

RETURN ON INVESTMENT OF 2128

More victims of crime.

- One of the key elements of this bill is to take away one of the best mechanisms we have for reducing violent crime – transitional facilities. Confinement (Page 9 Lines 25 –26).
- 90% of offenders will not be eligible for transitional facilities due to the structure of the eligible offender.

2128 will not change:

- The length of time a violent person serves in DOCR custody.
 - Per ND law, violent offenders and offenders who use firearms and weapons while committing crimes subject to the current statute already serve 85% of their sentence. The DOCR cannot and does not release them early. This would be unlawful.
 - Violent crimes include:
 - Murder
 - Manslaughter
 - Class B Felony Aggravated Assault
 - Kidnapping
 - Gross Sexual Imposition
 - Robbery
 - Burglary

Violence in North Dakota will increase.

- A violent offender released directly to society from prison rather than going through a transitional facility is 39% more likely to return to a ND prison for committing another violent crime than one who went through a transitional facility..
- A non-violent offender released directly to society from prison rather than going through a transitional facility is 14% more likely to return to a ND prison for committing another violent crime than a person who went through a transitional facility first.

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Recidivism in North Dakota will increase.

- Regardless of whether the crime is considered violent or non-violent, people who reenter society through a transitional facility are 14% less likely to return to prison in 3 years.
- To go directly from prison back to normal life is dramatic. Coaching people through this return to society is what reduces reoffending and the likelihood of violence.

Fewer people will be released with drug and alcohol treatment completed.

- 1/3 of individuals who completed drug and alcohol treatment in 2024 did so in a transitional facility.
- DOCR doesn't have the space or personnel to meet the new demand for treatment. Historically, DOCR has had a difficult time to recruit addiction counselors.

North Dakota prison and jail employees will be less safe.

- Removing incentives for making good choices will increase violence in prison. The current design of good time incentivizes personal responsibility. Under this bill individuals who are not yet eligible for treatment will lose their incentive to maintain good behavior within our prison walls.
- The specific language of this bill ignores the reality of what we can provide. A person MUST be working AND participating in education AND participating in court-ordered treatment or staff-recommended treatment. We do not have enough jobs for every person, so people are on a waiting list for employment. Approximately 32% of people in prison need a GED. Treatment programs are offered to inmates when they are nearing release, if resources are available. It will be rare that a person will be participating in all three at the same time. This means that the current language of the bill will disincentivize people from participating in education or vocational or treatment programs. The mindset will become, since the state can't support me to do all three, and since I don't benefit from doing 1 or 2, I'll just do nothing at all. As we have said before, idle hands are the devil's workshop.

End 40 years of legislative investment into successful reentry through transitional housing.

DOCR budget, bed space and needs will increase.