

North Dakota is one of the safest states in the country. The criminal justices system, at the state and county level, faces increased pressure driven by many factors, including significant increases in front-end system pressure beginning in 2011. To identify factors driving growth in corrections populations, corrections costs, and recidivism, state leaders launched a justice reinvestment approach to reduce spending and increase public safety.

This analysis focused on adult criminal dispositions, convictions, and sentences between 2006 and 2014. Sentencing is the first of several areas the CSG Justice Center staff will analyze, review with stakeholders, and present to the Incarceration Issues Committee.

KEY CHALLENGES IDENTIFIED FROM SENTENCING ANALYSIS

Felony sentencing events doubled between 2011-2014, primarily due to drug offenses

- Felony sentence events for drug offenses increased 2.5 times between 2011 and 2014
- In 2014, 40 percent of all felony sentence events were for drug offenses, a majority of which were sentenced to incarceration (jail or prison).
- Drug offenses account for the largest portion of felony sentence events offenses sentenced in each judicial district

Three quarters of lowest-level felony sentencing events (Class C) were to incarceration

- Class C offenses are four out of five felony sentence events, with only slight variation across the judicial districts
- 76 percent of felony Class C sentencing events were to incarceration (jail or prison).

Over half of sentence events to probation included suspended periods of incarceration

- Only 19 percent of felony and 34 of misdemeanor sentence events were to probation.
- Of those sentences to probation, 53 percent of felony and 83 percent of misdemeanor sentences included a fully suspended term of incarceration.
- North Dakota sentences a smaller proportion of felony sentence events to probation than the national average and most justice reinvestment states

OPPORTUNITIES FOR NORTH DAKOTA TO ADDRESS THESE CHALLENGES

- Avert significant increases in corrections spending by prioritizing incarceration for highest-risk people convicted of the most serious offenses.
- Lower recidivism by focusing effective supervision plus treatment on higher-risk probationers and parolees
- Increase stakeholder confidence by improving community-based treatment capacity