

Utah Justice Reinvestment Initiative In Partnership with the Pew Charitable Trusts

Key Findings of PEW Data Analysis

Utah's incarceration rate is below the national average, but the state's prison population has grown 22% in the past 10 years, and is projected to grow 37% in the next two decades.

While the majority of Utah's prison beds are filled with violent or sex offenders:

- 8 of the top 10 offenses at admission are nonviolent
 - Possession of a controlled substance is still the most common crime at prison admission
 - Theft admissions are high and growing
- Drug possession offenders continue to occupy a large number of prison beds because of longer time served
- 33% of property offenders and 30% of drug offenders entering prison had one or no prior felony convictions
- Almost half (46%) of the prison population is made up of people revoked from supervision, with the majority revoked to prison for technical violations
- Offenders on supervision are failing at higher rates than 10 years ago
- Evidence-based practices are still inconsistently applied across the state and lack coherent budgetary support, including significant shortfalls in treatment and reentry resources

CCJJ/PEW Subcommittees' Policy Options Under Consideration

Sentencing Subcommittee

Focus prison beds on serious and violent offenders by:

- Eliminating unintended consequences of drug sentence enhancements (e.g., drug-free zones)
- Restructuring sentences for drug possession offenders
- Distinguishing between drug dealers and those with serious substance use disorders
- Adjusting criminal history factors that lead to inflated lengths of stay in prison
- Utilizing proportional lengths of stay for technical probation revocations

Release Subcommittee

Incentivize offenders to engage in treatment that targets their individualized criminogenic needs by:

- Offering standard earned time credits for successful completion

Streamline release decisions for less serious offenders by:

- Creating a presumption of parole release for certain nonviolent offenders

Focus prison beds on serious and violent offenders by:

- Utilizing proportional lengths of stay for technical parole revocations

Reduce recidivism and improve parolees' prospects for success by:

- Instituting collaborative transition planning for offenders being released from prison
- Reinvesting in transition services for high-risk offenders
- Reinvesting in halfway house (Community Corrections Centers) capacity

Treatment and Supervision Subcommittee

Ensure treatment for offenders adheres to evidence-based principles proven to reduce recidivism by:

- Authorizing a single organization or agency to establish statewide treatment standards
- Establishing a certification process to ensure the use and sustainability of evidence-based practices for treatment providers
- Establishing performance measures and oversight

Ensure treatment is focused on addressing an offender's criminogenic needs and is consistent with best practices for criminal justice involved persons by:

- Establishing standards for recovery and reentry support with performance measures and oversight

Utah Leaders Announce Initiative to Protect Public Safety, Hold Offenders Accountable, Control Prison Costs

SALT LAKE CITY (August 5, 2014) – Gov. Gary R. Herbert, Sen. Pres. Wayne Niederhauser, House Speaker Becky Lockhart, Chief Justice Matthew Durrant and Attorney General Sean Reyes have charged the Utah Commission on Criminal and Juvenile Justice (CCJJ) with developing a comprehensive set of data-driven recommendations to increase public safety, while limiting expected growth of the state's prison budget. The commission will submit recommendations to the governor and Legislature in November for consideration in the 2015 legislative session.

"We're calling on the foremost experts on public safety to create a new roadmap for our criminal justice system," said Gov. Herbert. "The prison gates must be a permanent exit from the system, not just a revolving door. Just like every other area of government, we need to ensure we are getting the best possible results for each taxpayer dollar."

Historically, Utah has maintained a modest incarceration rate while the crime rate has steadily declined. However, in the last decade, the state's prison population has grown 22 percent. The state projects it will grow by another 37 percent over the next two decades, requiring 2,700 new prison beds. The state's recidivism rate, measured by the share of offenders returning to prison within three years of being released, is 46 percent.

"The Legislature must not simply consider when and where and how big to build our new state prison, but also what kind of a criminal justice system will be best for Utah in the years to come," said Sen. Pres. Niederhauser. "It is time to reassess our sentencing and corrections policies to ensure offenders not only pay their debt to society, but become productive, strong law-abiding citizens upon their release."

The state will receive technical assistance from The Pew Charitable Trusts through the Justice Reinvestment Initiative, a public-private partnership between Pew and the U.S. Department of Justice's Bureau of Justice Assistance. Over the past several years, more than half of the states—including Georgia, Mississippi, Ohio, South Dakota and Texas—have enacted justice reinvestment strategies to control their corrections spending and protect public safety. They do so by focusing their prison space on serious, chronic, and violent offenders and investing savings from averted prison growth into probation, parole, and other mandatory supervision practices that save taxpayer dollars and cut crime.

"Utah should be proud of our achievements in corrections and public safety," said House Speaker Lockhart. "But we are not a state that settles for 'good enough.' Eventually, offenders serve their time and get released. So the pressing issue is how to make it less likely that they will commit new offenses."

"We know so much more today than we did 40 years ago about what works to reduce recidivism. Programs like drug and mental health courts, for example, have transformed the way we hold nonviolent offenders accountable and reduce repeat crime," said Chief Justice Durrant. "We must examine these and other evidence-based programs and practices as we build a more effective and efficient sentencing and corrections system in the state."

"This effort will identify ways Utah can shift our efforts to prevent crime and recidivism," said Attorney General Reyes. "We need to ensure there is enough prison space for violent and career criminals while employing new and traditional tools of the justice system to restore lower-level offenders' chances of reentering society as productive members, thereby shifting our incarceration focus to more effective, less expensive alternatives."