

Agency # 999

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Joint Appropriations  
# 045

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*Efficient. Effective. Fair.*  
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*IDP Proposal*  
*(Incarceration Diversion Program)*

Executive Summary:

In the State of Wyoming, according to the SCJ, more than half of our prison admissions are non-violent offenders, mostly addiction based, and most probably don't need to be in prison. Prison should be reserved for the most dangerous offenders. Those that pose a significant threat to society. We sentence them to prison because there isn't another option that can provide the services that this populations needs.

What if we target the right people, link and monitor them using proven programs, and redirect their behavior in their environment rather than in prison? We know what. Studies have given us these answers. Prison population and recidivism rates will decrease, offenders will receive the services they need to be successful members of our society, there will be benefits to our economy, state welfare programs costs will decrease, family units will be preserved, and we could even break the cycle of generational offenders.

The purpose of this proposal is to:

- 1) Present Incarceration Diversion Program
- 2) Seek State funding
- 3) Present legislature

## Statement of Need:

There is no question that prison reform is needed. There is more evidence and studies that support reform than in almost any other area of state importance. Prison reform does not just affect prison costs but legal costs, welfare costs, schooling, housing, and our social structure as a whole. If we support and fund a program that can address these issues, the cost savings for our state will be significant and our communities will be strengthened.

A nationwide survey conducted by the US Justice department tells us that the social costs for incarceration are significant. Nearly 65 percent of families of those incarcerated are unable to pay for basic needs such as food and housing once the offender's income is removed. Around 70 percent of these families are caring for children under the age of 18. When offenders are released, their loved ones are responsible for supporting their reentry. This burden is long-term since people with a criminal record often are unable to find work upon their release. Poverty perpetuates the cycle of incarceration, incarceration leads to greater poverty. Three of four offenders will find it difficult to find work after being released from prison, and only 40 percent of these will be working full-time after five years.

A study by the U.S. Department of Justice's Bureau of Justice Statistics shows that 64 percent of local jail inmates, 56 percent of state prisoners and 45 percent of federal prisoners have symptoms of serious mental illnesses coupled with substance abuse. This illustrates the correlation between mental health and substance abuse which manifests into criminal behavior. This can be treated. This population can be helped and we have the resources to do so. Wyoming has seen a 42% increase in substance abuse arrests in the last two years. Although we have the resources to stabilize this population there is not one organization or program that links all programs together.

According to the Council of States Governments findings from WDOC Prison and Supervision Projections July 2018, "Wyoming's prison population has reached capacity and is projected to grow by 200 beds by 2023, pushing the population to 109% of capacity". This will have a \$50 million price tag for the State. Wyoming spends \$23 million annually incarcerating new non-violent offenders. The American Civil Liberties Union of Wyoming tells us that at least 67% all drug arrests in Wyoming were for marijuana possession alone. Many people who are

incarcerated pose little to no threat to public safety. Again, a population that alternatives to prison would be appropriate for.

Probation and Parole revocations exceed 54% of participants statewide (mostly due to non-compliance, not new offences) and in 2017 these revocations cost the State over \$21 million. We know that probation alone will only rehabilitate about 40% of all offenders. When adding mental health services, addiction services, connectivity to community resources and support, case management, accountability, incentives, positive client-based involvement, eco-therapy, education and employment we can expect that rehabilitation percentage to at a minimum double.

There are currently 26 states who utilize private probation companies of which success rate to some programs (Georgia) is as high as 85%.

#### Project Description:

IDP is a privately-owned, court contracted and monitored probation pilot program alternative for individuals involved with the legal system for non-violent drug or alcohol offenses who face prison time. The spirit of this program is to alleviate state costs associated with law violations, address the prison overcrowding crisis, and bridge the gap between legal and human services.

IDP serves as the bridge between prison, rehabilitation and accountability. It is the link between all pertinent existing programs, functioning in unison for maximum results. IDP merges prison time, probation, individual and group therapy, mental health services, community service projects, education, monitoring, addiction services, eco-therapy, and case management all within the walls of one agency. The goal of IDP to keep offenders out of prison, off of probation, out of the criminal justice system and leading normal lives as productive citizens, as quickly, efficiently, and as effectively as possible.

#### How IDP works:

A Wyoming citizen commits a non-violent felony crime. They undergo court mandated risk assessments then either the Court or County attorney's office refers them for evaluation by an IDP representative. From here, the offender will be interviewed, and information will be gathered and verified by the IDP team. If the offender meets the criteria for IDP (has a sincere desire to change, is willing to meet the requirements of IDP, can identify long and short-term

goals, and whose offense was a result of an underlying behavioral or mental health condition) a recommendation for participation in IDP will be submitted to the Court. If the Court accepts the IDP recommendation, rather than serving prison time, the offender will be released to IDP where they will be subject to potential 24-hour GPS monitoring, 24-hour drug and alcohol screening, intense monitoring, mental health services, community service projects, full time employment or vocational training, case management and support. There is a fee associated with IDP services which the participant is responsible for paying. This fee mirrors the fee's charged for work release from jails.

Difference in IDP and existing programs:

- 1) IDP focuses on the C8 (central eight) components of criminal behavior and works to stabilize each component independently. (C8 is employment/education, substance addiction, leisure, family, antisocial behaviors, thinking, peers, and personality)
- 2) IDP identifies the strengths of the offender and builds upon those strengths.
- 3) IDP is built on evidence based, client-driven techniques. The offender sets their own goals and through support, guidance, and resources the IDP representative assists them in achieving those goals.
- 4) IDP does not require the offender to come to them, but rather IDP exists within the offender's environment.
- 5) IDP representatives have no sanction authority thus making the relationship between the representative and the offender non-threatening and there is no illusion of an imbalance of power.
- 6) IDP offers intense support to the offender. Providing whatever resources are required for offender stabilization and success.
- 7) IDP monitors intensely the behaviors of the offender more to guide than punish. Although all illegal activities will be reported to law enforcement and arrests for such will be immediately made, the behavior objective to redirect.

Project Location:

IDP will begin as a pilot program operating out of Sheridan and Johnson Counties, serving the towns of Sheridan, Buffalo, Ranchester, Dayton, Big Horn, Kaycee, and Story Wyoming.

Projected growth within two years has the expectation to include Campbell, Crook and Weston Counties.

#### Budget Analysis:

#### IDP Costs VS Savings:

Complete yearly program Costs: \$ 459,256.50

IDP Felony: 35 Clients \$123.26 (cost of incarceration per day) X 12 months = \$ 1,574,646.50

Total Savings per year: \$ 1,115,390.00

#### Organizational Details:

IDP Felony: Immediate state financial benefits are experienced. These costs are easily identified and measured. As described in detail above these services are intense and keep offenders out of prison, off of probation, out of the criminal justice system and leading normal lives as productive citizens, as quickly, efficiently, and as effectively as possible.

#### IDP Expansion:

IDP Misdemeanor: This is where prevention begins. Reoffending rates are more than half of all individuals who commit misdemeanor crimes. Providing services to this population would undoubtedly decrease future crime rates and prison population. IDP would offer case management services to those offenders who have difficulty navigating our social structure. IDP will connect them to resources and services they may not be aware of and assist them in stabilizing and developing their psychosocial involvements.

IDP Juvenile Services: Juveniles are the future of our criminal justice system. Children at high risk of criminal behavior are identifiable. IDP would offer prevention services that include working with schools and juvenile probation officers to provide linkage to additional resources and services. IDP would bring in specialized speakers to present at the schools on topics such drugs, suicide, alcohol and the affects that these behaviors have on friends, family and society as

a whole. IDP will partner with agencies to provide activities for our youth to become involved in and involve our youth in our communities.

IDP Prevention Services: Skimping at the front end leads to results like we are seeing in our prison.

How to do this: Based on what 26 other states are currently doing.

- 1) Establish state statute which will give Judges clear authority to order an offender to IDP, and to clearly identify the roles and responsibilities of private probation.
- 2) IDP contracts with the court to set parameters of services and establish IDP accountability.
- 3) State funds IDP and IDP provides reports and progress annually to the State.

**References:**

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