



## **Resolution regarding the need to enact effective and cost-efficient corrections policies across the country**

*Ratified: September 13, 2015*

**WHEREAS**, the National Foundation of Women Legislators (NFWL) recognizes the critical need for effective, ethical, and cost-efficient criminal justice policies across the country;

**WHEREAS**, the crime rate has been falling across the country for the last decade, declining an additional four percent nationally in the last year;<sup>i</sup>

**WHEREAS**, state prisons confine 1.3 million offenders, at a rate of 417 per 100,000 U.S. residents of all ages,<sup>ii</sup> 2.3 million children have a parent incarcerated,<sup>iii</sup> and more than 90 percent of these offenders will exit prison and return to their communities eventually;

**WHEREAS**, the size and scope of the justice system and criminal codes have dramatically increased in recent years, encompassing actions and issues not traditionally punishable by the criminal law;

**WHEREAS**, corrections expenditures are the second fastest growing budget item for states,<sup>iv</sup> and state funds spent on corrections now exceeds \$50 billion annually;<sup>v</sup>

**WHEREAS**, even with this significant investment, for many low-level offenders, lengthy prison terms may increase rather than reduce recidivism rates;<sup>vi</sup>

**WHEREAS**, providing a lawyer for the first judicial bail hearing provides significant cost-savings by improving defendants' chances of pre-trial release and ultimate finding of innocence;<sup>vii</sup>

**WHEREAS**, instead of a one-size-fits all corrections policy, decades of research have indicated that certain evidence-based practices can reduce recidivism for some offenders by as much as 10 to 20 percent;<sup>viii</sup>

**WHEREAS**, due to these shifts in policies by some states, the state-level incarceration rate is lower than at any point in the last decade, due to effective and cost-efficient criminal justice reforms enacted in several states that reinvested savings from reduced spending in imprisonment on reentering citizen's programs;

**WHEREAS**, the majority of states have cut both their imprisonment and crime rates in the past five years, and the crime decline was greater in states that cut their imprisonment rates than in states that did not;<sup>ix</sup>

**WHEREAS**, legislators have worked in bipartisan ways to expand these effective policies across the country and these efforts must increase in scope and number;

**THEREFORE BE IT RESOLVED**, that the National Foundation of Women Legislators (NFWL) recognizes the need to enact effective and cost-efficient corrections policies across the country;

**BE IT FURTHER RESOLVED**, that the NFWL urges state and local governments to consider sentencing and justice system reforms, including

- sentencing safety valves to foster a reduction in one-size-fits-all sentences,
- adequately funded indigent defense beginning at first appearance,
- increased use of evidence-based correctional policies, including mental health and substance abuse treatment, to reduce recidivism, and
- investment of the savings in effective diversion or reentry policies to reduce the number of citizens involved in the justice system;

**BE IT FINALLY RESOLVED**, that the NFWL calls for state laws that implement these policies to safely reduce prison populations and associated costs, reduce overcriminalization, reunify families impacted by incarceration, and break down barriers to increase the number of ex-offenders who turn to productive, law-abiding lives.

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<sup>i</sup> Federal Bureau of Investigation, Crime in the United States 2013.

<sup>ii</sup> U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Prisoners in 2013 (September 2014).

<sup>iii</sup> The Pew Charitable Trusts, Collateral Costs: Incarceration's Effect on Economic Mobility (Washington, DC: The Pew Charitable Trusts, 2010).

<sup>iv</sup> Pew Center on the States, State of Recidivism: The Revolving Door of America's Prisons (Washington, DC: The Pew Charitable Trusts, April 2011).

<sup>v</sup> National Association of State Budget Officers, State Expenditure Report: Examining Fiscal 2012-2014 State Spending.

<sup>vi</sup> Nagin, Daniel, Francis T. Cullen, and Cheryl Leo Jonson (2009). Imprisonment and Reoffending. The University of Chicago.; Villettaz, Patrice, Martin Killias, and Isabel Zoder (2006). The effects of custodial vs. non-custodial sentences on re-offending: A systematic review of the state of knowledge. Campbell Systematic Reviews 2006:13.

<sup>vii</sup> The Constitution Project, Don't I Need a Lawyer? Pre-trial Justice and the Right to Counsel at First Judicial Bail Hearing (March 2015).

<sup>viii</sup> Warren, R., and Crime and Justice Institute. 2007. Evidence-Based Practice to Reduce Recidivism: Implications for State Judiciaries. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

<sup>ix</sup> The Pew Charitable Trusts, Most States Cut Imprisonment and Crime (January 2015).