



ISSUE ANALYSIS

Peach State Criminal Justice: Controlling Costs, Protecting the Public

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Introduction

Georgia has struggled to identify policies that properly differentiate between high-risk, violent offenders and lower-risk, nonviolent offenders. Though Georgia's response to a nonviolent crime has often been to incarcerate, increasing prison populations and costs have led many to question whether probation or diversion to drug or mental health treatment may be better for public safety, better for taxpayers and even better for the offender. That was the conclusion reached in November 2011 by the Special Council on Criminal Justice Reform for Georgians ("the Council"), a bipartisan council of prominent judges, legislators and attorneys in Georgia that was authorized by the Legislature in 2011 to conduct a top-to-bottom review of the state's criminal justice system.²

Government often grows far beyond its necessary scope and traditional core functions. The fact that public safety is a core function of government, however, does not mean that it should be excused from scrutiny about its size and scope. It is important that policy-makers hold criminal justice agencies accountable for their performance. From an accountability perspective, the Council's report is encouraging because rather than simply asking how many people are in prison, it asks whether public safety is being served.

Prisons are certainly a vital part of an overall crime-fighting strategy, but "thinking outside the cell" when it comes to those offenders who are less likely to pose a violent threat to the public can make Georgians safer and save them money. At the end of 2007, one out of every 70 Georgia adults was incarcerated compared with one out of every 100 nationally, and Georgia had the fourth highest incarceration rate in the country.³ However, the state's recidivism rate – the proportion of inmates who are reconvicted within three years of release – has remained unchanged, hovering just shy of 30 percent throughout the past decade.⁴ Moreover, the Council estimated that if no policy changes are made, the Georgia prison population will grow by 8 percent from 2012-2016, and this will cost the state an extra \$264 million in corrections spending.⁵

Fortunately, there are solutions consistent with the principles of limited government, fiscal responsibility and public safety that have proven successful in states such as Texas. The Council explored several of these measures, such as diverting nonviolent drug possession offenders away from prison and into treatment programs and implementing evidence-based practices in community supervision to hold offenders accountable and reduce recidivism. The Council also recommended expanding accountability

courts and developing clear criteria so that existing community-based residential corrections beds are used for diverting appropriate offenders from prison rather than as an add-on for offenders who can be safely supervised on basic probation.

This paper will review the most prominent recommendations that were made by the Council and discuss how these recommendations have assisted other states in ensuring public safety, holding offenders accountable and controlling corrections costs.

Georgia's Corrections Challenges and Opportunities

Today, Georgia has nearly 56,000 inmates, more than double the number it housed two decades ago, even though the state population has only grown by about 50 percent between 1990 and 2011.⁶ Georgia also spends more than \$1 billion a year on corrections – one out of every 17 state dollars.⁷ It is not clear, however, that Georgia taxpayers are getting a good return on their dollars because nearly one-third of offenders released from prison are reconvicted within three years.⁸ Prisons are the appropriate place to keep violent and dangerous offenders behind bars. But a truly tough set of policies would hold nonviolent offenders accountable, not by incarcerating them, but by sentencing them to treatment and rehabilitation programs where they would be forced to reckon with their substance abuse, mental health and behavioral problems and become productive members of society once again.

Today, Georgia is sending many offenders to prison who could be more cost-effectively supervised in the community. The Council's report notes that 60 percent of the admissions in Georgia prisons are for drug and property offenders, many of whom are at a low risk for re-offending.⁹ Five thousand of these offenders were first-time admissions.¹⁰ Additionally, 3,200 offenders were admitted for drug possession – rather than selling or trafficking – and two-thirds of these offenders are determined to be a low risk for reoffending.¹¹ Now, Georgia is suffering from prison overcrowding and rapidly increasing corrections costs, and it is not clear that this incarceration-focused model, which has significantly expanded the size and cost of state government, is keeping the Georgia public as safe as it could.

New Approaches to Nonviolent Offenders

There has been significant progress across the nation in identifying correctional alternatives that improve public safety, contain corrections costs and hold nonviolent offenders accountable. These alternatives include presumptive probation and treatment for drug offenders, mental health and drug courts, performance incentive funding, electronic monitoring, the expansion of day reporting centers, and the expansion of earned time credits for those in prison and under community supervision. The Council recommended that all of these alternatives be considered by Georgia policy-makers.

Performance Incentive Funding

Performance incentive funding is an approach in which community corrections agencies that are successful in reducing the rate at which offenders return to state prison receive a share of the state savings achieved through reduced incarceration. The reinvested funding is dedicated to practices that are proven to further reduce recidivism. This model not only reduces the prison population while improving community supervision and public safety, but it does so without appropriating new funds. California enacted such legislation in October 2009, the California Community Corrections Performance Incentive Act (Senate Bill 678), which resulted in over 6,000 fewer prison commitments in the state in 2010.¹² Also in 2009, Illinois enacted Senate Bill 1298, which allows counties to obtain additional state funds for local probation programs if they agree to reduce their prison commitments by 25 percent compared with their previous three-year average.¹³

These policies are modeled after a successful juvenile justice funding policy in Ohio called RECLAIM (Reasoned and Equitable Community and Local Alternative to Incarceration of Minors), which gives money to counties that provide treatment to juveniles who would otherwise be incarcerated and deducts funds for low-risk juveniles who are sent to state facilities.¹⁴ The policy has been highly successful: The recidivism rate for moderate risk youth placed through RECLAIM was 22 percent compared with a 54 percent rate for such offenders in state lockups.¹⁵

Presumptive Probation and Treatment for Drug Offenders

National research supports the efficacy of treatment. The Drug Abuse Treatment Outcome Survey of 10,000 participants found that residential treatment resulted in a 50 percent reduction in drug use and 61 percent reduction in crime while outpatient treatment resulted in a 50 percent reduction in drug use and 37 percent reduction in crime.¹⁶

Georgia's victories in implementing drug treatment requirements have been impressive. In 1994, then-Chief Justice Robert Benham helped establish the state's first drug court in Bibb County.¹⁷ Since 1999, the number of drug offenders in the prison population declined by 10 percent.¹⁸ Nevertheless, the Council concluded that more work can be done to divert these offenders to less expensive and more effective treatment options. One thoughtful policy option proposed by the Council is to establish a presumption of probation for drug possession offenders, but to enable the judge to override the presumption in the interest of public safety.¹⁹ The presumption would only apply for offenders who have never been convicted of violent, sex or drug trafficking offenses.²⁰ The Council's proposal would also allow for the presumption of probation for those offenders convicted of first or second time sales, distribution or manufacturing offenses upon a showing that the criminal conduct was driven by a substance addiction.²¹ In other words, only those who were "selling drugs to support their habit" would receive the presumption.²²

Alternatively, the Council suggested a different policy option: creating a simple possession statute for cocaine and methamphetamine.²³ For example, the Council suggested introducing a weight-based system in which amounts below one gram could be charged as simple felony possession, in order to identify and treat most appropriately those offenders whose criminal conduct is likely based on addiction.²⁴

Both of these policy options would help Georgia to recognize and treat drug addicted offenders whose criminal activity is fueled by their addiction.

Mental Health Courts

Accountability Courts – sometimes called Problem Solving Courts – are specialized courts in which the judge oversees the supervision and treatment of the offender. A mental health court, for example, diverts certain mentally ill offenders from traditional sentencing, redirecting them into appropriate mental health treatment. A clinical case manager screens offenders for participation in the court using a method designed to identify individuals with serious mental disorders. Defendants who are on Axis I of the Diagnostic and Statistical Manual of Mental Disorders, with conditions such as major depression and schizophrenia, are typically eligible.

Rather than simply issuing a sentence and going to the next case, the judge coordinates mental health services for the offender and monitors compliance. Smaller probation caseloads are typically used, allowing case managers to effectively monitor participants' compliance with the treatment plan.

A RAND Institute study of mental health courts found that "the leveling off of mental health treatment costs and the dramatic drop in jail costs yielded a large cost savings at the end of [its] period of observation."²⁵ For example, in the Washoe County Mental Health Court in Reno, Nev., the 2007 class of

106 graduates went from 5,011 jail days one year prior to mental health court to 230 jail days one year after, a 95 percent reduction.²⁶ Strikingly, the cost to the system was reduced from \$566,243 one year prior to mental health court to \$25,290 one year after.²⁷

An evaluation of the Santa Barbara County (Calif.) Mental Health Court found that the participants in the mental health court averaged fewer “jail days after treatment than they had before, with a greater reduction in jail days for participants in the mental health court [than for those in the] traditional judicial system.”²⁸ The American Journal of Psychiatry reported that “participation in the mental health court was associated with longer time without any new criminal charges or new charges for violent crimes.”²⁹ Similar results have been achieved in the Delaware Mental Health Court. Of the 64 offenders who participated in the first three years of the program, 57 completed the program, of which 53 did not recidivate within six months of completion.

Mental health courts are relatively inexpensive to create compared to the potential benefit. Merrill Rotter, the Medical Director and Co-Project Director of the Bronx Mental Health Court, notes that some of the programs “cost as little as \$150,000 while others cost multiples of that.”³⁰ In Georgia, where the Council reports that 25 percent of the inmate population has been diagnosed with a mental health disorder, policy-makers who have been exceptionally forward-thinking in the implementation of drug courts should also consider how the expansion of mental health courts would benefit the state.³¹

Mental health courts do exist in largely urbanized parts of Georgia, but the Council recommended that the courts be expanded across the state.³²

Drug Courts

Drug courts, like mental health courts, are another example of an accountability court. As the Council recognized in its report, drug courts are a proven alternative to incarceration for low-level drug offenders. They offer intensive judicial oversight of offenders combined with mandatory drug testing and escalating sanctions for failure to comply. Drug courts drew bipartisan support last year from White House Office of National Drug Control Policy Director Gil Kerlikowske, U.S. Rep. John Boozman (R-Ark.), U.S. Senator Lisa Murkowski (R-Alaska), U.S. Senator Barbara Mikulski (D-Md.) and U.S. Senator Richard Shelby (R-Ala.).³³

According to the National Association of Drug Court Professionals, the average recidivism rate for offenders who complete a drug court program is between 4 percent and 29 percent, in contrast to 48 percent for those who do not participate in a drug court program.³⁴ Similarly, the Government Accountability Office reported recidivism reductions of 10-30 percentage points below the comparison group.³⁵ Drug courts have been found to be cost-effective: Their cost can be less than \$3,000 per participant and their estimated net savings, taking into account both reduced corrections spending and avoided victims costs, average \$11,000 per participant.³⁶

There are currently 72 drug courts in Georgia, 33 of them adult felony drug courts, and they boast a two-year recidivism rate of about 7 percent.³⁷ Georgia policy-makers should explore developing criteria (such as through a front-end risk assessment instrument, as recommended by the Council) to better identify those offenders who could most benefit from drug courts.³⁸ The state’s goal should be to ensure that limited drug court space is prioritized for drug offenders at risk of reoffending and that the lowest-risk drug offenders who can succeed on basic probation do not take slots in drug courts.

Electronic Monitoring

Electronic monitoring has proven to be effective in supervising offenders. Among the types of electronic monitoring, the Global Positioning System (GPS) is the most advanced because, while radio frequency

monitoring allows the supervising authority to determine if the offender is at home, GPS satellite-based monitoring tracks offenders wherever they go. This tool enables the supervising agency to determine whether the offender is at work, attending treatment, in a prohibited zone, violating a curfew or traveling out of state.

A Florida study found GPS has a “prohibitive” effect on absconding.³⁹ Offenders in the study were 89-95 percent less likely to be revoked for a new offense if they were on electronic monitoring.⁴⁰ This may be because monitored offenders realize they will be caught for violations. The most sophisticated GPS systems even have crime scene correlation, which allows police to determine if any monitored probationer or parolee was at the scene of a crime.

The Council’s report encouraged the increased use of GPS, and Georgia policy-makers should indeed continue to consider whether the use of electronic monitoring could be expanded, particularly as an intermediate sanction for other medium- and high-risk offenders.⁴¹ It is important to note, however, that electronic monitoring and GPS are only tools. The tools make supervision more efficient, but they are unlikely to replace the human relationships that are necessary in community corrections.

Expansion of Day Reporting Centers

While more expensive than traditional probation, day reporting centers still operate at a fraction of the cost of prison and offer a highly effective alternative to incarceration. Originally established in England in the early 1970s, these centers require daily check-ins, community involvement, surveillance, cognitive restructuring therapy and other activities to correct criminal behavior.⁴² Failures to comply with the rigorous requirements are punished quickly and severely, but for those who graduate the results are impressive.⁴³

For the reporting center in Rome, Georgia, the recidivism rate for graduates was 10 percent, which is significantly lower than the state average.⁴⁴ The typical day reporting center costs approximately \$20 per day per person, and the Georgia Corrections Department estimates that the state could save \$7 million if day reporting centers were expanded statewide and recidivism dropped by just 1 percent.⁴⁵

Expansion of Earned Time Credits for Completion of In-Prison Work and Education Programs

Policies that enhance the employment of offenders can reduce recidivism, thereby protecting public safety and helping to control the prison population. Without a marketable skill, inmates face particular difficulty finding employment upon release, increasing the odds that they will resume a criminal lifestyle. An ex-offender who is gainfully employed is much less likely to commit another crime. A study by the Washington State Institute for Public Policy found that correctional industries programs reduce recidivism by 6.4 percent.⁴⁶ The Council recommended an expansion of earned time discharge for prison inmates who participate in work and risk-reduction programs.

Furthermore, the United States Department of Education found that incarcerated offenders who participated in education programs exhibited lower rates of recidivism after three years. Georgia currently offers voluntary academic education for offenders without a high school diploma or GED at 91 sites in the state. Approximately 3,000 inmates take the GED exam each year, and 74 percent of them pass it.⁴⁷ Instead of making prison education purely voluntary, Georgia should incentivize the programs with earned time credits. Georgia currently imposes a ceiling of six months’ time off a sentence, but the Georgia Department of Corrections and the Parole Board have agreed to raise the ceiling to 12 months. Per the Council’s recommendation, inmates’ sentences would be incrementally reduced upon completion of certain vocational/educational programs. Several other Southern states have implemented such programs with impressive results.⁴⁸

Expansion of Earned Time Credits for Offenders under Community Supervision

Earned time credits could also be expanded for offenders under community supervision. According to the Council, the average probation sentence in Georgia is 6.83 years, while the national average is 3.17 years.⁴⁹ Caseloads for probation officers are, therefore, exceptionally high (200 to 1). To combat this problem, the Council recommended implementing earned compliance credits.⁵⁰

By granting credits to offenders, Georgia will enable overstuffed probation officers to prioritize those who present a greater threat to public safety while rewarding the good behavior of those who are in regular compliance.

Conclusion

Legislators, prosecutors, judges and other stakeholders recognize that Georgia's fiscal situation requires renewed policy strategies to ensure that the state's limited corrections dollars are spent properly. If Georgia follows the recommendations of the Council, the savings could be significant.

In Texas, for example, policies that strengthened alternatives to incarceration helped taxpayers avoid more than \$2 billion in corrections spending.⁵¹ After implementing reforms to strengthen community corrections, Texas not only averted the projected prison growth but also experienced a decline in the prison population. This reduced use of incarceration has been attributed to judges and prosecutors having greater confidence in probation and the increased availability of short-term sanctions and treatment beds in the community.⁵²

In Kansas, similar policies have contributed substantially to a 7 percent drop in the prison population, a 50 percent reduction in parole revocations and a 36 percent reduction in new crimes committed by parolees.⁵³

The Council's recommendations for criminal justice in Georgia are a good starting point, but they are not exhaustive. Other policy options – such as reducing employer liability for hiring ex-offenders – should also be considered. The bottom line is that community corrections offer better solutions to Georgia's challenges than asking taxpayers to build another prison. Georgians cannot simply build their way out of these problems. Instead, genuine change will require Georgia to ask: Does the public benefit from lengthy prison stays for nonviolent offenders or would alternative sentences for these offenders be more effective? By implementing targeted policy reforms, Georgia will find that it can dramatically cut costs and improve public safety.

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² SPECIAL COUNCIL ON CRIMINAL JUSTICE REFORM FOR GEORGIANS, REPORT OF THE SPECIAL COUNCIL (2011), <http://www.legis.ga.gov/Documents/GACouncilReport-FINALDRAFT.pdf> (February 13, 2012).

³ *Ibid.*

⁴ *Ibid.*

⁵ REPORT OF THE SPECIAL COUNCIL at 2.

⁶ U.S. Census Bureau population figures for Georgia for the years 1990 and 2011, respectively, are available at <http://quickfacts.census.gov/qfd/states/13000.html> and <http://www.census.gov/population/cencounts/ga190090.txt> (February 13, 2012).

⁷ Carrie Teegardin, “Georgia prison population, costs on rise,” *Atlanta Journal-Constitution*, April 4, 2010, <http://www.ajc.com/news/georgia-prison-population-costs-429757.html> (February 13, 2012).

⁸ REPORT OF THE SPECIAL COUNCIL at 7.

⁹ *Ibid.* at 2.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Hearing before the California state Senate Committee on Public Safety, April 16, 2009, at http://info.sen.ca.gov/pub/09-10/bill/sen/sb_0651-0700/sb_678_cfa_20090427_164719_sen_comm.html (February 13, 2012).

¹³ Illinois Senate Bill 1298 (2009), Amends the Capital Crimes Litigation Act, at <http://www.ilga.gov/legislation/fulltext.asp?DocName=09600SB1289ham005&GA=96&SessionId=76&DocTypeId=SB&LegID=&DocNum=1289&GAID=10&Session=> (February 13, 2012).

¹⁴ No funds are deducted for public safety beds, which include juveniles adjudicated for aggravated murder, attempted aggravated murder, murder, attempted murder, kidnapping, rape, voluntary manslaughter, involuntary manslaughter, felonious sexual penetration, and aggravated arson.

¹⁵ Chris Lowenkamp and Ed Latessa, “Evaluation of Ohio’s RECLAIM Funded Programs, Community Correctional Facilities, and DYS Facilities, August 2006,” November 2, 2008, at <http://www.dys.ohio.gov/DNN/LinkClick.aspx?fileticket=7a23A5o%2BuK4%3D&tabid=143&mid=763> (February 13, 2012).

¹⁶ Eric Martin *et al.*, “Oregon Research Brief on Addiction Treatment Effectiveness,” The Association of Alcoholism & Drug Abuse Counselors of Oregon, September 25, 2009, at <http://www.oregon.gov/DHS/addiction/outcome-flyer.pdf> (February 13, 2012).

¹⁷ John Zoller, “FACTS ABOUT GEORGIA’S DRUG COURTS,” Administrative Office of the [Georgia] Courts, February 23, 2011, [http://w2.georgiacourts.org/gac/files/Facts_percent20Sheet_percent20Drug_percent20Court_percent20Programs_percent202-23-2011\(1\).pdf](http://w2.georgiacourts.org/gac/files/Facts_percent20Sheet_percent20Drug_percent20Court_percent20Programs_percent202-23-2011(1).pdf) (February 13, 2012).

¹⁸ Michael Light, Georgia’s Criminal justice System at a Crossroads: Tough Laws, Smart Decisions, Georgia Public Policy Foundation, March 1999, <http://www.gppf.org/article.asp?RT=3&p=pub/Crime/crossroads.htm> (February 13, 2012); Marc A. Levin, “With incoming governor, it’s time for ‘New Deal’ in criminal justice,” *The Citizen*, November 23, 2010, <http://www.thecitizen.com/blogs/marc-levin/11-23-2010/incoming-governor-it-percentE2-percent80-percent99s-time-percentE2-percent80-percent98new-deal-percentE2-percent80-percent99-criminal-justice> (February 13, 2012).

¹⁹ REPORT OF THE SPECIAL COUNCIL at 23-24.

²⁰ *Ibid.* at 24.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ Christine DeMartini *et al.*, *Justice, Treatment, and Cost: An Evaluation of the Fiscal Impact of Allegheny County Mental Health Court*, (Santa Monica, CA: RAND Corporation, 2007), p. xi.

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- ²⁶Personal Interview, Julie Clements, Pretrial Services Officer, Washoe County Mental Health Court, January 13, 2009.
- ²⁷*Ibid.*
- ²⁸Merith Cosden, Jeffrey Ellens, Jeffrey Schnell, and Yasmeeen Yamani-Diouf, “Evaluation of the Santa Barbara County Mental Health Treatment Court with Intensive Case Management,” July 1, 2004, <http://consensusproject.org/downloads/exec.summary.santa.barbara.evaluation.pdf> (February 13, 2012).
- ²⁹Renee L. Binder and Dale E. McNiel, “Effectiveness of a Mental Health Court in Reducing Criminal Recidivism and Violence,” *The American Journal of Psychiatry*, September 2007, at <http://ajp.psychiatryonline.org/cgi/content/abstract/164/9/1395> (February 13, 2010).
- ³⁰Personal Interview, Merrill Rotter, Medical Director/Co-Project Director, Bronx Mental Health Court. January 13, 2009.
- ³¹REPORT OF THE SPECIAL COUNCIL at 2.
- ³²REPORT OF THE SPECIAL COUNCIL at 13.
- ³³Dina F. Maron, “Courting Drug Policy Reform,” *Newsweek*, October 7, 2009, at <http://www.newsweek.com/id/216866> (February 13, 2012).
- ³⁴“Drug Court Facts, Alameda County Drug Court,” Superior Court of California, Drug Court Services, 2006, at <http://www.alameda.courts.ca.gov/dcs/facts2.html> (February 13, 2012).
- ³⁵“Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes,” Government Accountability Office, February 2005, at <http://www.gao.gov/new.items/d05219.pdf> (February 13, 2012).
- ³⁶“California Drug Court Cost Analysis Study,” California Administrative Office of the Courts, July 2006, at <http://www1.spa.american.edu/justice/documents/2189.pdf> (February 13, 2012).
- ³⁷[http://w2.georgiacourts.org/gac/files/Facts_percent20Sheet_percent20Drug_percent20Court_percent20Programs_percent202-23-2011\(1\).pdf](http://w2.georgiacourts.org/gac/files/Facts_percent20Sheet_percent20Drug_percent20Court_percent20Programs_percent202-23-2011(1).pdf) (February 13, 2012).
- ³⁸REPORT OF THE SPECIAL COUNCIL at 22.
- ³⁹William D. Bales *et al.*, “Under Surveillance: An Empirical Test of the Effectiveness and Consequences of Electronic Monitoring,” *Criminology and Public Policy*, 5.1 (2006), 61-69.
- ⁴⁰*Ibid.*
- ⁴¹Policy-makers are already considering whether limited resources might be better focused on medium- and high-risk parolees if low-risk parolees are monitored using innovative voice-recognition technologies. For more information on the possibilities for voice recognition in Georgia, see Mike Klein, “Low-Risk Adult Parolees Will Test Phone-In Reporting Model” July 13, 2011 at <http://207.57.255.197/forum/?p=383> (February 13, 2012).
- ⁴²David W. Diggs, “Day reporting Centers As An Effective Correctional Sanction,” *Florida Dept. of Law Enforcement*, June 29, 1990, at <http://www.fdle.state.fl.us/Content/getdoc/36d83075-990c-4c75-80c1-71227a823655/Diggs.aspx> (February 13, 2012).
- ⁴³*Ibid.*
- ⁴⁴Susan D. Patton, “A Comparison of Recidivism Rates For The State of Georgia and The Rome Day Reporting Center,” Capella University School of Human Services, (2008), 60-63.
- ⁴⁵*Id.* at 61.
- ⁴⁶Elizabeth K. Drake, Steve Aos, and Marna G. Miller, “Evidence-Based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State,” *Victims and Offenders*, April 2009, at <http://www.wsipp.wa.gov/rptfiles/09-00-1201.pdf> (February 13, 2012).
- ⁴⁷Georgia Department of Corrections figures are available at <http://www.dcor.state.ga.us/Divisions/OPT/Reentry/RiskReduction/Academic.html> (February 13, 2012).
- ⁴⁸Todd Edwards, “Correctional Good-Time Credits in Southern States,” Council on State Governments, May 2001, at <http://www.slatlanta.org/Publications/HSPS/GoodTime.pdf> (February 13, 2012).
- ⁴⁹REPORT OF THE SPECIAL COUNCIL at 10, 13 (citing “Felony Sentences in State Courts.” 2006, Bureau of Justice Statistics, December 2009, at <http://bjs.ojp.usdoj.gov/content/pub/pdf/fssc06st.pdf> (February 13, 2012)).
- ⁵⁰REPORT OF THE SPECIAL COUNCIL at 16.
- ⁵¹Marc Levin, “Texas Criminal Justice Reform: Lower Crime, Lower Cost,” Texas Public Policy Foundation Policy Perspective (January 2010) at <http://www.texaspolicy.com/pdf/2010-01-PP04-justicereinvestment-ml.pdf> (February 13, 2012).
- ⁵²*Ibid.*
- ⁵³*Ibid.*