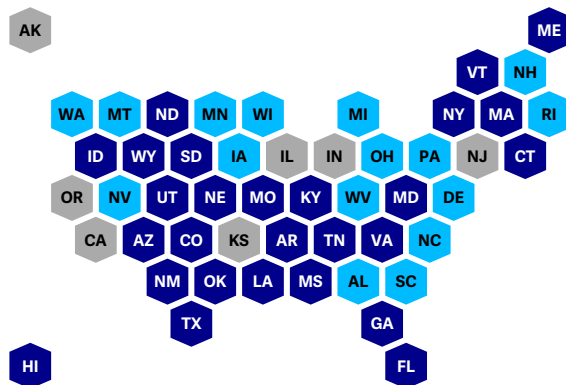
states report that they **incorporate** CCP into officer training

6

states report that they **do not incorporate** CCP into training

6

states report **not knowing** if they incorporate CCP into officer training or did not respond



## Refresher Training

27

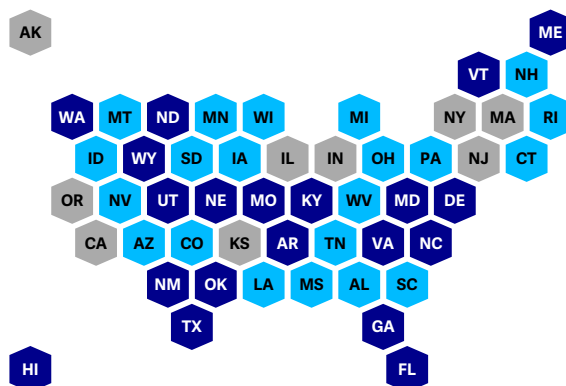
states report that they **provide** CCP refresher training to officers

16

states report that they **do not provide** CCP refresher training

7

states report **not knowing** if they provide CCP refresher training or did not respond



## Performance Evaluations

20

states report that they **include** the use of CCP in performance evaluations

21

states report that they **do not include** the use of CCP in performance evaluations

9

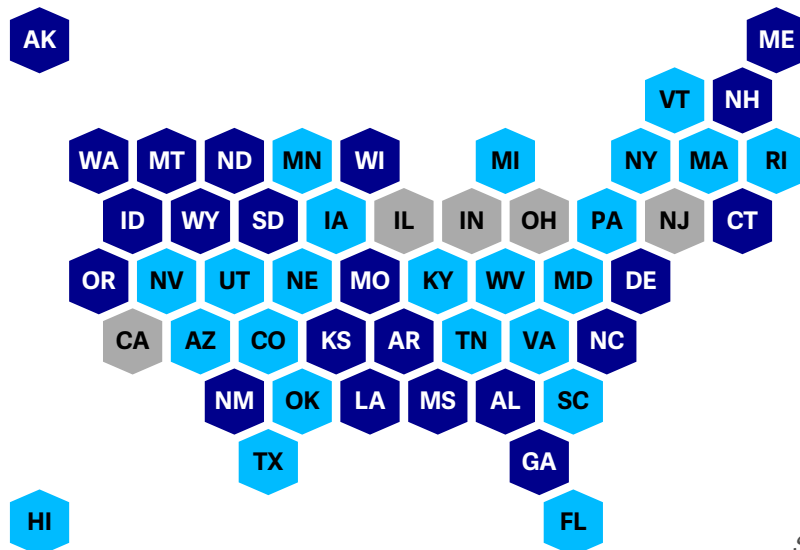
states report **not knowing** if they include the use of CCP in performance evaluations or did not respond

\*CCP can include motivational interviewing, targeted interventions, skill training with directed practice, and positive reinforcement, among other activities. Agencies may have answered "yes" to this question if they train on the full range of CCP or only a subset of these practices. The quality of these trainings may vary. In AL, CCP rollout was scheduled for Sept. 2017. In the following states, training for probation officers is not administered at the state level due to a decentralized probation system: CA, IL, IN, KS, OR, PA, and TX.

Source: CSG Justice Center, structured interviews, Aug. 2017.

## Nearly half of states do not allow supervision officers to use short jail stays as a sanction without returning to court.

Reported Authorization of Probation Officers to Use Jail as a Sanction Without Having to Return to Court by State



22

states report **giving** authority to probation officers to use jail as a sanction

23

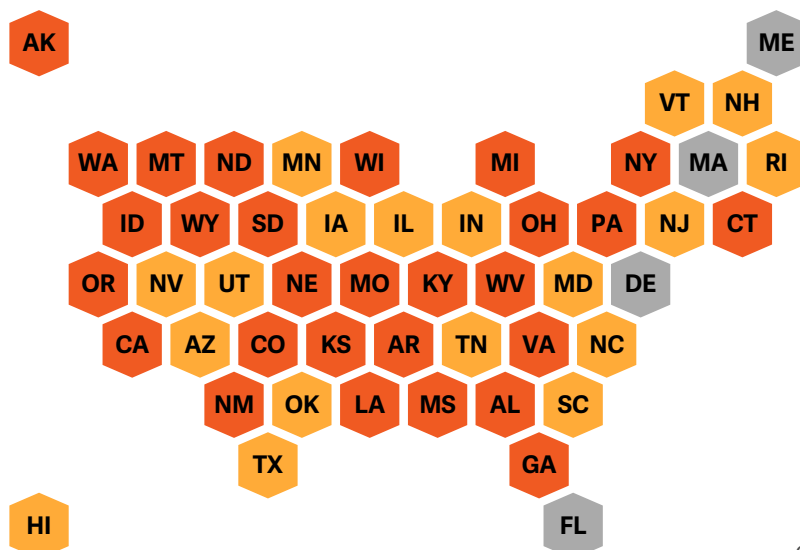
states report **not giving** authority to probation officers to use jail as a sanction

5

states report **not knowing** or information was not available

Source: CSG Justice Center, structured interviews, Aug. 2017.

Reported Authorization of Parole Officers to Use Jail as a Sanction Without Having to Return to Court by State



28

states report **giving** authority to parole officers to use jail as a sanction

18

states report **not giving** authority to parole officers to use jail as a sanction

4

states report **not knowing** or information was not available

Source: CSG Justice Center, structured interviews, Aug. 2017.

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## Key Questions About State Data

*Notes:*

**1.** Does your state cap probation terms at five years or less and/or provide mechanisms to shorten time on supervision? *(page 49)*

**2.** Does your state ensure that probation officers use core correctional practices? *(page 50)*

**3.** Do supervision officers have the ability to respond to violations with short jail terms? *(page 51)*

## Questions for Further Research and Discussion

**4.** What further steps can your state take to ensure that supervision resources are focused on people who are most likely to reoffend?

**5.** How can training for your state's probation officers be strengthened or improved?

**6.** How can your state increase reliance on evidence-based supervision practices?

Provide people on supervision with the programming, treatment, and other services that can help them succeed

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## **Provide people on supervision with the programming, treatment, and other services that can help them succeed**

Supervision alone is insufficient to reduce recidivism for people who are at a high risk of reoffending. People also need to participate in programs that can help reduce recidivism, create pathways to employment, and support stable housing to be successful on supervision.

Although state and local governments may provide funding for programs intended to help people on supervision succeed, far too often, state leaders don't know whether these programs are high quality or implemented with fidelity to evidence-based practices. High-quality programming that is tailored to an individual's needs can help address criminal thinking, provide incentives to succeed, and help change behavior.

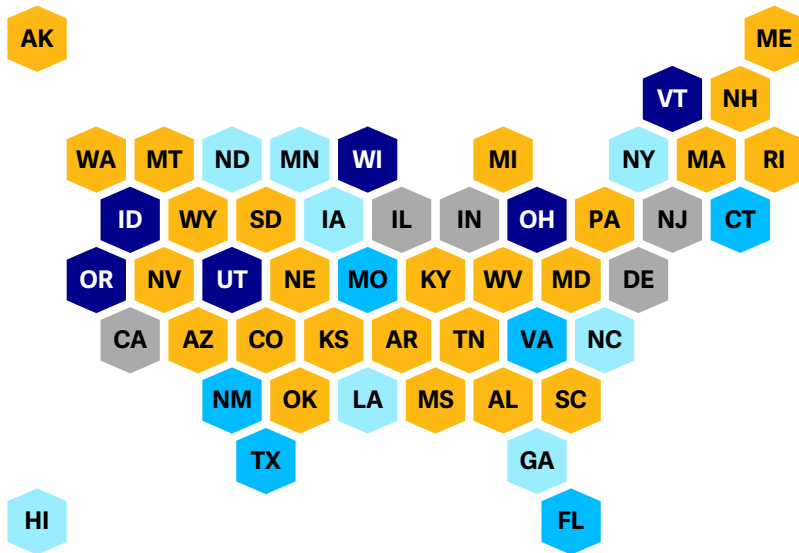
To provide people on supervision with the resources they need to succeed, policymakers can take the following steps:

- Use programming and treatment that works to reduce recidivism.
- Ensure sufficient availability of treatment and programs.
- Reduce barriers to housing.
- Reduce barriers to employment.

Provide people on supervision with the programming, treatment, and other services that can help them succeed

# Less than half of states report conducting performance evaluations of community-based service providers.

Reported Use of CPC/CPAI or Recidivism Studies by Probation Agencies to Evaluate Community-Based Programs by State\*



8 states report using a **standardized program assessment**

6 states report using **recidivism studies** or other data monitoring

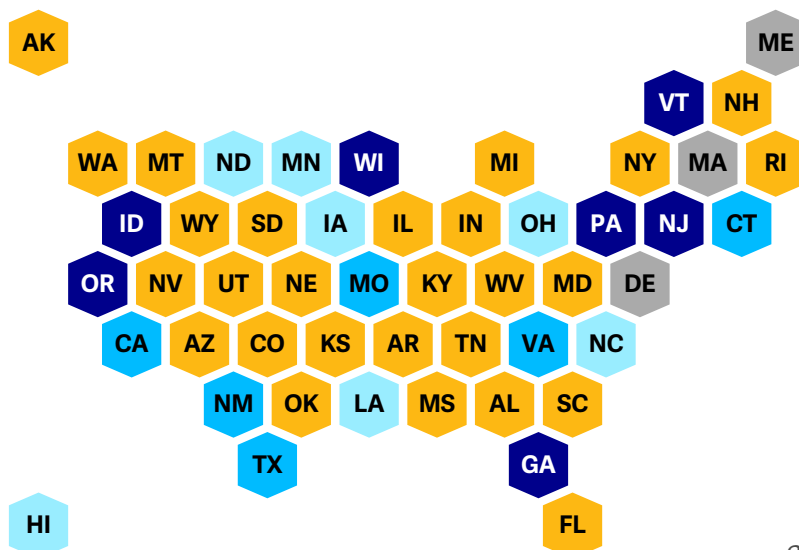
6 states report using **both** program assessments and recidivism studies

25 states report using **neither** program assessments nor recidivism studies

5 states **did not know** or **did not respond**

Source: CSG Justice Center, structured interviews, Aug. 2017.

Reported Use of CPC/CPAI or Recidivism Studies by Parole Agencies to Evaluate Community-Based Programs by State\*



7 states report using a **standardized program assessment**

6 states report using **recidivism studies** or other data monitoring

7 states report using **both** program assessments and recidivism studies

27 states report using **neither** program assessments nor recidivism studies

3 states **did not know** or **did not respond**

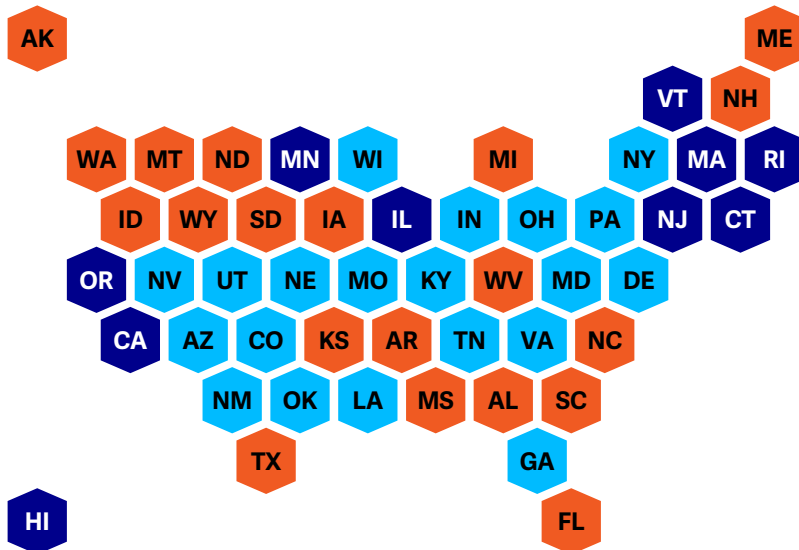
Source: CSG Justice Center, structured interviews, Aug. 2017.

\*Evaluations conducted by other agencies providing programs to people on supervision may not be considered above. Examples of a standardized program assessment include the Correctional Program Checklist or the Correctional Program Assessment Inventory.

Provide people on supervision with the programming, treatment, and other services that can help them succeed

## More than half of states have statewide laws or policies related to the consideration of criminal records in hiring decisions.

Inclusion of Criminal Record Inquiries in Job Applications by State



10

states do not allow criminal record inquiries on **any employment application**

20

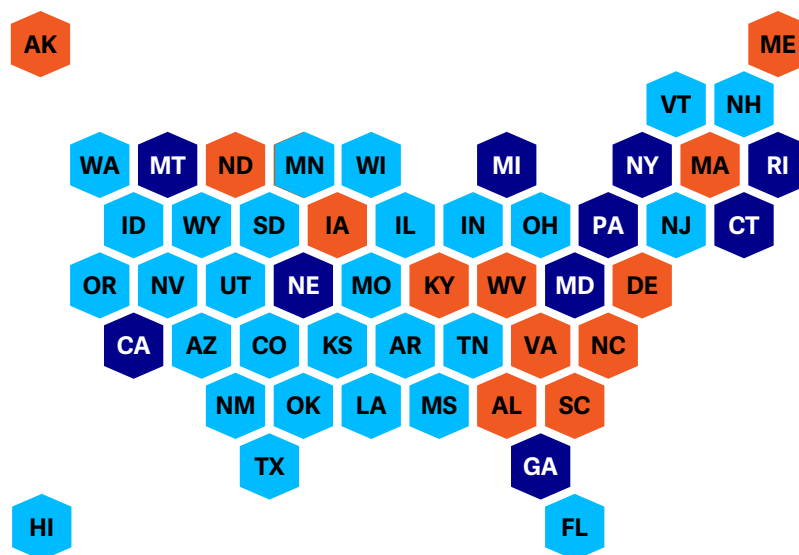
states do not allow criminal record inquiries on applications for **public employment**

20

states **do not have** a statewide policy related to criminal record inquiries in employment practices

Source: National Employment Law Project, February 2018 Guide.

Arrests Allowed to Be Cleared from Criminal Records When Charges Are Not Filed by State



10

states **automatically** clear records of arrests that don't result in charges

28

states allow record clearance through **petition** or court motion when charges are not filed

12

states **do not allow** for record clearance when charges are not filed

Source: Clean Slate Clearinghouse, 2017.

## Key Questions About State Data

*Notes:*

**1.** Do your state's probation and parole agencies conduct CPC/CPAI or recidivism studies to evaluate community programs and/or treatment providers? *(page 54)*

**2.** What measures has your state taken to reduce the impact that a criminal record has on someone's chances of employment? *(page 55)*

## Questions for Further Research and Discussion

**3.** Does your state assess the availability of treatment and programming and determine necessary funding levels to meet the needs of people who are most at risk of reoffending?

**4.** What steps might your state take to reduce the impact a criminal record has on a person's ability to find housing and employment, when appropriate?

**5.** How might your state increase the accountability and performance of programs and treatment that are either offered or funded by supervision agencies?

**6.** Aside from employment, what other key barriers to success can your state address to better support people leaving incarceration?



# Using Cost-Effective Strategies to Invest in Public Safety

## Examine drivers of corrections costs

Over the past decade, states have become increasingly focused on containing corrections costs and generating savings, or averting costs to improve outcomes, and ensuring that limited public safety dollars are allocated as effectively and efficiently as possible.

States currently face several challenges in managing public safety costs:

1. States spend the majority of corrections dollars housing and caring for people in state prisons. While supervision budgets are considerably smaller than those of prisons, **investments in improving community supervision and programs and treatment in the community can help reduce recidivism and therefore prevent a significant number of prison admissions and the associated costs.**
2. Most corrections agencies publish reports detailing the number of people incarcerated or on community supervision and corresponding costs. However, **there is often little analysis of how population trends may be driving spending trends.**
3. While 31 states develop projections on a regular basis anticipating changes in prison populations, not all states make those projections publicly available. Additionally, **only eight states publish projections for parole populations and only four publish projections for both parole and probation populations.**

In recent years, states have shown that it is possible to use information about criminal justice trends and their influences to effectively predict and manage changes in populations and costs. In order to spend public safety dollars most effectively, policymakers must take the following steps:

- Identify how much states spend on corrections and supervision.
- Analyze prison and supervision population trends to understand how these trends are driving costs.
- Assess how state correctional populations are projected to change.

## All but five states saw an increase in correctional populations in the last decade.

Change in U.S. Prison Population, 2005–2015



**34** states had an **increase** in the prison population

**16** states had a **decrease** in the prison population

**5** states had a **decrease in all** correctional populations

Change in U.S. Parole Population, 2005–2015



**33** states had an **increase** in the parole population

**17** states had a **decrease** in the parole population

**5** states had a **decrease in all** correctional populations

Change in U.S. Probation Population, 2005–2015



**23** states had an **increase** in the probation population

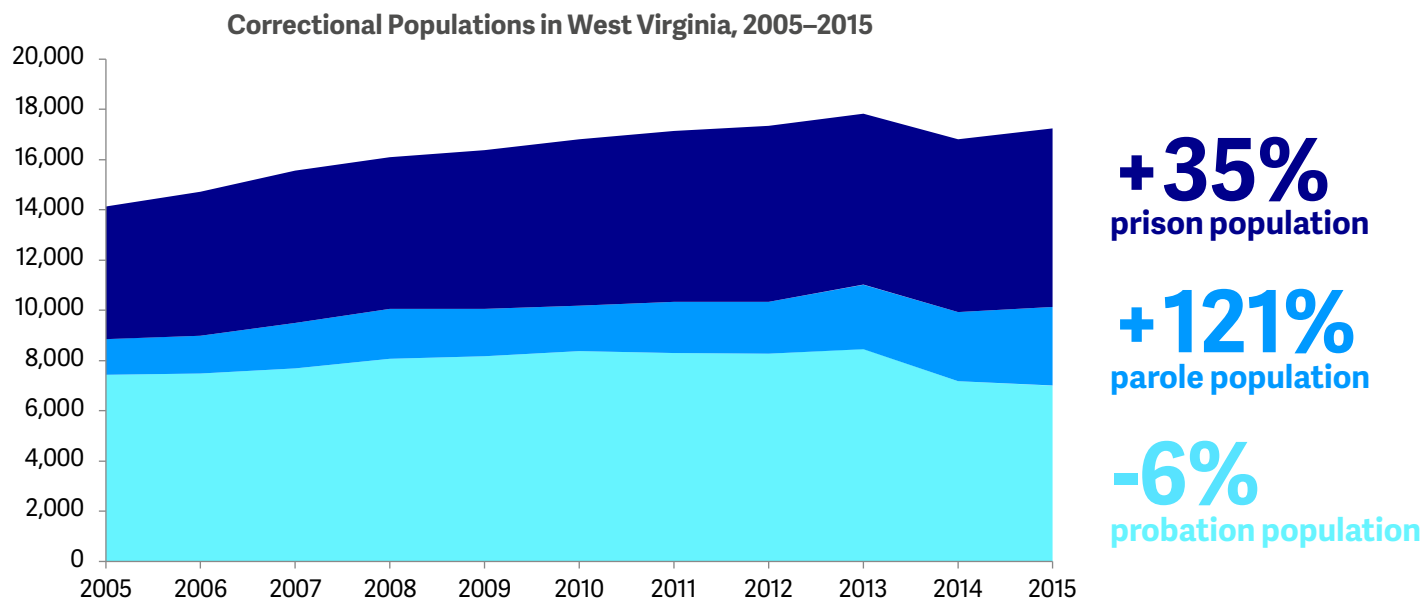
**27** states had a **decrease** in the probation population

**5** states had a **decrease in all** correctional populations

Source: Bureau of Justice Statistics, Correctional Statistical Analysis Tool (CSAT).



### West Virginia's prison and parole populations have increased, while the probation population has declined in recent years.



- The prison population in West Virginia increased 35 percent between 2005 and 2015, which was the largest increase in the country during this period. In 2015, West Virginia had the 24th-highest incarceration rate in the U.S.
- West Virginia's 121-percent increase in the parole population was the fourth-largest increase in the country between 2005 and 2015.

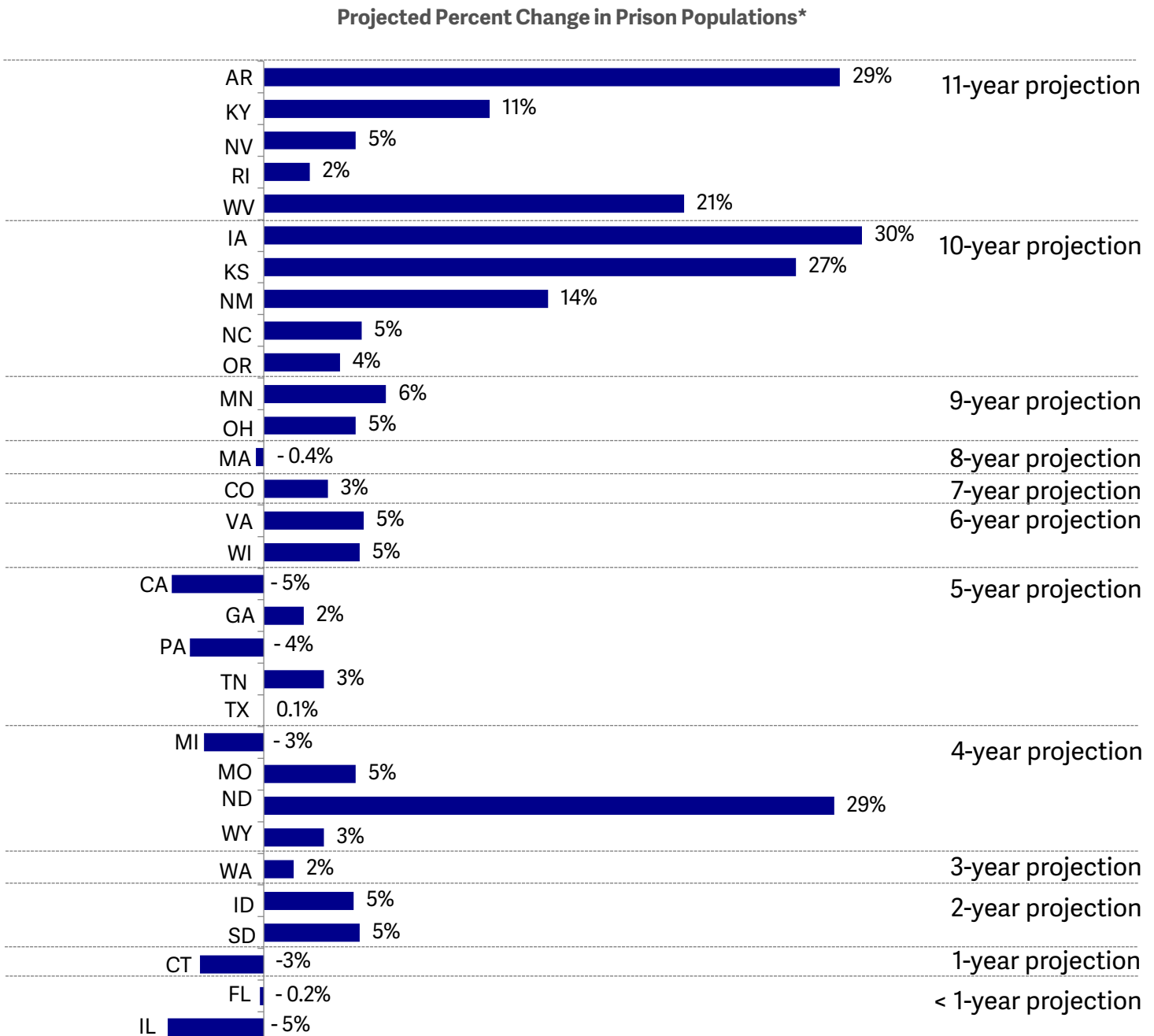
Source: Bureau of Justice Statistics. Correctional Statistical Analysis Tool (CSAT).

### Correctional Spending in West Virginia (in millions)



Source: BJS, Correctional Statistical Analysis Tool (CSAT); Vera Institute, *The Price of Prisons* (prison expenditures); CSG Justice Center, structured interviews, Aug. 2017 (supervision expenditures).

## 24 of 31 states are projecting growth in their prison populations.



\*31 states either had published prison projections or provided projections to the CSG Justice Center during the structured interview. The year of publication for the projections are as follows: WV (2013); MA, NV, OH, VA (2014); AR, CO, GA, NM (2015); CA, IA, IL, KS, KY, MO, NC, PA, RI, WA (2016); CT, FL, ID, MI, MN, ND, OR, SD, TN, TX, WI, WY (2017).

Source: CSG Justice Center, structured interviews, Aug. 2017.

## Key Questions About State Data

*Notes:*

**1.** How did your correctional population change between 2005 and 2015? (*page 59*)

**2.** How much does your state spend annually on prison and supervision? (*page 59*)

**3.** How is your prison population projected to change? (*page 60*)

## Questions for Further Research and Discussion

**4.** What is your state's process for projecting changes in correctional populations? Is managing corrections population growth a shared responsibility of stakeholders across the criminal justice system?

**5.** How can your state ensure that supervision agencies regularly develop population projections?

**6.** Is the data necessary to understand the factors that impact the size of your state's correctional populations available? Are you able to identify both the largest contributors and those most recently responsible for increases/decreases?

## **Develop data-driven policy options to improve public safety**

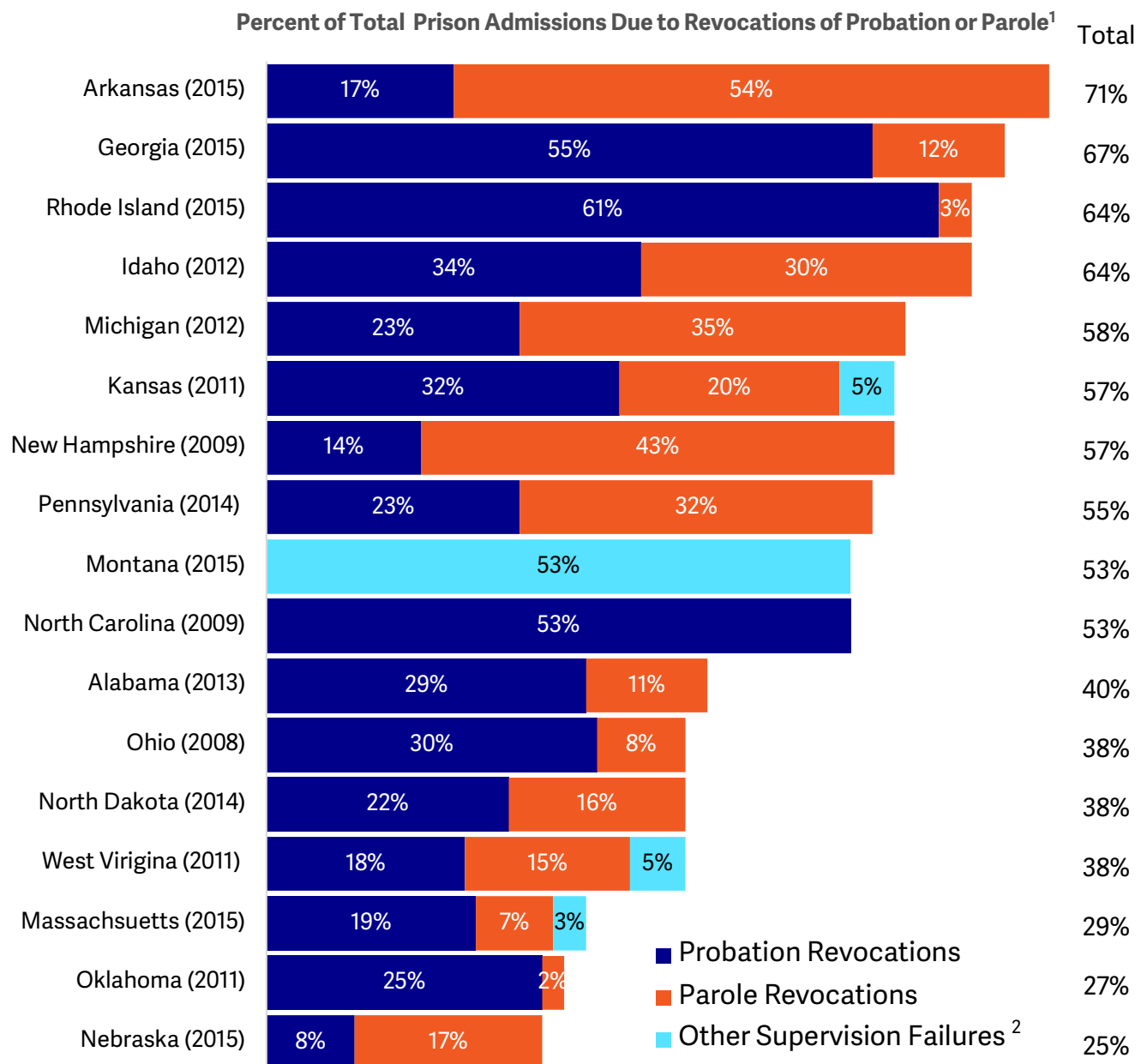
In FY2015, states spent \$47.8 billion on corrections and allocated the majority of their corrections budgets to prisons. Not only are states realizing that a crime-fighting strategy focused so heavily on incarceration is fiscally unsustainable, evidence indicates that incapacitating more people is among the least cost-effective ways to reduce crime compared with efforts focused on reducing recidivism or preventing crime. States are increasingly using data to determine how to shift resources toward strategies that deliver a bigger impact on public safety.

Since 2010, 30 states have conducted a comprehensive data-driven analysis using a justice reinvestment approach to identify what is driving prison populations and develop options that could help use costly prison space more cost-effectively. Across the states, some common sources of prison population growth included sentencing policies and practices, parole and probation revocations, and delays in the parole board decision-making process. By examining the data and bringing all key stakeholders together to find more effective policies, state leaders across the country have developed customized policy solutions that address these issues while meeting the unique needs of their state.

In order to find solutions that can yield greater public safety, policymakers can take the following steps:

- Revise sentencing practices to prioritize prison space for people convicted of serious and violent offenses.
- Hold people on probation accountable with sanctions that are proportional to behavior.
- Improve the efficiency and consistency of the parole decision-making process and preparation for release.

## Analysis conducted during justice reinvestment projects in 17 states revealed that people revoked from probation and parole made up a significant portion of prison admissions.



<sup>1</sup>Includes analysis conducted by the CSG Justice Center in states that have undertaken justice reinvestment projects. Percent of admissions at time of justice reinvestment analysis (year of analysis for each state is shown).

<sup>2</sup>Other supervision failures include probation/parole revocations with a new offense (KS); combined probation and parole revocations (MT); community corrections/home confinement revocations (WV); and dual supervision revocations (MA).

Source: <https://csgjusticecenter.org/jr>.

## In 16 of 39 states, at least 40 percent of people in prison had been convicted of property or drug offenses.

Percent of People in Prison for Property or Drug Offenses, 2014\*



**16 states**

had at least 40 percent of  
people in prison for  
property or drug offenses

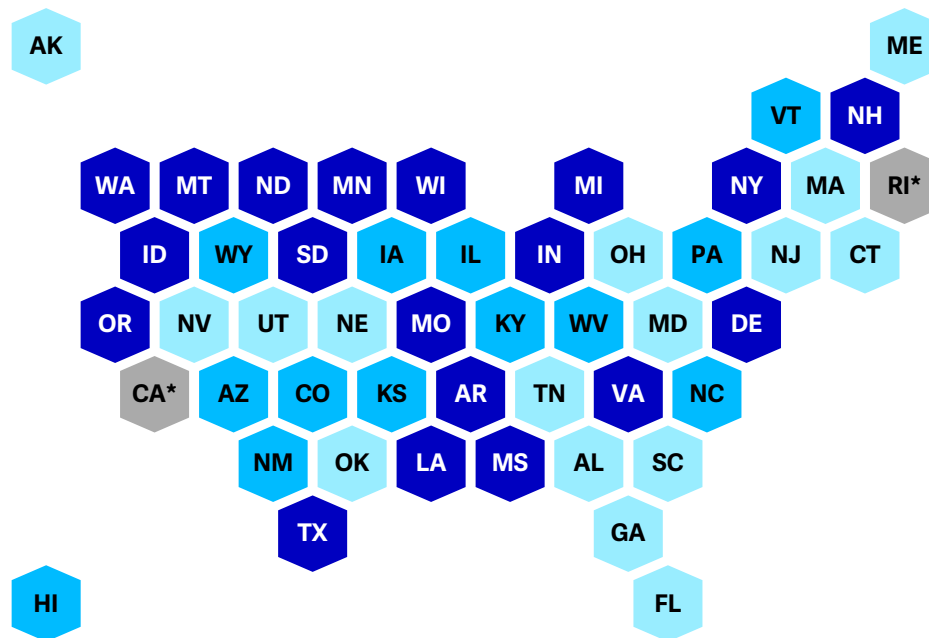
\*2014 was the latest year of National Corrections Reporting Program (NCRP) data available for download. 2013 data was used in 9 states (ID, IL, MI, MN, ND, NJ, OH, VA, VT) due to inconsistent reporting in 2014. Eleven states were excluded altogether from the analysis due to lack of reporting through NCRP data collection or NCRP prison population totals that were inconsistent with BJS prison population totals (AK, AL, DE, HI, LA, MD, ME, MT, NH, RI, SD).

Source: CSG Justice Center analysis of NCRP prison data.



## The majority of states require a period of post-release supervision for people leaving prison.

Percent of People Released from Prison with a Period of Post-Release Supervision, 2015



16 states

have **less than 70 percent** of people released from prison with required supervision

13 states

have **70–85 percent** of people released from prison with required supervision

19 states

have **more than 85 percent** of people are released from prison with required supervision

\*Data not available (CA) or not included due to data limitations (RI).

Source: Bureau of Justice Statistics, *Prisoners in the U.S. 2015*.

## Six states have felony probation populations that exceed 1 out of 100 adults.

Felony Probation Rate (per 100,000 Adults), 2015\*



\*The following states did not or were unable to provide felony probation population data during the structured interview and are not included: AK, CA, DE, GA, HI, IL, IN, IA, MA, MT, NH, NJ, ND, OH, OK, VT, WI.

Source: CSG Justice Center, structured interviews, Aug. 2017; U.S. Census American Fact Finder, American Community Survey.

As states pursue strategies to address their unique criminal justice needs, state leaders can leverage federal resources to drive innovation and pilot new approaches in law enforcement, behavioral health care, victims' services, and other areas related to criminal justice. The United States Department of Justice (DOJ) provides funding opportunities to state, local, and tribal jurisdictions to

- support law enforcement and public safety efforts;
- assist victims of crime;
- provide training and technical assistance;
- conduct research; and
- implement programs that improve the criminal, civil, and juvenile justice systems.

DOJ disburses grants through three agencies: The Office of Justice Programs (OJP), the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW), and each has a website that can help interested parties identify potential funding opportunities.

**The DOJ Program Plan** website identifies current funding opportunities, when they are available, and total available funding amounts. To learn more, see <https://www.grantsnet.justice.gov/programPlan/html/Solicitations.htm>.

The **OJP Program Plan Initiatives** website allows users to search for criminal justice and juvenile justice initiatives offered by OJP bureaus and program offices based on subject matter, applicant eligibility, and program plan. To learn more, see [https://data.ojp.gov/services/PPI/includes/PPI/Solicitations\\_Advanced.htm](https://data.ojp.gov/services/PPI/includes/PPI/Solicitations_Advanced.htm).

The OJP also administers the **Office of Victims of Crime (OVC)**, which oversees a variety of grants to help victims and victim services providers, including funding for victim compensation, assistance, and notification. To learn more, see: <https://ojp.gov/ovc/grants/index.html>.

*(continues on next page)*

The **COPS Office** awards grants to hire community policing professionals, develop and test innovative policing strategies, and provide training and technical assistance to community members, local government leaders, and all levels of law enforcement. To learn more, see <https://cops.usdoj.gov/grants>.

The **OVW** administers grant programs to help provide victims with the protection and services they need to pursue safe and healthy lives, while simultaneously enabling communities to hold people accountable. To learn more, see: <https://www.justice.gov/ovw/grant-programs>.

The U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) offers grants and funding that support programs related to criminal justice. To learn more, see: <https://www.samhsa.gov/criminal-juvenile-justice/grants>.

The [Grants.gov](https://grants.gov) website is another resource for finding and accessing federal financial assistance. The website helps individuals and organizations find and apply to grants that are available across the federal government. To receive email updates about grant opportunities in your area of interest, go to <https://apply07.grants.gov/search/subscribeAdvanced.do>.

## States can use key measures to assess the impact of policy changes on crime, recidivism, and criminal justice costs.

### Examples of Key Measures States Can Analyze to Assess Impact of Policy Changes

#### Public Safety

- Crime, arrest, and victimization trends
- Rearrest, reincarceration, reconviction for people leaving prison and starting probation
- Revocation rate for people on probation and parole who have committed technical violations of the terms of their supervision and new crimes
- Use of intermediate sanctions to respond to technical violations

#### Correctional Populations (Prison, Jail, Supervision)

- Number of people admitted and released by offense type, demographics, risk level, and supervision status
- Number of people who have behavioral health needs or who receive treatment, and treatment provider capacity
- Drug overdose death rates
- Parole grant rate and number of people released without supervision
- Population projections
- Population size and composition by offense type, risk level, pretrial status, and demographics
- Rate of people on supervision
- Impact of programs on correctional population—number of people served and recidivism by risk level, type, and amount of programs provided

#### Spending

- Correctional and program spending trends
- Federal funding

## Key Questions About State Data

*Notes:*

**1.** What percentage of people admitted to prison in your state are revoked from probation or parole?  
(page 63)

**2.** What percentage of the prison population in your state is composed of people who have been convicted of property or drug offenses? (page 64)

**3.** What percentage of people leave prison with a period of post-release supervision in your state?  
(page 65)

**4.** What is the felony probation rate in your state?  
(page 66)

## Questions for Further Research and Discussion

**5.** What more can your state do to reduce the cost and prison population impact associated with revocations of people on supervision?

**6.** What strategies can your state use to hold people who have been convicted of low-level property and drug offenses accountable while minimizing the need for costly incarceration?

**7.** What more can your state do to ensure that people receive supervision tailored to their risk and needs upon release from prison?