

Statement by

John E. Wetzel

Secretary

Pennsylvania Department of Corrections

**Hearing on the Oversight of the Bureau of Prisons & Cost-
Effective Strategies for Reducing Recidivism**

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U.S. Senate Committee on the Judiciary

Chairman Whitehouse, Ranking Member Grassley, and Members of the committee, I am pleased to be with you today to discuss lessons we've learned in the Commonwealth of Pennsylvania to increase public safety and contain the costs of corrections.

The Problem

In the 24 years before Governor Corbett was elected, Pennsylvania's prison population grew by an average of 1500 inmates each year. Between 2000 and 2011, Pennsylvania's spending on corrections increased 76 percent, from \$1.1 billion to \$1.9 billion, while the number of people in prison increased 40 percent, from 36,602 to 51,312 people. Pennsylvania was locking up record numbers of people, costing taxpayers billions.

The Governor and policymakers began asking, "What is the return on our investment?" Of the people who got out of prison in FY2009, over 65% were either arrested or reincarcerated within three years.¹ State leaders agreed; the Commonwealth of Pennsylvania deserved better and decided to take action.

Since Governor Corbett took office, the population has started to decline for the first time in decades and the state has enacted a comprehensive, statewide effort to reduce recidivism.

Justice Reinvestment Process

In response to the growing strain of corrections costs on the state's budget and the negative impact of budget cuts on local law enforcement, in 2011, Governor Corbett, Chief Justice Ronald Castille, and legislative leaders asked the CSG Justice Center to conduct a detailed analysis of Pennsylvania's criminal justice system and develop a comprehensive policy framework to cut crime and reduce recidivism, both at a lower cost to Pennsylvania taxpayers. The Pennsylvania Commission on Crime and Delinquency established a bipartisan, inter-branch working group to oversee the data analysis and policy development provided by the CSG Justice Center, which identified three significant challenges.

Based on discussions with the Working Group and input from stakeholders across the criminal justice system, CSG Justice Center staff crafted a data-driven set of policy options that form a comprehensive public safety plan that reduces the costs of corrections and parole system and reinvests savings in law enforcement strategies that deter crime, data-driven strategies that reduce recidivism, and services for crime victims.

Key Findings

First, a third of individuals sentenced to prison had less than one year remaining to serve on their minimum sentences, leaving little time for them to participate in treatment programs in prison and making it challenging for the Parole Board to review their cases in a timely manner. The number of prison admissions with such short sentences has more than doubled, increasing 138 percent between 2000 and 2011, from 1,641 to 3,903 people.

¹ Bell, N., Bucklen, K., et al. (2013). Pennsylvania Department of Corrections Recidivism Report: 2013.

Second, because everyone in prison must be considered for parole after reaching his or her minimum sentence, the rising number of admissions had resulted in a growing backlog of cases for review. For example, 70 percent of the parole reviews that should have taken place each month were delayed due to inefficiencies that likely could have been avoided with greater coordination between agencies. In addition, despite having been approved for parole, thousands of people remained in prison because of delays in identifying housing plans, completing required programs, or paying fees and fines.

Third, community-based residential programs funded by the state at over \$100 million each year to reduce recidivism were not being used to target individuals on parole who could benefit the most. As a result, thousands of parolees continued to fail to complete their supervision in the community and were returned to prison at a huge cost, despite the state's significant investment in residential programs. At the same time, district attorneys, victim advocates, and others raised public safety concerns over the significant number of people who were being released to these programs even though they had not served their minimum prison sentences.

Policy Framework

After the working group reached consensus on a policy framework addressing these challenges, state lawmakers, including Representative Glen Grell (R-Cumberland), Representative Thomas Caltagirone (D-Berks), and Senator Daylin Leach (D-Delaware), incorporated the policies into HB 135 and SB 100, which supplemented a number of other criminal justice policy reforms authored by Senator Stewart Greenleaf (R- Bucks).

By FY 2017, the framework is projected to generate up to \$253 million in cost savings and increase public safety through six key changes to policy and practice:

- Reduce by 30 percent the number of people admitted to prison for very short sentences by 2017 by enabling counties to volunteer to house these individuals at lower cost to the state than would have been paid to incarcerate them in state prison.
- Require people convicted of the two lowest-level misdemeanor offense categories to serve a local sanction rather than sentencing them to prison.
- Address inefficiencies in the current corrections and parole systems by increasing by 20 percent the number of parole cases reviewed each month by 2015.
- Hold people on parole more accountable for violations of conditions of supervision with community-based, shorter, and more cost-effective sanctions.
- Prioritize costly intensive residential programming for a target population that will benefit the most.
- Prohibit the early release of people from prison to these residential programs.

House Bill 135 established a formula that requires a portion of these cost savings to be reinvested in public safety improvements over the next six years. For example, under the law, a portion of the savings must be reinvested in data-driven law enforcement strategies, strengthening county probation and parole departments, and improving victim notification.

SB 100 was approved by unanimous votes in the House and Senate before being signed into law by Governor Corbett on July 5, 2012. HB 135, also approved unanimously in the General Assembly, was signed into law on October 25, 2012.

Implementation

Since SB 100 was enacted last summer, the Department of Corrections in collaboration with the Board of Probation and Parole has been focused on shifting the Commonwealth's \$100M investment in community corrections, changing the program mix to include non-residential services and improve quality. Our goal is to shift our investment to a suite of programs that are less costly, more effective, and serve more people. To do this, we've had to design and release new bids for services, new quality assurance processes, new data systems, and new data monitoring and accountability strategies.

Through all of these changes, our focus has been building a data-driven system. Until you analyze what is currently funded and the outcomes you are getting for that investment, you can't know what would be a smarter investment.

And the stakes are high and the work is hard, but the pay off is great. In Pennsylvania, we can save approximately \$44.7 million annually by reducing our 1-year reincarceration rate by 10 percentage points.

Thank you for the opportunity to testify before the committee today, your support of the justice reinvestment approach in Pennsylvania, and your interest in learning from states like Pennsylvania as you look to improve the outcomes in the federal system.