

CRIMINAL JUSTICE:

**Imagine a system that makes people
better...**

Criminal Justice

Is North Dakota doing enough to increase public safety by promoting rehabilitation and reintegration for the 1,200+ prisoners released every year?

We spent a week in Norway as part of a Prison Law Office sponsored program to find out if there was a better way. *There is.*

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Rehabilitation is the victim of the war on crime.

According to the Bureau of Justice Statistics :

- 2/3 of released prisoners were arrested for a new crime within 3 years
- 3/4 were arrested in five years
- 1/3 of those arrests occurred in the first six months
- 1/2 or more were arrested within a year

***We are tough on crime,
but soft on outcomes.***

Why Norway?

In 1997 Norway's prison system was in crisis.

- Violence rocked the system where two correctional officers were murdered.
- Recidivism soared to 70%.
- Rather than exert greater control and make correctional facilities more punitive, Norway researched punishment that works.

<https://www.youtube.com/watch?v=JBUSzXvMWCk>

Increasing Humanity in North Dakota

“A judge took away his freedom. We have no right to take away his human dignity. For our own benefit and security, we should on a daily basis remind him of his own human dignity.”

-- Donovan Foughty, North Dakota

‘ People say, ‘this couldn’t work in my system,’ but the concepts of respect and humanity are universal.’ - Deputy Governor of Halden Prison

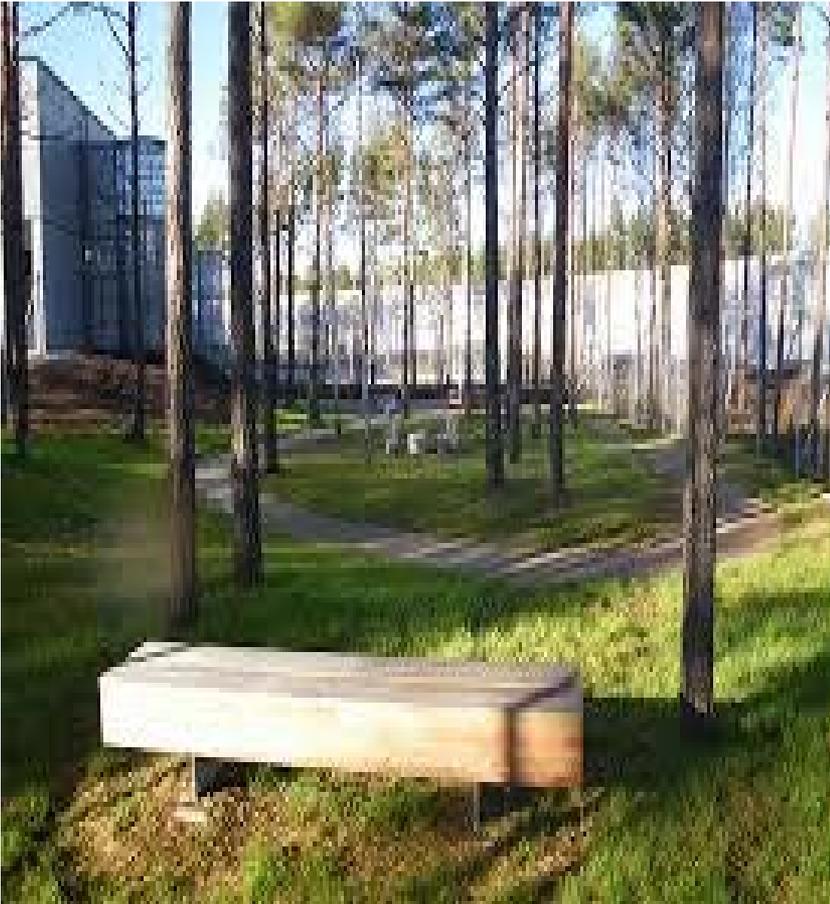
- No life sentences and longest possible sentence is 30 years
- Mission of public safety and rehabilitation
- Suffered from soaring incarceration and recidivism rates



- Approximately 98% of North Dakota prisoners will be released
- Mission of public safety and rehabilitation
- Suffered from soaring incarceration and recidivism rates



Which environment would you want your future neighbor to come from?



What contributes to the creation of being good neighbors upon release?

- Maintains waiting list to avoid the harm caused to inmate and staff by overcrowding
- Trains staff over 2 years to equip them to reach their goal of making people better
- Overcrowds at the expense of effective rehabilitation and staff wellness
- Trains staff over 3 weeks to equip them to keep inmates locked up

How would you prefer your future neighbor to be prepared for release?

- Earning normal pay for a full time job
- Shops and prepares own food
- Starts preparing for release upon admission
- Gradually move closer to freedom throughout incarceration to prepare for transition
- Earning an average of \$2.82 per day part time
- Food is prepared and laundry done for them
- Starts preparing for transition 30-60 days prior to release
- 41% of inmates release directly from most restricted prison facilities

North Dakota CJ System can make better neighbors.

- Penal Reform/Sentencing Commission
- Research Informed Decision Making
- Diversion of those with Serious Mental Illness
- Bail Reform and Fee Reduction
- Pretrial Services
- Compassionate Release
- Prison Reform

Penal Reform

Problem: The penal code has inconsistent and punitive sentences that include minimum mandatories and non-evidence-based sanctions.

Proposal: The establishment of a permanent sentencing commission and a review of mandatory sentencing, treatment alternatives, and justice reinvestment reforms.

Research Informed Decision Making

Problem: Sentencing often doesn't reflect effective sentencing based on relevant correctional research.

Proposal: Engage stakeholders of the judiciary and reconsider current practices to include edits to the the criminal judgment appendix A.

Diversion for individuals with Serious Mental Illness

Problem: People with serious mental illness are sent to prison due to escalating consequences of behavioral or medication interruptions and the underutilization of community treatment resources that would benefit this population.

Proposal: Develop a 'co-localization' program to enhance those with both serious mental illness and criminal justice histories engaged in treatment where there is adequate probation staffing.

Bail Reform & Fee Reduction

Problem: County jails are overcrowded with arrestees awaiting trial or serving short sentences after accepting plea bargain who would not occupy a jail bed except for the inability to make bail or pay fees.

Proposal: Develop and evidence-based bail reform and fee reduction program in two counties while building support for statewide implementation.

Pretrial Services Pilot

Problem: 85% of people held in jail are pretrial status and jail/prison placement which increases risk of criminal behavior upon release.

Proposal: Develop a partnership between DOOCR and DHS to divert pretrial individuals to non-detention community programs through a robust process of screening and service coordination.

Dignity for Aging and Seriously Ill People in Prison



Compassionate Release

Problem: Prisoners that grow incapacitated in prison by aging, dementia, or serious illness and present no public safety risk have no avenue for release. The care for these people is considerably more expensive and less humane in prison than in the community.

Proposal: Develop and pass 'compassionate' or medical release legislation that can reduce the prison population, provide economic relief, and ensure people with serious illness are granted the ability to die with dignity regardless of their sentence.

Prison Reform

Problem: Punishment, not rehabilitation remains at the heart of our criminal justice system and fails offenders, fails victims, and fails to make North Dakota safer.

Plan:

- Make life inside prisons more like life outside prisons as much as possible.
- Increase community involvement in prisons to connect the inside with the outside world.
- Allow for adequate transition and opportunity to practice qualified discretion prior to release.
- Increase humanity for people in prison in North Dakota so they act more human while incarcerated and upon release.

Let's do more to make our future neighbors better.

For more information on how, please contact our innovation team members.

Senator Ray Holmberg
rholmberg@nd.gov

Judge Donovan Foughty
DFoughty@ndcourts.gov

Dr. Rosalie Etherington
retherington@nd.gov

Leann Bertsch, ND DOCR
leberts@nd.gov

Karianne Wolfer, ND DOCR
kwolfer@nd.gov