April 17, 2018

Representative Charles McCall  
2300 N. Lincoln Blvd., Room 401  
Oklahoma City, OK 73105

Senator Mike Schulz  
2300 N. Lincoln Blvd., Rm. 422  
Oklahoma City, OK 73105

Representative Steve Kouplen  
2300 N. Lincoln Blvd., Room 541  
Oklahoma City, OK 73105

Senator John Sparks  
2300 N. Lincoln Blvd., Rm. 520B  
Oklahoma City, OK 73105

RE: Criminal Justice Reform Legislation — HB 2281, HB 2286, SB 649, SB 689, SB 786, and SB 793.

Dear Speaker McCall, Minority Leader Kouplen, President Pro Tempore Schulz and Minority Leader Sparks:

I write to you in support of House Bills 2281 and 2286 and Senate Bills 649, 689, 786, and 793. The reforms contained in these bills will improve Oklahoma’s criminal justice system while enhancing community safety.

Throughout my three decades in law enforcement, I have learned that resorting to automatic jail time for non-violent and low-level offenders is counterproductive. Oklahoma can adopt a more targeted approach that directs limited law enforcement resources toward violent crime, while providing alternative responses for those who do not present a threat to society.

This legislation would achieve that goal. Specifically, these bills would:

- **HB 2281** would create a tiered system for property offenses in which sentences correspond to the value of the stolen property.
- **HB 2286** would reform our probation and parole systems to incentivize good behavior and incorporate graduated sanctions.
- **SB 649** would limit the amount of time that can be added to a nonviolent offender’s sentence due to a prior nonviolent conviction.
- **SB 689** would allow judges and prosecutors more options in diverting people from prison and into treatment or supervision programs.
- **SB 786** would reduce sentences for low-value property crimes so they are more proportional to the underlying offenses.
- **SB 793** would eliminate mandatory minimums for certain drug crimes while still allowing judges the ability to impose serious penalties when needed.
These are vital reforms for Oklahoma. Despite declining prison populations nationwide, our state’s imprisonment rate continues to climb.¹ Our state’s prison population increased almost ten percent in the past five years, and by 2026, it is expected to rise another 25 percent.² As a result, we have the second highest incarceration rate in the country, and we lock up more of our women than any other state, double that of the national average.³

This high level of incarceration is not necessary to preserve public safety, and in some cases could harm public safety. For example, we are not filling our prisons with just violent criminals. In fact, 75 percent of people entering prison in our state committed non-violent offenses.⁴ Moreover, 60 percent of our prisoners have a recorded history of mental illness and 26 percent are serving time for drug offenses.⁵ By adopting reforms that encourage treatment and supervision over prison, we can steer many of these individuals toward more productive lives.

Additionally, over-reliance on incarceration comes at a great cost to our communities. Unless we adopt reforms, rising prison populations will cost the state $2 billion dollars in the next eight years.⁶ Those taxpayer dollars could be better spent on law enforcement efforts on the front lines to protect public safety. Unfortunately, the costs are not just monetary. A growing body of evidence shows that steering low-level and non-violent offenders into the criminal justice system escalates criminal behavior upon release.⁷ By offering alternatives to incarceration we will both save money and reduce the likelihood of future crime.

Other states have shown that incarceration and crime can be reduced together. Since 2007, more than 30 states have enacted policies that reduced prison populations while maintaining long-term declining crime.⁸ In 2012, Georgia expanded the use of sentencing alternatives and updated their offense classifications leading to a 10 percent prison population reduction,⁹ while the state experiences historically low crime rates.¹⁰ In Texas, the rate of incarceration in state prisons declined 17 percent between 2007 and 2015,¹¹ while the crime rate dropped by 27 percent.¹² Most recently, Louisiana adopted a comprehensive reform package in 2017 that is projected to reduce their prison population by 10 percent.¹³ Once this occurs, Oklahoma will take the unfortunate title of the nation’s leading incarcerator.¹⁴

This package of bills offers an opportunity to choose another direction — to join states like Texas and Georgia in enacting reforms that make our criminal justice system work better, cost less, and keep our citizens safer. Passing this legislation is a critical step toward improving community safety and the effectiveness of our justice system. I urge your immediate action on these important bills.

Sincerely,

[Signature]

Keith L. Humphrey
Chief of Police

cc: Oklahoma Senators
Oklahoma Representatives


4 OKLA. FINAL REPORT, supra note 2.


6 OKLA. FINAL REPORT, supra note 2.


12 Id.
