TASK FORCE RECOMMENDATIONS

Ensure consistency in sentencing

Focus prison beds on those who pose a serious threat to public safety

Strengthen community supervision

Clear away barriers to successful reentry

Reinvest a substantial portion of savings

Executive Summary

Louisiana's Justice Reinvestment Task Force was created to study the state's criminal justice system and recommend strategic changes to get more public safety for each dollar spent. The inter-branch, bipartisan panel of experts found that, with the highest imprisonment rate in the United States, annual corrections spending at two-thirds of a billion dollars, and high recidivism rates, Louisiana's taxpayers are not getting a good public safety return on investment.

A chief reason Louisiana leads the nation in imprisonment is that it locks up people for nonviolent offenses far more than other states do. The Task Force found that the state sent people to prison for drug, property, and other nonviolent offenses at twice the rate of South Carolina and three times the rate of Florida, even though the states had nearly identical crime rates. More than half of those sent to prison in 2015 had failed on community supervision. Among the rest—those sentenced directly to prison rather than probation—the top 10 crimes were all nonviolent, the most common by far being drug possession.

Courts sent one in three people convicted of felonies to prison in 2015, a substantial increase from 10 years prior. The Task Force found that prison alternatives like probation and drug courts were limited by funding and restrictions in state law. Lengthy prison terms also drove up the number of people behind bars. By the end of 2015, nearly 20 percent of those in Louisiana's prisons had been there longer than 10 years. Prison sentences for common nonviolent offenses had gotten longer, and the Parole Board was hearing fewer cases, partly due to dozens of new parole restrictions passed by the Legislature.

Referencing the best research in the field, the Task Force found that successful probationers and parolees were supervised in the community well past the point when they were most likely to reoffend. Average probation officer caseloads were too large to manage. Rewards for those who comply with supervision rules and programming were un-motivating, and sanctions for violating conditions were inconsistently applied and often more disruptive than necessary to job and family responsibilities.

State budgetary decisions are disconnected from the research. Spending on prisons dwarfs investments in effective prison alternatives, programs that reduce recidivism, and services that support crime victims. The Task Force also found that the justice system is often inaccessible for victims and creates too many barriers for those convicted of crimes, undermining both public safety and trust in the system.

Examining practices in states like Texas, Georgia, Alabama, and others that have adopted data-driven policy changes, the Task Force now recommends that Louisiana lawmakers adopt a comprehensive set of reforms to improve the performance of its criminal justice system. The reforms would ensure consistency in sentencing, focus prison beds on those who pose a serious threat to public safety, strengthen community supervision, clear away barriers to successful reentry, and reinvest a substantial portion of the savings into evidence-backed programs and prison alternatives, and services that support victims of crime.

Overview of Task Force Recommendations

Ensure Clarity and Consistency in Sentencing

- Implement a felony class system to reduce uncertainty in sentencing and release.
- Simplify the criminal code to create transparency for prosecutors, defense counsel, judges, and victims.
- Increase equity by making back-end release mechanisms retroactive for those convicted of nonviolent offenses.
- Improve the victim registration and notification process.

Focus Prison Beds on Those Who Pose a Serious Threat to Public Safety

- Expand alternatives to incarceration.
- Revise drug penalties to target higher-level drug offenses.
- Consolidate laws on property crimes and raise the value threshold for felony charges.
- Distinguish penalties for illegal possession of a weapon based on the type of underlying felony.
- Reduce the window of time for which certain prior crimes count toward habitual offender penalty enhancements.
- Establish a temporary furlough policy for inmates with serious medical needs.
- Change parole eligibility laws for life sentences imposed for crimes committed as juveniles.
- Streamline parole release for those who are compliant with case plans and institutional rules.

Strengthen Community Supervision

- Focus community supervision on the highest-risk period by reducing maximum probation terms and establishing an earned compliance credit incentive.
- Improve the process for responding to violations of probation and parole conditions with swift, certain, and proportional sanctions.

Clear Away Barriers to Successful Reentry

- Eliminate certain collateral consequences of felony convictions that create barriers to reentry.
- Tailor criminal justice financial obligations to a person's ability to pay.
- Modify penalties for failure to pay criminal justice financial obligations.
- Suspend child support payments during incarceration.
- Expand incentives for inmates to participate in high-skilled workforce development and recidivism reduction programming.
- Expand eligibility period for Transitional Work Programs and increase take-home pay.

Reinvest a Substantial Portion of the Savings

- Reinvest over $154 million dollars saved from lowering the prison population into research-based programs that reduce recidivism and services that support victims of crime.

Impacts of the Task Force's Consensus Recommendations

The Task Force's consensus recommendations would avert the projected growth in the number of prisoners in Louisiana and bend the prison population downward, for an overall reduction in the prison population of 13 percent (4,817 prison beds) by 2027. This decline in the number of prisoners would save Louisiana taxpayers $305 million over the next ten years. Savings in FY2018 alone would exceed $9 million. The recommendations would reinvest over half of the savings — $154 million—into research-based programs that reduce recidivism and services that support victims of crime.

The recommendations would also reduce the community supervision population by 16 percent (11,421 people) by 2027, compared to the projected population absent reform. Assuming Division of Probation & Parole staffing levels remain constant, this drop in the community supervision population would reduce average caseload sizes from 139 to 113 cases per officer.

13%

Drop in Prison Population

16%

Drop in Community Supervision Population

$305 million

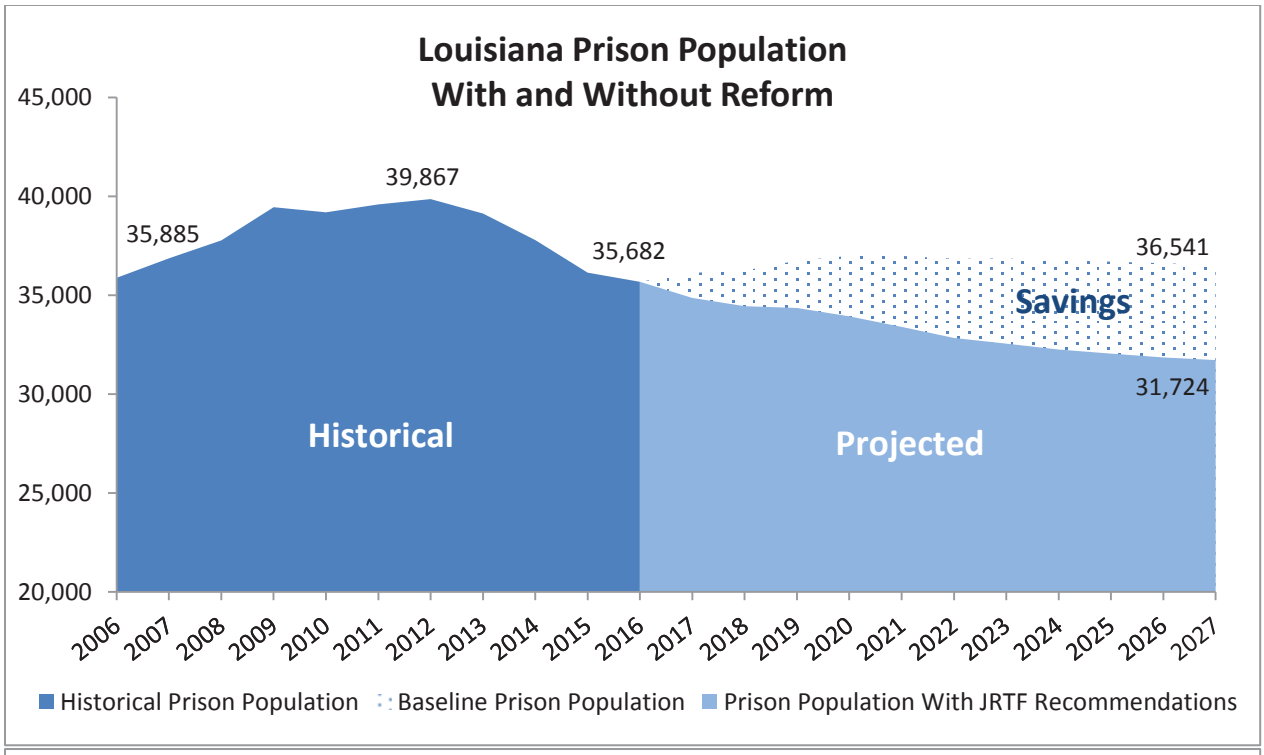
Cost Savings

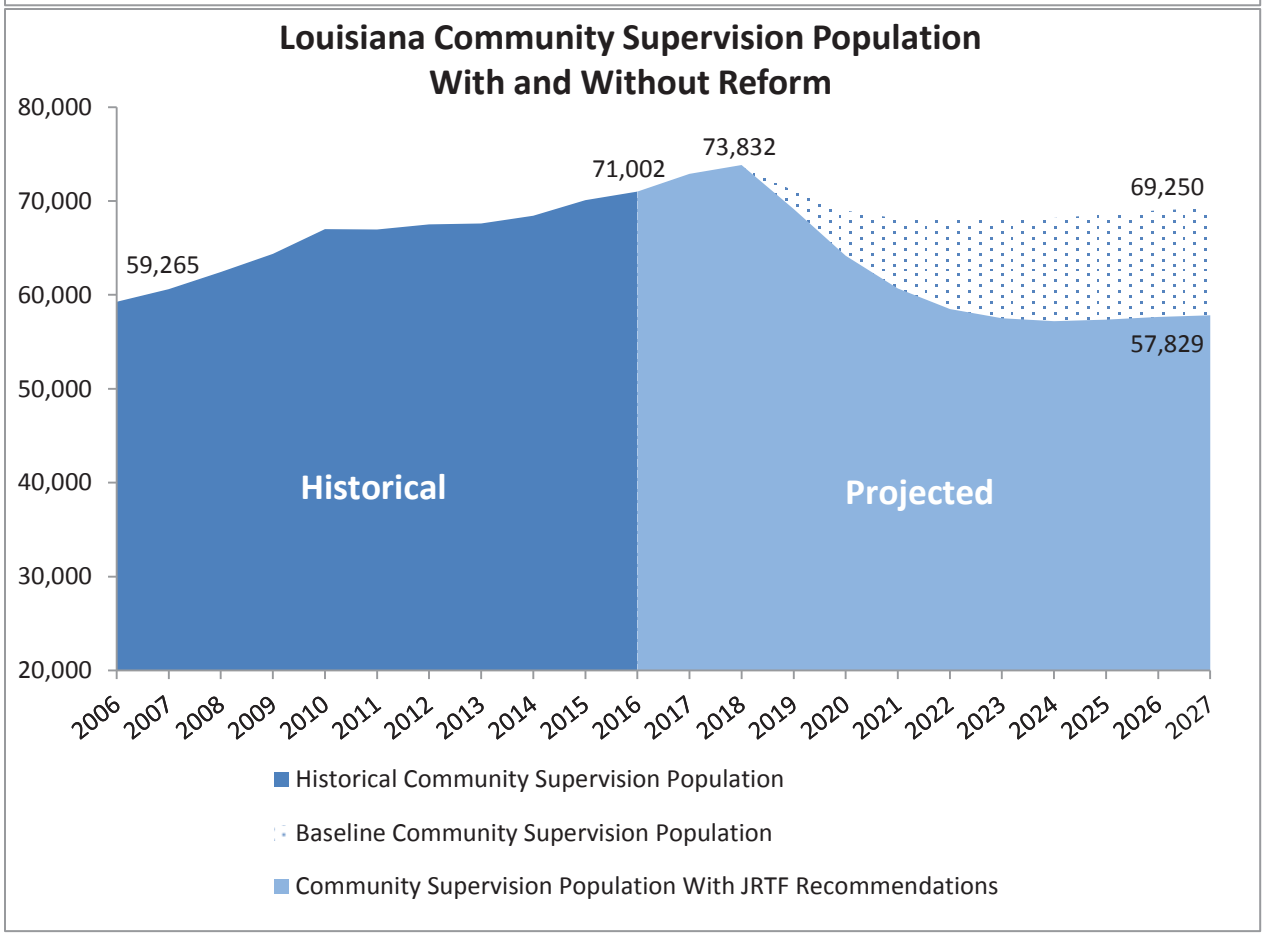
Average Caseload Size Reduced

139 → 113

$154 Million

Reinvested into Research-Based Programs and Services that Support Victims


Louisiana Prison Population
With and Without Reform
45,000
40,000
35,000
30,000
25,000
20,000
35,885
39,867
35,682
36,541
Savings
31,724
Historical
Projected
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
Historical Prison Population
Baseline Prison Population
Prison Population With JRTF Recommendations


Louisiana Community Supervision Population
With and Without Reform
80,000
70,000
60,000
50,000
40,000
30,000
20,000
59,265
71,002
73,832
69,250
57,829
Historical
Projected
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
Historical Community Supervision Population
Baseline Community Supervision Population
Community Supervision Population With JRTF Recommendations