

# Hawaii's Public Safety Forum Presentation to HCR 85 Task Force

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**Justice Center**  
THE COUNCIL OF STATE GOVERNMENTS

# Overview



## Welcome and Introductions

1

Exploring the challenges facing Hawaii's criminal justice system

2

Dealing effectively with people who have behavioral health concerns

3

Sharing success stories



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The 50-State Summit on Public Safety was attended by more than 200 individuals from all fifty states.

Representatives largely came from four areas:



Law  
Enforcement



State Legislators



Behavioral  
Health



Corrections  
Administrators

# 50-STATE SUMMIT

## *on* PUBLIC SAFETY

Washington, DC | Nov. 13–14, 2017





The summit produced 70-page workbooks containing national and state-specific data on crime, arrests, recidivism, correctional populations, and other criminal justice system metrics.



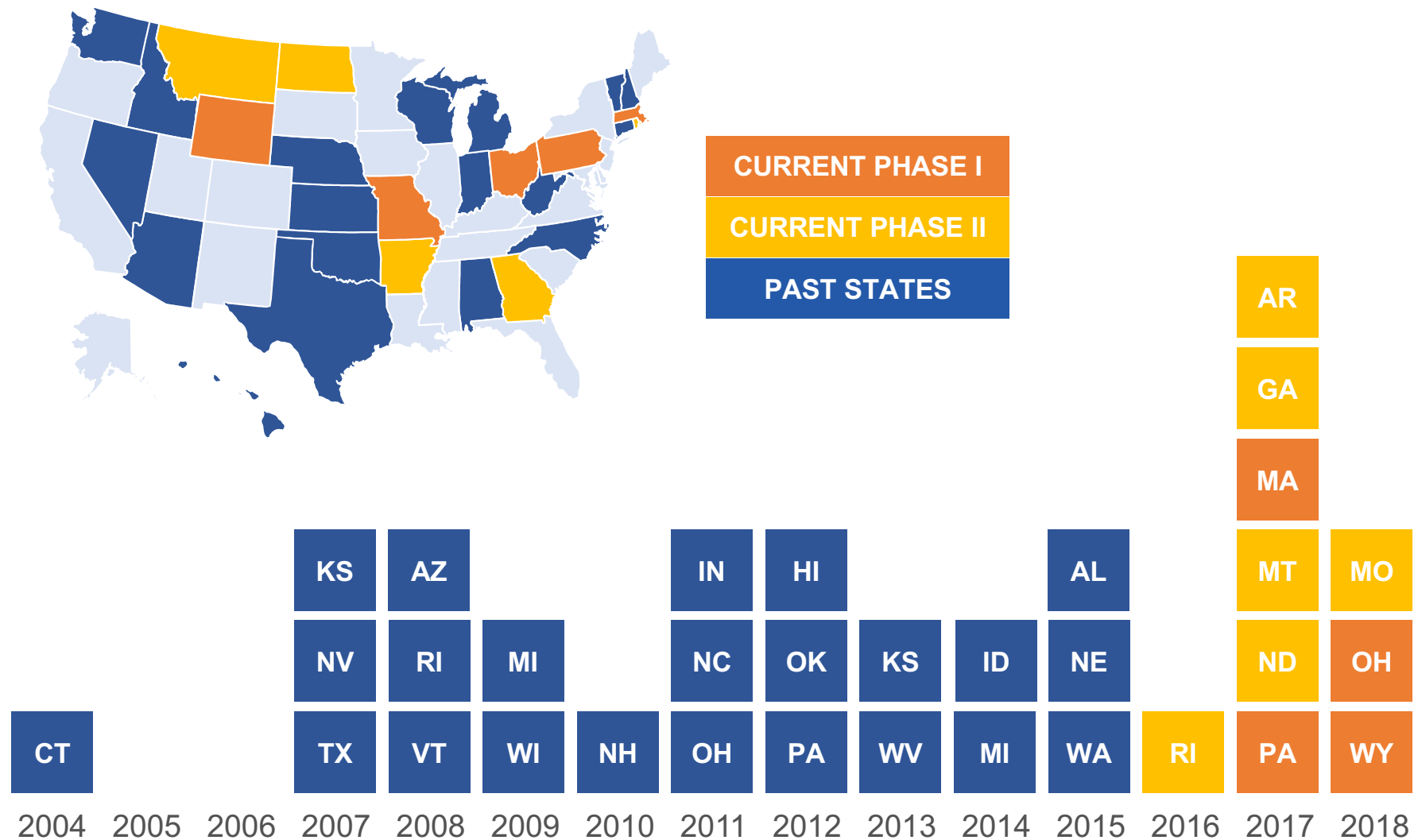
The workbooks not only compiled a large amount of national data repackaged and presented in novel ways, but also included original research gathered from structured interviews conducted with all 50 states on such topics as:

- Recidivism measures tracked and published
- Risk assessment validation
- Use of common identification numbers
- Behavioral health screening
- Supervision expenditures
- Supervision revocation tracking
- Supervision officer training and evaluation

Workbooks for Hawaii and the 49 other states are available at [50statespublicsafety.us/](https://50statespublicsafety.us/)



CSG has worked with 28 states, some twice, on a justice reinvestment approach to address criminal justice challenges.



Governor Ige joined 14 governors in “Face to Face” by sharing in experiences of people affected by the criminal justice system.



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Hawaii faces a number of challenges in its current correctional system.

## **Relief for overcrowding at Hawaii correctional facilities years away**

**ACLU of Hawai'i Report Shows Current Bail Practices Prioritize Wealth Of The Accused Over Risk To The Community**

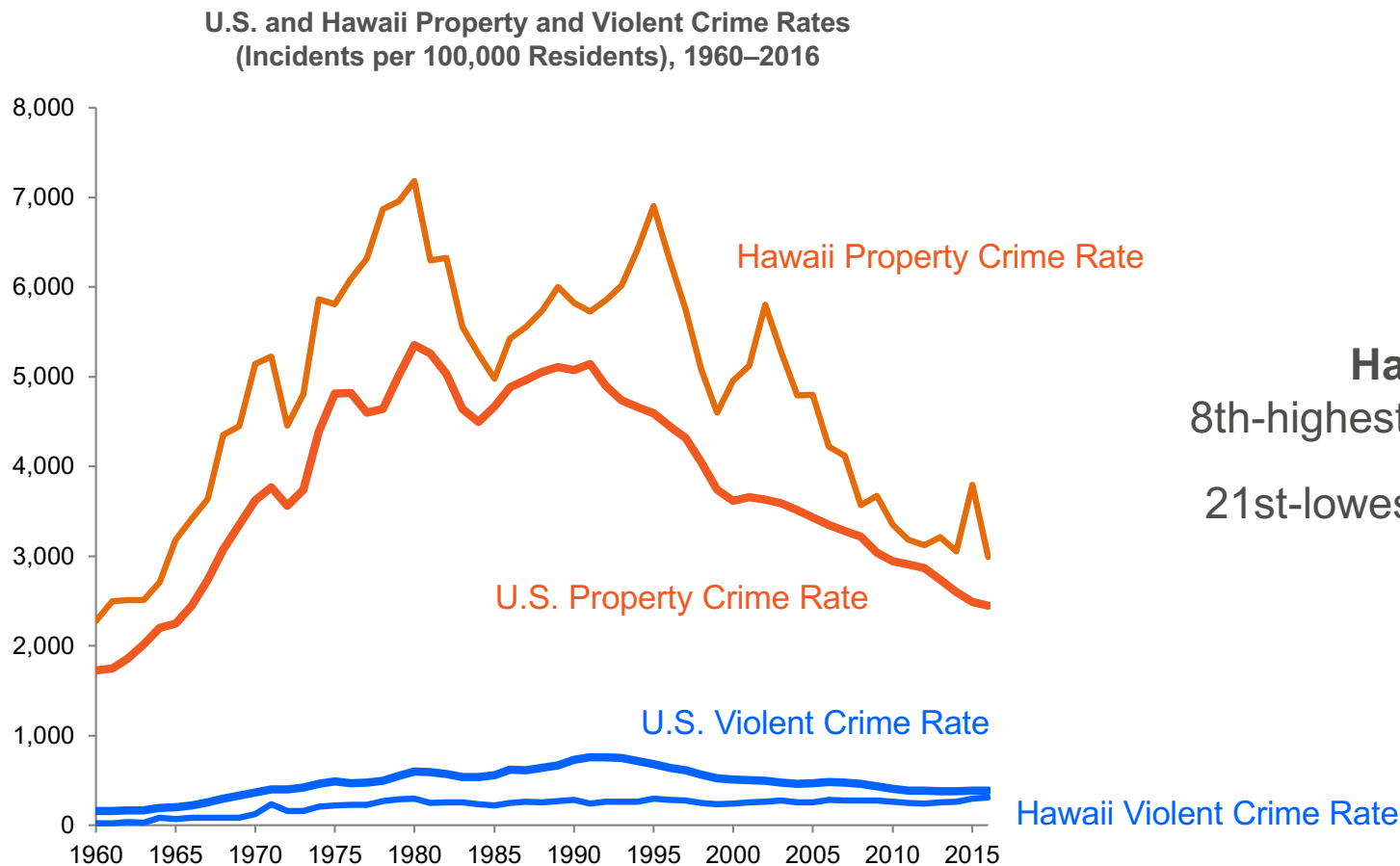
**Hawaii News**

**Programs look to give officers more tools to help people with mental health issues**

**Governor launches Hawaii's first pre-arrest diversion program for homeless**

**Treatment cheaper than new prisons – Justice Wilson**

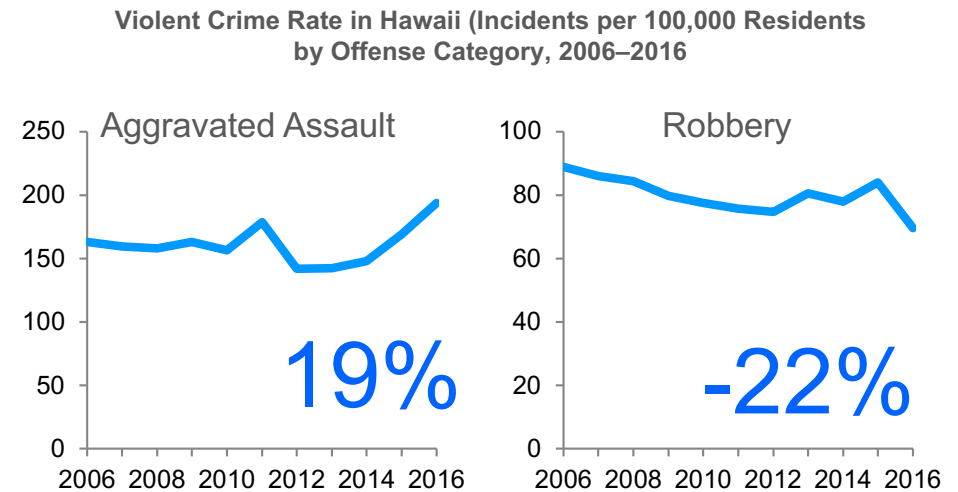
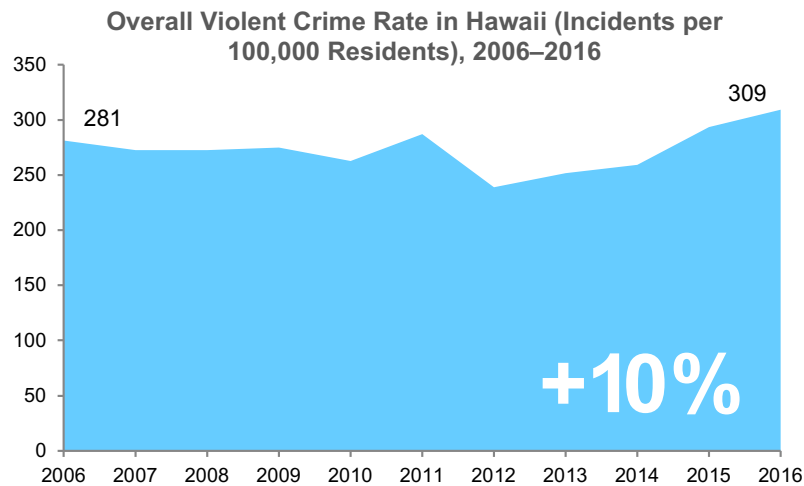
# Hawaii's crime rates have shown similar patterns to U.S. crime rates.



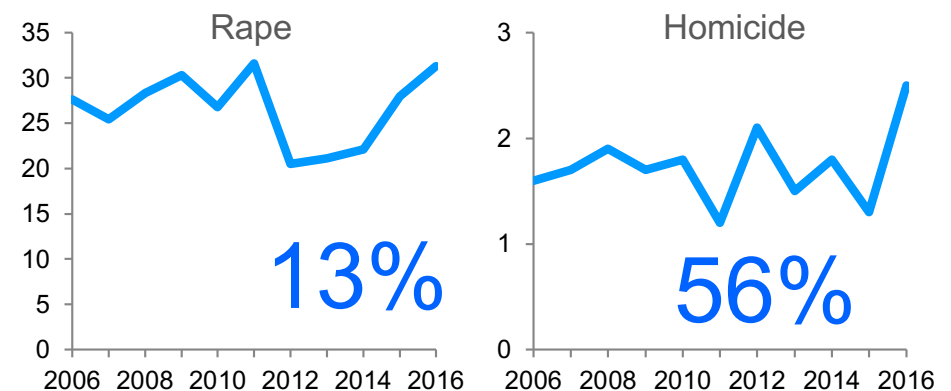
**Hawaii (2016)**  
8th-highest property crime rate  
21st-lowest violent crime rate

Sources: FBI, *Crime in the U.S.*, 2006–2016.

Hawaii's violent crime rate increased 10 percent between 2006 and 2016, driven by an uptick in assaults.



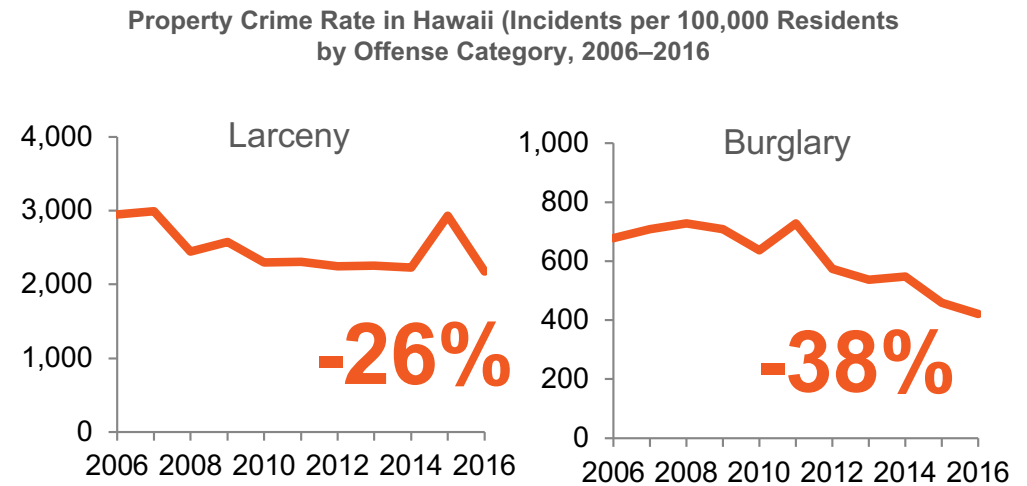
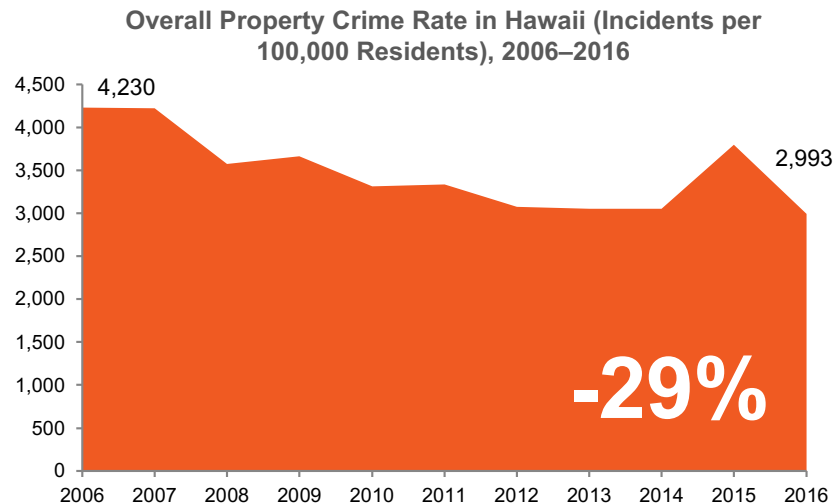
- Hawaii's homicide rate is below 40 other states' despite the increase.
- Despite Hawaii's robbery rate decrease, it retained the 32nd-highest robbery rate in the country



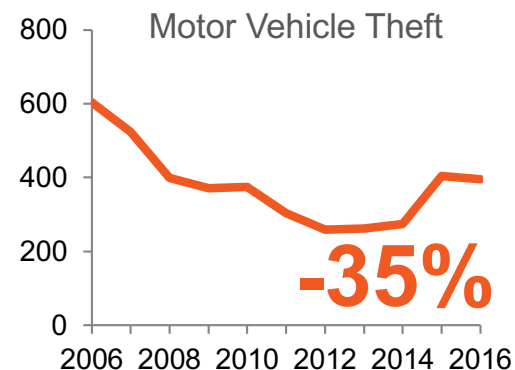
Sources: FBI, *Crime in the U.S.*, 2006–2016.



# Hawaii's property crime rate decreased 29 percent between 2006 and 2016.

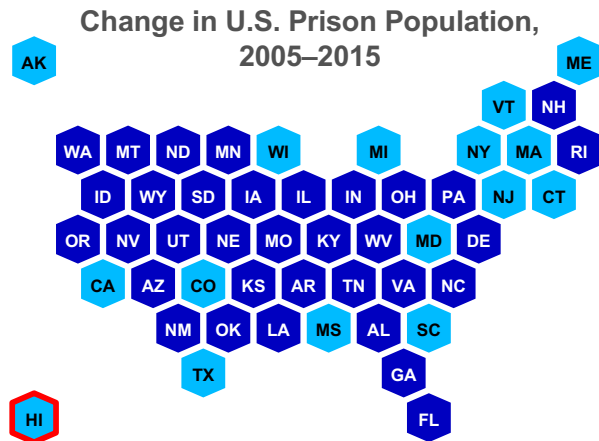


- Hawaii's 38-percent decrease in the burglary rate was the 14th-largest decrease in the country.
- Despite a 26-percent decrease in the larceny rate between 2006 and 2016, Hawaii had the 9th-highest larceny rate in the country in 2016.
- Hawaii's rate of motor vehicle theft was the 6th-highest in the country in 2016.



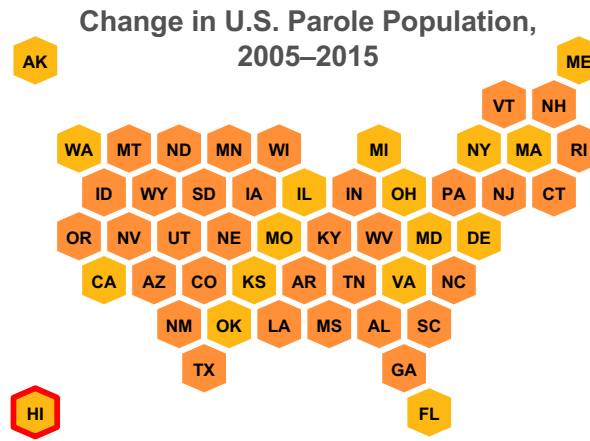
Sources: FBI, *Crime in the U.S.*, 2006–2016.

Unlike most states which saw growth in prison and parole populations over the past 10 years, Hawaii's populations decreased.



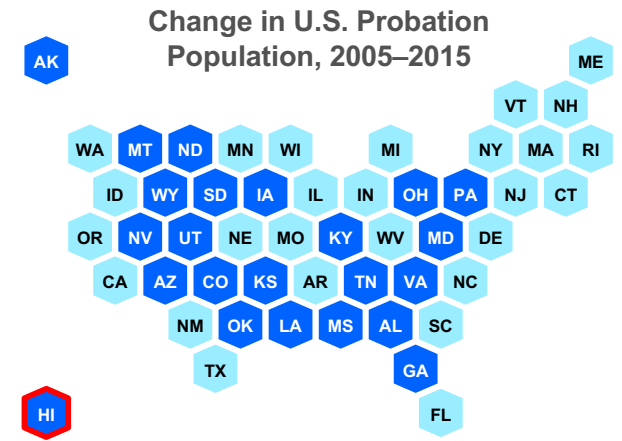
**34** states had an increase in the prison population

**16** states had a decrease in the prison population



**33** states had an increase in the parole population

**17** states had a decrease in the parole population



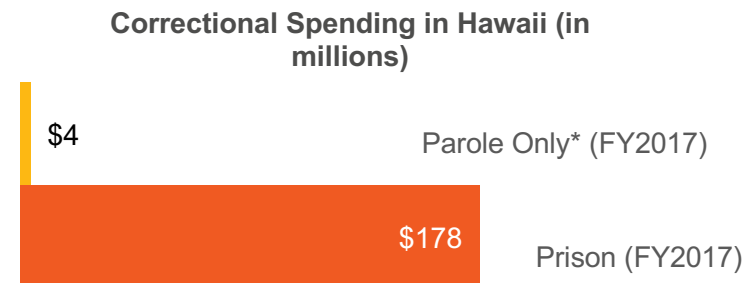
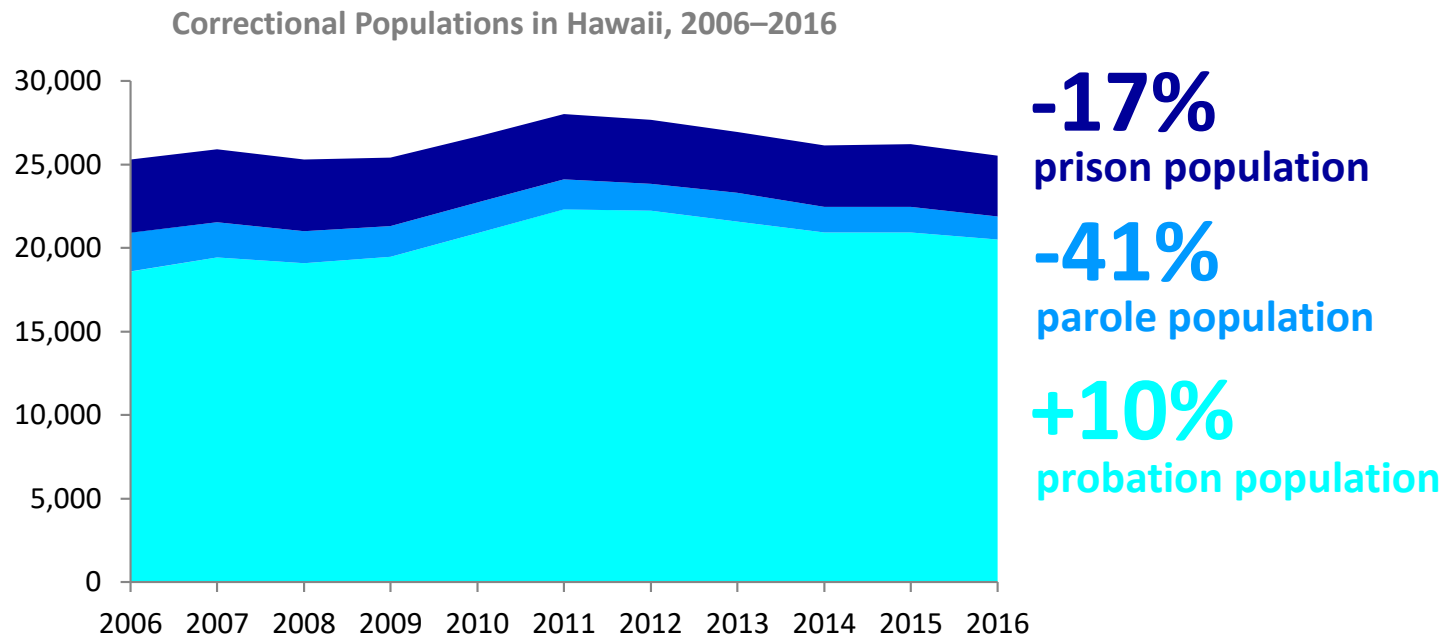
**23** states had an increase in the probation population

**27** states had a decrease in the probation population

5 states had decreases in all three populations—prison, probation, and parole—: California, Michigan, New York, Massachusetts, and Maine.

Source: Bureau of Justice Statistics, Correctional Statistical Analysis Tool (CSAT).

Since 2006, Hawaii's prison population is down 41%, while the probation population has increased by 10%.

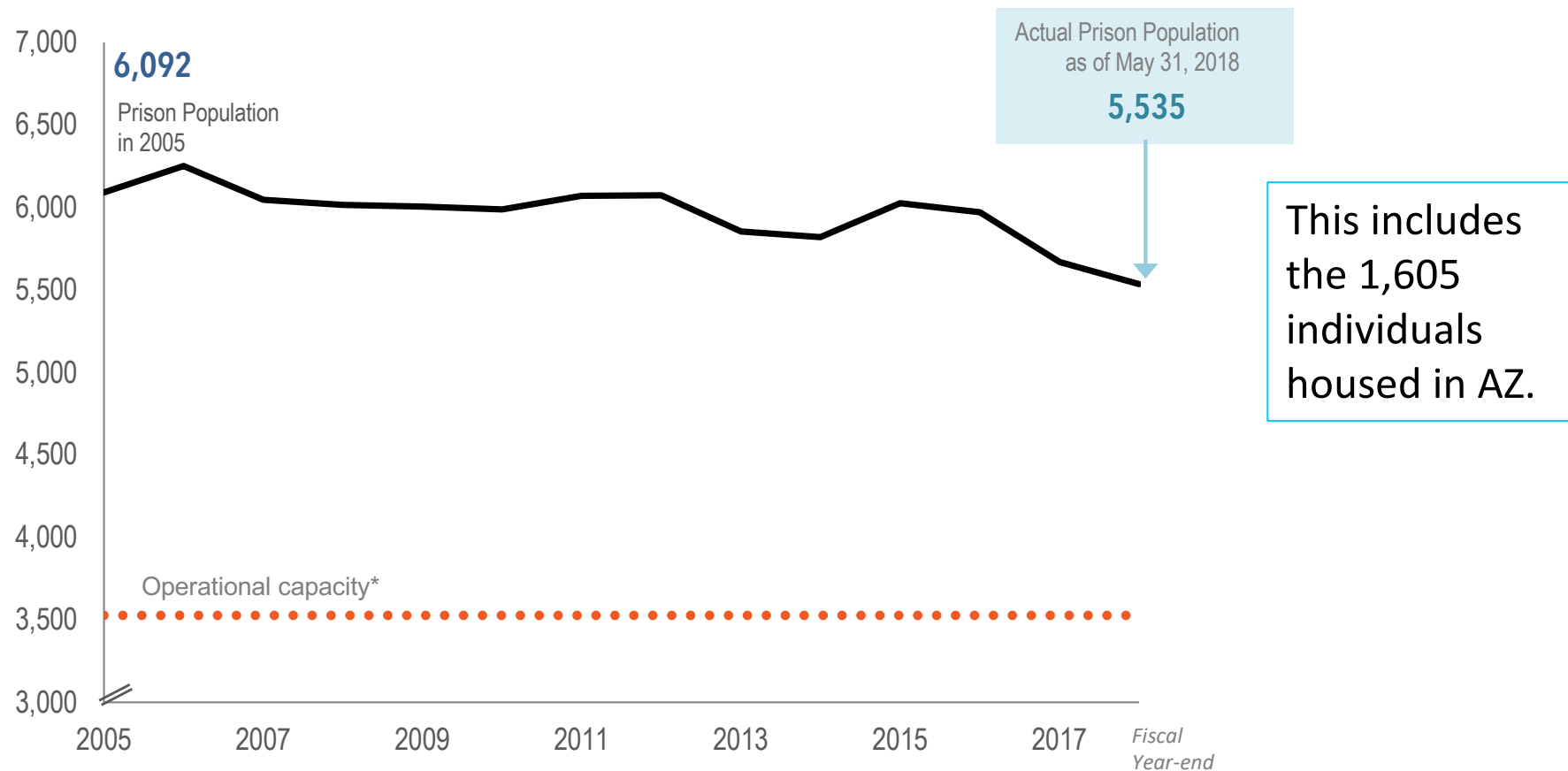


\*Probation is county-operated in Hawaii, therefore total probation funding could not be determined.

Source: BJS, Correctional Statistical Analysis Tool (CSAT); Vera Institute, *The Price of Prisons* (prison expenditures); CSG Justice Center, structured interviews, Aug. 2017 (supervision expenditures).

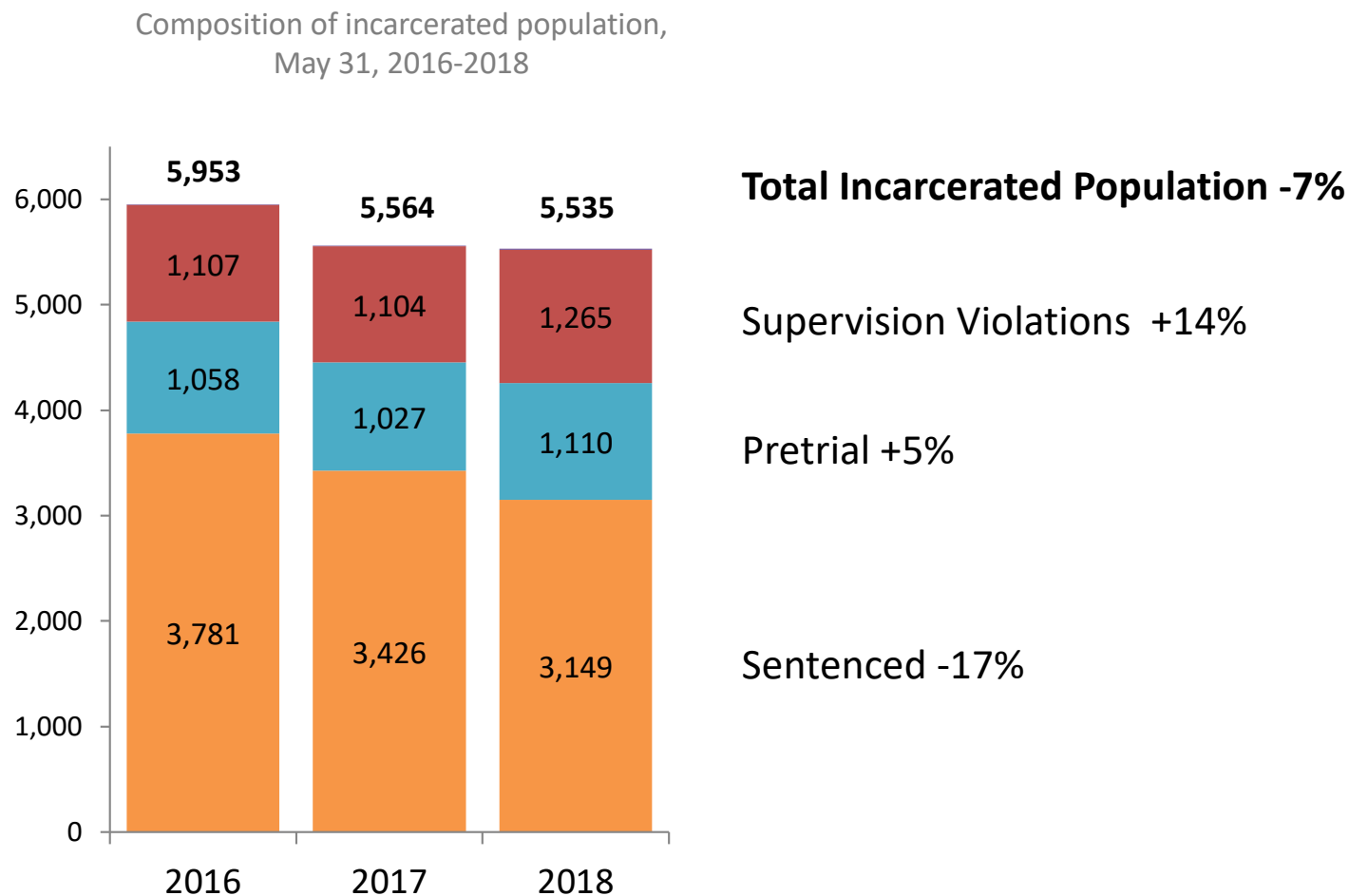


Despite the decline in population, the prisons remain more than 1.5 times over capacity.



\*Source: Prison population figures (2009-16) are courtesy of Hawaii's Department of Public Safety, end-of-month population reports. \*Operational capacity as of May 31, 2018.

# 43 percent of Hawaii's incarcerated population are people who violated their supervision or are being held awaiting trial

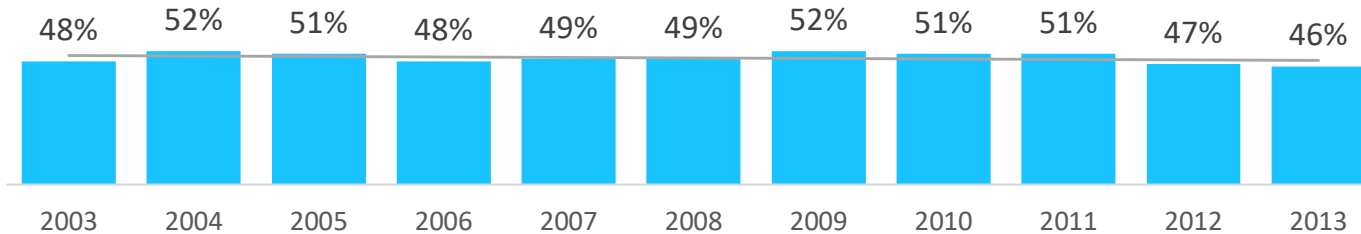


Source: Does were selected based on data availability. Hawaii's Department of Public Safety, end-of-month population reports. <http://dps.hawaii.gov/about/divisions/corrections/>

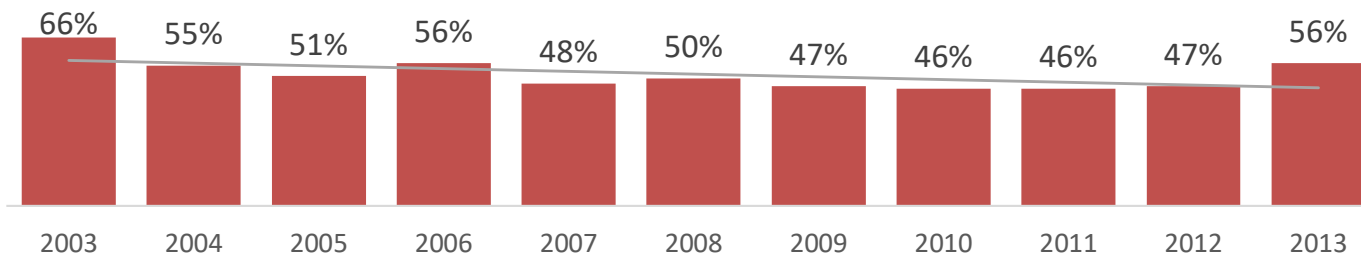
Probationers' recidivism rates tend to be the lowest, parolees' rates have fallen over time, and max-term releases have the highest recidivism.

Three-year recidivism rate for felony probation, parole, and max-term releases within a three-year period, FY2013-2013

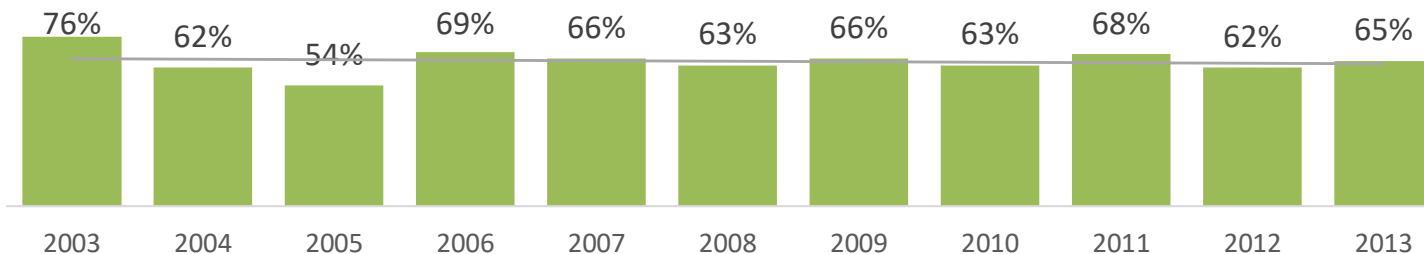
### Felony Probation



### Parole



### Max-Term Releases



Recidivism for the three populations is defined as any new arrest or revocation within three years of the start of supervision. For max-term releases the definition includes only any new arrest

Source: CSG Justice Center, structured interviews, Aug. 2017 (supervision expenditures) . Recidivism rates from <https://icis.hawaii.gov/wp-content/uploads/2017/06/Hawaii-Recidivism-Report-2016.pdf>.



# Key takeaways and questions for further exploration.

## Takeaways

- Hawaii's probation and parole population is 85 percent of people under criminal justice system control.
- Correctional facilities are significantly above capacity even with the recent prison population decrease.
- Supervision violators and pretrial detainees comprise 40 percent of the correctional facility population.
- Recidivism rates vary by population: Felony probation recidivism rates are the lowest rates, parolee rates are higher but have fallen, and the max-term releases have the highest rates.

## Questions

- What does more real-time recidivism data tell us about exits from probation and parole, including revocations for condition violations or for new criminal convictions?
- What effect is Hawaii's probation population growth having on capacity to deliver adequate supervision and services for the higher-risk population?
- What populations are driving admissions to Hawaii correctional facilities?

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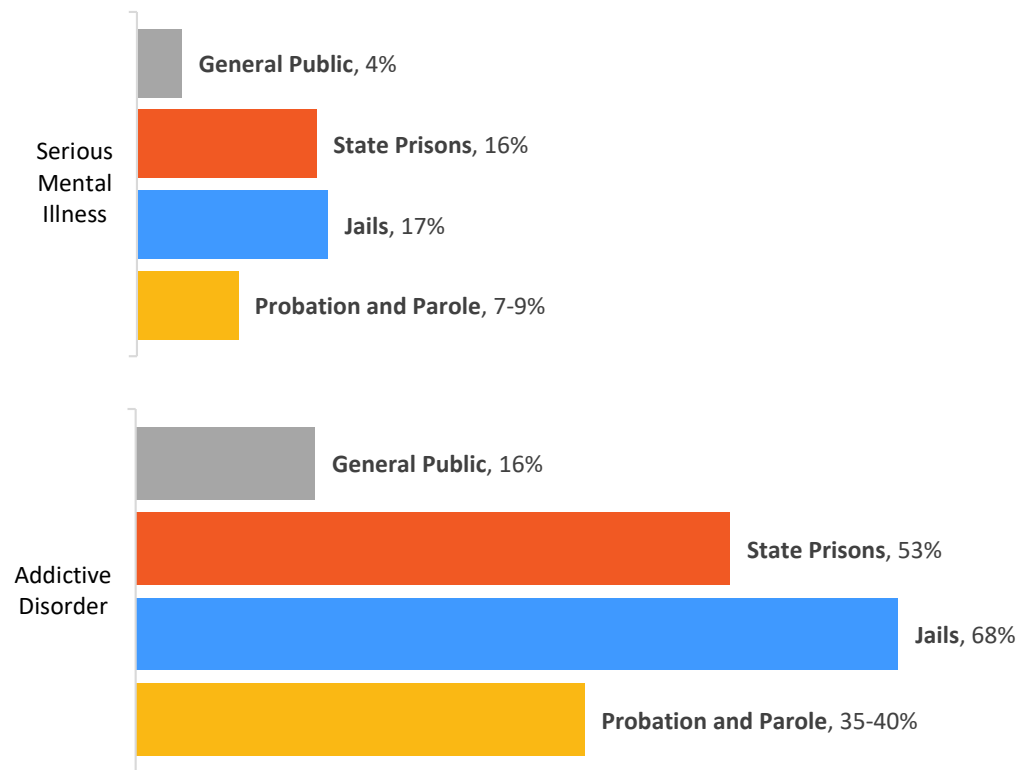
Sharing success stories



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People on community supervision or in jail or prison have much higher rates of serious mental illness and substance use disorders than the general population.

Estimated Proportion of Adults with Mental Health and Addictive Disorders in U.S. Population and under Correctional Control and Supervision



**Mental illness and addiction disorders are not directly tied to criminal behavior.**

Rather, due to inadequate behavioral health resources, law enforcement often serves as first responders to mental health crises and jails, rather than hospitals, are where individuals in crisis are sent to stabilize.

Source: Alex M. Blandford and Fred Osher, *Guidelines for the Successful Transition of People with Behavioral Health Disorders from Jail and Prison* (New York: SAMHSA's GAINS Center and The Council of State Governments Justice Center, November 2013).

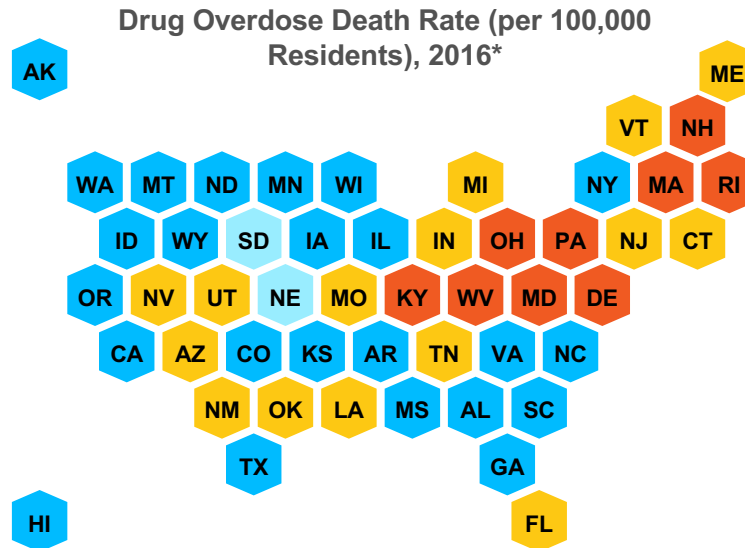
# Drug overdose rates in Hawaii have more than doubled in the last ten years.

**fewer than 10**  
drug overdose deaths

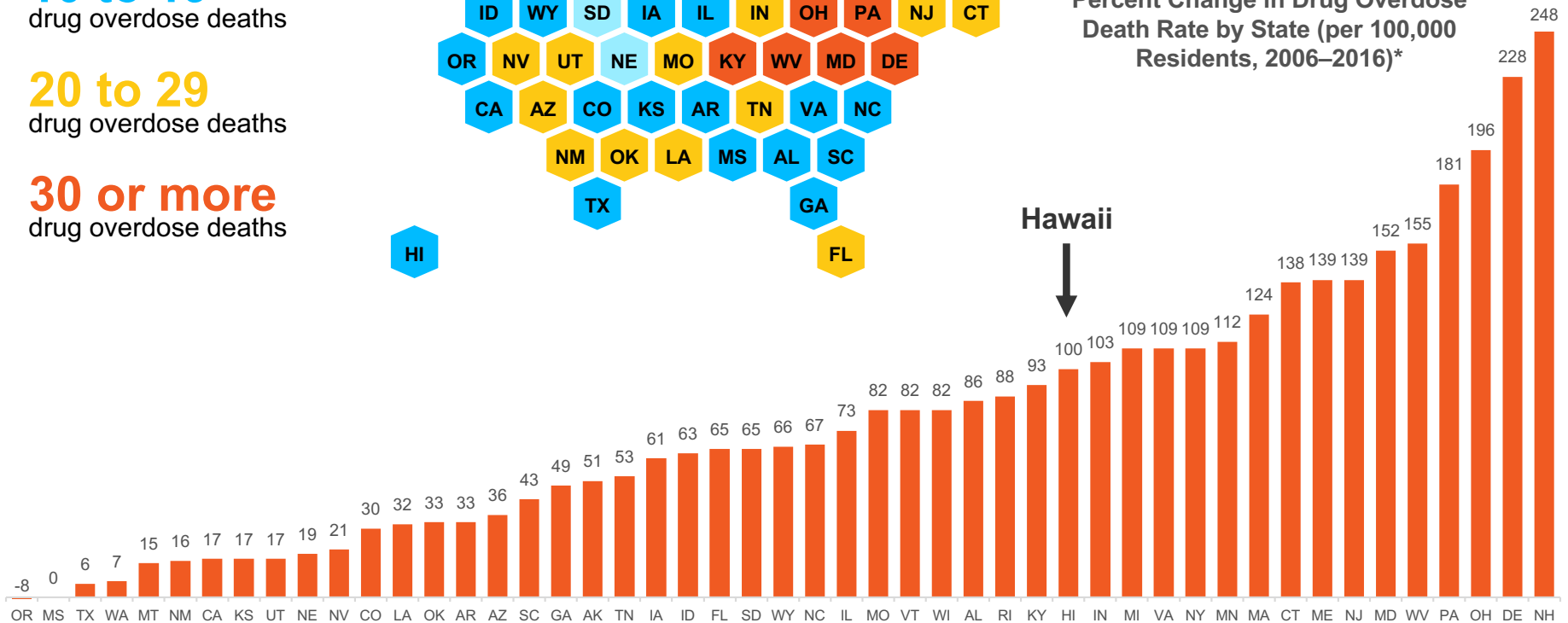
**10 to 19**  
drug overdose deaths

**20 to 29**  
drug overdose deaths

**30 or more**  
drug overdose deaths



**Percent Change in Drug Overdose Death Rate by State (per 100,000 Residents, 2006–2016)\***

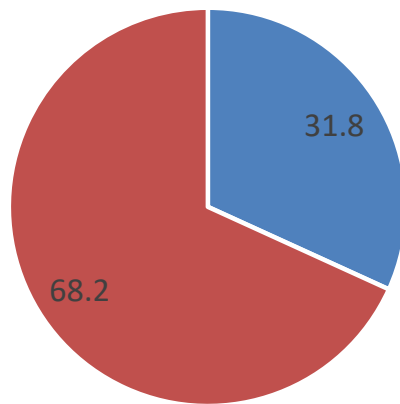


\*Age-adjusted death rates.

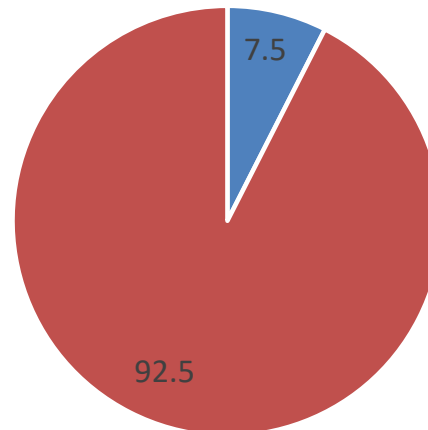
Source: CDC, *Increases in Drug and Opioid-Involved Overdose Deaths, United States*.

Most people in need of treatment in Hawaii, and across the country, do not receive it.

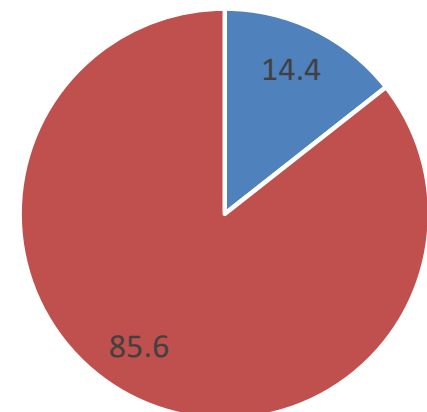
Treatment for Mental  
Illness\*



Treatment for Alcohol Use



Treatment for Illicit  
Drug use



 Treated       Untreated

Source: SAMSHA's Behavioral Health Barometer Hawaii, 2015. Available here: [https://www.samhsa.gov/data/sites/default/files/2015\\_Hawaii\\_BHBarometer.pdf](https://www.samhsa.gov/data/sites/default/files/2015_Hawaii_BHBarometer.pdf)



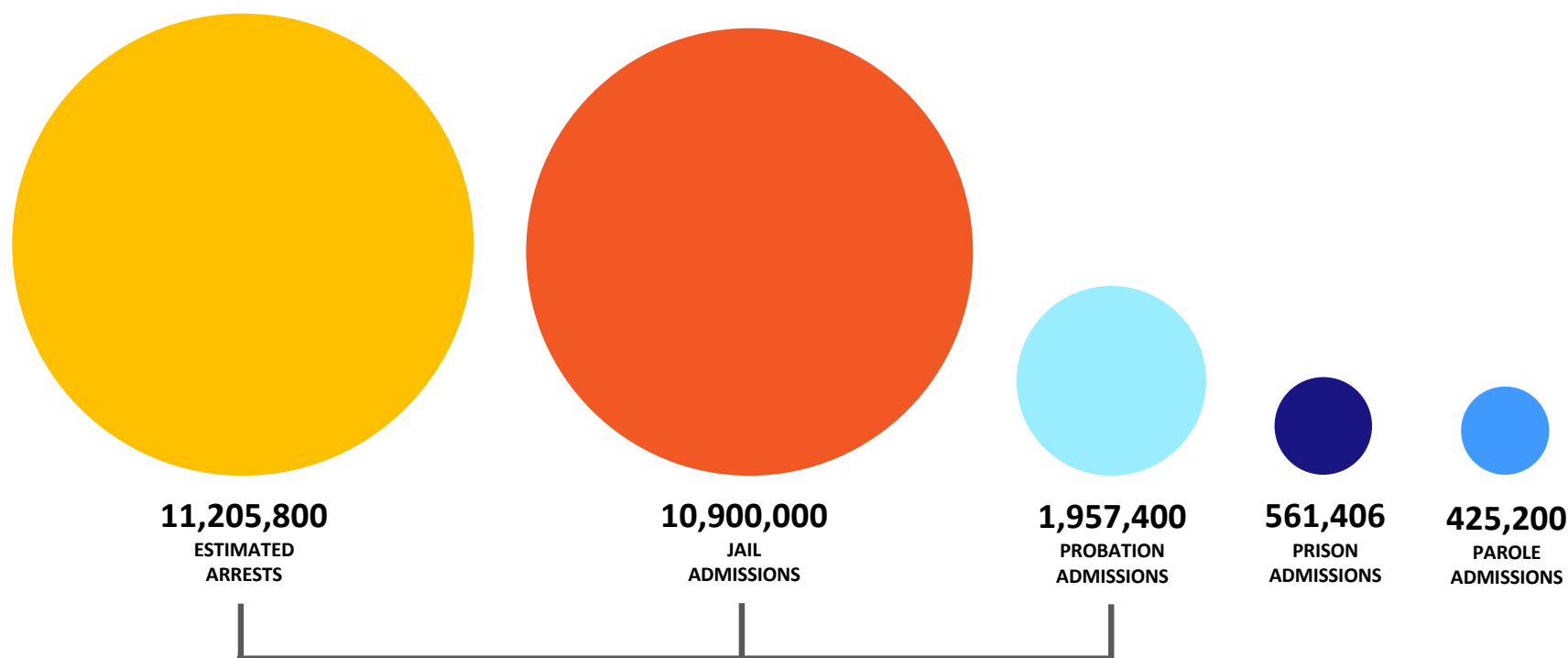
Improving health and public safety outcomes requires states to address four key challenges at a systematic and statewide level.

- 1** **Improve identification** of people who have behavioral health needs in the criminal justice system
- 2** **Ensure availability** of a comprehensive array treatment and services
- 3** **Increase effectiveness** of treatment to improve public safety and health outcomes
- 4** **Strengthen collaboration** between behavioral health and criminal justice agencies at the state and local level

1

Screening and assessment for behavioral health needs is lacking most at the front-end of the criminal justice system, where both the volume of people and number of diversion opportunities are the greatest.

U.S. Local Jail and State Probation, Parole, and Prison Admissions, 2015\*



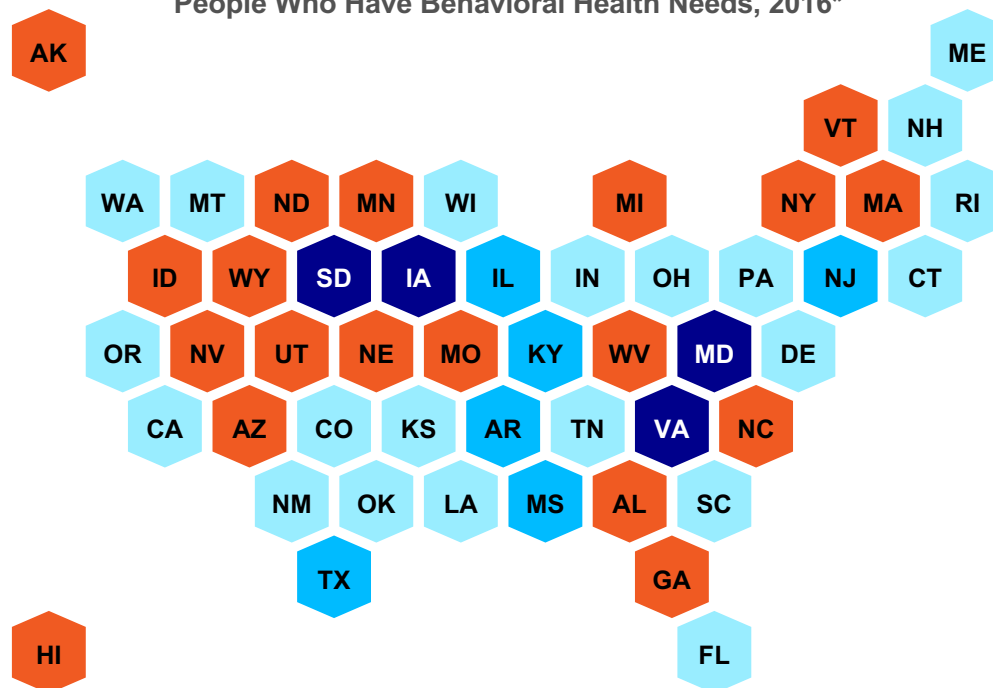
Little information about the behavioral health needs of these populations is currently collected or reported in a way that can inform policy or practice

Source: Bureau of Justice Statistics, Jail Inmates, 2015, Prisoners 2015, and Probation and Parole 2015.

1

States are increasingly trying to improve police responses to people who have behavioral health needs.

State Requirements on Police Training in Responses to People Who Have Behavioral Health Needs, 2016\*



\*Crisis intervention teams are formal partnerships among police departments and mental health care providers with specific training models that agencies must follow. Training requirements related to responding to people who have behavioral health needs include any other training outside of crisis intervention teams.

Source: <http://www.ncsl.org/research/civil-and-criminal-justice/law-enforcement.aspx>.

## 19 states

do not have laws regarding training requirements for police on responding to people who have behavioral health needs

## 21 states

have laws requiring training for police on responding to people who have behavioral health needs

## 6 states

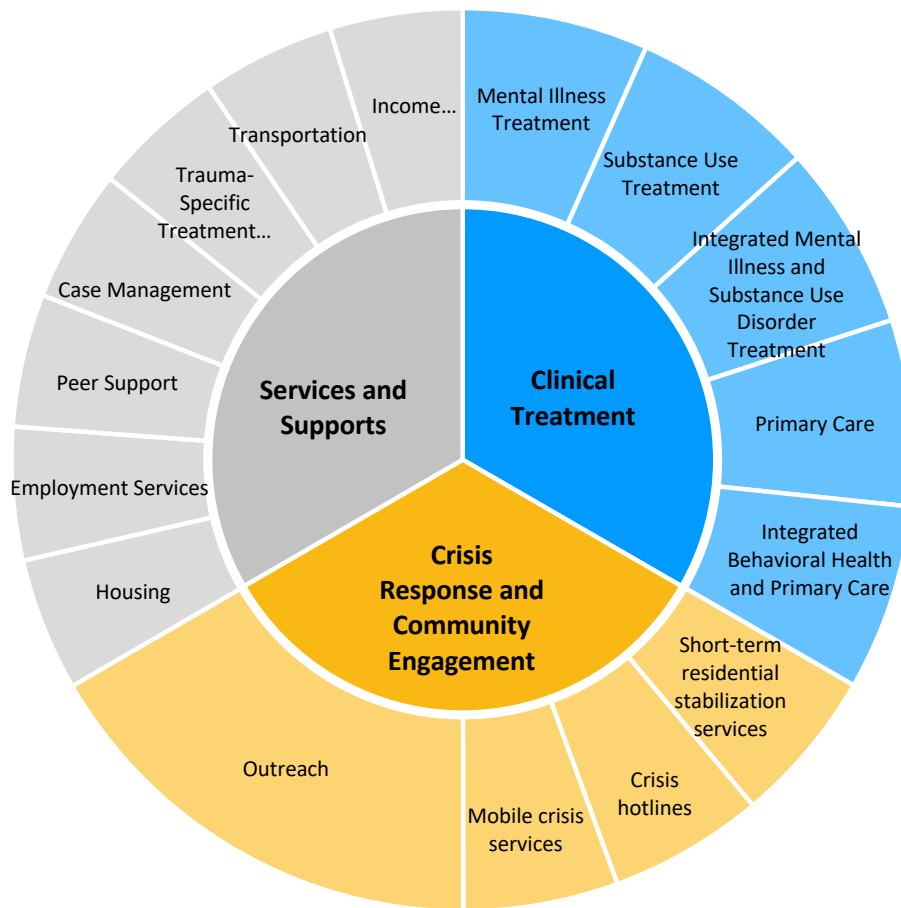
have legislative requirements for the establishment of crisis intervention teams

## 4 states

have laws requiring training *and* legislative requirements establishing crisis intervention teams

2

States must ensure access to the range of treatment and services necessary to adequately address those needs.



A variety of services, clinical treatments, and crisis responses are necessary to help people gain stability and progress to recovery

3

To improve public health and safety outcomes, services must be targeted to the right people, be evidence based, and of high quality.

Key Principles and Practices for Increasing Program and Treatment Effectiveness

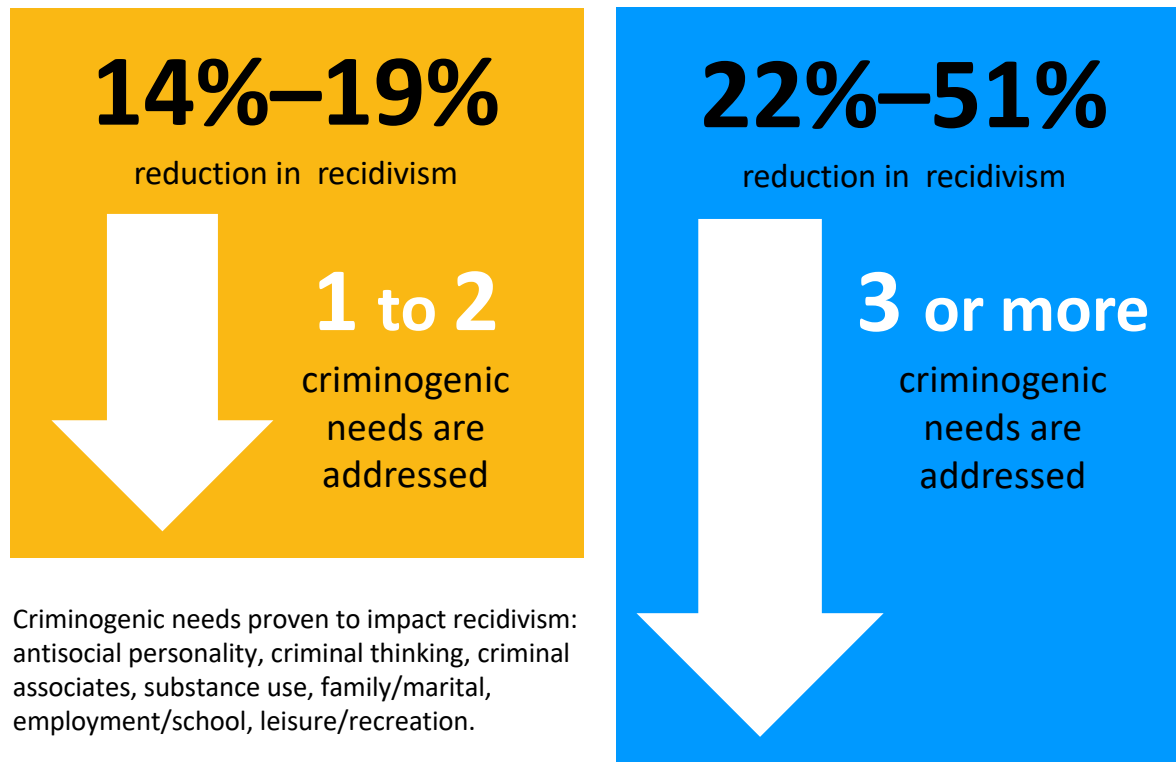
Priority	Principle	Practice
1	<b>WHO:</b> target the right people based on risk	<ul style="list-style-type: none"><li>✓ Assess risk</li><li>✓ Program based on risk</li><li>✓ Address multiple needs</li></ul>
2	<b>WHAT:</b> rely on effective programs	<ul style="list-style-type: none"><li>✓ Use research</li><li>✓ Integrate services</li><li>✓ Intensity and speed</li><li>✓ Offer a continuum</li></ul>
3	<b>HOW WELL:</b> implement with quality and fidelity	<ul style="list-style-type: none"><li>✓ Implement inconsistently</li><li>✓ Ensure fidelity</li><li>✓ Evaluate programs</li><li>✓ Train staff</li></ul>



3

Effective programs must also address multiple needs simultaneously, including both behavioral health needs and criminogenic needs.

Reduction in Recidivism for People on Supervision by Number of Criminogenic Needs Addressed\*

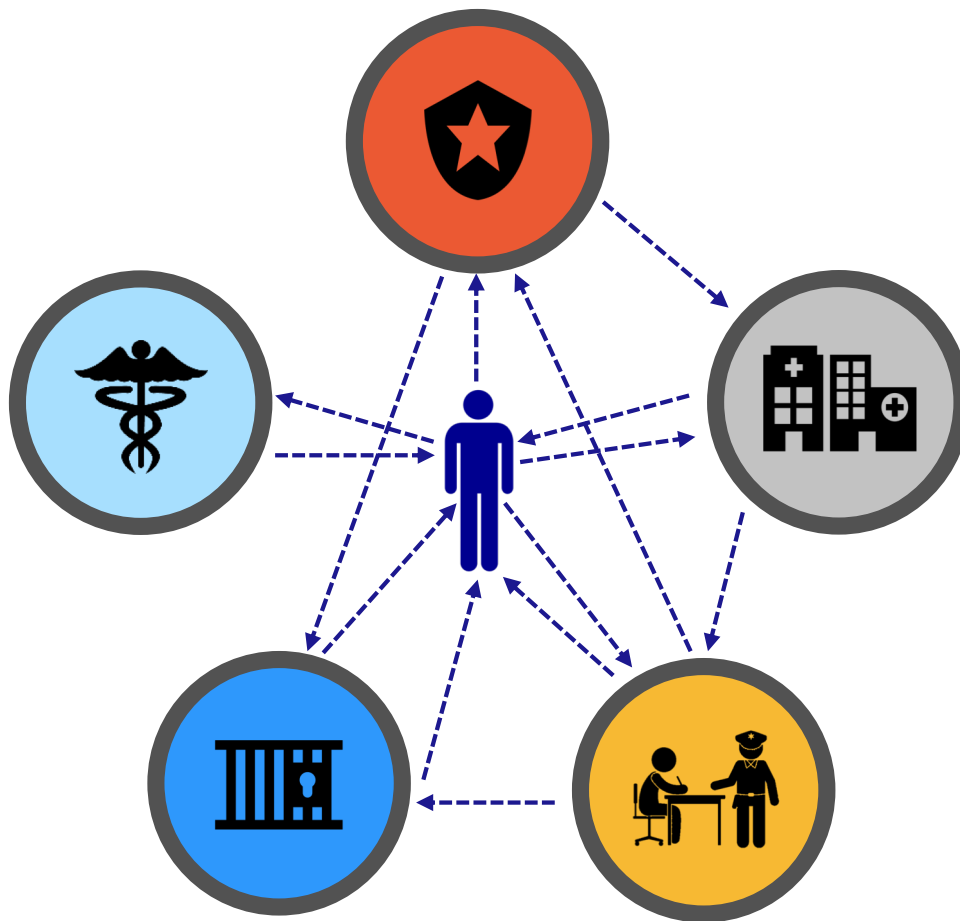


\*Addressing non-criminogenic needs, such as self-esteem, can reduce the impact of targeting criminogenic needs.

Source: James Bonta and Donald A. Andrews, *The Psychology of Criminal Conduct*, 5th ed. (London, NY: Routledge, Taylor & Francis Group, 2017).

4

People with behavioral health needs who are involved in the criminal justice system often interact with a number of agencies that do not communicate directly with each other about that person's care or status.



The criminal justice “system” is actually a fragmented collection of criminal justice agencies and the behavioral health agencies who serve criminal justice involved people.

While a person may interact with each agency, the agencies themselves often do not communicate, coordinate, or collaborate.

# Key takeaways and questions for further exploration.

## Takeaways

- People in the criminal justice system have higher rates of mental illness than the general public.
- The vast majority of people with mental illness and substance use disorder do not receive treatment.
- To combat the problem of people with behavioral health problems entering the state's prison/jails, there must be adequate opportunities to access an array of services in the community.

## Questions

- How is the state currently identifying individuals with behavioral health problems and diverting them out of the criminal justice system?
- How can resources in the community be directed to those who pose a high risk of reoffending and have serious behavioral health conditions?
- How can community providers be incentivized to work with criminal justice populations?
- How can criminal justice and behavioral health providers work together to enhance the experience and outcomes for justice-involved clients?

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# What could Hawaii do to improve public safety?

## 1. Support law enforcement efforts to deter crime

### **Public safety challenges**

- Hawaii's violent crime rate increased 10 percent to meet the US rate.
- Hawaii's property crime rate fell 30 percent but remains above the US rate.

### **Increase public safety**

- Analyze crime and arrest data and engage law enforcement and communities to identify factors driving crime.
- Support effective policing strategies that focus on specific types of crime, the people who are committing crime, the place where crime is taking place, and the time when it is occurring.



# What could Hawaii do to improve public safety?

## 2. Avoid correction costs driven by supervision violators and pretrial detainees

### **Corrections cost challenges**

- 30 percent of Hawaii's incarcerated population is housed on the mainland despite a recent decrease.
- Supervision violators and pretrial detainees are 40 percent of Hawaii's incarcerated population.

### **Prioritize incarceration for people with serious and violent offenses**

- Analyze data—including admission and length of stay—to identify factors driving the increase in supervision violators and pretrial detainees.
- Analyze demographics of the incarcerated population and develop strategies to tailor supervision and programs for women, the Native Hawaiian population, and other communities.
- Provide swift and cost-effective responses to supervision violations and use risk assessments to prioritize pretrial resources and services for higher-risk populations.

# What could Hawaii do to improve public safety?

## 3. Hold the supervision accountable for meaningful behavior change and compliance with conditions

### **Supervision system challenges**

- Hawaii's supervision population makes up 85 percent of the criminal justice population, yet resources are disproportionally allocated for the incarcerated population.
- Hawaii's probation population grew 41 percent, heightening pressure to deliver adequate supervision dosages to higher-risk probationers.
- 

### **Strengthen supervision**

- Analyze probation and parole exit data to develop more real-time recidivism measures involving reason for revocation, length of time on supervision prior to violation, and other factors.
- Capture recidivism outcomes by risk level and prioritize supervision resources on the higher-risk population.
- Expand the availability and use of sanctions and incentives available for supervision officers to respond swiftly and with certainty to probationer and parolee behavior and compliance.

# What could Hawaii do to improve public safety?

## 4. Respond effectively to the behavioral health needs of people in the criminal justice system

### **Behavioral health challenges**

- People in prison have rates of serious mental illness and substance addictions at triple and quadruple the rates of the general public.
- Of people in need of mental health and substance addiction treatment, only 32 and 14 percent can access it.
- People in the criminal justice system with behavioral health needs straddle multiple, fragmented systems that often are disconnected to their care or status.

### **Analysis and policy options to improve behavioral health outcomes**

- Analyze data to identify a high-utilizer population in the criminal justice and behavioral health system that is high-risk and high-need.
- Provide incentives to behavioral health care providers to work with people in the criminal justice system and improve outcomes across appropriate performance measures.
- Create linkages between Hawaii's criminal justice and behavioral health systems to improve recidivism and behavioral health outcomes.



# SD adopted policies to improve outcomes for Native populations

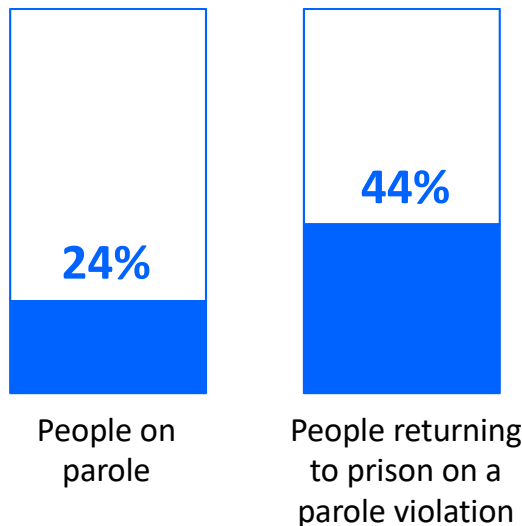
## Challenges identified

Disconnect between parole condition requirements and challenges faced by those returning to tribal lands upon release from prison.

Limited ability to supervise and provide alternatives to revocation for people living outside state jurisdiction on tribal lands.

Lack of engagement and trust in the reentry process among tribal communities.

### % Native American



### Policy solutions

DOC partnership with local tribe to provide parole supervision on tribal lands.

Creation of a Wellness Team to assist in developing culturally appropriate responses to behavior and accessing services and support.

**In the first two years of operating a pilot program where DOC partnered with local tribes to provide supervision, parole success rates climbed and absconding rates declined.**

States are increasingly using community-based revocation responses in lieu of returning people to prison.



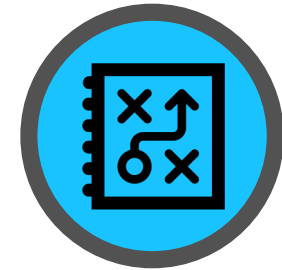
**PA**

An array of community-based services and revocation centers reduced parole revocations to prison by more than 1,000.



**MT**

Recently revised the incentives and interventions response grid and limited technical revocations to prison to no more than 9 months



**MO**

Currently repurposing Community Service Centers to provide a facility to respond to revocations and provide gender-responsive services to women

**“Jail sanctions do not outperform community-based sanctions.”**

*Source: Wodahl, Boman, Garland (2015). Journal of Criminal Justice.*

## States that incentivize effective treatment of criminal justice-involved individuals with behavioral health needs.



**KS**

Required providers to utilize interventions that are effective with criminal justice populations and pay enhanced rates for this clientele



**MA**

establishing a public-private pilot program to test strategies to strengthen care coordination and structure reimbursement to incentivize the provision of specialized behavioral health services to support people who are at a high risk of reoffending on probation or parole



**WV**

Established grants to create Treatment Supervision programs and served more than 350 individuals in the first 4 months





## Arkansas: Investing in Law Enforcement Training and Crisis Stabilization Units (CSUs)



**\$6.4M**

of state dollars reinvested to open 4 CSUs across the state and to train officers to deal with mentally ill individuals



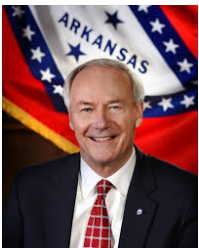
**290**

Law enforcement officers and 6 mental health staff trained in 40-hour Crisis Intervention Training (CIT)



**1,190**

People to be served annually in the 4 CSUs



*"We are cutting the ribbon on a new approach to law enforcement and the treatment of those in mental-health crisis. This is the grand opening of a second chance and a new life for the many people who will benefit from the care they will receive."*

*—Governor Asa Hutchinson*



# North Dakota: Investing in Community-Based Behavioral Health Services Instead of Prisons

## \$7M

of state dollars  
reinvested in providing  
upfront reinvestment  
in an innovative  
behavioral health plan

## \$500K

of state dollars to  
expand the provider  
workforce

### Improve Quality of Services



Create a service delivery partnership between private health care providers and the Department of Human Services (DHS) to ensure that people in the criminal justice system have access to a full continuum of support services. To encourage quality of care, private health care providers will have an opportunity to earn additional compensation for exceeding key outcomes set by DHS.

### Expand Provider Workforce



Increase utilization of key paraprofessionals, specifically peer support specialists and case management services.



Require the development of a statewide strategic plan for increasing the number of community-based behavioral health care providers who are qualified to work effectively with criminal justice populations.



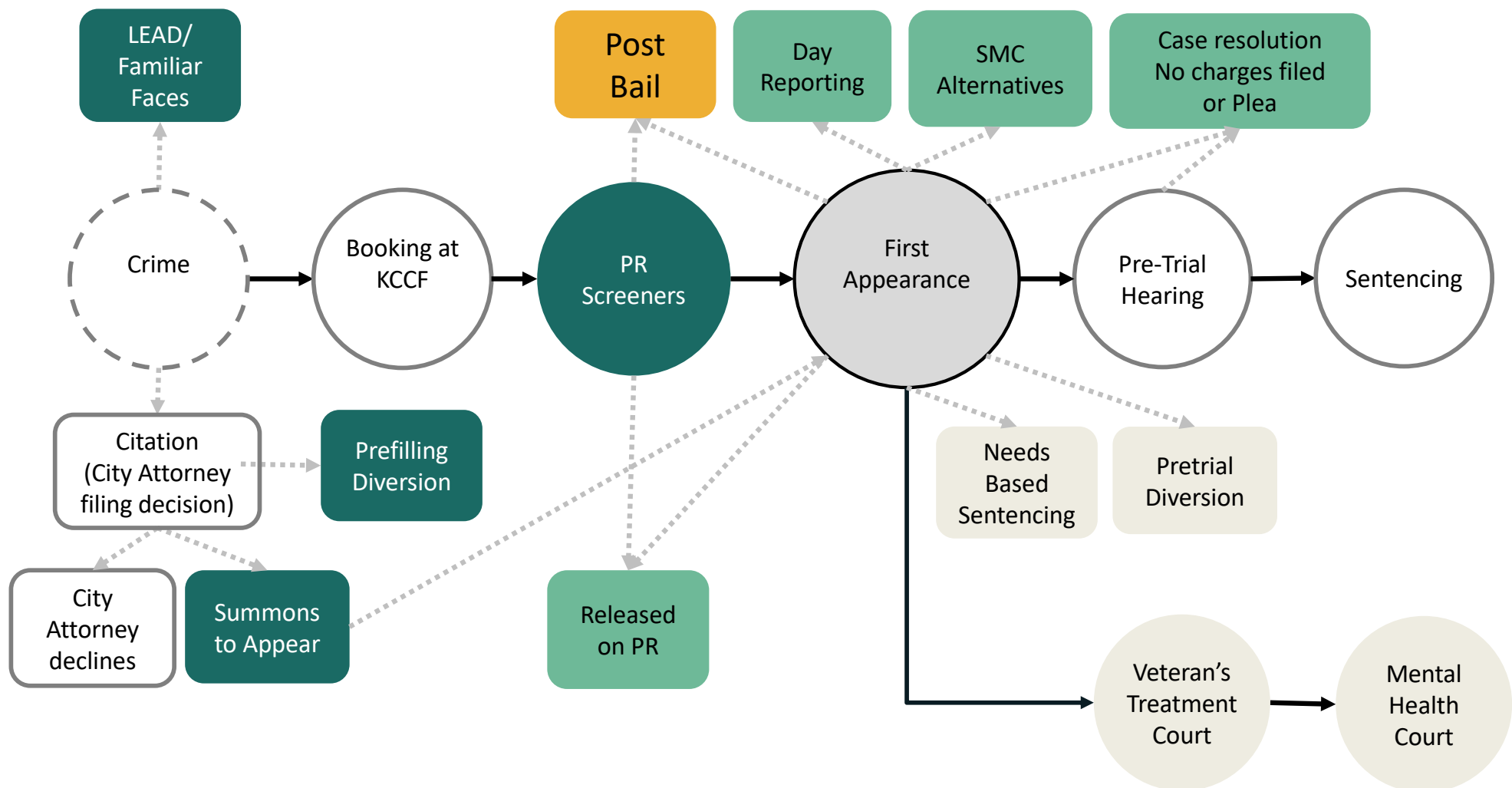
Provide sufficient funding to implement the workforce strategic plan.



*"Building new jails and incarcerating people with the chronic disease of addiction and in desperate need of help is the most expensive and least effective course of action. With this legislation, we can give those dealing with substance abuse and other behavioral health issues who become entangled in the legal system an opportunity to recover successfully and return to their communities."*

—Governor Doug Burgum

Seattle's municipal system has a number of diversion opportunities.





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