



Justice Reinvestment in Alabama

Overview



Background

In early 2014, Alabama Governor Robert Bentley, Chief Justice Roy Moore, Senate President Pro Tempore Del Marsh, House Speaker Michael Hubbard, and Department of Corrections Commissioner Kim Thomas requested support from The Pew Charitable Trusts and the U.S. Department of Justice’s Bureau of Justice Assistance to explore a “justice reinvestment” approach to improve public safety, manage corrections spending, and reinvest savings in strategies that can decrease crime and reduce recidivism. The Council of State Governments Justice Center (CSG Justice Center) was asked to provide intensive technical assistance to help collect and analyze data and develop appropriate policy options for the state.

The Alabama legislature passed a joint resolution (SJR 20) in February 2014 that created the bipartisan, inter-branch Prison Reform Task Force (Task Force)—which includes designees from all three branches of government and state and local criminal justice system stakeholders—to study the state’s criminal justice system using the justice reinvestment approach.¹ Senator Cam Ward (R-Alabaster) will chair the Task Force, which will submit a report on the study’s findings and policy recommendations to the legislature prior to the 2015 session.

CSG Justice Center staff, under the direction of the Task Force, will conduct a comprehensive analysis of data collected from various relevant state agencies and branches of government. To build a broad picture of statewide criminal justice trends, data on jail and community corrections will be sought from local governments and analyzed where possible. CSG Justice Center staff also will convene focus groups and lead interviews with people working on the front lines of Alabama’s criminal justice system. Based on these exhaustive quantitative and qualitative analyses, the Task Force will use its findings to develop options for the legislature’s consideration that are designed to both increase public safety and contain the cost of corrections.

This overview highlights recent criminal justice trends in Alabama that the Task Force will be exploring in the coming months.

Criminal Justice Trends in Alabama

Despite recent growth in Alabama's resident population, the total number of reported crimes has decreased. At the same time, the number of arrests has increased.

- Between 2002 and 2012, Alabama's resident population increased 8 percent, from 4.48 to 4.82 million people.²
- Over the same period, the number of reported index crimes decreased 5 percent, from 191,953 to 181,752,³ while arrests for these crimes increased 9 percent, from 27,603 to 29,960.⁴

Although Alabama's reported index crime rate has decreased, it is still among the highest in the United States.

- In 2002, Alabama's total index crime rate was 4,473 reported crimes per 100,000 residents. By 2012, this rate had fallen 12 percent, to 3,952 crimes per 100,000 residents, but was still the 8th highest in the country. By comparison, the U.S. index crime rate was 3,246 reported crimes per 100,000 residents in 2012.⁵
- Over the same period, Alabama's violent crime rate rose 1 percent, from 445 to 450 reported crimes per 100,000 residents. The state's 2012 violent crime rate was the 14th highest in the nation and considerably higher than the U.S. violent crime rate of 387 reported crimes per 100,000 residents.⁶
- Between 2002 and 2012, Alabama's property crime rate fell 13 percent from 4,028 to 3,502 reported crimes per 100,000 residents. The rate in 2012 was the 7th highest among all states, however, and notably higher than the U.S. property crime rate of 2,859 reported crimes per 100,000 residents.⁷

While overall crime rates have declined, felony dispositions in circuit courts have increased.

- Between 2002 and 2012, circuit court criminal felony dispositions increased 18 percent, from 36,647 to 43,159.⁸

Alabama's incarceration rate is high; however, its rate of adults on probation and parole is relatively low.

- In 2012, Alabama's incarceration rate was the third highest in the U.S., with 650 sentenced individuals per 100,000 adult residents.⁹
- Alabama's rate of adults under probation supervision in 2012 was 1,563 people on probation per 100,000 residents. By comparison, the national probation rate was 1,633 per 100,000 residents.¹⁰
- The parole supervision rate in Alabama was 232 parolees per 100,000 residents, whereas the national parole supervision rate was 353 people per 100,000 residents.¹¹
- Between 2002 and 2012, the number of people on probation in Alabama increased 46 percent, from 39,713 to 57,993.¹²
- During the same period, the parole population increased 62 percent, from 5,309 to 8,616 people.¹³

Alabama's prison system is the most crowded in the United States, and the state uses contract facilities and other alternative placements to manage almost a quarter of its prison population.

- In December 2013, Alabama's jurisdictional prison population was 32,421 people, of whom 78 percent (25,170 people) were housed in Alabama Department of Corrections (ADOC)-operated facilities, while 22 percent (7,251 people) were in alternative placements.¹⁴
- Although ADOC-operated facilities were designed to house 13,318 people, in December 2013 they were operating at 189 percent of capacity (25,170 people).¹⁵
- In 2012, ADOC-operated facilities were more crowded than any other state's facilities.¹⁶

Alabama's jurisdictional prison population grew by nearly one-fifth, and jurisdictional prison admissions also increased.

- Between 2003 and 2013, Alabama's prison population increased 19 percent, from 27,344 to 32,421 people.¹⁷
- During this time frame, the population housed in ADOC-operated facilities increased 9 percent from 23,193 to 25,170, while the population in alternative placements increased 75 percent from 4,139 to 7,251.¹⁸
- Between 2003 and 2013, jurisdictional prison admissions increased 21 percent, from 10,028 to 12,131 people.¹⁹

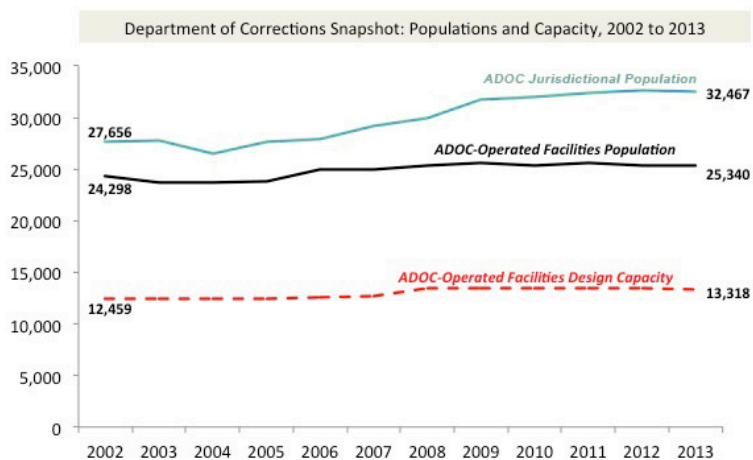
As Alabama's prison population grew over the past decade, General Fund expenditures on corrections also increased significantly.

- Between FY2003 and FY2013, General Fund expenditures for the ADOC increased 49 percent, from \$309 million to \$460 million.²⁰

Statewide recidivism rates have been stable in recent years.

- The recidivism rate (reincarceration within three years of release from an ADOC jurisdiction) among people released between 2005 and 2008 remained stable, at approximately 35 percent.²¹

Figure 1. State Operated Prison Facilities in Alabama: Operating at 190 Percent of Designed Capacity



Source: Annual Reports 2002-2012 and September Monthly Reports 2002-2013, Alabama Department of Corrections

The Justice Reinvestment Approach

STEP 1

Analyze Data and Develop Policy Options

Under the direction of the Prison Reform Task Force, CSG Justice Center staff will conduct a comprehensive analysis of crime, arrest, conviction, sentencing, probation, community corrections, prison, behavioral health, parole, and recidivism data, using hundreds of thousands of individual data records. Examples of analyses that will be conducted include: supervision, community corrections, and prison population trends; length of time served in prison and on supervision; statutory and administrative policies; and availability of treatment and programs to reduce recidivism. Furthermore, to the extent data are available, CSG Justice Center analysis will assess how felony sentencing trends impact community corrections and prison populations, explore contributors to recidivism trends, and examine county jail trends. The analyses will result in findings related to the sources of prison population growth, prison and jail bed capacity, and effectiveness of agency policies and procedures.

To incorporate perspectives and recommendations from across the state, the CSG Justice Center will collect input and recommendations from criminal justice system stakeholders, including prosecuting attorneys, the defense bar, judges, law enforcement executives, supervision officers, behavioral health service providers, victims and their advocates, local officials, and others.

The Prison Reform Task Force, in collaboration with CSG Justice Center staff, will review the analyses and develop data-driven policy options focused on increasing public safety and reducing spending on corrections. Policy options will be available for the legislature's consideration by early 2015.

STEP 2

Adopt New Policies and Put Reinvestment Strategies Into Place

If the policy options are enacted as legislation, the CSG Justice Center will work with Alabama policymakers for a period of 12 to 24 months to translate the new policies into practice, and ensure that related programs and system investments achieve projected outcomes and are implemented using the latest research-based, data-driven strategies. This assistance includes developing implementation plans with state and local officials, providing policymakers with frequent progress reports, and delivering testimony to relevant legislative committees. Alabama will also have the opportunity to apply for federal grant funding to meet important one-time implementation needs, such as information technology upgrades and quality assurance support.

STEP 3

Measure Performance

Finally, the CSG Justice Center will continue to assist Alabama officials to identify the metrics needed to assess the impact of enacted policies on prison populations and rates of reincarceration, criminal activity, and recidivism, and to develop the strategies to monitor these outcomes. Typically, this includes a “dashboard” of multiple indicators that make it easy for policymakers to track the changes occurring in various components of the criminal justice system.

Notes

1. Prison Reform Task Force, SJR 20, Alabama State Senate (February 2014), <http://alisondb.legislature.state.al.us/acas/searchableinstruments/2014rs/PrintFiles/SJR20-enr.pdf>.
2. U.S. Census Bureau, "2010 Census," Retrieved on April 16, 2014 from: <http://www.census.gov/popest/data/intercensal/state/state2010.html>.
3. Alabama Statistical Analysis Center and Carol R. Roberts, *Alabama Criminal Justice Information Center Crime in Alabama*, (2008, 2012) (Montgomery: Alabama Criminal Justice Information Center, 2009, 2013). Index crimes consist of crime categories collected by law enforcement and reported to the FBI as part of the Uniform Crime Reporting Program and considered representative of the most serious crimes. The crime categories are violent crimes of murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault, and the property crimes of burglary, larceny-theft and motor vehicle theft.
4. *Ibid.*
5. U.S. Department of Justice, Federal Bureau of Investigation, *Unified Crime Report Data Online*. <http://www.ucrdatatool.gov/Search/Crime/State/StateCrime.cfm>.
6. *Ibid.*
7. *Ibid.*
8. Alabama Administrative Office of Courts, *Alabama Unified Judicial System Fiscal Year 2012 Annual Report and Statistics* (Montgomery: Administrative Office of Courts, 2013); Alabama Administrative Office of Courts, *The Unified Judicial System of Alabama 2002 Annual Report* (Montgomery: Administrative Office of Courts, 2003). A felony disposition is the outcome of a felony judicial proceeding. Some common dispositions include dismissals, acquittals, and convictions.
9. Bureau of Justice Statistics, "Prisoners in 2012—Advanced Counts," NCJ 24267 (Washington DC: U.S. Department of Justice, 2013). The incarceration rate is the number of people incarcerated per 100,000 residents. The incarceration rate in Alabama includes some individuals that are not housed in prison facilities. Some individuals serving time on community corrections are also included.
10. Laura M. Maruschak and Thomas P. Bonczar, *Probation and Parole in the United States, 2012* (Washington DC: Bureau of Justice Statistics, 2013).
11. *Ibid.*
12. Laura E. Glaze, *Probation and Parole in the United States, 2002* (Washington DC: Bureau of Justice Statistics, 2003); Laura M. Maruschak and Thomas P. Bonczar, *Probation and Parole in the United States, 2012*.
13. *Ibid.*
14. Alabama Department of Corrections, *December 2013 Monthly Report* (Montgomery: Alabama Department of Corrections, 2014). For purposes of this document, the term "jurisdictional prison" reflects all individuals sentenced to the ADOC, which in Alabama is referred to as the jurisdictional population. Alternative placements include community corrections, county jails, other states' facilities, federal prisons, pre-release facilities, and other lease facilities.
15. Alabama Department of Corrections, *December 2013 Monthly Report*.
16. Bureau of Justice Statistics, "Prisoners in 2012—Advanced Counts." This is the most current national prison census report issued.
17. Alabama Department of Corrections, *December 2003 Monthly Report* (Montgomery: Alabama Department of Corrections, 2004); Alabama Department of Corrections, *December 2013 Monthly Report*.
18. *Ibid.*
19. *Ibid.*
20. National Association of State Budget Offices, *State Expenditure Report 2003* (Washington DC: National Association of State Budget Offices, 2004); National Association of State Budget Offices, *State Expenditure Report (Fiscal 2011-2013)* (Washington DC: National Association of State Budget Offices, 2013). 2013 General Fund budget amount is an estimate.
21. Alabama Department of Corrections, *Fiscal Year 2011 Annual Report* (Montgomery: Alabama Department of Corrections, 2012).

To learn more about the justice reinvestment strategy
in Alabama and in other states, please visit:
csgjusticecenter.org/jr



The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers in the local, state, and federal levels from all branches of government. It provides practical, nonpartisan advice and evidence-based, consensus-driven strategies to increase public safety and strengthen communities. To learn more about the Council of State Governments Justice Center, please visit csgjusticecenter.org.



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To learn more about the Public Safety Performance Project, please visit pewstates.org/publicsafety.

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