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HB 2281, HB 2286, SB 649, SB 689 and SB 786

Testimony from Jesse Kelley, State Affairs Manager in Criminal Justice, R Street Institute

Dear Rep. Terry O'Donnell, Sen. Wayne Shaw and Sen. Greg Treat:

My name is Jesse Kelley, and I am the State Affairs Manager for Criminal Justice for the R Street Institute. The R Street Institute is a nonprofit, nonpartisan, public policy research organization focused on promoting policies that enhance free markets and limited, effective government.

I am writing to express my support for the 27 recommendations offered by the Oklahoma Justice Reform Task Force in February 2017 to address the state's prison population growth. The task force, established by Gov. Mary Fallin, produced policy recommendations designed to improve public safety by holding offenders accountable, reducing recidivism and controlling corrections costs.

Over a six-month period, these task force members examined evidence-based research, data and best practices in the field of criminal justice to determine how to improve Oklahoma's system. They produced a robust set of policy reform recommendations that lawmakers adapted into a package of bills. These bills sought to strengthen community supervision, improve public safety, increase the use of incarceration-alternatives and ensure that people leaving prison are given the opportunity to succeed.

Five of these bills remain pending in the legislature: **HB 2286**, **HB 2281**, **SB 786**, **SB 649** and **SB 689**.

First, we support **HB 2286**, which would provide pathways to release for people convicted of nonviolent crimes who have participated in programs. This measure has been proven to reduce recidivism.

Second, we support **HB 2281**, **SB 786** and **SB 649** – bills that would more proportionally fit punishment with crime. **HB 2281** would create a penalty structure for low-level property crimes that is proportionate to the value of items stolen. **SB 786** would establish proportionate sentences for burglary offenses based on their severity. **SB 649** would reduce sentence enhancements for those facing a nonviolent conviction with no history of violence. These

sensible sentencing schemes will allow offenders a more viable chance at successful reentry once criminal punishment is completed.

Third, we support **SB 689**, as it would give judges and prosecutors more options for diverting people from prison to treatment and supervision programs. It would also decrease financial barriers for people with felony convictions and expand the use of graduated sanctions and incentives to improve the behavior of people on supervision. By reducing the number of offenders to be incarcerated and increasing the number of diversion programs for first time or non-violent offenders, the criminal justice system can promote maintaining employment, thereby [reducing](#) the chance of recidivism.

Oklahoma is facing a [prison financing crisis](#). The state has the [second-highest](#) incarceration rate in the nation, which creates dangerous conditions for both inmates and officers. It is therefore critical for lawmakers to adopt these bills. Proportionate punishment and alternatives to incarceration can not only unite families and save taxpayers money, they also can decrease recidivism rates.

Incarceration [does not reduce](#) crime. Oklahoma cannot afford to continue spending billions of dollars on the ever-increasing corrections department budget. I urge Oklahoma lawmakers to implement reform bills that will invest in prison alternatives and treatment for prisoners and thereby increase public safety.

Sincerely,

Jesse Kelley, Esq.
State Affairs Manager, Criminal Justice
R Street Institute