



**Testimony of Molly Gill
Vice President of Policy, FAMM
Hearing on SB 500, SB 501, and SB 502
June 17, 2019
House Committee on Judiciary**

I thank Chair Kauffman, Democratic Chair Briggs, and the House Committee on Judiciary for the opportunity to submit testimony on behalf of FAMM. **We support SB 500, SB 501, and SB 502, known as Justice Reinvestment Initiative II (JRI II), because they reduce Pennsylvania’s reliance on prisons and allow the state to reinvest savings into evidence-based strategies that reduce recidivism and improve public safety.**

FAMM is a nonpartisan, nonprofit sentencing and prison reform advocacy group founded in Washington, D.C. in 1991. FAMM’s mission is to protect public safety and promote efficiency in the criminal justice system by advocating for individualized, proportional criminal sentencing laws and prison policies.

Since Pennsylvania enacted its first Justice Reinvestment Initiative (JRI) legislation in 2012, the state’s prison population, corrections costs, and crime rate have all dropped. The three JRI bills introduced this session (SB 500, SB 501, and SB 502) equip the state with additional evidence-based criminal justice strategies to continue the state’s successful implementation of the first phase of JRI.

Prison space and resources are scarce and expensive, and therefore, should be used wisely, not indiscriminately. However, due to limited guidance on the best sentence to impose and underfunding of county probation, many people end up in prison even when other sanctions are more appropriate. Pennsylvania’s sentencing guidelines do not offer judges information regarding the risk of recidivism and the cost for each punishment available. This often results in the unnecessary incarceration of people who would be better served with other sanctions.

Furthermore, underfunding county probation is costly for Pennsylvania. Insufficient funding and support means people are not getting the programming and supervision they need, and are more likely to reoffend. In 2014, people whose probation was revoked made up 17% of Pennsylvania’s prison population, which cost the state nearly \$200 million in correctional costs.¹ This is money and prison beds that could be saved had there been sufficient supervision that fostered rehabilitation and reentry. Without adequate resources, judges and prosecutors are also more likely to recommend a prison stay because they lack certainty that individuals will receive supervision that is conducive to their rehabilitation.

¹The Council of State Governments, “Justice Reinvestment in Pennsylvania: Policy Framework,” June 2017. https://csgjusticecenter.org/wp-content/uploads/2017/06/6.26.17_JR-in-Pennsylvania.pdf



FAMM supports SB 500 and 501 because they reduce Pennsylvania’s reliance on prison, while still maintaining public safety. SB 501 provides the Pennsylvania Commission on Sentencing the authority to make risk-related sentencing adjustments in the guidelines and provides judges with recidivism and cost information. This allows judges to pursue the best possible sentence for each individual and would prioritize prison space for offenders who need incapacitation most. SB 501 would also provide presumptive parole for some minimum term prisoners, and reduce the number of unreasonable, and unnecessary extended prison stays. Currently, people serving minimum sentences of two years or less are held in prison much longer than their imposed sentence. SB 501 would provide parole for eligible minimum sentence prisoners after they complete their sentences, thus saving correctional resources and costs.

Adequately funding county probation services also reduces reliance on incarceration. SB 500 increases funding for county probation, ensuring that the programming and treatment needs of people on supervision, especially those considered high risk, are met. It also gives prosecutors and judges the confidence to recommend and impose probation instead of incarceration because they know offenders will receive programs that will foster their rehabilitation and reduce their likelihood of recidivating. This bill also ensures that county probation is administered efficiently by establishing a County Adult Probation and Parole Advisory Committee that would review and develop funding mechanisms for county probation, as well as provide oversight and support for the administration of probation. The Committee, comprised of sentencing and criminal justice experts, would provide county probation personnel with best practices and standards that would improve supervision and reduce recidivism.

SB 500 and SB 501 are evidence-based policies. Excessive and unnecessary incarceration comes at huge cost to Pennsylvania taxpayers, and no one is safer when people who do not pose a risk to public safety are held in prison. Also, prison does not always make the public safer. Prison sentences may prove to be criminogenic for low-level offenders, increasing the likelihood that they will continue to engage in criminal activity. In these cases, alternative sanctions such as probation are more appropriate. Research shows that quality probation services that meet the specific needs and risk levels of each individual are more effective at reducing recidivism than a prison stay.² Money saved from unnecessary incarceration of low-risk offenders can be reinvested into programs that will improve public safety and better support victim services and compensation.

The proposed JRI bills would keep Pennsylvania moving forward with evidence-based criminal justice reforms that increase public safety while reducing the state’s reliance on incarceration. Therefore, **we urge you to support SB 500, SB 501, and SB 502.**

Thank you for considering our views, and please contact us if we can be of further assistance as you consider this important issue.

² The Council of State Governments, “Justice Reinvestment in Pennsylvania: Policy Framework,” June 2017. https://csgjusticecenter.org/wp-content/uploads/2017/06/6.26.17_JR-in-Pennsylvania.pdf