



EXECUTIVE SUMMARY

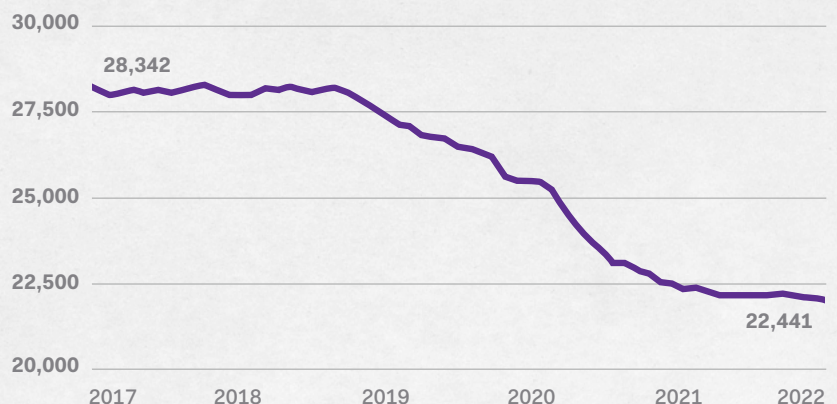
Five Years of Progress

At the end of 2016, Oklahoma had the highest incarceration rate in the country, with Oklahomans 65% more likely to be in jail or prison than someone who lived in another state. Recognizing that these high rates of incarceration were not making Oklahoma safer, more just, or more productive, voters and policymakers started to make long overdue changes to the criminal justice system.

Since that time, Oklahoma has begun turning the page on more than two decades of explosive jail and prison growth that was out of step with evidence-based public safety strategies. Beginning with a citizen-led ballot initiative, a bipartisan movement for criminal justice reform has advanced policy changes that have reduced the prison population by more than 20% and helped thousands of Oklahomans reunite with their families and contribute to their communities. Policymakers in Oklahoma knew they needed to think differently about criminal justice and they have delivered.

Voters approved State Question 780 (SQ 780) by a margin of 58% to 42% in 2016, which reclassified simple drug possession and theft of less than \$1,000 from a felony to a misdemeanor. This was the first of many criminal justice reforms that have passed with the support of Republicans and Democrats, business and faith leaders, policy experts, and everyday Oklahomans who believe it is important to reduce the jail and prison population.

Oklahoma's prison population declined 21% in five years.
Department of Corrections prison population, 2017-2022

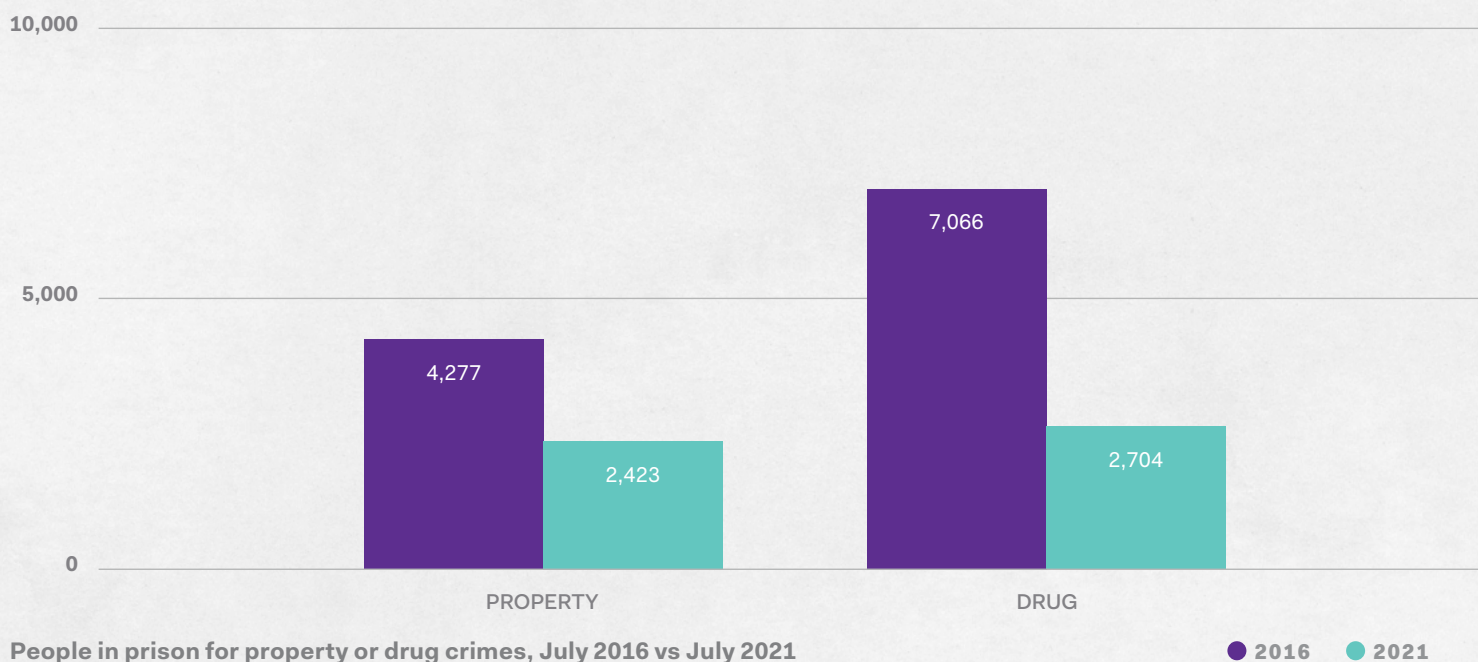


The legislature passed numerous bills aimed at safely reducing incarceration in 2018 and has followed up with important criminal justice reforms in each legislative session since. These reforms brought sentences for low-level drug and property crimes more in line with other states, streamlined the parole process for nonviolent offenses, and expanded opportunities for record expungement. Successive Republican governors Mary Fallin and Kevin Stitt have championed important reforms in the executive branch including commuting the sentences of hundreds of Oklahomans who were convicted of drug possession or minor theft offenses that no longer carry a prison sentence.

As a result of all these changes, Oklahoma's prison population has fallen by nearly 6,000 people, driven by reductions in admissions for drug offenses, property offenses, and supervision revocations. The number of people who are charged with a felony offense has fallen by one-third, meaning more than 15,000 people each year will now have an easier time finding and keeping a job, maintaining stable housing, and supporting their families. Higher parole grant rates and commutations also contributed to declines in the prison population for a brief period, and overall

Oklahoma's criminal justice system has gotten smaller, less expensive, more fair, and more just.

The number of people in prison for drug crimes declined 62% in five years.



More Work to Do

Even after all this progress, Oklahoma still has the third-highest overall imprisonment rate and the second-highest women's imprisonment rate in the country. Compared to other states, people sentenced to prison in Oklahoma spend nearly twice as long behind bars for property crimes such as larceny and fraud and more than twice as long for drug sale or trafficking convictions—35 months in Oklahoma compared to an average of 17 months in other states. Black people are nearly five times more likely to be in prison than white people and racial disparities are worse today than before this recent period of reform.

This stubborn reliance on increasing prison sentences rather than investing in common sense policy changes comes at a monumental cost to taxpayers. Oklahoma spends more than \$552 million on the prison system each year without any real public safety benefits. If the state lowered its imprisonment rate to the level of its neighbors with similar crime rates, taxpayers would save anywhere from \$27 million each year (Arkansas) to more than \$270 million (New Mexico) to reinvest into their families and communities. Other states have shown a different path: from 2009 to 2019, crime fell faster in states that reduced their imprisonment rate—a 28% decline versus an 18% decline among states that increased imprisonment.

Oklahoma's criminal justice reform story continues to be written. The improvements that have been made to the criminal justice system in the last five years show that progress is possible. Voters and policymakers have demonstrated great leadership, but more work remains to reduce Oklahoma's incarceration rate and strengthen its economy, communities, and families.

Economy

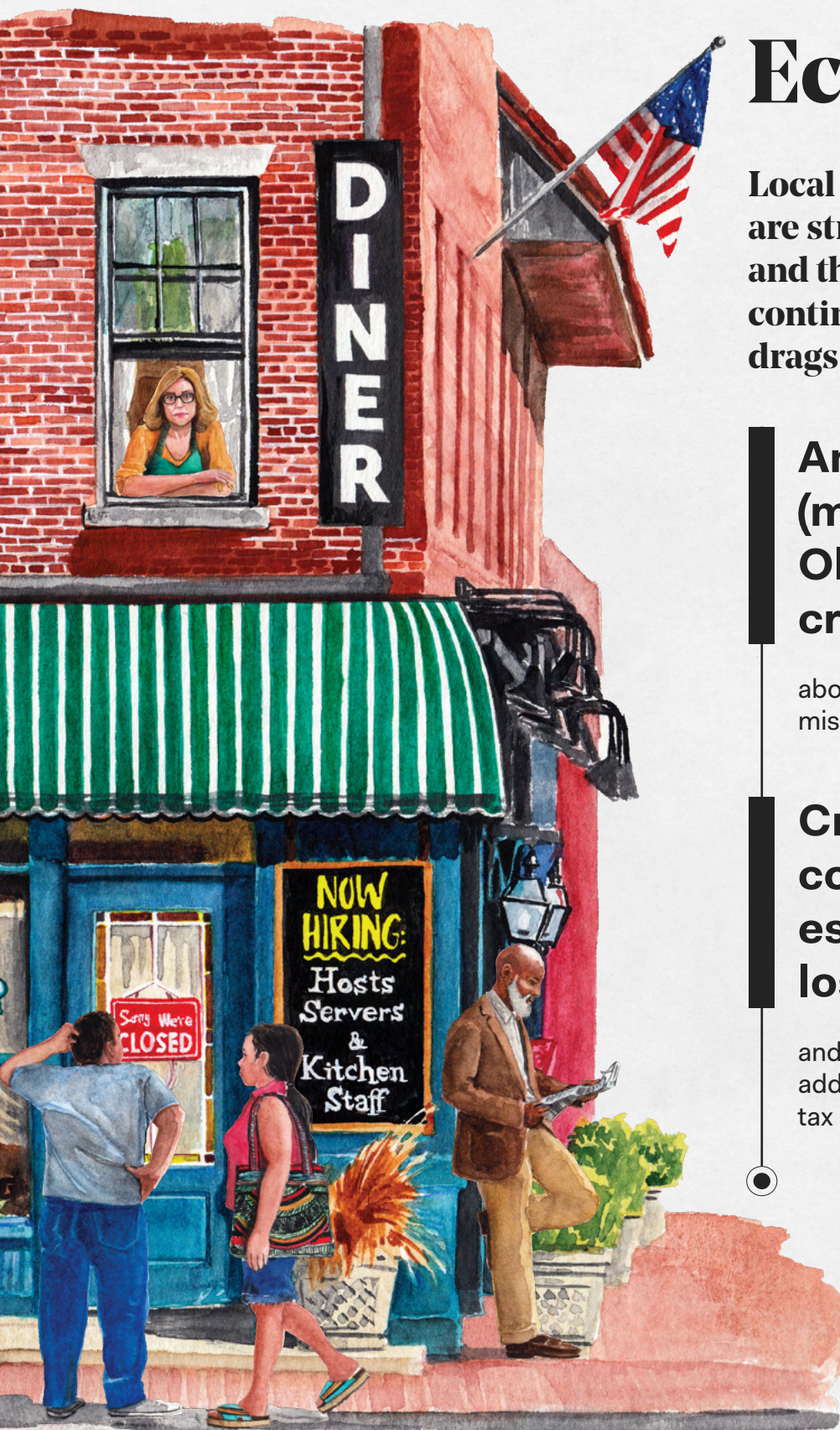
Oklahoma's criminal justice system has constricted the state's economic growth by removing people from the workforce, subjecting them to harsh sentences, and then imposing significant barriers to their return to work.

Community

Oklahoma's criminal justice system should be focused on keeping communities safe, but instead at every stage of the system it fails to prioritize rehabilitation, protect survivors, and strengthen community ties.

Family

The impact of incarceration extends beyond the person locked behind bars. Oklahoma's punitive approach to criminal justice and overreliance on incarceration is separating families and harming Oklahoma's children.



Economy

Local businesses across the state are struggling to find workers, and the criminal justice system continues to be one of the biggest drags on Oklahoma's economy.

An estimated 1.2 million (more than 1 in 4) Oklahomans have a criminal record,

about half of whom have at least one misdemeanor or felony conviction.

Criminal convictions cost Oklahomans an estimated \$4 billion in lost earnings each year

and Oklahoma is losing out on an additional \$182 million in annual tax revenue as a result.

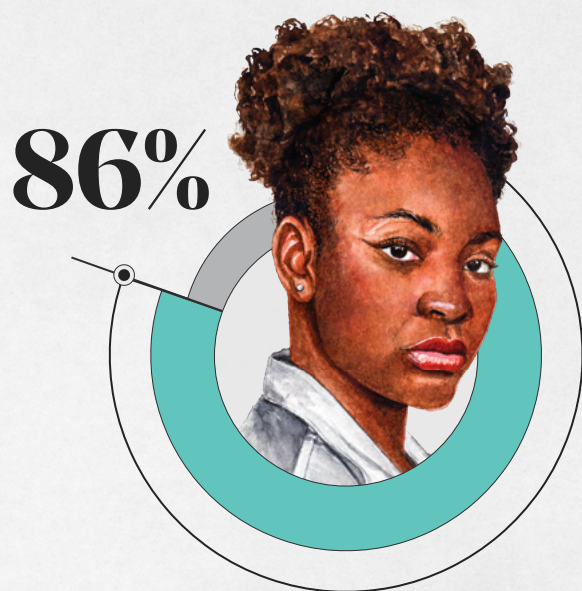
"The only thing you care about is what I've done. You don't care how far I've come past that?"
- Sherry

Oklahoma's high imprisonment rate is driven by harsh sentencing laws and restrictive release policies.

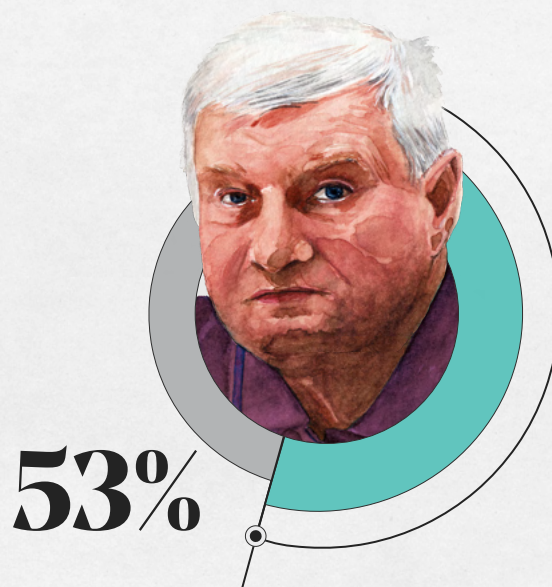
Prison sentences increased by more than two years (28 months) from FY 2016 to FY 2021. The average person in prison has been sentenced to 19.5 years, and the number of people in prison with a prison sentence that is 20 years or longer (8,027) is more than Oklahoma's entire prison population in 1984.

Black Oklahomans are disproportionately impacted by long sentences, accounting for 32% of the people serving a sentence of at least 20 years despite making up just 7% of the state's population.

The biggest drivers of Oklahoma's prison population are the frequent application of enhanced punishments for people with prior convictions and an outdated law that prohibits many people from earning more than 15% off their sentence.



Prosecutors sought an enhanced punishment for 86% of the people admitted to prison for a nonviolent offense with nonviolent priors in FY 2019. Those with an enhancement had sentences that were 60% (3.2 years) longer for drug offenses and 46% (1.8 years) longer for property offenses than those who didn't.



More than half of the prison population (over 11,000 people) are required to serve 85% of their sentence without earning additional time off for following prison rules or participating in rehabilitation programs. For people who receive a 20 year prison sentence, this requirement means they will serve an extra eight years behind bars with fewer incentives to change.

Community

Oklahoma's overcrowded jails put lives at risk and make it harder for people to maintain community ties and successfully reintegrate once they are released.

More than 9,000 people are incarcerated in Oklahoma's local jails

on any given day and 70% have not yet been convicted of a crime. As a result, Oklahoma's jail incarceration rate is 41% higher than the national average.

Oklahoma has the second-highest jail mortality rate in the country. According to one study,

at least 148 people died while in custody from 2009 to 2019.

Oklahoma's reliance on an outdated cash bail system makes jails dangerously overcrowded, extracts wealth from communities, and unfairly punishes people who can't afford to buy their freedom.

Most Oklahomans cannot afford cash bail and remain in jail pending the resolution of their case. This occurs despite overwhelming evidence that pretrial detention does not prevent crime and may make people more likely to be rearrested because of how destabilizing even short periods of incarceration are on a person's life.

Oklahoma families who are already strapped for cash paid out more than \$13 million to bail bondsmen in just 11 of the state's 77 counties in 2021, including an estimated \$5 million paid by families on cases that were ultimately dismissed.

All Oklahomans are not treated the same by the criminal justice system and some people are unfairly punished because of where they live.

The five most populous counties in Oklahoma account for the largest number of overall admissions to prison. Yet rural counties far surpass the big cities in sending more people to prison per capita. With a county population just under 27,000, Caddo County had the state's highest prison admissions rate, over double the rate of Oklahoma County.

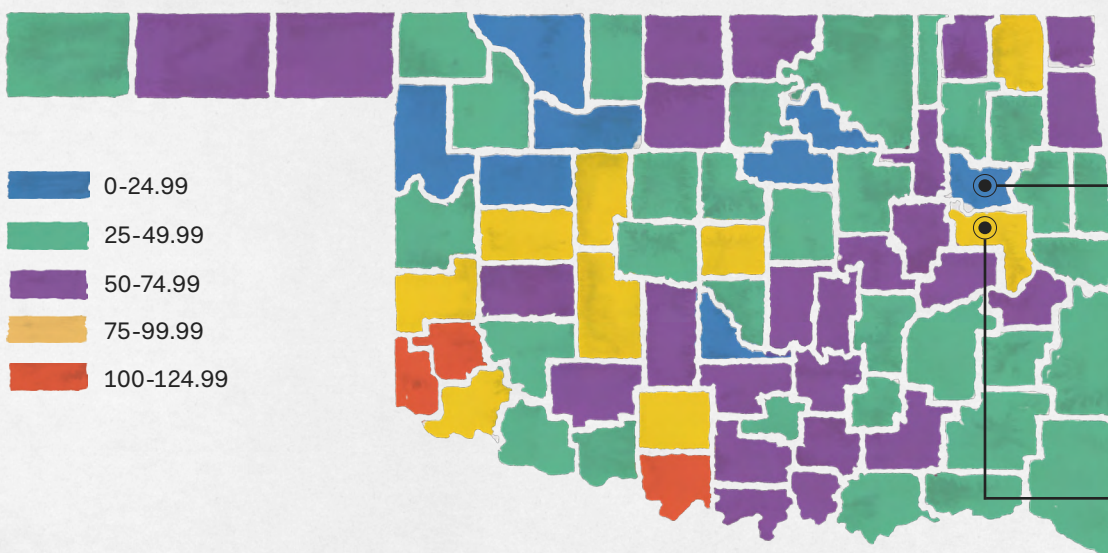
Black people are imprisoned at 4.6 times the rate of white people, accounting for 28% of the state's prison population.

Sentence terms also vary dramatically from one district attorney district to another, creating a system of injustice by jurisdiction. People entering prison on a direct sentence or probation revocation from District 16 (Latimer and LeFlore counties) carried an average controlling sentence of around 4.5 years, while those convicted in District 5 (Comanche and Cotton counties) had average sentences of just over 10 years.

Many areas lack high-quality alternatives to incarceration, meaning people in some counties (mostly Oklahoma and Tulsa) have greater access to treatment and support while the same person would be sent to prison in another county.

"It seems like some counties make their own laws." – Sabrina

Number of people in state prison per 10,000 residents, FY 2021



Wagoner:

17.0

people in prison
per 10,000 residents

Muskogee:

93.5

people in prison
per 10,000 residents

Instead of giving people a real second chance, Oklahoma traps people in a cycle of failure.



Lack of treatment

Limited access to treatment in both prisons and the community sets people up to fail by not addressing their underlying mental health or substance use needs, and not providing educational opportunities.



Financial struggles

After release or conviction, people living in the community struggle to find housing, pay their fines and fees, and successfully move forward with their lives.



Supervision failures

Poverty, insurmountable debts, and the broader lack of support and treatment frequently lead to supervision failures that push people further into the system, including into prison.

Family

As the prison population grew over the last several decades, more and more families have experienced what it means to have an incarcerated loved one.

Nearly half of all adults in the United States, about

113 million people, have had an immediate family member incarcerated.

This number is even higher for certain groups, since race and socioeconomic status play a major factor in who is most harmed by familial incarceration.

In Oklahoma, about 106,000 children, or

11% of children, have had an incarcerated parent or guardian,

a substantially higher percentage than in the neighboring states of Kansas, Texas, Colorado, and Missouri.

*"The children, the family, the friends. They don't realize they're not just destroying one person, they're destroying everybody."
-Teri*



At every stage of the system, families are separated and face pervasive barriers to maintaining critical family ties that foster successful reintegration and disrupt the cycle of incarceration.

Parental and familial incarceration is associated with negative economic, educational, social, physiological, and emotional outcomes. One recent study found that having an incarcerated immediate family member results in an estimated 2.6-year reduction in life expectancy.

Visitation and communication during a person's incarceration is associated with lower recidivism rates, but policies and practices in Oklahoma restrict access and compromise family reunification.



Oklahomans experience high rates of adverse childhood experiences, such as poverty, food insecurity, sexual abuse, and parental incarceration, that often serve as a pathway to incarceration.

Incarcerated people and crime survivors are not mutually exclusive groups.

Oklahoma sends women to prison at especially higher rates than other states instead of addressing the root causes of crime.

For nearly three decades, Oklahoma had the highest women's imprisonment rate in the country.

Oklahoma incarcerates women at a rate more than double the national average,

driven by laws that unfairly punish survivors of domestic abuse and mothers living in poverty.



About *Turning the Page*: Oklahoma's Criminal Justice Reform Story

This report is the result of months of qualitative and quantitative research on the effect of five years of reforms, the ongoing drivers of Oklahoma's stubbornly high incarceration rates, and the personal stories of people who have been impacted by the criminal justice system. FWD.us and its partners in Oklahoma conducted interviews and focus groups with nearly 100 practitioners, experts, advocates, and directly impacted people, reviewed dozens of written submissions from currently incarcerated people, and analyzed several years of local and state corrections data as part of this research.

To read the full report, visit [**FWD.us/TurningThePage**](https://fwd.us/turningthepage)

About FWD.us: FWD.us is a bipartisan political organization that believes America's families, communities, and economy thrive when everyone has the opportunity to achieve their full potential. For too long, our broken immigration and criminal justice systems have locked too many people out from the American dream. Founded by leaders in the technology and business communities, we seek to grow and galvanize political support to break through partisan gridlock and achieve meaningful reforms. Together, we can move America forward.