



Scope Criminal Justice System

February 2022

Background

In March 2021, the Joint Legislative Oversight Committee directed our office to evaluate Idaho's criminal justice system. Study requesters identified concerns about Idaho's growing prison costs and incarceration trends. Idaho has exceeded prison capacity in recent years, forcing the Department of Correction to rely on out-of-state placements for hundreds of prisoners. Study requesters believe that now is an apt time to evaluate the effectiveness of current criminal justice approaches, assess funding levels, and identify alternative approaches.

Much work has been done in the past two decades to improve Idaho's criminal justice outcomes. The Idaho Criminal Justice Commission was established by executive order in 2005. The Commission comprises members of the community and all three branches of government. They have a strategic plan to improve criminal justice policy and reduce victimization and recidivism.

In 2013, Idaho leaders engaged with the Council of State Governments' Justice Center to implement justice reinvestment in response to high recidivism rates. In 2014, Senate Bill 1357 developed a policy framework to

strengthen supervision practices and programs;

tailor sanctions for supervision violations, provide recidivism outcome information at sentencing, structure parole to make more productive use of prison space; and

assess, track, and ensure the impact of recidivism-reduction strategies.¹

In 2020, the Idaho Behavioral Health Council was established by all three branches of government. The Council seeks to improve behavioral health care and access for all Idaho citizens and in doing so, reduce the risk of involvement with the criminal justice system.

Our office has conducted multiple criminal justice evaluations. In 2020, we released *Managing Correctional Capacity*. Our analysis found the state could realize cost savings by constructing a new prison and especially by expanding capacity for women and minimum security inmates. Although the incarcerated population decreased by about three percent between fiscal years 2020 and 2021, the need to address capacity issues remains.² The Department of Correction reported that approximately 476 inmates were still housed out of state due to lack of available beds as of the end of calendar year 2021.

Although investments have been made to improve criminal justice outcomes and reduce recidivism, more work is needed. Study requesters were specifically interested in understanding how to prevent incarceration, promote successful post-incarceration transitions, and reduce system costs — all while protecting public safety.

1. COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER, JUSTICE REINVESTMENT IN IDAHO: ANALYSES & POLICY FRAMEWORK (2014).

2. IDAHO DEPT OF CORRECTION, FY21 INCARCERATED POPULATION REPORT, 2 (2021).

Evaluation Approach

Criminal justice involves an immense, interconnected system of individuals and private and public organizations. During our scoping process, we interviewed policymakers and stakeholders to better understand their concerns and priorities. These interviews, along with the initial study request, led us to approach this evaluation in two phases: (1) promoting successful post-incarceration transitions and (2) prevention and alternatives to incarceration. We designed these phases to align with the priorities of stakeholders and to efficiently use evaluation resources.

Scope

Phase One:

Promoting successful post-incarceration transitions

The first phase of this evaluation will focus on post-incarceration transitions. Specifically, this phase will:

- Define a successful post-incarceration transition

- Describe how the Department of Correction prepares inmates for post-incarceration transitions

- Examine the role of probation and parole services and their impact on transitions

- Identify barriers to successful transitions at the system and individual levels

- Explore alternative evidence-based transition programming

**Phase #1 projected completion date:
Summer 2022**

Phase Two:

Prevention and alternative approaches to incarceration

The second phase of this evaluation will focus on evidence-based approaches that promote public safety, prevention, and alternatives to incarceration. The objectives for this phase will be defined as we work through the first phase.

**Phase #2 projected completion date:
2023 legislative session**