

HJ 31 Study of Criminal Justice System Data: CSG Justice Center response to LJIC question about JRI at October 2021 meeting

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"The projected savings from Montana's Justice Reinvestment Initiative (JRI) in 2017 were based on forecasted declines in both prison and community supervision populations resulting from full implementation of the state's reform package. Specifically, population reductions were based on a decrease in the number of people returning to incarceration from community supervision, as well as a shorter length of stay for people incarcerated for supervision violations.

While system disruptions due to COVID-19 make it difficult to assess outcomes using trend data, there are indications of implementation challenges related to several of Montana's JRI policies that would have had the most significant impact on the state's corrections populations and therefore generate the most potential savings. Specifically, policies aimed at reducing the community supervision population and capping the amount of time people can be returned to prison for a compliance violation have been significantly underutilized. The impact of other policies, including improvements to sanction and incentive practices for responding to people on supervision, are less clear due to challenges in assessing COVID-impacted data trends.

While the state has not yet realized the intended savings from JRI, it is important to note that implementation of the policy package is ongoing and so it may take additional time to achieve its intended outcomes. The Council of State Government's Justice Center is currently working with the Montana Department of Corrections to analyze the impact of one key JRI reform, the expansion of early termination and conditional discharge from supervision. This information will help the state better understand the underutilization of this policy, as well as identify ways to address implementation barriers that prevent the realization of projected savings."