



# Louisiana's Justice Reinvestment Reforms First Annual Performance Report

Presented to the Louisiana Legislature

June 2018

*Louisiana Department of Public Safety & Corrections  
Louisiana Commission on Law Enforcement*



## Table of Contents

Executive Summary .....	5
1. Focusing Prison Beds on Those Who Pose a Serious Threat to Public Safety.....	6
2. Strengthening Community Supervision .....	9
3. Reinvesting Savings in Recidivism Reduction & Crime Victim Support .....	10
Introduction .....	13
Background .....	13
Task Force .....	13
The Legislative Package.....	14
Department of Public Safety & Corrections Implementation Accomplishments.....	16
Implementing Act 280 Good Time Provisions.....	16
Implementing Changes to Community Supervision Practices .....	17
Implementing Evidence-Based Practices to Reduce Recidivism.....	17
Expanding Treatment Programming.....	19
The Louisiana Prisoner Reentry Initiative .....	20
Developing a Process for Collecting & Reporting on Key Performance Metrics .....	21
Methodology.....	22
Early Justice Reinvestment Data Findings.....	23
Goal #1: Focus Prison Beds on Those Who Pose a Serious Threat to Public Safety .....	23
Goal #2: Strengthen Community Supervision.....	30
Goal # 3: Reinvest a Substantial Portion of the Savings .....	35
Appendix .....	38
Snapshot .....	38
Admissions to Prison.....	39
Sentence Length .....	41
Releases .....	42
Discretionary Parole.....	44
Average Length of Stay .....	44
Good Time & CTRP Credits .....	45
Community Supervision Snapshot.....	47
Community Supervision Intakes & Sentence Length.....	47
Violations/Sanctions & Earned Compliance Credits .....	49
Full Revocations to Prison.....	51

Supervision Discharges & Length of Time Served..... 52  
Louisiana JRI Annual Report Glossary..... 54

# Louisiana Justice Reinvestment Performance Report

## *Executive Summary*

---

In June 2017, the Louisiana Legislature passed, and Governor John Bel Edwards signed into law, a package of ten Justice Reinvestment bills.

Prior to the passage of the Justice Reinvestment Initiative (JRI)<sup>1</sup> legislation, Louisiana was leading the nation in imprisonment, with a rate nearly double the national average. The state was also sending people to prison for nonviolent offenses at 1.5 to 3 times the rate of other Southern states with similar crime rates. The policy choices that led to this situation were costing the state nearly \$700 million annually on corrections, but one in three inmates released from prison returned there within three years.

Following lessons learned from successful criminal justice reform efforts in other Southern states as well as the best available research, Louisiana developed a comprehensive, data-driven and bipartisan plan designed to steer people convicted of less serious crimes away from prison, strengthen alternatives to incarceration, reduce prison terms for those who can be safely supervised in the community, and remove barriers to successful reentry.

This is the Executive Summary for the first annual report to the Legislature from the Department of Public Safety & Corrections (DPS&C) and the Louisiana Commission on Law Enforcement (LCLE) on results stemming from the Justice Reinvestment legislation. Additional data and information about implementation and reinvestment are included in the full report.

### **Data Findings are Preliminary**

Implementation of most of the Justice Reinvestment legislation began in August and November 2017. As a result, this initial report is based on only the first few months of data following implementation. Consequently, **these results should be viewed as extremely preliminary.**

This report is most useful as a guide to what data is being collected and, consequently, what type of trends can be identified in the future once more data, collected over a longer period of time, is available.

It is also important to note that, because this report contains early data, some performance measures are not yet able to be provided. Most importantly, data on recidivism will not be included in this first annual report, as measurable reductions in recidivism can take several years to achieve.

---

<sup>1</sup> JRI is a national project sponsored by the Bureau of Justice Assistance (BJA) and the Pew Center on the States. It seeks to assist states in adopting data-driven approaches to improve public safety, examine corrections and related criminal justice spending, manage criminal justice populations in a more cost-effective manner, and reinvest savings in strategies that can hold offenders accountable, decrease crime, and strengthen neighborhoods.

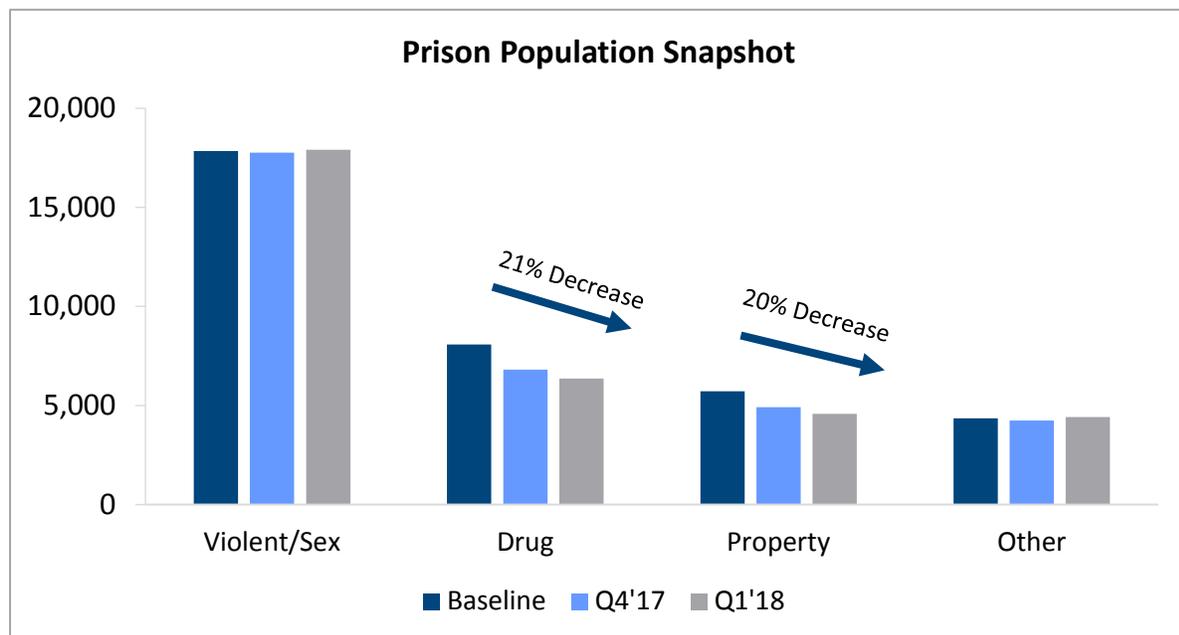
## Early Justice Reinvestment Data Findings

### 1. Focusing Prison Beds on Those Who Pose a Serious Threat to Public Safety

The first goal of the Justice Reinvestment reforms is to *focus prison beds on those who pose a serious threat to public safety*. A snapshot of those in the custody of DPS&C shows Louisiana is on the right track to meet this goal: while the number of people imprisoned for a violent offense has remained approximately the same, **the number of people imprisoned for nonviolent offenses has dropped 20%.**<sup>2</sup>

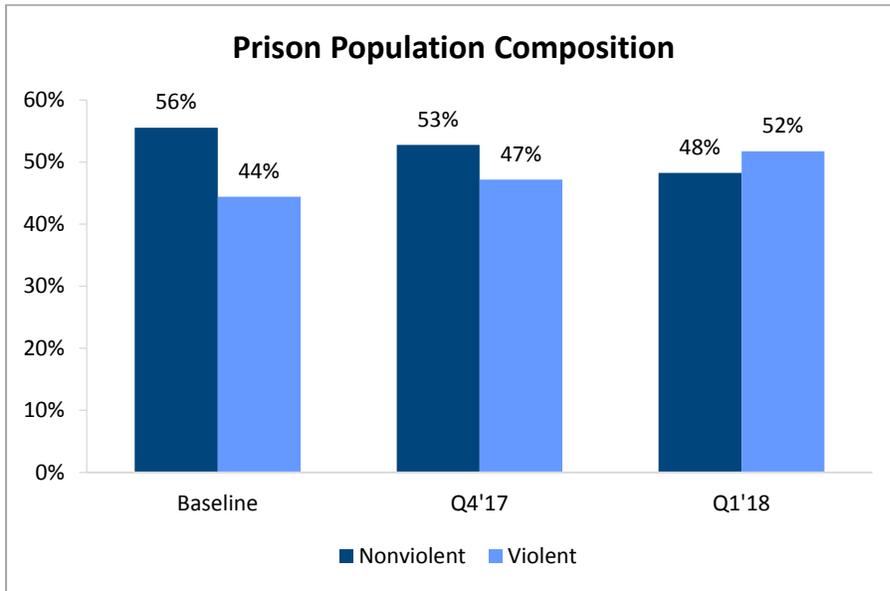
### Louisiana JRI Goals

- 1) Focus Prison Beds on Serious Threats to Public Safety
- 2) Strengthen Community Supervision
- 3) Clear Away Barriers to Successful Reentry
- 4) Reinvest Savings into Recidivism Reduction & Crime Victim Support

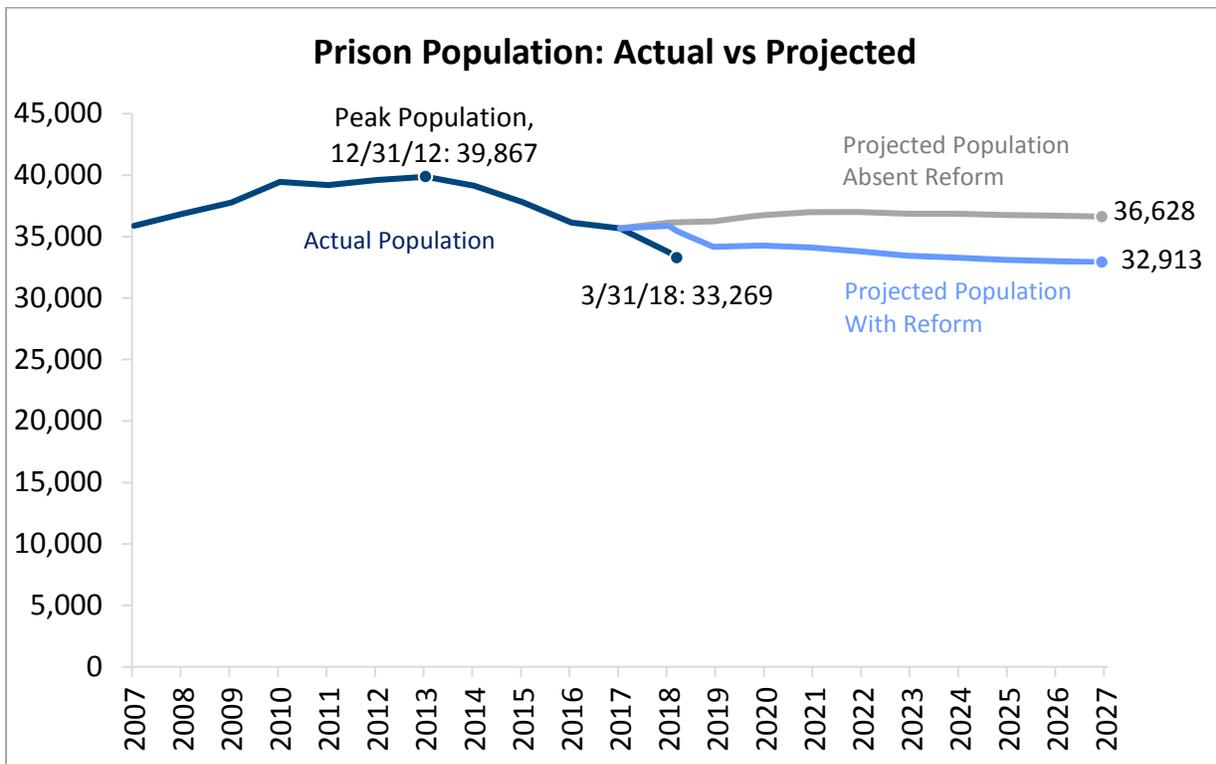


<sup>2</sup> Unless otherwise noted, “baseline” data in this report was calculated as the average of all quarters from 2016, to minimize the impact of any seasonal spikes or dips that might be present when comparing to one quarter alone. 2016 was chosen because that is the last full year of data prior to JRI passage and implementation, which occurred partway through 2017.

As a result, in the first quarter of 2018 a majority of Louisiana’s prison population was incarcerated on a violent offense.

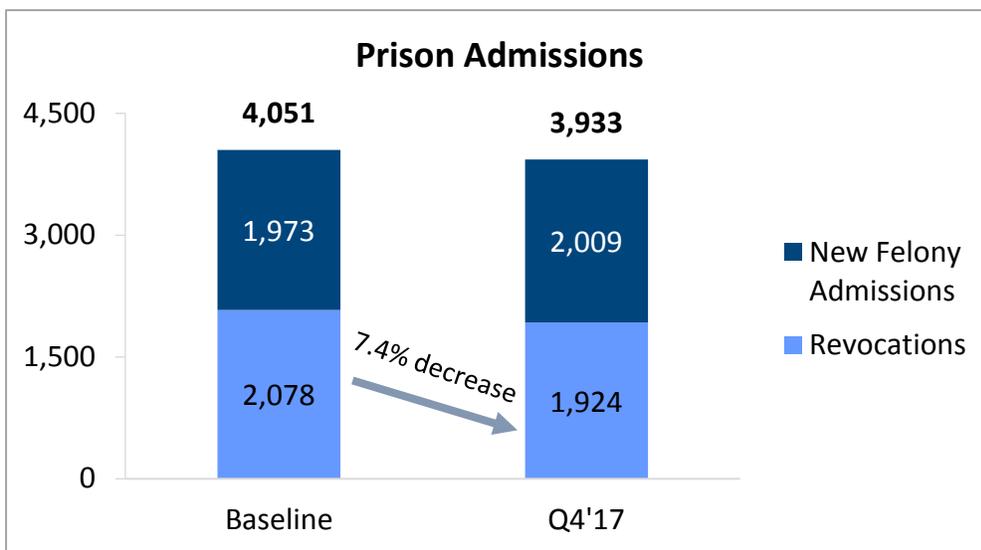


The number of those incarcerated for nonviolent offenses has gone down, with **the total prison population dropping by 7.6%** as of March 31, 2018. Currently, Louisiana’s prison population is below the original projections made by the Louisiana Justice Reinvestment Task Force.



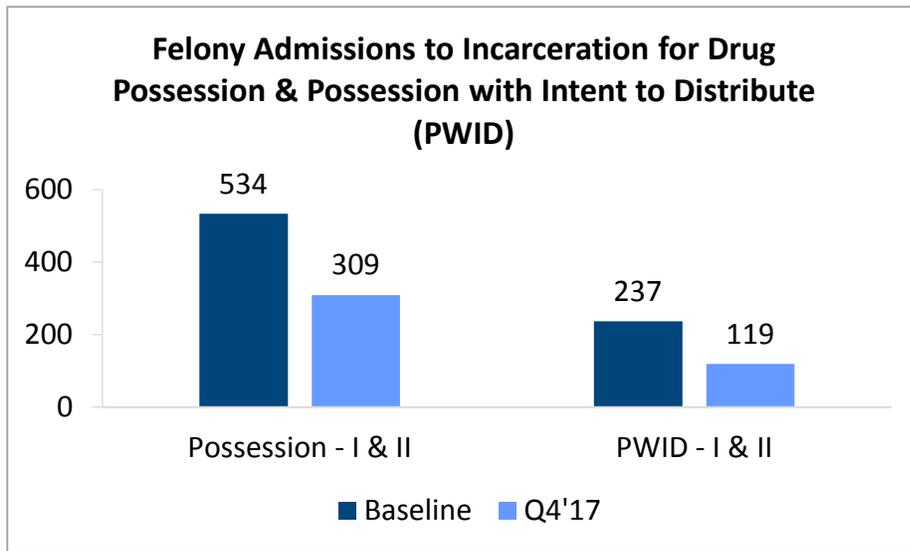
This initial decrease in the prison population is driven by a combination of the retroactive implementation of the good time parole provisions that resulted from Act 280 as well as the decrease in admissions that resulted from Act 281, which are detailed in the full report. Over time, other Justice Reinvestment policies, including a variety of sentencing changes in Act 281, are expected to contribute to continued prison population decreases.

**Decreasing Admissions for Revocations and Drug Offenses:** In the first quarter of data post-implementation, overall prison admissions decreased by 2.9%, driven by a 7.4% decrease in admissions for supervision revocations as well as a 3.3% drop in new felony admissions for drug offenses.



**Admissions for First-Time Felonies Down:** In the first quarter of data, the number of individuals admitted to prison with no prior felony convictions decreased by 18%. This is likely due to Justice Reinvestment policies diverting some people without prior convictions to community supervision.

**Admissions for Drug Possession Down Significantly:** Admissions for Possession of a Schedule I or II Drug decreased by 42%, and admissions for Possession with Intent to Distribute a Schedule I or II Drug fell 50%. At the same time, probation intakes for individuals convicted of drug offenses has increased 13%, demonstrating that alternatives to incarceration are being used for less serious offenses. This is likely due to changes in practices by prosecutors and judges following the modifications to the sentencing ranges for these offenses made by Act 281.



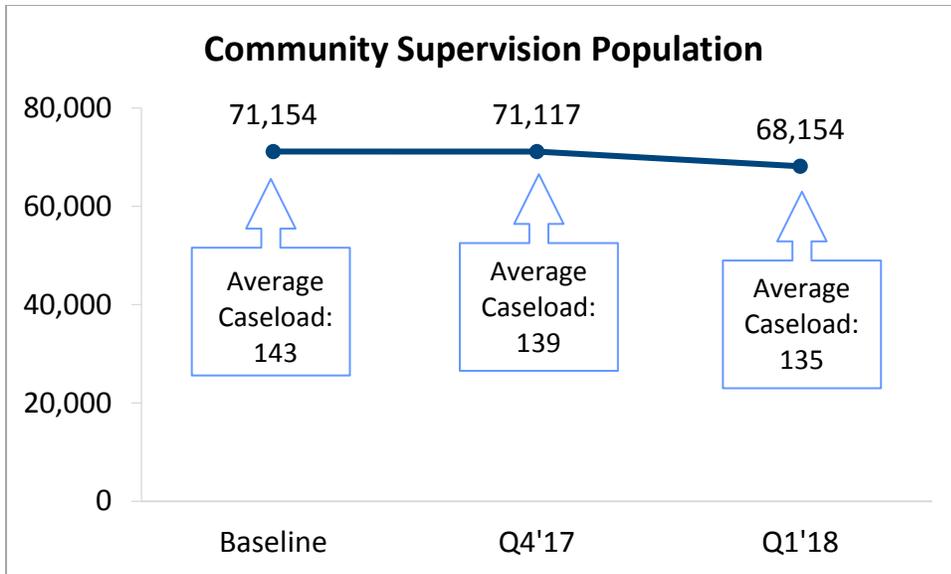
**Sentence Length Down for Nonviolent Crimes:** The average sentence length for drug crimes and property crimes have decreased by 10% and 3.7%, respectively. These changes, while both early and modest, are another indication that Louisiana is better focusing its use of prison resources on serious and violent offenses.

## 2. Strengthening Community Supervision

The second goal of the Justice Reinvestment reforms is to *strengthen community supervision* by reducing probation and parole officer caseloads – thereby freeing up officer resources to focus on individuals at a higher risk of recidivating – and adopting evidence-based practices designed to address violations in a swift and certain manner.

Early data shows that Louisiana is beginning to trend in the intended direction. A snapshot of the total community supervision population showed that **the number of individuals on supervision dropped by 4.2%** from baseline to the first quarter of 2018 – dropping the average Probation & Parole officer allocated caseload from 143 to 135 cases.<sup>3</sup>

<sup>3</sup> This number is calculated by dividing the total number of cases by the number of allocated Probation & Parole Officer positions. Actual caseloads may be higher if positions are unfilled.



**Limiting Use of Jail Sanctions:** Another aim of the supervision reforms is to increase the use of “swift and certain” responses, addressing technical violations of supervision using non-jail sanctions when possible and limiting the length of jail sanctions when they are used.

In the first quarter of data:

- The number of administrative jail sanctions used dropped by 26%. This is driven primarily by a large drop in the number of administrative jail sanctions used to respond to Level 1 violations, a result of new limits on the use of jail sanctions for lower-level violations.
- The number of technical revocations dropped by 53%, and the average number of days spent in custody for a technical revocation decreased by 21 days.
- The number of full revocations across probation and parole dropped by 7.4%.

### *3. Reinvesting Savings in Recidivism Reduction & Crime Victim Support*

The final goal of the Justice Reinvestment reforms was to *reinvest a substantial portion of the savings* into recidivism reduction, prison alternatives, and support for victims of crime.

Act 261 of 2017 requires DPS&C to calculate the savings from the reduction of the prison population, and mandates that 70% of the savings be reinvested into programs to reduce recidivism and support victims. The final savings calculation and reinvestment allocations will be available after the end of the fiscal year.

**DP&C Strategic Investments:** The Department currently intends to use first-year reinvestment funding in support of the following priorities:

- Increasing programming for state inmates housed at local jails;
- Enhancing and expanding Regional Reentry Centers;

- Increasing Probation and Parole staffing and Day Reporting Centers;
- Launching a Transitional Housing pilot program;
- Opening a new Reception Center to conduct assessments for new inmates; and
- Expanding Specialty Courts.

**Grants to Community-Based Services:** With the goal of ensuring this funding is spent in the most effective and transparent way possible, DPS&C has created a Community Incentive Grant Program and has issued a Request for Proposals (RFP). The RFP is intended to elicit proposals from qualified community organizations that are interested in enhancing or expanding coordination of reentry services and community supports to increase prison alternatives and reduce recidivism. Funding will be awarded in the fall of 2018.

**Grants to Support Victims' Services:** LCLE currently intends to use first-year reinvestment funding in support of the following priorities:

- Supplementing the Crime Victims' Reparations Fund;
- Establishing a new Family Justice Center in East Baton Rouge Parish;
- Improving electronic notifications for victims by developing an electronic system that will interface with all 64 parish clerks of court; and
- Providing funding the Louisiana Bureau of Investigations for a dedicated forensics server for their Cybercrimes Unit.

Additional background, details about the initial implementation of the Justice Reinvestment legislation, and additional performance data is included in the full report, below.



# Louisiana Justice Reinvestment Performance Report

## June 2018

---

### Introduction

In June 2017, the Louisiana Legislature passed, and Governor John Bel Edwards signed into law, a package of ten Justice Reinvestment (JRI) bills. This bipartisan reform package was designed to steer people convicted of less serious crimes away from prison, strengthen alternatives to incarceration, reduce prison terms for those who can be safely supervised in the community, and remove barriers to successful reentry.

Over the next ten years, the reforms are projected to reduce the prison and community supervision populations by 10 and 12 percent, respectively, resulting in an estimated \$262 million savings. State lawmakers committed to reinvesting 70 percent of the estimated savings into programs that reduce recidivism and support crime victims.

This is the first annual report to the Legislature from the Department of Public Safety & Corrections (DPS&C) and the Louisiana Commission on Law Enforcement (LCLE) on results stemming from the JRI legislation, as required by Act 261 of the 2017 Legislative Session. The purpose is to provide information about changes in Louisiana’s correctional system over time.

### Background

#### *Task Force*

In 2015, recognizing that Louisiana had the highest imprisonment rate in the United States, as well as high annual corrections spending and recidivism rates, the Legislature passed House Concurrent Resolution 82, establishing the inter-branch Louisiana Justice Reinvestment Task Force (“Task Force”).

The Task Force was made up of a bipartisan panel of lawmakers, courtroom practitioners, law enforcement, and community members, and was tasked with examining the state’s criminal justice system and recommending changes to get more public safety for each dollar spent.

### **A Note of Caution: Data is Preliminary**

Implementation of most of the Justice Reinvestment legislation began in August and November 2017. As a result, this initial report is based on only the first few months of data following implementation. Consequently, **these results should be viewed as extremely preliminary.**

This report is most useful as a guide to what data is being collected and, consequently, what type of trends can be identified in the future once more data, collected over a longer period of time, is available.

Fully and effectively implementing a large-scale system change, as Louisiana is doing, takes a significant amount of time to accomplish, and it will take years to see some of the desired outcomes from this legislation (including, most notably, reductions in recidivism.)

The Task Force's full findings were released in a report on March 2017<sup>4</sup> but included:

- The state was spending nearly \$700 million annually on corrections, but one in three inmates released from prison in Louisiana returned within three years;
- Louisiana was leading the nation in imprisonment, with a rate nearly double the national average and significantly higher than the second- and third-highest states;
- Louisiana was sending people to prison for nonviolent offenses at 1.5 to 3 times the rate of other Southern states with similar crimes rates, and had a growing number of inmates serving very long sentences: by the end of 2015, nearly 20% of those in Louisiana's prisons had been there longer than 10 years;
- Prison alternatives – like probation and drug courts – were limited by lack of funding and legal restrictions on eligibility;
- Successful probationers and parolees were supervised in the community well past the point when they were most likely to reoffend, and average probation officer caseloads were too large to manage; and
- The justice system was often inaccessible to victims, undermining public trust in the system.

From these findings, the Task Force released a set of recommendations for data-driven policy changes, which it sent on to the Louisiana Legislature.

### *The Legislative Package*

The recommendations from the Task Force were developed into ten bills, known collectively as the Justice Reinvestment (JRI) legislation. The bills passed with large bipartisan majorities in both the House and Senate, and were signed into law by Governor Edwards on June 15, 2017.

The JRI package was designed with the following goals in mind:

- 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 the savings into evidence-based programs, prison alternatives, and services that support victims of crime

This report examines the extent to which the state is achieving the three goals that can be measured with DPS&C data – focusing prison beds on the most serious offenders, strengthening community supervision, and reinvesting savings.<sup>5</sup>

---

<sup>4</sup>The report can be found at: [https://www.lasc.org/documents/LA\\_Task\\_Force\\_Report\\_2017\\_FINAL.pdf](https://www.lasc.org/documents/LA_Task_Force_Report_2017_FINAL.pdf)

<sup>5</sup> The third JRI goal – clear away barriers to successful reentry – cannot be measured with DPS&C data. Legislative changes in support of this goal include suspending child support payments while an individual is incarcerated, allowing formerly incarcerated individuals to obtain professional licenses they were previously barred from, and allowing formerly incarcerated individuals access to some forms of public assistance programs they were previously barred from. Measuring the success of these steps would require looking into the financial stability and

## Louisiana's Justice Reinvestment Legislation

- **Act 280:** Improves Louisiana's system of probation and parole supervision by implementing evidence-based practices, expanding eligibility for alternatives to incarceration and early release, and implementing incentives for those under correctional control to encourage positive behavior. Effective November 1, 2017.
- **Act 281:** Focuses prison space on serious and violent offenders by tailoring sentences for drug offenses according to weight, raising the felony theft threshold, removing less serious crimes from the violent crime list, modifying penalties for some nonviolent offenses, and creating the Louisiana Felony Class System Task Force. Effective August 1, 2017.
- **Act 282:** Tailors habitual offender penalties to the severity of the offense by lowering the mandatory minimum sentence for second and third offenses, differentiating cleansing periods for violent vs. nonviolent offenses, and allowing judicial discretion to depart from constitutionally excessive sentences. Effective November 1, 2017.
- **Act 260:** Ensures criminal justice fines and fees do not become a barrier to successful reentry by determining a person's ability to pay, creating a payment plan that people can comply with, creating incentives for consistent payments, and differentiating inability to pay vs. a choice not to pay. Effective August 1, 2019.<sup>6</sup>
- **Act 261:** Requires JRI savings to be reinvested into programs and policies that will reduce reoffending and support victims of crime by mandating the collection and reporting of data to track the outcomes of JRI and channeling savings to expand community-based prison alternatives, victims' services, and targeted investments within the DPS&C and parish jails. Effective June 30, 2018.
- **Act 258:** Streamlines registration for victim notification and ensures that victims can request certain measures for their individual safety as a condition of release. Effective August 1, 2018.
- **Act 277:** Ensures that most people sentenced to life as juveniles receive an opportunity for parole consideration after serving at least 25 years in prison. Effective August 1, 2017.
- **Act 262:** Streamlines the process for people with criminal convictions to apply for and receive occupational licenses. Effective August 1, 2017.
- **Act 264:** Suspends child support payments for people who have been incarcerated for more than six months unless the person has the means to pay or is imprisoned for specific offenses and allows courts to extend child support payments beyond the termination date for the period of time in which payments were suspended. Effective January 1, 2019.
- **Act 265:** Lifts the ban on federal SNAP and TANF benefits for those convicted of drug offenses who are returning home from prison. Effective October 1, 2017.

---

employment prospects of formerly incarcerated people, and DPS&C does not have access to data on individuals once they are no longer under correctional control.

<sup>6</sup> Initially effective August 1, 2018, but implementation was delayed by one year in the 2018 legislative session.

## Department of Public Safety & Corrections Implementation Accomplishments

Implementing the reforms enacted by the JRI legislation has required a substantial amount of work on the part of DPS&C. Since June 2017, DPS&C has engaged in a comprehensive implementation planning process, with technical assistance from the Crime & Justice Institute (CJI),<sup>7</sup> leading to the following key implementation accomplishments:

### *Implementing Act 280 Good Time Provisions*

Identifying the individuals impacted by Act 280, which retroactively modified the earliest “good time” release date for a group of individuals convicted of nonviolent offenses,<sup>8</sup> was an extensive process which included validating eligibility, prioritizing cases for review, and calculating new release dates. As a result of this effort, 1,952 individuals were eligible for release on November 1, 2017. This number is in addition to the approximately 1,300 individuals who are released from DPS&C custody throughout any given month.

Currently, individuals releasing from DPS&C facilities, a regional reentry center, or a local jail with a transition specialist participate in a pre-release curriculum that is designed to help prepare individuals for reentry. However, many local jails that house state inmates do not have sufficient resources to provide pre-release planning. Over the past few years, DPS&C has been working to increase the number of individuals who receive pre-release planning, and the Department has the longer-term goal of ensuring inmates receive an appropriate level of services.

For individuals that released in November, DPS&C developed a process to ensure each individual participated in reentry planning:

- For individuals released from a DPS&C facility, a regional reentry center, or a local jail with a transition specialist, the Department ensured they completed a modified version of the pre-release curriculum.
- For individuals released from a local jail that does not have a transition specialist, Probation & Parole staff developed a plan to ensure those individuals received an accelerated version of the pre-release curriculum.
- Probation & Parole staff also worked with community partners to ensure released individuals were directly connected to community-based resources where possible.

This expanded re-entry model helped ensure a smoother transition process for this group of individuals, and demonstrated the importance of expanding pre-release planning in the coming years.

---

<sup>7</sup> The Crime & Justice Institute (CJI) provides training and technical assistance to states that are implementing Justice Reinvestment legislation. This assistance is funded through the Bureau of Justice Assistance’s Justice Reinvestment project and comes at no cost to the state of Louisiana.

<sup>8</sup> Under the new law, eligible individuals can be released after serving 35% of their sentence.

### *Implementing Changes to Community Supervision Practices*

The JRI legislation created a number of new statutory requirements that impact the Division of Probation & Parole's daily operations. These include implementing new Earned Compliance Credits as well as changes to the way agents use administrative sanctions and technical revocations and issue detainers for parolees charged with new offenses.

The Task Force found that incentives can be a very effective way to encourage prosocial behavior – a 2016 study of Missouri's system of Earned Compliance Credits found more than 36,000 probationers and parolees reduces their supervision terms by an average of 14 months (driving down caseloads for officers) with no upticks in recidivism.<sup>9</sup> Similarly, the Task Force found sanctions can be structured to better deter reoffending and violations: research shows that sanctions that are swift, certain, and proportional are more effective at reducing violations and new criminal behavior than sanctions that are delayed, inconsistently applied, or out of proportion in terms of severity.<sup>10</sup>

To prepare for these coming changes, DPS&C:

- Revised a number of internal policies and procedures to align with new statutory requirements;
- Developed new database capacity to ensure new Earned Compliance Credits are awarded, denied and accounted for electronically;
- Developed and implemented an initial training curriculum on the new laws, policies and procedures and ensured the trainings were delivered to all staff across the state.

### *Implementing Evidence-Based Practices to Reduce Recidivism*

A key goal of the JRI legislation is to reduce recidivism by improving community supervision practices and increasing the availability of treatment to reduce criminal reoffending. DPS&C is committed to the use of evidence-based practices (EBP) designed to reduce recidivism; the JRI legislation gives the department new tools and new resources to further expand and improve the implementation of EBP throughout the department. Some of these efforts have been in the works for several years, while others have been initiated as a result of the legislation, but all are related to the state's overall goal of improving public safety.

**Implementing the TIGER Risk and Needs Assessment:** Use of an empirically-based risk and

---

<sup>9</sup> The Pew Charitable Trusts, *Missouri Policy Shortens Probation and Parole Terms, Protects Public Safety: Individuals on Community Supervision Can Earn Credits to Reduce Their Sentences* (Aug. 2016).

<sup>10</sup> Daniel Nagin and Greg Pogarsky, *Integrating Celerity, Impulsivity, and Extralegal Sanction Threats into a Model of General Deterrence: Theory and Evidence* (2000); Eric Wodahl, Brett Garland, Scott Culhane and William McCarty, *Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections* (2011); Angela Hawkin and Mark Kleiman, *Managing Drug Involved Probationers with Swift and Certain Sanctions: Evaluating Hawaii's HOPE* (2009); Angela Hawken, Steven Davenport, and Mark Kleiman, *Managing Drug-Involved Offenders*, Working Paper, National Criminal Justice Reference, National Institute of Justice (2014).

needs assessment tool is a fundamental element of implementing evidence-based practice in corrections. DPS&C has been working with researchers at Louisiana State University for the past several years to develop an updated risk and needs assessment instrument based on Louisiana's own data. This instrument, which is named TIGER (Targeted Interventions Gaining Enhanced Reentry), will help staff make data-driven decisions about correctional placement, programming, community supervision and treatment. The instrument is currently being piloted and will be rolled out statewide this fall.

**Improving Intake Process:** Ensuring that newly incarcerated individuals are given a complete assessment – including an assessment of criminogenic risks and needs, education/vocational needs, and any medical or mental health concerns – at intake is an important first step in the rehabilitation process. DPS&C is currently working to expand the number of individuals who go through a complete intake process, and is taking an important step forward by opening an additional inmate reception center at Raymond Laborde Correctional Center. This will increase the

Department's capacity to formally screen and assess newly incarcerated individuals, particularly those who will likely be housed in local jails. DPS&C has begun routing all offenders from Jefferson Parish to this center and will begin routing offenders from Orleans, East Baton Rouge, St. Tammany, and Caddo Parishes over the next year. After receiving a full assessment, inmates will then be assigned to a local jail or state facility most appropriate to meet their needs. This reception center is piloting the TIGER assessment as its risk/needs assessment.

**Improving Case Planning:** Ensuring every individual imprisoned or on community supervision in Louisiana has an individualized case plan based on the results of a risk and needs assessment is another fundamental evidence-based practice, and a key goal of the Justice Reinvestment legislation. Currently, individuals incarcerated in a state prison facility and those on community supervision have case plans, but most who serve their sentence in a local jail do not. DPS&C is working to update the case planning process (in conjunction with the rollout of the TIGER tool) and intends to expand case planning services over the next several years to ensure individuals in all facilities have a case plan.

**Training Staff on Evidence-Based Practices:** Research is increasingly demonstrating the impact high-quality interactions between correctional staff and those they supervise can have on behavioral outcomes and recidivism. DPS&C has worked with CJI to develop a training plan designed to increase DPS&C staff understanding of evidence-based practices and teach them a variety of interaction and case planning skills that have been shown to increase the effectiveness of rehabilitative services and community supervision. These trainings, which

#### **What is Evidence-Based Practice?**

Evidence-based practice (EBP) is the objective, balanced, and responsible use of current research and the best available data to guide policy and practice decisions, with the goal of improving outcomes. EBP is used in a variety of fields, including medicine, education, and social work. In the criminal justice system, EBP focuses on adopting programs and practices that have been demonstrated by research to reduce recidivism.

began in April and will be rolled out to staff over the course of 2018, will be provided by CJI as part of the implementation technical assistance to Louisiana funded by the Bureau of Justice Assistance.

### *Expanding Treatment Programming*

Expanding the availability and quality of evidence-based rehabilitation programming is a core goal of Justice Reinvestment. Although reinvestment funding to support programming expansion will not be available until Fiscal Year 18/19, over the past year the Department has prioritized expanding a variety of educational, treatment and re-entry programs with the goal of reducing recidivism.

**Expanding Educational Programs:** DPS&C is also working to expand the availability of essential educational programs that exist in DPS&C facilities into local parish jails, working in partnership with Ashland University, Wiley College, and Louisiana's Community and Technical College Systems (LCTCS) to maintain and expand post-secondary education programs for incarcerated offenders. During this year:

- Ashland University expanded offerings to Lafayette and Richwood Correctional Centers.
- Wiley College began offering programs at David Wade Correctional Center (DWCC) and Raymond Laborde Correctional Center (RLCC).
- DPS&C continued to expand adult basic education programs in local jails by adding programs in West Baton Rouge, East Feliciana, and Plaquemines parishes.
- DPS&C expanded computer labs for computer based testing and education into Bossier, Livingston, and Natchitoches parish jails, as well as in the Louisiana Transition Center for Women.
- In partnership with the LCTCS Delta Campus, DPS&C opened a Pell funded welding program at Morehouse Correctional, and initiated a Work Keys program there as well.
- DPS&C is in conversation with Northwestern University and Southeastern Universities to offer Pell funded post-secondary programs for offenders housed in local jails for the fall of 2019.

**Expanding Treatment Programs:** DPS&C has also added the Domestic Violence Intervention Program to Rayburn Correctional Center (RCC) and local jails in Avoyelles, Concordia, Richwood, Calcasieu and Tensas Parishes. This is a domestic violence prevention treatment program and fills a much needed void; DPS&C hopes to expand this program to other locations over the next year.

**Expanding Regional Re-Entry Programming:** This fiscal year, DPS&C opened a Regional Reentry Program for the Southeast Region of the state at Allen Correctional Center, bringing the total number of re-entry programs in the state up to 10 (9 male; 1 female). DPS&C plans to open the last regional reentry program in the Southeast Central Region in the spring of 2019. Programs include basic education, vocational and occupational programming, faith-based opportunities,

substance abuse programs, mental health treatment and values development.

These regional reentry programs operate in conjunction with local sheriffs and are designed to reach those offenders who are within one year of release (or work release assignment), providing them with the 100 hours of Pre-Release curriculum. Additionally, reentry programs on the local level focus on securing valid identification documents (driver's license, social security card, and birth certificate), residence and employment planning as well as referrals to needed community resources and post-release services. Adult Basic Education and job training skills programs are offered where resources allow.

DPS&C also partnered with the Southeast Region Workforce Development Board to provide "affiliate One Stop" centers to the Covington Day Reporting Center and the Regional Reentry Program at the St. Tammany Parish Jail. This innovative partnership has already resulted in several offenders from the day reporting center obtaining employment. It is hoped this model will prove successful in matching offenders with gainful employment and that the Department can replicate the model in other regions of the state.

#### *The Louisiana Prisoner Reentry Initiative*

The Louisiana Prisoner Reentry Initiative (LA-PRI) was created in response to Louisiana's high recidivism rate, with the goal of cutting the state's recidivism rate of higher-risk returning citizens by 50%.

Under LA-PRI, DPS&C envisions every incarcerated individual returning to their community with the tools and resources they need for success. This is an ongoing initiative, and DPS&C sees the goals of the Justice Reinvestment legislation and LA-PRI as closely linked, with both programs working together to lower the state's recidivism rates and help our incarcerated citizens return home.

LA-PRI has six objectives:

1. Provide a collaborative process to gain support with the state's justice leaders, business leaders, local and state government officials, community service providers, justice and victim advocates, families of the incarcerated, and law enforcement;
2. Provide process and experimental research evaluations to show impact;
3. Work with communities to demonstrate reduced recidivism through improved case planning and case management, built on actuarial risk/need assessment, good data, enhanced human service delivery, and comprehensive planning;
4. Create transitional and permanent jobs by working with Louisiana's business community;
5. Encourage and support affordable housing opportunities, linked to employment; and
6. Create/revise DPS&C policies and procedures in order to ensure sustainability.

LA-PRI encourages recidivism reduction strategies driven by the risk and needs of those returning from a period of incarceration. Therefore, the program aims to provide returning citizens with supervision and services to manage and reduce their risk of returning to crime, and address their needs – especially for sustainable employment, affordable housing, and substance abuse treatment.

To support the implementation of LA-PRI, DPS&C established an Implementation Steering Team (IST) comprised of departmental staff as well as other governmental agencies and reentry stakeholders, such as courts, the Parole Board, local jails and community resource providers. The IST has met on a quarterly basis to discuss policy and regulatory reforms needed as a precursor to implementation. The IST was established as a working committee that reports to the Louisiana Reentry Advisory Council (RAC). The RAC is an executive level, multi-disciplinary council established by statute and reports to the Secretary of the Department of Public Safety & Corrections.

As part of LA-PRI, IST developed a unified and individualized Reentry Accountability Plan (ReAP) that will be informed by the TIGER and other assessments. In combination with the TIGER risk/needs tool, ReAP will be a valuable resource that will improve pre- and post-release programming, intervention planning, as well as improve structured decisions of the Courts and Parole Board.

This fiscal year, the LA-PRI entered the implementation phase. The LA-PRI cohorts of twenty offenders in each of the five target parishes have been and will be assessed using the TIGER, and each will have a ReAP to help inform and support their transition to the community.

#### *Developing a Process for Collecting & Reporting on Key Performance Metrics*

To comply with the provisions of Act 261, and in preparation for this report, DPS&C identified an extensive list of performance metrics to be tracked. These include measures required by statute as well as other metrics designed to help the Department assess progress. Over the past year, the Department has invested considerable time and resources to ensure that all necessary data are entered into the system by staff and tracked. This consisted of implementing key system changes within the departmental database, developing tracking mechanisms and creating new reporting templates.

## Methodology

Act 261 of the Justice Reinvestment package directs DPS&C, in conjunction with LCLE, to collect data on the outcomes of the Justice Reinvestment package and report this data to the Legislature annually. To prepare for this report, DPS&C, with assistance from LCLE and CJJ, developed a comprehensive list of performance metrics to be tracked. Key findings are highlighted in the body of this report, and a full list of the required performance metric data collected by DPS&C can be found in the appendix.

Measures are reported from CAJUN, the Department's offender management database, as well as the Probation and Parole case management database.

In some cases, it was not possible to provide data in this report for a given performance measure. For example, recidivism data, while an important metric, will not be included in the first annual report. Recidivism is typically measured as a return to prison within one to five

**Baseline Data:** Unless otherwise noted, "baseline" data was calculated as the average of all quarters from 2016, to minimize the impact of any seasonal spikes or dips that might be present when comparing to one quarter alone. 2016 was chosen because that is the last full year of data prior to JRI passage and implementation, which occurred partway through 2017.

years following release. Measurable reductions in recidivism can take several years to achieve. Given that the Justice Reinvestment package of reforms went into effect less than a year ago, there has not been sufficient time to collect or report recidivism-related data as it relates to the Justice Reinvestment legislation. However, what DPS&C has seen so far in this short period is tracking at a rate consistent with first year recidivism rates. Similarly, as the DPS&C is currently in the process of transitioning to a new risk assessment tool, data on risk levels will not be available until the new DPS&C risk assessment tool, TIGER, is implemented statewide later this year.

Because most of the Justice Reinvestment legislation provisions were implemented over the fall of 2017, this report depicts very early data. "Snapshot" data looking at the overall composition of the prison and community supervision

### Overview of JRI Metrics Collected by DPS&C

- Who is coming into prison or starting supervision, and for what reason (admissions/intake)
- Who is currently in prison or on supervision, and for what reason (snapshot)
- Who is leaving prison or ending supervision, and the reason for their departure (releases)
- The average sentence length for different categories of prisoners and supervisees (sentence length)
- The average length of a prison stay or supervision period for different categories of prisoners and supervisees (length of stay)
- Number and type of sanctions issued in response to violations while on supervision
- How many Earned Compliance Credits are awarded, and to how many people

populations at moments in time is reported for the first quarter of 2018 (January through March). Snapshot data is measured on the last day of the quarter (so, March 31, 2018). The remaining data (admissions, releases, sentence length, and community supervision sanction data) is only available through the fourth quarter of 2017 (October through December) due to delayed availability of information and the time required to retrieve and analyze large amounts of data. Furthermore, the fourth quarter of 2017 does not depict a full quarter of post-implementation data, as many of the reforms implemented took effect in November 2017.

Given the limited scope of the data, findings should be taken as preliminary – first glimpses at potential trends. Data will likely evolve somewhat over time, as practitioners grow accustomed to the changes and implementation efforts continue. A much fuller picture will be available in subsequent annual reports when more data is available.

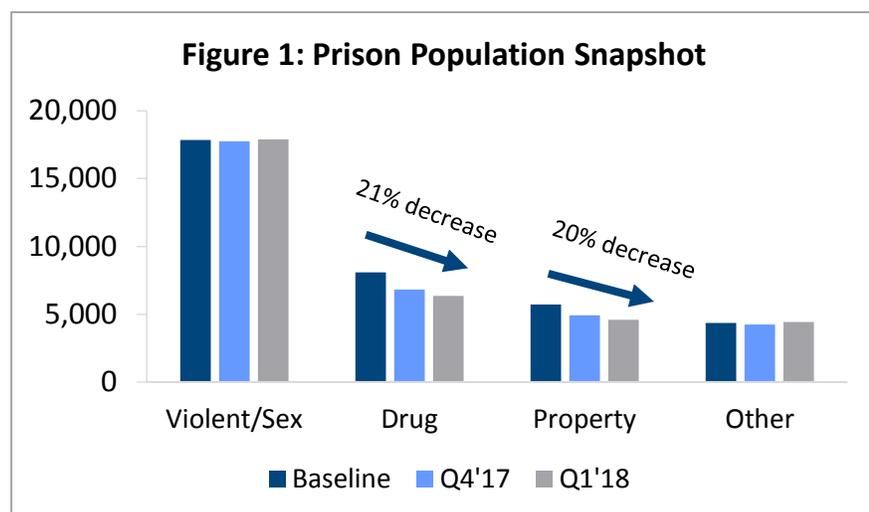
### Early Justice Reinvestment Data Findings

#### *Goal #1: Focus Prison Beds on Those Who Pose a Serious Threat to Public Safety*

The first goal of the Justice Reinvestment reforms is to *focus prison beds on those who pose a serious threat to public safety*.

The Justice Reinvestment Task Force found that Louisiana had unusually high admissions for nonviolent crimes as compared to other Southern states, as well as lengthier prison terms and narrower parole eligibility, leading to the highest imprisonment rate in the nation. The Task Force also found that incarceration is not always the most effective way to reduce recidivism: in fact, research has shown that, on average, incarceration does not reduce recidivism more than non-custodial sanctions (like community supervision).<sup>11</sup>

To address this, the JRI legislation enacted a number of changes designed to steer people with less serious offenses away from prison and reduce the length of imprisonment for those who can be safely supervised in the community, focusing Louisiana’s prison

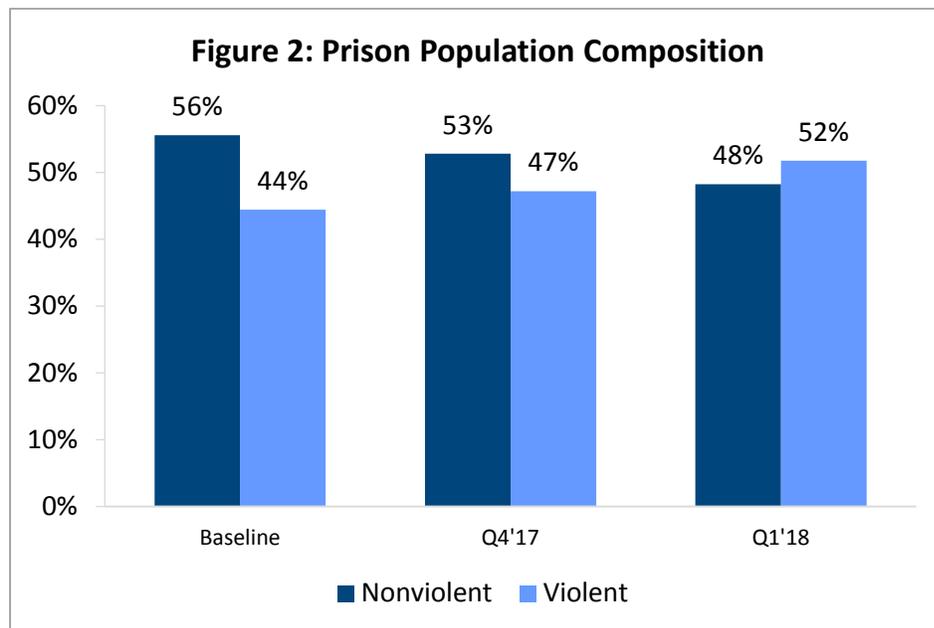


<sup>11</sup> Daniel Nagin, Francis Cullen, and Cheryl Lero Jonson, *Imprisonment and Reoffending* (2009); Patrice Villetaz, Gladys Gilleron, and Martin Killian, *The Effects on Reoffending of Custodial vs. Non-Custodial Sanctions: An Updated Systematic Review of the State of Knowledge* (2015); Daniel Nagin and G. Matthew Snodgrass, *The Effect of Incarceration on Re-offending: Evidence from a Natural Experiment in Pennsylvania* (2013).

resources on those who pose a serious threat to public safety and are in need of rehabilitative programs.

### Reduced Use of Prison for Nonviolent Offenses

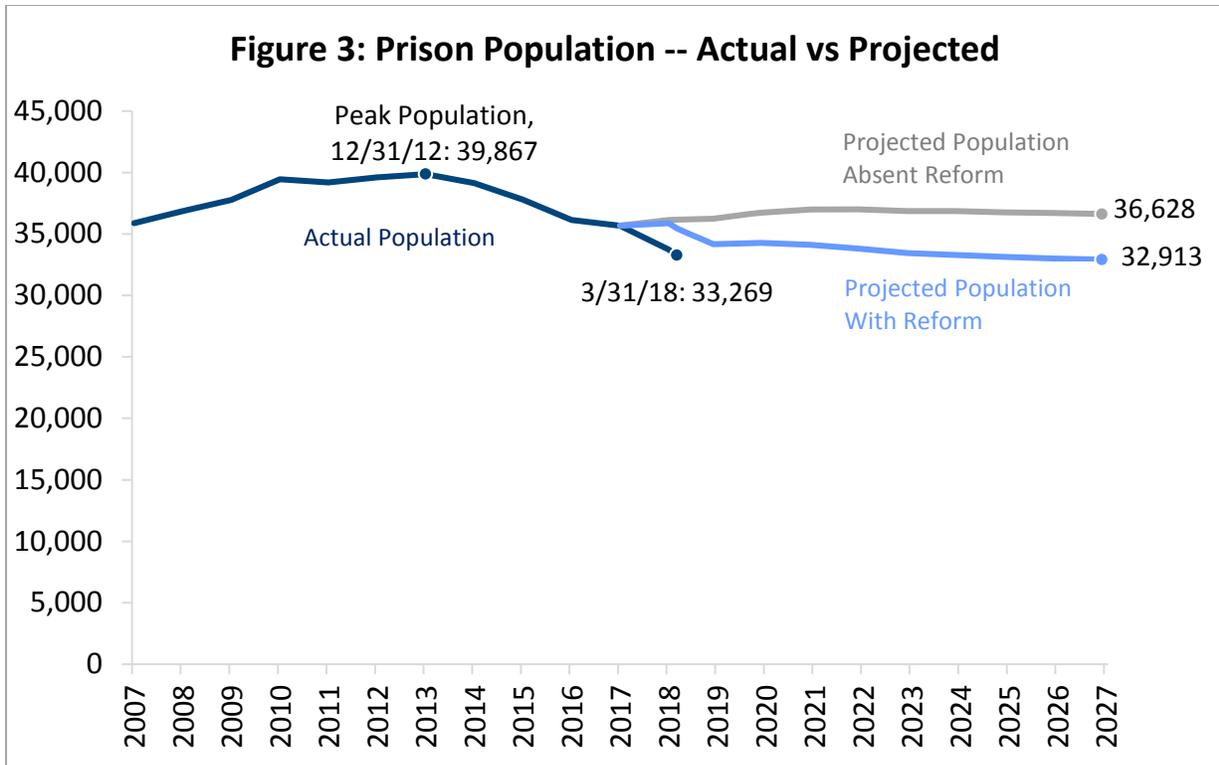
A snapshot<sup>12</sup> of Louisiana’s prison and jail population shows Louisiana is on the right track to meet this goal: while the number of people imprisoned for a violent offense has remained approximately the same (see Figure 1), the number imprisoned for nonviolent offenses has dropped 20%. As a result, as of the first quarter of 2018, a majority of Louisiana’s prison population is incarcerated on a violent offense (see Figure 2).



Looking further into the data, the number of people incarcerated for drug offenses has dropped by 21%, while the number incarcerated for property offenses has dropped by 20% (see Figure 1). The large initial decrease in the percentage of individuals incarcerated for a nonviolent offense may be attributable to the releases from November 1.

As the number of those incarcerated for nonviolent offenses goes down, the total prison population has dropped by 7.6%. Currently, Louisiana’s prison population is below the original projections made by the Louisiana Justice Reinvestment Task Force when the Justice Reinvestment bills were introduced to the legislature last year (see Figure 3).

<sup>12</sup> Snapshot data is taken from the last day of each quarter (e.g. December 31 or March 30).

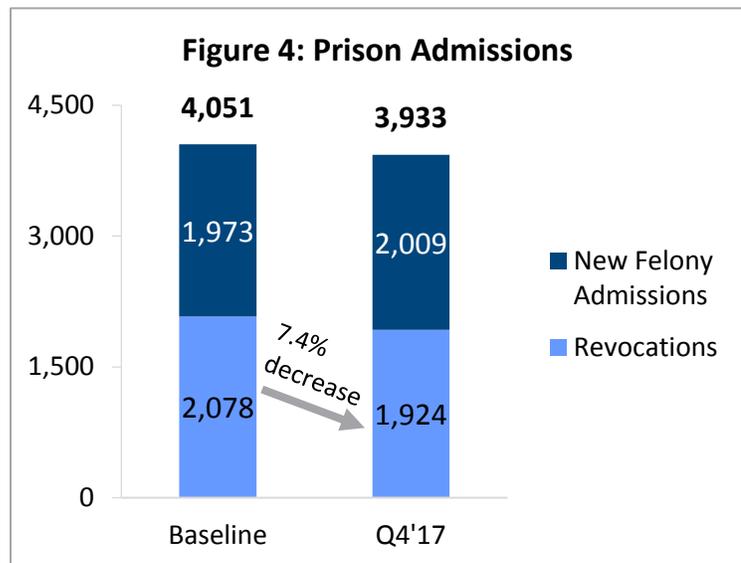


Although this data is very early, it shows Louisiana is on the right track to meeting its first goal of prioritizing expensive prison beds for those who pose a serious threat to public safety.

### Decreasing Admissions for Revocations and Drug Offenses

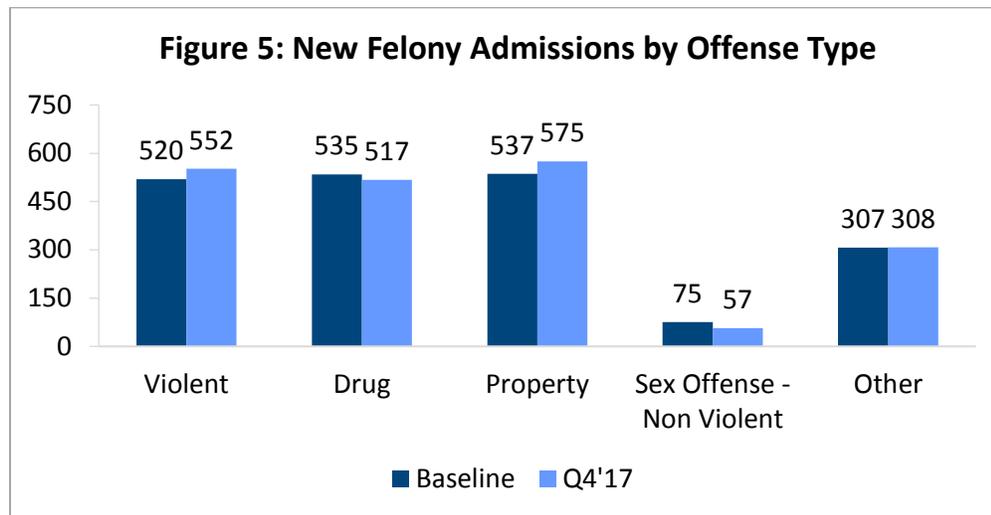
In the first quarter of data post-implementation, overall prison admissions decreased by 2.9%, driven by a 7.4% decrease in admissions for supervision revocations.<sup>13</sup> Historically, admissions for revocations of supervision has been one of the strongest drivers of Louisiana’s prison population.

Admissions for all new felony offenses increased 1.8%. When examining new felony admissions by

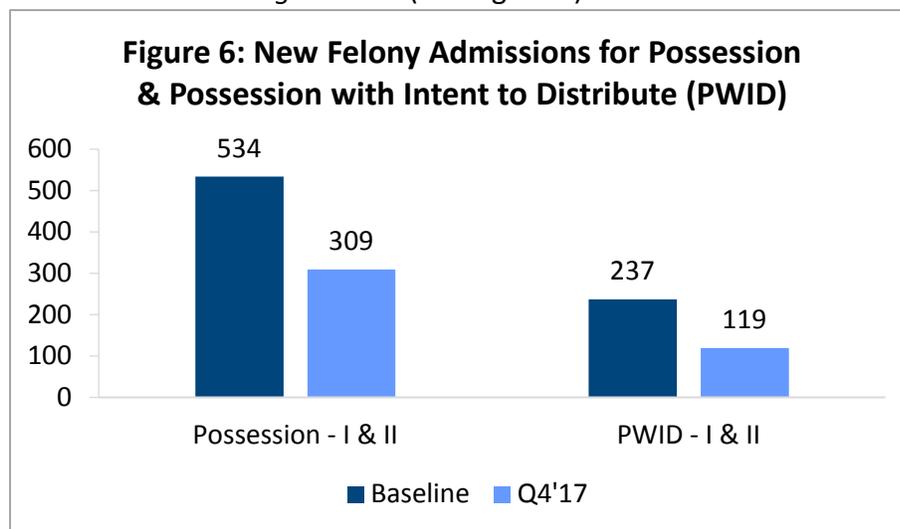


<sup>13</sup> Data regarding revocations and other community supervision sanctions will be examined later in this report.

offense type,<sup>14</sup> admissions for violent and property offenses increased (6.3% and 7.2% respectively) while admissions for drug offenses decreased by 3.3%<sup>15</sup> (see Figure 5).



Admissions for drug possession offenses – one of the offense types that was impacted by the changes to sentencing practices in Act 281 – dropped the most: admissions for *Possession of a Schedule I or II Drug* decreased by 42%, and admissions for *Possession with Intent to Distribute a Schedule I or II Drug* fell 50% (see Figure 6).<sup>16</sup>



<sup>14</sup> Offense type is determined based on the offense for which the person was convicted, or, if they were convicted of more than one offense, the offense which earned the longest sentence.

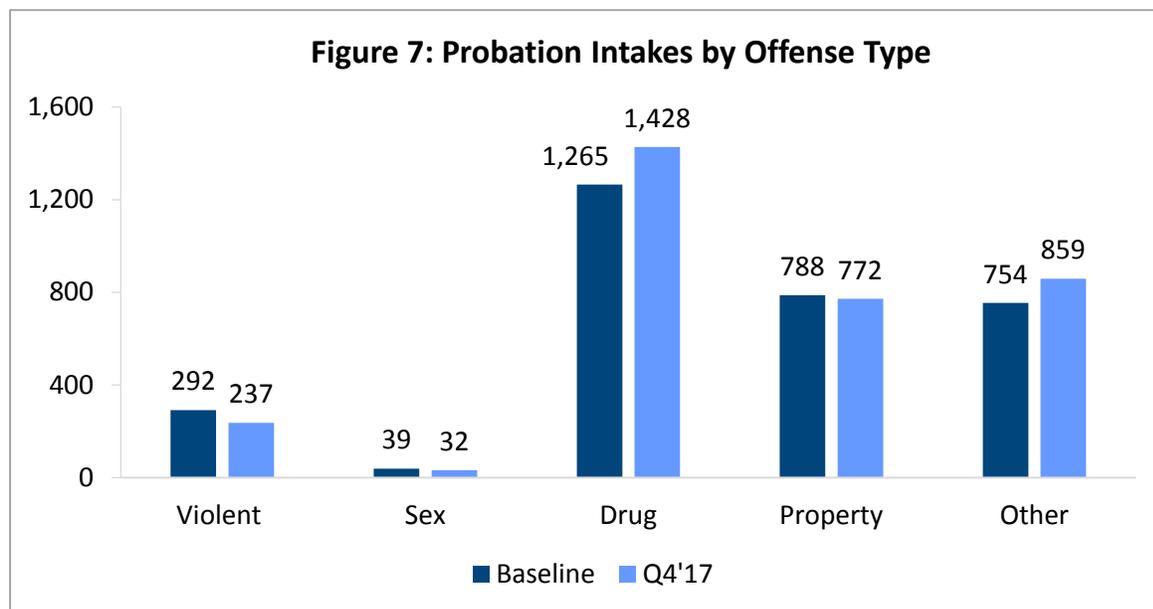
<sup>15</sup> Only nonviolent sex offenses are included in the “sex offense” category. Violent sex offenses are counted in the “violent” category. The same is true throughout the report when “violent” and “sex offense” categories are split out as they are here in Figure 5.

<sup>16</sup> Admissions data for specific convictions cannot be compared to admissions data for offense types. Data on specific convictions includes any case that had that type of conviction; data on offense types classifies each case by the most serious charge.

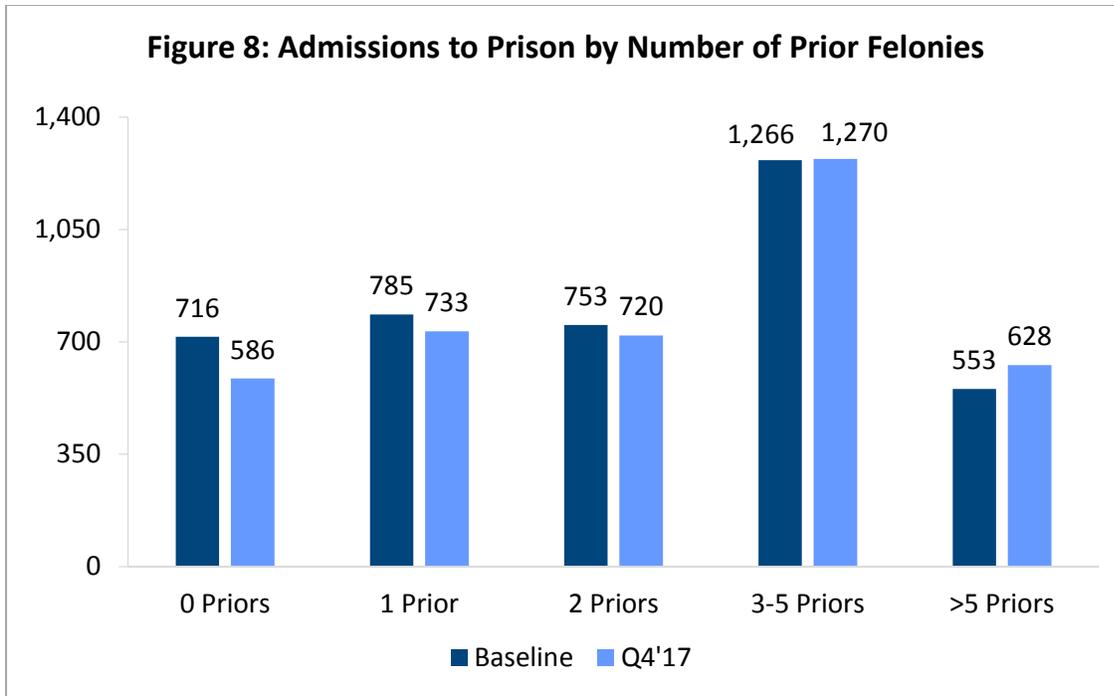
### Increasing Use of Incarceration Alternatives

Act 281 expanded the eligibility criteria for those convicted of less serious offenses to be placed on probation supervision instead of being incarcerated. The goal was to divert individuals convicted of first-time and lower-level offenses away from prison.

In the first quarter of data, probation intakes rose by 6.0%. The number of individuals convicted of a violent, sex or property offense at probation intake fell (by 19%, 18%, and 2.1% respectively), while the number of people convicted of a drug or other offense rose (by 13% and 14% respectively) (see Figure 7). This is not surprising, as the Justice Reinvestment reforms were designed with a goal of diverting more people convicted of nonviolent and non-sex offenses to probation instead of incarceration.



Additionally, in the first quarter of data, the number of individuals admitted to prison with no prior felony convictions decreased by 18% (see Figure 8). This is early evidence that legislative changes designed to divert first-time offenders from prison, along with the efforts of local prosecutors and judges, are having the desired effect.

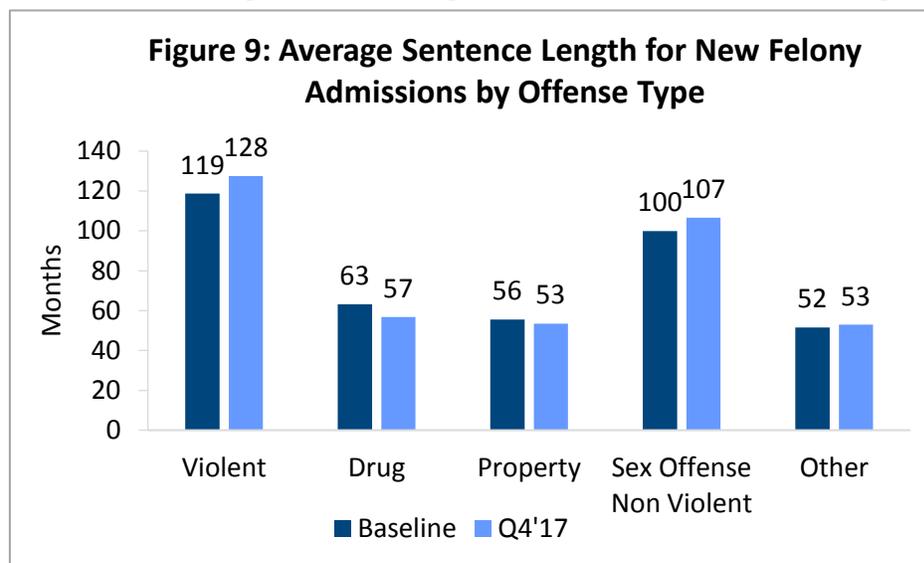


### Decreased Sentence Length for Nonviolent Offenses

Act 281 made a number of changes to Louisiana’s sentencing laws, including reducing the minimum and maximum sentences for certain crimes, tailoring drug offense sentences according to weight, raising the felony theft threshold, and eliminating specialty property crimes.<sup>17</sup>

In the first quarter of data, the average sentence length at admission has increased slightly, from 76.0

months to 76. 6 months. When broken down by offense type, however, a different picture emerges: average sentences for violent crimes and sex offenses have each increased by



<sup>17</sup> “Specialty property crimes” eliminated by Act 281 include crimes that are duplicative of other theft, property damage, and burglary offenses.

about 7%, while average sentences for drug crimes and property crimes have decreased by 10% and 3.7%, respectively (see Figure 9)<sup>18</sup>. These changes, while both early and modest, are another indication that Louisiana is better focusing its use of prison resources on serious and violent offenses.

### Reduced Use of Habitual Offender Penalties

Act 280 made changes to better tailor habitual offender penalties to the severity of the crime. The bill reduced the mandatory minimum sentences for most second and third offenses, eliminated the possibility of life sentences on fourth convictions when the current and previous convictions were all nonviolent, differentiated cleansing periods<sup>19</sup> according to whether the prior offense was violent or nonviolent, and allowed judicial discretion to depart from constitutionally excessive sentences. In the first quarter of data, the number of people convicted under the habitual offender statute decreased 60% compared to the 2016 baseline<sup>20</sup>, while the average sentence length for habitual offenders did not meaningfully change (see Figure 10).

A review of the data from the first three quarters of 2017 shows that this decline in the number of habitual offenders began even before the Justice Reinvestment legislation was

<b>Figure 10: Admissions – Habitual Offenders</b>		
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>
Number of Habitual Offender Sentences	112	45
Average Sentence Length for Habitual Offenders (months)	120.4	121.3

passed. Likely, this drop is a result of changing prosecutorial practices, or other factors outside of the Justice Reinvestment legislation.

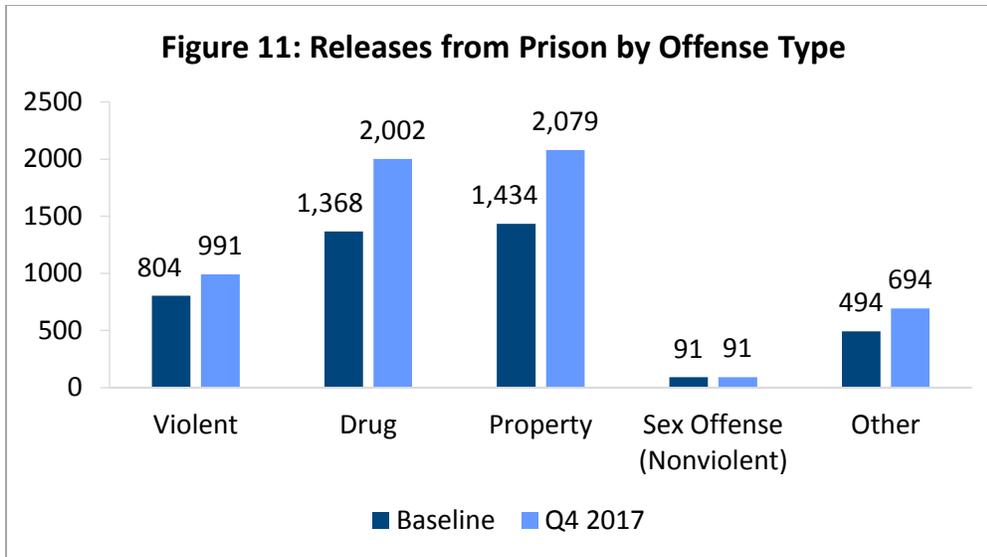
### Increase in Releases for Nonviolent Offenses

Another factor that impacts the prison population are releases. Through the JRI reforms, the Legislature adopted a number of policies to increase opportunities for release through parole and sentence credits. Early data shows that the reforms that increased opportunities for individuals to earn time off their sentence have led to an increase in releases for those convicted of nonviolent offenses in particular.

In the first quarter of data, the number of people released increased by 40%, and this increase was driven primarily by increases in releases for individuals convicted of drug or property offenses (see Figure 11). The Justice Reinvestment legislation only impacted nonviolent offenses; any change in the releases for violent offenses is unrelated to these reforms.

<sup>18</sup> “Other” is a catch-all category that includes a variety of offenses that do not fit cleanly into the defined categories. Examples of “Other” offenses include Felon in Possession of Firearm and Driving Under the Influence

<sup>19</sup> A “cleansing period” is the time which an individual must wait after their offense before they may request the offense expunged (or removed) from their criminal record.



However, this initial high number of releases will not continue; this preliminary release data is not indicative of the number of releases from DPS&C in the coming quarters. Due to the effective dates and retroactive nature of some of the JRI reforms, some Louisiana inmates became eligible for release on or immediately after November 1, 2017. As this report only covers the first quarter after JRI implementation, this group of releases is included in the data reported. Subsequent reports are expected to show a return to a more stable release trend.

*Goal #2: Strengthen Community Supervision*

The second goal of the JRI reforms is to *strengthen community supervision*. Community supervision is a form of DPS&C control within the community and includes both Probation and Parole.<sup>21</sup> The Justice Reinvestment Task Force found that probation and parole practices in Louisiana could be better aligned with the key principles of supervision and programming that have been demonstrated by researchers to be strongly associated with reduced recidivism, including:

- Focusing resources on those most likely to offend
- Increasing the use of incentives to encourage positive behavior
- Responding to violations with swift, certain, and proportional sanctions

In particular, the Task Force found that, despite research demonstrating that the public safety benefit of supervising those who have been successful on community supervision declines significantly after the first year to 18 months, supervision periods in Louisiana often stretched much longer than that.<sup>22</sup> This, in turn, contributed to large caseloads for probation and parole

<sup>21</sup> The terms “community supervision,” “supervision,” or “Probation and Parole” will be used interchangeable in this report.

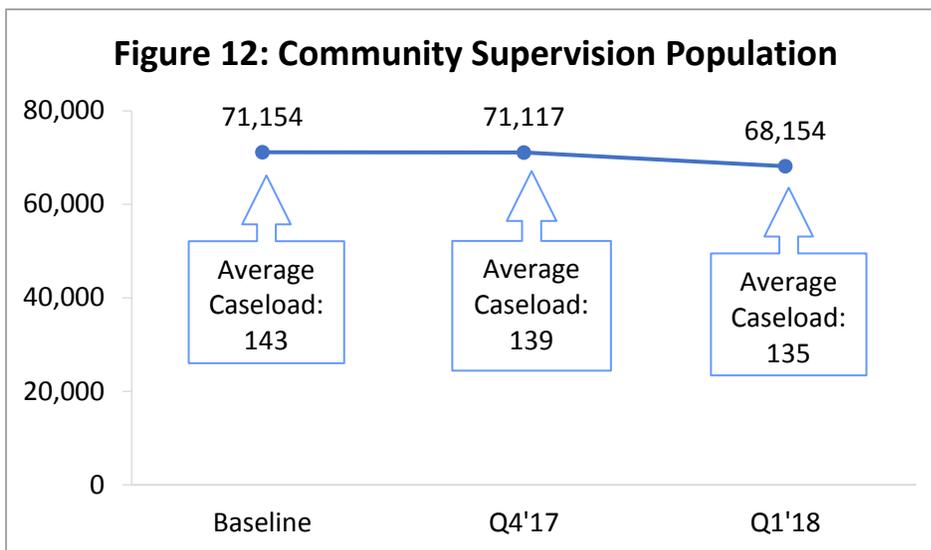
<sup>22</sup> The Pew Charitable Trusts, Maximum Impact: Targeting Supervision on Higher-Risk People, Places, and Times (2009). [http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs\\_assets/2009/maximumimpactwebpdf.pdf](http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2009/maximumimpactwebpdf.pdf)

officers, limiting the amount of time officers had available to spend focusing on higher-risk individuals' specific criminogenic needs.

To address this, Act 280 made changes to Louisiana's system of probation and parole supervision by reducing maximum probation term lengths, expanding eligibility for "swift and certain" administrative sanctions, limiting the use of jail to respond to technical violations of supervision, and implementing incentives for individuals on supervision to encourage positive behavior. The goal of these changes is to strengthen community supervision by reducing caseloads, freeing up resources to focus on individuals at a higher risk of recidivating, and adopting evidence-based practices designed to address violations in a swift and certain manner.

### Focusing Resources on Those Most Likely to Re-Offend

Early data shows that Louisiana is beginning to trend in the intended direction. A snapshot of the total community supervision population showed that the number of individuals on supervision dropped by 4.2% from baseline to the first quarter of 2018.



Due to this slight decrease in the total supervision population, the average allocated caseload size for Probation and Parole Officers has dropped from 143 to 135 cases<sup>23</sup> (see Figure 12). Although this is still a high average caseload, decreasing the number of

individuals each officer supervises allows them to focus on the supervisees who are at the highest risk of failing, which, when combined with better supervision practices, has been shown to reduce recidivism.

Act 280 also focuses probation and parole officers' efforts on the time when individuals on supervision are most likely to fail (the first few months of supervision) by reducing the maximum probation term for nonviolent crimes from five years to three. As a result, the average probation term length for those sentenced to probation decreased by 14.4%, from 31.8 months to 27.2 months.

<sup>23</sup> This number is calculated by dividing the total number of cases by the number of allocated probation & parole officer positions. Actual caseloads may be higher if positions are unfilled.

## Increasing the Use of Incentives to Encourage Positive Behavior

Act 280 created opportunities for individuals on community supervision to earn their way off supervision faster by establishing a system of earned compliance credits (ECCs). ECCs provide an incentive for probationers and parolees to meet their supervision conditions and are based

**Figure 13: Examples of Violation Behaviors** <sup>24</sup>

Level 1 (no ECC loss)	Level 2 (automatic ECC loss)	Level 3 (automatic ECC loss)	Level 4 (automatic ECC loss)
Failure to report as instructed	Three or more level 1 violations	Three or more level 2 violations	Three or more level 3 violations
Travel without permission	2 <sup>nd</sup> positive drug or alcohol use or admission	Falsifying drug test	Intimidation of victims
1 <sup>st</sup> positive drug/alcohol use or admission	Misdemeanor activity (nonviolent)	Misdemeanor activity (serious/violent)	All felony activity

on a performance grid tool used by the Probation and Parole Division. Those on supervision for nonviolent crimes earn 30 days off their supervision term for every full calendar month of compliance. Officers can use ECCs to encourage compliance and reward good behavior.

Those on supervision who do not receive a sanction for a level 2, 3, or 4 violation are eligible to earn 30 days of ECCs for that month. (See Figure 13 for more details on sanctions.)

Of those on supervision who were eligible to earn ECCs (that is, they met the criteria laid out in law), 321 individuals did not earn ECC in Quarter 4 of 2017, and 935 did not earn ECC in Quarter 1 of 2018, meaning they were sanctioned for a level 2, 3, or 4 violation.<sup>25</sup> In total, 530 Compliance Credit Months were forfeited in Quarter 4 of 2017 and 1,411 were forfeited in Quarter 1 of 2018 due to violations that did not rise to the level of a revocation. This policy went into effect on November 1<sup>st</sup>, 2017, so data from Quarter 4 of 2017 shows only two months of post-implementation data.

**Figure 14: Earned Compliance Credits**

Measure	Q4 2017	Q1 2018
Percentage of Individuals Eligible to Earn Compliance Credits	77.46%	76.80%
Average Months of Compliance Credits Earned	1.99	2.99
Number of Individuals Who Did Not Earn Compliance Credits	321	935
Months of Compliance Credits Not Earned	530	1411

<sup>24</sup> DPS&C probation and parole officers use a “Performance Grid” that categorizes violation behaviors by seriousness (Level 1, 2, 3 or 4) and gives officers guidance on appropriate responses. Figure 13 includes examples of violation behaviors at each level from the Performance Grid.

<sup>25</sup> Individuals who are revoked from supervision lose their compliance credits through the revocation process. However, this process does not always resolve within a month or quarter. As a result, they are not included in the total number “not earning” credits in a given quarter.

## Responding to Violations with Swift, Certain, and Proportional Sanctions

Another goal of the JRI legislation was to increase the use of “swift and certain” non-jail administrative sanctions when responding to technical violations of supervision by nonviolent offenders, and to limit the length of jail sanctions when they are used. This is in keeping with research that demonstrates that administrative and short jail sanctions, when applied with swiftness and certainty, can effectively redirect behavior without significant disruption to a person’s job and family responsibilities.<sup>26</sup>

To accomplish this goal, Act 280 establishes a greater range of swift, certain, and proportional sanctions for supervision violations. There are a range of sanction options available for individuals convicted of a nonviolent, non-sex offense<sup>27</sup> who violates their conditions of supervision, depending on the type and severity of the violation and how many previous violations they had committed (see Figure 15).

**Figure 15: Sanction Options for Probationers/Parolees Convicted of Nonviolent, Non-Sex Offenses**

Sanction Type	When Available	Who Issues Sanction
Non-jail administrative sanction	In response to technical violations <sup>28</sup>	Probation/parole officers
Administrative jail sanction (1-10 days)	Higher level technical violations	Probation/parole officers
Technical revocation <sup>29</sup> (up to 15 days for 1 <sup>st</sup> , 30 for 2 <sup>nd</sup> , and 45 for subsequent)	Higher level technical violations	Court/Parole Board
Custodial Treatment (up to 90 days)	For individuals ordered to participate in a custodial treatment program	Court/Parole Board
Full revocation to prison	Non-technical violations	Court/Parole Board

<sup>26</sup> Wodahl, Eric & H. Boman IV, John & E. Garland, Brett. (2015). Responding to probation and parole violations: Are jail sanctions more effective than community-based graduated sanctions? *Journal of Criminal Justice*. 43. 10.1016/j.jcrimjus.2015.04.010.

<sup>27</sup> For individuals convicted of a violent or sex offense, the law remains unchanged: the parole board has given parole officers authorization to use administrative sanctions when appropriate, while judges retain their discretion to authorize probation officers to impose administrative sanctions on a case by case basis.

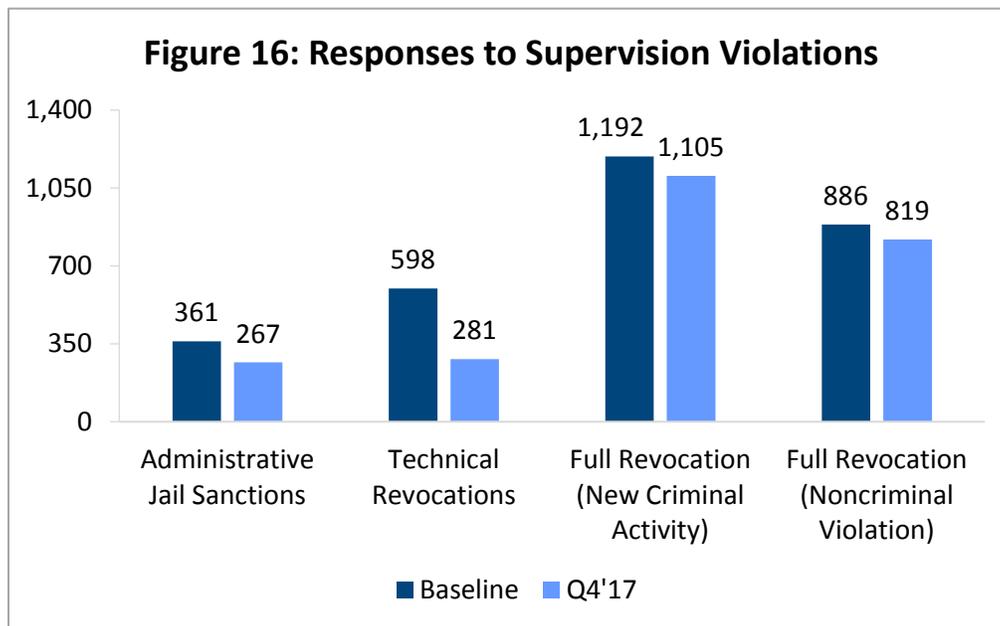
<sup>28</sup> “Technical violation” is defined in Act 280 as any violation of a condition of probation **not** including the following 1) an allegation of a criminal act that is subsequently proven to be a felony; 2) an allegation of a criminal act that is subsequently proven to be an intentional misdemeanor against another person; 3) an allegation of: a criminal act pursuant to R.S. 14:2 or R.S. 15:541; domestic abuse battery pursuant to R.S. 14:35.3 committed by one family member or household member against another, or battery committed by one dating partner as defined by R.S. 46:2151 against another; a violation of a protective order, pursuant to R.S. 14:79, issued against the offender to protect a family member or household member as defined by R.S. 14:35.3, or a dating partner as defined by R.S. 46:2151; 4) being in possession of a firearm or other prohibited weapon; or 5) absconding from the jurisdiction of the court by leaving the state without the prior approval of the probation and parole officer.

<sup>29</sup> Previously referred to as an Act 299/Act 402 sanction. This differs from a full revocation as, on a technical revocation, the offender remains on supervision status while serving the jail sanction.

In the first quarter of data:

- The number of administrative jail sanctions used dropped by 26%, while the average days imposed increased slightly from 4.7 to 5.1 days. This is driven primarily by a large drop in the number of administrative jail sanctions used to respond to Level 1 violations, a result of Act 280's limits on the use of jail sanctions.
- The number of technical revocations issued dropped by 53%, and the average number of days spent in custody decreased by 21 days, to just over 46 days in the fourth quarter of 2017.
- The number of full revocations across probation and parole dropped by 7.4%, bringing the revocation rate (the percentage of individuals on supervision who are revoked in a given quarter) down from 2.9% to 2.7%.<sup>30</sup>

Although early, the first quarter of data indicates that as a result of statutory changes as well as the implementation efforts of the Division of Probation and Parole, the state is making progress toward the goal of addressing technical violations of supervision using non-jail sanctions when possible and limiting the length of jail sanctions when they are used.



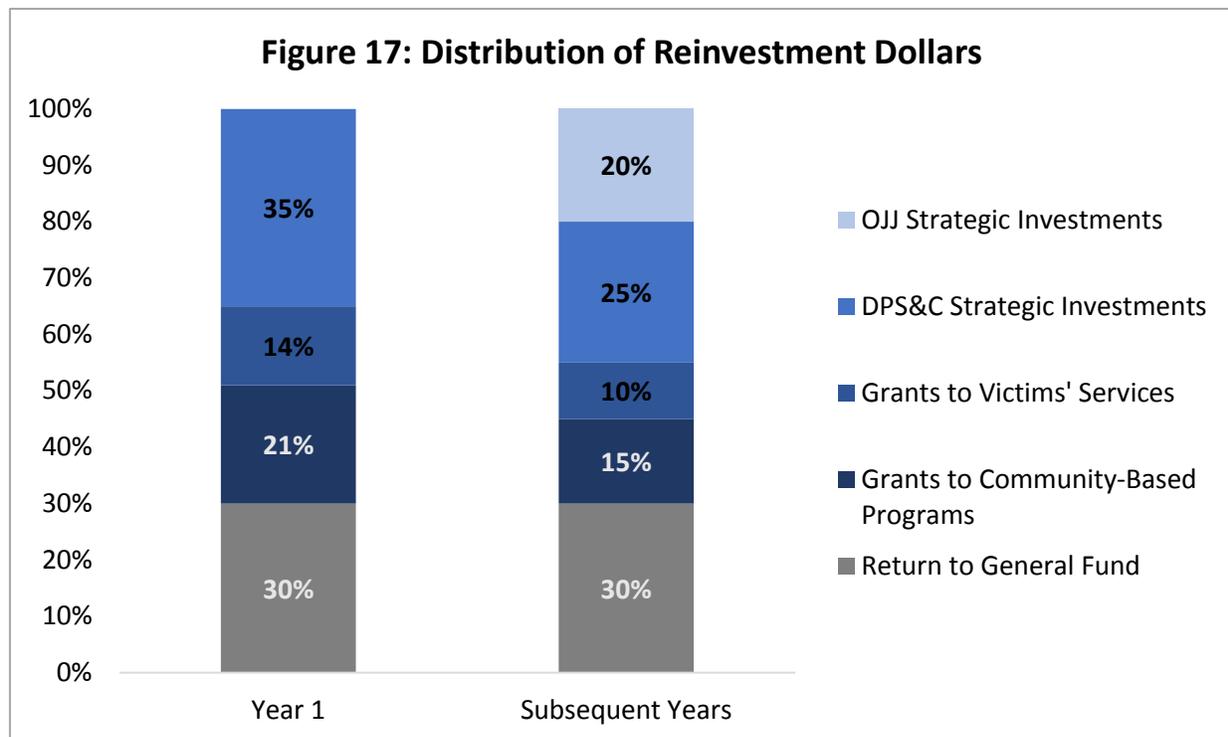
<sup>30</sup> Revocations are included in quarterly totals when the revocation decision is made by the Court or Parole Board, not when the petition for a revocation is filed. As a result, some petitions could be filed in one quarter and resolved in the next.

### Goal # 3: Reinvest a Substantial Portion of the Savings

The final goal of the JRI reforms was to *reinvest a substantial portion of the savings*.

Act 261 requires that the bulk of the savings from the reduction of the prison population be reinvested in programs to reduce recidivism and support victims. In particular, the law requires DPS&C to calculate the surplus dollars budgeted for housing state inmates at the end of each fiscal year. Seventy percent of that surplus budget must be reinvested into the following four categories, as also shown in Figure 16 below:

1. Targeted investments in community supervision and recidivism reduction programming in prisons, jails, and work release facilities;
2. Grants for victims' services, treatment, and transitional housing as well as victim-focused training for justice system professionals;
3. Incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives; and
4. Juvenile justice initiatives and programs.



The final savings calculation and reinvestment allocations will be available after the end of the fiscal year.

### **Department of Public Safety & Corrections Strategic Investments**

The Department currently intends to use first-year reinvestment funding in support of the following priorities:

- Increasing programming for state inmates housed at local jails;
- Enhancing and expanding Regional Reentry Centers;
- Increasing Probation and Parole staffing and Day Reporting Centers;
- Launching Transitional Housing pilot program;
- Opening a new Reception Center to conduct assessments for new inmates; and
- Expanding Specialty Courts

### **Community-Based Recidivism Reduction Programs**

Twenty-one percent of the reinvestment funding is dedicated toward community programs designed to divert individuals from prison and reduce recidivism. With the goal of ensuring this funding is spent in the most effective and transparent way possible, DPS&C has created a Community Incentive Grant Program and has issued a Request for Proposals (RFP). The RFP is intended to elicit proposals from qualified community organizations that are interested in enhancing or expanding coordination of reentry services and community supports to increase prison alternatives and reduce recidivism.

In the first year of this Community Grant Program, DPS&C is seeking RFPs for work in the five parishes that account for 40% of the state's incarcerated population: Orleans, Jefferson, East Baton Rouge, Caddo, and St. Tammany. The goal of focusing this first year of reinvestment on those five parishes is to let this year serve as a pilot, with the goal being that innovative programs will be developed that can then be expanded to more parishes in subsequent years.

To help focus the proposal received, DPS&C is seeking, through the RFP, creative proposals for programs or services that meet one or more of the following goals:

1. **Reduce prison admissions** by expanding alternatives to prison such as pretrial intervention and/or diversion programs;
2. **Reduce returns to prison** by improving and expanding community reentry resources such as: employment and employment readiness, transportation, behavioral health care (mental health and substance use treatment), family reunification, education and/or vocational training, mentoring and peer support, and other wraparound services; and
3. **Improve community coordination** of reentry resources.

DPS&C will announce the grant recipients in fall of 2018.

**Grants to Support Victims' Services:** LCLE currently intends to use first-year reinvestment funding in support of the following priorities:

- Supplementing the Crime Victims' Reparations Fund;
- Establishing a new Family Justice Center in East Baton Rouge Parish;
- Improving electronic notifications for victims by developing an electronic system that will interface with all 64 parish clerks of court; and
- Providing funding the Louisiana Bureau of Investigations for a dedicated forensics server for their Cybercrimes Unit

## APPENDIX

This section includes all data required by HB 489 to be reported annually.<sup>31</sup> Data highlights are included in the main body of the report.

### Snapshot

This section includes data looking at the overall snapshot composition of the prison population, broken down by admission type and offense type. Snapshot data is captured on the last day of each quarter.

Prison Population Snapshot by Admit Type				
Measure	Baseline	Q4 2017	Q1 2018	Change from Baseline to Q1 2018
<b>Newly Sentenced Prisoner</b>	23,893	22,762	22,687	-5.0%
<b>Probation Revocation</b>	4,815	4,323	4,094	-15%
New Criminal Activity	1,155	1,036	1,008	-13%
Technical Revocation	3,621	3,255	3,054	-16%
Other	39	32	32	-17%
<b>Good Time Parole Revocation</b>	6,266	5,850	5,714	-8.8%
New Criminal Activity	1,982	2,023	1,998	+0.8%
Technical Revocation	433	336	334	-23%
Waiver Technical <sup>32</sup>	463	414	420	-9.2%
Waiver Pending <sup>33</sup>	3,388	3,077	2,961	-13%
<b>Parole Revocation</b>	341	251	243	-29%
New Criminal Activity	129	103	97	-25%
Technical Revocation	29	19	22	-22%
Waiver Technical	33	28	21	-35%
Waiver Pending	151	100	102	-32%
<b>Other</b>	680	554	531	-22%
<b>TOTAL POPULATION</b>	<b>35,995</b>	<b>33,739</b>	<b>33,269</b>	<b>-7.6%</b>

<sup>31</sup> Data on risk levels cannot be reported at this time. This will be included in future reports following implementation of the TIGER risk tool.

<sup>32</sup> Waiver Technical: Revocation (to DPS&C custody) ordered by the parole board after the offender has waived a preliminary hearing and waived a final hearing for technical violations, if not eligible for a technical sanction.

<sup>33</sup> Waiver Pending: revocation (to DPS&C custody) ordered by the parole board after the offender has waived a preliminary hearing and waived a final hearing for offenses committed while under supervision.

Prison Population Snapshot by Offense Type				
Measure	Baseline	Q4 2017	Q1 2018	Change from Baseline to Q1 2018
Violent	15,998	15,925	16,052	+0.3%
Drug	8,085	6,818	6,362	-21%
Property	5,713	4,917	4,582	-20%
Sex Offense (Nonviolent)	1,846	1,832	1,853	+0.4%
Other	4,354	4,248	4,420	+1.5%
<b>TOTAL POPULATION</b>	<b>35,995</b>	<b>33,739</b>	<b>33,269</b>	<b>-7.6%</b>

Prison Population Snapshot by Violent/Nonviolent				
Measure	Baseline	Q4 2017	Q1 2018	Change from Baseline to Q1 2018
Violent	15,998	15,925	16,052	+0.3%
Nonviolent	19,997	17,814	17,217	-13.9%
<b>TOTAL POPULATION</b>	<b>35,995</b>	<b>33,739</b>	<b>33,269</b>	<b>-7.6%</b>

### Admissions to Prison

This section includes data on admissions to prison, broken down by admission type (new felony vs. revocation) and offense type. Also included in this section is a breakdown of admissions by criminal history (number of prior felonies) as well as a look at admissions and sentence lengths for individuals admitted as habitual offenders.

Admissions by Admit Type			
Measure	Baseline	Q4 2017	Change from Baseline to Q4 2017
<b>New Felony Admissions</b>	1,973	2,009	+1.8%
<b>Probation Revocation</b>	841	822	-2.2%
New Criminal Activity	161	156	-3.0%
Technical Revocation <sup>34</sup>	677	664	-1.9%
Other	3	2	-33%

<sup>34</sup> Previously referred to as an Act 299/Act 402 sanction. This differs from a full revocation as, on a technical revocation, the offender remains on supervision status while serving the jail sanction.

<b>Good Time Parole Revocation</b>	1,202	1,074	-11%
New Criminal Activity	199	273	+37%
Technical Revocation	71	52	-27%
Waiver Technical	130	95	-27%
Waiver Pending	802	654	-18%
<b>Parole Revocation</b>	35	28	-20%
New Criminal Activity	7	11	+57%
Technical Revocation	3	3	+20%
Waiver Technical	4	4	+14%
Waiver Pending	22	10	-55%
<b>Other</b>	22	4	-82%
<b>TOTAL ADMISSIONS<sup>35</sup></b>	<b>4,051</b>	<b>3,933</b>	<b>-2.9%</b>

<b>Admissions by Offense Type<sup>36</sup></b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>New Felony Admissions</b>	1,973	2,009	+1.8%
Violent	520	552	+6.3%
Drug	535	517	-3.3%
Property	537	575	+7.2%
Sex Offense (Nonviolent)	75	57	-24.3%
Other	307	308	+0.3%
<b>Revocations</b>	2,078	1,924	-7.4%
Violent	380	286	-24.7%
Drug	672	656	-2.4%
Property	884	821	-7.1%
Sex Offense (Nonviolent)	29	22	-23.5%
Other	113	139	+23.0%

<sup>35</sup> Due to rounding and averaging for the baseline, some of these subcategories in appendix tables will not add up to the total admissions number. The actual numbers are 4,501 quarterly average for 2016, and 3,933 for Quarter 4 of 2017.

<sup>36</sup> Individuals convicted of multiple offenses are classified by the offense that led to the longest sentence.

<b>Admissions by Number of Prior Felonies</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
0 Prior Felonies	716	586	-18.2%
1 Prior Felony	785	733	-6.6%
2 Prior Felonies	753	720	-4.4%
3-5 Prior Felonies	1,266	1,270	+0.3%
More than 5 Prior Felonies	553	628	+13.6%

<b>Admissions – Habitual Offenders</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
# of Habitual Offender Sentences	112	45	-59.8%
Average Sentence Length for Habitual Offenders (months)	120.4	121.3	+0.7%

### Sentence Length

This section includes data on average sentence lengths, broken down by admission type and offense type.

<b>Average Sentence Length by Admit Type (months)</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>New Felony Admissions</b>	76.0	76.6	+0.8%
<b>Probation Revocation</b>			
New Criminal Activity	68.6	71.2	+3.8%
Technical Revocation	57.8	51.6	-10.7%
Other	60.0	60.0	0.0%
<b>Good Time Parole Revocation</b>			
New Criminal Activity	76.6	83.5	+9.0%
Technical Revocation	63.2	58.4	-7.6%
Waiver Technical	57.1	42.2	-26.1%
Waiver Pending	57.1	49.6	-13.1%

<b>Parole Revocation</b>			
New Criminal Activity	111.2	111.5	+0.3%
Technical Revocation	70.4	54.0	-23.3%
Waiver Technical	115.0	155.2	+35.0%
Waiver Pending	58.4	89.2	+52.7%
<b>Other</b>	91.4	66.0	-27.8%
<b>ALL ADMISSIONS</b>	<b>68.3</b>	<b>67.3</b>	-1.5%

<b>New Felony Admissions: Average Sentence Length by Offense Type (months)</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	118.8	127.6	+7.4%
Drug	63.2	56.8	-10.1%
Property	55.5	53.4	-3.8%
Sex Offense (Nonviolent)	99.9	106.6	+6.7%
Other	51.6	52.9	+2.5%

## Releases

This section includes data on individuals releasing from prison, broken down by release reason, offense type, and admission type.

<b>All Releases from Prison by Release Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Discretionary Parole	82	67	-18.3%
Good Time Parole	3,697	5,392	+45.8%
Expiration of Sentence	282	270	-4.3%
Other	129	128	-0.8%
<b>TOTAL RELEASES</b>	<b>4,190</b>	<b>5,857</b>	<b>+39.8%</b>

<b>All Releases from Prison by Offense Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	804	991	+23.3%
Drug	1,368	2,002	+46.3%
Property	1,434	2,079	+45.0%

Sex Offense (Nonviolent)	91	91	0.0%
Other	494	694	+40.5%
<b>TOTAL RELEASES</b>	<b>4,190</b>	<b>5,857</b>	<b>+39.8%</b>

<b>All Releases from Prison by Admit Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>New Felony Admissions</b>	2,038	2,765	+36%
<b>Probation Revocation</b>	869	1,244	+43%
New Criminal Activity	160	256	+61%
Technical Revocation	704	985	+40%
Other	5	3	-43%
<b>Good Time Parole Revocation</b>	1,137	1,650	+45%
New Criminal Activity	203	332	+64%
Technical Revocation	80	105	+31%
Waiver Technical	120	168	+40%
Waiver Pending	734	1,045	+42%
<b>Parole Revocation</b>	46	69	+52%
New Criminal Activity	13	18	+41%
Technical Revocation	4	7	+75%
Waiver Technical	6	6	0%
Waiver Pending	23	38	+63%
<b>Other</b>	101	129	+28%
<b>TOTAL RELEASES</b>	<b>4,190</b>	<b>5,857</b>	<b>+36%</b>

## Discretionary Parole

This section includes data on the number and outcome of discretionary parole hearings.

<b>Discretionary Parole Hearings</b>		
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>
2 <sup>nd</sup> Degree Murder Hearings Held	N/A	2
2 <sup>nd</sup> Degree Murder Grant Rate	N/A	50.0%
Juvenile Lifers Hearings Held	N/A	4
Juvenile Lifers Grant Rate	N/A	75.0%
<b>Total Hearings Held</b>	332	210
<b>Overall Grant Rate</b>	42.24%	30.95%

## Average Length of Stay

This section includes data on the average length of time individuals serve, broken down by admission type and offense type. Because JRI sentencing changes were made prospectively, changes in length of stay resulting from the JRI reforms are not yet evident in this early data.

<b>Average Length of Stay (Months) of All Releases by Admit Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>New Felony Admissions</b>	30.8	34.2	+11.0%
<b>Probation Violation</b>			
New Criminal Activity	22.7	23.5	+3.5%
Technical Revocation	16.5	16.5	0.0%
Other	49.4	43.3	-12.3%
<b>Good Time Parole Violation</b>			
New Criminal Activity	34.3	35.8	+4.4%
Technical Revocation	21.0	22.0	+4.8%
Waiver Technical	10.7	14.8	+38.3%
Waiver Pending	12.6	17.5	+38.9%
<b>Parole Violation</b>			
New Criminal Activity	49.1	45.8	-6.7%
Technical Revocation	47.3	68.5	+44.8%
Waiver Technical	16.7	41.0	+145.5%
Waiver Pending	18.8	27.9	+48.4%
<b>Other</b>	55.6	94.8	+70.5%

<b>Average Length of Stay (Months) of All Releases by Offense Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	58.7	62.4	+6.3%
Drug	17.0	22.2	+30.6%
Property	15.4	18.5	+20.1%
Sex Offense (Nonviolent)	47.6	51.5	+8.2%
Other	14.5	21.8	+50.3%

### Good Time & CTRP Credits

This section includes data on sentence credits earned by incarcerated individuals for good behavior (“good time”) and participation in Certified Treatment and Rehabilitation Programs (CTRP).

Good time is a form of sentence credits which allows inmates who are sentenced to a fixed number of years in prison to incrementally earn time off their prison term. Incarcerated individuals may earn good time off their sentence by displaying good behavior and performing work and/or self-improvement activities. The rate of good time eligible inmates may earn depends on individual circumstances and the offense for which they were sentenced, and not all incarcerated individuals are eligible to earn good time.

CTRP credits are granted to individuals who participate in treatment and rehabilitation programs within state prisons and local jails that DPS&C has evaluated and found to be evidence-based and standardized. Individuals can earn up to 360 days credit for program completion. Not all incarcerated individuals are eligible to earn CTRP credits.

In the fourth quarter of 2017, 5,392 individuals were released and earned, on average, 43.60 months of good time and/or CTRP credit.<sup>37</sup>

<b>Number of Releasing Individuals Who Earned Good Time and CTRP Credits</b>	
<b>Measure</b>	<b>Q4 2017</b>
Number of Releasing Individuals Who Earned Good Time	5,392

<sup>37</sup> Because of the way DPS&C’s data system is structured, it is not possible to differentiate, at the macro level, what portion of earned Good Time and CTRP credits were applied to the release date.

Average Number of Good Time Months Earned by Releasing Individuals	43.60 <sup>38</sup>
Number of Releasing Individuals Who Earned CTRP Credit	3,064
Percentage of Releasing Individuals who Earned CTRP Credit	56.8%
Average Number of CTRP Days Earned by Releasing Individuals	237.09

Act 281 expanded the CTRP eligibility criteria and how CTRP credits are accrued. Prior to Act 281, some people convicted of a violent crime under the habitual offender statute were ineligible to earn CTRP credit: Act 281 expands the eligibility criteria to include all people convicted of a violent offense, including those convicted under the habitual offender statute, unless they have more than one prior conviction for a violent or sex crime. Act 281 also increased the amount of CTRP credit that can be accrued, and lifts a prior 90-day limit on how much credit can be earned for an individual program, which allows DPS&C to better reward completion of a time-intensive program.

Despite these legislative changes, the number of individuals earning CTRP credit has decreased substantially from the 2016 baseline through the first quarter of 2018, from 6,771 baseline to 3,621 in quarter 1 of 2018.<sup>39</sup> There are several reasons for this decrease:

- Jail populations decreased due to the large number of individuals released on November 1, which in turn meant there were fewer people incarcerated to earn these credits;
- More individuals were made eligible for work release programs, which also lowered jail populations;
- CTRP programs were halted for two months prior to November 2017 to allow staff to provide a pre-release curriculum for the large number of individuals released in November and December;
- Separate from DPS&C, several programs changed their enrollment or eligibility criteria, which limited the number of individuals able to enroll in the classes;
- Finally, some programs experienced an instructor shortage and so had to limit the number of classes available at each location, which in turn slowed student completion rate.

---

<sup>38</sup> This data includes any CTRP credit earned.

<sup>39</sup> Act 281 expanded the CTRP eligibility criteria and how CTRP credits are accrued. Prior to Act 281, some people convicted of a violent crime under the habitual offender statute were ineligible to earn CTRP credit: Act 281 expands the eligibility criteria to include all people convicted of a violent offense, including those convicted under the habitual offender statute, unless they have more than one prior conviction for a violent or sex crime. Act 281

Not all of these issues – particularly the instructor shortages – can be resolved quickly, and as a result this decrease in CTRP completion is likely to persist for a period of time moving forward. As of Quarter 1 of 2018, DPS&C has 617 certified treatment and rehabilitation programs.

<b>Certified Treatment and Rehabilitation Program (CTRP) Completions</b>		
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>
Number of CTRP Completions	6,771	3,621
Number of Available CTRP Programs Offered	--	617

### Community Supervision Snapshot

This section includes data looking at the overall snapshot composition of the community supervision population, broken down by supervision type. Snapshot data is captured on the last day of each quarter.

<b>Supervision Snapshot by Supervision Type</b>				
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Q1 2018</b>	<b>Change from Baseline to Q1 2018</b>
Probation	40,731	38,980	37,493	-7.9%
Discretionary Parole	2,933	2,612	2,489	-15.1%
Good Time Parole	27,324	29,327	27,967	+2.4%
Other	166	197	205	+23.5%
<b>Total Number on Supervision</b>	<b>71,154</b>	<b>71,117</b>	<b>68,154</b>	<b>-4.2%</b>

<b>Supervision Officer Caseload (Allocated)</b>				
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Q1 2018</b>	<b>Change from Baseline to Q1 2018</b>
Average Supervision Caseload	142.5	139	135	-5.3%

### Community Supervision Intakes & Sentence Length

This section includes data on community supervision (probation/parole) intakes, broken down by intake type and offense type, as well as sentence length.

<b>Supervision Intakes by Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Probation	3,138	3,328	+6.1%

Discretionary Parole	150	129	-14.0%
Good Time Parole	3,621	5,396	+49.0%
Other	110	136	+23.6%
<b>Total Supervision Intakes</b>	<b>6,909</b>	<b>8,853</b>	<b>+28.1%</b>

<b>Probation Intakes by Offense Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	292	237	-18.8%
Drug	1,265	1,428	+12.9%
Property	788	772	-2.0%
Sex Offense (Nonviolent)	39	32	-17.9%
Other	754	859	+13.9%
<b>Total Probation Intakes</b>	<b>3,138</b>	<b>3,328</b>	<b>+6.1%</b>

<b>Parole Intakes by Offense Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	427	472	+10.5%
Drug	1,454	2,179	+49.9%
Property	1,145	1,678	+46.6%
Sex Offense (Nonviolent)	11	12	+9.1%
Other	736	1,184	+60.9%
<b>Total Parole Intakes</b>	<b>3,771</b>	<b>5,525</b>	<b>+46.5%</b>

<b>Average Probation Sentence Length by Offense Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Violent	38.1	32.5	-14.7%
Drug	37.1	31.8	-14.3%
Property	36.4	32.4	-11.0%
Sex Offense (Nonviolent)	43.0	41.6	-3.3%
Other	15.3	12.8	-16.3%
<b>All Probationers</b>	<b>31.8</b>	<b>27.2</b>	<b>-14.5%</b>

### Violations/Sanctions & Earned Compliance Credits

This section includes data on community supervision violations, sanction responses (including administrative sanctions and technical revocations) and earned compliance credits.

<b>Probation and Parole Violations</b>	
<b>Measure</b>	<b>Q4 2017</b>
<b>Probation</b>	1,101
Level 1	338
Level 2	212
Level 3	104
Level 4	447
<b>Discretionary Parole</b>	42
Level 1	11
Level 2	9
Level 3	7
Level 4	15
<b>Good Time Parole</b>	963
Level 1	283
Level 2	158
Level 3	74
Level 4	448
<b>Other</b>	80
Level 1	19
Level 2	18
Level 3	6
Level 4	37
<b>TOTAL VIOLATIONS</b>	<b>2,186</b>

<b>Probation and Parole Sanctions</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Total Administrative Non-Jail Sanctions	N/A	2,904	N/A
<b>Administrative Jail Sanctions</b>			
Number of Times Sanction Imposed	361	267	-26.0%
Average Days Imposed	4.7	5.1	+8.5%
<b>Administrative Jail Sanctions by Violation Level</b>			
Number of Jail Sanctions for Level 1 Violations	122	50	-59.0%

Average Days Imposed for Level 1 Violations	2.4	2.6	+9.6%
Number of Jail Sanctions for Level 2 Violations	160	143	-10.6%
Average Days Imposed for Level 2 Violations	4.9	4.5	-9.3%
Number of Jail Sanctions for Level 3 Violations	76	74	-2.6%
Average Days Imposed for Level 3 Violations	8.1	8.0	-1.7%

<b>Probation and Parole Technical Revocations</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
Number of Technical Revocations	598	281	-53.0%
Average Days in Custody	66.9	46.3	-30.8%

<b>Probation and Parole Earned Compliance Credits</b>		
<b>Measure</b>	<b>Q4 2017</b>	<b>Q1 2018</b>
Percentage of Individuals Who Were Eligible to Earn Credits	77.46%	76.80%
Average Months of Compliance Credits Earned	1.99	2.99
Number of Individuals Who Did Not Earn Compliance Credits	321	935
Months of Compliance Credits Not Earned	530	1411

## Full Revocations to Prison

This section includes data on probation and parole full revocations, including the number, the percentage of individuals on supervision who were revoked, and the average revocation sentence length. This section also includes data on the average amount of “street time” credited for time spent on supervision, as well as the average amount of time credited for time spent awaiting a revocation decision.

<b>Probation and Parole Full Revocations</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>Probation</b>	840	822	-2.1%
New Criminal Activity	162	157	-3.1%
Non-Criminal Activity (Technical)	678	665	-1.9%
<b>Discretionary Parole</b>	36	28	-22.2%
New Criminal Activity	29	21	-27.6%
Non-Criminal Activity (Technical)	7	7	0.0%
<b>Good Time Parole</b>	1,202	1,074	-10.6%
New Criminal Activity	1,001	927	-7.4%
Non-Criminal Activity (Technical)	201	147	-26.9%
<b>TOTAL REVOCATIONS</b>	2,078	1,924	-7.4%
% of Supervisees Revoked	2.9%	2.7%	-6.9%
Average Revocation Sentence Length (months)	60.7	57.1	-5.9%
Street Time: Average Time Credited to Suspended Sentence or Remainder of Sentence from Time Spent on Supervision (days)	336	433	+28.9%
Pre-Revocation Credit: Average Time Credited to Suspended Sentence or Remainder of Sentence from Time Spent Awaiting Hearing Pre-Revocation (Days)	196	174	-11.2%

## Supervision Discharges & Length of Time Served

This section includes data on supervision discharges by closure type as well as the average length of time served on supervision.

Probation Discharges by Closure Type			
Measure	Baseline	Q4 2017	Change from Baseline to Q4 2017
<b>Successful</b>	1,808	2,461 <sup>40</sup>	+36.1%
Full Expiration	1,579	892	-43.5%
Early Termination	229	239	+4.4%
Earned Compliance Closure	N/A	1,330	N/A
<b>Unsuccessful</b>	274	339	+23.7%
<b>Revocations</b>	840	822	-2.1%
<b>Other</b>	345	282	-18.3%
<b>Total Probation Closures</b>	<b>3,267</b>	<b>3,904</b>	<b>+19.5%</b>

Probation Average Length of Stay by Closure Type			
Measure	Baseline	Q4 2017	Change from Baseline to Q4 2017
<b>Successful</b>	36.0	35.9	-0.3%
Full Expiration	37.0	37.6	1.6%
Early Termination	29.4	29.1	-1.0%
Earned Compliance Closure	N/A	36.0	N/A
<b>Unsuccessful</b>	46.3	44.1	-4.8%
<b>Revocations</b>	23.7	24.1	+1.7%
<b>Other</b>	30.3	32.8	+8.3%
<b>All Probation Closures</b>	<b>33.1</b>	<b>33.9</b>	<b>+2.4%</b>

<sup>40</sup> The marked increase in successful closures in Q4 2017 compared to baseline is a result of the first round of closures due to Earned Compliance Credit. This is expected to be a one-time spike in successful closures, and future quarters will likely come back down to the baseline. (Over time the hope is that successful closures will go up as a result of JRI, but that is a longer-term outcome.)

<b>Parole Closures by Closure Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>Successful</b>	1,758	2,481	+41.1%
Full Expiration	1,758	1,015	-42.3%
Earned Compliance Closure	N/A	1,466	N/A
<b>Unsuccessful</b>	254	326	+28.3%
<b>Revocations</b>	1,237	1,102	-10.9%
<b>Other</b>	145	154	+6.2%
<b>Total Parole Closures</b>	<b>3,394</b>	<b>4,063</b>	<b>+19.7%</b>

<b>Parole Average Length of Stay by Closure Type</b>			
<b>Measure</b>	<b>Baseline</b>	<b>Q4 2017</b>	<b>Change from Baseline to Q4 2017</b>
<b>Successful</b>	44.2	44.9	+1.6%
Full Expiration	44.2	52.0	+17.6%
Earned Compliance Closure	N/A	40.1	N/A
<b>Unsuccessful</b>	48.5	46.1	-4.9%
<b>Revocations</b>	38.8	39.8	+2.6%
<b>Other</b>	49.0	47.1	-3.9%
<b>All Parole Closures</b>	<b>42.9</b>	<b>43.6</b>	<b>+1.6%</b>

## [Louisiana JRI Annual Report Glossary](#)

**Baseline:** Unless otherwise noted, “baseline” data in this report was calculated as the average of all quarters from 2016, to minimize the impact of any seasonal spikes or dips that might be present when comparing to one quarter alone. 2016 was chosen because that is the last full year of data prior to JRI passage and implementation, which occurred partway through 2017.

**Certified Treatment and Rehabilitation Program (CTRP):** CTRP credits are a form of sentence credits which allow inmates who are sentenced to a fixed number of years in prison to incrementally earn time off their prison term. DPS&C evaluates programs within state prisons and local jails; those found to be evidence-based and standardized are declared to be CTRP programs. Incarcerated individuals who participate in those programs are eligible to earn CTRP credits and earn time off their prison term. (Not all incarcerated individuals are eligible to earn CTRP credits.)

**Drug offenses:** “Drug offenses” in this report includes any situation where an individual’s primary offense (that is, the offense for which they received the longest sentence) is an offense that falls under the La. Revised Statute Title 40- Uniformed Controlled Dangerous Substance Laws.

**Earned Compliance Credits (ECC):** A diminution of sentence policy established under Act 280 that awards 30 days off of an individual’s supervision term for every full calendar month they are in compliance with their condition. This allows people who comply with their supervision conditions to reduce their supervision term by up to half. When a person’s time served on supervision plus the time credited for compliance satisfies their full probation or parole term, they will be terminated from supervision.

**Felony Theft Threshold:** A “felony theft threshold” is the dollar value at which theft or property damage is considered a felony.

**Good Time:** Good time is a form of sentence credits which allows inmates who are sentenced to a fixed number of years in prison to incrementally earn time off their prison term. Incarcerated individuals may earn “good time” off their sentence by displaying good behavior and performance of work or self-improvement activities, or both. The rate of good time eligible inmates may earn depends on the individual circumstances and the offense for which they were sentenced, and not all incarcerated individuals are eligible to earn good time.

**Habitual Offender:** Louisiana’s habitual offender statute allows prosecutors to seek longer sentences for defendants with prior felony convictions. Act 281 reduced the mandatory minimum sentences for most second and third offenses, and eliminated the possibility of life sentences on a fourth conviction when the instant and all previous convictions are nonviolent.

**Nonviolence Offense:** In this report, “nonviolent offense” includes any situation where an individual’s primary offense (that is, the offense which they received the longest sentence) is

*not* considered by the state of Louisiana to be a crime of violence (violent crimes are defined by R.S. 14:2(B)).

**Other:** “Other” is a catch-all category that includes a variety of offenses that do not fit cleanly into the defined categories. Examples of “Other” offenses include Felon in Possession of Firearm and Driving Under the Influence

**Property offenses:** “Property offenses” in this report includes any situation where an individual’s primary offense (that is, the offense for which they received the longest sentence) is a property crime. This includes offenses like theft, property damage, or burglary.

**Recidivism:** The return to custody following conviction for a new sentence or technical revocation of supervision after having been released from incarceration through completed sentence, released on parole, conditional release, or split probation sentence.

**Sanctions:** The below are all sanctions used by Probation and Parole to address violations of supervision conditions by an individual under their supervision. They are organized from the least serious response to most serious:

- Non-Jail Administrative Sanction: Probation and Parole Officers can respond to technical violations using a system-wide Performance Grid that matches problem behavior to proportionate sanctions. For example, non-jail sanctions may include: a verbal reprimand from the officer, community service work, increased drug testing, or implementing a curfew.
- Administrative Jail Sanction: For higher level technical violations, Probation and Parole Officers can order an individual to a “quick dip” in jail of 1-10 days.
- Technical Revocation: The next level up in responding to higher level technical violations is a technical revocation. Here, the supervisee is also sentenced to time in jail, but for a longer time. They remain under P&P supervision while serving this sanction. Act 281 limits jail time for these sanctions for those supervisees *not* sentenced for a violent crime or sex offense. For those individuals, jail time under this type of sanction is limited to:
  - 15 days for a first sanction;
  - 30 days for a second sanction; and
  - 45 days for a third sanction.
- Full Revocation: The most serious response can be used to respond to non-technical violations. Under a full revocation, the supervisee is sentenced to finish the remainder of their sentence in jail or prison. They are fully returned to DPS&C custody and are no longer under P&P supervision.

**Sex Offense:** In this report, “sex offense” includes any situation where an individual’s primary offense (that is, the offense for which they received the longest sentence) is considered by the

state of Louisiana to be a sex offense (under R.S. 15.541). This includes offenses like rape, sexual battery, voyeurism, trafficking for sexual purposes, or pornography involving juveniles.

Throughout this report, if “violent” and “sex offense” categories are split out, violent sex offenses are counted in the “violent” category, and the “sex offense” category includes only nonviolent sex offenses.

**Specialty Property Crimes:** Act 281 eliminated the following specialty crimes that were found to be duplicative of other theft, property damage, and burglary offenses: criminal damage to coin-operated devices; criminal damage of a pipeline facility; criminal damage to genetically engineered crops, genetically engineered crop facilities, or genetically engineered crop information; simple burglary of a pharmacy; simple burglary of a religious building; simple burglary of a law enforcement or emergency vehicle; theft of livestock; theft of timber; unauthorized use of “access card” as theft; theft of utility service; theft of petroleum products; theft of oilfield geological survey, seismograph, and production maps; theft of oil and gas equipment; theft of goods; cheating and swindling; theft of a business record; theft of assets of a person who is aged or a person with a disability; theft of utility product; theft of copper or other materials; theft of animals; unauthorized removal of property from governor’s mansion and the state capitol complex; and sale of forest products.

**Technical Violation:** A “technical violation” of probation or parole is when an individual on supervision is determined by the Probation or Parole Officer to not be following the conditions of their supervision. Technical violations are not a conviction for a new crime, and generally do not result in new charges. Examples of a technical violation include: failing to report for a scheduled office visit; missing a curfew; testing positive for a drug or alcohol screen; or changing residence without permission.

**Violent Offense:** In this report, “violent offense” includes any situation where an individual’s primary offense (that is, the offense for which they received the longest sentence) is considered by the state of Louisiana to be a crime of violence. This includes offenses like murder, manslaughter, battery, sexual battery or rape, kidnapping, aggravated arson, aggravated burglary, robbery, stalking, domestic abuse aggravated assault, and home invasion (as defined by R.S. 14:2(B)).