

Governor Daniel J. McKee's FY 2022 Criminal Justice Reform Proposal

In FY 2022, Governor McKee proposes a common-sense criminal justice reform package focused on making thoughtful, evidence-based changes to the statutes governing probation, parole, home confinement, and work release. The package will decrease disproportionate community supervision sentence lengths, provide meaningful mechanisms for release for people who pose no public safety risk, improve post-release outcomes, and make the justice system more equitable.

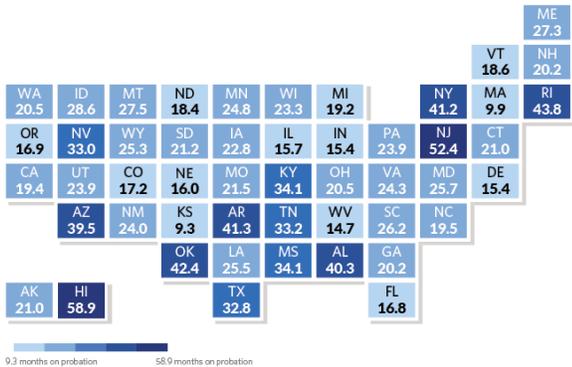
The Governor's proposal is responsive to:

- Findings from the 2017 Justice Reinvestment Initiative (JRI) and 2019 follow-up Juvenile & Criminal Justice Working Group (JRI 2.0)
- Lessons learned during the COVID-19 pandemic
- Growing body of research as to best practices for sentencing, parole, community supervision, and correctional programming
- Ample data on the disproportionality of probation terms and probation rate in Rhode Island compared to peer states

Figure 1

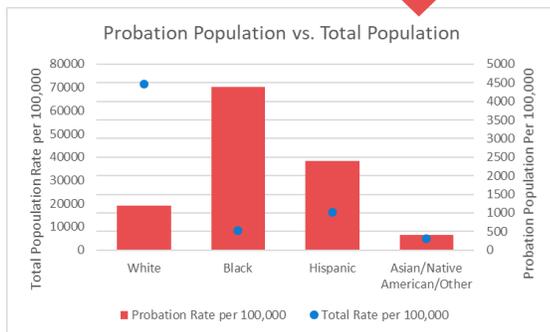
Where People Are Sentenced Can Dramatically Affect How Long They Spend on Probation

Estimated average term by state in months, 2018



Source: Bureau of Justice Statistics, "Annual Probation Survey" (2018)
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- Compelling data on the racial inequity of every level of the justice system in Rhode Island, including the probation system



Criminal Justice Reform Package Highlights:

Probation Reform:

- **Earned Compliance Credits**
 - Offers people on probation 10 days of credit per month of compliance after serving 3 years of sentence
 - Tested best practice in 16+ states
 - Aims to address disproportionate average probation sentence length (44 months, 3rd-longest in nation and double national average) and community supervision rate (1 in 42) in RI
- **Technical Revocation Limits**
 - Limits re-incarceration of low-risk people on probation who commit violations that are not new crimes

Parole Reform:

- **Earned Compliance Credits**
 - Offers people on parole 5 days of compliance credits per month of compliance
 - Tested best practice in 9+ states
- **Technical Revocation Limits**
 - Offers Parole Board more discretion to dynamically address non-criminal violations in the community
- **Early Parole Consideration for Juveniles:**
 - Offers parole consideration after 10 years to people convicted of crimes before age 22
 - Responsive to psychological and neurobiological research attesting to the diminished culpability of juveniles and emerging adults
- **Geriatric Parole & Medical Parole Expansion**
 - Provides compassionate release eligibility to elderly incarcerated people 65+ who no longer pose a public safety risk
 - Tested best practice in 17 states & federal government

Home Confinement Expansion

- Offer low-risk people the opportunity to reenter communities earlier without public safety risk

Work Release Fee Structure Change

- Increases the percentage of work release income retained by participants to incentivize participation