

# Lock up fewer Idahoans and cut crime, too

Marty Trillhaase/Lewiston Tribune

Only two states have a lower crime rate than Idaho.

Only one has a higher proportion of its population caught up in the corrections system. One of every 18 Idaho adults is on probation, in prison or on parole.

Why?

One explanation: Idaho's penalties for failing probation, its short-term rider program and parole are severe. Someone in Idaho convicted of a non-violent crime will serve 3.9 years in prison, 70 percent longer than the national average. Anyone convicted of a drug offense will serve an average of 4.1 years, nearly 86 percent longer than the national norm.

So a legislative task force digging into that problem has coalesced around remedies such as devising a penalty for probation or parole violations that fit the crime. A parolee who breaks the technical rules of his release - such as not checking in with his supervisor - shouldn't be treated as though he committed another felony and get shipped back to the main prison yard.

Do that and you may stem the growth in Idaho's prison population.

But what about reducing the size of that population?

Many people who go to prison in Idaho are convicted of non-violent, even victimless crimes. Locking them up deprives them of their jobs. It disrupts - possibly even unravels - their families. It leaves them stigmatized and less able to get their lives back on track once they finally are released.

If you're trying to keep them from committing future crimes, why leave them socially isolated and unemployable?

The legislative task force and its consultants haven't talked about that.

Fortunately, the unlikeliest political alliance of the season - ACLU Executive Director Monica Hopkins and Idaho Freedom Foundation President Wayne Hoffman - just did.

Last week, they argued reducing Idaho's prison population demands shrinking the pipeline that feeds it - Idaho's criminal code.

For instance, why not adjust the definition of a felony theft to fit the times? Idaho's law has not been changed since 1999. At today's prices, stealing a laptop computer or even a bicycle can put you in the probation-prison-parole pipeline.

Few Idahoans are willing to legalize or even decriminalize drugs. But drug abuse generates one-third of Idaho's prison inmates. Is there no better way to handle this problem than prison?

And why impose mandatory minimum penalties for drug offenses? If you want fewer people in the prison pipeline, allow judges to be flexible - and equip them with more creative, cheaper and more effective community-based treatment options.

If you want a smaller prison population, restore good time. Until the get-tough-on-crime mantra took hold in the state Capitol in the last century, inmates who played by rules and got the help they needed won an early release.

Clean up Idaho's criminal code. For any given offense, there are several statutes that apply. Piling on with multiple charges for the same crime means more convictions and longer sentences.

Won't this lead to more crime? Not necessarily. Prison does not lead to a bigger bang for the buck. Past a certain point, hard time means a harder life once the inmate is released.

At least that argument explains what's happening in states that have adopted some of the reforms Hopkins and Hoffman outlined.

From 2007 to 2012, Texas cut its incarceration rate 11 percent. Crime dropped 9 percent.

The proportion of Kansas' population caught up in the system dropped 15 percent from 2003 to 2009. Crime fell 18 percent.

South Carolina cut its prison rate 8 percent in 2010-2013. Crime dropped 12 percent.

New York cut incarcerations by 16 percent from 2000 to 2007. Crime dropped 25 percent.

Idaho is rethinking its prison policy. Fine. But it's fixated on moving people through the prison system's back door.

Wouldn't we all be a lot better off if fewer people wound up knocking on prison's front door? - M.T.