

Criminal Justice Data Efforts in the States

Montana MARA Committee

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NCSL

- Non-profit, bi-partisan organization.
- Members are all 7,386 legislators and 30,000 legislative staff in 50 states, D.C. and U.S. territories.
- Offices in Denver and D.C.
- Among our goals - To provide legislatures with information and research about policy issues, both state and federal.
- NCSL tracks state policy developments in all public policy areas.



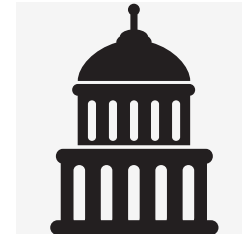


Recent Legislation



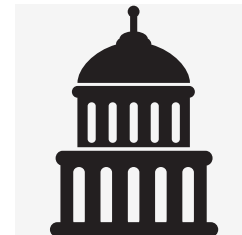
[UT SB 150 \(2022\)](#)

Criminal Justice Data
Management Task Force



[CT SB 880 \(2019\)](#)

Focused on
Prosecutorial Decisions



[CO SB 29 \(2024\)](#)

Study Metrics to
Measure Criminal
Justice System



[IN SB 290 \(2024\)](#)

Criminal Justice Data

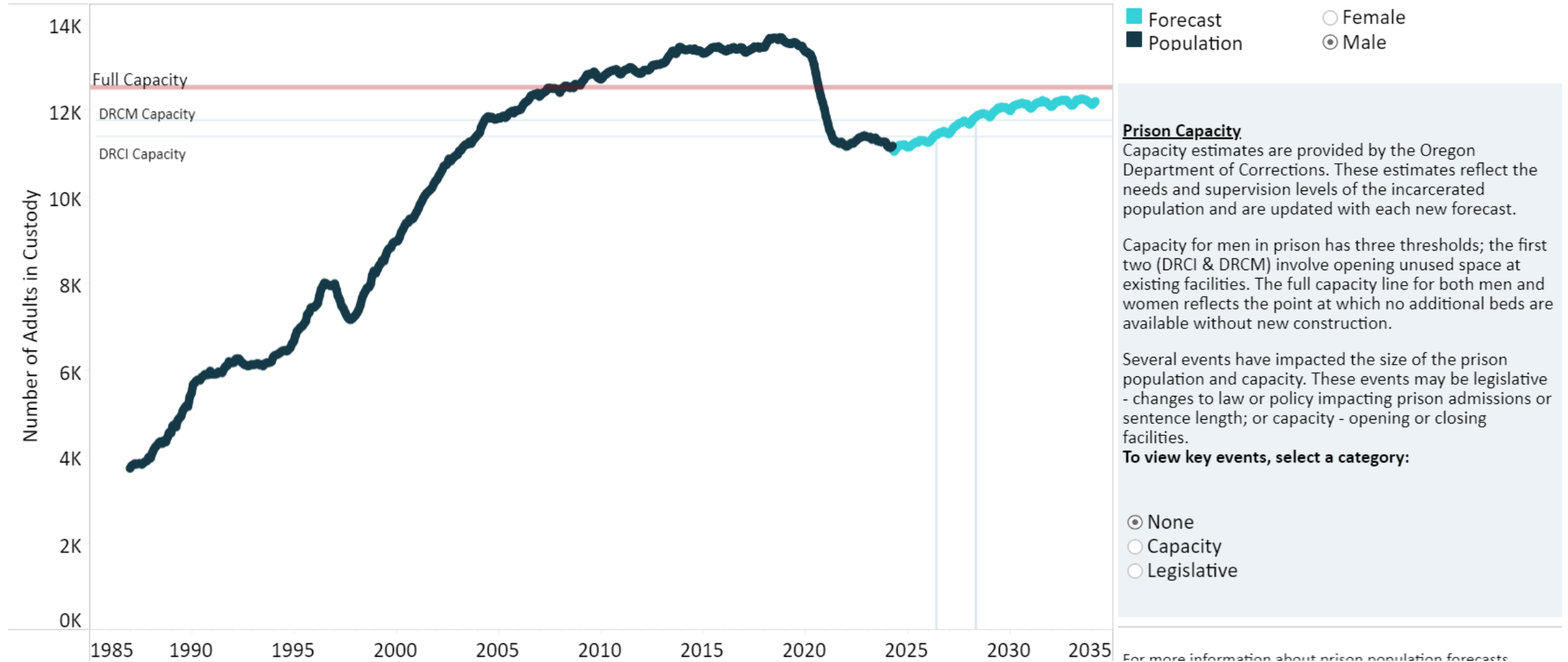
Barriers to Data

Five challenges that hinder legislative access to, and use of, data to drive criminal justice policy decisions

1. Lack of high-quality, comparable and relevant data
2. Lack of timely and responsive data when most needed
3. Need for context and return-on-investment data for resource allocation
4. Data silos and lack of data sharing
5. Difficulty obtaining stakeholder engagement and buy-in

Oregon State Prison Populations & Forecasts

Oregon Department of Corrections provides monthly updates to CJC for the number of individuals currently incarcerated in state prison facilities. Twice a year, the Office of Economic Analysis provides updated forecasts for future prison populations. This forecast was updated in April, 2024.



<https://www.oregon.gov/cjc/sac/pages/dashboards.aspx>

Tackling Barriers

Fund programs, policies and practices that are showing success and backed by research

Increasing Earned Compliance Credits on Probation

Oklahoma / January 15, 2021

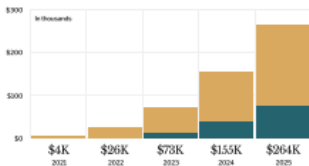
5-year impact in Oklahoma

Increasing access to earned compliance credits could help Oklahoma avoid \$264K in cumulative cost, reduce the average probation officer caseload by 7.7%, and give 5,750 life years back from probation supervision over five years.

This projection assumes all felony probationers, except those who are serving their sentence for domestic abuse or 85% violent crimes, would be eligible to earn 30 days off their sentence for each month they remain in good standing.

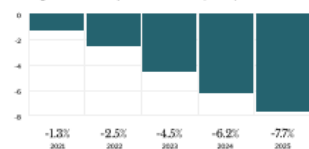
Marginal cost avoidance (cumulative)

- \$77K incarceration cost from fewer technical revocations
- \$187K from fewer people on probation



Model assumes a per capita marginal cost of \$2,965 for incarceration and \$390 for probation. Marginal cost only includes short-run costs, such as food and clothing, which change proportionally to the change in population.

Average % reduction in probation caseload (annual)



5,750
Life years back from probation supervision

162
Fewer people in prison for technical revocations in 2025

Report provided by **recidiviz** | Data availability: ●●●●○

For full notes and parameters, see [appendix](#)

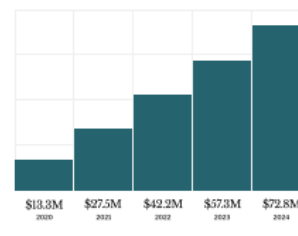
Reclassifying Drug Possession Felonies as Misdemeanors

Ohio / September 3, 2020

5-year impact in Ohio

By reclassifying 4th and 5th degree drug possession charges from felonies to misdemeanors, Ohio could avoid \$73M in costs over the next 5 years. This would also help impacted individuals regain 2,697 life years.

Cumulative cost avoidance



Projected population impact

3,500+
Fewer people incarcerated

2,697
Life years gained

Notes:
Annual cost to incarcerate: \$29,448.20, residential diversion program cost: \$5,763.00, non-residential diversion program cost: \$1,623.00 (Ohio DOC). Policy assumes 75% of F-5 and 50% of F-4 offenses are eligible and that 50% of the eligible population are sentenced to residential programs and 50% are sentenced to non-residential programs, with a 66% program success rate. Inflation rate of 3% YoY for incarceration and program cost. See [model](#) and [notes](#) for details.

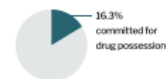
Report provided by **recidiviz** using public data

The opportunity

Drug offenses have traditionally been the leading type of crime for which people are sent to Ohio prisons, with >15% of the prison population incarcerated for a drug offense as of Jan 2020 even as OH's state prison population has increased by over 400% since 1971. As of 2020, 28% of prison commitments were for drug offenses, with 59% of those for drug possession, nearly two-thirds of them charged with fourth- and fifth-degree felonies. More than 15K incarcerated individuals of Ohio's 45K total prison population are serving time for low-level, nonviolent offenses.

16.3% of 2020 OH prison commitments are for drug possession

45,000+
People in OH prisons



Reclassifying lower degree drug possession charges as misdemeanors would reduce the lifelong consequences and collateral sanctions for those struggling to reenter society by removing prison sentences for smaller amounts of controlled substances.

Impact in other states

Several other states including Colorado, Utah, Oklahoma, Tennessee, West Virginia, Alaska, Delaware, Iowa, Connecticut, and California have classified drug possession as a misdemeanor. Some states classify simple drug possession as a misdemeanor for all offenses while some categorize it as a felony for subsequent offenses (2nd or 3rd conviction).

Texas

In 2007, it was estimated that Texas' prison population would increase by 17,000 over the next five years at a cost of at least \$2B in prison construction, alone. Instead, Texas invested \$241M to increase capacity of treatment, diversion, and supervision services. Instead of opening new facilities, Texas has closed ten adult facilities in this time period, while crime continues to be at its lowest levels in decades.

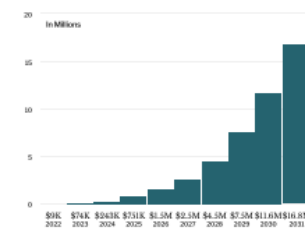
Crime Reclassification Act

Oklahoma / February, 2022

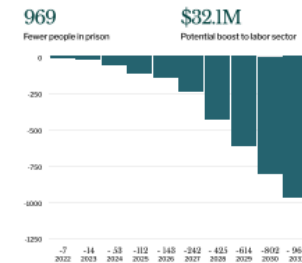
10-year impact in Oklahoma

Standardizing sentencing practices within felony classes could amount to \$16.8M in reduced marginal incarceration costs over 10 years, while reducing prison populations in Oklahoma by 969. Oklahoma's estimated marginal cost of incarceration is \$15.74 per person per day and includes daily costs like food, clothing, and medical costs (OMES 2021).

Cumulative marginal cost avoidance



Projected population impact



Report provided by **recidiviz** | Data availability: ●●●●○

The opportunity

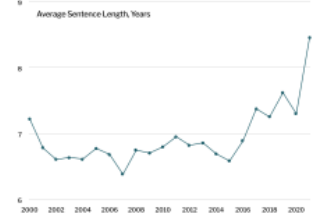
Oklahoma has the 2nd highest incarceration rate in the United States, with 639 out of every 100,000 Oklahoma residents serving time in state prisons. As of February 14, 2022, 21,257 Oklahomans are committed to state facilities. The state's high prison population can, in part, be attributed to sentencing practices. Oklahomans convicted of property offenses receive prison terms 70% longer than the national average, and serve 79% longer than the national average for drug offenses.

21,257
Oklahomans incarcerated in state facilities (OESDC)

36 states
using a felony classification system for sentencing

Under Oklahoma's current system, approximately 18% of defendants receive sentences higher than the maximum associated with their offense. Adopting a felony classification system—which 36 states currently use—could lend consistency to Oklahoma's criminal justice system, and offer clarity to defendants and judges alike.

Since 2000, the average prison sentence given in Oklahoma has grown by 12 years, a 17% increase.

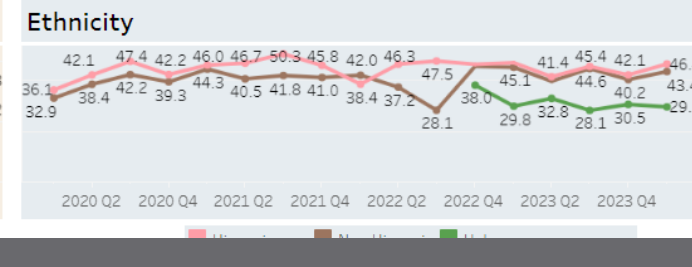
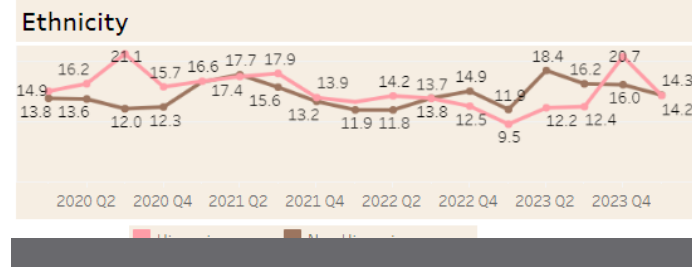
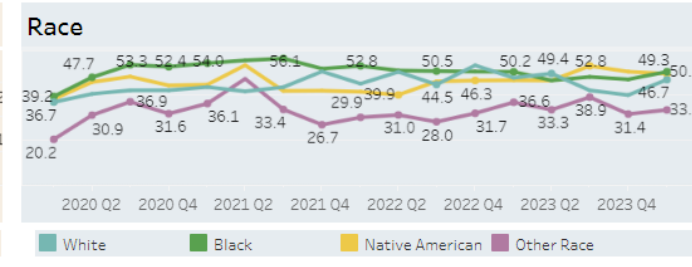
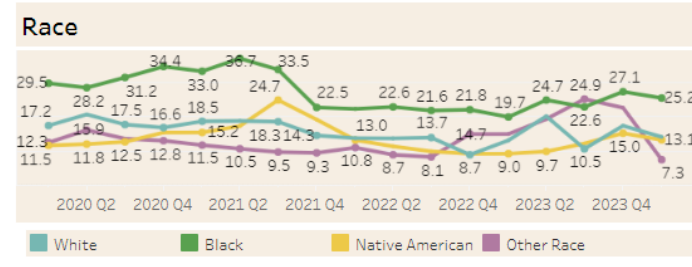
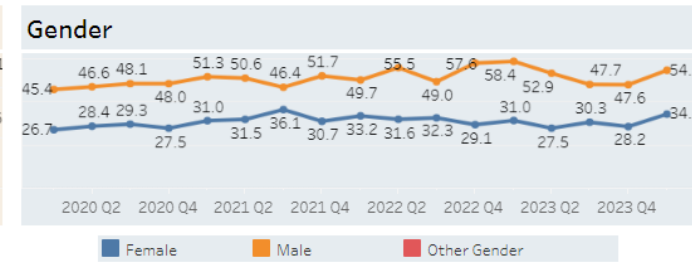
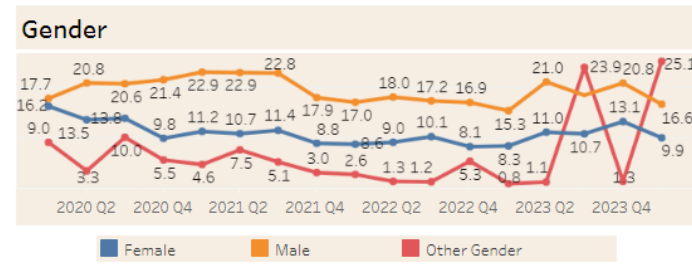
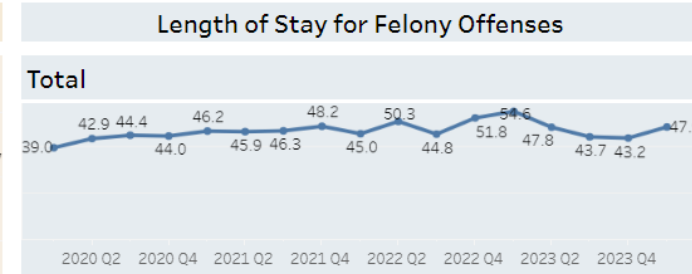
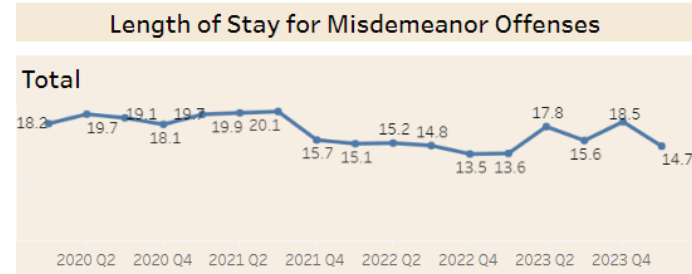


For full notes and parameters, see [appendix](#)

Tackling Barriers

Develop data and performance measurement capacity

- Colorado HB 1297 (2019) requires county jails to report specific measures
- Dashboard showing length of stay in jails for misdemeanor and felony offenses, broken out by gender, race and ethnicity.



[ORS: Jails and Corrections-Jail Data-Population | Division of Criminal Justice \(colorado.gov\)](https://colorado.gov/division-of-criminal-justice/jails-and-corrections-jail-data-population)

Tackling Barriers

ENGAGING STAKEHOLDERS

- Federal, state, local
- Agency representatives
- Governor's advisors
- Judiciary
- Prosecution / Defense
- Law enforcement
- Community representatives
- Service providers

PARTNERING WITH EXPERTS

- Universities
- Nonprofits
- Think tanks
- Philanthropic organizations
- Member organizations: NCSL, CSG



Data Projects in Four States



Center for Results-Driven Governing

Founded in 2020



SUPPORT

Tailored TA and research to support the use of data and evidence in state policy and budget decisions.



AWARENESS

Raise awareness about evidence-informed strategies, available data, relevant research.



RESOURCE HUB

Serve as a national resource and training hub for state policymakers.



CONNECTIONS

Convene legislative and executive branches, researchers, foundations, national organizations.



Indiana Management Performance Hub

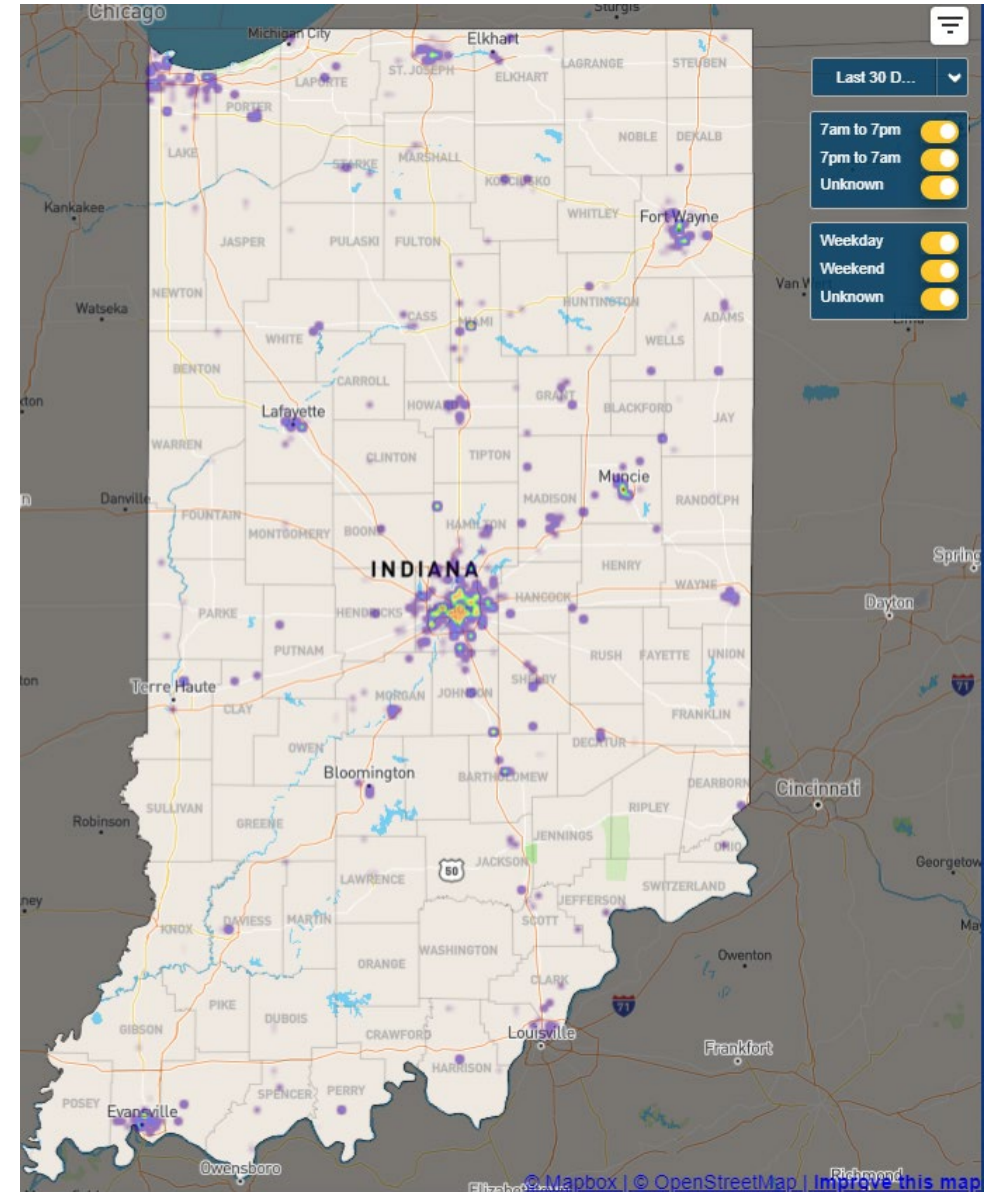
- Supports data integration, data sharing, and data analytics across state government to enhance data-driven decision making.
- Chief Data Officer and Chief Privacy Officer
- Operates Indiana Data Hub, along with data dashboards.



Indiana Management Performance Hub: <https://www.in.gov/mph>

Indiana Data Hub: <https://hub.mph.in.gov/>

Naloxone Heat Map: <https://www.in.gov/recovery/naloxone/heatmap.html>



Tennessee Office of Evidence and Impact

Program Inventory

- Catalog state-funded programs and assess evidence of effectiveness

Evidence-Based Budgeting

- Use evidence of effectiveness to inform funding decisions

TN DATA

- Facilitate data sharing, analysis across departments to improve programs and services

Program Evaluations

- Partner with state agencies and academic researchers

Office of Evidence and Impact



We work across agencies to ensure the state has a positive impact on Tennesseans, whether through budgeting, policymaking, program design, or data sharing and analytics.

[Learn more about our office](#)

[Reach out with questions or requests](#)

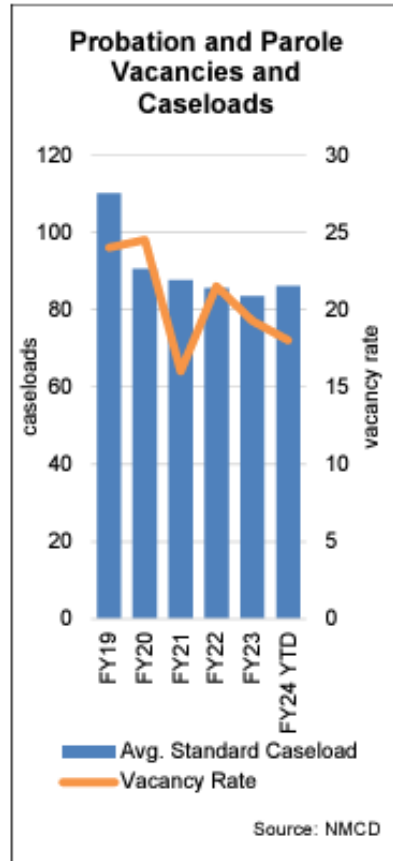


TN Office of Evidence and Impact: <https://www.tn.gov/finance/oei.html>

New Mexico Agency Report Cards

Community Offender Management, Corrections Department: Q1 FY2024

Online agency report cards provide program ratings and analysis of performance data



Budget: \$37,748.5 **FTE:** 359

Average standard caseload per probation and parole officer

Percent of contacts made per month with high-risk offenders in the community

Vacancy rate of probation and parole officers

Percent of absconders apprehended

Program Rating

	FY22 Actual	FY23 Actual	FY24 Target	FY24 Q1	Rating
Average standard caseload per probation and parole officer	86	83	88	86	G
Percent of contacts made per month with high-risk offenders in the community	96%	97%	95%	97%	G
Vacancy rate of probation and parole officers	21%	19%	15%	18%	R
Percent of absconders apprehended	24.2%	24.9%	30%	24%	R
Program Rating	R	Y			Y

New York Division of Criminal Justice Services: Justice Lab

So much data and so many questions!



Publish timely, relevant and research-based evidence on justice programs, policies, and strategies in New York State



Provide actionable information for policymakers and practitioners



Leverage staff knowledge of agency data and data collection systems, justice policies and practices

Projects in Process

1. Examining the overlap between violent victimization and offending in the state using a linked dataset:
 - Emergency room, hospital admissions
 - Criminal history
2. Analyzing “high utilizers” in the state criminal justice system
 - Criminal history data

Contact the Justice Lab: JusticeLab@dcjs.ny.gov



2024 Legislative Summit



Aug. 5-7, 2024



Thank you for joining today!

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