



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

Testimony: Senate Bill 139

Ronal Serpas

**Chairman, Law Enforcement Leaders to Reduce Crime and Incarceration
Former Police Superintendent, New Orleans Police Department**

April 25, 2017

Dear Chairman Claitor, Vice-Chairman Perry and Honorable Members of Senate Judiciary Committee C:

I write to you today to express my support for the provisions of SB 139, increasing use of alternatives to incarceration. I believe this bill will be an important step towards reducing our state's oversized prison population, while keeping our communities safe. I commend you for your attention to this critical issue facing our state.

I am third generation Louisiana law enforcement, beginning my career over three decades ago in my hometown of New Orleans. Nothing is more important to me than the safety of my community. However, my experience in law enforcement has convinced me of a sobering reality: today's crime policies, which too often rely only on jail and prison, are simply ineffective at keeping crime down. Public safety does not come from locking up every offender. Rather, it comes from smart, targeted policies that focus on the right offenders.

It is no secret that our state is facing a fiscal crisis. While we cannot put a price on the value of safety, we must critically examine all expenditures to ensure that they are the best use of our finite resources. In FY2016 - 2017, our state budgeted over \$400 million for adult corrections spending.¹ According to the findings of the Task Force Report, 81percent of the people admitted to prison in Louisiana in 2015 were there for nonviolent offenses. And while Louisiana's crime rates were nearly identical to South Carolina's and Florida's, Louisiana sent people to prison for nonviolent offenses at twice the rate of South Carolina and nearly three times the rate of Florida.²

In comparison, strained budgets have left many of our law enforcement offices dangerously underfunded, creating a new public safety concern. Departments lack resources to hire an adequate number of officers or to enact proactive policing measures we know are effective at decreasing violence and deterring crime.

Studies have shown that imprisoning people at today's exorbitant levels has shrinking crime control benefit.³ In some cases, incarceration can increase future crime, as prison often acts as a "crime school." Research shows this particularly affects nonviolent offenders, who in prison are surrounded by people with serious and violent backgrounds, and upon release carry the social and legal stigma of convicts.⁴ Here in Louisiana, we see this in our high recidivism rates as one in three people released from prison is returned within three years.

To be sure, dangerous and serious offenders belong behind bars. But in other cases, incarceration is not the most appropriate nor cost-effective response. For example, people suffering from alcohol and drug addiction can be better served through treatment programs. While offenders must be held accountable for not complying with probation conditions, for low-level technical violations, incarceration is a heavy-handed and expensive response.

By expanding access to alternatives to incarceration, SB 139 will get offenders the help they need and address the root cause of their criminal behavior. By decreasing the use of prison for administrative probation violations, SB 139 also ensures that we are using incarceration judiciously. These steps will save our state money and finite prison bed space, reduce recidivism and increase public safety.

I know from experience that we can reduce crime and punish offenders appropriately without over-relying on incarceration. The changes proposed in SB 139 will be a step towards putting Louisiana on track towards accomplishing this.

Sincerely,



Ronal Serpas
Chairman, Law Enforcement Leaders to Reduce Crime and Incarceration
Former Police Superintendent, New Orleans Police Department

¹ See GOVERNOR'S EXECUTIVE BUDGET FISCAL YEAR 2016-2017 85 (2016).

² See LOUISIANA JUSTICE REINVESTMENT TASK FORCE REPORT AND RECOMMENDATIONS 17 (2017).

³ See OLIVER ROEDER, ET AL., BRENNAN CTR. FOR JUSTICE, WHAT CAUSED THE CRIME DECLINE? (2015), <https://www.brennancenter.org/publication/what-caused-crime-decline> (estimating the contribution of incarceration to crime decline to be between 0 and 10% during the 1990's, and between 0 and 1% during the 2000's).

⁴ See, e.g. BRUCE WESTERN, PUNISHMENT AND INEQUALITY IN AMERICA 161 (2006); Cassia Spohn & David Holleran, *The Effect of Imprisonment on Recidivism Rates of Felony Offenders: A Focus on Drug Offenders*, 40 CRIMINOLOGY 327, 347 fig.1 (2002); CHRISTOPHER T. LOWENKAMP ET AL., THE ARNOLD FOUND., THE HIDDEN COSTS OF PRETRIAL DETENTION 4 (2013), http://www.arnoldfoundation.org/wp-content/uploads/2014/02/LJAF_Report_hidden-costs_FNL.pdf; CHRISTY VISHER, ET AL., URBAN INST., LIFE AFTER PRISON: TRACKING THE EXPERIENCES OF MALE PRISONERS RETURNING TO CHICAGO, CLEVELAND, AND HOUSTON 4 (2010), <http://www.urban.org/research/publication/life-after-prison-tracking-experiences-male-prisoners-returning-chicago-cleveland-andhouston>.