

Sentence Progression

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“Who do you want to be your future neighbour?”

Guiding Principle of Norwegian Correctional Service



What is *Progression*?

Progression towards reintegration: In accordance with the principle of normality, **progression through a sentence should be aimed at reentering to the community**. The more **institutionalized** a system is, the **harder** it will be to return to freedom. Therefore, one will **proceed towards release gradually** from high security prisons to lower security prisons, through halfway houses and finally execution of the sentence outside of prison unless security reasons dictate otherwise. Probation is stimulated and the correctional services will try to arrange for a process where **serving the sentence is adjusted to individual risks**, needs and resources, unless security reasons predict otherwise.

-Kriminalomsorgen: The Norwegian Correctional Service

The Correctional Service aims to release as few prisoners as possible directly from closed prisons. (Storvik, 2017)

Martins pappa
har fotlenke



“Martin's dad has an anklet” - NCS picture story for children of Electronic Monitoring recipients



Employee working the farm at Bastoy



Norwegian halfway house



Glenn, 40-year-old sentenced to twelve years for narcotics, sits in his bedroom.



Lighthouse housing at Bastoy Low Security Prison

What does Progression look like in the US?

Existing since the 1950's and 60's, intermediate sanctions include **community service, boot camps, intensive supervision programs, home confinement and electronic monitoring, halfway houses, day reporting, fines, treatment, furloughs and restitution.** They provide a continuum of sentencing choices. How can we use these to progress sentencing?

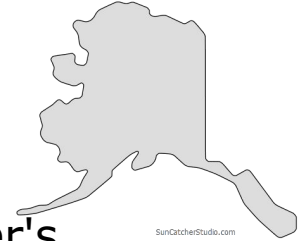
State Statute Case Studies

Alaska

Iowa

Nebraska

Alaska Statute 33.30.065. Service of Sentence By Electronic Monitoring



(a) If the commissioner designates a prisoner to serve the prisoner's term of imprisonment or period of temporary commitment, or a part of the term or period, by electronic monitoring, **the commissioner shall direct the prisoner to serve the term or period at the prisoner's residence or other place selected by the commissioner.** The electronic monitoring shall be administered by the department and shall be designed so that any attempt to remove, tamper with, or disable the monitoring equipment or to leave the place selected for the service of the term or period will result in a report or notice to the department.

Alaska Statute 33.30.065. Service of Sentence By Electronic Monitoring (contd.)

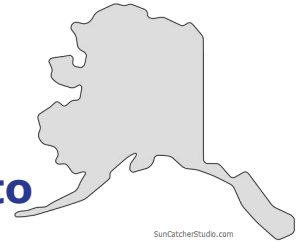


(b) In determining whether to designate a prisoner to serve a term of imprisonment or period of temporary commitment by electronic monitoring, the commissioner shall consider

- (1) safeguards to the public;
- (2) the prospects for the prisoner's rehabilitation;
- (3) the availability of program and facility space;
- (4) the nature and circumstances of the offense for which the prisoner was sentenced or for which the prisoner is serving a period of temporary commitment;
- (5) the needs of the prisoner as determined by a classification committee and any recommendations made by the sentencing court;
- (6) the record of convictions of the prisoner, with particular emphasis on crimes specified in AS [11.41](#) or crimes involving domestic violence;
- (7) the use of drugs or alcohol by the prisoner; and
- (8) other criteria considered appropriate by the commissioner.

Alaska Statute 33.30.101. Furloughs.

(a) The commissioner shall adopt regulations governing the granting of prerelease and short-duration furloughs to prisoners to



- (1) obtain counseling and treatment for alcohol or drug abuse;
- (2) secure or attend vocational training;
- (3) obtain medical or psychiatric treatment;
- (4) secure or engage in employment;
- (5) attend educational institutions;
- (6) secure a residence or make other preparations for release;
- (7) appear before a group whose purpose is a better understanding of crime or corrections; or
- (8) for any other rehabilitative purpose the commissioner determines to be in the interests of the prisoner and the public.

Alaska Statute 33.30.101. Furloughs (contd.)



(b) If the commissioner determines with reasonable probability that a prisoner can live under reduced supervision without violating the law or the conditions established for the conduct of the prisoner, the commissioner may grant a furlough after considering

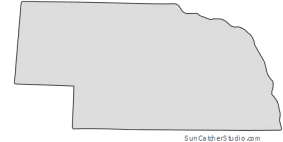
- (1) the factors in AS [33.30.091](#) ;
- (2) violations, if any, by the prisoner of a condition of a prior furlough;
- (3) the history, if any, of institutional misconduct by the prisoner; and
- (4) the best interests of the prisoner and the public.

(c) The regulations adopted under (a) of this section may not provide for the granting of a furlough of any type to a prisoner sentenced to a mandatory 99-year term of imprisonment under AS [12.55.125](#) (a) or a definite term of imprisonment under AS [12.55.125](#) (l) unless the prisoner is at all times in the direct custody of a correctional officer while the prisoner is away from the correctional facility.

(d) The commissioner may release on furlough a prisoner convicted of a crime involving domestic violence only under conditions that would protect the victim of domestic violence or other household member.

Nebraska Revised Statutes Chapter 83. State Institutions

§ 83-176. Director of Correctional Services; Designate Place of Confinement



(1) Whenever any person is sentenced or committed under any provision of law to a specific facility within the department or to the custody of the warden or superintendent of such facility, he or she shall be deemed to be sentenced or committed to the department.

(2) The director may designate as a place of confinement of a person committed to the department any available, suitable, and appropriate residence facility or institution, whether or not operated by the state, and may at any time transfer such person from one place of confinement to another.

Iowa Intermediate Criminal Sanctions, §901B.1 Corrections continuum — Intermediate Criminal Sanctions Program



1. The corrections continuum consists of the following:
 - a. LEVEL ONE. Noncommunity-based corrections sanctions including the following: (1) Self-monitored sanctions.
 - b. LEVEL TWO. Probation and parole options consisting of the following: (1) Monitored sanctions. (2) Supervised sanctions. (3) Intensive supervision sanctions.
 - c. LEVEL THREE. Quasi-incarceration sanctions. Quasi-incarceration sanctions are those supported by residential facility placement or twenty-four hour electronic monitoring including, but not limited to, the following: (1) Residential treatment facilities. (2) Operating while intoxicated offender treatment facilities. (3) Work release facilities. (4) House arrest with electronic monitoring. (5) A substance abuse treatment facility as established and operated by the Iowa department of public health or the department of corrections.
 - d. LEVEL FOUR. Short-term incarceration designed to be of short duration,
 - e. LEVEL FIVE. Incarceration which consists of the following: (1) Prison.
(2) Jail for thirty days or longer.

Iowa Intermediate Criminal Sanctions, §901B.1

Corrections continuum — intermediate criminal sanctions program (contd.)

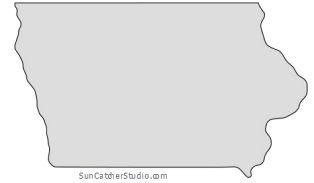


3. a. Each judicial district and judicial district department of correctional services shall implement an intermediate criminal sanctions program. An intermediate criminal sanctions program shall consist of only levels two, three, and sublevels one and three of level four of the corrections continuum and shall be operated in accordance with an intermediate criminal sanctions plan adopted by the chief judge of the judicial district and the director of the judicial district department of correctional services. The plan adopted shall be designed to reduce probation revocations to prison through the use of incremental, community-based sanctions for probation violations.

b. The plan shall be subject to rules adopted by the department of corrections. The rules shall include provisions for transferring individuals between levels in the continuum.

Iowa Code Intermediate Criminal Sanctions, §901B.1

Corrections continuum – intermediate criminal sanctions program (contd.)



4. a. The district department of correctional services shall place an individual committed to it under section 907.3 to the sanction and level of supervision which is appropriate to the individual based upon a current risk assessment evaluation...

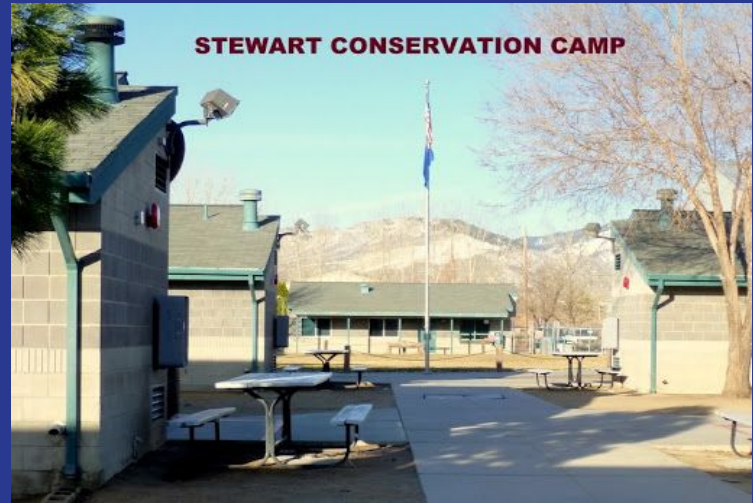
b. The district department may transfer an individual along the intermediate criminal sanctions program operated pursuant to subsection 3 as necessary and appropriate during the period the individual is assigned to the district department. However, nothing in this section shall limit the district department's ability to seek a revocation of the individual's probation pursuant to section 908.11.

Nevada

Stewart Conservation Camp

SCC, located in Carson City, Nevada, houses minimum custody and community trustee inmates in five dormitory type units with a capacity of 360 people. **There are 15 Nevada Department of Corrections staff members assigned to SCC with about 2 staff supervising at a time.**

Inmates at SCC work for the Nevada Division of Forestry and are assigned to twelve-man fire crews. Under the supervision of Silver State Industries, the ranch operates a commercial dairy, grows alfalfa, breeds and raises cattle and cares for horses in coordination with the Department of Agriculture and the Bureau of Land Management. The Wild Horse Program involves inmates training horses for adoption by the public.



Nevada

Stewart Conservation Camp

Wild Horse Program





Advancing Sentence Progression in Colorado Thoughts & Questions?