

Good morning Chairman Grendell and members of the Senate Judiciary Committee. My name is Anne Connell-Freund and I am a Past President of the Ohio Community Corrections Association (OCCA), which represents halfway houses and community based correctional facilities (CBCFs) operated by non-profits. In addition, I am Executive Vice President of Oriana House, located in Summit, Cuyahoga and Seneca counties. I have been in the field for over 19 years.

Thank you for your continued support of community corrections in the state of Ohio and the opportunity to testify before you on Senate Bill 208.

OCCA opposes passage of SB 208.

As you may know, Halfway Houses and CBCFs are located throughout the State; some are in your districts. Halfway houses can be used either to divert offenders from entering prison by giving the local judiciary the option of a direct sentence or to transition the offender back into the community after a period of incarceration. In a supervised, residential setting, halfway house and CBCF programs offer services, which include chemical dependency treatment, employment assistance, housing assistance, and other supportive services that the offender may need to transition back into the community.

I was asked to address the questions raised last week by this committee:

**We were asked at the last committee hearing a series of questions concerning our opposition to SB208 (underlined below).**

**We were asked if Individuals are in prisons now because they have committed a crime?**

- Of course the answer to this question is yes, and it is noteworthy that our current prison populations have reached an all time high, reaching 50,000 inmates in 2007. It is anticipated by the Pew Charitable Trust that Ohio's prison population will continue to grow without further legislative changes to over 53,000 by FY09. Should this bill be enacted, an analysis by the Ohio Department of Rehabilitation and Correction estimates this bill could add 11,000 inmates in three years - at a cost of more than \$2 billion to taxpayers. Ohio is currently 132% over capacity in our current prison system, are we able to also allocate funding to build new prisons? The national average cost of building a new 1,000 bed prison ranges from 105 to 250 million dollars. Our question is how much further are we going to continue to incarcerate at such a huge financial burden to the Ohio Taxpayers?
- In addition has the increase in local share of the financial burden been considered? With the presumption of prison, will the local jails be facing increases in their already over-crowded jail populations? Will the individual counties be required to increase the cost of prosecution of more crimes through the inevitable increase of trials? Will the local counties be prepared to increase more of the county budget to the criminal justice budget?
- A recent report from the FBI with preliminary crime statistics has reported that violent crime from January-June 2007 decreased 1.8% and property crime decreased by 2.6% from the previous year nation wide. This report also reflects that Ohio largest cities showed a double digit decrease in murder, with the exception of Cleveland. Property crimes decreased in all five cities ranging from 4-13% decreases. With the reductions in crime, is the increase in penalties necessary to improve public safety?

**What are the recidivism statistics for individuals going through OCCA programs?**

- Research indicates that employment, cognitive skills training and chemical dependency interventions reduce recidivism. In Ohio, studies are being done by the University of Cincinnati that shows this to be true for halfway houses and Community Based Correctional Facilities. The

results of past studies show that recidivism can be reduced up to 16% by placing offenders in Ohio's community corrections programs. The current recidivism rate for release from prison is 39.3%, much lower than national averages, but community correction can even further reduce recidivism. Evidence is overwhelming that intervention with substance-abusing offenders is critical to their rehabilitation.

**...A few years back, a large majority of Ohioans voted to put drug offenders in prison rather than provide treatment, why do you think they would feel differently now?**

There have been many studies that have shown that substance abuse treatment reduces crime. Washington State Institute for Public Policy has reported that community-based drug treatment is extremely beneficial in terms of cost, especially when compared to the cost of prison. For every dollar that is spent on providing drug treatment in the community, it is estimated that \$18.52 in benefits to society in terms of reduced incarceration rates and associated crime costs to taxpayers. Recent public surveys indicate that the public does, in fact favor treatment over incarceration. A survey conducted in August of 2002 indicated that 60% of Ohioans supported the idea of treatment over incarceration (national families in action: <http://www.nationalfamilies.org>). In addition, it is our opinion that the public is wary of constitutional amendments to the Ohio Constitution, which may have been more reflective of the defeat of the previous initiative.

**Do drug offenders graduate to committing more violent crimes?**

*"Detox alone in jail or prison is not treatment. Without proven treatment and therapeutic followup in a community setting, addicted offenders are at a high risk of relapse despite a long period of forced sobriety. Studies have consistently shown that comprehensive drug treatment works. It not only reduces drug use but also curtails criminal behavior and recidivism. Moreover, for drug-abusing offenders, treatment facilitates successful reentry into the community."* —Dr. Nora D. Volkow, director of the National Institute on Drug Abuse, 2006

And yet:

- An Ohio profile of 3,294 inmates entering the state prison system in 2004 showed 86.6% of males and 85.7% of females had a history of drug abuse; 63.2% of males and 52.3% of females had a history of alcohol abuse. Almost half (45.5%) were under the influence of drugs and/or alcohol while committing at least one of the offenses reviewed in the study. Yet only 22% of the entire ODRC population completed a substance abuse treatment program (Ohio Department of Rehabilitation and Correction [ODRC], 2006 annual report). By placing these same offenders in community corrections programs, with the advantage of providing treatment and supervision services, again recidivism can be reduced.

**Are you aware that this bill is different than California in that it makes a presumption for the maximum but does NOT mandate increased sentences, giving judges' judicial discretion?**

OCCA would argue that this bill may still have the same unintended consequences of the California proposal in that California's Proposition singled out violent offenses while Ohio's does not differentiate. The results may be the same:

Currently ODRC has identified that at any one time there are over 7,000 truly non-violent offenders currently committed to prison. These offenders would be better served in our communities, but lack of funding to expand community correction has been an on-going issue. These truly non-violent offenders have been placed in an expensive prison with the current laws that are in effect, we do not anticipate that the prosecutors and judicial patterns would change dramatically because this bill does not mandate increased sentences. With current trends to send even non-violent offenders to prison, this bill will only dramatically increase our prison populations with little or no reduction in recidivism.

In conclusion, Director Collins from ODRC has repeatedly testified that providing community corrections services to reduce recidivism is not being soft on crime, but being smart on crime. These same sentiments were recently echoed by Governor Strickland. I would like to finish by quoting a recent study by the Pew Charitable Trust on prison overcrowding: “Those last two words – public safety – are of a particular consequence. No policy maker is likely to (or should) pursue a path that saves prison money if it runs a substantial risk of increasing recidivism or crime rates. On the other hand, an option that can lead to better public safety outcomes while saving money is the picture that goes alongside the dictionary definition of win-win.” Community Corrections can be Ohio’s win-win.

Thank you for your time and attention to these matters and I am happy to answer any questions that you may have.

Additional questions may be directed to:

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