

## Averted Costs & Investments

### STATEMENT OF PURPOSE

#### S1357

Between 2008 and 2013, Idaho's prison population increased 10 percent and, by 2019, is projected to grow 16 percent. This bill is estimated to avert nearly all this growth. In doing so, it saves Idaho up to \$288 million and enables the state to reinvest \$33 million in probation and parole officer training, community treatment, and quality assurance measures. In addition, it is estimated to reduce recidivism 15 percent.

### Original Plan:



Avoid **\$288 million** by reducing recidivism and prison population



Reinvest **\$33 million** in treatment, supervision, and training

### Revised Plan:



Avoid **\$157 million** by reducing recidivism and prison population



Reinvest **\$33 million** in treatment, supervision, and training

### Results:



Avoid **\$10.5 million** in onetime costs during FY 2020 by reducing prison population



Reinvest **\$43.5 million** in staff, substance use disorder services, problem-solving courts, training, and mental health treatment

Projection	Projected Inmate Population (By End of FY 2019)	FY 2020 Onetime Averted Cost
IDOC Original (2014)	9,408	-
JRI Original (2014)	8,362	\$22.9 million
JRI Revised (2016)	8,724	\$14.9 million
IDOC Current (2018)	8,926	\$10.5 million

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### S1357 of 2014

- Section 1 Clarifies that general recidivism rates need to be included in PSIs.
- Section 2 Clarifies when a judge can place a defendant on probation.
- Section 3 Clarifies that SUDS level of care shall be based and prioritized by risk levels; requires DHW to pay for mental health treatment of probationers or riders.
- Section 4 Clarifies permissive nature of suspension of judgment (probation) and WHJ; clarifies that an agreement of supervision is required for probation, and specifies terms.
- Section 5 Clarifies probationers' duty to report on probationary status and court's authority to modify terms.
- Section 6 Requires IDOC to create inmate accounts and to dedicate 20% to restitution.
- Section 7 Clarifies role of the Commission of Pardons and Parole.
- Section 8 Requires IDOC and DHW to submit gap analysis each year; and requires IDOC to submit annual report regarding programming aimed at reducing recidivism.
- Section 9 Clarifies IDOC's role in supervising offenders to include program delivery; how to report violations of probation and parole; to determine level of supervision; to carry maximum caseloads; to use evidence-based practices; to provide training; and to establish response matrix.
- Section 10 Clarifies who may move for modification of terms of probation.
- Section 11 Clarifies that judges must use fixed terms of probation, but that the term can be extended at their discretion considering certain factors.
- Section 12 Clarifies that the commission must consider risk assessment when considering parole; **requires IDOC to have inmates prepared for parole by the end of their fixed term; states legislative intent that prison space should be reserved for "most violent" or "greatest risk" prisoners and that drug and property offenders should spend less time beyond fixed term; and requires IDOC to report on the percentage of those released within 150% of fixed term.**
- Section 13 Clarifies that IDOC must include a validated risk assessment in its "pertinent available information regarding prisoners."
- Section 14 Clarifies who may issue agents' warrants and how they are used and supported.
- Section 15 Clarifies that an agreement of supervision is required for parole, and specifies terms.
- Section 16 Clarifies waiver of parole violation hearings.
- Section 17 **Requires the commission to impose intermediate sanctions when the violation is not the result of [conduct that is sexual or violent] [as later amended from original version of S1357]; or formal charge of violent misdemeanor or felony.**
- Section 18 Clarifies how IDOC may request orders of final discharge from commission.
- Section 19 Numbers paragraphs.
- Section 20 Requires IDOC to report on savings realized.
- Section 21 Sets forth dates of force and effect.

### S1113 of 2017

- Section 1 Increases the size of the commission from 5 to 7 members; permits a panel of 2 to unanimously dispose of parole violations; permits a panel of 3 to unanimously grant or deny parole; and increases commissioner pay from \$200 to \$300 per day.
- Section 2 Clarifies the commission's use of executive sessions.
- Section 3 Clarifies that graduated sanction used pursuant to matrix may be made without a hearing.
- Section 4 **Changes legislative intent to reserve prison space for those who commit "most serious offenses" or who have the highest likelihood to reoffend (departs from the prior priority of prison space for the "most violent" and from the preference that drug and property offenders should spend less time beyond fixed term in prison); removes requirement for IDOC to prepare inmates for release by completion of fixed term; and relieves IDOC of the obligation to report the percentage of inmates released within 150% of fixed term.**
- Section 5 **Removes the requirement to impose intermediate sanctions for certain violations, and permits the commission to impose "any sanctions" up to and including revocations.**
- Section 6 Makes technical corrections to statutory cross-references.

# Criminal Justice Funding

Analyst: Hoskins

## Statewide

Agency**	FY 2014 Orig Approp	FY 2019 Orig Approp	% Change
Supreme Court-Court Operations (Div)	51,033,700	72,501,900	42.1%
Attorney General-State Legal Services (Prog) (23%)*	4,183,148	5,170,000	23.6%
Attorney General-ICAC (Prog)	2,014,900	1,949,500	-3.2%
IDOC (Dept)	201,538,600	272,267,800	35.1%
Commission of P&P (Div)	2,372,000	3,388,100	42.8%
Dept of Juvenile Corrections (Dept)	48,941,800	52,104,200	6.5%
Public Defense Commission (Div)	0	5,814,800	
State Appellate Public Defender (Div)	2,073,600	2,948,100	42.2%
Idaho State Police (Div)	58,838,100	75,776,000	28.8%
POST (Div)	4,982,100	4,815,000	-3.4%
<b>Subtotal</b>	<b>375,977,948</b>	<b>496,735,400</b>	<b>32.1%</b>
County PAs*	37,427,491	44,352,023	18.5%
County PDs*	25,899,824	30,691,600	18.5%
County Jails*	97,331,444	131,485,048	35.1%
<b>Subtotal</b>	<b>160,658,759</b>	<b>206,528,671</b>	<b>28.6%</b>
<b>GRAND TOTAL</b>	<b>536,636,707</b>	<b>703,264,071</b>	<b>31.1%</b>
*Estimate			
**Notable exclusions include local police and misdemeanor probation			