



U.S. Department of Justice FY 2017 Budget Request

SMART ON CRIME

**+\$247 Million in Program Increases,
including \$57 Million in State, Local and Tribal Programs**

FY 2017 Overview

At the direction of the Attorney General, in early 2013 the Department of Justice launched a comprehensive review of the criminal justice system to identify reforms that would ensure federal laws are enforced fairly and—in an era of reduced budgets—efficiently. As part of its review, the department studied all phases of the criminal justice system, including charging, sentencing, incarceration, and reentry, to identify the practices that are successful at deterring crime and protecting the public.

While we must remain vigilant in our efforts to stop violent crime, we cannot simply prosecute and incarcerate our way into becoming a safer nation. The *Smart on Crime* initiative focuses on effectively using federal resources for the most significant federal law enforcement priorities – including violent crime – and implementing a series of commonsense reforms to reduce unnecessarily long sentences for low-level, nonviolent drug offenders. The *Smart on Crime* policies also bolster prevention and reentry programs to deter crime, reduce recidivism, and create pathways of opportunity for eligible candidates.

The Attorney General's plan focuses federal resources on and directs prosecutors to pursue cases implicating the most substantial federal interests, rather than prioritizing the sheer number of prosecutions. Considering alternatives to incarceration for low-level, non-violent offenses also strengthens our justice system and places a lower financial burden on the budget. This means increased use of diversion programs, such as drug courts, that reduce taxpayer expense and have the potential to be successful at preventing recidivism. When imprisonment is appropriate, sentencing should reflect the individualized circumstances of the case. It is time to reexamine – as Congress is already doing on a bipartisan basis – our sentencing laws to make sure they are more sensible and that we maximize our resources most effectively. By sentencing low-level nonviolent drug offenders to more appropriate terms, while preserving substantial prison sentences for serious offenders, critical funds can be spent on other essential public safety priorities.

We must also provide necessary care for inmates by expanding mental health services, medical treatments, and reducing the use and need for restrictive housing. To better prevent recidivism, it is important to reduce barriers to reentry for formerly incarcerated individuals. This includes emphasizing reentry programs, and revisiting rules and regulations that make it harder for these individuals to find a job, an education, or affordable housing.

FY 2017 Program Increases

Prevention and Reentry Efforts

We have seen how a vicious cycle of poverty, criminality, and incarceration traps too many Americans and weakens too many communities. In order to effectively enforce federal criminal statutes, we must also focus on preventing criminal activity before it occurs and build pathways for reentry and reintegration in society after serving a fair and appropriate punishment. The department requests **\$95.3 million** and **53 positions** for prevention and reentry efforts with **\$56.5 million** in **grant programs** supporting these efforts in FY 2017.

- **U.S. Attorneys:** Part of our effective response is to dedicate **\$5 million** for **53 Prevention and Reentry Coordinators** in 53 U.S. Attorneys Districts to better coordinate prevention and reentry efforts in the criminal justice system specifically tailored for each District.
- **Bureau of Prisons:** The federal prison system has a unique role to play in helping released inmates become productive members of society through its numerous and effective reentry programs. The FY 2017 request includes **\$91.3 million** for facilities to adopt evidence-based programs that reduce recidivism and improve employment outcomes tailored to local communities. The enhancements will expand children and family programming to strengthen familial bonds, which are critical for helping inmates transition back home; provide expanded vocational training and education training; and increase bed space at Residential Reentry Centers.
- **Grants Programs:** Additionally, our grant programs totaling **\$56.5 million** help support our prevention and reentry efforts. Expanded offerings for Residential Substance Abuse Treatment (RSAT) (\$2.0 million) will develop residential and aftercare services for substance-involved inmates in secure settings that help offenders overcome their substance abuse problems and prepare for reentry into society. Moreover, our Second Chance Act grants (\$32.0 million) will provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services to reduce re-offending and violations of probation and parole.
- Finally, our Smart Prosecution Program (\$2.5 million) grants utilize local criminal justice data to develop prosecution strategies to address specific crime problems in local jurisdictions and our Smart on Juvenile Justice Initiative (\$20.0 million) provides incentive grants, training, and technical assistance to support successful implementation of juvenile justice reform to foster better outcomes for system-involved youth.

Health and Mental Health Services

In order to break the cycle of recidivism many physical and mental health problems must be addressed before inmates reenter society. This means providing medical care for inmates and decreasing the use of restrictive housing for inmates with mental illness. It has been shown that prisons with higher rates of restrictive housing have higher levels of facility disorder, lower levels of inmate trust, and higher concentrations of violent inmates. With nearly a quarter of inmates with a past of mental health problems having spent time in restrictive housing, we must pursue alternatives that do not exacerbate underlying mental health problems and add to the stability of prison facilities.

The **Bureau of Prisons** requests **\$92.9 million** and **336 positions** to improve health and mental health treatment in our facilities. A large part of this investment would ensure all institutions maintain a complement of mental health staff to make psychiatric services available to all inmates. This particular investment would include cognitive behavioral programming and staffing at Residential Reentry Centers. Similarly, the department requests mental health resources for those inmates in high security restrictive housing, also known as Special Housing Units and Special Management Units. This would include one SHU psychologist for each of 111 facilities and 78 Step Down Unit staff in four facilities as well as the retrofit of four existing facilities to create specialized secure mental health Step Down Units. Finally, BOP would expand its Hepatitis C treatment program by an additional 250 inmates, who would have a high likelihood of being cured; provide an expanded medical assistance treatment pilot for opioid use disorders; and, increase the availability of voluntary treatment for sex offenders.

President’s Restrictive Housing

Initiative: In July 2015, the President asked the Department of Justice to identify ways to safely reduce the overuse of restrictive housing in prisons. This Budget requests **\$24.0 million** to implement the department’s recommendations, including by enhancing mental health services and by constructing and staffing alternative forms of prison housing for inmates with serious mental illness.

A Fair and Equal Justice System

Being Smart on Crime means ensuring a fair and equal application of justice for all of our citizens. In 2014, the department announced a new Clemency Initiative to address historical disparities in punishments that are out of line with sentences imposed under today’s laws. The results of this announcement have been a dramatic rise in petitions from qualified inmates for reduced or commuted sentences. The department requests **\$1.2 million** and **14 positions** in the **Office of the Pardon Attorney** to help OPA address the 253 percent growth in pending commutation applications from FY 2013 to FY 2015 as a result of the Clemency Initiative. These new resources are needed in order to review these petitions in an expeditious and thorough manner.

FY 2017 Funding to Support Smart on Crime
(Amounts in \$000s)

Component/Initiative	Amount
U.S. Attorneys	
Prevention and Reentry Coordinators	\$5,000
Subtotal, U.S. Attorneys	\$5,000
Office of the Pardon Attorney	
Clemency Initiative	\$1,163
Subtotal, Office of the Pardon Attorney	\$1,163
Bureau of Prisons	
<i>Reentry Programs</i>	
Residential Reentry Centers Bed Space	\$56,300
Reentry Programs in BOP Facilities	20,000
Reentry Programs to Strengthen Family Bonds	5,000
Expand Vocational Training and the Employer Bonding Program	10,000
<i>Subtotal, Reentry Programs</i>	<i>91,300</i>
<i>Health and Mental Health Services</i>	
Cognitive Behavioral Treatment at Residential Reentry Centers	42,600
Restrictive Housing Mental Health Services and Facilities Modernization	24,000
Hepatitis C Treatment	14,025
Increase Mental Health Staff at Residential Reentry Centers	9,685
Expand the BOP Medical Assistance Treatment Pilot	1,000
Sex Offender Management Program	1,613
<i>Subtotal, Health and Mental Health Services</i>	<i>92,923</i>
Subtotal, Bureau of Prisons	\$184,223
Office of Justice Programs	
Residential Substance Abuse Treatment (RSAT)	\$2,000
Second Chance Act	32,000
Smart Prosecution Program	2,500
Smart on Juvenile Justice	20,000
Subtotal, Office of Justice Programs	\$56,500
Total, Smart on Crime	\$246,886

NOTE: Amounts requested by OJP for Smart on Crime are also captured in the department's State, Local and Tribal Assistance Fact Sheet.