

Monitoring Project Plan

P.A. 04-234 Implementation Monitoring Project

In 2004, legislation (Public Act 04-234) was enacted to control the state's persistent prison overcrowding problem through a comprehensive series of community-based offender supervision and other initiatives, known as the offender re-entry strategy. Section 25 of the act requires the Legislative Program Review and Investigations Committee and the Office of Fiscal Analysis (OFA) to review the implementation of and evaluate the overall success of this new strategy. This plan provides a summary of the key provisions of the strategy including the committee's implementation monitoring mandate and an overview of the committee staff process to meet the statutory requirement.

Offender Re-entry Strategy

Leaving intact the overall goals of the state's sentencing and alternative incarceration policies, the offender re-entry strategy shifts the focus from controlling prison overcrowding to reducing recidivism. The underlying principle of the new strategy is that a reduction in the overall recidivism rate will not only help to manage the growing prison population, but eventually will have a broader public safety impact by addressing the causes of crime rather than simply focusing on prison bed savings.

The Judicial Branch, the Departments of Correction, Labor, Mental Health and Addiction Services, and Social Services, and the Board of Pardons and Paroles are required to collaboratively develop and implement a comprehensive re-entry strategy to:

- assist in maintaining the prison population at or under the authorized bed capacity;
- promote the successful transition of offenders from incarceration to the community;
- support the rights of victims; and
- provide public safety.

The offender re-entry strategy includes the following key initiatives intended to achieve the overarching goals:

- merging the Board of Pardons and the Board of Parole into the new Board of Pardons and Paroles (BPP) to allow for maximization and improvement in the pardons and parole decision-making process (e.g., expands the administrative hearing process, authorizes chairman to release eligible inmates within 18 months of parole eligibility date, sets minimum number of pardons hearings to held each year);
- expanding the concept of medical parole by establishing conditional parole and compassionate parole releases;

- creating an expedited pardons process to allow certain persons to be considered for a pardon without a full pardon hearing;
- requiring BPP conduct a parole reassessment hearing for any inmate who has not yet been paroled and has served 75 percent of his or her court-imposed prison term;
- requiring the Department of Correction reduce the number of parolees returned to prison for a technical parole violation by 20 percent;
- requiring the Judicial Branch reduce the number of probationers admitted to prison for a technical probation violation by 20 percent; and
- other initiatives intended to provide early release options to inmates (e.g., increasing the furlough period from 15 to 30 days, increasing the daily credit earned by incarceration from \$50 to the average daily cost of incarceration).

Outcome Measures

Public Act 04-234 states the success of the offender re-entry strategy must be measured by:

- rates of recidivism and community re-victimization;
- the number of inmates eligible for release on parole, transitional supervision, probation, or any other early release program;
- the number of inmates who made the transition from incarceration to the community in compliance with a discharge plan;
- prison bed capacity ratios;
- adequacy of the network of community-based treatment, vocational, educational, and supervision programs, and other services and programs; and
- reinvestment of any savings achieved through a reduction in prison population into re-entry and community-based services and programs.

Implementation Monitoring Process

The Legislative Program Review and Investigations Committee and the Office of Fiscal Analysis are required to evaluate the agencies' compliance in implementing the initiatives and the overall success of the offender re-entry strategy. The committee is to report its findings to the Appropriations and Judiciary Committees by January 1, 2006 and again by January 1, 2008.

Program review committee and OFA staff will establish an implementation monitoring process including, but not limited to the following:

- identifying performance indicators that would give the committee and the General Assembly information on how the strategy's initiatives are operating;

- establishing definitions of critical performance measures that are agreed upon by the legislative staff and executive and judicial branch agencies (e.g., definition of recidivism);
- establishing and reviewing the implementation monitoring criteria with executive and judicial branch agencies responsible for implementation of the initiatives;
- identifying the data needed to conduct the monitoring project and insure the data are properly collected and reported;
- analyzing performance measures; and
- developing findings and recommendations.