SPOTLIGHT: Justice in the States

SEEKING JUSTICE ON AND OFF THE BENCH

The Justice Landscape
Getting Youth Back on Track
Clearing a Path from Conviction to Employment
State Courts’ Role in American Justice
Smart Steps, On the Road to Justice Reform

“When the entire justice system works together as one—for healthy families, safe neighborhoods and less prison population—the entire community benefits.”

NANCY SAITTA
Nevada Supreme Court Justice (Retired)
2009 CSG Toll Fellow
Co-chair, CSG Interbranch Affairs Committee

PLUS: Preview the 2016 CSG National Conference
Throughout its 83-year history, CSG has been at the forefront of promoting multistate problem-solving and advocating for the role of the states in determining their respective futures.

Join CSG’s National Center for Interstate Compacts for this first-of-its-kind Summit of the States on Interstate Collaboration that will bring together state officials from all three branches—legislative, executive and judicial—to discuss how states are collaborating to solve national problems ranging from transportation to health to education.

For more information and to register, visit http://www.csg.org/NCICsummit2016/.

The NCIC Summit of the States on Interstate Collaboration will take place immediately following the conclusion of the 2016 CSG National Conference Dec. 8–11 in Colonial Williamsburg, Virginia. If you would like to attend both the 2016 CSG National Conference and the NCIC Summit of the States on Interstate Collaboration, you must register for both meetings. To register for the 2016 CSG National Conference, please visit www.csg.org/2016nationalconference. Please note that there is an additional registration fee to attend the 2016 CSG National Conference.
ON THE COVER
Former Nevada Supreme Court Justice Nancy Saitta, who retired from the state Supreme Court in August, has dedicated her career to serving as an advocate for children, youth and juvenile justice reform. She believes that when the entire justice system works together for healthy families, safe neighborhoods and a smaller prison population, communities benefit. Saitta co-chairs the CSG Interbranch Affairs Committee and is a 2009 CSG Toll Fellow.

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There is no shortage of challenges facing the nation today—building and maintaining the infrastructure needed to keep us moving forward, providing high-quality education to prepare a skilled workforce, improving public safety through a fair system of justice. These are just a few of the items that top governments’ agendas every day. But complex policy challenges need innovative leaders and creative solutions. That’s why CSG invests in state leaders, because we know that the innovation and leadership needed to solve these complex issues can only be found in the states. From the Henry Toll Fellowship program to the CSG Policy Academy series and the CSG National Conference, CSG’s agenda is full of opportunities to help state leaders tackle the big issues of today and tomorrow.

Here’s what’s happening at CSG.

1. Henry Toll Fellowship program turns 30!
   In August, 48 emerging state leaders from across the country gathered in Lexington, Kentucky, for the 30th annual CSG Henry Toll Fellowship program, one of the nation’s premier leadership development programs for state officials. Join CSG for the 2016 Toll Fellow Class graduation ceremony on Dec. 10 during the 2016 CSG National Conference in Colonial Williamsburg, Virginia.
   Applications for the 2017 Henry Toll Fellowship program will be available on Oct. 3 at www.csg.org/LeadershipCenter.

2. September Policy Academy sessions in Washington, D.C.
   CSG is pleased to host three Policy Academy sessions in Washington, D.C., Sept. 21–23. During The Future of American Electricity, Medicaid Leadership and Global Affairs policy academies, state policymakers will hear from experts, federal and state officials, and industry leaders about best practices and policy options in each area. The CSG Policy Academy series offers state officials with an opportunity to develop in-depth understanding of critical and timely policy issues facing the states. For more information, please contact Maggie Mick at mmick@csg.org.

3. 2016 CSG National Conference mobile app now available
   The 2016 CSG National Conference app provides session times, room assignments, maps and conference documents at your fingertips while keeping you informed in real time about conference events. With more than 40 different sessions on the agenda, downloading the app will ensure you don’t miss any of the important events CSG has planned. Get the app and make your plans to join us Dec. 8–11 in Colonial Williamsburg, Virginia—where America began! For more information, please visit www.csg.org/2016nationalconference.

4. CSG National Center for Interstate Compacts to host national summit
   The CSG National Center for Interstate Compacts, or NCIC, will convene the first Summit of the States on Interstate Collaboration, Dec. 12–13 in Colonial Williamsburg, Virginia. The summit will promote successful compact approaches, foster research directed at developing new interstate partnerships, and support the increased use and understanding of interstate compacts. The summit will be an opportunity for state policymakers, compact administrators and other interested parties to discuss issues of interstate policy cooperation and network on the use of interstate compacts in a range of policy areas. For more information and to register, visit http://www.csg.org/ncicsummit2016/.

5. CSG SSL Committee requests legislative submissions
   The CSG Shared State Legislation, or SSL, Committee will hold its next meeting as part of the 2016 CSG National Conference in Colonial Williamsburg, Virginia, Dec. 8–11. All CSG members are encouraged to submit legislation for the docket. To be eligible, the legislation must have been enacted in at least one state and address a current state issue of national or regional significance; provide a benefit to bill drafters; and provide clear, innovative and practical structure and approach. To submit a bill for consideration, please send the relevant information to ssl@csg.org by Sept. 23.
SUPPORTING THE VICTIMS OF CRIME IS AS ESSENTIAL TO THE PURSUIT OF JUSTICE AS MAKING ARRESTS AND PROSECUTING CASES.”

» U.S. Attorney General Loretta E. Lynch in a press release on Aug. 8, discussing the increase of federal funding to the states to expand victim services.

If I have diabetes and I eat cake, and I see my doctor and my blood sugars aren’t good, he doesn’t say ‘Well, you’re done.’”

» Pamela Sagness, director of behavioral health for the North Dakota Department of Human Services, as quoted July 26 by Prairie Public News on the need to treat drug and alcohol addiction as a chronic disease.

TECHNOLOGY IS ALLOWING US TO DO MORE WITH LESS. SO NOW YOU HAVE ROBOTIC SYSTEMS THAT ACTUALLY HANDLE THE SPECIMEN, ADD THE CHEMICAL (AND) EXTRACT THE DNA.”

» Jay Henry, director of the Utah State Crime Lab, as quoted Aug. 9 by KSL News about a new state crime lab.

It’s not that nothing changes after a mass shooting. A lot of the action on (gun control) happens across states instead of at the federal level.”


WE NEED TO CRAFT CRIMINAL JUSTICE SYSTEM BASED ON SCIENCE, NOT ON OUR GUTS.”

» Judge Dan H. Michael, Juvenile Court of Memphis and Shelby County, Tennessee, on incorporating brain science into juvenile justice reforms, as quoted on Aug. 8 by The Tennessean.

I think the future of our state is really at stake. We cannot continue to have one segment of our society that has no education, no marketable skills and therefore becomes the fodder for our prison system.”

» Georgia Gov. Nathan Deal, a former juvenile court judge, on efforts to reform the juvenile justice system and prevent kids in Georgia from entering the criminal justice system, as quoted on July 21 by WSB-TV Atlanta.
### NETFLIX TAX

Pennsylvania’s sales taxes now include a 6 percent “Netflix tax” on digital downloads and subscription services, reported The Daily Dot. Anyone who subscribes to streaming services such as Netflix and Hulu with a Pennsylvania billing address will have to pay the tax. The tax also applies to digitally downloaded music, e-books and apps. Downloads related to charitable purchases, school textbooks and newspaper subscriptions are excluded.

### WELFARE REFORM

Maine’s new welfare reform law, which took effect in July, sets penalties for people who spend cash welfare benefits on alcohol, tobacco, lottery tickets, bail, firearms, vacations, adult entertainment and tattoos, according to the Portland Press Herald. A state working group is tasked with studying how to prevent electronic benefits cards from being used to buy disqualified products and how much it will cost to integrate enforcement measures into the system. Any savings garnered from the law will be used to administer the federal Temporary Assistance for Needy Families program.

### SPORTS BETTING

A federal appeals court ruled in August that New Jersey cannot legalize sports betting, according to Reuters. The 3rd U.S. Circuit Court of Appeals in Philadelphia said the 2014 law allowing sports betting at casinos and racetracks violated the Professional and Amateur Sports Protection Act, or PASPA—a federal law that prohibits sports betting in states other than Delaware, Montana, Nevada and Oregon. One of the dissenting judges said PASPA was unconstitutional because it violates state sovereignty.

### DELAWARE DEATH PENALTY LAW RULED UNCONSTITUTIONAL

The Delaware Supreme Court ruled in August that the state’s capital punishment law is unconstitutional because it gives judges, rather than juries, the final authority on who receives a death sentence. Chief Justice Leo E. Strine Jr., who wrote the majority opinion, explained that the law as written violates the Sixth Amendment requiring a jury to unanimously and independently make factual findings before sentencing a defendant to death.

If the Delaware General Assembly changes the statute’s language, the death penalty can be re-established in the state. However, according to The News Journal, such a change to the statute might be difficult to get through the Senate, which passed a bill to abolish the death penalty in 2015, before it failed by a small margin in the House.

In the wake of the decision, Gov. Jack Markell voiced opposition to reinstating the death penalty. “I applaud the Supreme Court’s finding that the state’s death penalty law is unconstitutional,” he said in a statement. “As I have come to see after careful consideration, the use of capital punishment is an instrument of imperfect justice that doesn’t make us any safer.”

It is unclear what will happen to the 13 men currently on death row in Delaware; the court did not say whether the ruling should be applied retroactively. No pending cases will be charged as capital cases.
Virginia’s Commonwealth Transportation Board, or CTB, recently voted to fully fund the first round of transportation projects that were selected with the state’s new data-driven system. In 2014, Virginia became the first state to pass legislation creating a scored ranking system to evaluate transportation projects based on project outcomes with their Smart Scale program legislation.

The Smart Scale legislation addressed concerns that the selection of transportation projects was based on politics, not objective data, according to a June column by Secretary of Transportation Aubrey Layne Jr. in the Richmond Times-Dispatch. Dozens of meetings were held across the state to determine which criteria were most important to Virginia residents. The Smart Scale program now uses evaluation measures that quantify the benefits of each project using six criteria: safety, congestion mitigation, accessibility, environmental quality, economic development and land use. Once projects are scored, CTB members have the information they need to make the most informed decisions possible regarding transportation projects.

“This common sense, pragmatic approach to funding projects is just one example of how Gov. Terry McAuliffe is putting good governance ahead of politics on issues ranging from transportation to research and development to workforce training, and it’s an approach that has won bipartisan support from the General Assembly,” Layne said.

Using the Smart Scale system, the CTB approved $1.7 billion in funding to build 163 transportation projects, including roads, bridges and public transportation that will benefit every region in the state. All projects are fully funded through all phases of development and construction.

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STATE-FUNDED PRESCHOOL
More than 3,300 4-year-olds will attend preschool this school year under Minnesota’s new state-funded program, which financed preschool programs at 74 school districts and charter schools, reported the StarTribune. The initiative focuses on underprivileged school districts that do not currently offer early education options. The program follows a statewide kindergarten program that was passed by lawmakers in 2013.

MENINGITIS VACCINE
Beginning this school year, Ohio requires students entering seventh through 12th grades to be vaccinated against certain forms of meningococcal disease, a bacterial form of meningitis. The disease can infect the lining of the brain, spinal cord and bloodstream, and the symptoms include persistent headache, fever and neck stiffness. The law prohibits students from remaining in school more than 14 days without providing proof that they have had at least the first of the vaccine’s two shots, reported The Blade.

VOTER ID LAW
A federal judge ruled recent changes to North Dakota’s voter identification laws placed an undue burden on Native Americans and other voters and ordered the state to revert to its 2012 voter ID laws, according to Infrom. The ruling prevents the state from requiring a qualifying ID to vote without some “fail-safe” provisions eliminated by lawmakers in 2013, such as allowing the voter to sign an affidavit swearing their eligibility.

WATER CRISIS
The state of Michigan has vowed to step in to provide supplies for clean water in Flint when the city’s federal emergency designation ended in August, according to the Detroit Free Press. The state also will man eight community stations in Flint that distribute filters and bottled water. Officials said they are reviewing the latest data to determine whether efforts to clean up the system are making the drinking water supply safer after the city’s lead contamination crisis.

GAMBLING PETITION
A proposal to allow casino gambling in Nebraska did not qualify for the November general election ballot because petition organizers did not submit enough verified signatures to include the issue, according to The Des Moines Register. More than 24,000 signatures on the petition were rejected because signers weren’t registered in the county indicated on the petition.

ILLINOIS DECRIMINALIZES MINOR MARIJUANA POSSESSION
Illinois has made marijuana possession in small amounts punishable by fines rather than jail time, reported the Associated Press. The new law, which went into effect immediately upon receiving Gov. Bruce Rauner’s signature in July, makes possessing 10 grams or less of marijuana a civil offense, punishable by a fine of up to $200. Rauner had previously told lawmakers that “criminal prosecution of cannabis possession is also a drain on public resources.”

The new law sets a driving limit at 5 nanograms of THC in a driver’s blood within two hours of consumption. THC is the active, high-producing ingredient in marijuana. Rauner worked with law enforcement, who expressed concern about the law, to prepare for when it went into effect. “You’re giving individuals more opportunities for drug usage,” said Laimutis Nargelenas, the Springfield Park District police chief.

The bill’s sponsors said the state should focus on controlling more serious drugs. “Fundamentally, this is about how we utilize our limited law enforcement resources,” said Illinois state Rep. Kelly Cassidy.

The new law also requires municipalities to clear citation records for possession every six months, unless local governments decide against it. Supporters said people who commit minor offenses shouldn’t suffer the life-long consequences associated with a criminal record, such as difficulty finding a job or housing.
PRISON HIV POLICY
Nevada’s Department of Corrections is changing its policies and practices surrounding treatment of HIV-positive inmates, which included segregating them from the general prison population and restricting work opportunities where they could more quickly earn credits toward early release, reported the Associated Press. The U.S. Justice Department said Nevada was violating the inmates’ civil rights and that the policies were based on outdated information about how HIV is transmitted.

BOTTLE DEPOSIT
Oregon’s bottle deposit will go up to 10 cents in April 2017, the first increase since Oregon became the first state to enact a bottle deposit in 1971, according to The Oregonian. Oregon residents can return canned and bottled beer, malt beverages, soft drinks and water to redemption centers as well as large retailers and convenience stores. In January 2018, accepted bottles will be expanded to include all beverage containers except distilled liquor, wine, dairy or plant-based milk, and infant formula.

PARENT-NOTIFICATION LAW
The Alaska Supreme Court struck down a law requiring doctors to give a two-day notice to parents before performing abortions on girls under 18 years of age, according to the Alaska Dispatch News. The law was passed after a compromise with opponents that legally acknowledges downstream users’ water rights and gives the state authority to intervene if household rain barrels drain off supplies needed in streams or rivers.

GRANNY FLATS
California lawmakers are looking to help solve the state’s housing crisis by making it easier for homeowners to build small additional housing on their properties, known as “secondary units” or “granny flats,” according to the Los Angeles Times. Multiple bills, supported by Gov. Jerry Brown, are in motion in the Legislature that would allow homeowners to build housing units in their backyards and garages, as well as additions to their homes.

RAIN BARREL LAW
A law legalizing household rain barrels took effect in Colorado in August. Coloradans can now store up to 110 gallons of rainwater in one or two barrels to use on their lawns and gardens, according to The Denver Post. The law was passed after a compromise with opponents that legally acknowledges downstream users’ water rights and gives the state authority to intervene if household rain barrels drain off supplies needed in streams or rivers.

SOME ARIZONA POLL WORKERS WON’T ENFORCE BALLOT-HARVESTING LAW
Poll workers in Maricopa County, Arizona, will not enforce a new election law that prohibits Arizonans—except family members, household members and caregivers—from delivering another person’s ballot to a polling place, according to The Arizona Republic.

In the past, community groups picked up ballots from voters who couldn’t travel to the election site and delivered them in bulk to the polling place, a system that opponents say has the potential for voter fraud. The law signed by Gov. Doug Ducey in March does not include enforcement instructions, and county elections officials haven’t received formal guidance on their role in enforcing the law.

Maricopa County Recorder Helen Purcell said Maricopa County election workers will accept all ballots delivered to polling places and early-voting sites.

“If somebody brings in ballots, there’s a box there for them to put the ballots in. We’re going to process that ballot just like we do anything else,” Purcell told The Arizona Republic. “We are not the police.”

Hunter Overstreet, a spokesman for Arizona Secretary of State Michele Reagan, said the law is largely meant as a deterrent, but poll workers could make reports to police and county attorneys if they suspect wrongdoing.

“We generally agree with Ms. Purcell’s statement,” he said in an email to The Arizona Republic. “It is up to the police and county attorney to enforce criminal statutes not election officials.... State law allows political parties to have observers monitor the conduct of the election. While these observers cannot use their cell cameras inside a polling place their presence is another deterrent to someone turning in a shopping cart full of ballots.”

For more on CSG West, visit: capitolideas.csg.org and www.csgwest.org.
Michael Thompson is the director of The Council of State Governments’ Justice Center. He has worked on criminal justice policy issues for nearly 20 years, beginning as a policy analyst for the criminal justice program at CSG’s Eastern Regional Conference in 1997. Under his leadership, that program launched major projects in the areas of victims’ rights, criminal justice and mental health collaboration, and prisoner re-entry, and transformed the regional criminal justice program into the national CSG Justice Center.

The CSG Justice Center:
Committed to Data-Driven, Consensus-Based Strategies to Increase Public Safety and Strengthen Communities

Criminal justice policy is one of the rare subjects on which Republicans and Democrats currently share considerable common ground. Of course, it wasn’t always this way. In the 1990s, when it came to crime elected officials in both parties typically wanted to prove who was tougher than the other. The Council of State Governments’ Eastern Regional Conference created a criminal justice program in 1995 to provide a venue where policymakers across the political spectrum, at every level of government, and among people working in every aspect of the criminal justice, health and human services, and education systems, as well as the employment and housing fields, could talk off of the campaign trail and outside the glare of the media about what actually works to make communities safer, healthier and stronger.

It was from this regional program that the national CSG Justice Center was born. Our groundbreaking report on re-entry, released in 2003, provided a foundation for the landmark Second Chance Act, which President George W. Bush signed into law in 2008. The pioneering work in Connecticut, Kansas and Texas drew national attention to justice reinvestment, an approach that more than 30 states have employed to slow spending on corrections and to reinvest in the community-based strategies that are most likely to reduce recidivism and increase public safety.

The CSG Justice Center’s 2011 “Breaking Schools’ Rules” report documented how common it has become for students—especially young people of color—to be suspended or expelled from school, along with the relationship between this trend, high school drop-out rates and youth involvement with the juvenile justice system. This report made headlines across the country and prompted the U.S. attorney general and the U.S. secretary of education to announce a national initiative focused on keeping kids in school and out of the justice system.

In 2015, the CSG Justice Center partnered with the National Association of Counties and the American Psychiatric Foundation to launch Stepping Up, a national call to action for counties to reduce the number of people with mental illnesses in local jails. Nearly 300 counties have joined the initiative to date, and states such as California, Ohio and Pennsylvania are launching state-based initiatives to support counties in these efforts.

The hallmark of our work has been to base criminal justice policy discussions in data and to engage stakeholders from across the political spectrum to find common ground and translate this consensus into actionable change in the 50 states and more than 3,500 counties that make and carry out criminal justice in this country.

But despite all the rhetoric nationally about the bipartisan momentum for criminal justice reform, today’s political climate makes for a difficult environment to design and implement thoughtful criminal justice policy. Data often is cited conveniently to support an already entrenched position rather than to prompt an honest, constructive dialogue. And when tensions are running high in communities across America, many people aren’t even interested in talking about data. They want assurance that their communities will be safe and that they will be treated fairly and respectfully by the police and other entities of the criminal justice system.

Particularly in these times, the bipartisan CSG Justice Center Board of Directors believes that elected officials must insist on truly independent quantitative analyses of data drawn from their cities, counties and states. Similarly, elected officials should be careful not to surround themselves with a chorus of harmonized voices sharing a common assessment of what’s right or wrong with the justice system, but instead draw on a cacophony of perspectives more likely to reflect the complicated relationships among communities and the various agencies that make up the justice system.

For these reasons, the CSG Justice Center’s commitment to data-driven, consensus-based policymaking is more important than ever.
Safe communities. It’s what every citizen wants and what every elected official hopes to deliver. But like most policy issues, understanding how to achieve safer communities—and how to structure the justice systems to provide public safety—is not always clear. But with the help of The Council of State Governments’ Justice Center, states across the country are making significant improvements to their justice systems, using data to guide juvenile justice and corrections reforms to policy and practice. We are proud of the important efforts of the CSG Justice Center in areas such as mental illness in America’s jails, juvenile justice reform, prisoner re-entry and justice reinvestment, and we are pleased to present this special issue of Capitol Ideas magazine, guest edited by the CSG Justice Center, to explore the ways states are working to increase public safety and strengthen communities.
It may appear that efforts to adopt an evidence-based approach using data to improve the effectiveness, efficiency and fairness of law enforcement had its genesis back in 1995, when New York City kicked off work on its so-called CompStat system. In that very successful effort, geographic information systems, or GIS, were used to identify the places in the city where officers could be deployed to their best use.

It worked so well that New York’s crime rates plummeted and a number of other places tried to emulate the work. But while CompStat may have been at the forefront of using technology in this way, “the history of quantitative crime analysis spans decades,” wrote Jennifer Bachner, a director in the Johns Hopkins University Center for Advanced Governmental Studies.

As Bachner pointed out, in 1829 “an Italian geographer and French statistician designed the first maps that visualized crime data,” including three years of property crime rates as well as education information garnered from France’s census. The maps showed a correlation between the two—more education tended to equate to less crime.

Jump forward about 190 years and you’ll find that a number of states, counties and cities have been using the seemingly magical capacity of computers to advance this work dramatically. Gathering data to deal with law enforcement is becoming increasingly ubiquitous, and it goes far beyond the traditional crime rates that have been collected by the FBI for years.

Many states and localities have now started to gather and analyze all kinds of interactions between the police and the citizenry above and beyond simple arrest rates. Beginning next year, for example, California will legally require every law enforcement agency in the state to report all instances when a shooting takes place between an officer and an individual.

North Carolina is one of a number of states that has mandated reporting on “traffic stops that might reveal patterns of bias,” said Denice Ross, senior adviser to the Police Data Initiative, a community of practice for more than 60 law enforcement agencies around the country, which was established by the President’s Task Force on 21st Century Policing.

Alabama has mandated that all police departments in the state gather data about traffic stops of minorities. But it doesn’t end there. That information is reported every month to the attorney general and the Alabama Department of Public Safety, which can be on the lookout for trends that indicate there may be biases against minority groups in certain parts of the state.

One huge advantage of this kind of data gathering is the capacity of states and cities to disseminate information on a timely basis. “The FBI takes roughly nine months to publish the annual nationwide crime data,” said Ross. But she points to states like New Jersey, which electronically publishes its law enforcement data monthly, in order to make public the crime trends for citizens and policymakers.
Some of the challenges that must be conquered in order to make the best use of data in law enforcement were enunciated in Bachner’s paper for the IBM Center for the Business of Government, Predictive Policing: Preventing Crime with Data and Analytics. A handful include:

- Collecting and managing large volumes of accurate data;
- Maintaining adequate analytical resources;
- Ensuring analysts possess domain knowledge;
- Fostering productive communication between analysts and officers; and
- Ensuring office follow-up on recommendations.

Of course, just gathering more and more information about crime is hardly a panacea. Ross said, for example, that New Jersey’s monthly reports are sent out in PDF form, which means that the data in them cannot be easily manipulated and analyzed. “The timeliness is a great step forward,” she said. “But it would be great if they put it out in some other way than as a PDF.”

What’s more, though technology can be extremely useful, it’s not the be-all, end-all. For one thing, it cannot replace other important elements of policing such as some of the basic notions of community policing like “nourishing neighborhood partnerships,” or “fostering a reputation characterized by legitimacy and fairness,” wrote former Berkeley Law Professor David Sklansky.

Then there’s the simple fact that no computer ever made a drug bust all by itself. Sufficient manpower is still critical. In the Albuquerque, New Mexico, area, for example, there’s such a shortage of police officers that even data power isn’t enough to make up for workforce shortages.

“In Albuquerque our police departments are at half force. And they’ve been trying to Band-Aid the problem with technology for a long time,” said New Mexico State Auditor Tim Keller, a 2014 CSG Toll Fellow. “But response times are up to 90 minutes now. If there’s a burglary, a cop may not show up until the next day.”

About Barrett and Greene

CSG Senior Fellows Katherine Barrett and Richard Greene are experts on state government who work with Governing magazine, the Pew Charitable Trusts, the Volcker Alliance, the National Academy of Public Administration and others. As CSG senior fellows, Barrett and Greene serve as advisers on state government policy and programming and assist in identifying emerging trends affecting states.
Enforcing the law, safeguarding public safety, preventing crime, ensuring accountability for people who break the law, and administering all of the processes associated with this work fairly—together these efforts are known broadly as criminal justice. The data commonly used to describe the outcomes related to these efforts tell a complicated story. Take statistics on crime, for example. Do falling crime rates indicate that law enforcement agencies are doing an exceptional job at preventing crime? Or is it that crime is on the decline as a result of more people being locked up in prisons and jails in most states? And what’s happening in the few states where crime and prison populations are declining?

These are great questions for which there are no definitive answers. It’s nearly impossible to demonstrate causality between criminal justice policy and practice and the outcomes reflected in criminal justice data—in part because there is no national criminal justice policy in the U.S., but rather one federal policy, 50 distinct state policies and more than 3,500 counties that administer criminal justice in their own ways at the local level. Add to that the multitudinous federal and state court systems and more than 19,000 independent law enforcement agencies in the country, and one can begin to appreciate the complexity inherent to any discussion of criminal justice.

There are some numbers that clearly illustrate the primary challenges for people working in this field: Each year, more than 600,000 people are released from state and federal prisons and 11.4 million cycle through local jails, a significant number of whom suffer from mental illnesses and co-occurring substance use disorders. Few jurisdictions have the resources necessary to provide the supervision, treatment, and other interventions and services that can contribute to a person’s success when returning to the community after incarceration; more than 40 percent of people will reoffend within three years of release. In order to see what’s going wrong or right in our criminal justice system, we strive to understand what happens to people at the various stages of their criminal justice experience, from their initial contact with law enforcement to the period of time awaiting trial, from sentencing to incarceration or supervision, and finally during the critical re-entry phase.

This issue of Capitol Ideas, guest edited by The Council of State Governments’ Justice Center, takes a look at some aspects of the justice process, with a focus on how states, through the effective use of data and policy innovations, can improve public safety outcomes while remaining fiscally responsible stewards of scarce government funds. This mission has become an integral part of the CSG Justice Center’s collaborative work with state and local leaders from across the country in recent years and it is one that we look forward to continuing in the future.

The following data snapshots and examples provide a look at recent trends across key stages of the justice process and set the stage for subsequent policy discussions in this issue of Capitol Ideas magazine, as well as in statehouses across the country.

Crime

After several decades of climbing crime rates in the U.S.—primarily between 1960 and 1980—crime peaked in 1991, then began a steep decline. Property crime peaked in 1980 and violent crime in 1991. The decline in crime rates since 1991 has been steady, without any significant spikes or dips since then.
According to a 2012 study conducted by The Pew Charitable Trusts, people released from prison in 2009 served 36 percent more time than those released in 1990.

Incarceration
In 2013, the U.S. had the highest incarceration rate in the world, at 716 per 100,000 residents of the total population. A 2014 report from the National Research Council found that since 1990, longer prison sentences have been the main driver of increasing incarceration rates.

Prison Population
An increase or reduction in the number of people in prison results from a change in one of two factors: how many people are admitted to prison and how long people stay in prison following their admission. Over the past several years, the average length of stay for people incarcerated in prison has increased considerably; according to a 2012 study conducted by The Pew Charitable Trusts, people released from prison in 2009 served 36 percent more time than those released in 1990.

Such an increase in prison stays relates to a combination of factors, including sentencing laws that allow or require longer prison terms for certain types of offenses, longer percentages of sentences that must be served behind bars, prosecutorial and judicial discretion related to how defendants are charged and how their sentences are disposed, and a decline in the rate that parole is granted by many state parole boards. As sentence lengths have increased and release rates have decreased, even a significant decline in prison admissions due to lower crime rates is unlikely to result in a decline in a state’s prison population as the state might expect.
Jail Population
Jail populations are made up of two distinct groups—people who are held during the pretrial period—either for a short time after being booked into jail or for a longer period while awaiting trial—and people who have been sentenced to jail. Jail populations tend to be more volatile than prison populations because a large number of people move through the system relatively quickly, so the population can spike and dip frequently.

Overall, however, nearly half of all states experienced an increase in their jail population between 2006 and 2013. Federal justice data indicates that the population of unconvicted individuals in jails either at booking or while awaiting trial or plea negotiation accounted for the vast majority—95 percent—of the jail population increase since 2000. According to the U.S. Bureau of Justice Statistics, 6 in 10 people in jails at midyear 2014 were not convicted.

Supervised Population
Probation populations are impacted by both the number of people who are placed on probation and the length of time people serve on probation. States use probation differently, as a sentence that is an alternative to incarceration or as a sentence to a period of supervision that follows incarceration.

Parole, on the other hand, typically involves the conditional release of an individual following incarceration in prison, either through the discretion of a parole board or as authorized through statute that enables the individual to serve the remainder of his or her sentence in the community while fulfilling certain conditions of release. Failure to comply with the rules and conditions of parole may result in a return to incarceration for a parolee.

According to the U.S. Bureau of Justice Statistics, an estimated 4.7 million adults were under probation or parole supervision—either at the state or federal level—at the end of 2014, representing a decline of 45,000 individuals from 2013. Nearly 1 in every 52 adults in the United States was under community supervision through probation or parole in 2014.

Recidivism
One of the greatest challenges in analyzing criminal justice policy across the states is the variations in the structure of state criminal justice programs, laws and definitions. Among the greatest of these variations is the way in which states define and measure recidivism, or the relapse into criminal behavior by an individual who has experienced some form of justice system intervention.

Because of this, comparing states’ recidivism rates is impractical, as each state defines and calculates its own recidivism rate, which also makes calculating a national average recidivism rate impossible. According to The Pew Charitable Trusts’ 2011 State of Recidivism report, more than 4 in 10 people return to state prison within

America is a nation of second chances. ... 
Providing incarcerated individuals with job and life skills, education programming, and mental health and addiction treatment increases the likelihood that such individuals will be successful when released. And removing barriers to successful reentry helps formerly incarcerated individuals compete for jobs, attain stable housing, and support their families. All of these are critical to reducing recidivism and strengthening communities.”

» President Barack Obama, Presidential Memorandum on Promoting Rehabilitation and Reintegration of Formerly Incarcerated Individuals, April 29, 2016

In 2014, Alabama had the most crowded prison system in the nation, operating at 195 percent of capacity. Two-thirds of the nearly 80,000 people convicted of felonies and under correctional control in Alabama were supervised in the state’s overwhelmed probation and parole systems, where caseloads average close to 200 cases per officer. From 2014 to 2015, the CSG Justice Center worked with policymakers to develop data-driven policy options designed to reduce prison overcrowding and increase public safety.

In May 2015, Alabama Gov. Robert Bentley signed into law the resulting justice reinvestment legislation as a first step toward improving their justice system. Among other things, the law:
- Strengthens community-based supervision and treatment;
- Prioritizes prison space for violent and dangerous offenders; and
- Provides supervision to every person released from prison and improves notification to victims regarding releases from prison.

In March 2016, the Alabama Legislature passed a general fund budget for the 2017 fiscal year that includes $26.6 million for justice reinvestment implementation to improve and expand probation and parole, behavioral health treatment, diversionary programs and victim notification.

“This is the biggest challenge our state has ever faced,” said Alabama state Sen. Cam Ward, who sponsored the legislation. “The justice reinvestment effort represents a unified effort by all three branches of government to accomplish this goal.”

State Snapshot

- Provides supervision to every person
- Prioritizes prison space for violent and dangerous offenders;
- Strengthens community-based supervision and treatment;
- Increases the length of time people serve on probation.
- Strengthens community-based supervision and treatment;
three years of release. A 2014 report by the U.S. Bureau of Justice Statistics showed that among state prisoners released in 30 states in 2005, three-quarters—76.6 percent—were arrested for a new crime within five years, more than one-third of whom were arrested within the first six months of release, and more than one-half of whom—56.7 percent—were arrested by the end of the first year.

Re-entry

Research has shown that reducing recidivism and improving other long-term outcomes for people returning to the community after incarceration calls for focusing community-based correctional supervision, behavioral health treatment and other critical resources on people who are most likely to reoffend—those who exhibit the key static (age, sex, criminal history) and dynamic factors (attitude, substance use, unemployment) that indicate a higher likelihood of recidivism. The extent to which employment, housing, education, and other deficiencies are barriers for the re-entering population can impact their ability to succeed. The Federal Interagency Reentry Council and the National Reentry Resource Center promote policies and develop resources to help make communities safer by reducing recidivism and victimization, to help those who return from prison and jail to become productive citizens, and to save taxpayer dollars by lowering the direct and collateral costs of incarceration.

Nebraska

Nebraska’s prisons were at 159 percent of capacity at the close of 2014, and were expected to reach 170 percent of capacity by 2020. Although reported crime and arrests declined from 2004 and 2013, prison admissions increased during the same period and continue to outpace releases. Many people leave prison without supervision, and those who do receive supervision after prison are overseen by a system that struggles to monitor its parole population effectively.

The CSG Justice Center worked with state leaders from 2014 to 2015 develop appropriate data-driven policy options to address these challenges, and the state passed justice reinvestment legislation in May 2015 that had a particular focus on supervision practices. Intended ultimately to help the state avoid up to $302 million in facility construction and operations costs that would have been needed to accommodate the forecasted prison population growth, the law:

• Requires the use of probation rather than incarceration for most people convicted of nonviolent, low-level offenses;
• Ensures post-release supervision for most people leaving prison and supports victims through improved restitution collection; and
• Strengthens parole supervision.

The state allocated $3.2 million for fiscal year 2016 and $12.1 million for fiscal year 2017 for additional probation officers, community-based programs and treatment, improvements to parole supervision, quality assurance measures, and financial assistance to county jails.

“Our mission can be described in three words: Keep People Safe,” said Scott Frakes, director of the Nebraska Department of Correctional Services. “(Recidivism-reduction) programming is how we transform lives and keep our prisons and communities safe.”
VIOLENT CRIME TRENDS

Over the past 10 years, violent crime has decreased considerably—down 6.9 percent from 2010 and down 16.2 percent since 2005.

VIOLENT CRIMES //
include four offenses: murder and non-negligent manslaughter; rape; robbery; and aggravated assault.

IN 2014, THERE WERE AN ESTIMATED
1,165,383
VIOLENT CRIMES NATIONWIDE

OR 365.5
VIOLENT CRIMES PER
100,000
INHABITANTS

STATES WITH LOWEST VIOLENT CRIME RATES, 2014 //
Violent crime rates vary across states, from a low of 99 crimes per 100,000 inhabitants in Vermont and 127.8 per 100,000 in Maine to a high 1,244 crimes per 100,000 in the District of Columbia.

VERMONT // 99.3 PER 100,000
MAINE // 127.8 PER 100,000
WYOMING // 195.5 PER 100,000
NEW HAMPSHIRE // 196.1 PER 100,000
VIRGINIA // 196.2 PER 100,000

INCARCERATION TRENDS

CORRECTIONAL SUPERVISION //
On probation or parole (called community supervision) or currently incarcerated (prison or jail)

IN 2014 AN ESTIMATED
6,851,000 PEOPLE
IN THE U.S. WERE UNDER SOME FORM OF CORRECTIONAL SUPERVISION

Which is about 1 in 36 adults in the U.S.

Of those under correctional supervision
69% Probation or Parole
31% Incarcerated

STATE CORRECTIONS SPENDING TRENDS

STATES’ CORRECTIONS SPENDING INCREASED NEARLY 30 PERCENT IN LESS THAN A DECADE, RISING FROM $43 BILLION IN 2005 TO $55 BILLION IN 2014

AS OF 2014, 1 IN 14 STATE GENERAL FUND DOLLARS WAS SPENT ON CORRECTIONS

2007 VS 2014

Number of people supervised by U.S. adult correctional systems, by correctional status. Counts are rounded to the nearest hundred. Percentages may not sum to 100 due to rounding and due to individuals with multiple correctional statuses.

TOTAL CORRECTIONAL POPULATION

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7,339,600</td>
<td>6,851,000</td>
</tr>
<tr>
<td>Probation</td>
<td>4,293,000</td>
<td>3,864,100</td>
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<tr>
<td>Prison</td>
<td>1,596,800</td>
<td>1,561,500</td>
</tr>
<tr>
<td>Parole</td>
<td>826,100</td>
<td>856,900</td>
</tr>
<tr>
<td>Local Jail</td>
<td>780,200</td>
<td>744,600</td>
</tr>
<tr>
<td>Multiple</td>
<td>156,400</td>
<td>176,100</td>
</tr>
</tbody>
</table>

11.4 MILLION PEOPLE WERE ADMITTED TO JAIL IN 2014

U.S. Bureau of Justice Statistics, “Prisoners in 2010” and “Prisoners in 2014.”

6 IN 10 PEOPLE // in jail were not convicted at midyear 2014, awaiting trial or resolution of a plea negotiation.

21 STATES // saw an increase in their prison population between 2010 and 2014. The Pew Charitable Trusts estimates that state prison populations will RISE BY 3 PERCENT BY 2018.

TOP 5 STATES IN PROBATION AND PAROLE POPULATION GROWTH, 2005–2014 // States have also seen growth in the number of individuals under correctional supervision in the community—sentenced to probation, parole or other community-based correctional supervision.

MISSISSIPPI // 71%  ALASKA // 40%
KENTUCKY // 58%  COLORADO // 37%
NORTH DAKOTA // 45%


As of 2014, State General Fund Dollars Was Spent on Corrections

SEPT/OCT 2016 | CAPITOL IDEAS
Getting Young Adults Back on Track

Tailoring Justice System Approaches to a Population at a Crossroads

by Emily Morgan, and Katy Albis

People between the ages of 18 and 24—often referred to as young adults—are generally considered to be undergoing a period of transition. According to a 2015 CSG Justice Center brief, *Reducing Recidivism and Improving Other Outcomes for Young Adults in the Juvenile and Adult Criminal Justice Systems*, research shows that young adults have tendencies that are distinct from those of both youth and older adults: Although young adults are more cognitively developed than youth, compared to older adults, they are more impulsive, less emotionally mature and less cognizant of the consequences of their actions. Many young adults also lack engagement in school and work, face mental health and substance use issues, are disconnected from family and other caring adults, and experience homelessness—all factors that put them at risk of justice system involvement.

In 2012, young adults accounted for 10 percent of the U.S. population but nearly 30 percent of people arrested and 21 percent of all admissions to adult state and federal prisons. In that same year, 18- to 20-year-olds accounted for approximately 20 percent of people incarcerated in the juvenile justice system; of those, 40 percent were black. Data also show that young adults have higher recidivism rates than other age groups. In response, states are exploring various policy and practice approaches to address the distinct needs of young adults.

**Raising the Age**

Adjudication within the juvenile justice system leaves young adults with a juvenile record—which does pose challenges for youth but is often confidential, and typically can be sealed or expunged, depending on the state—rather than a criminal record, which comes with related consequences including barriers to employment and housing. Advocates and policymakers in many states are working to keep more young adults in the juvenile justice system by “raising the age”—setting a higher maximum age for juvenile court jurisdiction. As of 2015, the upper age of juvenile court jurisdiction was 18 in 41 states, but that number continues to grow. In 2016, Louisiana and South Carolina passed

![Photo by Carolyn Cole / Los Angeles Times via Getty Images](image)
legislation to raise the age from 17 to 18, and Michigan and New York are considering similar legislation this year.

During the 2016 legislative session, lawmakers in Connecticut, Illinois and Vermont proposed legislation to raise the age for juvenile court jurisdiction even further to age 21. Although these bills ultimately did not pass, they signal momentum for identifying ways to deal with young adults more effectively.

Other lawmakers have expressed concerns that raising the age beyond 18 would strain juvenile justice systems in cost and capacity, beyond a general sentiment that 18- to 21-year-olds are legally adults who should know right from wrong and be held accountable for their behavior.

Youthful Offender Status

Rather than raising the age of jurisdiction to treat all young adults as juveniles, some states have passed laws that recognize 18- to 21-year-olds as a special category of “youthful offenders.” These laws allow young adult cases to be considered in juvenile or family court instead of adult criminal court, typically by recommendation of the court or prosecutor, depending on the state. Several states—including Colorado, Florida, Michigan and Vermont—have such laws.

Some lawmakers argue that placing individuals in juvenile facilities instead of adult prisons when they are young may help keep them out of prison throughout their lives. “Extending the age of eligibility for youthful offender status to 21 will improve young people’s chances for success later in life by keeping them in the juvenile justice system, with the exception of those who commit the most serious offenses,” said Vermont state Sen. Richard Sears.

Separate Facilities and Caseloads

Some jurisdictions also have established specialized facilities, courts and probation caseloads for this population. Maine and Pennsylvania, for example, have separate young adult correctional facilities that focus on rehabilitation and vocational and job training. San Francisco has specialized courts and probation caseloads for young adults, and a new law in Vermont stipulates that incarcerated people under 25 are to be held separately from the older adult prison population.

Targeted Programming

While few interventions have been proven to reduce recidivism and improve other outcomes for young adults, some service providers are testing targeted services to meet the needs of this group. A program in Connecticut uses a version of Multisystemic Therapy for Emerging Adults, or MST-EA, which is designed to address the most prevalent causes of offending in 17- to 21-year-olds who have a serious mental health condition, or SMHC. One pre- and post-intervention analysis of MST-EA participants revealed significant reductions in participants’ mental health symptoms, justice system involvement and associations with antisocial peers.

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“Extending the age of eligibility for youthful offender status to 21 will improve young people’s chances for success later in life by keeping them in the juvenile justice system, with the exception of those who commit the most serious offenses.”

–Vermont state Sen. Richard Sears, CSG Justice Center Board Member
It is impossible to talk about the justice system without talking about race. In fact, with several high-profile incidents involving violent contact between law enforcement officers and minority residents, so much of today’s conversation about justice policy and practice seems to focus specifically on race. But talking about race and justice in a comprehensive, solution-oriented way requires looking closely at very specific components of the system to determine how racial disparity manifests.

One such component is risk and needs assessment. Risk and needs assessment uses an actuarial evaluation to guide decision-making at various points across the criminal justice continuum by approximating a person’s likelihood of reoffending and determining what individual needs must be met in order to reduce that likelihood.
The use of risk and needs assessment is widespread throughout many jurisdictions in the U.S., but this year has seen multiple challenges to its use, including a May article by ProPublica that argued that one specific risk and needs assessment tool used in Broward County, Florida, is racially biased and leads to disparate outcomes for black defendants.

A Wisconsin Supreme Court case that drew further national attention to risk and needs assessment questioned the constitutionality of using risk and needs assessment in sentencing decisions. The appellant argued that his risk score unfairly took his gender into account and led to a sentence that was not individualized. Unanimously upholding the decisions of Wisconsin’s lower courts, the seven justices agreed that the risk and needs assessment tool was used properly in the appellant’s sentencing and that judges may continue to use it to inform sentencing.

The use of risk scores in sentencing remains controversial, however, especially in light of remarks made in 2014 by former U.S. Attorney General Eric Holder. At the National Association of Criminal Defense Lawyers 57th Annual Meeting and 13th State Criminal Justice Network Conference, Holder expressed concerns that these assessments “may inadvertently undermine our efforts to ensure individualized and equal justice.”

At the same time, some say that risk and needs assessment can actually combat bias in the criminal justice system when it is used appropriately. As the use of risk and needs assessment continues to grow, it is important for jurisdictions to have checks in place to ensure proper implementation.

“These (assessments) were designed to keep bias out, but without good adherence and fidelity to the model, we’re still going to have some room for bias to creep into the assessment process,” said Dr. Sarah Desmarais, a North Carolina State University psychology professor whose research focuses on risk assessment, at the 2015 Second Chance Act national conference in Washington, D.C.

Regular validation—a study that evaluates a risk and needs assessment tool’s accuracy—however, is necessary to ensure that the assessment is equally accurate across all racial groups. The validation study should be conducted by an independent party and should examine each item on the tool by race to isolate any items that may be contributing to bias, according to experts.

Beyond the validation study, consistent training and retraining of staff who administer the tool can prevent bias from entering the risk and needs assessment process. The state of Hawaii, for example, uses risk and needs assessment for case planning and supervision, and recently held statewide retraining and recertification for assessors after learning that its risk scoring procedures were outdated and inconsistent.

But even when a risk and needs assessment tool is validated and administered properly, its benefits can be limited unless the results are used to refer people to the correct programming and treatment to meet the individualized needs identified by the assessment. And while risk and needs assessment has consistently been shown to be more accurate than predictions of risk made without it, it should not be the only piece of information used to inform decisions through the criminal justice process.

Notably, risk and needs assessment does not mitigate high arrest rates for blacks, Hispanics and Latinos; high rates of police use of force against blacks; and other systemic issues that continue to pervade the national conversation about racial disparity in the criminal justice system.

The Council of State Governments’ Justice Center developed a multi-point inspection protocol for assessing and improving the quality of risk and needs assessment implementation, called the Risk Assessment Quality Improvement checklist. To learn more about this tool, contact Bree Derrick at bderrick@csg.org.

### 3 THINGS YOU CAN DO TO PREVENT BIAS IN RISK ASSESSMENT

If agencies in your state are using a risk and needs assessment tool, you should know how the tool is performing and develop a plan to remediate any issues (e.g., scoring inconsistencies or low predictive accuracy) you may discover.

1. **Validate your assessment tool.**
   - Do a validation study that is conducted by an independent party.
   - Determine the tool’s predictive accuracy by race and gender, as well as for your overall population.

2. **Assess quality of implementation of the risk and needs assessment tool.**
   - Pinpoint the cause of any racial or gender bias that the validation study identified.
   - Conduct inter-rater reliability activities and focus groups to review how scoring protocols are being used in practice.

3. **Develop a plan to address any bias with the risk and needs assessment tool itself (e.g., current weighting of items is causing unintended bias) or how it is being implemented and used (e.g., it is not being scored correctly).**
   - Establish protocols to continually monitor the administration of risk and needs assessment tools.
   - Provide regular booster trainings to keep staff skills current and accurate.

“Since 92 percent of Iowa’s prison inmates will eventually return to society, it’s critical to determine who should get the most supervision and rehabilitation. Assessments make us smarter on who to target for our programming.”

— Lettie Prell, director of research, Iowa Department of Corrections
SEEKING JUSTICE FOR CHILDREN AND FAMILIES, BOTH ‘ON AND OFF THE BENCH’

by Carrie Abner

1. What are the most important issues facing state courts today?
   “The ability of the court system to meet demands with fewer resources and more vulnerable youth entering that system is a serious matter. … Lack of resources means delayed justice, which frequently means those accused or in need of services remain at large in the community and at risk to themselves and others. I also believe there is inadequate training and professional development at all levels of the system. … Those who practice in the area of child welfare and juvenile justice should be required to maintain the highest standard of practice.”

2. How have state budget cuts affected the courts?
   “When court resources are overburdened and challenged, civil trials are delayed and injured parties are often left without sufficient medical care, potentially unable to work, and economic strain is felt by the family and the community. Criminal courts are overwhelmed and detention facilities are overcrowded, understaffed and left without sufficient programming. … The lock ‘em up mentality is no longer a meaningful response. Therapeutic courts, such as drug courts, mental health courts and veterans’ courts, can better deal with cases that once were considered criminal matters. We now know that treatment or therapeutic diversion programs produce far better results for law abiding compliance because the real core issues which give rise to the criminality—such as substance abuse, homelessness or mental illness—are best treated in those types of court systems. But, cuts in state budgets have severely affected the ability of the system to properly staff these specialty courts.”

3. You’ve been a tireless advocate for children throughout your career, as a justice, judge and prosecutor. Why is this issue so important?
   “Children are almost always the silent participants in our system of justice. They are the least represented and the most affected when courts intervene in their lives. … Kids don’t vote, so their power to influence policy is non-existent. The statistics tell us that kids who enter the system at an early age more often than not are on a continuum that none of us would want for our own children: delinquency, teen pregnancy, homelessness, interrupted education and deeper court involvement. … By advocating on behalf of this silent population, I can educate the public and marshal support for change. I can also influence legislation and policy considerations, demand that the system provide meaningful processes, and train better judges.”
How are state courts working to improve the child protection system?

“State courts are now engaging in a full view, or holistic, approach to child protection. Where families are unable to provide what a child needs to be safe and healthy, courts are now taking their role as ‘paren patriae’ seriously. State courts are being trained to understand what the boots-on-the-ground welfare worker is doing to assess the safety of a child and are partnering with welfare workers, community providers and foster parents. … When judges and attorneys are required to make all possible effort to fully understand the dynamic that brings the family to the court, better results for all and long lasting change can be more readily accomplished.”

How do you hope these efforts will affect the courts in the long term? What do you hope the trickle-down effects will be?

“When the entire justice system works together as one—for healthy families, safe neighborhoods and less prison population—the entire community benefits. Courts and judicial officers will no longer be isolated in their decision-making efforts. Child welfare and parents’ attorneys can fully engage in the process when and if the system considers everyone’s unique needs and the role that each justice partner plays in making it right. Ultimately, the trickle-down effect should result in less family violence, less substance abuse, less homelessness, better education and strong partners supporting one another.”

What are the biggest opportunities for improvement in the juvenile justice system?

“Although child welfare and juvenile justice are different and unique systems, too many children who enter the system on the child welfare side of the court frequently ‘graduate’ to the juvenile justice side of the court. But tremendous opportunities exist to keep kids out of the juvenile delinquency system by working within the family, the schools and the community. We need to better assess what brings youth into the system, as opposed to simply housing them until they reach the age of majority. The biggest opportunity for juvenile justice improvement would be to reduce the population of youth who enter the system and to better prepare youth for re-entry into their communities when juvenile detention is necessary.”

What role can judges play in improving outcomes for youth involved in the juvenile justice system?

“Judges need to advocate for better resources and better opportunities for training of those who work in the juvenile justice system, and must encourage education and job training as meaningful alternatives to the youth probation, parole and incarceration methods that we have traditionally relied upon. Judges need to be a part of the justice system both on and off the bench.”

In what ways can working across the three branches of government be a challenge for state leaders?

“None of the three branches truly understand how the other branches operate. Judges enforce laws that legislators draft, while child welfare and juvenile justice matters of policy are largely contained by and created within the executive branch. Open communication about limitations on each branch should be encouraged so that when each of us is working on the task before us, we can better understand why and how our actions can affect the other branches. Interbranch collaboration also allows for the very best use of scarce resources, whether human or fiscal.”

How are states improving interbranch cooperation?

“Interbranch task forces, coalitions and commissions are becoming more cross-branch oriented. Nationally recognized experts, such as the CSG Justice Center staff, are engaged in technical assistance that informs the work of all three branches at the highest levels for the best outcomes. When stakeholders representing all three branches sit in the same room and identify the goals and objectives for the population they ALL serve, the results can be phenomenal. Breeding familiarity across separate branch boundaries encourages communication, efficiency, and far better outcomes for our children, families and communities.”

In the information age, there is a push for state governments to become more open and transparent. How does this trend affect state courts?

“The courts need to strive to better inform the public—as well as the other two branches—regarding what they do and why they do it. Of course, case-specific information must be properly protected, but what the courts do must be informed by evidence-based decisions and data-informed processes. This should be shared with the community and system partners. When public awareness is encouraged and data—both good and bad—is shared with the stakeholders and partners the courts serve, the mystique of the bench is removed and the system is better served.”
Registrants of the CSG National Conference will have full access to the following:

- Admission to all 2016 CSG National Conference sessions (unless designated “invitation only”)
- Breakfast & lunch provided Thursday-Sunday
- Three evening receptions including a visit to the American Revolution Museum at Yorktown
- Access to the 2016 CSG National Conference App
- Admission to the Revolutionary City at Colonial Williamsburg
- Complimentary shuttle service around Colonial Williamsburg
- Interpreter-led tours of the Governor’s Palace, the Capitol Building and all government buildings
- Admission to two world-class art museums
- 10 percent discount on Williamsburg tours and evening programs (some restrictions may apply)
- Seasonal discounts on carriage rides
- Visits to Revolutionary City, Governor’s Palace, Capitol Building, museums, etc. are at the leisure of the attendee.

Attendees will be required to have a paid registration and official CSG name badge to receive free access to these services/destinations. Additional tickets for family members not registered for the meeting can be purchased online at www.colonialwilliamsburg.com/plan/tickets.

To register for the 2016 CSG National Conference, visit www.csg.org/2016nationalconference.

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<tr>
<th></th>
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<th>REGULAR (OCT. 26 - DEC. 6)</th>
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* To view private-sector rates, please visit www.csg.org/2016nationalconference.
HOTEL INFORMATION

CSG has reserved a block of rooms for the 2016 National Conference at both the Williamsburg Lodge and Providence Hall. Please make your reservations by calling 800-261-9530 and asking for the CSG room block or via the website https://resweb.passkey.com/go/35873 to receive the group rate. The conference reservations office is open Monday-Friday, 8:30 a.m.-5 p.m. EDT. In order to receive the CSG group rate, reservations must be made by Oct. 25, 2016.

CSG cannot guarantee the group rate after Oct. 25. Rooms with the CSG room block are available on a first-come, first-served basis and are only open to registered attendees of the 2016 CSG National Conference. Individuals reserving rooms who are not registered for the conference will be removed from the CSG block.

CSG Room Rate: $231 plus 11 percent tax and $2 per room/night occupancy tax. All reservations must be accompanied by a one night’s deposit for room and tax. Deposits are refundable, provided notice of cancellation is received by 5 p.m. EST at least three (3) business days prior to reserved date of arrival.

**Williamsburg Lodge**  
310 South England Street  
Williamsburg, VA 23185  
Hotel: (757) 220-7976  
Check in: 4 p.m.  
Check out: 11 a.m.  
https://resweb.passkey.com/go/35873

**Providence Hall**  
305 South England Street  
Williamsburg, VA 23185  
Hotel: (757) 220-7976  
Check in: 4 p.m.  
Check out: 11 a.m.  
https://resweb.passkey.com/go/35873

CSG CONFERENCE APP

The 2016 CSG Conference app is now available for download at csg.org/2016csgapp. The app provides session times, room assignments, maps and conference documents at your fingertips while keeping you informed in real time about conference events. With more than 40 different sessions on the agenda, downloading the app will ensure you don’t miss any of the important events CSG has planned. Get the app and make your plans to join us in Colonial Williamsburg, Virginia—where America began!
Jeff Shaara is the New York Times bestselling author of *Gods and Generals* and *The Last Full Measure*—two novels that complete the Civil War trilogy that began with his father Michael Shaara’s Pulitzer Prize-winning book *The Killer Angels*. His World War II series includes *The Final Storm*, *No Less Than Victory*, *The Steel Wave*, and *The Rising Tide*. Shaara has also written *To the Last Man*, *The Glorious Cause*, *Rise to Rebellion*, and *Gone for Soldiers*. In 2012, Shaara returned to the Civil War with *A Blaze of Glory*, followed by *A Chain of Thunder* and *The Smoke at Dawn*—all New York Times bestsellers. The final novel in the tetralogy, *The Fateful Lightning*, was published in 2015—the year that marked the 150th anniversary of the conclusion of the Civil War.

Shaara is a popular speaker at lecture series, universities, MFA programs, and book festivals across the country. A descendant of Italian immigrants, he was born in 1952 in New Brunswick, New Jersey, grew up in Tallahassee, Florida, and graduated from Florida State University with a degree in criminology. He lives in Gettysburg, Pennsylvania.
<table>
<thead>
<tr>
<th>Time</th>
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<tr>
<td>2 – 3 P.M.</td>
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| 2:30 – 4:30 P.M. | Mapping for Legislative Offices  
              CSG Innovation Classroom Presented by Esri Inc. |
| 7 – 8 A.M. | Buffet Breakfast                                                      |
| 8 – 10 A.M. | Data-Driven Decision Making in the States  
              CSG Policy Workshop  
              Global Protocols for State Leaders at Home & Abroad  
              Sponsored by the CSG International Committee  
              Case Studies in Collaboration  
              Sponsored by the CSG Interbranch Affairs Committee  
              Building a Smart Community  
              CSG Innovation Classroom Presented by Esri Inc. |
              CSG Innovation Classroom Presented by Elsevier |
| 10 – 11 A.M. | Development, Anatomy & Market Implications of e-Cigarettes  
              CSG Innovation Classroom Presented by RAI Services Company |
| 10 A.M. – NOON | CSG Eastern Regional Conference Executive Committee Meeting |
| 10:30 A.M. – NOON | CSG 21st Century Foundation (invitation only)  
              Combating Opioid Abuse in the States  
              CSG Policy Workshop |
| 8 A.M. – NOON | CSG Registration/Information Desk Open                                |
| 8 – 9 A.M. | Buffet Breakfast                                                      |
| 9 – 11 A.M. | CSG Campaign Against Hunger Service Project                          |
| 11:30 A.M. – 1:30 P.M. | CSG Executive Committee & Luncheon  
                           CSG Midwestern Legislative Conference Executive Committee Meeting  
                           CSG Regional Receptions  
                           Evening Event: American Revolution Museum at Yorktown |
| NOON – 2 P.M. | Opening Session & Luncheon  
              Keynote: Jeff Shaara  
              New York Times Best-Selling Author of Rise to Rebellion and Gods and Generals  
              Jeff Shaara Book Signing |
| 2 – 3 P.M. | Federalism 101: Ensuring the State Voice is Heard  
              CSG Policy Workshop  
              Workforce Investment – Funding Streams & Trends  
              CSG Policy Workshop  
              Diabetes Budgets: Measuring State Commitment to Reduce Chronic Disease  
              CSG Policy Workshop |
              CSG Innovation Classroom Presented by Elsevier |
| 4:30 – 6 P.M. | CSG Toll Fellows 30th Anniversary Celebration (invitation only) |
| 6 P.M. | Evening Event: Colonial Tavern Dinners |

**CAMPAIGN AGAINST HUNGER SERVICE PROJECT**

**CSG NEEDS YOUR HELP!**

Twelve percent of Virginia’s population is considered food insecure and in need of food assistance. Join the CSG Campaign Against Hunger in conjunction with Outreach Inc. as we package meals for the hungry in Virginia. There will be fellowship and plenty of fun as we attempt to package 32,000 meals. We can’t wait to see you there!

Sunday, Dec. 11, 2016, 9 a.m.
Re-entry is one of the most pressing criminal justice issues in the country today. Each year, more than 2.2 million people are incarcerated in jails and prisons, and it is estimated that more than 90 percent of these individuals will at some point be released back into the community. Yet, how prepared are communities, particularly rural communities, to receive the individuals back home?

In his 2006 article, “The Challenges of Prisoner Reentry from a Rural Perspective,” Dr. Eric Wodahl acknowledged that research on re-entry often focuses on urban areas, leaving rural jurisdictions relying on research from other disciplines to gain a better understanding of how obstacles impede re-entry in their communities. Most of the national training and technical assistance opportunities offered to community corrections professionals focus on issues and strategies geared toward larger, urban areas as well.

Defining what is meant by “rural” can be as complex as trying to ascertain the challenges in these communities. Rural communities vary in a number of ways—culturally, economically and socially—and the standards that define what may be considered rural in one state may be different in another, such as population density, proximity to urban places, composition of the population and economic base. This further complicates the ability of justice and social programs to generalize the applicability of concepts and strategies to rural jurisdictions. The American Probation and Parole Association, in partnership with the CSG Justice Center and the National Reentry Resource Center, recently investigated this issue by surveying agencies in rural areas. For purposes of the survey, “rural” was defined as “any location with a population less than 50,000 or a population density of 1,000 persons per square mile or less.” The sample comprised 364 individual representatives of adult community corrections agencies—probation, parole and other agencies that supervise individuals outside of prison or jail—of which about half (49 percent) were senior managers or administrators. Respondents indicated that 89 percent of the supervisees had been convicted of drug offenses, while two-thirds were property supervisees and 37 percent were violent supervisees. In addition, a majority of those supervised by the participating agencies were classified at either the medium (67 percent) or high (19 percent) risk levels.

Agency respondents identified several challenges supervisees experience during the re-entry process while under post-release supervision. About two-thirds of respondents said that access to public transportation is a challenge for supervisees. Individuals on community-based supervision typically rely on...
Many respondents said the change in their organizational culture—by implementing more evidence-based principles & practices—has helped them overcome some of the challenges to providing adequate re-entry services in rural areas.

In the survey, rural adult community corrections representatives responded that the main challenges to supervisees involve access to:

- **78%** Stable Housing
- **67%** Public Transportation
- **50%** Social Services

is concerning, given that stable housing is crucial to the successful re-entry of individuals returning to the community following incarceration.

In addition to identifying challenges to supervising individuals returning to rural communities, respondents also offered strategies for overcoming those challenges, including effective collaboration among key stakeholders within the area. One respondent said his agency coordinates with prison staff to determine the proposed area of residence for supervisees upon their release and to coordinate interviews with inmates to determine their priority needs prior to release, and with social service providers to coordinate release services.

“We have tried working out of the box to assist offenders with successful re-entry into their communities,” said another survey respondent. “Reaching out to local churches to assist with transporting offenders to appointments and serving as a community service work site. In addition, as staff members, we have done home visits, job site visits and transported offenders to residential drug treatment centers throughout our state.”

Collaboration like this also may come in the form of statewide re-entry initiatives to determine gaps and duplications in services and ways to bridge those gaps while expanding the area of availability.

Many respondents said the change in their organizational culture—by implementing more evidence-based principles and practices—has helped them overcome some of the challenges to providing adequate re-entry services in rural areas. With scarce resources, such a change has allowed community corrections agencies to focus on the quality of their work, thereby increasing the efficiency of the supervision and services they provide to supervisees. One respondent indicated her agency has started conducting more frequent home and field visits for those supervisees who lack transportation and using agency vehicles to transport supervisees to and from appointments.

Respondents also reported that increased availability of funding, provided through state legislation and federal grants such as the Transition from Prison to the Community Initiative and the Second Chance Act, has enhanced the resources they have been able to provide to meet the re-entry needs of supervisees in rural areas.

The supervision of individuals returning from jail or prison to rural American communities presents many challenges, but community supervision agencies in rural areas seem to be embracing these challenges with resilient ways to overcome them. While exploratory, the survey results are promising and should lead to further investigation of nuances between rural and urban jurisdictions with respect to re-entry supervision.

Dr. Nathan Lowe conducts research/evaluation and provides training/technical assistance on a variety of issues related to the community corrections field, such as risk assessment for impaired drivers and the quality of interactions between officers and supervisees, for the American Probation and Parole Association.

Kimberly Cobb is a research project administrator at the University of Kentucky. She previously served as a research associate for the American Probation and Parole Association, where she managed training and technical assistance projects to enhance community corrections programs in American Indian nations and Alaska Native villages.
More than 75 years ago, state leaders realized they needed a way to manage the movement of offenders on probation or parole across state lines. For example, Mark lives in Michigan and is on parole, but he gets a job offer in Tennessee. How does he get approval to transfer the supervision of his parole to a new state?

**IN 1937, A SOLUTION WAS CREATED:**
THE INTERSTATE COMPACT FOR THE SUPERVISION OF PROBATIONERS AND PAROLEES

This compact, a contractual agreement between states, enacted legislatively, was given the authority for regulating the transfer of adult parole and probation supervision across state lines.

**BY 1998, THE COMPACT NEEDED AN UPDATE**

The National Institute of Corrections Advisory Board, in partnership with The Council of State Governments, drafted a new compact and in 2002, a new agreement was enacted. The INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION laid out the criteria and process for transfers between states, including:
- what makes an offender eligible for transfer;
- when and how states must accept the transfer of an offender;
- when an offender can be sent back; and
- how to handle a disagreement with another state.

In addition, the new compact included the development of a modern data collection and information sharing system among the states—a critical improvement to keep up with modern data-driven solutions.

**THE COMPACT QUICKLY BECOMES ACTIVE AND ACCEPTED**

Within just 30 months, the new compact had reached its threshold of legislative passage by 35 states, making it active. Today, all 50 states, Washington, D.C., and the territories of Puerto Rico and the U.S. Virgin Islands are members of the compact.
“The Interstate Compact for Adult Offender Supervision is a textbook example of the transformative impact of states working together utilizing the interstate compact mechanism to meet shared challenges.”

> Colmon Elridge, director, CSG National Center for Interstate Compacts

### Who is going where and why?

According to the annual report from the Interstate Commission for Adult Offender Supervision, there were a total of 235,010 offenders on compact supervision as of the close of fiscal year 2015. In 2014, a total of 60,948 cases were accepted for transfer while 23,696 cases were rejected—a rejection rate of 29.2 percent.

There are a number of reasons given to receive a transfer, including discretionary reasons. While discretionary transfer requests account for 13.9 percent of all requests, they represent only 10.3 percent of the transfer requests that are actually accepted by the state. States vary widely in their willingness to accept discretionary transfers, from a low of 26 percent to a high of 75 percent.

### Crimes Committed

The top crimes of conviction for compact offenders mirror the general population of probation and parole offenders.

<table>
<thead>
<tr>
<th>Crime</th>
<th>Cases Accepted</th>
<th>Rejected</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dangerous Drugs</td>
<td>60,948</td>
<td>23,696</td>
<td>29.2%</td>
</tr>
<tr>
<td>Assault</td>
<td>60,948</td>
<td>23,696</td>
<td>29.2%</td>
</tr>
<tr>
<td>Traffic Offenses</td>
<td>60,948</td>
<td>23,696</td>
<td>29.2%</td>
</tr>
<tr>
<td>Burglary</td>
<td>60,948</td>
<td>23,696</td>
<td>29.2%</td>
</tr>
<tr>
<td>Larceny</td>
<td>60,948</td>
<td>23,696</td>
<td>29.2%</td>
</tr>
</tbody>
</table>

### Male vs. Female, 2014

There are significantly more male offenders on compact supervision than female offenders.

- MALE: 78.6%
- FEMALE: 21.4%

### 2015 Top 5 / Bottom 5 States Receiving Offenders on Compact Supervision

<table>
<thead>
<tr>
<th>State</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>7,462</td>
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<tr>
<td>Texas</td>
<td>7,028</td>
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<tr>
<td>California</td>
<td>5,632</td>
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<tr>
<td>Tennessee</td>
<td>5,109</td>
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<td>North Carolina</td>
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<td>Hawaii</td>
<td>188</td>
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<tr>
<td>Alaska</td>
<td>217</td>
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<tr>
<td>Vermont</td>
<td>288</td>
</tr>
<tr>
<td>Maine</td>
<td>362</td>
</tr>
<tr>
<td>Montana</td>
<td>462</td>
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</tbody>
</table>
Sec. John Wetzel starts each day using his most important title—Dad. Wetzel is father to a foursome of females who stood with him for his swearing-in ceremony last year. His oldest daughter, Ariel, shown here holding the Bible, dreams of being a U.S. senator. “Hopefully I can hold the Bible for her one day,” said Wetzel.

Twice monthly cabinet meetings with Pennsylvania Gov. Tom Wolf are part of the job for all agency secretaries. Wetzel found a moment during discussions about the state budget to snap a selfie at the table in the governor’s ornate conference room in the State Capitol.

Pennsylvania Secretary of Corrections John Wetzel
Vice Chair, CSG Justice Center
Executive Committee
Wetzel enjoys taking in the beauty of the Pennsylvania State Capitol among the most architecturally significant state capitol buildings in the country. And the art of the selfie is something Wetzel works at perfecting every day. “My selfie game is strong,” he said. “We need to laugh in this job. I never take myself too seriously. Selfies humanize you.”

Wetzel is a proponent of transparency and tries to make himself available to reporters as much as he can—even when the topics are tough. After the press conference a local TV reporter asks him about two tragic incidents the corrections community was grappling with at the time: the death of a drug sniffing K-9 left in a hot car and the death of a county corrections officer who fell down an elevator shaft during a scuffle with an inmate. “These were tragedies that affected us all,” Wetzel said. “We transition from good to bad news every day. It’s like a roller coaster that I tell people not to ride. Don’t get too high; we want to stay on an even keel.”

Wetzel briefs the media on the status of the state Justice Reinvestment Initiative’s working group with The Council of State Governments. The event marked a turning point in the rollout of the bipartisan initiative aimed at addressing the high rate of incarceration in Pennsylvania by reducing costs and using the savings to keep people out of prison. The group plans to introduce legislative proposals to achieve its goals this fall.

Taking a brisk walk through his neighborhood with his dog Linc (short for Lincoln Financial Field, home to Wetzel’s beloved Philadelphia Eagles) while listening to his diverse music playlist—from LL Cool J to Metallica to Garth Brooks—is something Wetzel looks forward to several nights a week when he’s not traveling.
Clearing a Path
From Conviction to Employment

Supporting Employers, Job Seekers and the Community through Criminal Records Clearance

by Madeline Neighly and Ashleigh Fryer

When Ronald was convicted in 2006 of two misdemeanors—possession and retail theft—he was sentenced to five years probation. Although he wasn’t given jail time, the sentence he’d serve in the community would be, in some ways, just as difficult.

“After the conviction, I tried to do things right in my life—I went back to school, I thought I was turning a corner,” Ronald said. “Then you see all the roadblocks in your way. I felt like I was incarcerated minus the bars out there.”

Despite the three occupational licenses and eight certificates Ronald earned in the years following his conviction, he found himself in job interview after job interview where his chance at receiving an offer of employment was contingent upon his answer to one question: Do you have a criminal record?

“It’s the dreaded question,” he said. “And no matter how qualified I am, no matter how much they love me before I answer that question, it’s over when they find out about the conviction.”
Collateral Consequences and Fair Chances

Millions more like Ronald—roughly 1 in 3 adults in the U.S.—have a criminal record, and many of them face significant challenges related to employment.

Access to employment is a critical component of the support that research says helps keep people from returning to the criminal justice system, as a steady job provides financial resources and social connections that build motivation.

After a conviction, people often face severe, unanticipated penalties beyond the court’s sentence, commonly known as collateral consequences. More than half of all collateral consequences are employment related, according to the National Inventory of Collateral Consequences of Conviction. For example, in an effort to advance public safety and ensure high-quality services, states require licenses for particular businesses or occupations, such as health care professionals, transportation specialists and cosmetologists. In half of all states, applicants can be denied an occupational license due to a criminal conviction, regardless of its relevance to the license sought or how long ago it occurred, according to a 2015 White House report.

In addition to being denied licensure, people with criminal records face other consequences related to securing employment. According to a 2010 study by The Pew Charitable Trusts, a man who has been incarcerated for a felony is estimated to earn $15,600 less annually than if he had not been incarcerated. Nationally, there is a total estimated loss of $78 billion to $87 billion to the economy every year as a result of people with criminal records being unemployed or underemployed, according to the Center for Economic and Policy Research.

While this underutilization of many in the nation’s workforce affects the entire country, the impact is more pronounced for people of color, who are more likely to be arrested and convicted.

With large numbers of working-age people carrying the stigma of a criminal record—and the disproportionate impact on communities of color—policymakers nationwide have adopted a menu of reforms. According to the National Employment Law Project, 24 states and more than 100 localities have adopted “fair chance” or “ban the box” policies that delay inquiry into an applicant’s criminal record and build off the U.S. Equal Employment Opportunity Commission’s guidelines on the use of arrest and conviction records in employment decisions.

In addition to fair hiring laws, employers, chambers of commerce, policymakers and advocates from across the political spectrum also are considering policies that clear some types of criminal records. These policies aim to benefit both employers and job seekers.
Criminal records clearance laws aim to seal, expunge, set aside, vacate, dismiss, remove or otherwise shield “stale” criminal records from easy public access—most often with the goal of improving employment outcomes for people with criminal records.

Typically, the risk of a person with a criminal record committing a new offense is most acute in the first six months after their release. That risk begins to decline at one year post-release, and declines significantly after three years, according to the U.S. Department of Justice’s Bureau of Justice Statistics. Further, “if a person with a criminal record remains crime free for a period of about 7 years, his or her risk of a new offense is similar to that of a person without any criminal record,” according to a 2007 study published in *Crime & Delinquency*.

In 2015, The Council of State Governments’ Justice Center began a 50-state review of statutes that govern the clearance of criminal history information. Thirty-five states currently permit clearance of some misdemeanor convictions and 28 of those states also permit clearance of some felony convictions. Each state with a record clearance policy determines which records are eligible for clearance and which are ineligible, and there is much variation among states. Even non-conviction arrest records may have a negative impact on a person’s employment prospects, and these records are also available in several states.

For misdemeanor convictions, the eligibility waiting period currently ranges from immediately after sentence completion to as much as 15 years, but most states place eligibility at one, three or five years after sentence completion. For felony convictions, the eligibility waiting period ranges from immediately after sentence completion to 20 years, but a majority of states place eligibility at either five or 10 years after sentence completion.

### The Impact of a Criminal Record on Job Callbacks

Studies have shown that the existence of a criminal record can reduce job callbacks by 50 percent on average. Further, there are racial differences in the effects of a criminal record. In a 2003 study titled *The Mark of a Criminal Record*, Devah Pager found that while the existence of a criminal record reduced the likelihood of a callback for white applicants seeking entry-level positions by half—from 34 percent to 17 percent—black applicants with a criminal record saw their callback rate drop by nearly two-thirds—from 14 percent to 5 percent.

### Who Received Job Callbacks?

<table>
<thead>
<tr>
<th>Without a Criminal Record</th>
<th>With a Criminal Record</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image.png" alt="Graph" /></td>
<td><img src="image.png" alt="Graph" /></td>
</tr>
<tr>
<td>34% White Applicants</td>
<td>17% White Applicants</td>
</tr>
<tr>
<td>14% Black Applicants</td>
<td>5% Black Applicants</td>
</tr>
<tr>
<td>50% Fewer Callbacks</td>
<td>64% Fewer Callbacks</td>
</tr>
</tbody>
</table>

**States permitting clearance of some misdemeanor convictions**

7

**States permitting clearance of some misdemeanor and felony convictions**

28

**States without records clearance**

15

Source: Collateral Consequences Resource Center

### Surveying the National Landscape

Criminal records clearance laws aim to seal, expunge, set aside, vacate, dismiss, remove or otherwise shield “stale” criminal records from easy public access—most often with the goal of improving employment outcomes for people with criminal records.

Typically, the risk of a person with a criminal record committing a new offense is most acute in the first six months after their release. That risk begins to decline at one year post-release, and declines significantly after three years, according to the U.S. Department of Justice’s Bureau of Justice Statistics. Further, “if a person with a criminal record remains crime free for a period of about 7 years, his or her risk of a new offense is similar to that of a person without any criminal record,” according to a 2007 study published in *Crime & Delinquency*.

In 2015, The Council of State Governments’ Justice Center began a 50-state review of statutes that govern the clearance of criminal history information. Thirty-five states currently permit clearance of some misdemeanor convictions and 28 of those states also permit clearance of some felony convictions. Each state with a record clearance policy determines which records are eligible for clearance and which are ineligible, and there is much variation among states. Even non-conviction arrest records may have a negative impact on a person’s employment prospects, and these records are also available in several states.

For misdemeanor convictions, the eligibility waiting period currently ranges from immediately after sentence completion to as much as 15 years, but most states place eligibility at one, three or five years after sentence completion. For felony convictions, the eligibility waiting period ranges from immediately after sentence completion to 20 years, but a majority of states place eligibility at either five or 10 years after sentence completion.
Questions to ask about your state’s criminal record clearance policies

1. **Are cleared records actually cleared?** Criminal history information may be available from a variety of sources, including the state repository and court records; state policies that permit clearance from one database do not always ensure clearance from the other. After the criminal records are cleared by the state, they may continue to be reported on commercially prepared background checks because the information is gathered from the database where the record might not have been cleared. Clearance legislation must address each source of publicly available records—as well as the intended effect of the record clearance policy.

2. **Which records are eligible for clearance?** States that permit felony record clearance frequently limit its application to low-level felonies. There are usually fewer restrictions on misdemeanors, but in both felony and misdemeanor clearance policies, violent and sex offenses are often excluded. The process of determining what types of convictions are eligible for clearance—which are established in statute—provides an opportunity for policymakers to consider racial disparity in the criminal justice system. For example, black people are arrested for marijuana use at a higher rate than white people, despite roughly equal usage, with some counties having a disparity of 10 to 1 in arrest rates, according to data from the FBI’s Uniform Crime Reporting program and U.S. Census data from 2001 to 2010. Policies that permit clearance of old drug convictions may help address this problem.

3. **When are records eligible for clearance?** Policymakers should ensure that waiting periods are appropriate to the offense and informed by available research to increase employment opportunities and maintain public safety.

4. **What is the process for clearance?** Currently, most record clearance policies require that people petition to clear their records. In many states, this is true even for arrests that do not result in a conviction. This process may involve submitting a petition to the court clerk or participating in a court hearing. Policymakers should consider automating the process to reduce court costs and increase access.

5. **How much does it cost a person to clear a record?** States frequently charge to file a record clearance petition. The fees can range from no cost to $500, but most commonly fall between $50 and $250. To ensure fees do not undermine a person’s ability to clear his or her record, policymakers should consider reducing these fees and providing waivers for people who are indigent.

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Between 2009 and 2014, at least 23 states and the District of Columbia enacted more than 37 laws to increase the scope of their sealing and expungement remedies, according to a 2014 Vera Institute of Justice report. Some of the ways in which states expanded the scope of those remedies include:

- **Rewarding education.** Effective this year, Illinois waived the two- or three-year waiting period for clearance if a person earns a high school diploma, associate degree or other specified educational achievements while serving his or her sentence.

- **Automating procedure.** In 2015, Washington state began holding regular record clearance hearings for juvenile offenders. At disposition, the juvenile is scheduled for the next regularly scheduled clearance hearing following his or her 18th birthday or the anticipated sentence completion date. It is expected that the records will be cleared at this hearing absent objection from the prosecutor’s office.

  In Pennsylvania, bills with bipartisan support are moving through both houses that would automatically seal adults’ low-level misdemeanor offenses—like those Ronald was convicted of—after 10 years. This bill comes after a 2015 law permitting clearance of misdemeanor offenses by petition.

- **Engaging employers.** In 2016, Kentucky passed legislation permitting clearance of low-level felonies. While similar legislation had been proposed previously, it is believed that the engagement by the Kentucky Chamber of Commerce led to this success. The Kentucky Chamber and other stakeholders encouraged policymakers to permit record clearance for certain felonies, which they hope will have a long-term benefit to both employers and people seeking jobs.
States are “Stepping Up” to Reduce the Number of People with Mental Illnesses in Local Jails

by Will Engelhardt and Risë Haneberg

Over the last 40 years, local jails increasingly have become de facto psychiatric treatment facilities for the millions of people with mental illnesses and substance use disorders who become involved with the criminal justice system. The counties that administer those jails are at the breaking point, many without the resources or capacity to address this population’s mental health needs while ensuring an appropriate criminal justice response and protecting public safety.

In spring 2015, The Council of State Governments’ Justice Center, the National Association of Counties and the American Psychiatric Association Foundation joined forces to launch Stepping Up, an unprecedented national initiative of county and state leaders focused on reducing the number of people with mental illnesses and substance use disorders in jails. With support from the U.S. Department of Justice’s Bureau of Justice Assistance, the initiative builds on the many innovative and evidence-based practices being tested and implemented across the country, and engages a diverse group of agencies and individuals associated with the criminal justice system with relevant expertise, including sheriffs, jail administrators, judges, prosecutors, defense attorneys, and community corrections professionals; behavioral health system stakeholders; and key advocacy groups, such as the National Alliance on Mental Illness.

The initiative challenges counties to “step up” and commit to addressing the factors contributing to the over-representation of people with mental illnesses in their jails, and to using research-based strategies to drive those numbers down. It also provides counties with clear, practical direction and resources for developing action plans to facilitate access to treatment for this population and to promote appropriate alternatives to jail.

Since the launch of Stepping Up, nearly 300 counties across 42 states have signed on to the initiative, and a national summit was held in Washington, D.C., in April 2016, where 50 select county teams met to discuss their strategies in this work, as well as to hear from experts in the field about how to better serve this operation.

“Governments are ‘Stepping Up’ to reduce the number of people with mental illnesses in local jails. This is a significant challenge, but it is also an opportunity to improve public safety and public health outcomes in counties committed to Stepping Up,” said Mary Giliberti of the National Alliance on Mental Illness, who was a speaker at the April summit. “We’re excited to see such enthusiasm from leaders in our communities who are working to develop a plan that will truly have an impact on real people who need effective services and support.”

Recognizing the need for states to support counties in meeting these ambitious but urgent objectives, some states have begun organizing statewide Stepping Up efforts. Although these efforts vary depending on the needs and specific goals of each state, the focus of these initiatives center around:

• increasing the number of counties that commit to reducing the number of people with mental illnesses and co-occurring substance use disorders in jail;
• determining the current status of county efforts and progress toward the goal of Stepping Up by identifying gaps and challenges in existing policies, programs, and practices;
• understanding, adopting, and implementing a comprehensive, data-driven strategy to meet the county’s objectives; and
• identifying or developing state policies that support positive public safety and public health outcomes in counties committed to Stepping Up.
Ohio is one state that is taking this issue head on. With 34 counties already passing resolutions to advance the goals of Stepping Up, there is a strong groundswell from local and state leaders around this topic, as evidenced by Ohio becoming the first state to host its own Stepping Up summit in June 2016. Jail administrators, law enforcement officials, elected officials, treatment providers and stakeholders from 23 Ohio counties attended the state summit where they heard from a range of national, state and county experts about the needs of people with mental illnesses who become involved with the criminal justice system and ways to better meet those needs.

Counties—particularly rural counties—often do not have the resources, data systems or treatment capacity in place to address all of the needs of people with mental illnesses involved with their justice systems. States can play an integral role in supporting counties’ efforts by providing incentives for universal behavioral health screenings within jails; convening stakeholders to ensure systems-wide planning; holding trainings on promising practices; investing in innovation through pilot sites; and examining state laws and policies that may create barriers to reducing the number of people with mental illnesses in jails.

For example, Ohio’s Office of Mental Health and Addiction Services, or MHAS, conducted a survey of counties to help the agency prioritize the technical assistance needed by counties to reduce the number of people with mental illnesses in jails. Some counties also will receive on-site assessments conducted in partnership with Hocking College to determine the most beneficial types of technical assistance. MHAS is doing an inventory of statewide resources for counties that will be made available on the state’s Stepping Up website, where peer connections also will be facilitated to ensure the sharing of lessons learned.

With more than 2 million people with serious mental illnesses admitted to jails across the nation—a rate that’s three to six times higher than that of the general public—other states are looking to develop a coordinated effort to support their counties in this work as well. Over the long term, the CSG Justice Center and its partners in Stepping Up are pursuing a multi-pronged effort through: a media and public relations campaign to build public awareness and support; broad-based technical assistance to build a peer network of participating counties; intensive consultation in select counties to demonstrate strategies to address this issue; and guidance to stakeholders in states that are leading and coordinating state-wide Stepping Up initiatives to ensure that their counties will have fewer people with mental illnesses in jail tomorrow than there are today.

"Stepping Up is perfectly timed with all of these efforts in prevention, all these efforts in treating the whole person. The only problem is those efforts aren’t being taken to scale. And that’s why we’re stepping up, to take the things we already know to scale."

» Former Congressman Patrick Kennedy, Rhode Island
If one were to review the curriculum at any American school of law, political science or public policy, it is highly unlikely that any course of study would include an examination of America’s state courts. Some people believe that the only courts in the United States that count are the federal courts. This attention on the federal courts is somewhat understandable, particularly given the role of the U.S. Supreme Court. Few high courts in the world, and no other court in America, have the geographical reach and decisional finality of that institution. As Justice Robert Jackson once observed, “We are not final because we are infallible, but we are infallible only because we are final.” Yet the finality of which Jackson wrote is, arguably, somewhat limited when one considers the role of state courts and the range of issues they confront.

Debates over the breadth and nature of American judicial power are as old as the nation. It is arguably the amorphous nature of judicial power—to apply and interpret the law in the context of cases and controversies combined with the precedential character of our legal system—that leaves relatively wide terrain for disputes over the role of courts. Too often the arguments are framed by the misconception that the American judiciary is unitary in design; that federal courts occupy the apex, state courts occupy
a subsidiary or subordinate position, and that all courts are essentially the same with the exception of their placement in the hierarchy. This perception is wrong for a simple reason: there is no such thing as the American court system. Given the federal nature of the United States and its dual constitutional order, we have America’s court systems, with state courts handling more than 93 percent of the nation’s litigation—some 100 million cases annually.

But there is more than a simple structural separation between state and federal courts. The nature of state court caseloads reveals that almost every legal dispute imaginable—ranging from a mundane traffic stop, to domestic relations, to juvenile delinquency, to most crimes, to complex commercial disputes, to many federally created actions, to even the implications of international law and treaty obligations—are handled in these courts. State courts are the nation’s general jurisdiction courts established not by the federal Constitution but by the constitution of each state. They provide an alternative, not supplemental, dispute resolution forum. In contrast, there are entire categories of cases over which federal courts exercise no jurisdiction because there is no federal question. This is the reason federal courts are referred to as courts of limited jurisdiction confined by the enumerated character of the U.S. Constitution and the authority of Congress to regulate many federal judicial matters. State courts, like state legislatures and executives, draw their authority directly from state constitutions, which are framed by the concept of “police powers,” that is, the general obligation of government to promote public health, safety and welfare. Notwithstanding the broad reach of the federal judiciary, it is stunningly more likely that Americans will experience whatever justice is due them in the nation’s state courts.

But state courts are more than alternative litigation forums. Drawing their authority from state constitutions, state courts’ responsibilities can be as varied as the states themselves. State courts regulate the bar and the practice of law, there being no national bar as found in many other countries. Some state constitutions assign to their courts the responsibility to review or draw legislative districts if other mechanisms fail. In other states, the courts are required to appoint the membership of decidedly non-judicial commissions, such as park boards. While the federal courts are prohibited from issuing advisory opinions, the constitutions of eight states—Colorado, Florida, Maine, Massachusetts, Michigan, New Hampshire, Rhode Island and South Dakota—authorize their courts to do so, while three other states—Alabama, Delaware and Oklahoma—enable the practice by statute. In Tennessee, the state Supreme Court appoints the attorney general, while in Missouri the Supreme Court alone tries impeachments. The distinctions between state and federal courts do not end at the myriad responsibilities assigned to state courts under a state’s constitution or their jurisdictional differences. As the nation’s general jurisdiction courts, state courts—often acting in concert with other justice system partners—can be exceptionally innovative in confronting emerging challenges. For example, beginning in the early 1900s with the invention of specialized juvenile courts, state courts have over the last century adapted to a host of new challenges by adopting a range of specialized dockets and programs. The latest iteration in this century-long adaptation can now be found in drug courts, veterans’ courts, homeless courts, human trafficking courts and so forth. There are no real federal analogues to such innovative capability. State courts are different in design, powers and purpose not only in reference to the federal courts but also to one another. They are vital institutions in the administration of justice. Appreciating the different character of state courts promotes a better understanding of how our states function and the roles each branch of government plays in governing.

“As the nation’s general jurisdiction courts, state courts—often acting in concert with other justice system partners—can be exceptionally innovative in confronting emerging challenges.”

About the Author
Michael Buenger is the co-author of the recent book American Judicial Power: The State Court Perspective and has authored publications in the area of state courts, interstate compacts and international law. He currently serves as the administrative director of the Supreme Court of Ohio.
Smart Steps to Take on the Road to Reform

Leading a statewide effort to reform criminal justice policies can be daunting because the stakes are high for everyone involved. That is why many state leaders turn to a data-driven justice reinvestment approach to identify the drivers of rising corrections costs and develop state-specific solutions that reduce corrections spending and reinvest a portion of those savings into strategies that can reduce recidivism.

While every state's effort is different, there are three key components to leading a successful reform initiative.

by Megan Grasso, senior policy analyst
Use data to drive the conversation.

States that adopt a justice reinvestment approach collect and analyze data to build a broad picture of statewide criminal justice trends and use this information to identify and implement policy changes. Clearly presented data provides state leaders from all three branches of government and across the political spectrum the information they need to identify system-wide challenges and collaborate on developing potential solutions.

For example, in North Carolina, the data analysis showed a growing prison population and a probation system in need of repair, with people failing on probation supervision accounting for more than half of prison admissions. Then-state Rep. W. David Guice, a former probation administrator and a leader of the justice reinvestment initiative in the state, repeatedly met with other legislators, presented at numerous legislative committee hearings, and addressed the entire legislature on the merits of the proposed legislation, always urging the policy debate to remain focused on the data-driven impact the reforms could have on the criminal justice system. As a result of these efforts, North Carolina enacted justice reinvestment legislation in 2011. Between fiscal year 2011 and fiscal year 2015, the state’s prison population declined more than 9 percent and prison admissions due to probation violations have fallen by 65 percent.

After Idaho enacted justice reinvestment legislation, Kevin Kempf, director of Idaho’s Department of Correction, or IDOC, requested that The Council of State Governments’ Justice Center conduct an assessment of IDOC program curricula to learn if the state’s $10 million investment in recidivism-reduction programming was actually reducing recidivism. Once he learned that three-quarters of IDOC program curricula were outdated or no longer considered the most effective at reducing recidivism, he eliminated those programs and replaced them with program models based on what works to reduce recidivism.

Engage a multitude of stakeholders.

Through engaging a variety of stakeholders involved in different aspects of the criminal justice system, state leaders ensure these stakeholders have an opportunity to share their perspectives, contextualize the data and offer recommendations. Engaging a broad spectrum of people not only makes the resulting policy framework more comprehensive and increases support for the legislation but also helps ensure stakeholders are committed to successfully implementing the legislation.

In Oklahoma, then-Speaker of the House of Representatives Kris Steele drove across the state to attend three local town hall meetings to talk about what was driving prison population growth in the state and discuss potential solutions with local officials, business leaders, concerned citizens and leaders from faith communities. These conversations informed the resulting policy changes and were useful in achieving public support for the legislation the state ultimately enacted.

When Rhode Island launched its justice reinvestment effort, Gov. Gina Raimondo made it clear that this was a collaborative approach and criminal justice stakeholders from across the system should be included in the effort. More than 300 stakeholders statewide provided feedback and dozens met with her staff to share their perspectives and inform the resulting policies. For example, because probation officers explained the difficulty they face in providing meaningful supervision due to high caseloads and outdated policies, Rhode Island’s fiscal year 2017 state budget includes close to $900,000 for the Rhode Island Department of Corrections to improve the state’s probation system, through hiring additional probation officers and conducting full risk assessments.

In West Virginia, Gov. Earl Ray Tomblin also emphasized the importance of stakeholder involvement when the state launched its justice reinvestment efforts. A wide range of stakeholders—from prosecutors to judges—expressed the need for more treatment options for people who needed substance use treatment while on supervision. After enacting justice reinvestment legislation in 2013, state spending on treatment for people on supervision increased from close to zero to a total of more than $11 million between fiscal year 2014 and fiscal year 2017.

Educate the public.

Effective state leaders know the value of public understanding of the impetus behind the state’s justice reinvestment effort and the goals of the resulting legislation. Open dialogue, a transparent process and an engaged press can help to get the public behind such an initiative.

In Alabama, the state’s prison system was the most crowded in the nation and its supervision system was stretched to its limits. Alabama state Sen. Cam Ward worked tirelessly with the media to ensure that the public understood why the state urgently needed reform. From writing opinion pieces and participating in podcasts to keeping the business community informed and answering journalists’ questions, Ward helped generate support for the legislation the state ultimately enacted, which strengthens community-based supervision, prioritizes prison space for violent offenders and provides supervision to every person released from prison.

Every state is different—there is no one model or set of policies that work in every state. Yet the more state leaders use data, talk to stakeholders and engage the public, the more likely comprehensive criminal justice legislation is be enacted and implemented effectively.

The Justice Reinvestment Initiative, is a public-private partnership between the U.S. Department of Justice’s Bureau of Justice Assistance and The Pew Charitable Trusts (Pew). The Council of State Governments’ Justice Center has provided technical assistance to leaders in 26 states on their justice reinvestment efforts.
Military and Overseas Voting Initiative
Election Survey Working Group Convenes

In September 2016, election administrators from multiple states, along with U.S. military and overseas voting subject experts will meet at the CSG national headquarters in Lexington, Kentucky, to make further improvements to the U.S. Election Assistance Commission’s Election Administration and Voting Survey, or EAVS. CSG launched a new working group to study and recommend improvements to EAVS Section B, which collects data from state election officials regarding military and overseas voting. Through the CSG EAVS Section B Working Group, a group of local and state election officials with extensive overseas voting experience and representing jurisdictions with large overseas voting populations is convening regularly this calendar year for the purpose of making recommendations for improvement to the EAVS Section B questions that are sent to election officials. The recommendations of the CSG EAVS Section B Working Group will be provided to the U.S. Department of Defense’s Federal Voting Assistance Program and the U.S. Election Assistance Commission at the conclusion of the group’s work, in an effort to have these recommended improvements incorporated into future iterations of this bi-annual national survey of states.


Director to Address Speech Pathologists, Audiologists

Colmon Elridge, director of the CSG National Center for Interstate Compacts, will deliver the keynote address for the 29th Annual Conference of the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology, or NCSB. The annual conference, which will focus on “New Horizons in Professional Licensure,” will be held Oct. 20–22 in Santa Fe, New Mexico.

Elridge’s keynote address, “Blazing Trails toward Licensure Portability,” will highlight the work of National Center for Interstate Compacts, or NCIC, on licensure portability and license reciprocity between states and comes as the speech-language pathology and audiology profession is exploring opportunities to create an interstate compact to address the issue.

“The push towards licensure portability and license reciprocity represents a new chapter in consumer-focused care as well as creates new opportunities for practitioners in a host of disciplines,” said Elridge. “In an era when federal decision-making is at a standstill, CSG is pleased to partner with health care providers, state policy and law makers and others interested in meeting the challenge of creating a 21st century system of care.”

CSG West Presents Fahrenkamp Award to Idaho Gov. C.L. “Butch” Otter

The Council of State Governments West awarded the Bettye Fahrenkamp Award for Distinguished Legislative Leadership to Idaho Gov. C.L. “Butch” Otter at the CSG West 69th Annual Meeting in Coeur d’Alene, Idaho. Otter served in the Idaho House of Representatives from 1973 to 1976, and from 1987 to 2001 he held office as Idaho’s lieutenant governor, the longest-serving individual in that role in the state’s history. He represented Idaho’s 1st District in the U.S. Congress from 2001 to 2007. Otter is serving his third term as governor.

The Fahrenkamp Award, named in honor of Alaska state Sen. Bettye Fahrenkamp, recognizes leaders whose legislative careers demonstrate the ability to work beyond the borders of their own states in the interests of the West.
//CSG Hosts State Legislators, Regulators for Natural Gas Policy Academy

Approximately 25 legislators and regulators attended the CSG Natural Gas Policy Academy Aug. 1–3 in Bismarck, North Dakota. The Natural Gas Policy Academy featured an introductory session on natural gas, as well as sessions on infrastructure modernization, workforce development, federal and state relations, and a roundtable with state public utility commissioners. The highlight of the experience for many participants was a day-long site visit to Tioga in North Dakota’s Bakken region, where attendees toured an active drilling site (pictured) and heard firsthand about the challenges and opportunities in energy production and generation in the state from key players, including regulators, landowners and industry representatives.

//CSG West Legislative Council on River Governance Meets in Idaho

The CSG West Legislative Council on River Governance, made up of legislators from the Columbia River basin states of Idaho, Montana, Oregon and Washington, met on Aug. 22–23 in Boise, Idaho. Now in its 18th year, the Legislative Council on River Governance, or LCRG, provides state lawmakers with an opportunity to learn from experts and work together on common challenges.

This year’s event, hosted by the 2016 chair of the LCRG, Idaho state Sen. Lee Heider, began with a tour of the Hagerman Fish Culture Experiment Station and National Fish Hatchery on the Snake River. The business meeting at the Idaho State Capitol included an update on Columbia River Treaty negotiations and discussion of tribal fisheries, hydropower, dam removal, water markets and aquatic invasive species. At the conclusion of the meeting, Heider (bottom photo, on left) passed the chairmanship to Oregon state Rep. Cliff Bentz (bottom photo, on right), who will host the 2017 meeting of the LCRG in Oregon.
In the five years that Susan Burke has served as director of Juvenile Justice Services, or JJS, in Utah, the division has become more efficient, more effective and recovered from a declining budget. With a $6 million deficit when Burke started at JJS, the division had to determine what was working well and what was not working well, she said. They invited The Council of State Governments’ Justice Center to help with the assessment. “By doing our own self assessment and having the CSG Justice Center come in and do an additional, objective data analysis of our system, we identified areas where improvement could be gained and efficiencies could be gained,” Burke said. One area examined was the length of time juveniles were spending in detention. “Detention really should be used for the highest risk kids,” she said. “So we developed a new model of how we would assess youth coming into detention.” After several changes, JJS had a surplus after a few years. “And that surplus has given us the opportunity to reinvest back into our services and programs and, more importantly, invest in staff,” she said. “We have invested in staff through training, through additional promotional opportunities and then also through additional compensation.” Burke oversees numerous projects in Utah, including the building of a detention center that better serves the needs of youth, and she is also active in national organizations. Burke is serving a two-year term as president of the American Probation and Parole Association, and she is on the CSG Justice Center Board. “I would highly encourage individuals who are involved in state government or policy to get involved in what’s happening at a national level,” she said. “One of the benefits of being a member of the CSG Justice Center Board is being able to talk with other colleagues who are working on similar issues and being able to look at it from a very broad perspective.” For professionals involved in the juvenile justice system, the mission is essentially the same. “We want to change young lives,” Burke said. “We want to keep our community safe. We want to support families as they work with their child through this rehabilitation process.”
Sharpen those pencils, update your agenda and tune in this fall to CSG free eCademy webcast sessions for innovative ideas and insights on a range of key policy issues for the states—from civics education to regulating ridesharing, and from Medicaid contraception policy to workforce development for people with disabilities. Enroll in one session or all of them—they’re free!

For more information and to register, visit www.csg.org/eCademy.

SEPTEMBER SESSIONS

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Tuesday, Sept. 13, 2 p.m. EDT

**Creating Trust in Government Through Civics Education**
Free CSG eCademy Webcast
Wednesday, Sept. 21, 2 p.m. EDT

**Fundamentals of Risk Management Insurance: Insurance Coverage—Property and Casualty**
Free CSG eCademy Presented in Partnership with The Griffith Insurance Education Foundation
Tuesday, Sept. 27, 2 p.m. EDT

OCTOBER SESSIONS

**Adopting Medicaid Policies to Encourage Long-Acting Reversible Contraception**
Free CSG eCademy Webcast
Tuesday, Oct. 4, 2 p.m. EDT

**Fundamentals of Risk Management Insurance: Life and Health Insurance**
Free CSG eCademy Presented in Partnership with The Griffith Insurance Education Foundation
Tuesday, Oct. 11, 2 p.m. EDT

**Rideshare Companies: 2016 Developments & What's Ahead for 2017**
Free CSG eCademy Presented in Partnership with The Griffith Insurance Education Foundation
Tuesday, Oct. 18, 2 p.m. EDT

**Fundamentals of Risk Management Insurance: Legislative and Regulatory Update**
Free CSG eCademy Presented in Partnership with The Griffith Insurance Education Foundation
Tuesday, Oct. 25, 2 p.m. EDT

NOVEMBER SESSIONS

**Workforce Development for People with Disabilities: Career Readiness & Employability**
Free CSG eCademy Webcast
Tuesday, Nov. 1, 2 p.m. EDT

**Workforce Development for People with Disabilities: Hiring, Retention & Reentry**
Free CSG eCademy Webcast
Tuesday, Nov. 8, 2 p.m. EST

**Workforce Development for People with Disabilities: Entrepreneurship, Tax Incentives & Procurement**
Free CSG eCademy Webcast
Tuesday, Nov. 15, 2 p.m. EST

**Workforce Development for People with Disabilities: Transportation, Technology & Other Employment Supports**
Free CSG eCademy Webcast
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