

## Improving Community-based Treatment and Reducing Prison Overcrowding

By 2015, Alabama had the most crowded prison system in the nation, operating at 195 percent of its capacity with 26,029 people in a system designed to hold 13,318.<sup>1</sup> At the same time, two-thirds of prison admissions were people convicted of drug and property offenses who could often be more effectively supervised in the community rather than using scarce prison resources. Of releases from Alabama Department of Corrections (ADOC) custody, 34 percent were end-of-sentence releases and were released from incarceration without a transition plan or supervision.<sup>2</sup>

Alabama's probation and parole systems were also overwhelmed. Two-thirds of the nearly 80,000 people convicted of felonies and under correctional control were on community supervision.<sup>3</sup> Caseloads averaged close to 200 cases per officer, which made it difficult for officers to provide adequate supervision tailored to individuals' risks and needs.<sup>4</sup>

To address these challenges, from 2014 to 2015, Alabama partnered with The Council of State Governments (CSG) Justice Center to employ a Justice Reinvestment Initiative (JRI) approach and analyze the state's criminal justice data, interview stakeholders from across the criminal justice system, and work with policymakers to develop data-driven policy options designed to reduce prison overcrowding and increase public safety. These efforts were funded by The Pew Charitable Trusts and the Bureau of Justice Assistance (BJA). BJA is a component of the Department of Justice's Office of Justice Programs.

As a result of this work, Alabama leaders enacted Act 2015-185 in May 2015, which aimed to strengthen community-based supervision, divert people convicted of the lowest-level drug and property offenses from prison to Community Corrections Programs (CCPs), and ensure supervision for everyone upon release from prison to reduce recidivism.<sup>5</sup> As part of Act 2015-185, Alabama reinvested \$95.6 million to support JRI legislation between 2016 and 2019 at a time of fiscal crisis and state budget cuts.<sup>6</sup>

Act 2015-185 allowed Alabama to reduce caseloads and improve supervision by hiring and retaining more than 100 new probation and parole officers, expanding behavioral health treatment, supervising more people convicted of low-level offenses in CCPs, and enhancing the state's victim notification system. Using funds invested in the Alabama Board of Pardons and Paroles (ABPP) for the first time in Alabama's history, the ABPP established a network of three Day Reporting Centers (DRCs) and "DRC Lites" across the state to expand access to behavioral health treatment and programming for people on probation and parole. "DRC Lites" offer similar programming to DRCs but are limited to cognitive behavioral treatment, substance use disorder treatment, and educational and job training, and take place in smaller, more rural field offices. Since passage, the state has continued to expand the number and impact of its DRCs to improve outcomes for people on supervision with 5 DRCs and 4 DRC Lites operating in 2024.<sup>7</sup>

Hiring additional probation and parole officers resulted in a drop in average caseload sizes from close to 200 cases to about 110 active cases per officer.<sup>8</sup> Further, the percentage of probation and parole revocations for technical violations decreased between 2015 and 2017, from 33 percent to 21 percent for probation and 28 percent to 13 percent for parole.<sup>9</sup> As a result of these and other policy and practice changes, Alabama's prison population fell 27 percent between 2015 and 2021.<sup>10</sup>

**This brief outlines the following JRI statutory goals and implementation takeaways:**

- 1.** Strengthen community-based supervision resources and prioritize prison space for people at the highest risk of reoffending.
- 2.** Increase capacity and improve the effectiveness of community-based programming, including substance use disorder and mental health treatment.
- 3.** Supervise every person released from prison while improving notification to victims regarding release from prison.

## **1. Strengthen community-based supervision resources and prioritize prison space for people at the highest risk of reoffending.**

---

*To reduce prison crowding and increase resources for the community-based supervision system, Alabama prioritized incarceration for individuals convicted of serious offenses, diverted individuals convicted of the least serious felony offenses to Community Corrections Programs (CCPs), and allocated money to hire and retain new probation and parole officers.*

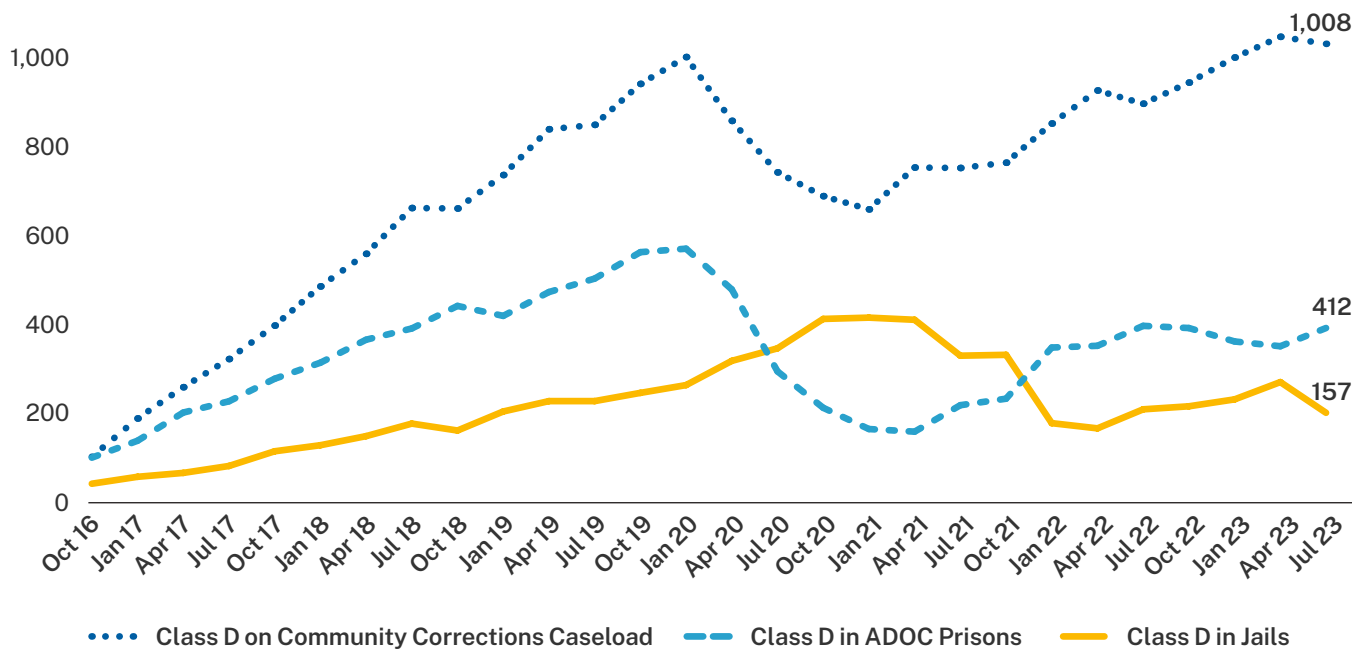
By 2015, Alabama's prison system was overwhelmed with prisons operating at 195 percent of capacity.<sup>11</sup> This made it challenging for the prison system to properly address the needs of people who were incarcerated and for supervision officers to provide sufficient supervision and treatment to people at a high risk of reoffending to reduce recidivism. Through Act 2015-185, people convicted of the lowest-level property and drug crimes are now receiving intensive supervision and treatment in the community, which ensures that prison beds are prioritized for people convicted of more serious offenses.

To further support carefully targeting prison resources, Act 2015-185 created a new Class D felony for the least

serious felony offenses and diverted people convicted of such crimes to CCPs to receive supervision and treatment resources in the community. As shown in figure 1, the majority of people sentenced for a Class D offense are now placed on a community corrections caseload, allowing them to receive supervision and treatment for their identified needs in the community without using scarce prison resources.

Before Act 2015-185, probation and parole officers carried exceptionally high caseloads, which resulted in resources being spread thinly across the supervision population without differentiation based on a person's risk of recidivating or how long they had been under community supervision. Act 2015-185 supported recruiting and training more than 100 additional probation and parole officers, resulting in a reduction of caseloads from close to 200 cases per officer in 2015 to about 110 cases at the end of 2017.<sup>12</sup> Adding supervision capacity allowed officers to spend more time and resources on people at the highest risk of recidivating.

**Figure 1 Month-end Population by Type of Facility Supervision for People with Class D Offenses: October 2016–September 2023<sup>13</sup>**



## 2. Increase capacity and improve the effectiveness of community-based programming, including substance use disorder and mental health treatment.

To improve the effectiveness of supervision and impact of community-based treatment, including mental health and substance use disorder treatment, Alabama increased the supervisory and treatment capacities of CCPs and established performance-based requirements.

Prior to Act 2015-185, CCPs were not required to demonstrate that they were operating in accordance with evidence-based practices focused on changing behavior and ultimately reducing recidivism. There was also no mechanism to ensure accountability for how CCP funding is used to deliver behavioral health treatment and other services, which resulted in CCPs using inconsistent approaches to determine the intensity of supervision and treatment services. At the same time, high caseloads made it extremely difficult for probation and parole officers to appropriately supervise individuals according to their risk level and needs — with higher risk and need individuals needing more intensive supervision to reduce their likelihood of recidivating — or to ensure strong connections to treatment and care while on supervision for individuals who need it. To address these challenges, Alabama

allocated \$18.5 million to hire probation and parole officers while also enhancing community-based behavioral health treatment and services, along with \$8 million to improve CCPs, with an initial investment in fiscal year (FY) 2016 and annually through FY 2019.<sup>14</sup>

Through Act 2015-185, Alabama standardized supervision and treatment practices for CCPs statewide and required them to measure outcomes to increase oversight and accountability. Act 2015-185 also established a performance-based funding plan that sets CCP reimbursement rates according to the degree of implementation of evidence-based practices. Further, access to substance use disorder and mental health treatment was expanded through opening three DRCs and “DRC Lites” with contracts awarded to community-based providers starting in March 2017. Requiring programs to adhere to evidence-based practices aimed at decreasing recidivism and diverting people convicted of Class D offenses to CCPs allowed the state to increase the impact of CCP programs and resources and prioritize prison space for people convicted of more serious offenses.

### 3. Supervise every person released from prison while improving notification to victims regarding release from prison.

---

*To hold people accountable upon release from prison and improve notifications to victims regarding releases from prison, Alabama invested \$28.6 million to strengthen community-based supervision and finish developing the automated victim notification system.*

Before Act 2015-185, in FY 2013, 2,852 people, or 34 percent of all prison releases, were individuals who reached the end of their sentence in prison and were released without a period of community supervision.<sup>15</sup> This undermined the state's ability to monitor and support these individuals' reentry progress in the community. Further, Alabama's JRI analysis found that people who received no supervision upon release from prison had higher recidivism rates than people who receive supervision.<sup>16</sup> Act 2015-185 required that all people sentenced to prison receive supervision in the community upon release to ensure that people are held accountable after release from prison while also improving their chance of succeeding in the community.

Prior to Act 2015-185, the system used to notify victims regarding an individual's upcoming parole hearing or release from prison — the Alabama Crime Victims Automated Notification System (AlabamaCAN) — was not fully operational due to a lack of financial resources to complete the system. This resulted in victims being able to receive notifications only by U.S. mail instead of through their preferred method of communication, including email, text messages, or automated voice recordings. The process for notifying victims regarding prison releases was also fragmented: not all victims were notified when an individual was released from prison, and gaps existed when individuals were released from prison for medical treatment or to a CCP work release program. Act 2015-185 provided new funding to ensure the completion of the AlabamaCAN system by the end of FY 2019 and required ADOC to use the system to notify victims when a person is released from prison to the community and remains under the jurisdiction of ADOC.<sup>17</sup>

#### Acknowledgments

This project was supported by Grant No. 15PBJA-21-GK-04348-JRIX, awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

#### Contact

**Paul Nichols**  
Deputy Program Director | CSG Justice Center  
[pnichols@csg.org](mailto:pnichols@csg.org)



The Justice Reinvestment Initiative (JRI) is a data-driven process funded through a public-private partnership between the Bureau of Justice Assistance (BJA), a component of the Department of Justice's Office of Justice Programs, and The Pew Charitable Trusts. JRI aims to improve public safety by helping states make their justice systems more fair, effective, and efficient as they direct resources to address the complex factors that drive crime and recidivism.



The Council of State Governments (CSG) Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The CSG Justice Center has provided data-driven analyses and policy options to policymakers in more than 30 states as part of the Justice Reinvestment Initiative.

## Endnotes

1. The Council of State Governments Justice Center, *Justice Reinvestment in Alabama Analysis and Policy Framework* (New York: The Council of State Governments Justice Center, 2015).
2. Andy Barbee et al., "Justice Reinvestment in Alabama Second Presentation to Prison Reform Task Force" (PowerPoint presentation, Prison Reform Task Force, Montgomery, AL, September 30, 2014).
3. The Council of State Governments Justice Center, "Justice Reinvestment in Alabama," accessed December 11, 2023, <https://csgjusticecenter.org/projects/justice-reinvestment/past-states/alabama/>.
4. Ibid.
5. S.B. 67, Alabama State Legislature, Reg. Sess. (AL, 2015).
6. The Council of State Governments Justice Center, "Alabama Allocates \$26.5 Million for Justice Reinvestment in FY2019," accessed April 29, 2024, <https://csgjusticecenter.org/2018/04/18/alabama-allocates-26-5-million-for-justice-reinvestment-in-fy2019/>.
7. "Day Reporting Centers Lites," Alabama Bureau of Pardons & Paroles, accessed June 12, 2024, <https://paroles.alabama.gov/about-us/field-operations/special-populations-and-programs/day-reporting-center-lites/>.
8. Ibid.
9. Analysis of Alabama Bureau of Pardons and Paroles state monitoring data conducted by the Council of State Governments Justice Center, March 2018..
10. Ibid.
11. Ibid.
12. Alabama DOC Research and Planning Division, Monthly Statistical Report for September (Montgomery, AL: Alabama Department of Corrections, 2023).
13. Ibid.
14. Ibid.
15. Ibid.
16. Ibid.
17. Ibid.