



INTRODUCTION

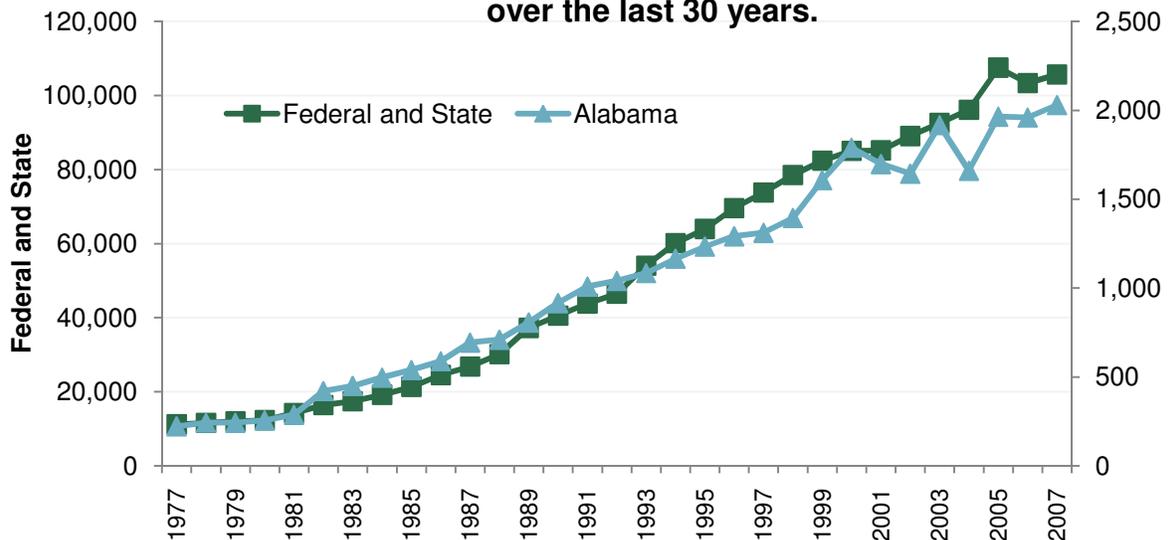
Alabama is at the crossroads of crisis and opportunity regarding its criminal justice system. While the number of people in Alabama being sent to the prison system has continued to increase, growing political will created by financial necessity is forcing decision-makers to start making smarter choices about who should end up in the deep-end of the criminal justice system.

At the start of JPI's work in Alabama, there were more than eight times as many women in the Alabama system as there were in 1977.¹ By comparison, the number of women in state and federal prisons in the United States increased 762 percent, growing from 12,331 in 1980 to 106,410 women in 2008. More than seven times as many women in prisons than there were about 30 years ago.²

While front-end reform, such as sentencing, has captured the attention of numerous organizations and has been the focus of legislative efforts in Alabama, there has also been a quieter call to reform how and when women leave prison. As legal, political, and economic pressures have increased, stakeholders have started to pay particular attention to the policies and inefficiencies that have the effect of leaving hundreds of people who are at low-risk of committing another offense in prison for much longer than is necessary or even allowable by current agency policy.

The need for attention to policies and practices related to classification, parole and other forms of supervised release in particular created the opportunity for a unique collaboration between the Justice Policy Institute (JPI), the Alabama Department of Corrections (Corrections), and

The number of women sentenced to more than one year in prison has increased both at the national level and in Alabama over the last 30 years.



Source: Bureau of Justice Statistics. "Prisoners under State or Federal jurisdiction sentenced to more than one year, Federal and State-by-State, 1977-2004: Statistical Tables," December 2005. www.ojp.usdoj.gov/bjs/dtdata.htm. Heather C. West and William J. Sabol, *Prison Inmates at Midyear 2008* (Washington, D.C.: Bureau of Justice Statistics, 2009) www.ojp.gov/bis/pub/pdf/pim08st.pdf.

the Board of Pardons and Paroles (Parole). JPI worked closely with these agencies to build relationships and collect information to develop a set of recommendations focused primarily on classification³ and parole practices and policies that could quickly and safely move women into less restrictive environments and community-based placements, thus reducing the number of women incarcerated in Alabama's prisons.

The recommendations that came out of this collaboration, and which culminated in a report called *Roadmap for Reduction*, have little or no up-front cost associated with implementation. The recommendations are also practical, specific, sustainable, administrative, and relatively simple, and led to a 45 percent increase in the number of women paroled as well as the safe release of a number of people to community supervision.

Concurrent with the development of these recommendations, JPI continued its collaboration with Corrections and Parole by moving into an implementation phase, hiring two staff members to reclassify all the women in Alabama's prisons and, whenever possible, identifying people who were appropriate for release or reduced custody levels.

This brief is a summary of the process that JPI used to develop recommendations and support their implementation, as well as a summary of how the recommendations worked to reduce the number of women in prison in Alabama. While JPI was a significant contributor to the results outlined in this brief, none of this could have been accomplished without the cooperation and commitment of the Alabama Department of Corrections and the Board of Pardons and Paroles.

PHASE I: RESEARCH AND RELATIONSHIP-BUILDING

JPI took an integrated approach to developing and ensuring implementation of the recommendations. Data gathering, interviews

with agency officials and women in prison, and policy analysis was combined with and achieved through strategic relationship-building. This included not only close collaboration between JPI and the agencies, but also improved communication and cooperation between agencies. Below is a summary of each of the components of the development and support of the subsequent successful implementation of recommendations to reduce the number of women in Alabama prisons through reforming parole and classification policies and procedures.

1) Developed relationships with administrators and stakeholders to bring about reform.

Strong working relationships with key criminal justice decision-makers were not only critical to completing the technical assistance guide and ensuring the most accurate analyses and recommendations, they remain crucial to implementing recommendations and ensuring buy-in for continued reform.

JPI built relationships with the Commissioner, Deputy Commissioner and executive staff of the Alabama Department of Corrections; the Chairman, members and Director of the Alabama Board of Pardons and Paroles; the Director and staff of the Alabama Sentencing Commission; the Director of the Alabama Administrative Office of Courts; and many others. In addition, JPI included allied advocacy organizations including the Vera Institute for Justice, Aid to Inmate Mothers, the Southern Center for Human Rights, and the Alabama Women's Resource Network, as well as people who are directly impacted by the criminal justice system. Because all of the stakeholders were involved in the development of the recommendations, they continue to be invested in the outcomes.

2) Created a comprehensive guide to reducing the number of women incarcerated in Alabama.

JPI focused primarily on addressing inefficiencies in release mechanisms and identifying policies and procedures that could be reformed. In order to complete this guide, formally known as the *Roadmap for Reduction*, JPI engaged in the following activities.

- **Interviewed administrators, staff, practitioners, and other stakeholders:** To get the fullest, most accurate picture of the criminal justice system in Alabama and to develop realistic recommendations that would result in the greatest impact, JPI conducted interviews with a broad and diverse group of people. Crucial to this process were the relationships that JPI built with staff and administrators at the Department of Corrections, Board of Pardons and Paroles and the Administrative Office of the Courts to locate barriers to releasing women from prison to the Supervised Reentry Program, parole, or community corrections.
- **Document review:** JPI collected and reviewed handbooks, manuals, annual reports, and dozens of other documents to understand how the system works and how it impacts women. JPI also reviewed literature and research to make recommendations about best practices in other states or jurisdictions.
- **Data collection and analysis:** JPI received permission to analyze data from the Alabama criminal justice system. Many of the analyses were new to criminal justice system administrators. For instance, JPI staff entered six months of parole decisions, a total of 3,833 entries, to generate never-before-seen analyses about who is granted parole. Previously, the BPP relied on handwritten documents and computer-generated lists showing the outcome of parole hearings.

- **Survey research:** BPP requested information about the involvement of victims in the parole process in other states. To respond to that request, JPI designed and administered a survey to victim services coordinators and parole staff in all 50 states. JPI included the results of the survey in the final report to show how Alabama's procedures for involving victims in the parole process differed from those in other states.
- **Interviewed women in prison:** JPI and volunteers from the Washington College of Law interviewed approximately 130 women in prison facilities in Alabama. JPI used the data collected to show how the conditions inside the facility may be contributing to the length of time that women stay in prison. As a result of these interviews, JPI staff identified specific cases that were later presented to Corrections and Parole agencies for review and consideration for reduced custody or placement in a community-based program through the available release mechanisms in Alabama.

3) Facilitated relationships between criminal justice entities and agencies.

JPI supported the development of a stronger relationship between Corrections and Parole, two criminal justice entities that were critical to the implementation of many of the recommendations in the technical assistance guide. Although the directors of the two agencies would meet regularly to talk generally about operations, JPI facilitated the development of a more intentional collaboration to reduce the number of people in prison and ensure the success of parole.

JPI organized meetings between the leaders of Corrections and Parole, encouraging them to embark on an unprecedented partnership to reduce the number of people in prison. Both agencies recognized that there were significant benefits to working together to solve criminal justice system problems. Corrections and Parole now hold regular meetings with the senior level

staff from both agencies in attendance and work together on joint projects. Parole agreed to provide programming at a transitional center for women whose supervised release was pending. Corrections and Parole have developed multiple systems that allow the agencies to share information and data in order to speed up criminal justice processes such as parole docket setting. Finally, Corrections and Parole partnered in the creation of the “Restart” program, detailed below.

4) Supported implementation of recommendations to increase the number of women released.

The technical assistance guide was a living document during its production. At the same time that JPI staff members were researching and analyzing data, recommendations were forwarded to the relevant agencies as they became apparent. Using preliminary findings from the report, JPI met with the leadership from each agency to show how the implementation of a particular recommendation would work to reduce the number of women in prison. JPI provided additional research as needed and technical assistance during the implementation. For example, JPI observed that the “R” or restricted suffix, a designation that dictates the level of security (e.g. maximum or minimum) at which people in prison are held (and thereby made ineligible for programs that facilitated early release), was applied to women whom risk assessments and other factors indicated would be a low risk if released to the community. Through JPI’s work, changes were made to the policy guiding the use of the “R” suffix, and as a result over 200 people had their restrictions removed.

JPI also used its preliminary findings to help streamline the Parole docket process. JPI observed how the BPP docket process and the lack of data sharing was causing significant delays in the paroling process—delays that were preventing hundreds of people from receiving parole consideration. JPI assisted Parole staff in

solving critical logjams in the docket setting process and brokered data sharing agreements between Parole and Corrections that significantly accelerated the docket setting process.

JPI’s consistent and continued follow-up concerning the implementation of recommendations included meetings with staff and administrators, conference calls, and additional research to provide information about outcomes.

The concurrent development of the technical assistance guide and the implementation of recommendations increased the interest of both agencies in reform and ensured that there was no lag-time between the release of the report and the implementation of recommendations. Without the constant on-the-ground presence of staff and the availability of researchers to provide data, documentation, and citations for recommendations without waiting for a final product, it was possible that Corrections and Parole might have lost the momentum to implement recommendations.

PHASE II: ADDRESSING OVER-CLASSIFICATION

With support from the Public Welfare Foundation and in accordance with a recommendation from the *Roadmap for Reduction*, JPI hired staff to review the classification of all the women in the Alabama prison system to determine if their classification level could be reduced, thus increasing their chances of supervised release.

Corrections recognized that individuals in its custody were frequently “over-classified” and placed in higher custody levels than was necessary to protect public safety, given the person’s profile—a practice that has effectively filled Alabama’s maximum and medium security facilities with people that could be housed in less restrictive and less expensive facilities and given opportunities to participate

in programming only available to people on lower custody levels. On the recommendation of the National Institute of Corrections, Corrections had worked closely with Dr. James Austin to revise the “classification module,” which acts as a risk assessment instrument to determine the least restrictive environment in which a person can be housed. The revised classification module was implemented in April of 2009 to ensure safe placement in the least restrictive environment, but reclassification of all the people in the Alabama prison system proved to be a more time-consuming job than anticipated.

In the summer of 2009, Corrections and JPI staff recognized the opportunity to expedite the reclassification of currently-incarcerated women using the new classification module and the need to add capacity to identify women who can be safely released through the Supervised Reentry Program (SRP), parole, or community corrections. Through a partnership between the DOC and the JPI, two Correctional Case Reviewers (CCRs) worked throughout 2010 to expedite the classification reviews of all of the women currently incarcerated. While JPI’s recommendations were non-binding, by mid-2010, JPI, Corrections, and Parole saw the value in not only conducting reclassification, but also directly recommending people (including some men) for parole, community-based placement, or reinstatement of good time. Throughout the course of the project, JPI staff engaged in the following activities:

- **Training:** The JPI project manager, in concert with Corrections staff, developed a specialized training for the CCRs. The training not only described the process related to reclassification, it also included information and training about the mission and goals of the particular project. Other Corrections did not participate in the original training, but subsequently asked Corrections leadership if they, too, could participate in future trainings.
- **Tracking System:** JPI staff and Corrections information systems staff designed and implemented a case management and tracking system to properly review, manage, and track approximately 2,000 total cases. The customized tracking system could produce monthly reports of all the women incarcerated in the state, including detailed data to be used in assessing eligibility. The reports served as a tracking sheet for the CCRs and were used to produce lists of “priority candidates.” CCRs kept track of actions taken on each case, including the several steps that were necessary even before and application could be submitted
- **Parole Docketing System:** JPI staff facilitated ongoing meetings between Corrections and Parole staff to update and streamline the outdated and lengthy parole docketing process. The paper-based system that was in place did not quickly identify people eligible for parole or who were eligible for BPP’s “select review process” that do not have parole hearings. Corrections agreed to make additional information available to Parole to speed up the process and free-up the time of one staff person to participate in other Parole activities.

JPI also continued to work closely with other agencies in Alabama to sustain momentum to reduce the number of people in prison in Alabama. For example, JPI worked with a variety of other organizations, including the Vera Institute of Justice, to bring support for reforming Alabama’s victim notification laws.

SUCCESSSES

JPI’s work in Alabama has contributed to a number of changes to policy and practice at the administrative level that are reducing the number of women in prison in the state. Such changes are long-lived and have not required legislative policy changes to implement.

1) Revision of classification policy on “restricted offenders.”

Corrections made significant changes to its policy guiding the use of “restrictions.” As mentioned above, restrictions are applied to individuals who are considered to have committed a “heinous” offense; people with a restricted classification must remain at no lower than a Level 4, or medium security facility, for the duration of their incarceration. JPI found that restrictions were applied with very little consistency and based on pre-sentence investigation reports. Using other, more objective indicators of risk, some of the people who were classified as “restricted” could be safely managed in less restrictive custody levels, which would increase the chance that they could be released sooner.

In the fall of 2009, JPI organized a Classification Policy Review Committee to review and revise the DOC *Classification Manual*. In the revised manual, the use of the restricted or “R” suffix was discontinued for 11 offenses; an “R” Review Committee was created to consider restriction removal for all of the people who currently have restrictions; and the “R” Review Committee began reviewing incoming cases of people being considered for receiving a restriction.

2) Implementation of the “Restart” program and the technical violator center.

For many years, Alabama tried to fund the creation of a “technical violator center” that would reduce the re-incarceration time for people who violated the terms of probation or parole and were headed back to prison. Because of the improved relationship between Corrections and Parole facilitated by JPI, these agencies collaborated to fund and operate a technical violator center at little to no additional cost to the state of Alabama. Parole agreed to limit the re-incarceration of selected people who violated parole to 60-90 days, with Corrections agreeing to provide services through Corrections’ new “Restart” program.

“Restart,” which is now held at Decatur Work Release and Kilby Correctional Facility for men and at L.I.F.E. Tech Wetumpka facility for women, includes treatment and services that target the underlying cause of the participant’s parole violation. As of February 2010, Corrections leadership reported that approximately 137 people had entered Restart, 42 people had completed Restart, and only three people returned to prison from the program since it began in the fall of 2009.

3) Docket process and data sharing improvements.

JPI’s analysis of the docket process showed that the lack of data and data sharing was causing significant back-ups in the parole process. At JPI’s recommendation, BPP leadership and the Docket Unit implemented several reforms to speed up the docket-setting process, including hiring more staff, prioritizing scheduling for people who are most likely to be eligible for a hearing in the immediate future and reducing the amount of time it takes to complete a Pre-Sentence Investigation in the field.

The availability of accurate, up-to-date data is crucial to decision-making. JPI also encouraged the collaboration of the Docket Unit and Corrections’ Information Systems Director to address some of the IT issues that were causing significant slowdowns. The following changes were made as a result of this collaboration:

1. Identified people whose split sentences were revoked, making them eligible for parole, who had not yet received a parole consideration date. Corrections provided Parole a list of people who had previously served a split sentence and later returned to prison through revocation. Because of this collaboration, Parole staff report that approximately 246 people received parole consideration dates.
2. Increased data sharing between agencies. Until this recent collaboration between the

two agencies, Parole was receiving Corrections information about prison disciplinary actions through hand mail, email and fax. Corrections allowed staff members at Parole to access Corrections data system, enabling Parole staff members to prepare files for parole hearings in a much more efficient manner.

3. Corrections has helped Parole identify lists of people for the parole hearing docket based on different criteria including people with severe medical issues, unemployed work release participants, and people that would qualify for the select review process.
4. Full update of Corrections data to ensure that Corrections, Alabama Office of the Courts, and Parole data fields were consistent.

4) Releases and reductions in custody level.

The correctional case reviewers and the project director in Alabama successfully contributed to the release to community-based services, or the reinstatement of good time in 181 cases. At the close of the project in December 2010, 195 cases were pending. As of the final date of the project, the project team completed a total of 531 cases reviewed, an *increase of 87 percent*. This number accounts only for cases that reached final submission, and does not include additional cases that were reviewed but not eligible for final submission to the Classification Policy Review Committee, Department of Corrections, or the Board of Pardons and Paroles.

CHALLENGES

Although JPI had some important successes in Alabama using a hands-on, technical assistance model, there were challenges important to future work.

- While JPI was able to support significant administrative changes, their continuance depends on the will of leadership. Changes

created legislatively, while not necessarily permanent, can be harder to undo.

- Strong relationships, particularly between agencies, are key to success, but they take time and trust to build and develop. Changes in leadership can mean having to rebuild relationships, which may impede or interrupt reform progress.
- Effective communication between leadership and staff are key to successful implementation of policy or practice changes. To overcome any resistance to implementation, it is important that they understand and are committed to policy changes.
- While change can happen internally, an outside agency, organization, or individual can be critically important to starting or accelerating reforms.

JPI believes that the successes it has seen in Alabama have brought about some important lessons for criminal justice agencies, leaders, and staff. The continued, committed leadership of the agencies involved is imperative for continued reductions in the number of people in prison and further cost savings in Alabama.

While we are optimistic that the reforms implemented during JPI's technical assistance project will have a permanent place in Alabama, we were able to create positive and lasting outcomes for the women who were granted parole or whose conditions were otherwise improved as a result of this project.

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ABOUT THE JUSTICE POLICY INSTITUTE

Justice Policy Institute is a national nonprofit organization that changes the conversation around justice reform and advances policies that promote well-being and justice for all people and communities. Visit us, at www.justicepolicy.org.

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¹ Bureau of Justice Statistics, “Prisoners under State or Federal jurisdiction sentenced to more than one year, Federal and State-by-State, 1977-2004: Statistical Tables,” December 2005. www.ojp.usdoj.gov/bjs/dtdata.htm and Heather C. West and William J. Sabol, *Prison Inmates at Midyear 2008* (Washington, D.C.: Bureau of Justice Statistics, 2009) www.ojp.gov/bjs/pub/pdf/pim08st.pdf.

² Heather C. West and William J. Sabol, *Prison Inmates at Midyear 2008* (Washington, D.C.: Bureau of Justice Statistics, 2009) www.ojp.gov/bjs/pub/pdf/pim08st.pdf.

³ Classification is a method of assessing the risk level of a person in prison and their needs. It is also typically used to determine custody level (e.g. maximum security, minimum security, community placement, etc.).