



# Justice Reinvestment in Pennsylvania

## Overview



## Background

In 2011, Governor Tom Corbett, Chief Justice Ronald Castille, the chairs of the House and Senate Judiciary Committees, and other state leaders requested technical assistance from the Pew Center on the States and the U.S. Department of Justice Bureau of Justice Assistance to employ a data-driven “justice reinvestment” approach to reduce corrections spending and reinvest a portion of the savings generated in strategies that can increase public safety.

To guide the effort, these state leaders established a bipartisan, inter-branch working group (“Justice Reinvestment Working Group”) under the Pennsylvania Commission on Crime and Delinquency that includes state cabinet secretaries, Republican and Democratic lawmakers, court officials, and other stakeholders in the criminal justice system. State officials compiled extensive data from various agencies and provided it to the Council of State Governments (CSG) Justice Center. With help from the Pew Center on the States, CSG Justice Center staff will conduct a comprehensive analysis of these data and present findings to the working group. Based on comments and advice from members, a comprehensive set of policy options based on findings and input from criminal justice system stakeholders will be developed that both increase public safety and reduce corrections spending.

This overview highlights recent trends in Pennsylvania that the CSG Justice Center will be exploring in more detail as it undertakes its analyses.

# Criminal Justice Trends in Pennsylvania

## **Consistent with national trends over the past decade, Pennsylvania's overall reported property and violent crime rates decreased.**

- In 2010, Pennsylvania had the sixth lowest property crime rate in the U.S. That same year, the commonwealth's violent crime rate ranked 24th among the 50 states.<sup>1,2</sup>
- Between 2000 and 2010, Pennsylvania's rates for reported violent crime dropped 13 percent, from 420 to 366 per 100,000 state residents, and reported property crime fell 15 percent, from 2,575 to 2,199 per 100,000 state residents.<sup>3</sup>

## **Arrest rates for property and violent offenses also decreased in Pennsylvania over the past decade.**

- Between 2000 and 2010, arrest rates for violent crime declined 10 percent, from 532 to 478 per 100,000 state residents, and property crime fell 23 percent, from 257 to 197 per 100,000 state residents.<sup>4</sup>

## **Over the last five years, the number of people in Pennsylvania supervised under probation, which is administered primarily by local government, increased. At the same time, a larger share of the costs of providing community supervision shifted from the state to counties.**

- Between 2004 and 2010, the number of people on probation (including felony and misdemeanor cases) increased seven percent, from 167,180 to 179,297 people.<sup>5,6</sup>
- Over the same period, the percent of county probation and parole operations funded by the state decreased from 27 to 16 percent, leaving local governments to shoulder a larger share of the costs of community supervision.<sup>7,8</sup>
- Although the Pennsylvania Board of Probation and Parole's (PBPP) County Adult Probation and Parole (CAPP) annual reports include various statistics on probation, these materials, as well as reports generated by the Pennsylvania Department of Corrections (PA DOC), do not include comprehensive information about probation revocations, such as data describing the number of admissions to prison that are people who did not successfully complete their terms of probation.

## **The number of people incarcerated in local jails in Pennsylvania has increased significantly over the past decade.**

- Between 2000 and 2009, the average daily population in jails increased 25 percent, from 28,280 to 35,459 people.<sup>9</sup>
- Over this same period, the number of new court commitments to jails inched down from 34,607,2000 to 34,061 people. Accordingly, other factors that will be explored further must account for the increase in the jail population, such as the average length of stay of people booked into jails, the number of people revoked from probation to jail, the number of contract beds used for state inmates and federal detainees, and trends in the pretrial population.<sup>10</sup>

## **Admissions to state prison have increased significantly over the past decade, particularly for people convicted of certain drug offenses.**

- Between 2000 and 2010, the number of people admitted to prison increased 41 percent, from 11,551 to 16,404.
- Of these admissions, the number of people sentenced for new criminal offenses increased 50 percent (7,203 to 10,781 people), and the number admitted who did not successfully complete their terms of parole increased 29 percent, from 4,348 to 5,623 people.<sup>11</sup>
- Between 2000 and 2010 the number of people admitted to prison for minimum prison sentences of one year or less increased 64 percent, from 1,641 to 2,699 people.<sup>12</sup>
- Over this same period, the number of people admitted to prison for narcotic drug offenses increased 40 percent, from 2,311 to 3,225.<sup>13</sup>

## **Over the past six years, the percentage of people discharged to parole supervision by the time they had served 100 percent of their minimum sentence decreased.**

- Between 2004 and 2010, the percentage of people paroled by the time they had reached their minimum sentence dropped from 43 to 26 percent.<sup>14</sup>
- Over the same period, the percentage of people paroled between six months and a year after their minimum sentence climbed from 16 to 23 percent.<sup>15</sup>

**Over the last decade, Pennsylvania’s prison population grew considerably faster than the national average, and, despite the construction of several new prisons during this period, the population in 2011 exceeds operational capacity.**

- Between 2000 and 2011, the number of people in prison on any given day increased 40 percent, from 36,602 to 51,312 people.<sup>16</sup>
- Pennsylvania’s incarceration rate is lower than the national incarceration rate. Between 2000 and 2010, however, the state’s incarceration rate increased seven times faster, from 307 to 403 people per 100,000 residents (a 31 percent increase), than the incarceration rate nationally, which climbed slightly, from 478 to 497 (a 4 percent increase).<sup>17,18</sup>
- Over this period, to absorb the growth in the prison population and to ease crowding in the prisons somewhat, Pennsylvania spent tens of millions of dollars to add thousands of beds to its capacity, expanding existing institutions through the construction of new modules, sending inmates out of state to facilities in Michigan and Virginia, and entering into contracts with county jails.<sup>19</sup>
- Pennsylvania’s current prison population, 51,312 people, is 13 percent above its operational prison capacity, which is 45,280 people.<sup>20</sup>

**State spending on prisons has increased significantly over the past 10 years. Even though no additional growth in the prison population is projected through 2016, corrections costs are anticipated to continue increasing because of additional capacity needed for the existing population.**

- Between 2000 and 2011, General Fund spending on corrections increased 76 percent, from \$1.1 to \$1.9 billion.<sup>21</sup>
- A state prison population projection estimates that the number of people in prison will remain relatively flat through 2016, decreasing nominally from 51,312 to 51,151 people.<sup>22,23</sup>
- \$685 million in state funds have been bonded for the construction, through 2014, of three new prisons and additions to existing facilities units, generating 4,700 net new beds.<sup>24</sup>

**The number of people who complete their sentence in prison and return to the community without any post-release supervision has increased considerably in the past 10 years.**

- Between 2000 and 2010, the number of people released from prison increased 55 percent, from 11,654 to 18,077.<sup>25</sup>
- Over this period, the number of people completing their maximum sentences in prison and thus being released to the community without supervision increased 46 percent, from 2,777 to 4,050 people.<sup>26,27</sup>

**Between 2002 and 2010 Pennsylvania increased its investments in community-based residential programs that provide services and supervision at the front and back ends of the criminal justice system.**

- State policymakers created a number of residential, community-based programs to provide options to judges and other criminal justice officials sentencing people convicted of less serious crimes. These options include: the State Intermediate Sanction Punishment (SIP) program, which was established in 2004; the County Intermediate Punishment (CIP) program (1990); and the Recidivism Risk Reduction Incentive (RRRI) (2008).
- State policymakers also designed programs and services targeting people released from prison or under parole supervision: a network of residential programs, including 14 state-run community correction centers (CCCs) and 38 not-for-profit community contract facilities (CCFs) that, together, house more than 4,000 adults on any given day. These programs target people transitioning from prison to parole supervision and people already on parole supervision who have committed violations of their conditions of supervision.<sup>28,29</sup>
- Between FY 2002 and FY 2010, spending on these residential programs increased 37 percent, from \$65 million to \$89 million.<sup>30</sup>

**The percentage of people released from prison who are returned to state prison within three years has declined over the previous seven years for which data are available. During this same time period, however, re-arrest rates for people released from prison have not declined similarly.**

- Between 2000 and 2007, the percentage of people released from prison whose parole was revoked and who were returned to prison within three years declined from 46 percent to 44 percent.<sup>31</sup>
- Over the same period in which this particular measure of reoffending declined, however, re-arrest rates *increased* slightly, from 47 percent in 2000 to 50 percent in 2007.<sup>32</sup>

# The Justice Reinvestment Approach

## STEP 1

### Analyze data and develop policy options

The CSG Justice Center will comprehensively analyze crime, arrest, conviction, sentencing, diversion program, jail, prison, behavioral health, probation and parole, and community corrections data. The analyses will complete an examination of movements through Pennsylvania’s criminal justice system, producing findings regarding capacity, pressures, and effectiveness. Outcomes will be evaluated concerning effectiveness at preventing future crime, lowering recidivism, and meaningfully holding offenders accountable.

To incorporate perspectives and recommendations from across Pennsylvania, the CSG Justice Center will collect input and recommendations from criminal justice system stakeholders, including: district attorneys; the defense bar; judges; state and local corrections; law enforcement executives; service providers and community leaders; victims, survivors, and their advocates; local officials; state and county probation and parole; and more.

In collaboration with the Justice Reinvestment Working Group, which will review analysis and share recommendations, the CSG Justice Center will develop data-driven policy options that increase public safety and reduce spending on corrections.

## STEP 2

### Adopt new policies and put reinvestment strategies into place

Once the policy options have been enacted, Pennsylvania policymakers will need to verify that the policies are adopted effectively. The CSG Justice Center will assist Pennsylvania with translating the new policies into practice and ensuring related programs and system investments achieve projected outcomes. This assistance includes developing implementation plans with state and local officials and keeping policymakers apprised through frequent progress reports and testimony to relevant legislative committees.

## STEP 3

### Measure Performance

Finally, the CSG Justice Center will ensure that Pennsylvania officials receive brief, user-friendly, and up-to-date information that explains the impact of enacted policies on jail and prison populations, and on rates of re-incarceration and criminal activity. Typically, this includes a “dashboard” of multiple indicators that make it easy for policymakers to track—in real time—the changes in various components of the criminal justice system.

1. United States Department of Justice, Federal Bureau of Investigation. (September 2011) *Crime in the United States*, 2011. Retrieved October 2011 from <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010>
2. The FBI Uniform Crime Report includes under its property crime category the following offenses: burglary, larceny-theft, and motor vehicle theft. In its violent crime category the FBI includes murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.
3. United States Department of Justice, Federal Bureau of Investigation. (September 2001). *Crime in the United States*, 2000. Retrieved May 1, 2011, from <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2000/toc00.pdf>; Ibid (September 2011) *Crime in the United States*, 2011. Retrieved October 2011 from <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010>
4. Ibid.
5. United States Department of Justice Bureau of Justice Statistics. (November 2005). *Probation and Parole in the United States*, 2004. Retrieved December 19, 2011 from <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbse&sid=42>; Ibid. (November 2011). *Probation and Parole in the United States*, 2010. Retrieved December 19, 2011 from <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbse&sid=42>.
6. Because Pennsylvania's methodology for reporting probation data to BJS underwent modifications beginning in 2004, the agency identifies this year as the one which is consistent with the methodologies in the 2011 report.
7. Pennsylvania Board of Probation and Parole. *County Probation and Parole Annual Statistical Report 2010*. Retrieved January 8, 2012 from: [http://www.portal.state.pa.us/portal/server.pt/document/1209621/capp\\_2010\\_pdf](http://www.portal.state.pa.us/portal/server.pt/document/1209621/capp_2010_pdf).
8. In 2004, the state provided approximately \$30 million, through a combination of grants-in-aid and returned supervision fees, of the \$157 million in total costs to operate local probation and parole services. In 2010, the state provided approximately \$34 million of the \$211 million in total local probation and parole costs.
9. Pennsylvania Commission on Crime and Delinquency. "County Jail Population 2009 Trends." Analysis based on data collected from the PA Department of Corrections. Retrieved January 5, 2012 from: [http://www.portal.state.pa.us/portal/server.pt/document/1184876/county\\_jail\\_population\\_2009\\_pdf](http://www.portal.state.pa.us/portal/server.pt/document/1184876/county_jail_population_2009_pdf).
10. Ibid. "Sentencing Statistics: Number of Sentences Reported." Analysis based on data collected from the Pennsylvania Commission on Sentencing. Retrieved January 5, 2012 from: [http://www.portal.state.pa.us/portal/server.pt/document/882375/panbrstncsrptd\\_pdf](http://www.portal.state.pa.us/portal/server.pt/document/882375/panbrstncsrptd_pdf).
11. Ibid. (February 2011) "Admissions to the Pennsylvania Department of Corrections by Type of Commitment and Sex." Retrieved November 2011 from [http://www.portal.state.pa.us/portal/server.pt/community/statistics/5393/corrections\\_statistics/494658](http://www.portal.state.pa.us/portal/server.pt/community/statistics/5393/corrections_statistics/494658)
12. Based on data submitted by the Pennsylvania Department of Corrections and analyzed by the CSG Justice Center.
13. Ibid.
14. Pennsylvania Department of Corrections. (2011) *Cost & Population Report*. Retrieved December 19, 2011 from [http://www.cor.state.pa.us/portal/server.pt/community/research\\_\\_\\_statistics/10669](http://www.cor.state.pa.us/portal/server.pt/community/research___statistics/10669).
15. Ibid.
16. Pennsylvania Commission on Crime and Delinquency. (February 2011) "Inmate Population in the Pennsylvania Department of Corrections by Race, Sex, and Age." Retrieved November 2011 from [http://www.portal.state.pa.us/portal/server.pt/community/statistics/5393/corrections\\_statistics/494658](http://www.portal.state.pa.us/portal/server.pt/community/statistics/5393/corrections_statistics/494658).
17. US Department of Justice Bureau of Justice Statistics. "Sourcebook of Criminal Justice Statistics: Incarceration Rates." Retrieved January 9, 2012 from <http://www.albany.edu/sourcebook/csv/t6282009.csv>
18. The US DOJ Bureau of Justice Statistics counts the number of people serving sentences in state or federal institutions in order to calculate the national incarceration rate. Because of variations in state laws regarding the placement of offenders, based on length of maximum sentence and other considerations, incarceration rate cannot be easily compared from one jurisdiction to the next.
19. Ibid.
20. Criminal Justice Population Projections Committee. "Pennsylvania Criminal Justice Population Methodology and Projections." (September 2011).
21. Based on data submitted by the Pennsylvania Department of Corrections and analyzed by the CSG Justice Center.
22. This estimate assumes that three contributors to prison population growth will remain relatively constant: (1) the rate of people in prison approve for parole, (2) the number of people violating their conditions of parole who are diverted from prison to residential programs, and (3) the number of people receiving sentences between two and five years, who previously would be held in county jails but under a law that became effective in October 2011, are now housed in state prison.
23. Criminal Justice Population Projections Committee. (September 2011). "Pennsylvania Criminal Justice Population Methodology and Projections."
24. Pennsylvania Department of Corrections. (2011) *Cost & Population Report*. Available: [http://www.cor.state.pa.us/portal/server.pt/community/research\\_\\_\\_statistics/10669](http://www.cor.state.pa.us/portal/server.pt/community/research___statistics/10669).
25. Based on data submitted by the Pennsylvania Board of Probation and Parole analyzed by the CSG Justice Center.
26. PA DOC estimates that half of these "max-out" cases never were never discharged to parole supervision while the other half had been paroled at least once before being re-incarcerated and completing the entire maximum sentence.
27. Ibid.
28. Based on data submitted by the Pennsylvania Department of Corrections and analyzed by the CSG Justice Center.
29. Pennsylvania Department of Corrections. "Community Corrections." October 2008. Available: <http://www.portal.state.pa.us/portal/server.pt?open=512&objID=14823&mode=2>
30. Based on data submitted by the Pennsylvania Department of Corrections and analyzed by the CSG Justice Center.
31. Pennsylvania Department of Corrections. "Inmate Profile as of December 31, 2010." Available: [www.portal.state.pa.us/portal/server.pt/.../2011\\_inmate\\_profile\\_pdf](http://www.portal.state.pa.us/portal/server.pt/.../2011_inmate_profile_pdf).
32. Ibid.

# JUSTICE★CENTER

THE COUNCIL OF STATE GOVERNMENTS

To learn more about the justice reinvestment strategy  
in Pennsylvania and other states, please visit:  
[justicereinvestment.org](http://justicereinvestment.org)



This project was supported by Grant No. 2010-RRBX-K071 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.

To learn more about the Bureau of Justice Assistance, please visit: <http://www.ojp.usdoj.gov/BJA/>.



Research and analysis described in this report has been funded in part by the Public Safety Performance Project of The Pew Charitable Trusts' Center on the States. Launched in 2006 as a project of the Pew Center on the States, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs.

To learn more about the Public Safety Performance Project, please visit: <http://www.pewpublicsafety.org/>.

Points of view, recommendations, or findings stated in this document are those of the authors and do not necessarily reflect the official position or policies of The Pew Charitable Trusts, Council of State Governments Justice Center, or the Council of State Governments' members.

Suggested citation: Council of State Governments Justice Center, *Justice Reinvestment in Pennsylvania: Overview* (New York: Council of State Governments Justice Center, 2012).

## Council of State Governments Justice Center

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The Justice Center provides practical, nonpartisan advice and consensus-driven strategies, informed by available evidence, to increase public safety and strengthen communities.

### PROJECT CONTACT:

**Marc Pelka**, Senior Policy Analyst  
[mpelka@csg.org](mailto:mpelka@csg.org)

[justicecenter.csg.org](http://justicecenter.csg.org)