

South Dakota Public Safety Improvement Act

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The goals:

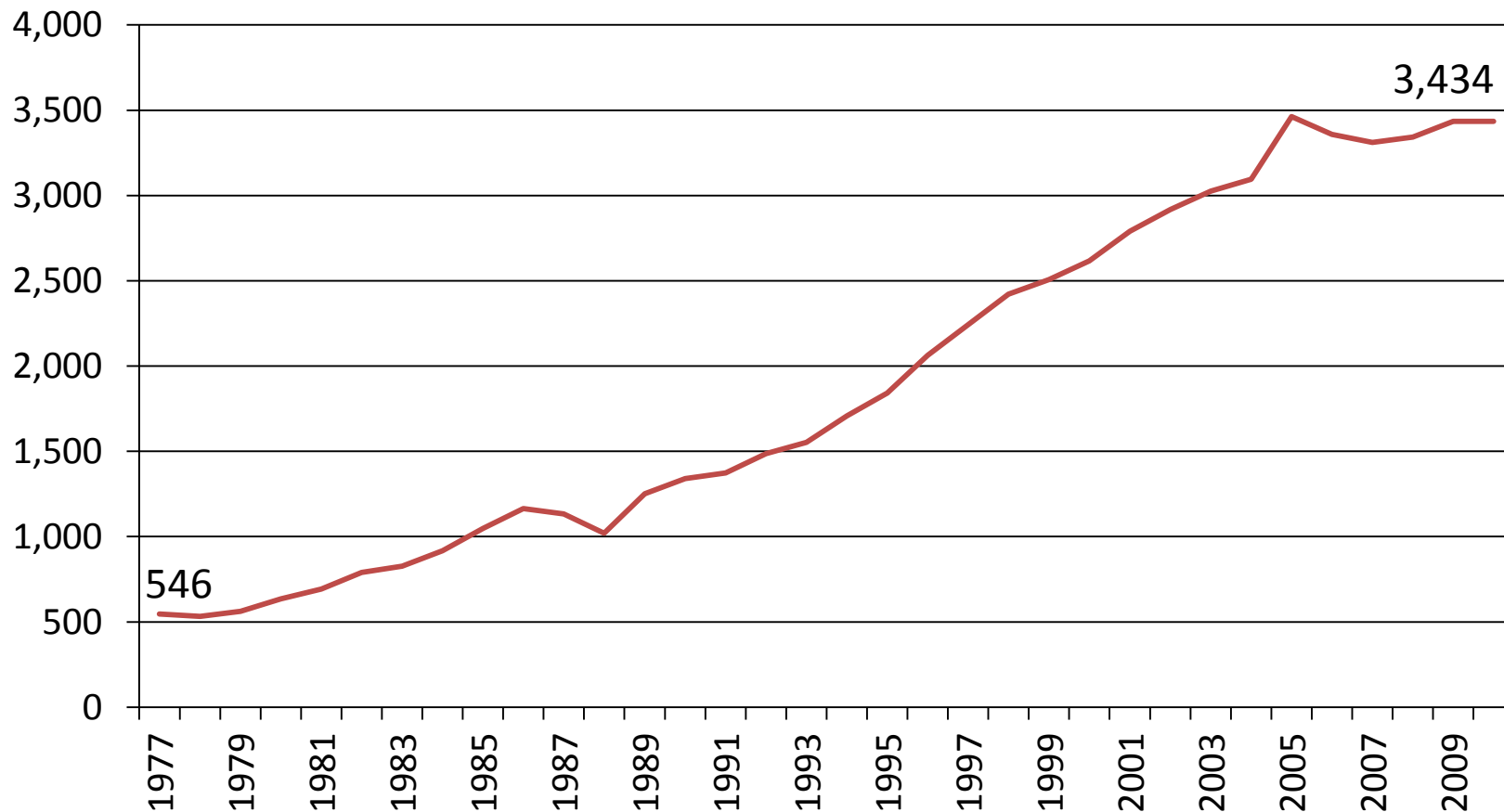
1. Improve public safety by investing in programs, practices, and policies that have been proven to reduce recidivism.
2. Hold offenders more accountable by strengthening community supervision.
3. Reduce corrections spending and focus prison space on violent, chronic, and career criminals.

The Act did NOT address topics such as:

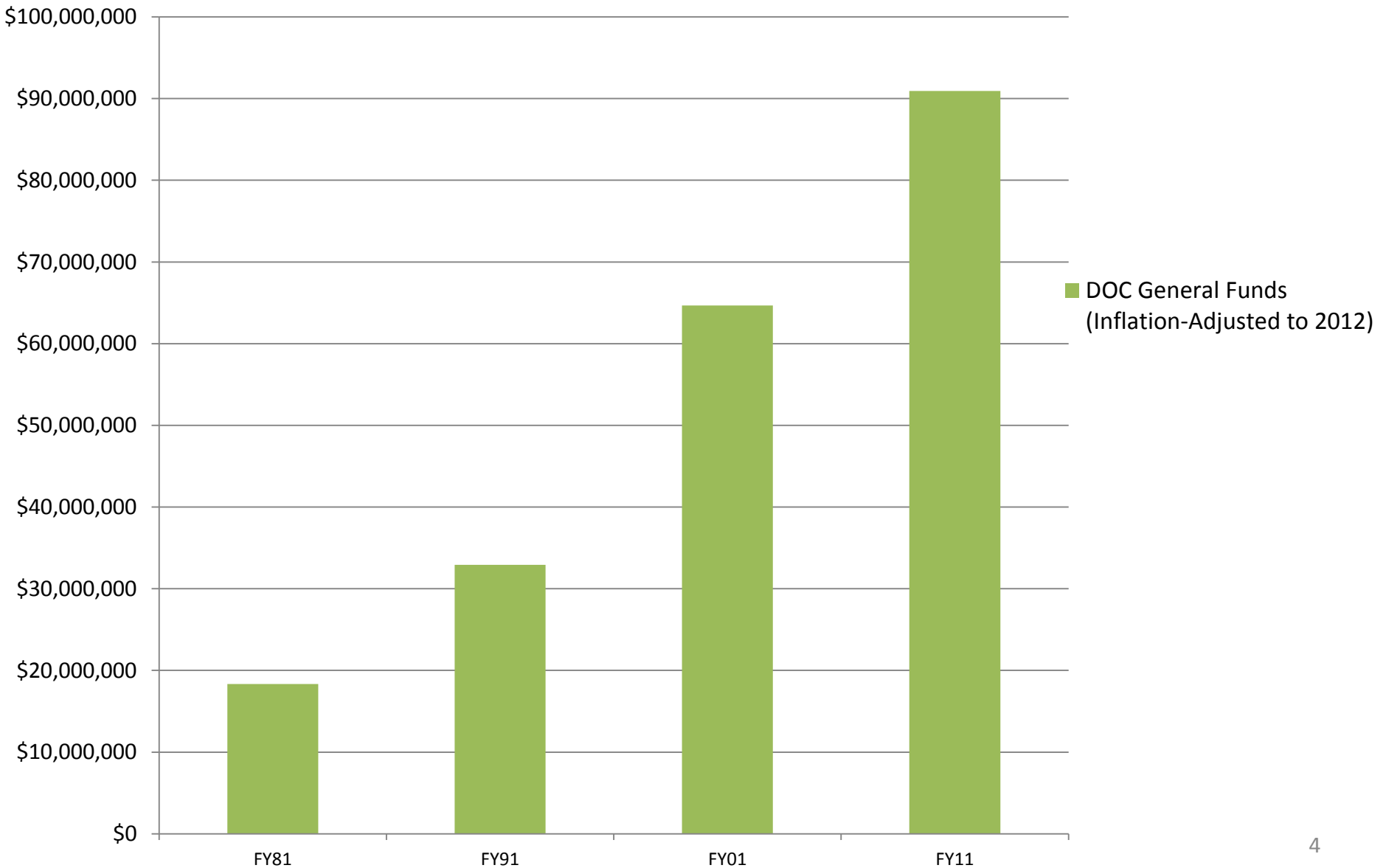
- Legalization of any drugs
- Releasing any current inmates from prison
- Juvenile justice, death penalty, sex offender registry
- Root causes of crime such as education, poverty, etc.

South Dakota's prison population rose more than 500% in the past 35 years

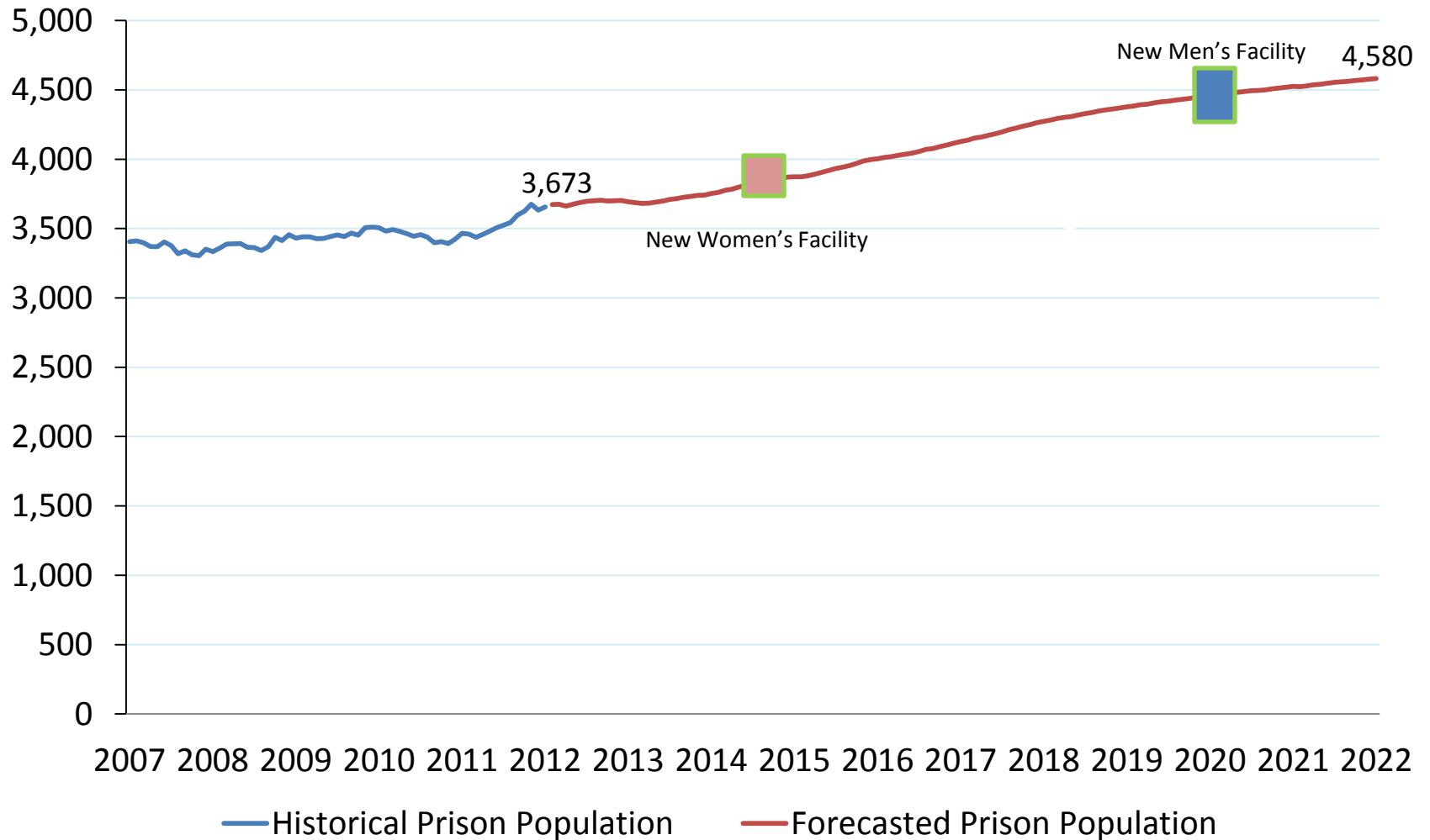
South Dakota's Prison Population



DOC General Funds (Inflation-Adjusted to 2012)

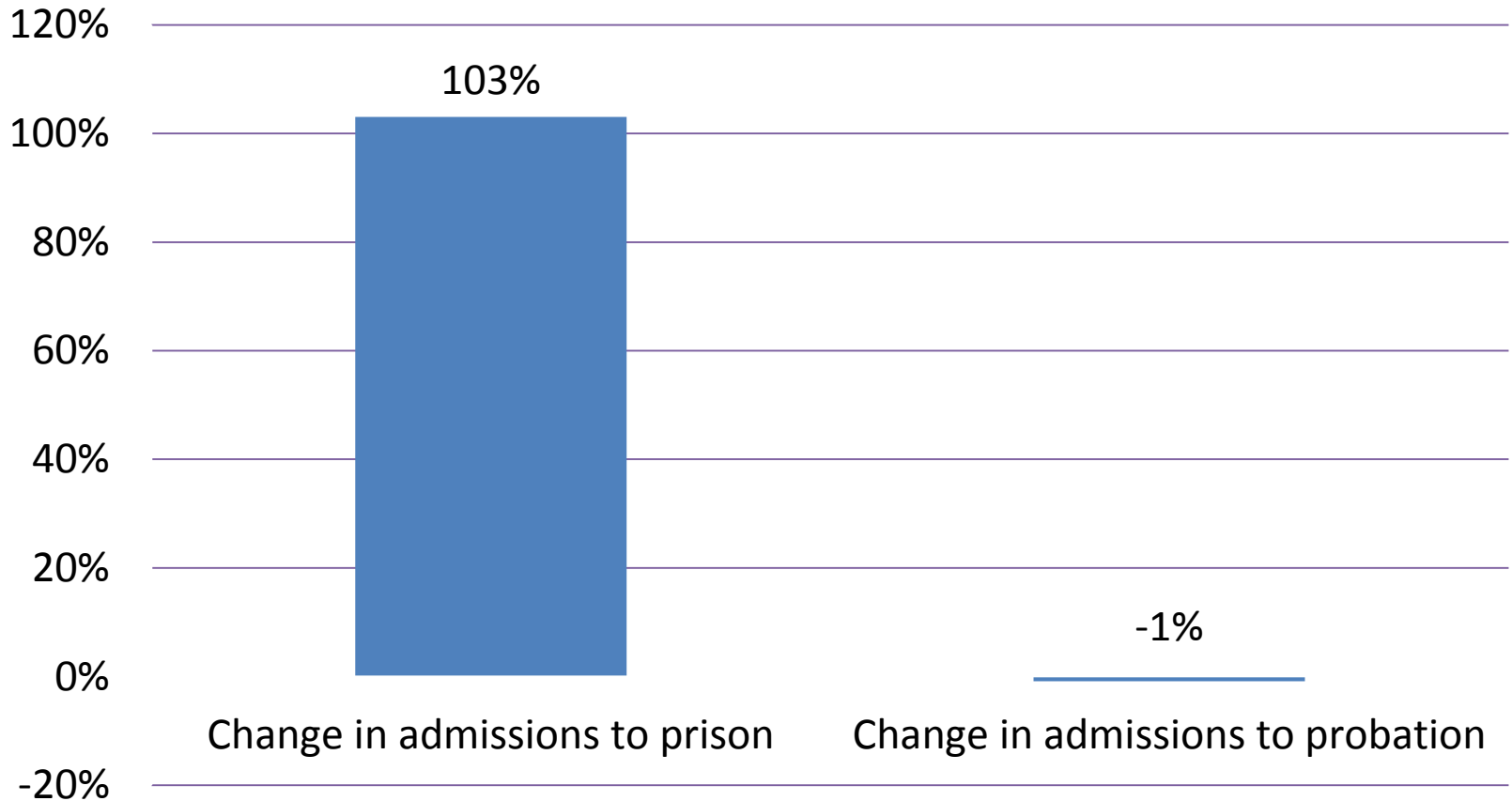


The prison population is projected to grow by 25% in the next 10 years at a cost of \$224 million.



South Dakota has increased its reliance on prison versus probation

Change in Admissions to Prison and Probation, 2000-2010



Crime and Imprisonment: 2000 to 2010

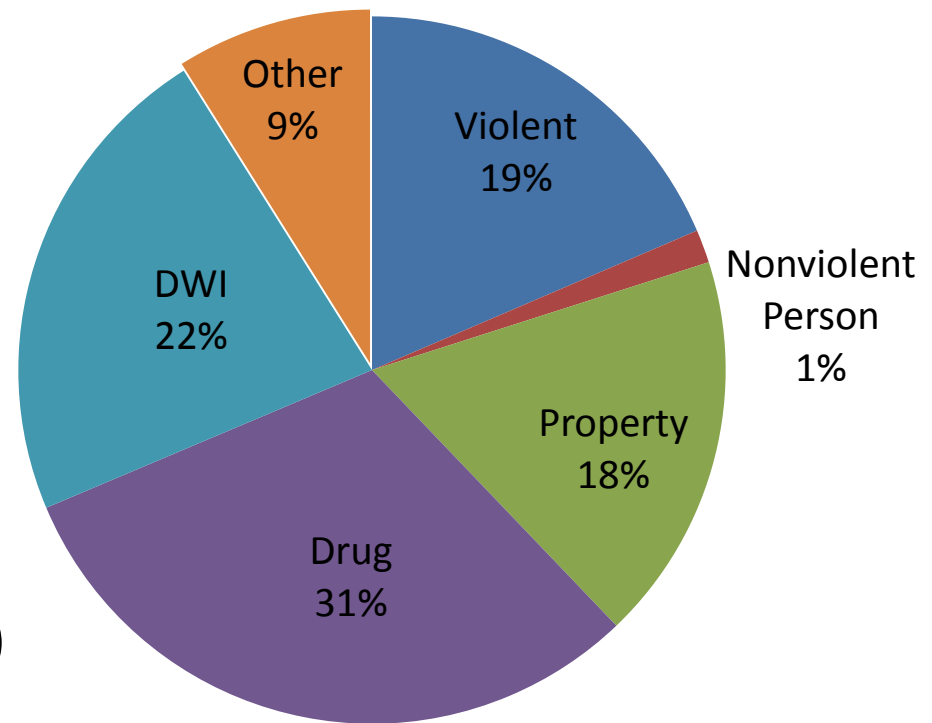
	Overall Crime Rate	Imprisonment Rate
US	-19%	+1.6%
SD	-9%	+18%

- SD's imprisonment rate has risen more than the national average
- State's decline in crime rate has not kept pace with the national reduction

Over 80% of prison admits were convicted of nonviolent crimes

- Over 80% of offenders admitted to prison sentenced for nonviolent crimes
- Over 50% were for drug or alcohol crimes
- 70% of drug offender inmates are in for possession (30% for distribution/manufacturing)

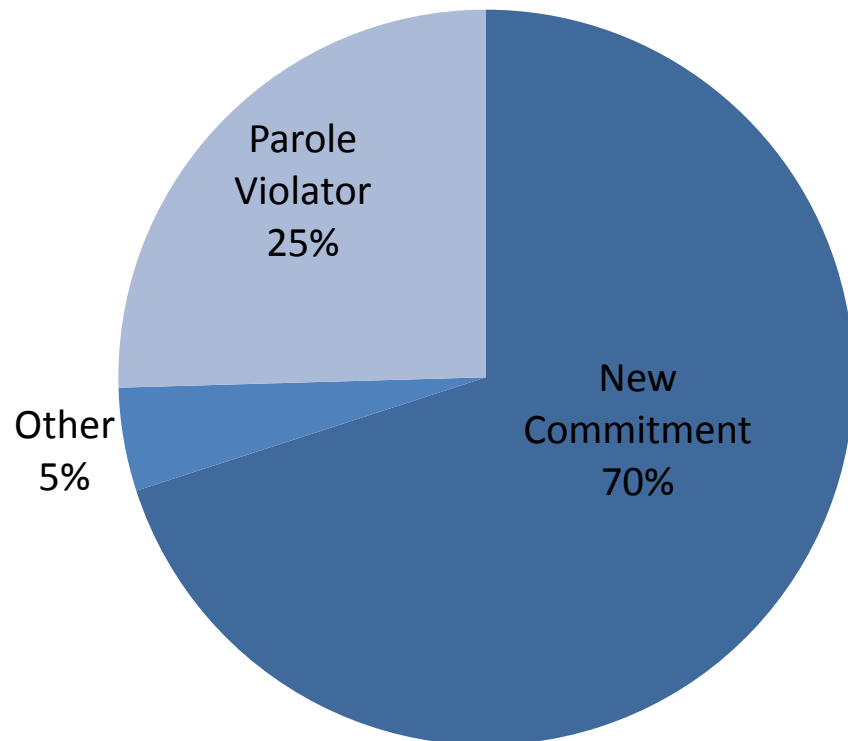
FY12 Admissions for New Commitments



1 out of 4 prisoners in for a parole violation

- The length of time parole violators serve in prison has grown 28% since FY05
- Offenders spent 43% longer on parole in FY12 than in FY00
- While some had more serious violations as well, in a one month sample, 45% of parole revocations involved a drug or alcohol condition violation

**Prison Population by Admission Type,
July 2012**



Criminal Justice Initiative Work Group

Policy Areas

Supervision and Reinvestment

1. Focus supervision on high-risk offenders;
2. Improve supervision of probationers and parolees;
3. Specialized programs and services to improve outcomes.

Statutory Review

1. Differentiate among levels of criminal conduct;
2. Create presumptive probation for Class 5 and 6 felonies;
3. Ensure 180 day sanctions for probationers can be used for swift and certain sanctions.

Efficiency & Sustainability

1. Measure and evaluate implementation of reforms;
2. Improve training on evidence-based practices;
3. Improve efficiency and accessibility of systems.

Supervision and Reinvestment Policies

1. Focus supervision on high-risk offenders

- Create **earned discharge** from **probation** and **parole**.

2. Improve the supervision of probationers and parolees

- Enhance supervision through **Evidence-Based Practices**
- Develop and use **graduated sanctions** in probation supervision
- Strengthen **risk and needs assessments** used by **probation** and **parole**
- Improve outcomes through **housing option for CTP offenders**

DOC

UJS

3. Specialized programs and services to improve outcomes

- Create **HOPE Phase I and II**
- Enhance and expand **alternative courts**
- Create community supervision **pilot program tailored for Tribal Communities**
- Provide evidence-based **substance abuse treatment services** and **cognitive behavioral therapy**

DSS

Statutory Review Policies

1. Differentiate among levels of criminal conduct

- Create a tiered controlled substance sentencing statute.
- Create more targeted punishments for grand theft.
- Enhance options for sentencing DUI offenders.
- Differentiate sentencing for different levels of criminal conduct in burglary.

2. Create **presumptive probation** for Class 5 and 6 felonies, with exceptions for sex offender registry and violent offenses and for cases with a risk to public safety.

3. Ensure **180 day sanctions for probationers** can be used for **swift and certain sanctions**.

Efficiency & Sustainability Policies

1. Measure and evaluate implementation of reforms

- Assign a group to be responsible for **monitoring/evaluation of EBP**
- **Require data collection and reporting on performance and outcome measures**
- Require fiscal notes be placed on bills and ballot initiatives impacting prison population

2. Improve training on evidence-based practices

- Provide **Parole Board** and **Judicial training**
- Require training for **probation** and **parole** officers

DOC

UJS

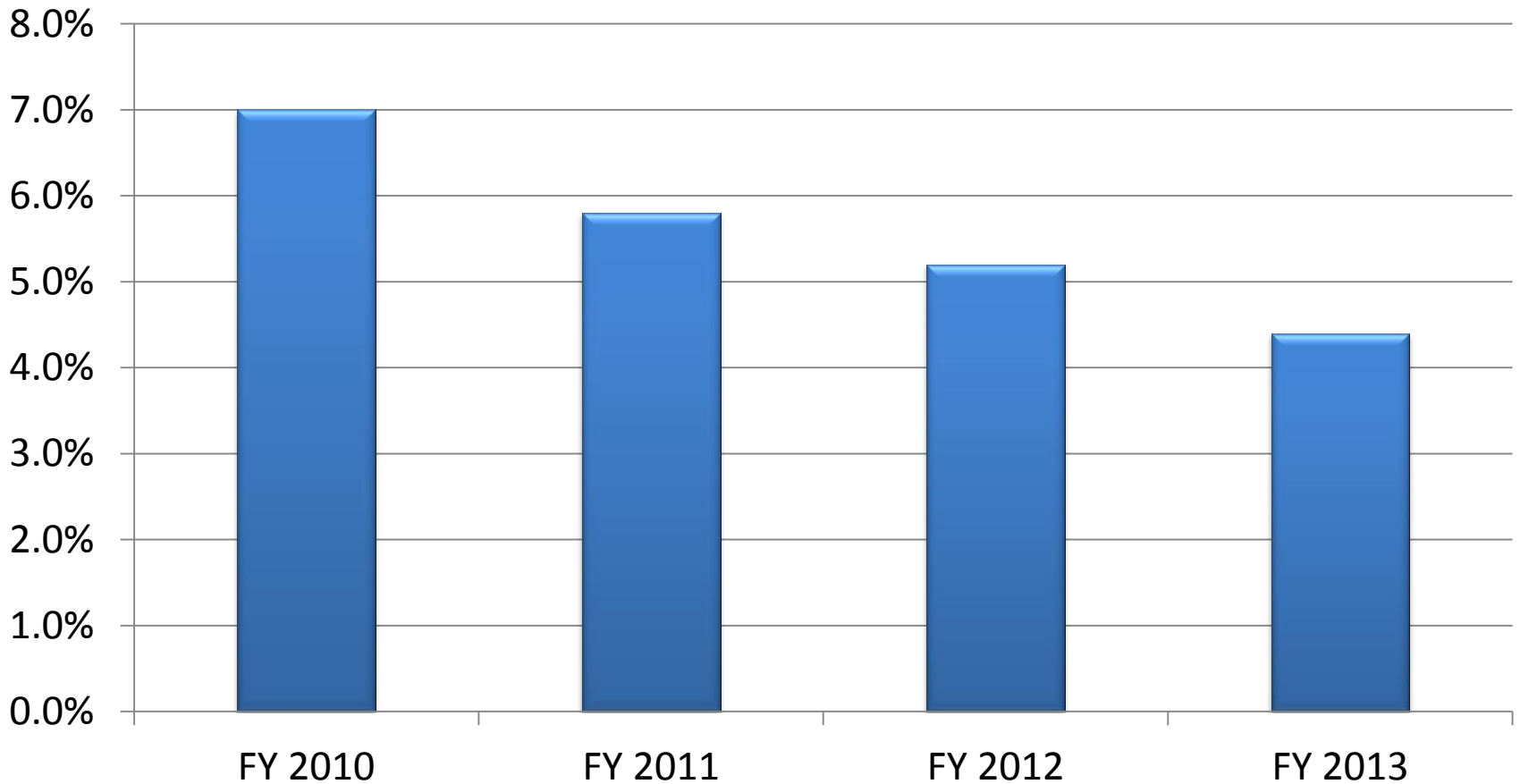
3. Improve efficiency and accessibility of systems

- Create a **statewide victim notification system**
- Improve **collection of restitution** through a joint DOC-UJS collection approach
- Create a **reinvestment fund** to align incentives for local jurisdictions
- **Limit Preliminary Hearings** to Felony Cases

DSS

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Statewide Percentage of Felony Probationers Terminated for Probation Violations and Sent to Penitentiary or County Jail



Performance Measures

- Oversight Council is required to “review performance and outcome measures proposed by DOC, UJS and DSS.”
- Overview of Goal and Purpose of Performance Measures
- More than data collection
 - Trends
 - Percentages
- Plans going forward