



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

Testimony: House Bill 489

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Chairman, Law Enforcement Leaders to Reduce Crime and Incarceration

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Dear Chairman Mack, Vice-Chairman Pylant and Honorable Members of House Committee on the Administration of Criminal Justice:

I write in strong support of House Bill 489. This legislation is perhaps the most critical of the Justice Reinvestment Task Force recommendations, providing some of the vital investment we need to strengthen Louisiana's justice system and improve safety.

I have dedicated my career to public safety. I am third generation Louisiana law enforcement officer, beginning my career in my hometown of New Orleans over three and a half decades ago. After serving as the Chief of the Washington State Patrol and the Chief of Police in Nashville, TN, I returned to Louisiana to serve as Superintendent of the New Orleans Police Department. Following my retirement I entered academia, and currently serve as a professor of criminology and justice at Loyola University New Orleans, where I have the opportunity to use my experience to educate the next generation of public safety experts. I also serve as Chairman of Law Enforcement Leaders to Reduce Crime and Incarceration, a national group of nearly 200 police and prosecutors who joined together to call for a reduction in crime and unnecessary incarceration.

Incarceration rates have reached a crisis point in our state. Louisiana locks up its residents at a higher rate than any other state or nation. Much of this growth in our prison population has been driven by addiction and mental illness. According to the Louisiana Justice Reinvestment Task Force report, 13 percent of state prisoners have a diagnosis for a serious mental illness and 70 percent have substance use issues – a prevalence rate of three and eight times greater than the general Louisiana population, respectively.¹ When other systems failed, our prisons and jail became the state emergency service provider of last resort. Unfortunately, our prisons and jails are ill-equipped health centers, and cannot adequately provide the treatment that is needed. In fact, we know from experiences around the country, police officers will choose alternatives to arrest for those who need mental health and drug addiction treatment – not a prison cell.

Another driver of Louisiana's incarceration rate is the high number of people returned to prison after release – one in three according to the Task Force findings.² Former inmates face an array of obstacles to successfully re-integrate into society. Many lacked the education or skills for gainful employment before they entered prison, and few have such skills when they leave.³ In addition, potential employers may be reluctant to hire someone with gaps in their work history or with a criminal record. Nationally, the majority of ex-offenders – 60 percent – are unemployed one year

after release. And many cannot find housing; in urban areas up to 50 percent of homeless people were previously incarcerated. With these challenges and little economic opportunity, it is hardly a surprise that many ex-inmates return to crime or otherwise violate their terms of release.⁴

We can no longer afford to sustain our bloated criminal justice system, and it is no longer making us safer. Fortunately, due to the work of the Justice Reinvestment Task Force, the Governor, state legislative leaders and countless other stakeholders, our state is now in the midst of making much needed improvements to our system.

As we undertake this critical effort, the safety of Louisiana communities must remain paramount. We cannot simply throw open prison doors. We must rely on our police, prosecutors and judges to act upon the difference between repeat, serious and violent offenders, versus those who alternatives to arrest and incarceration can help. To ensure safety and the success of these reforms, we must also invest in improving our current system.

HB 489 will provide some critical improvements. The bill proposes reinvesting a portion of the savings realized from the reduction in the prison population – 70 percent of the annual savings in the first fiscal year and 50 percent thereafter – back into the criminal justice system. Projections of the total reinvestment of HB 489 are \$154 million over ten years. It proposes directing this reinvestment into awarding incentive grants to parishes, judicial districts, and non-profit organizations to expand evidence-backed prison alternatives; funding for victim services and DOC investment in parish jail programming, education, reentry, transitional work and community supervision.

The bill also proposes funding for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities that house state inmates to incentivize the expansion of recidivism reduction programming and treatment services. When budgets are tight, sheriffs and correctional administrators often have little choice but to cut these programs. By giving them additional needed resources specifically earmarked for recidivism reduction programming we reduce the number of repeat offenders, saving the state money and improving safety.

This bill is no way a silver bullet. Our criminal justice system remains woefully under-resourced and underfunded. We need additional resources to further expand alternatives to incarceration and recidivism reduction programming. We also need additional resources for our law enforcement community to develop and implement new and innovative crime reduction strategies and to have the tools to find a target the most violent and serious offenders. Dozens of states throughout the region and country have enacted meaningful and rational reforms. These reforms have served their communities well with lower crime rates, lower incarceration rates and a more rational financial model of justice. However, this is a great step forward.

We are at a pivotal turning point for our state. We have widespread agreement from lawmakers, law enforcement, business groups, faith leaders and advocates that reform is needed. Reducing unnecessary incarceration in Louisiana is a necessary and much-needed step. HB 489 is a critical component of undertaking this effort safely and successfully. For this reason, I strongly urge you to join me in strong support of this bill.

Sincerely,



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

¹ See LOUISIANA JUSTICE REINVESTMENT TASK FORCE REPORT AND RECOMMENDATIONS 30 (2017).

² See LOUISIANA JUSTICE REINVESTMENT TASK FORCE REPORT AND RECOMMENDATIONS 12 (2017).

³ BOBBY D. RAMPEY, ET AL., NAT'L CTR. FOR EDUC. STATISTICS, HIGHLIGHTS FROM THE U.S. PIAAC SURVEY OF INCARCERATED ADULTS: THEIR SKILLS, WORK EXPERIENCE, EDUCATION, AND TRAINING 6-7, A-2-A-3 (Nov. 2016), <https://nces.ed.gov/pubs2016/2016040.pdf> (finding from a national survey that the U.S. incarcerated population had lower average literacy and numeracy scores than the U.S. household population); CAROLINE WOLF HARLOW, BUREAU OF JUSTICE STATISTICS, EDUCATION AND CORRECTIONAL POPULATIONS 1 (2003), <https://www.bjs.gov/content/pub/pdf/ecp.pdf> (finding about 41% of prison and jail inmates in 1997 and 31% of probationers had not completed high school or its equivalent, compared to 18% of the general population age 18 or older who had not finished the 12th grade).

⁴ JOAN PETERSILIA, NAT'L INST. OF JUSTICE, WHEN PRISONERS RETURN TO THE COMMUNITY: POLITICAL, ECONOMIC, AND SOCIAL CONSEQUENCES, SENTENCING AND CORRECTIONS ISSUES FOR THE 21ST CENTURY 3, 5 (2000), <http://www.nationaltasc.org/wp-content/uploads/2012/11/When-PrisonersReturn-to-the-Community-Political-Economic-and-Social-Consequences-NIJ.pdf>.