



Washington State Justice Reinvestment Taskforce

Second Meeting

September 4, 2014

Council of State Governments Justice Center

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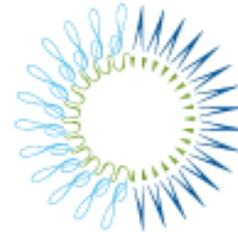
Council of State Governments Justice Center

- National non-profit, non-partisan membership association of state government officials
- Engages members of all three branches of state government
- Justice Center provides practical, nonpartisan advice informed by the best available evidence

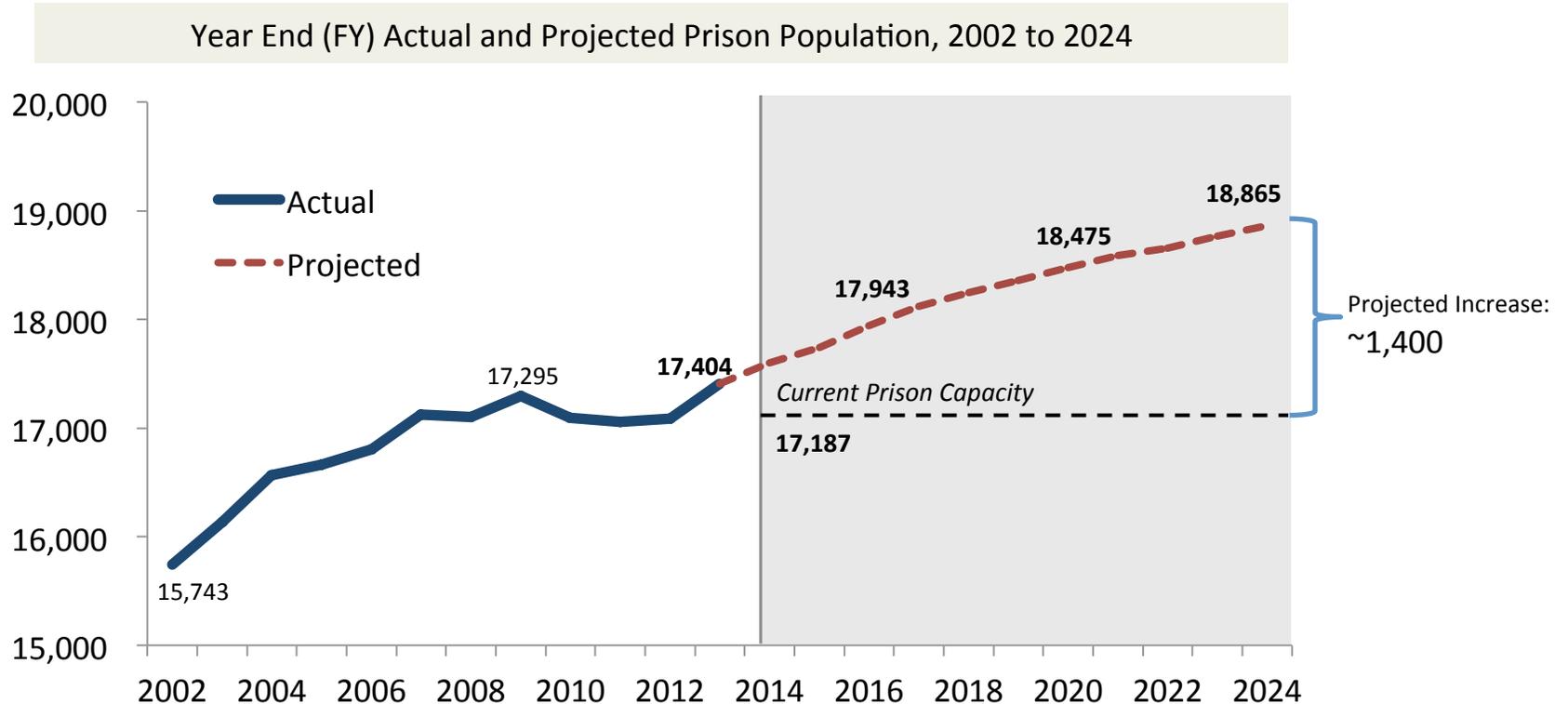


Justice Reinvestment

*a data-driven approach to reduce corrections spending
and reinvest savings in strategies that can
decrease recidivism and increase public safety.*



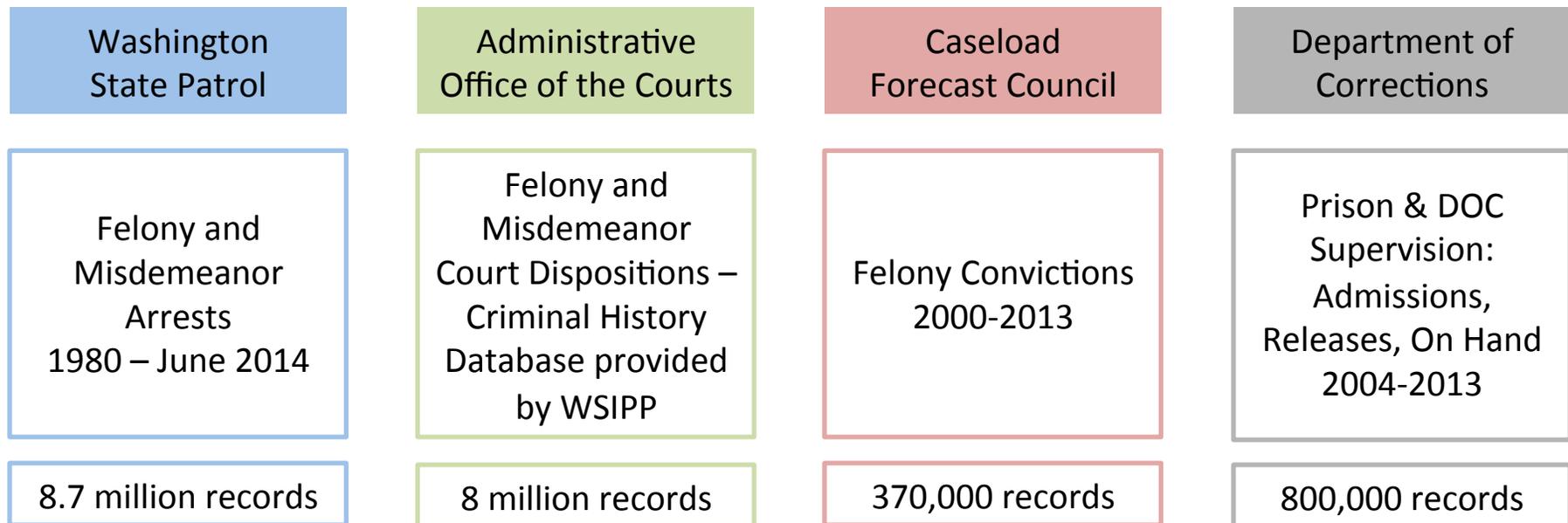
Washington's Prison Population Exceeds Capacity and is Projected to Continue to Increase



*Expanding capacity to address projected growth will cost the state **\$387 to \$481 million** in capital outlay and operational costs over ten years*

Source: Caseload Forecast Council, June 2014 Forecast
Criminal Justice Planning Services, "Cost-Effective Incarceration of Washington State Adult Offenders", 2012.

Data From Washington State Agencies is Enabling an Incredible Degree of Matching and Analysis



Linking of files on State ID (SID) Number

Key Stakeholders in the Criminal Justice System Are Being Engaged in Reviewing Analysis and Providing Input & Ideas

June – August Stakeholder Engagement

Caseload Forecast Council ✓	Prosecutors ✓
Counties ✓	Public Defenders ✓
Department of Corrections ✓	Superior Court Judges ✓
Law Enforcement ✓	Victim Advocates ✓
Legislative Staff ✓	Washington Institute of Public Policy ✓

Upcoming Stakeholder Engagement

9/2014	Distribute survey to jail administrators
9/6	Meeting with Superior Court Judges' Association
9/9	Meeting with DOC's Victims' Council
9/12	Present to Sentencing Guidelines Commission
9/12	Meeting with Council on Public Defense
10/1-2	Present at Washington Association of Prosecuting Attorneys Membership Meeting
10/10	Present to Sentencing Guidelines Commission
10/27	Meeting with Washington Federation of State Employees and Teamsters 117
11/18-20	Present at Washington State Association of Counties Conference

Overview of Detailed Analysis

Sentencing Guidelines

- **Comparison with other guideline states**
- **Utility of offender score**

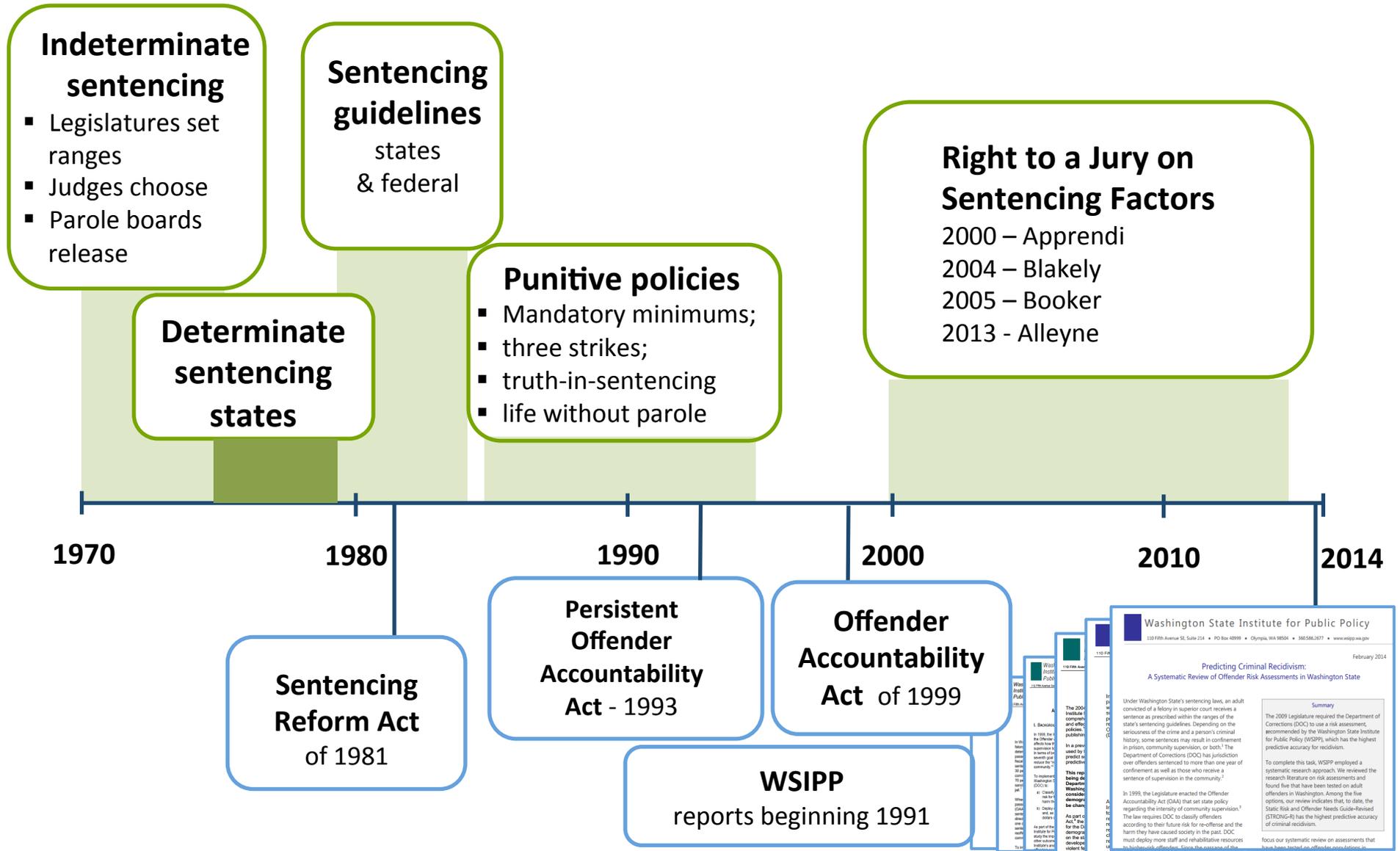
Prison Growth

- **Prison population characteristics**
- **Trends impacting growth**

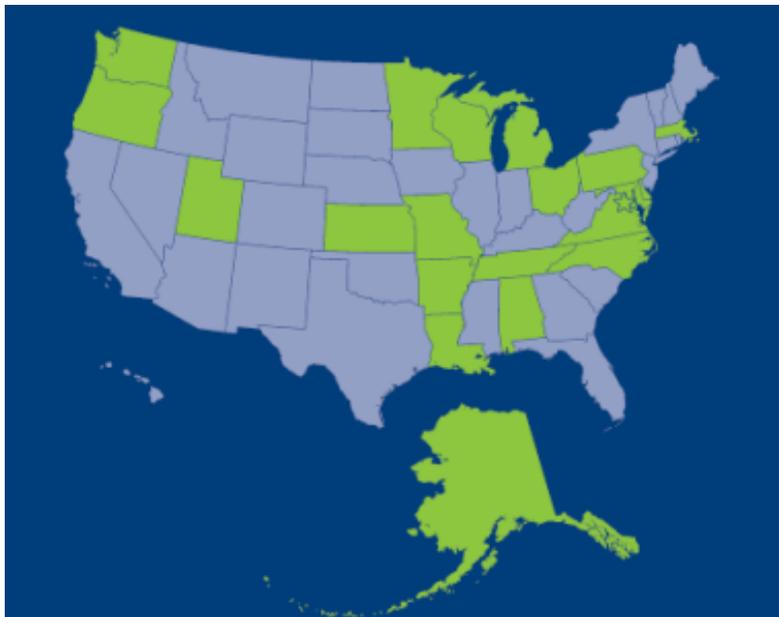
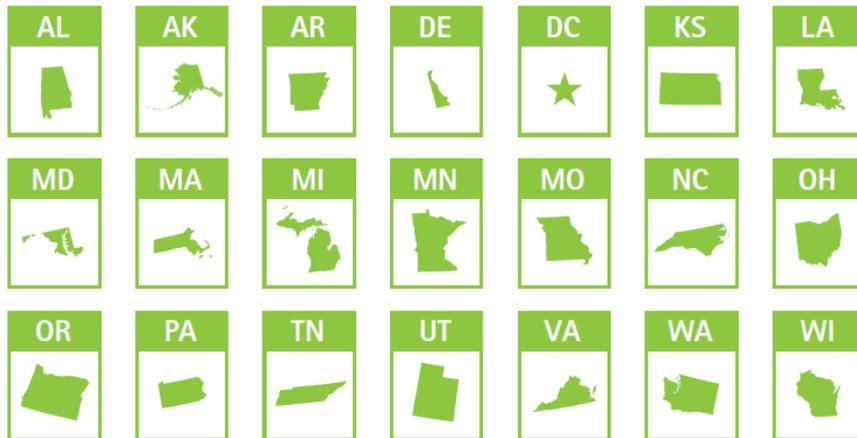
Public Safety

- **Recidivism analysis**
- **Impact of supervision**

A Brief History of U.S. and Washington Sentencing



Washington is One of 21 Guideline States and 13 Non-Parole (Determinante) States



States with Sentencing Guidelines	States Without Parole Release
Alabama	
Alaska	
Arkansas	
	Arizona
	California
Delaware	
DC	
	Illinois
	Indiana
Kansas	Kansas
Louisiana	
Maryland	
Massachusetts	
	Maine
Michigan	
Minnesota	Minnesota
Missouri	
North Carolina	North Carolina
Ohio	Ohio
Oregon	Oregon
Pennsylvania	
Tennessee	
Utah	
Virginia	Virginia
Washington	Washington
Wisconsin	Wisconsin

Washington's Grids have 169 total cells, with More Columns and Rows than Other Systems



258 cells: 9 grids with 3-6 rows and 6 columns



169 cells (16 x 10) + (3 x 3) (drug)



135 cells (10 x 9) + (5 x 9) (drug)



133: (11 x 7) + (8 x 7) (sex off.)



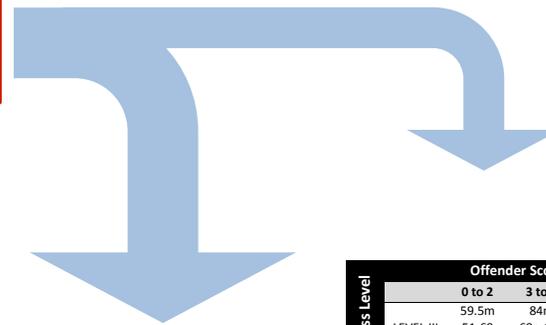
112 cells (14 x 8)



99 cells (11 x 9)



60 cells (10 x 6)



Seriousness Level	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III	59.5m 51-68	84m 68+100	110m 100+120
LEVEL II	16m 12+20	40m 20+60	90m 60+120
LEVEL I	3m 0-6	12m 6+18	18m 12+24

Seriousness Level	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY										
LEVEL XVI	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
LEVEL XV	240-320	250-333	261-347	271-361	281-374	291-388	312-416	338-450	370-493	411-548
LEVEL XIV	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
LEVEL XIII	123-220	134-234	144-244	154-254	165-265	175-275	195-295	216-316	257-357	298-397
LEVEL XII	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
LEVEL XI	90m	100m	100m	119m	129m	139m	170m	185m	215m	245m
LEVEL X	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
LEVEL IX	31-41	36-48	41-54	46-61	51-68	57-75	77-102	87-116	108-144	129-171
LEVEL VIII	24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
LEVEL VII	15-20	21-27	26-34	31-41	36-48	41-54	57-75	67-89	77-102	87-116
LEVEL VI	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m
LEVEL V	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
LEVEL IV	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m
LEVEL III	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m
LEVEL II	0-90 d	2-6	3-9	4-12	12+14	14-18	17-22	22-29	33-43	43-57
LEVEL I	0-60 d	0-90 d	2-5	2-6	3-8	4-12	12+14	14-18	17-22	22-29

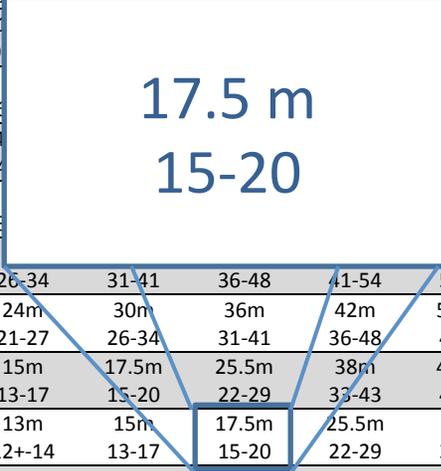
Washington Sentencing Grids Increase in Offense and Criminal History Severity from Lower Left to Upper Right

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l	LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	LEVEL XV	240-320	250-333	261-347	271-361	281-374	291-388	312-416	338-450	370-493	411-548
		171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	LEVEL XIV	123-220	134-234	144-244	154-254	165-265	175-275	195-295	216-316	257-357	298-397
		143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	LEVEL XIII	123-164	134-178	144-192	154-205	165-219	175-233	195-260	216-288	257.342	298-397
		108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	LEVEL XII	93-123	102-136	111-147	120-160	129-171	138-184	162-216	178-236	209-277	240-318
		90m	100m	100m	119m	129m	139m	170m	185m	215m	245m
	LEVEL XI	78-102	86-114	95-125	102-136	111-147	120-158	146-194	159-211	185-245	210-280
		59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	LEVEL X	51-68	57-75	62-82	67-89	72-96	77-102	98-130	108-144	129-171	149-198
		36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
	LEVEL IX	31-41	36-48	41-54	46-61	51-68	57-75	77-102	87-116	108-144	129-171
		24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
LEVEL VIII	21-27	26-34	31-41	36-48	41-54	46-61	67-89	77-102	87-116	108-144	
	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m	
LEVEL VII	15-20	21-27	26-34	31-41	36-48	41-54	57-75	67-89	77-102	87-116	
	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m	
LEVEL VI	12+-14	15-20	21-27	26-34	31-41	36-48	46-61	57-75	67-89	77-102	
	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m	
LEVEL V	6-12	12+-14	13-17	15-20	22-29	33-43	41-54	51-68	62-82	72-96	
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
LEVEL IV	3-9	6-12	12+-14	13-17	15-20	22-29	33-43	43-57	53-70	63-84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
LEVEL III	1-3	3-8	4-12	9-12	12+-16	17-22	22-29	33-43	43-57	51-68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
LEVEL II	0-90 d	2-6	3-9	4-12	12+-14	14-18	17-22	22-29	33-43	43-57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
LEVEL I	0-60 d	0-90 d	2-5	2-6	3-8	4-12	12+-14	14-18	17-22	22-29	
Unranked		0-12m									

Source: Washington State Sentencing Guidelines Manual, 2012, Caseload Forecast Council.

Each Grid Cell Contains a Midpoint and a Range in Months

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l	LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	LEVEL XV	240-320	250-333	261-347	271-361	281-374	291-388	312-416	338-450	370-493	411-548
		171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	LEVEL XIV	123-220	134-234	144-244	154-254	165-265	175-275	195-295	216-316	257-357	298-397
		143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	LEVEL XIII	123-164	134-178	144-192	154-205	165-219	175-233	195-260	216-288	257-342	298-397
		108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	LEVEL XII	93-123	102-136	111-147	120-160	130-174	138-184	162-216	178-236	209-277	240-318
		90m	100m	110m	120m	130m	140m	170m	185m	215m	245m
	LEVEL XI	78-102	86-114	94-124	102-134	110-144	118-154	146-194	159-211	185-245	210-280
		59.5m	66m	72m	80m	88m	96m	124m	126m	150m	230.5m
	LEVEL X	51-68	57-75	64-84	71-94	78-104	85-114	113-150	108-144	129-171	149-198
		36m	42m	48m	54m	60m	66m	95m	101.5m	126m	150m
	LEVEL IX	31-41	36-48	42-54	48-64	54-74	60-84	77-102	87-116	108-144	129-171
		24m	30m	36m	42m	48m	54m	78m	89.5m	101.5m	126m
LEVEL VIII	21-27	26-34	31-41	36-48	41-54	46-61	77-89	77-102	87-116	108-144	
	17.5m	24m	30m	36m	42m	48m	66m	78m	89.5m	101.5m	
LEVEL VII	15-20	21-27	26-34	31-41	36-48	41-54	57-75	67-89	77-102	87-116	
	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m	
LEVEL VI	12+-14	15-20	21-27	26-34	31-41	36-48	46-61	57-75	67-89	77-102	
	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m	
LEVEL V	6-12	12+-14	13-17	15-20	22-29	33-43	41-54	51-68	62-82	72-96	
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
LEVEL IV	3-9	6-12	12+-14	13-17	15-20	22-29	33-43	43-57	53-70	63-84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
LEVEL III	1-3	3-8	4-12	9-12	12+-16	17-22	22-29	33-43	43-57	51-68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
LEVEL II	0-90 d	2-6	3-9	4-12	12+-14	14-18	17-22	22-29	33-43	43-57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
LEVEL I	0-60 d	0-90 d	2-5	2-6	3-8	4-12	12+-14	14-18	17-22	22-29	
Unranked		0-12m									



Source: Washington State Sentencing Guidelines Manual, 2012, Caseload Forecast Council.

Sentences Within a Seriousness Level or Offense Type Vary Widely Depending on Offender Score

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l	LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	LEVEL XV	240-320	250-333	261-347	271-361	281-374	291-388	312-416	338-450	370-493	411-548
		171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	LEVEL XIV	123-220	134-234	144-244	154-254	165-265	175-275	195-295	216-316	257-357	298-397
		143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	LEVEL XIII	123-164	134-178	144-192	154-205	165-219	175-233	195-260	216-288	257.342	298-397
		108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	LEVEL XII	93-123	102-136	111-147	120-160	129-171	138-184	162-216	178-236	209-277	240-318
		90m	100m	100m	119m	129m	139m	170m	185m	215m	245m
	LEVEL XI	78-102	86-114	95-125	103-136	111-147	120-159	146-194	159-211	185-245	210-280
		59.5m	66m	72m	81m	90m	99m	114m	126m	150m	230.5m
	LEVEL X	51-68	57-75	64-82	71-90	78-98	86-108	103-130	108-144	129-171	149-198
		36m	42m	48m	54m	60m	66m	79.5m	101.5m	126m	150m
	LEVEL IX	31-41	36-48	42-54	48-61	54-68	60-75	71-102	87-116	108-144	129-171
		24m	30m	36m	42m	48m	54m	78m	89.5m	101.5m	126m
LEVEL VIII	21-27	26-34	32-41	38-48	44-54	50-61	57-89	77-102	87-116	108-144	
	17.5m	24m	30m	36m	42m	48m	76m	78m	89.5m	101.5m	
LEVEL VII	15-20	21-27	27-34	34-42	41-50	49-60	57-75	67-89	77-102	87-116	
	13m	17.5m	21m	25m	29m	33m	53.5m	66m	78m	89.5m	
LEVEL VI	12+-14	15-20	21-27	26-34	31-41	36-48	46-61	57-75	67-89	77-102	
	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m	
LEVEL V	6-12	12+-14	13-17	15-20	22-29	33-43	41-54	51-68	62-82	72-96	
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
LEVEL IV	3-9	6-12	12+-14	13-17	15-20	22-29	33-43	43-57	53-70	63-84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
LEVEL III	1-3	3-8	4-12	9-12	12+-16	17-22	22-29	33-43	43-57	51-68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
LEVEL II	0-90 d	2-6	3-9	4-12	12+-14	14-18	17-22	22-29	33-43	43-57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
LEVEL I	0-60 d	0-90 d	2-5	2-6	3-8	4-12	12+-14	14-18	17-22	22-29	
Unranked		0-12m									

Range across
Offender Score
1 m – 68 m

Source: Washington State Sentencing Guidelines Manual, 2012, Caseload Forecast Council.

Unlike Other States That Sentence to Probation in Lower Sections of the Grid, Washington Uses Mostly Confinement

Washington Sentencing Grid

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l	LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
	LEVEL XV	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	LEVEL XIV	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	LEVEL XIII	123-220	134-234	144-244	154-254	165-265	175-275	195-295	216-316	257-357	298-397
	LEVEL XII	143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	LEVEL XI	93-123	102-136	111-147	120-160	129-171	138-184	162-216	178-236	209-277	240-318
	LEVEL X	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	LEVEL IX	31-41	36-48	41-54	46-61	51-68	57-75	77-102	87-116	108-144	129-171
	LEVEL VIII	24m	30m	36m	42m	47.5m	53.5m	66m	89.5m	101.5m	150m
	LEVEL VII	15-20	21-27	26-34	31-41	36-48	41-54	47.5m	53.5m	66m	89.5m
	LEVEL VI	12+14	15-20	21-27	26-34	31-41	36-48	41-54	47.5m	53.5m	66m
	LEVEL V	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
	LEVEL IV	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m
	LEVEL III	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m
	LEVEL II	0-90 d	2-6	3-9	4-12	12+14	14-18	17-22	22-29	33-43	43-57
	LEVEL I	0-60 d	0-90 d	3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
Unranked		0-12m									

Up to one year of confinement

Minnesota Sentencing Grid

4.A. Sentencing Guidelines Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denote the discretionary range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subject to local confinement.

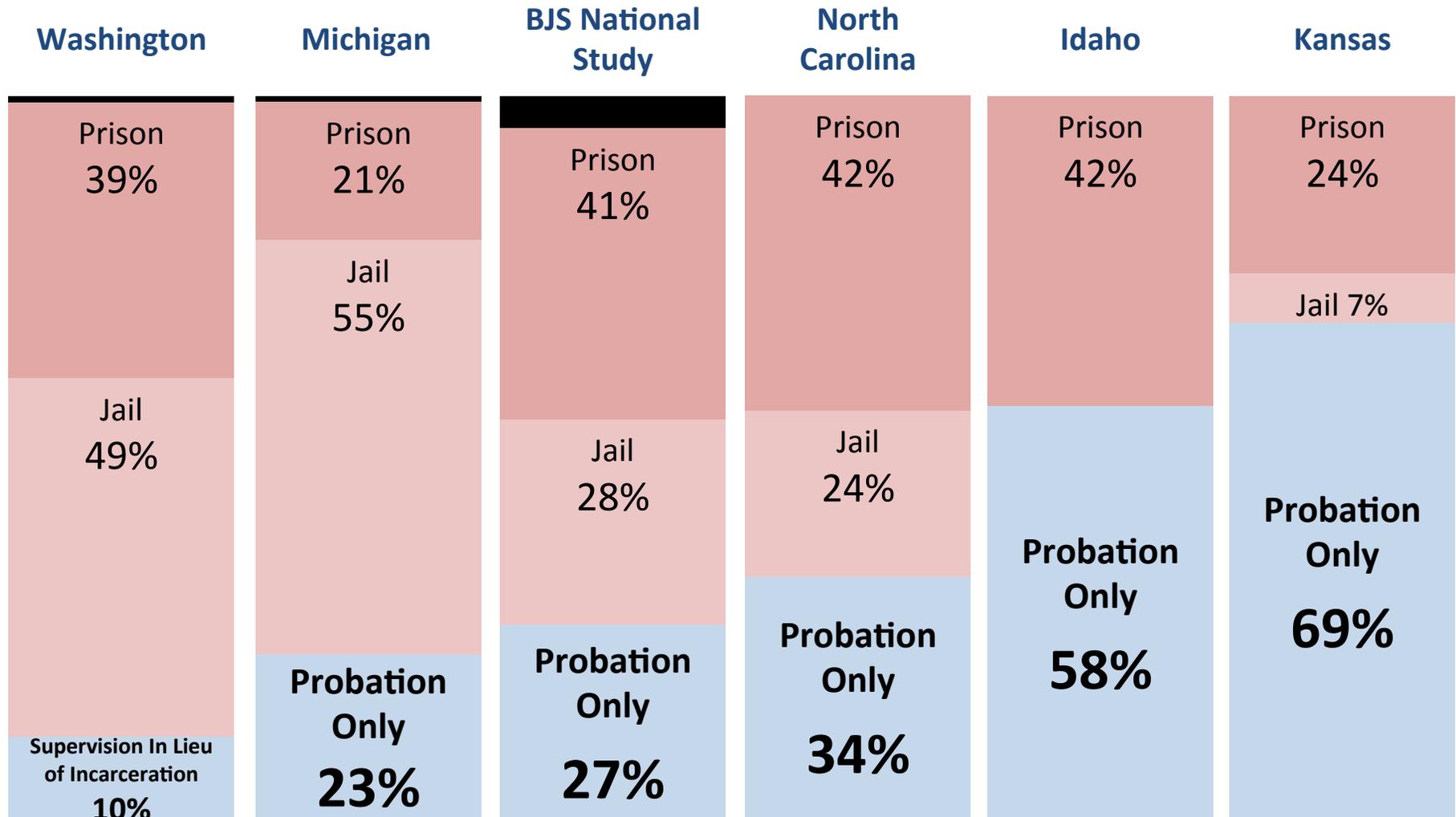
SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in italics)	CRIMINAL HISTORY SCORE							
	0	1	2	3	4	5	6 or more	
<i>Murder, 2nd Degree (intentional murder; drive-by-shootings)</i>	11	306 261-367	326 278-391	346 295-415	366 312-439	386 329-463	406 346-480 ²	426 363-480 ²
<i>Murder, 3rd Degree (unintentional murder)</i>	10	150 128-180	165 141-198	180 153-216	195 166-231	210 181-257	225 196-272	240 211-287
<i>Assault, 1st Degree (Controlled Substance Crime, 1st Degree)</i>	9	86 74-103	98 84-117	110 94-132	122 104-140	134 116-152	146 128-164	158 140-176
<i>Aggravated Robbery, 1st Degree (Controlled Substance Crime, 2nd Degree)</i>	8	48 41-57	58 50-69	68 58-81	78 67-91	88 77-101	98 87-101	108 97-111
<i>Felony DWI</i>	7	36	42	48	54 46-62	60 52-68	66 58-74	72 64-80
<i>Controlled Substance Crime, 3rd Degree</i>	6	21	27	33	39 34-46	45 39-54	51 44-61	57 49-68
<i>Residential Burglary (Simple Robbery)</i>	5	18	23	28	33 29-39	38 33-45	43 37-51	48 41-57
<i>Nonresidential Burglary</i>	4	12 ¹	15	18	21 18-24	24 21-28	27 23-32	30 26-36
<i>Theft Crimes (Over \$5,000)</i>	3	12 ¹	13	15	17 15-19	19 17-22	21 18-25	23 20-27
<i>Theft Crimes (\$5,000 or less) (Check Forgery (\$251-\$2,500))</i>	2	12 ¹	12 ¹	13	15	17	19	21 18-25
<i>Sale of Simulated Controlled Substance</i>	1	12 ¹	12 ¹	12 ¹	13	15	17	19 17-22

Presumptive probation with up to a year of confinement

- Presumptive commitment to state imprisonment. First-degree murder has a mandatory life sentence and is excluded from the Guidelines under Minn. Stat. § 609.185. See Guidelines section 2.E. Mandatory Sentences, for policies regarding those sentences controlled by law.
- Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenses in the shaded area of the Grid always carry a presumptive commitment to state prison. Guidelines sections 2.C. Presumptive Sentence and 2.E. Mandatory Sentences.

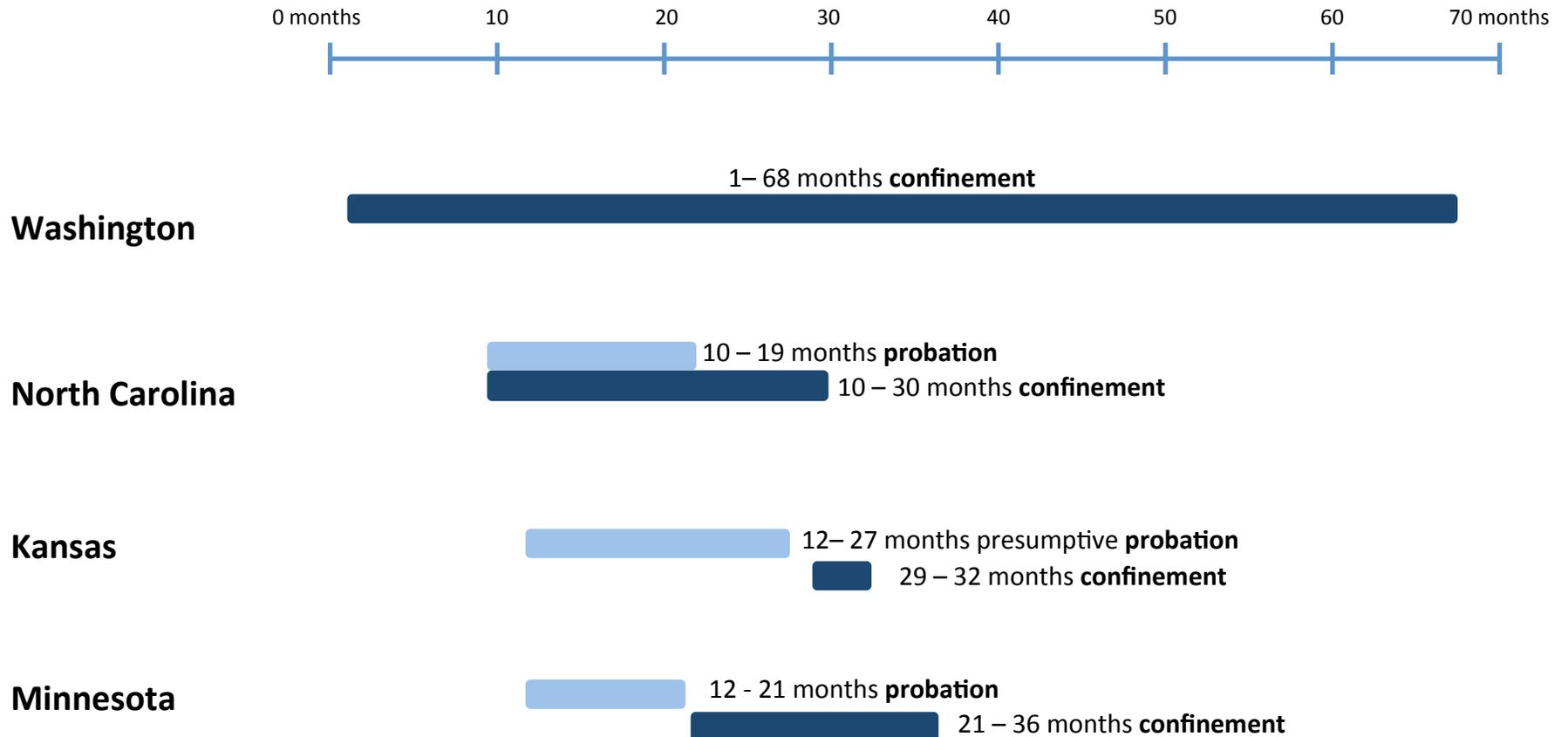
¹ 12¹=One year and one day

Washington Utilizes Supervision as a Felony Sentence Less Than the National Average and Other Recent JR States

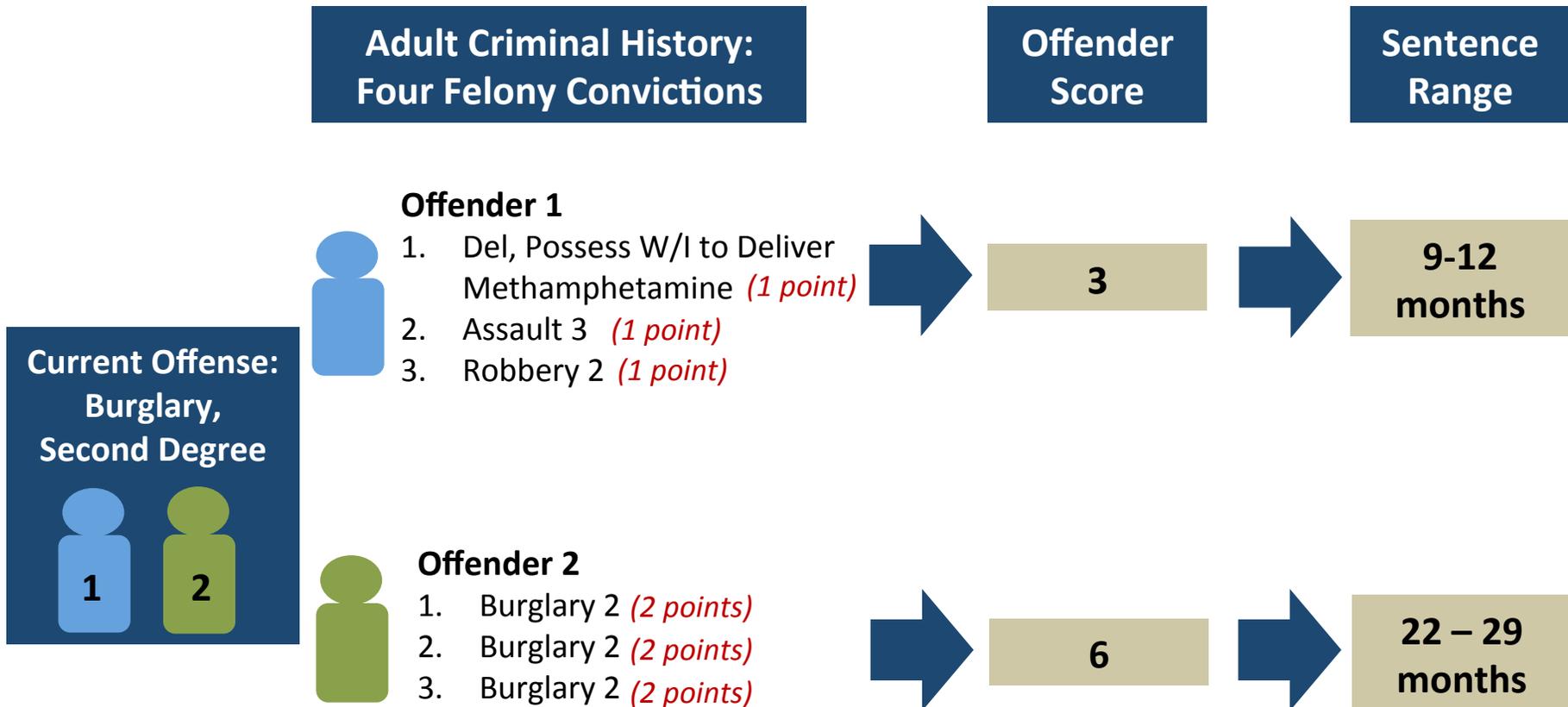


Source: *Statewide Dispositions – Fiscal Year 2012*, Office of Community Alternatives, MI Dept. of Corrections, November 2012; KS Felony Sentencing Data; *Structured Sentencing Statistical Report FY 2011/12*, NC Sentencing and Policy Advisory Commission; BJS Felony Sentences in State Courts, 2006 –Statistical Tables; WA Caseload Forecast Council sentencing data..

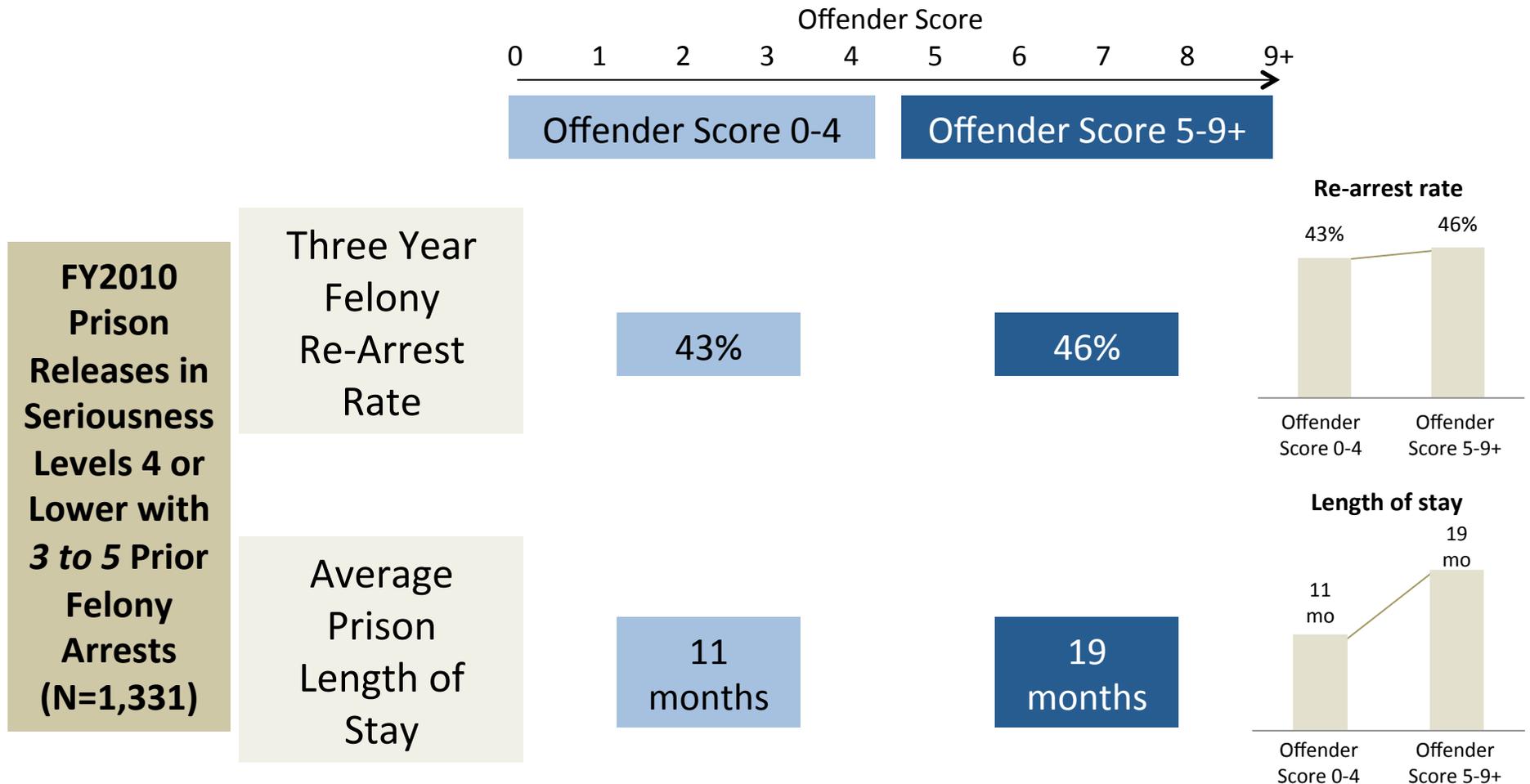
Washington Has A Wider Sentence Range and Fewer Sentencing Options for Second Degree Burglary Compared to Other States



Certain Offenses Trigger Double- or Triple-counting of Similar Prior Convictions in the Offender Score



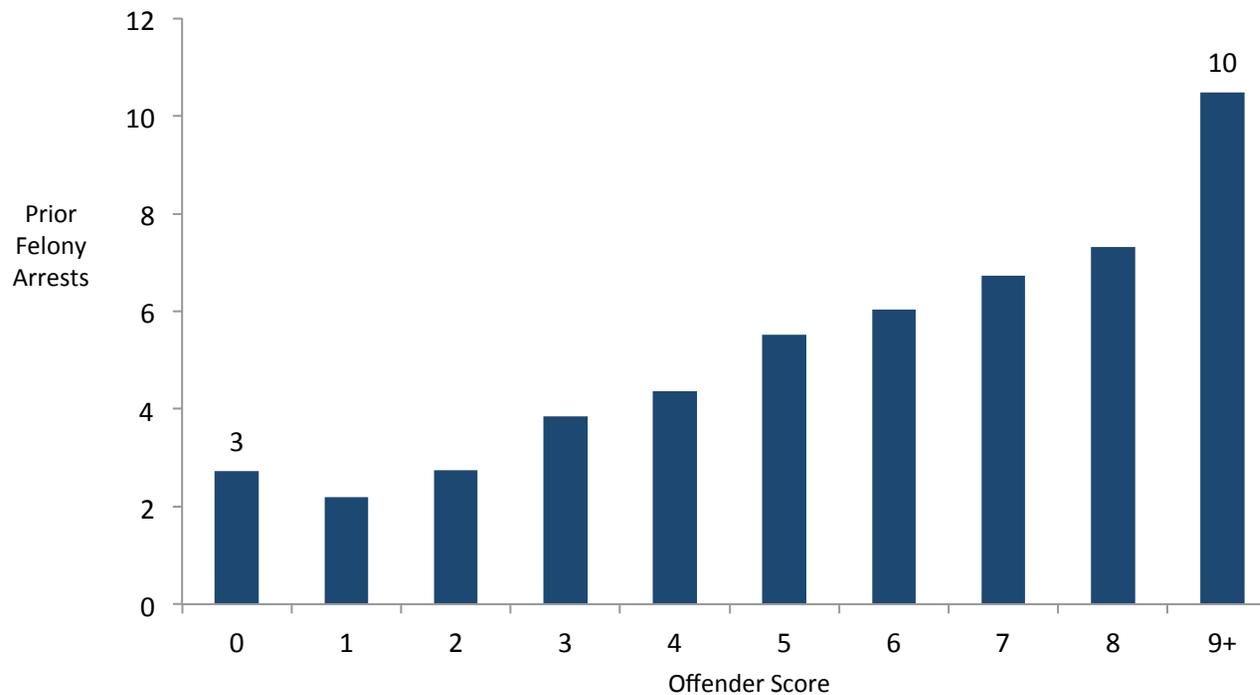
Offender Score Increases Prison Time for Offenders With Similar Criminal History and Re-Arrest Rate



Source: Justice Center analysis of DOC and WSP data.

Offender Score Correlates Strongly with Number of Prior Felony Arrests

Average Number of Prior Felony Arrests by Offender Score, FY2013 Prison Admissions – Drug Grid or Seriousness Level 4 or lower

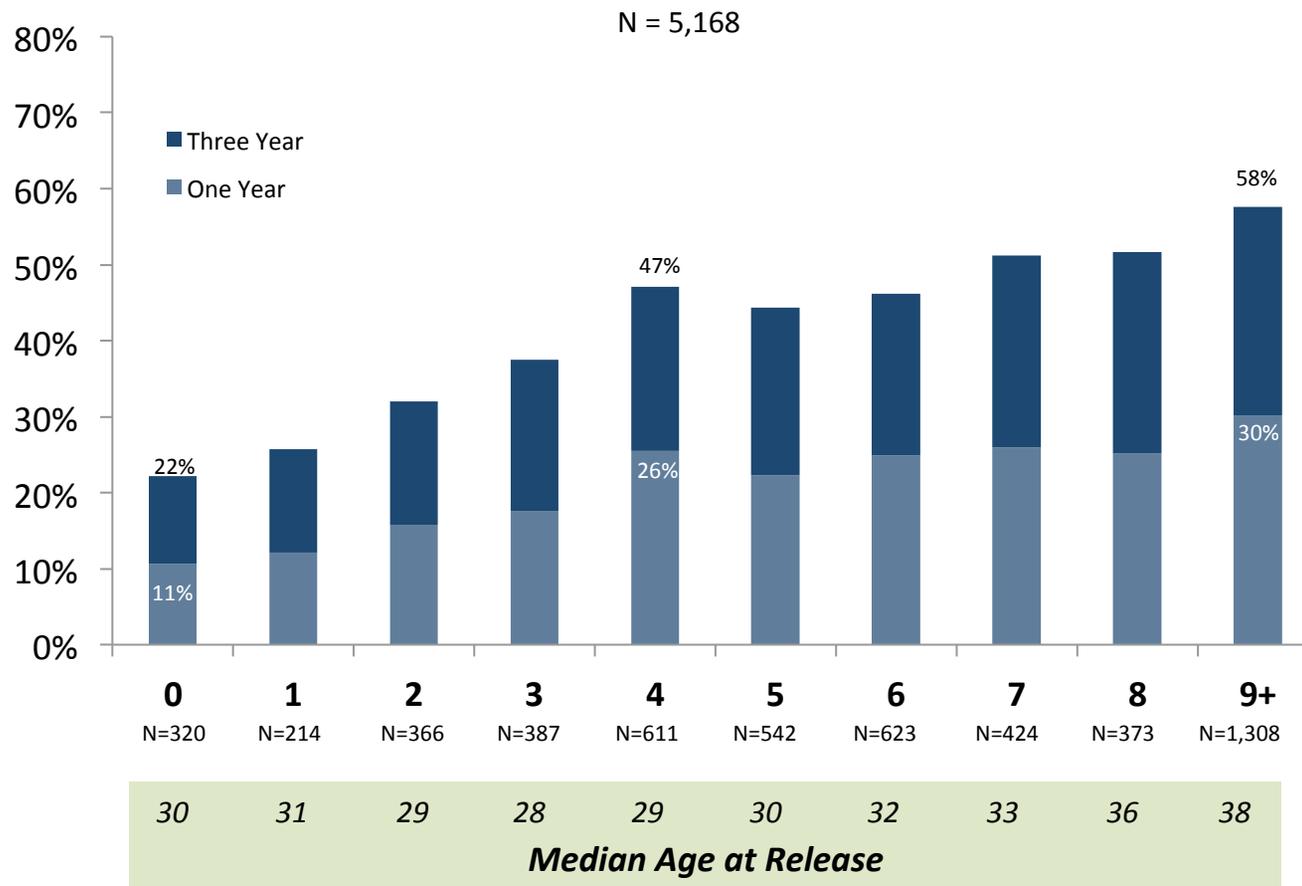


*Arrests include felony offenses, excluding CC or parole violations

Source: Justice Center analysis of CFC and WSP data.

Relationship Between Offender Score and Re-Arrest Rate Diminishes for Offender Scores 4 through 8

One and Three Year Felony Re-Arrest Rates by Offender Score,
FY2010 Prison Releases – Drug Grid or Seriousness Level 4 or lower



Source: Justice Center analysis of DOC and WSP data.

Key Findings Regarding Sentencing Policies

- In Washington, the sentencing range is significantly wider than other guideline states, based on criminal history
- Other states utilize community supervision as a sentence in lieu of confinement for a greater proportion of felony sentences
- Prison sentences are longer for repeat offenders in Washington than other guidelines states
- Recidivism does not vary significantly based on offender score for those scoring 4, 5, 6, 7, or 8; but sentence length does

Overview of Detailed Analysis

Sentencing Guidelines

- **Comparison with other guideline states**
- **Utility of offender score**

Prison Growth

- **Prison population characteristics**
- **Trends impacting growth**

Public Safety

- **Recidivism analysis**
- **Impact of supervision**

The On-Hand Prison Population is Concentrated in the Upper Left and Lower Right Sections of the Grid

FY2013 End-of Year Prison Population

Standard Grid

S e r i o u s n e s s L e v e l	Offender Score										Unknown Offender Score
	0	1	2	3	4	5	6	7	8	9+	
LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY										
LEVEL XV	158										808
LEVEL XIV	204										250
LEVEL XIII											
LEVEL XII	303		108	235			124			217	597
LEVEL XI	164			118							180
LEVEL X	164			126			101			140	160
LEVEL IX	143		137				100			369	272
LEVEL VIII											
LEVEL VII							125			349	
LEVEL VI											
LEVEL V					108	106				204	
LEVEL IV	106		137	146	128	180	214	195	134	817	180
LEVEL III					177	151	170	181	174	733	102
LEVEL II							103	149	712		
LEVEL I										341	

Drug Grid

S e r i o u s n e s s L e v e l	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III			
LEVEL II	212	347	568
LEVEL I		129	384

Shaded grid cells represent a population over 100

*Excludes approx. 2% of population with unknown Seriousness Level

Source: Justice Center analysis of DOC data.

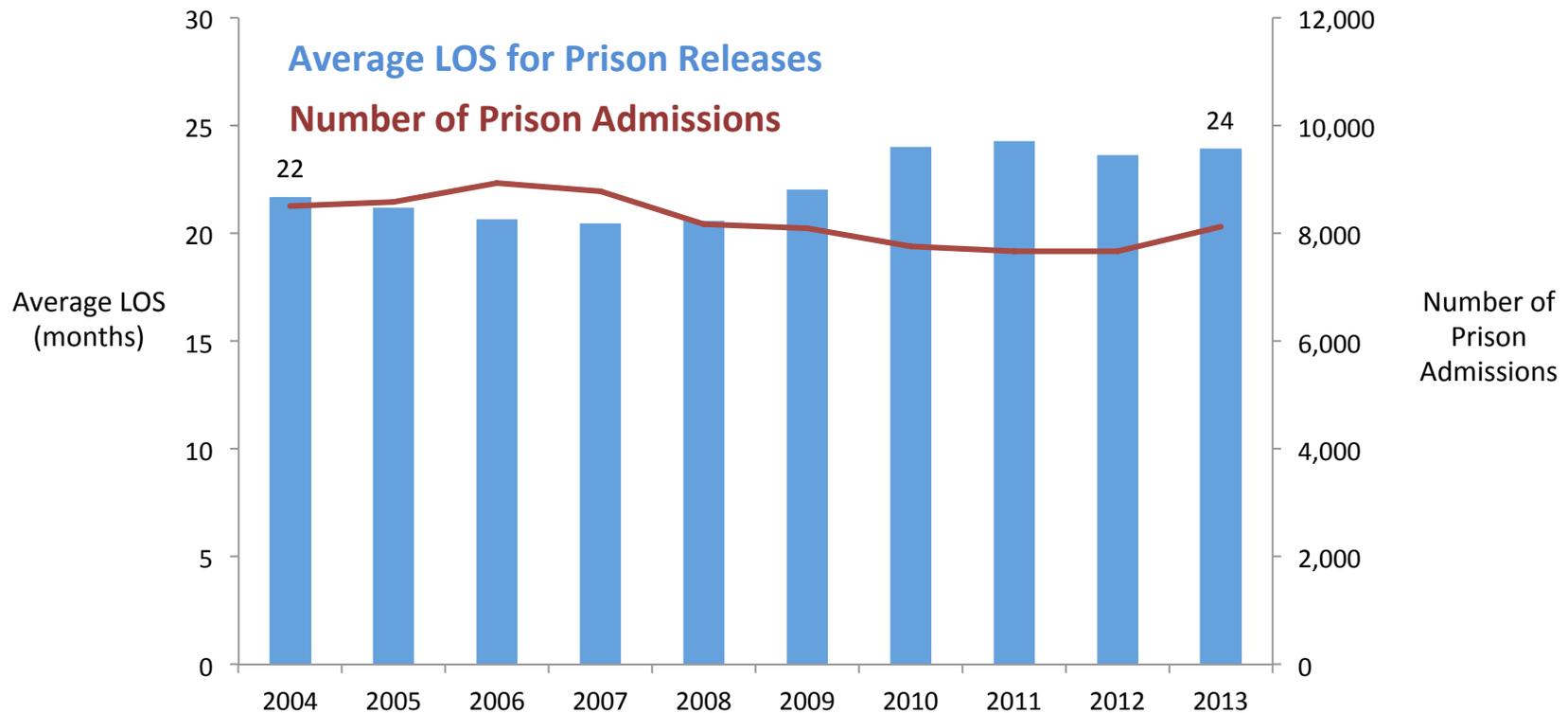
Detail of Drug Grid and Level I – IV Standard Grid Felony Sentences in FY2013

Drug (4,976)		Property (7,784)				Violent/Crimes Against Person/Sex (3,170)		
Jail 3,002	Possession of a Controlled Substance, Schedules III, IV, or V: 63%	Jail 4,746	Theft 1 + 2: 22%	Prison 3,038	MV Theft + Possession of a Stolen Vehicle: 22%	Jail 1,888	Assault 3: 48%	
	Possession of a Controlled Substance, Schedule I or II: 26%		Poss. + Traf 1 + Traf 2 of Stolen Property: 18%		Residential Burglary: 18%		Assault 2: 16%	
	Man, Del, or Poss Marijuana: 5%		Burglary 2: 16%		Burglary 2: 16%		Unlawful Poss. Of Firearm 2: 12%	
	Forged Prescrip CS: 3%		Forgery + ID Theft: 2: 15%		ID Theft + Forgery: 15%		Robbery 2: 7%	
	Other: 2%		MV Theft + Possession of a Stolen Vehicle: 2: 13%		Theft 1 + 2: 10%		Vehicular Assault Under Influence: 4%	
	Residential Burglary: 9%		Traf. 1 + Poss 2 of Stolen Property: 10%		Other: 13%			
Prison 1,974	Possession of a Controlled Substance, III, IV, or V: 37%		Malicious Mischief 2: 4%		Other: 7%	Other: 9%	Prison 1,282	Assault 2: 35%
	Man, Del, or Poss Cocaine: 18%							Assault 3: 23%
	Del or Poss Meth : 17%							Robbery 2: 15%
	Poss CS Sch I, II: 14%							Unlawful Poss. Of Firearm 2: 13%
	Man/Del/Poss Sch I/II: 6%				Other: 14%			
	Other: 8%							

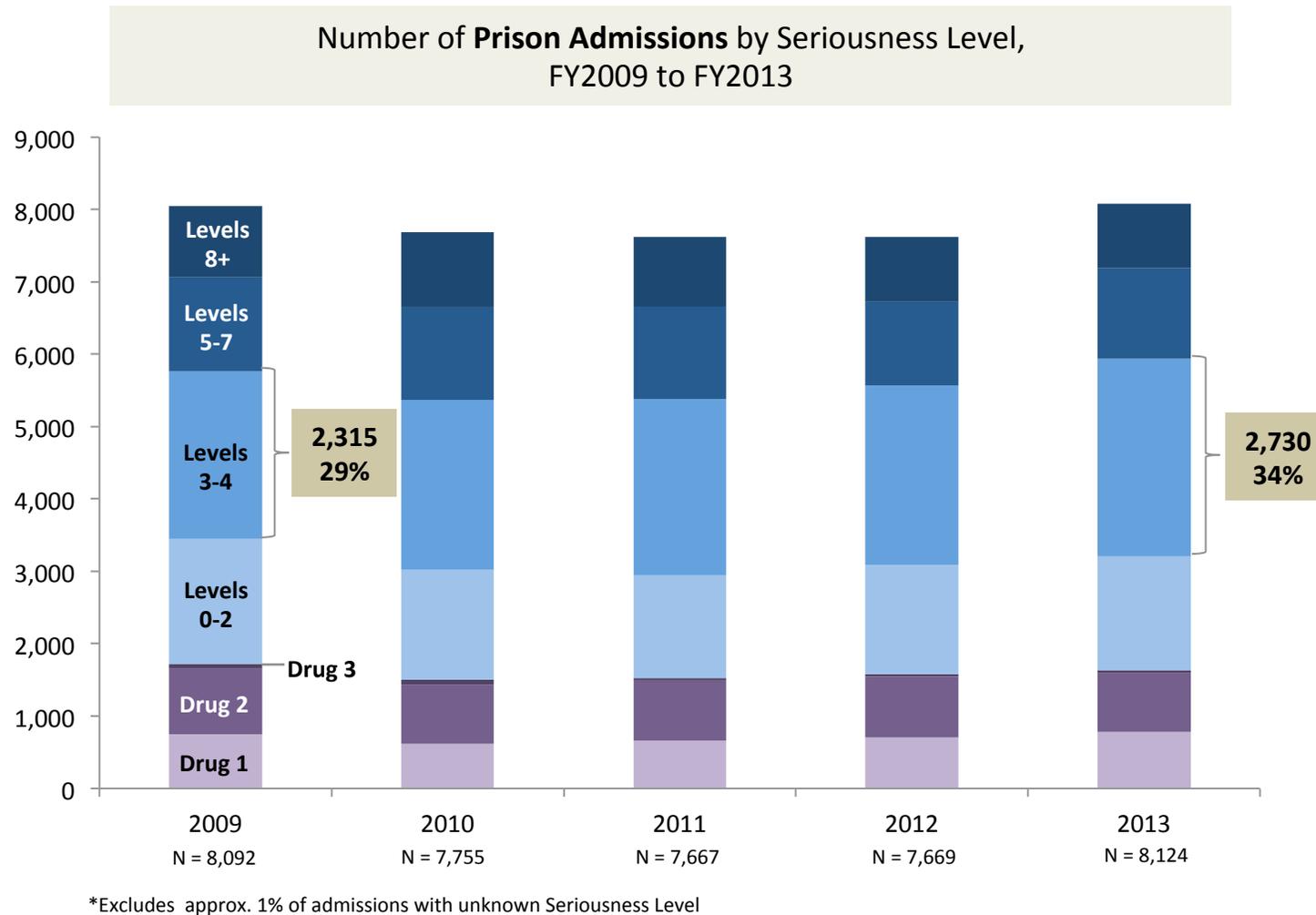
Source: Justice Center Analysis of CFC's Sentencing Data

Admissions to Prison Have Remained Steady While the Average Length of Stay Has Increased Since 2004

Number of Prison Admissions and Average Length of Stay for Prison Releases, FY2004 and FY2013

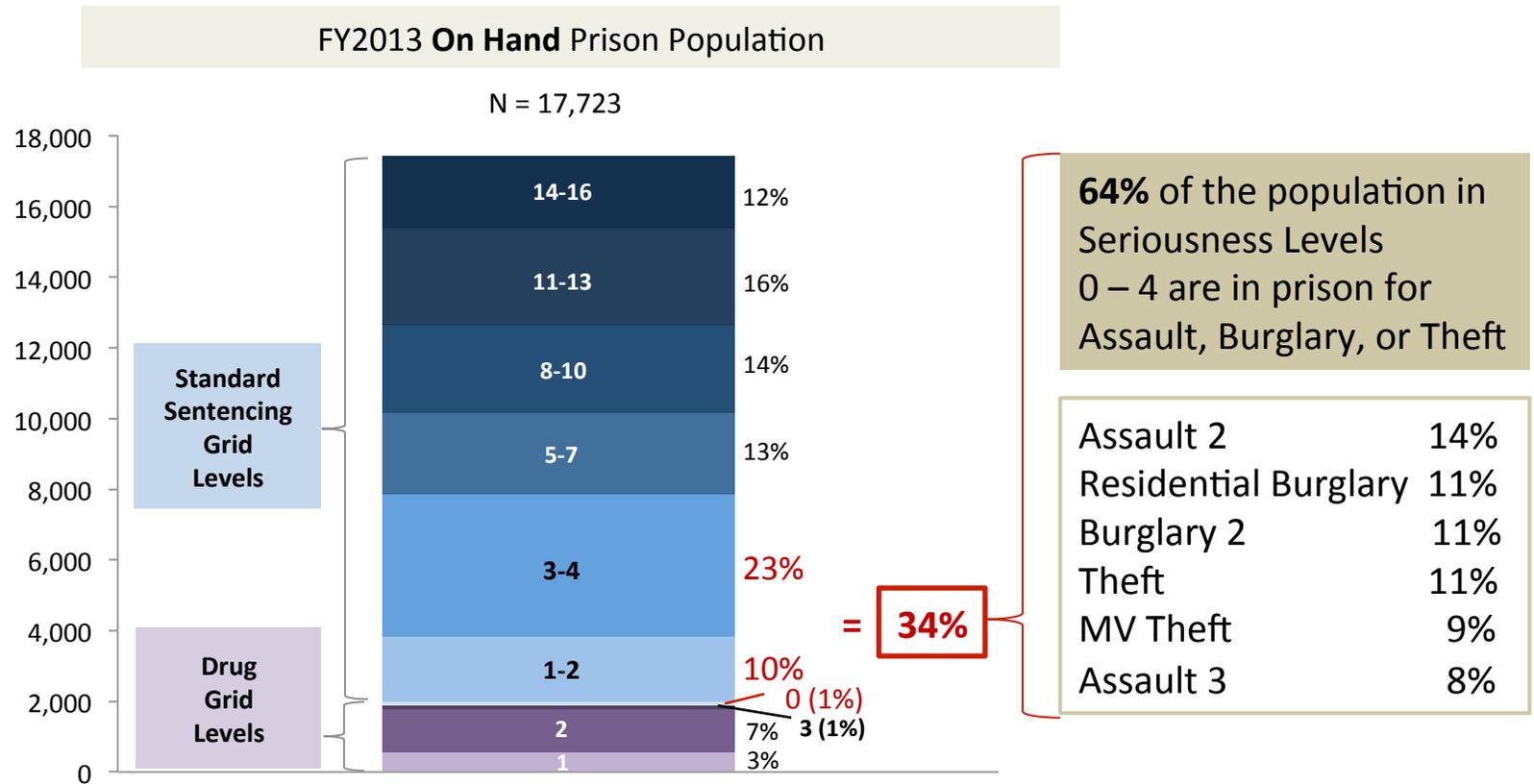


Prison Admissions for Seriousness Level 3 & 4 Offenses Have Increased in Number and Proportion Since FY2009



Source: Justice Center analysis of DOC data.

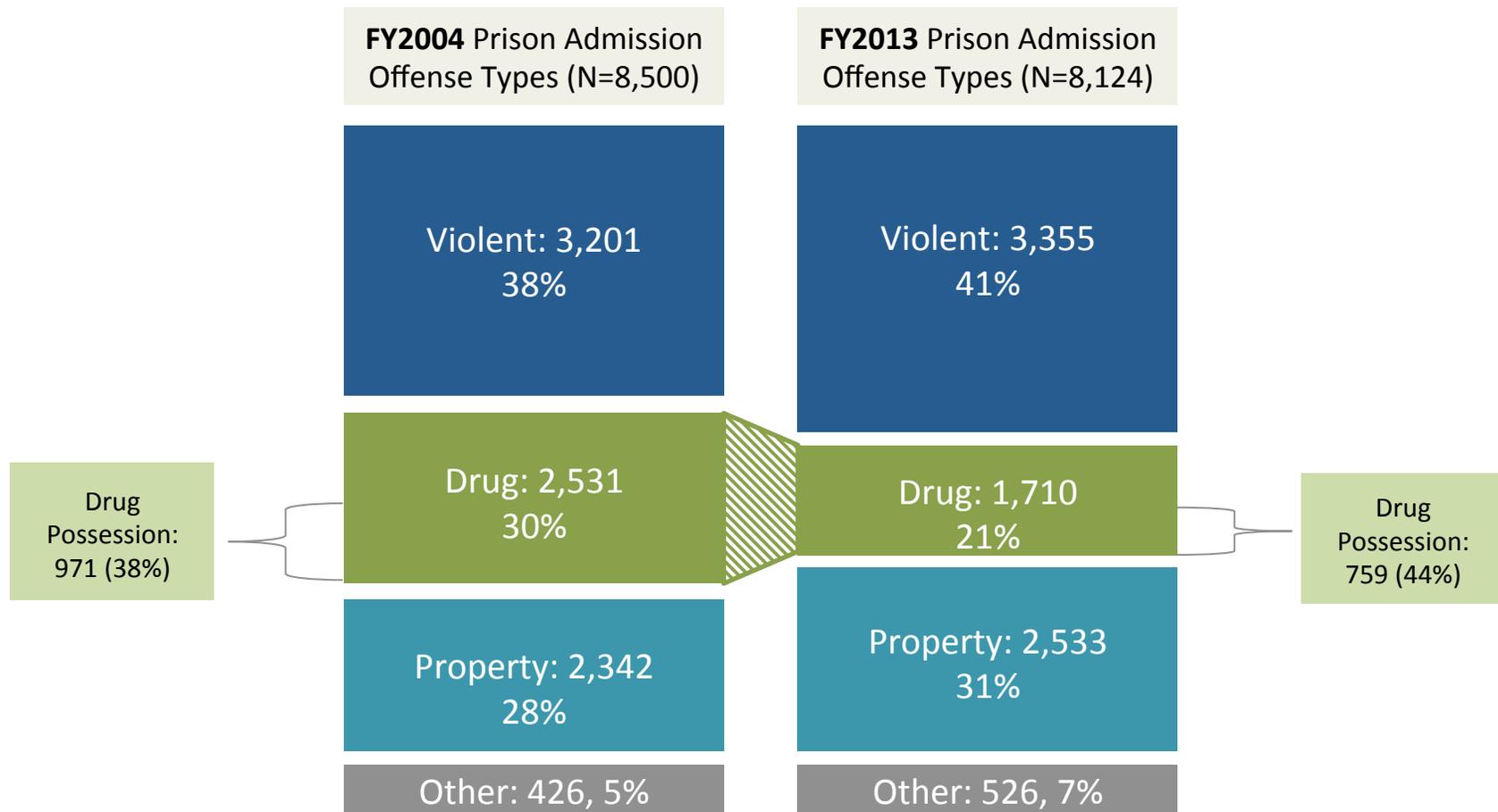
One-Third of the FY13 On Hand Prison Population Were Sentenced for Offenses in Seriousness Levels 0 - 4



*Excludes approx. 2% of population with unknown Seriousness Level

Source: Justice Center analysis of DOC data.

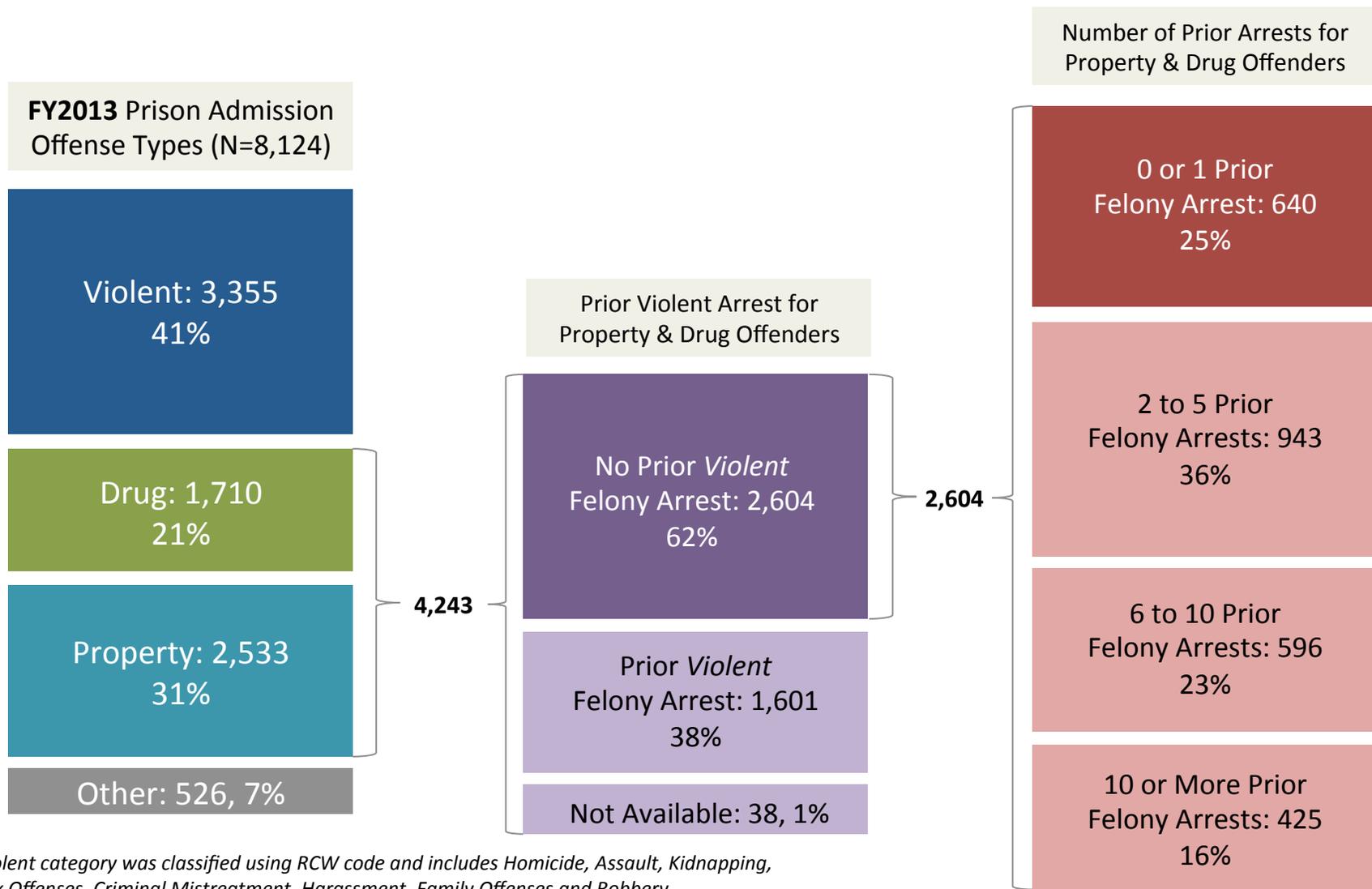
Drug Offenders Composed a Smaller Proportion of Prison Admissions in FY2013 Compared to Earlier Years



Violent category was classified using RCW code and includes Homicide, Assault, Kidnapping, Sex Offenses, Criminal Mistreatment, Harassment, Family Offenses and Robbery

Source: Justice Center analysis of DOC data.

Over Half of Drug and Property Offenders Admitted to Prison in FY2013 Did Not Have a Prior Violent Felony Arrest

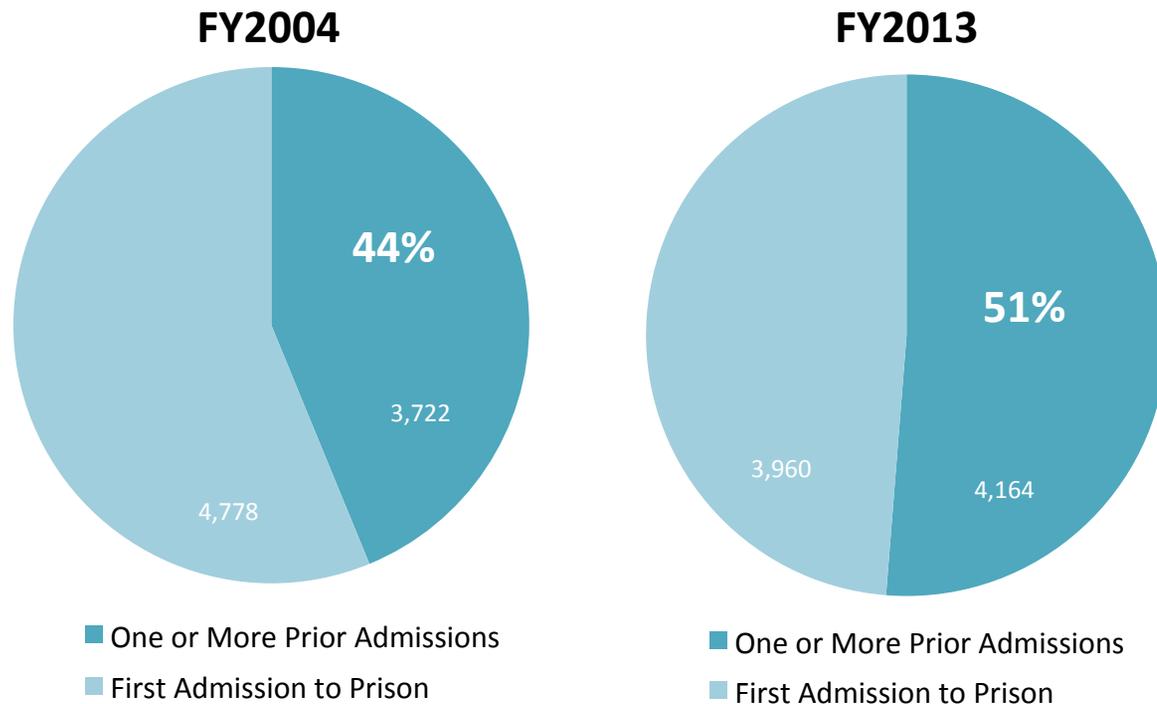


Violent category was classified using RCW code and includes Homicide, Assault, Kidnapping, Sex Offenses, Criminal Mistreatment, Harassment, Family Offenses and Robbery

Source: Justice Center analysis of DOC and WSP data.

The Number of Prison Admissions That Have One or More Prior Admissions has Increased

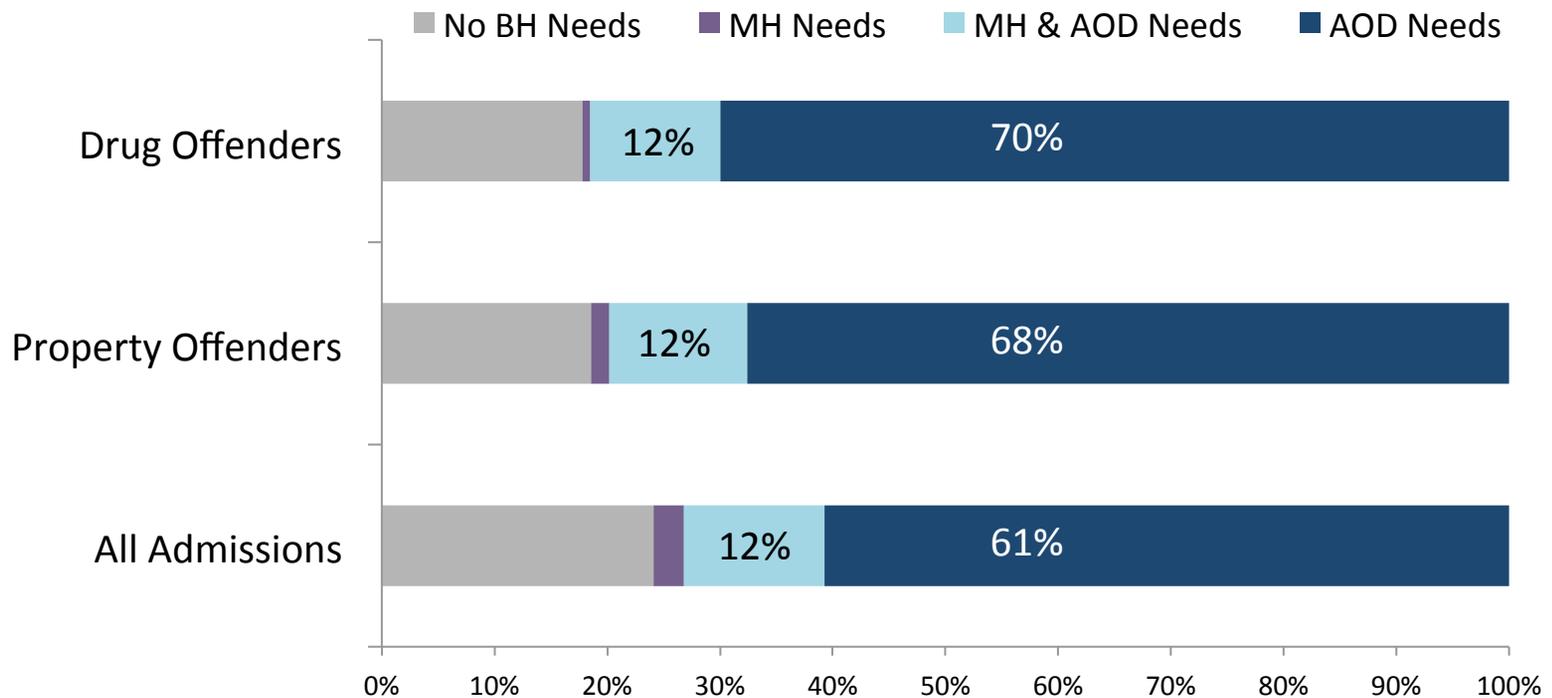
Prison Admissions, FY2004 and FY2013



Source: Justice Center analysis of DOC data.

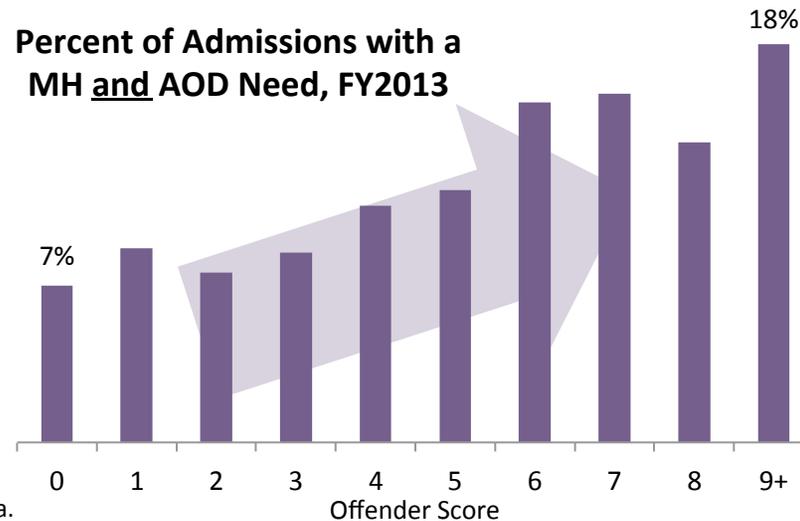
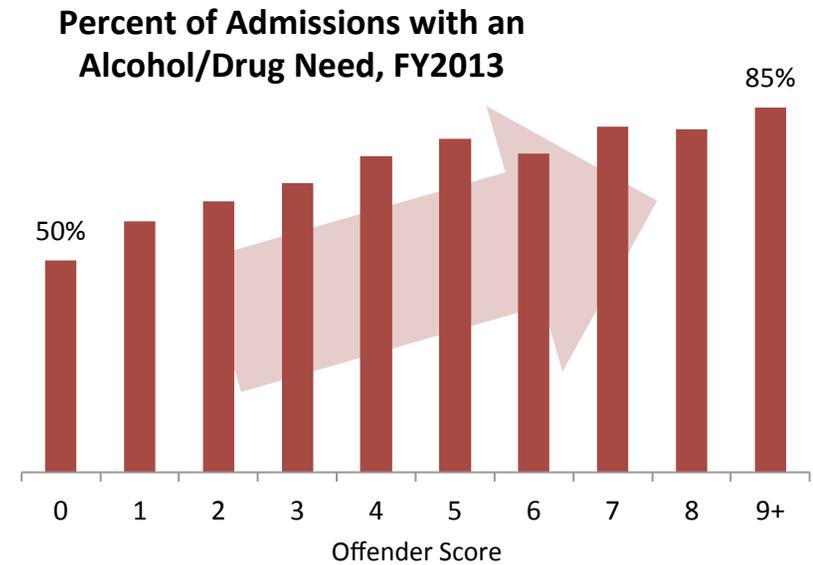
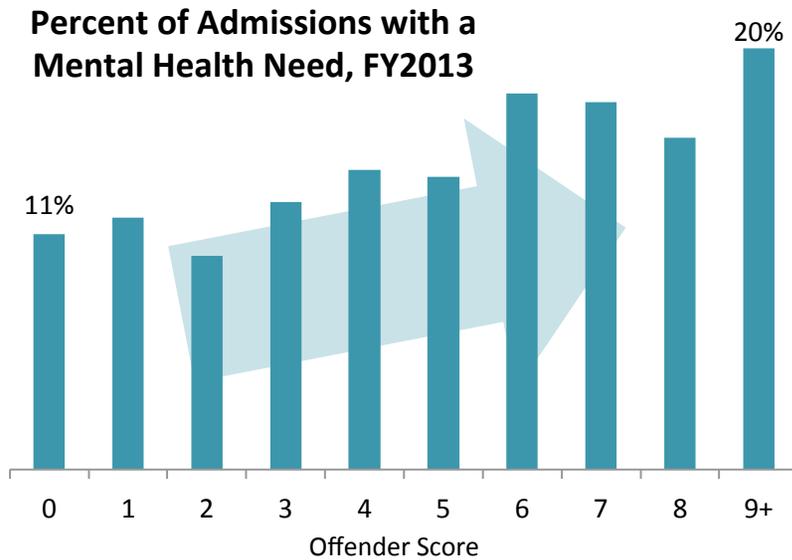
Property and Drug Offenders Have Similar Rates of Alcohol and Other Drug (AOD) Needs

Prevalence of MH and AOD Needs by Offense Type,
FY2013 Prison Admissions



**Need defined as "Moderate" or "High" on the DOC Offender Needs Assessment*

People With Higher Offender Scores Have Higher Prevalence Rates of Mental Health and Alcohol/Drug Needs

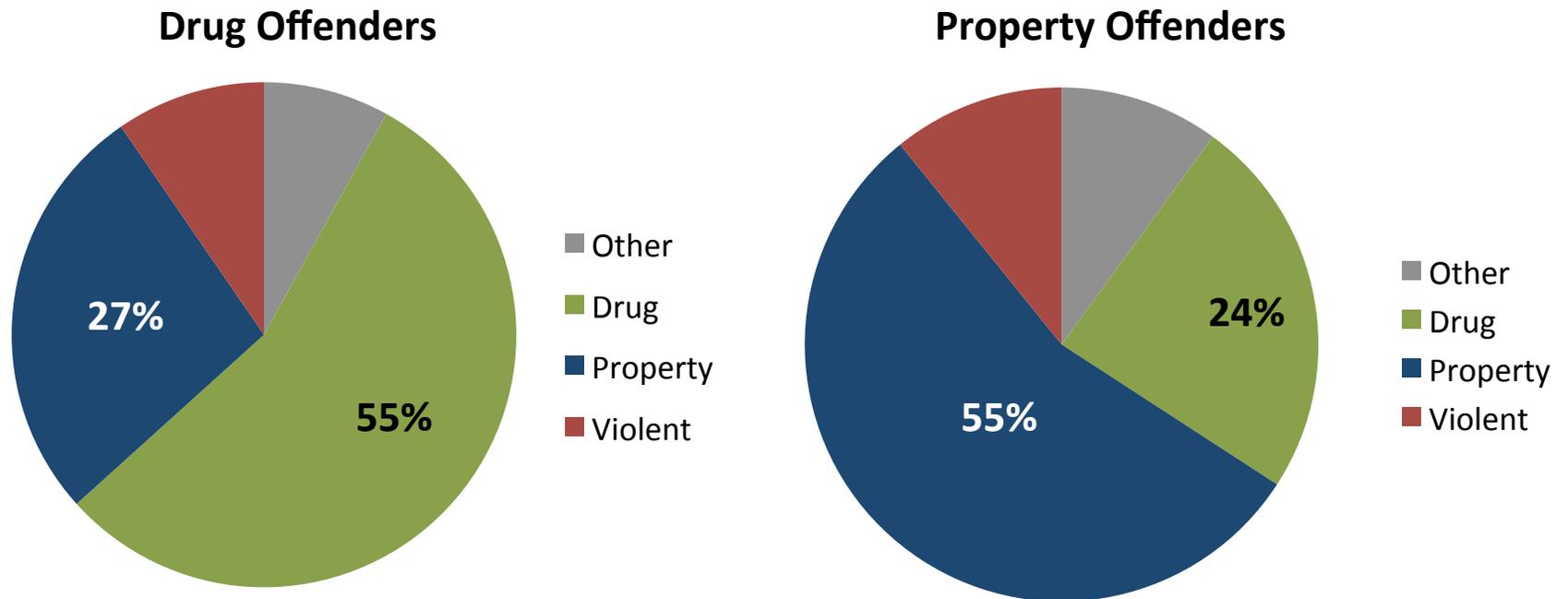


**Need defined as "Moderate" or "High" on the DOC Offender Needs Assessment*

Source: Justice Center analysis of DOC data.

Approximately 80% of Drug and Property Offenders Who Recidivate Commit a Drug or Property Offense as Their First Re-Arrest

First Re-Arrest Offense Type for 3 Year Recidivists
FY2013 Prison Releases



Key Findings Regarding Prison Growth

- A sizeable portion of the prison population are offenders convicted for lower severity offenses, but most have multiple prior arrests
- Prison admissions have been fairly stable, but average length of stay has increased
- Property and drug offenders often share similar criminal history backgrounds, consisting of mostly property and drug arrests, and have higher rates of behavioral health needs

Overview of Detailed Analysis

Sentencing Guidelines

- **Comparison with other guideline states**
- **Utility of offender score**

Prison Growth

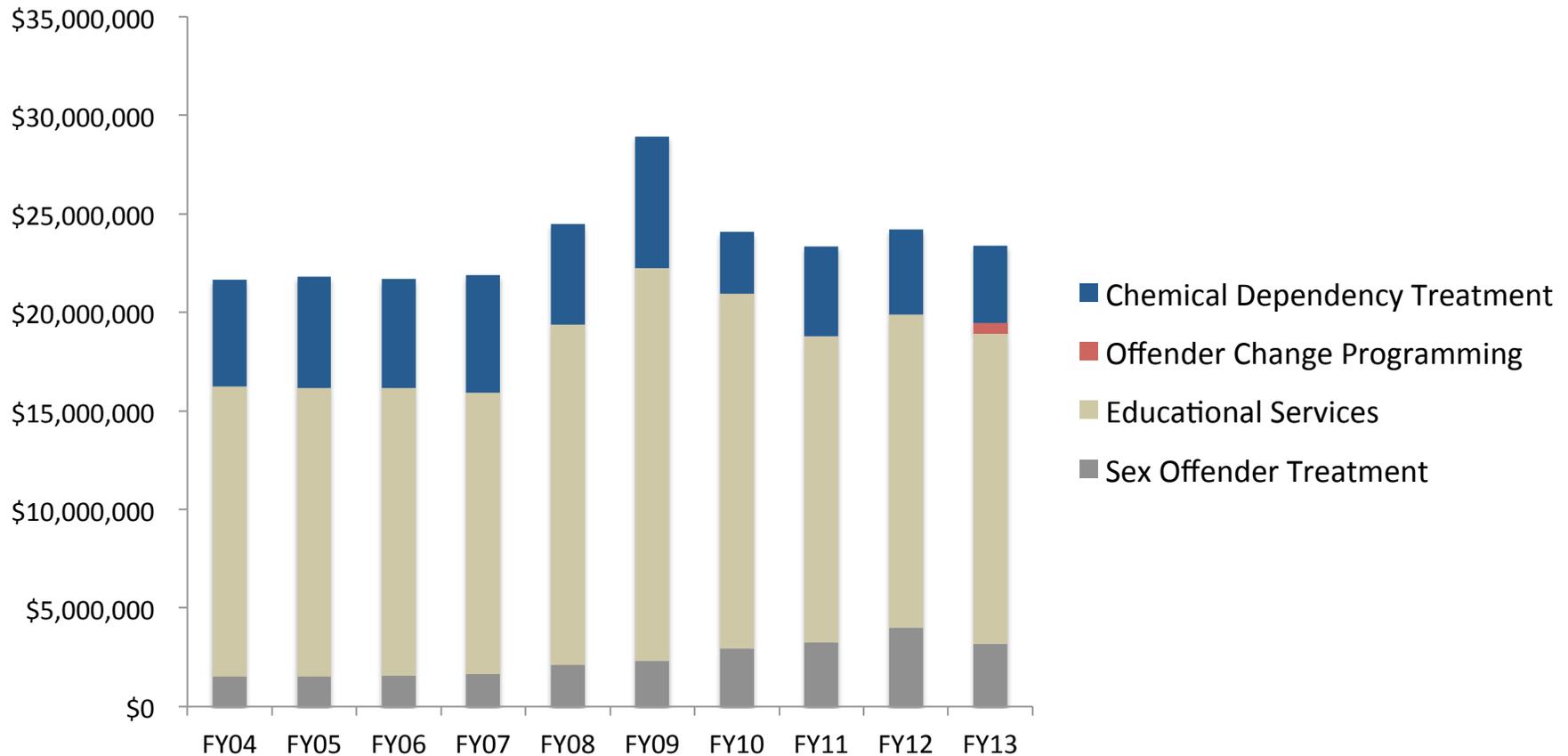
- **Prison population characteristics**
- **Trends impacting growth**

Public Safety

- **Recidivism analysis**
- **Impact of supervision and programming**

Spending on Prison-Based Programs Has Remained Steady Over the Years

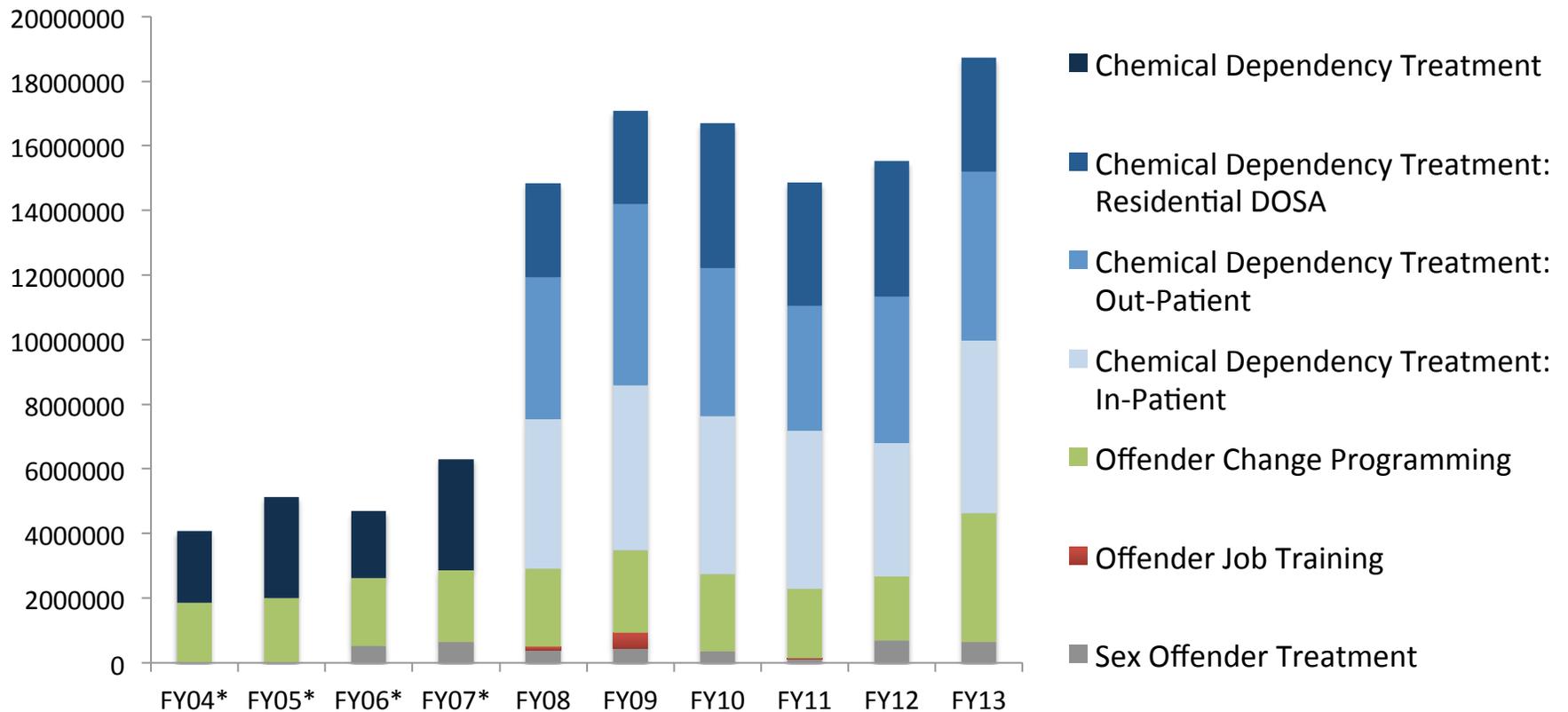
Correctional Programming Expenditure, FY04-FY13



Source: Data received from the Department of Corrections Budget Office

Spending on Community-Based Programs Has Increased Significantly

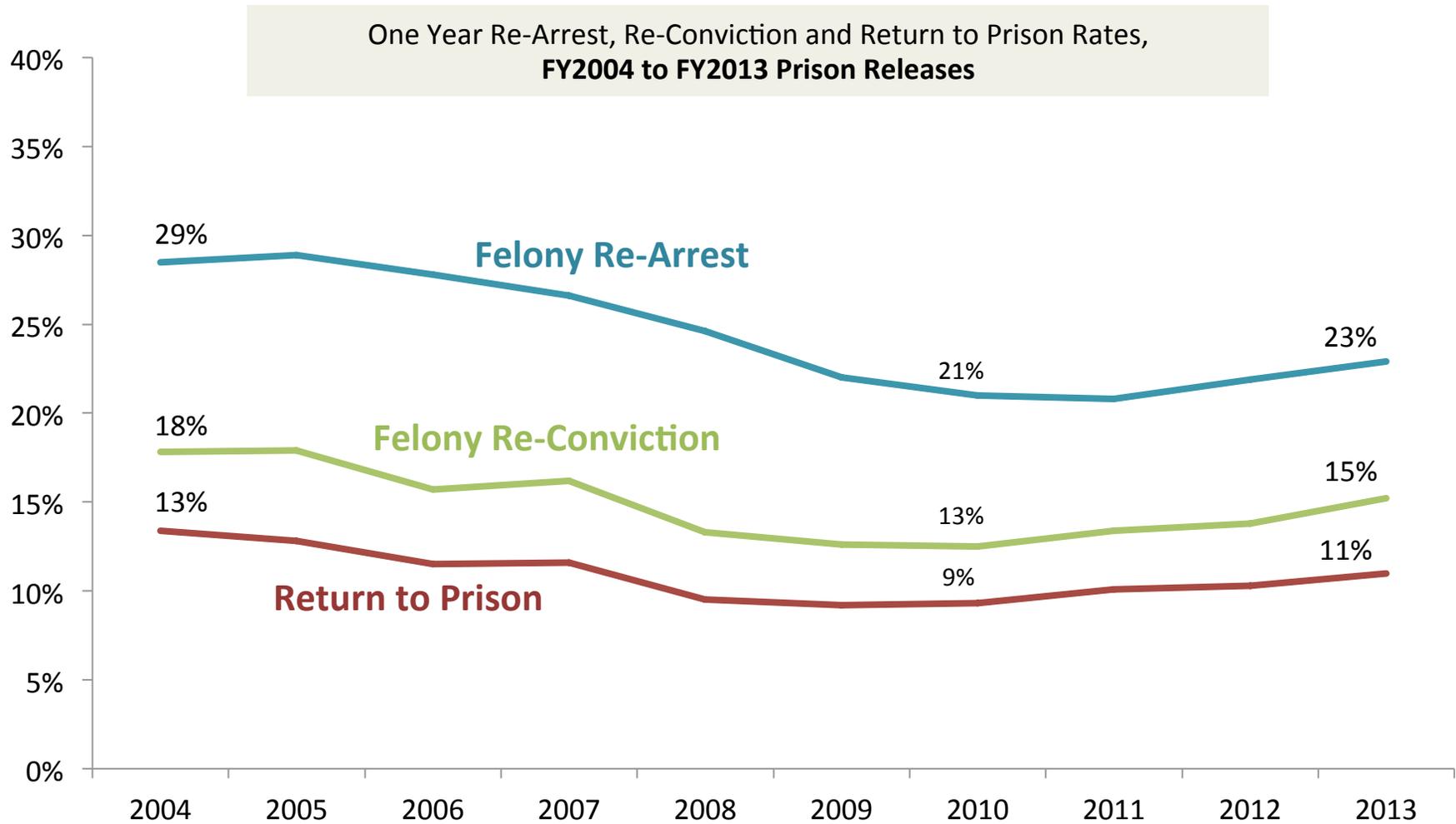
Community Supervision Programming Expenditures, FY04-FY13



*Sex Offender Treatment funding for FY04 and FY05 was not separated or tracked financially and chemical dependency treatment funding for FY04, FY05, FY06, and FY07 was not separated financially.

Source: Data received from the Department of Corrections Budget Office

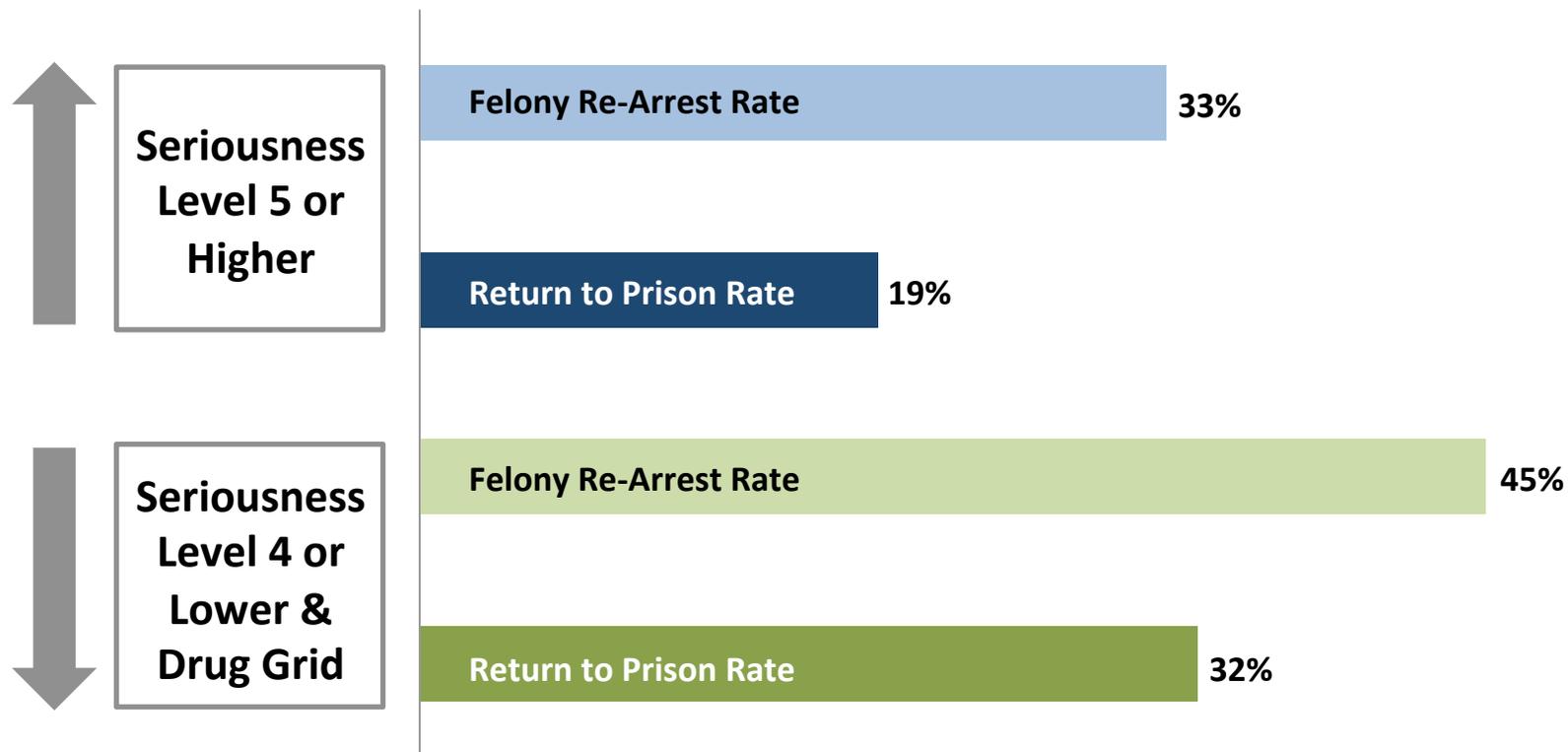
One Year Recidivism Rates for Offenders Released from Prison Have Remained Stable or Declined Slightly Since FY2004



Source: Justice Center analysis of DOC, WSP, and AOC data.

Lower Seriousness Level Offenders Have Much Higher Recidivism Rates Than Higher Seriousness Level Offenders

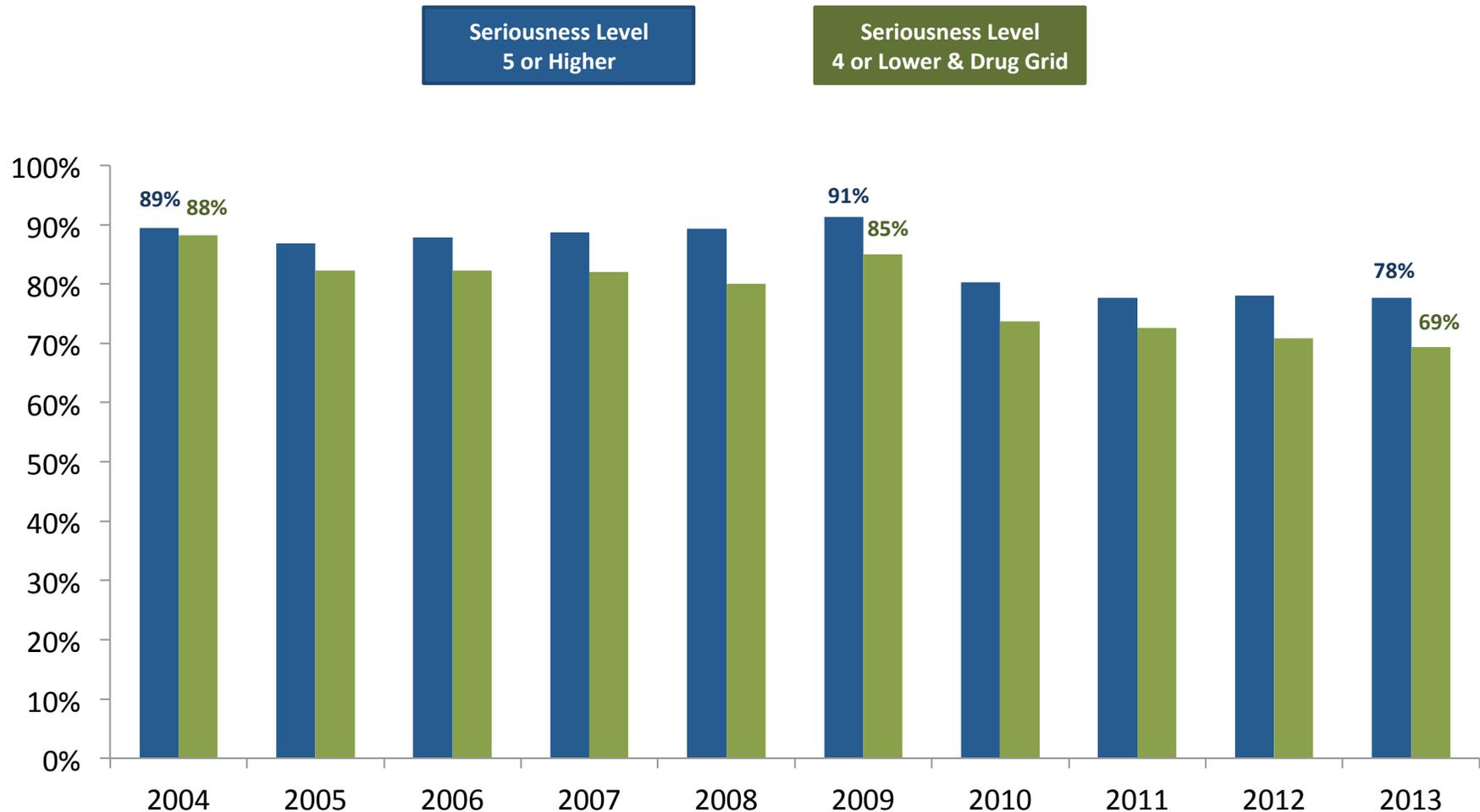
Three Year Felony Re-Arrest and Return to Prison Rates by Seriousness Level,
FY2010 Prison Releases



Source: Justice Center analysis of DOC and WSP data.

Percent of Prison Releases Going to Supervision Has Declined, Especially Among Lower Severity Offenders (Drug & Level 0-4)

Percent of Prison Releases on Supervision Upon Release by Seriousness Level, **FY2004 to FY2013**



Source: Justice Center analysis of DOC data.

Policy Changes Over 30 Years Have Greatly Altered Who Receives Post-Release Supervision

	Post-Jail/As a Sentence						Post-Prison					
	Property		Drug		Violent*		Property		Drug		Violent*	
Pre-1984	L,M	H	L,M	H	L,M	H	L,M	H	L,M	H	L,M	H
Post-1984	L,M	H	L,M	H	L,M	H						
1999	L,M	H	L,M	H	L,M	H			L,M	H	L,M	H
2003				H		H				H		H
Today				H		H				H		H

Supervision has been maintained for serious violent offenses, sex offenses, and those with alternative sentences regardless of risk.

L,M

Low- and Moderate-Risk

H

High-Risk

*Violent includes violent offenses and crime against a person offenses.

Source: Communications with Washington Department of Corrections staff.

Washington State Legislature. 56th Legislative Session. [SB 5421] *Enhancing supervision of offenders.*

Washington State Legislature. 58th Legislative Session. [SB 5990] *Changing times and supervision standards for release of offenders.*

Washington State Legislature. 61st Legislative Session. [SB 6162] *Providing for the supervision of offenders sentenced to community.*

Current Policy Regarding Who Receives Supervision

Supervision

All individuals convicted of a:

- **Serious Violent Offense**
 - **Sex Offense**

High-Risk individuals convicted of a:

- **Drug Offense**
- **Violent Offense**
- **Crime Against a Person Offense**

Individuals who receive the following sentencing alternatives:

- **Prison-Based DOSA**
- **Residential DOSA**
- **First Time Offender Waiver**
- **Family and Offender Sentencing Alternative**

No Supervision

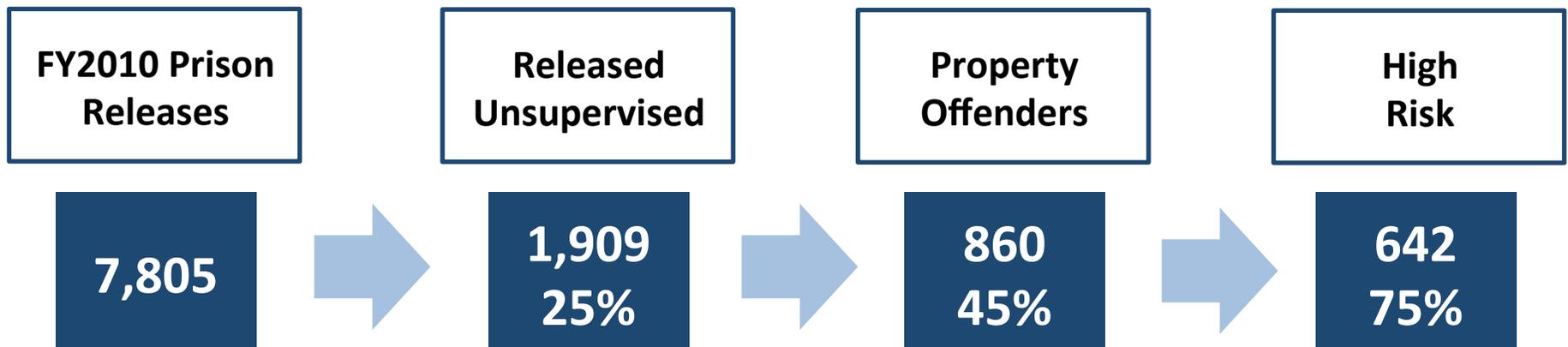
All individuals convicted of a:

- **Property Offense**
(non-DOSA)

Low- and Moderate-Risk individuals convicted of a:

- **Drug Offense**
- **Violent Offense**
- **Crime Against a Person Offense**

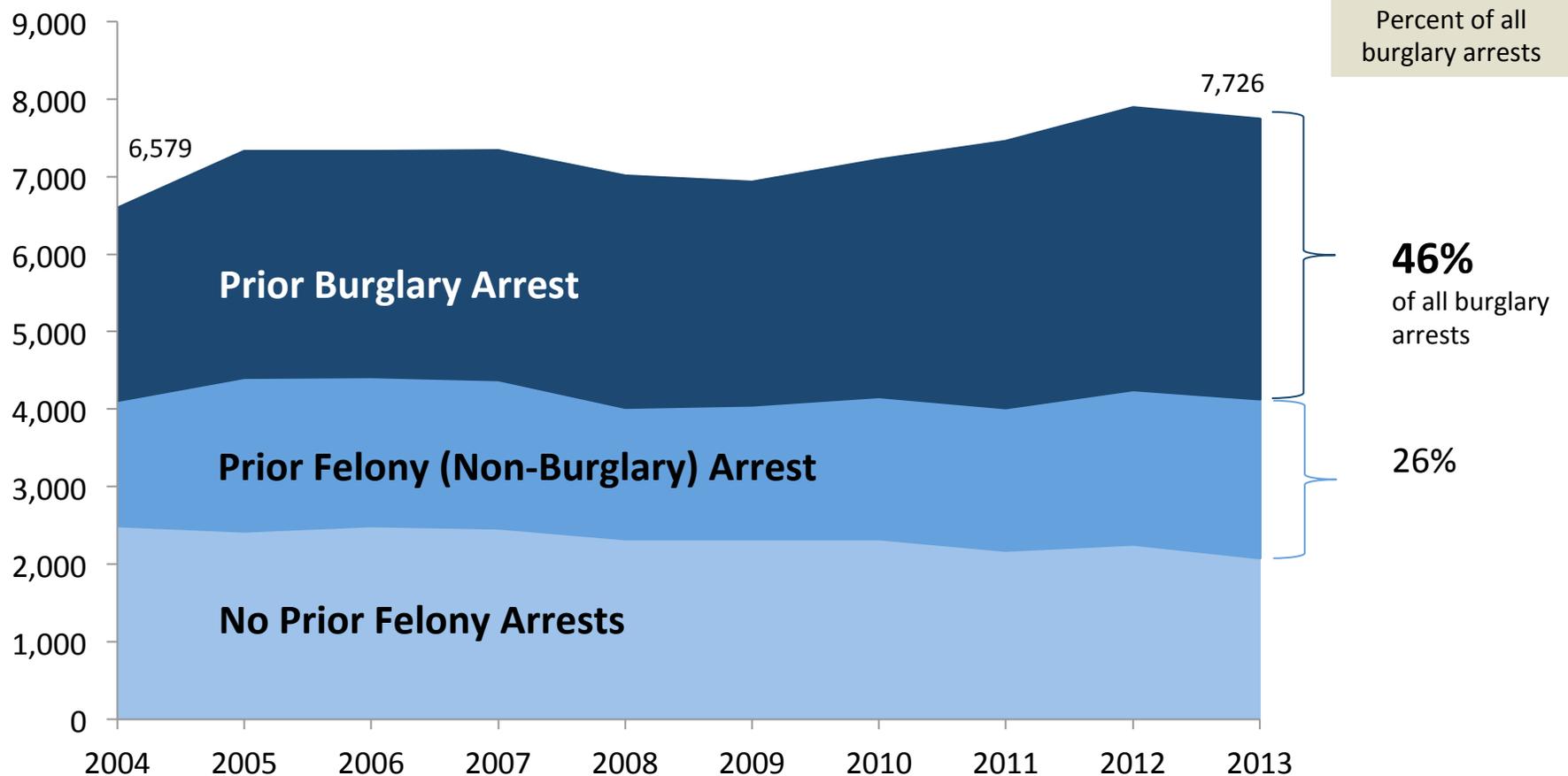
Three Out of Four Property Offenders Released Unsupervised Are Classified High Risk



Source: Justice Center analysis of DOC data.

Burglary Arrests Has Increased Since 2004, Driven by the Increase in Repeat Burglary Arrests

Number of Burglary Arrests by Arrest History, **FY2004 to FY2013**



Key Findings Regarding Public Safety

- Resources to reduce recidivism through community-based programs has increased, and overall recidivism rates have declined
- Lower severity offenders released from prison are more likely to be re-arrested, but are less likely to be supervised
- A growing share of individuals arrested for burglary had a prior burglary record

Key Takeaways

1.

Washington's sentencing guidelines dictate less use of supervision in lieu of incarceration and longer sentences for repeat property offenders than other states.

2.

A growing number of prison admissions are lower severity offenders and today they account for 1 out of 3 people in prison.

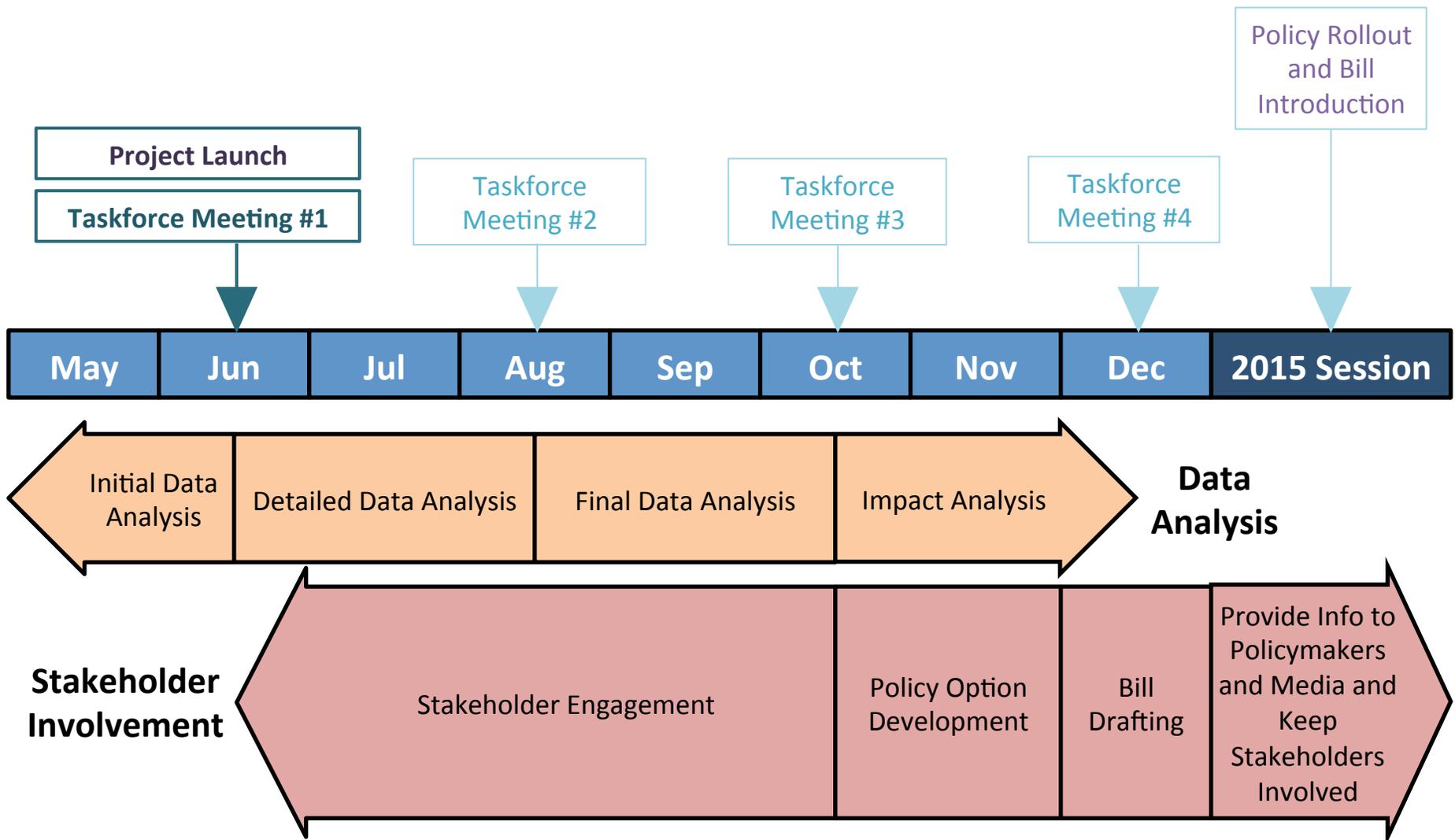
3.

Lower severity offenders are more likely to be re-arrested, and less likely to be supervised after release from prison or jail.

4.

Washington still has the third highest property crime rate in the country.

Proposed Timeline





Thank You

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