



What is Justice Reinvestment?

A data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism.

The Justice Reinvestment Initiative is funded principally by the U.S. Department of Justice's **Bureau of Justice Assistance (BJA)** with additional funding from **The Pew Charitable Trusts**.

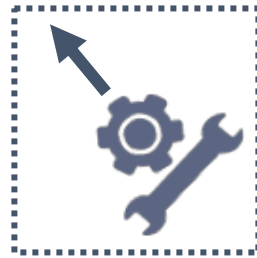
Technical assistance for states participating in the Justice Reinvestment Initiative is provided by the **CSG Justice Center** and **Community Resources for Justice's Crime and Justice Institute**.

Justice Reinvestment is tailored to the specific needs of the state.

States use the Justice Reinvestment Initiative to:



Tackle state and local public safety and health challenges, from recent crime trends to people who have behavioral health needs.



Scale up recidivism-reduction efforts, such as increasing the use of risk and needs assessments; the quality of supervision; and access to effective, research-based programs and services.



Enhance data collection, develop analytical capacity, and create a shared understanding of criminal justice issues.



Manage costs associated with state prison and local jail population trends to ensure resources are being used effectively.

A system analysis led CSG Justice Center staff to propose policy options for the state to consider. In March 2019, the legislature passed four pieces of legislation to address challenges in Wyoming's criminal justice system.



SEA 19 (2019)

- (1) Allows courts to sentence people to unsupervised probation and impose fines related to the offense.
- (2) Allows reduced terms of probation.
- (3) Requires courts to consider a set of criterion when determining the period of probation or a modification of a term.



HEA 53 (2019)

- (1) Requires the WDOC to revise its incentives and sanctions system.
- (2) Allows jail sanctions of up to 15 consecutive days for serious supervision violations.
- (3) Allows an incarceration sanction of up to 90 days during which evidence-based services are provided.
- (4) Prioritizes admission into ISP based on assessed risk.
- (5) Allows a person revoked to receive credit for a portion of time served on parole when compliant with supervision conditions.



HEA 15 (2019)

- (1) Extends the period within which the Wyoming Crime Victim Compensation Program may allow reimbursement for victims' mental health services and related care from 24 to 36 months from the date of injury or discovery of the crime.



SEA 50 (2019)

- (1) Caps the length of probation terms at 36 months (3 years), unless good cause is shown.
- (2) Applies the cap to probation imposed without a conviction.

Additionally, as a result of the in-depth assessment of Wyoming's behavioral health system during the 2019 interim session, the legislature passed House Enrolled Act 62 in March 2020.

This bill requires WDOC and Department of Health (WDH) to increase collaborative efforts to:

- Improve the quality and accuracy of substance use assessments administered through the **creation of a quality improvement unit** in the WDOC.
- Create a behavioral health services **enhancement program for community providers** to improve outcomes for people in the criminal justice system.
- Adopt **standardized, evidence-based treatment practices and guidelines** for treating and providing programming to people in the criminal justice system with behavioral health needs.
- Create a **competitive and outcomes-based funding stream** for behavioral health providers.

During the implementation phase of Justice Reinvestment, CSG Justice Center staff provided technical assistance on four key areas.



Fostered collaboration across branches, agencies, and state and local leaders by creating a strong implementation team across the state to ensure ongoing support for and sustainability of Justice Reinvestment policies



Provided expert guidance on the use of risk and need assessment and adoption of evidence-based practices across multiple points in the system, including sentencing, supervision strategies, and information sharing among behavioral health programs across the state



Identified key metrics, helped set up data tracking, and analyzed criminal justice trends so the state understands the impacts of new policies



Provided grant oversight for \$220K in funding to remove barriers to implementation and improve Wyoming's ability to monitor progress

Technical assistance included: **26+** Meetings & Presentations + **265+** Phone & Video Calls + **19** Trips to Wyoming = **1,200+** Interactions with Individual Stakeholders

As part of Phase II technical assistance, Wyoming received a subaward grant of \$220,000 from BJA to train support staff in evidence-based practices, quality assurance practices, and behavioral health assessment and collaborative information sharing.

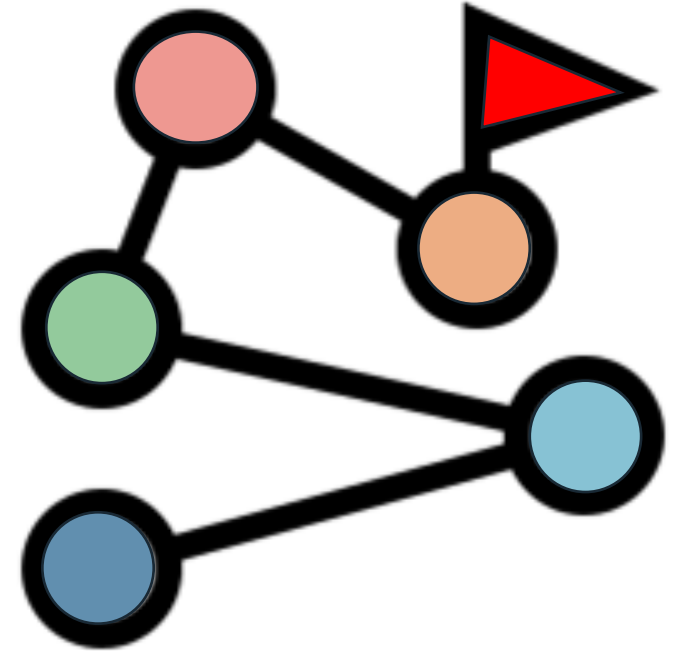
Funding item	Amount Awarded
Trainings to probation and parole professionals on evidence-based practices to reduce recidivism	\$66,500.00
Support to develop WDOC's new quality assessment unit and trainings in implementation, fidelity, and cross-system collaboration with behavioral health providers	\$42,930.00
Trainings for mental health providers, prison substance use professionals, and clinicians on assessing treatment needs	\$18,799.88
Acquisition and implementation of online behavioral health assessments	\$25,580 .00
Technological purchases associated with online assessments and video hearings for the Wyoming Parole Board; supplies required for training delivery and QA unit set-up	\$66,237.06

Wyoming engaged in up-front reinvestment for two of the five pieces of legislation passed under Justice Reinvestment. During the implementation period in 2020, these original appropriations were reduced due to statewide budget cuts.

Justice Reinvestment Policy	Appropriations		2021 Budget Cut Impact	Final investment
	2019	2020		
HEA 53 (2019)	\$1,623,248.00 General Fund Dollars to be spent by 7/1/2020	\$2,000,000.00 General Fund Dollars + unspent monies from the 2019 appropriation to be spent by 7/1/2022	\$440,000.00	\$3,183,248.00
HEA 62 (2020)		\$324,380.00 General Fund Dollars to be spent by 6/30/2022	\$150,000.00	\$174,380.00

The impacts of Justice Reinvestment policies will take years to be fully realized and Wyoming faced several challenges that impacted planning, implementation, and sustainability efforts.

- Implementation is an ongoing process. It is important for the state to keep moving forward to ensure that policies are implemented with fidelity to intentions of the legislation, and state agencies have the time and resources to measure impact.
- Additionally, Wyoming has faced significant challenges over the last year that obstructed full implementation as originally envisioned, as the COVID-19 pandemic changed system functioning and led to state budget cuts.
- In 2020, processes across the criminal justice and behavioral health systems were altered to increase safety during the pandemic, including:
 - A delay in the processing of court cases
 - A reduction in the use of jail sanctions
 - Changes to supervision practices
 - A change in the delivery of behavioral health treatment and an increased reliance on telehealth practices to continue treatment




Overall, criminal justice trends in Wyoming have remained in line with or shown slight improvements since January 2019. These trends may have been impacted by multiple Justice Reinvestment bills and other factors including the COVID-19 pandemic.


- The **prison population decreased** between January and December 2020, with a sharp decline occurring in April 2020, and remained at lower than usual numbers through August 2020. This can be attributed in large part due to the impact of the COVID-19 pandemic across the criminal justice system.
- The **supervision population fell by nearly 200 cases** in 2020 and stood at approximately 6,800 cases as of December 2020.
- **New court commitments constituted 54 percent of all prison admissions** in 2020 compared to 47 percent in 2019.
- The number of **parole revocations fell by 44 percent** during 2020 compared to 2019.
- **Probation revocations fell by 25 percent** during 2020 compared to 2019.


It is important to note that the criminal justice system in Wyoming was heavily impacted by the COVID-19 pandemic. Criminal justice trend data reflect that 2020 was an atypical year. The impact of the COVID-19 pandemic will make it difficult to detect or monitor the true impact of JR policies for at least two to three years.

Key takeaways from our review of the implementation phase and initial data analysis

 The state has implemented several substantial reforms in the last two years and has made great progress with the implementation efforts to stand up those reforms.

 Initial trend data is promising, but the state will need to continue efforts to reduce revocations and fully support Justice Reinvestment policy implementation and sustainability so that trends do not reverse course after the pandemic ends.

 The COVID-19 pandemic has affected the state's ability to fully understand the impact of Justice Reinvestment legislation due to the unprecedented, atypical functioning of the criminal justice system.

 WDOC and WDH have created an unprecedented collaborative relationship that has extended well beyond the requirements of HEA 62.

 Budget cuts to WDOC's Justice Reinvestment appropriations, the agency budget as a whole, and the WDH jeopardize the long-term success of Justice Reinvestment policy changes.

Recommendation: The WDOC and WDH should continue implementation work to meet the requirements of HEA 62.

The WDOC and WDH workgroup created during the early implementation phases of HEA 62 should continue indefinitely. Objectives of this working group should include:



Ensure collaboration across WDOC, WDH, and providers on needs, service availability, quality improvement processes, and data measures.



Monitor the pilot and full implementation of the structured decision-making tool.



Monitor the implementation of the in-reach process between WDOC, WDOC contracted providers, and WDH contracted providers.



Develop ongoing collaborative trainings between WDOC, WDH, and providers.



Create a single identifier to use across all agency data systems to ensure that individuals can be tracked throughout the system for outcomes and quality improvement monitoring purposes.

Recommendation: The state should invest in improving data systems and data collection.

- Continue monitoring the implementation data trends for among all five Justice Reinvestment bills. Explore the following questions when more data becomes available and there has been additional time to account for the COVID-19 pandemic:
 - Are revocations overall and revocations for technical violations continuing to trend downward?
 - Is the PRISM system being fully used prior to a revocation for technical violations being imposed?
 - If revocations increase, are the increases proportional to any increases in the supervision population?
 - What are the outcomes for people who are released early from supervision?
 - What can be done to create a data sharing system for people who utilize services in both the criminal justice and behavioral health systems?
- Assist counties and jails in strengthening data collection and reporting so state leaders can understand the local impact of policies.
- The courts should examine ways to improve data collection efforts to determine how judicial decision-making is impacting the criminal justice system, specifically how judges are incorporating JR legislation into sentencing decisions regarding probation modifications.

Recommendation: Continue to engage with and support stakeholders that contract with the state to provide services to those at the intersection of the criminal justice system and the behavioral health system.

- The availability of and access to behavioral health services in different regions of the state has been impacted by COVID-19 and budget cuts to WDH-funded services. This should be closely monitored for negative impacts to criminal justice system outcomes.
- Consider outcomes-based service contracts, including data collection and reporting, regular performance and outcome reviews between the state contracting agency and the provider, on- and off-site visit monitoring, outcomes validation, and incentive payment approvals.
- Monitor Justice Reinvestment data and utilize data to guide internal agency training needs and stakeholder engagement strategies for all JR policies, including the use of CCPs, PRISM, and risk/need assessments.

Recommendation: The state should ensure that the enormous effort that has been put into implementing Justice Reinvestment policies is sustained long term.

- Ensure that future legislation does not counter Justice Reinvestment policy so that the state can finish implementation, measure impacts, and sustain changes.
- Ensure that staffing levels are appropriate to allow for the use of evidence-based practices by WDOC and WDH providers.
- Restore funding to the original appropriation for HEA 62 (2020) to support WDOC and WDH in their efforts to improve the behavioral health system that serves people in the criminal justice system.
- Restore funding to the original appropriation for HEA 53 (2019) to support WDOC in holding people on probation and parole accountable with swift, certain, and proportional sanctions.
- WDOC and WDH should work with judges to educate them on using research-driven strategies to reduce recidivism to assist them in working toward utilizing behavioral health resources, reducing revocations, and encouraging early discharge.