

Data on SQ 780 and SQ 781: Savings Estimates, Crime Trends, and Recidivism Rates

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SQ 780 Savings Calculation for the County Community Safety Investment Fund (CCSIF)



SQ 781 Calculations Statutory Origin

- The statute enacted by SQ 781 directs LOFT to calculate **“the annual savings and averted costs from the prior fiscal year that accrued to the state due to the reduction of the number and length of incarcerations attributed to the implementation of the Oklahoma Smart Justice Reform Act”** (SQ 780), under 43A O.S. § 2-312.2 (formerly 57 O.S. § 632).
- **“In making the calculation required by this section, the Legislative Office of Fiscal Transparency shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data.”** (43A O.S. § 2-312.2)
- **“An amount equal to the savings calculated by the Legislative Office of Fiscal Transparency pursuant to Section 632 of this title shall, subject to appropriation by the Legislature, be paid to the County Community Safety Investment Fund created in Section 631 of this title.”** (43A O.S. § 2-312.3, formerly 57 O.S. § 633)



How savings are calculated

Savings = Days Averted from Prison x Daily Cost per Prison Inmate

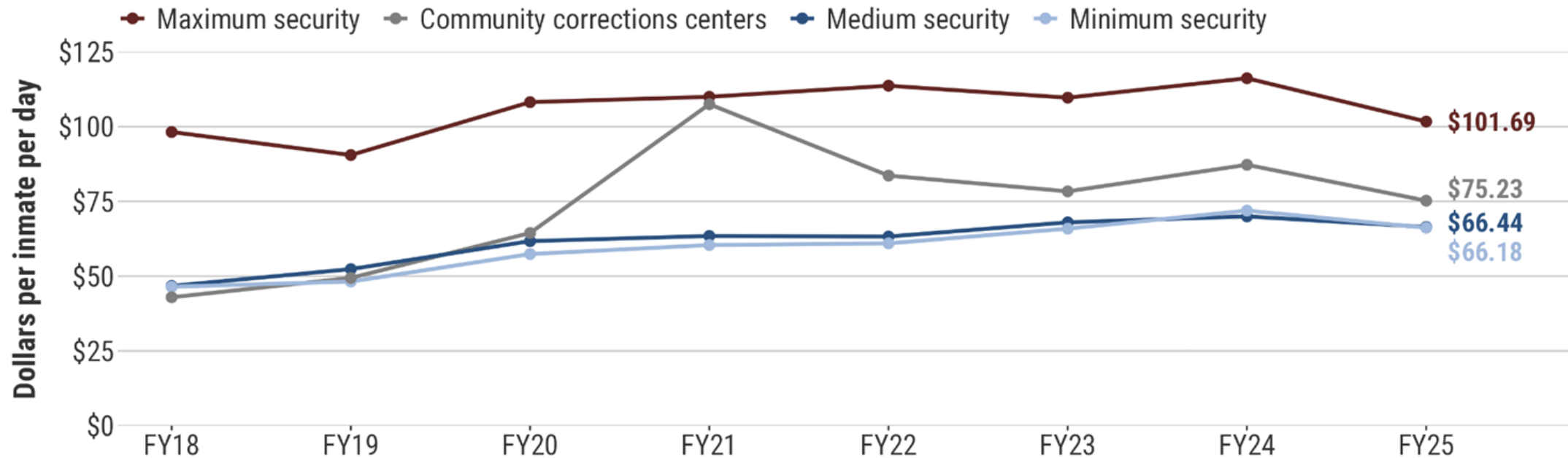
- **“Averted costs”** are costs that did not happen. The statute (43A O.S. § 2-312.2) requires LOFT to use “actual data or best available estimates where actual data is not available” to estimate the prison days that would have occurred without SQ 780, the **“Days Averted from Prison.”**
- If we multiply the number of days averted from prison by daily cost of incarceration we an estimate of averted costs.
- Difference in savings estimates over the years come from differences in estimates of **Daily Cost per Prison Inmate** and **Days Averted from Prison.**



DOC's official average daily cost per inmate by statute

57 O.S. § 561.1(E): "After the close of each fiscal year, the Department shall determine the actual average daily cost per inmate for the operational costs at each major category of correctional facility. The actual average daily cost per inmate shall include all direct and indirect costs incurred by the Department."

Actual cost by security level, as adopted by the Board of Corrections, FY18–FY25. Minimum security rose 42%, from \$46.45 to \$66.18 a day, not adjusted for inflation.

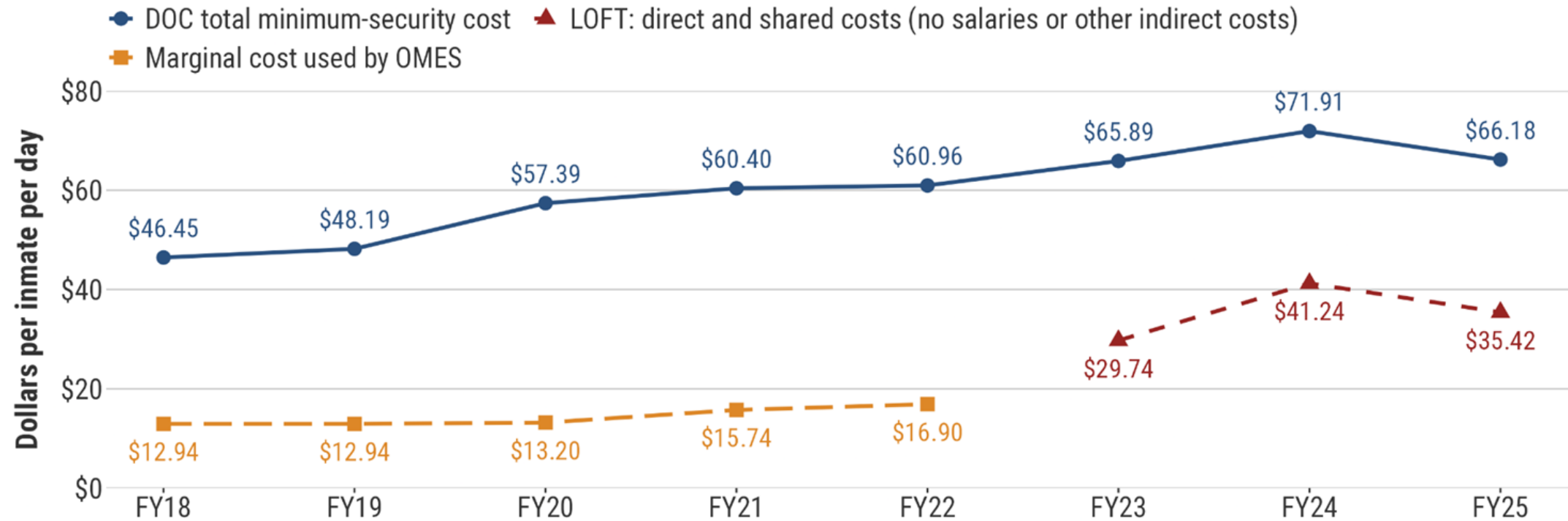


Source: Oklahoma Department of Corrections, Cost of Incarceration tables in January Board of Corrections packets (2019–2026)
(actual cost for the prior fiscal year, all direct and indirect costs, 57 O.S. § 561.1(E)).
Community center FY21 cost (\$107.48) is as reported by DOC.



DOC's minimum-security cost was 3.6 to 4.3 times OMES's marginal cost and 1.7 to 2.2 times LOFT's direct and shared cost

Daily cost per inmate, FY18–FY25.



Sources: Oklahoma Department of Corrections, Cost of Incarceration tables in January Board of Corrections packets, 2019–2026 (actual cost for the prior fiscal year, all direct and indirect costs, 57 O.S. § 561.1(E)); OMES SQ 781 calculations, FY18–FY22 (marginal cost).

Marginal cost covers medical care, food, clothing, linens, and inmate pay only. The ratio compares the two costs in FY18–FY22.

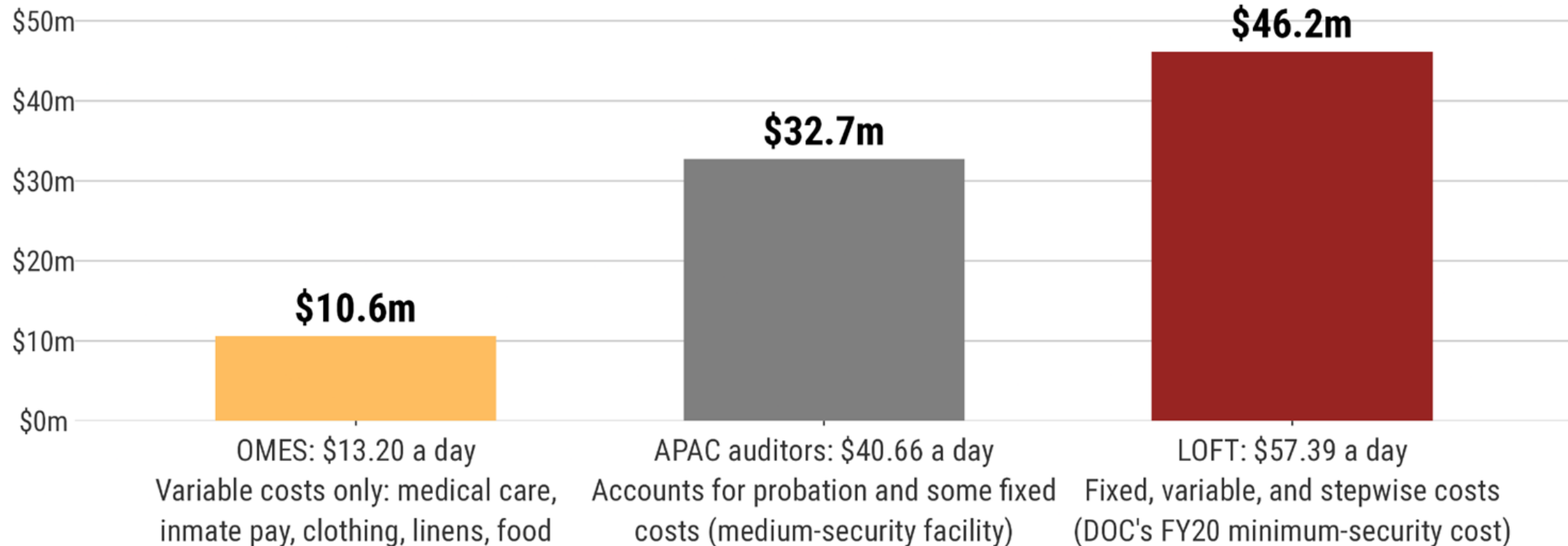
LOFT (FY23–FY25). LOFT cost: direct costs plus a share of agency-wide inmate costs, such as medical care; excludes salaries, benefits, and other indirect costs.

Average of minimum-security facility averages. The LOFT ratio compares DOC's cost with LOFT's in FY23–FY25.



Auditors first counted fixed costs in the daily cost, and LOFT agreed for FY20

Estimated FY20 SQ 781 savings, each valuing OMES's 804,394 averted prison days at a different daily cost. LOFT said OMES's daily cost "omits fixed costs, such as staff, depreciation and maintenance of assets."

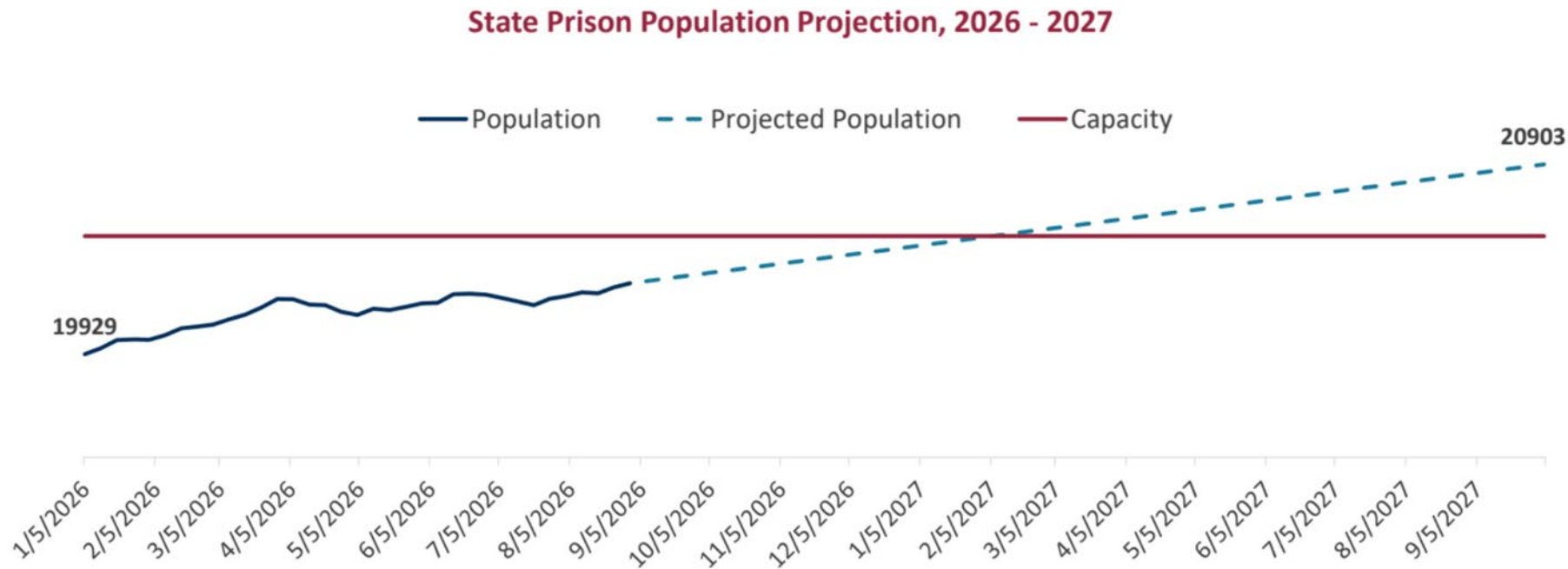


Source: Legislative Office of Fiscal Transparency (LOFT), APAC Priority Evaluation (Report 21-000-02, 2021), Chart 03 (page 17) and Appendix H (page 64). The APAC auditors' \$40.66 is their daily cost for a medium-security facility. LOFT's \$57.39 is DOC's lowest self-reported cost, for minimum security. LOFT's FY23–FY25 estimates use direct and shared costs only (\$29.74–\$41.24 a day).



Unless the prison population lowers, even small increases will force decisions on fixed costs next year. Accounting for fixed costs is the right framework for SQ781 savings

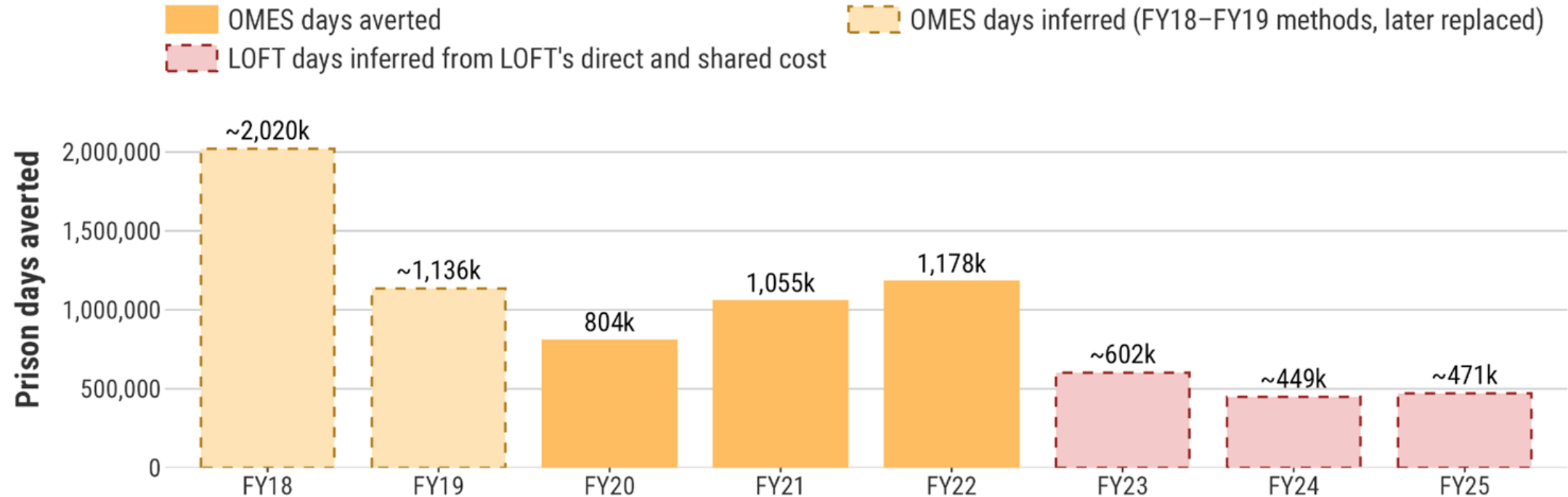
Prison Population Will Exceed Current Capacity in February 2027 if the Average 2026 Increase Continues



After FY23, estimates of prison days averted stabilized

Dashed bars are inferred: FY18–FY19 from OMES's prison cost at \$12.94.

FY23–FY25: LOFT's estimate ÷ LOFT's direct and shared cost per inmate (FY23 \$29.74, FY24 \$41.24, FY25 \$35.42).



Sources: OMES SQ 781 FY 2018 report, pp. 5–6; OMES presentation to the House, Oct. 8, 2019, slides 26–32; OMES FY 2020–FY 2022 reports, Figure 4; LOFT (estimates and costs per inmate).

FY18: OMES assumed 9,182 people would have gone to prison, each serving 220 prison days in FY18. FY19: OMES's prison cost of \$14,694,057 ÷ \$12.94 = 1,135,553 days.

Why OMES changed methods: DOC disputed the FY18 estimate, and OK Policy found that it assumed a 100% conviction rate for criminal cases with SQ 780 charges. FY19 used DOC receptions instead.

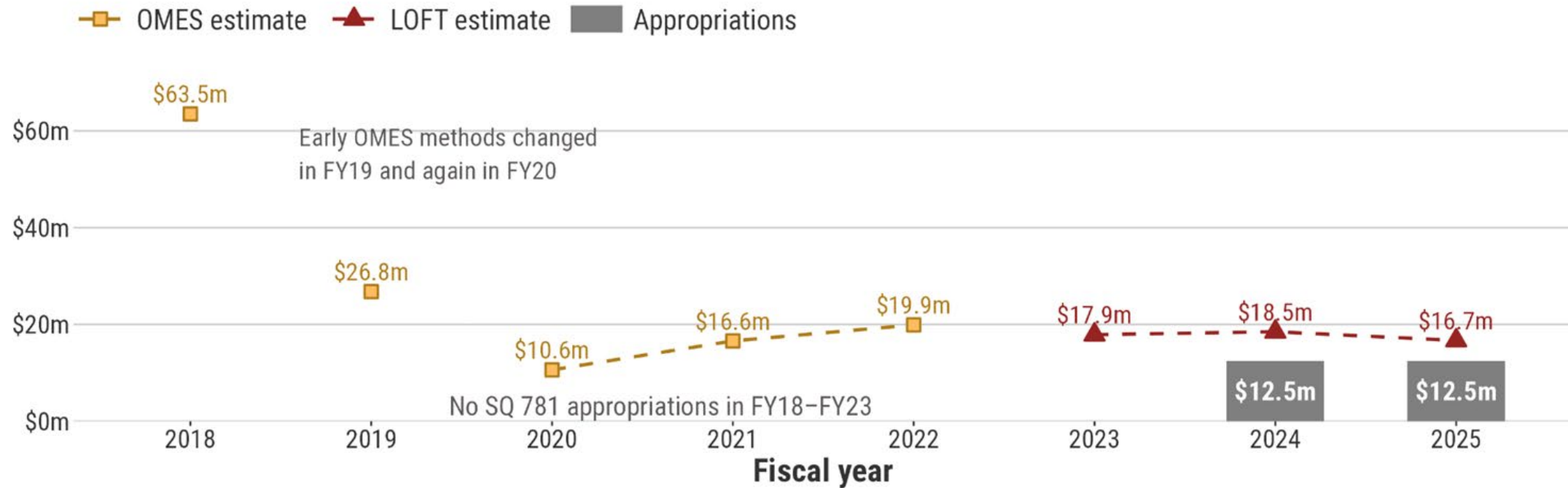
From FY20, OMES used a formula built with DOC, OK Policy, and OCJR: days served by people whose last case had only SQ 780 charges, split by year after filing.



Official SQ 781 savings estimates, FY18–FY25, and CCSIF appropriations, which began in FY24

OMES and LOFT estimates as published.

OMES prison daily cost: \$12.94 (FY18–FY19) to \$16.90 (FY22). LOFT direct and shared cost per inmate: \$29.74 to \$41.24 (FY23–FY25).



Sources: OMES SQ 781 FY 2018 report, Oct. 8, 2019 presentation, and FY 2020–FY 2022 reports; LOFT (estimates and costs per inmate); ODMHSAS budget performance reviews (appropriations).

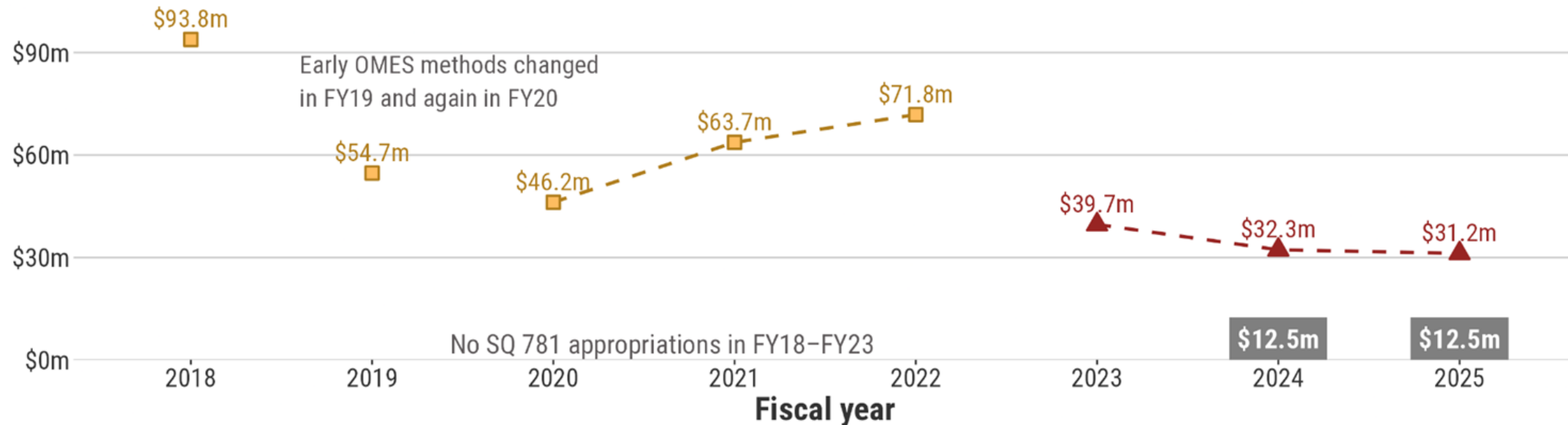
FY18–FY19 OMES estimates also count county jail backup and community supervision.



Including indirect costs, official savings estimates are 1.5 to 4.3 times higher

FY18–FY25. Official prison days × DOC's minimum-security daily cost: \$46.45 (FY18) to \$71.91 (FY24). DOC's cost includes salaries, benefits, and other indirect costs that LOFT excludes.

With adjusted DOC official cost per inmate: —■— OMES estimate —▲— LOFT estimate ■ Appropriations



Sources: OMES SQ 781 FY 2018 report, Oct. 8, 2019 presentation, and FY 2020–FY 2022 reports; LOFT (FY23–FY25 estimates and costs per inmate); DOC Board of Corrections January packets; ODMHSAS budget performance reviews (appropriations).

Official days: OMES published counts (FY20–FY22); inferred from OMES prison costs at \$12.94 (FY18–FY19, early methods OMES later replaced); LOFT estimate ÷ LOFT's direct and shared cost per inmate (FY23–FY25).



FY20–FY25: \$100.2 million to \$284.8 million in estimated savings; \$25.0 million appropriated to the CCSIF

Estimated SQ 780 savings and appropriations to the County Community Safety Investment Fund (CCSIF).

Adjusted OMES and LOFT estimates using DOC's full minimum-security cost (includes indirect costs)

\$284.8m estimated savings; \$259.8m difference from appropriations

Official OMES and LOFT estimates

\$100.2m estimated savings; \$75.2m difference from appropriations

Appropriated to the CCSIF (FY24 and FY25, the first SQ 781 appropriations)

\$25.0m

\$0m \$100m \$200m

Sources: DOC Board of Corrections January packets (minimum-security cost); OMES SQ 781 calculations (FY18–FY22); LOFT (FY23–FY25 estimates and costs per inmate); ODMHSAS budget performance reviews for FY 2026 and FY 2027, Oklahoma Senate Appropriations (FY24 and FY25 appropriations).

Adjusted OMES and LOFT estimates: official prison days × DOC's full minimum-security daily cost for each year; LOFT days = LOFT estimate ÷ LOFT's direct and shared cost per inmate.

FY18–FY19 and their early OMES methods are excluded. The range spans two estimate series, not a confidence interval. Appropriations are not disbursements. FY26 is excluded.



Takeaways

- LOFT's cost per inmate counts direct and shared costs. DOC's official cost also counts indirect costs, such as staff, which lower populations can avert as prisons near capacity.
- Since FY23, estimates of prison days averted have stabilized and are predictable.
- The Legislature began funding the CCSIF in FY24. From FY24 to FY25, the difference between estimated savings and CCSIF appropriations averaged:
 - \$5.1 million a year using LOFT's cost per inmate (direct and shared costs).
 - \$19.2 million a year using DOC's minimum-security cost per inmate (direct, shared, and indirect costs).

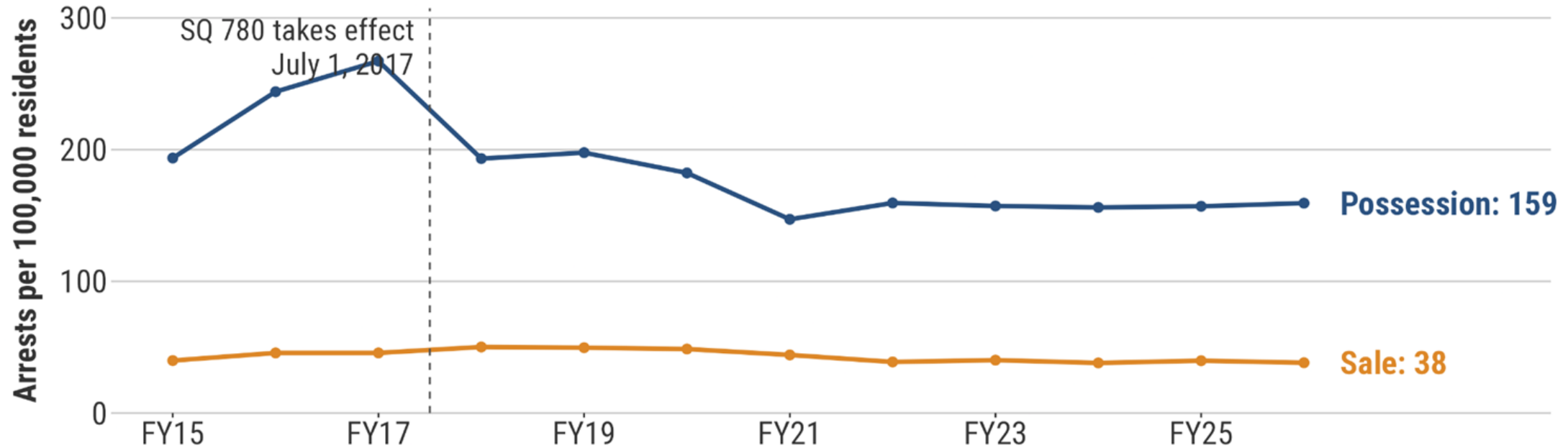


Crime Trends



SQ 780 cut possession arrests, and they stayed down

Arrests per 100,000 Oklahoma residents. From FY17 to FY18, possession went from 267 to 193 (fell 28%) and sale went from 46 to 50 (rose 10%).



Source: FBI Crime Data Explorer, Oklahoma drug arrests (exported Oct. 13, 2026).

Arrests count arrest events, not people. An arrest counts under its most serious offense.

In 2017, 357 of 402 reporting agencies (89%) used NIBRS but served only 47.5% of Oklahomans (OSBI). In 2021, all agencies used NIBRS and covered 99.4%.

Population: Census Bureau Population Estimates (vintage 2019 for 2010 to 2019, vintage 2025 for 2020 to 2025), July 1 at the start of each fiscal year.

Rates divide by the population that reporting agencies cover, so they assume that areas without reporting agencies had the same rate.

Both lines: opium or cocaine, synthetic narcotics, and other nonnarcotic drugs (including methamphetamine). Marijuana is excluded.

SQ 780 kept sale, distribution, and manufacturing as felonies, so the sale line shows reporting changes without the policy change.

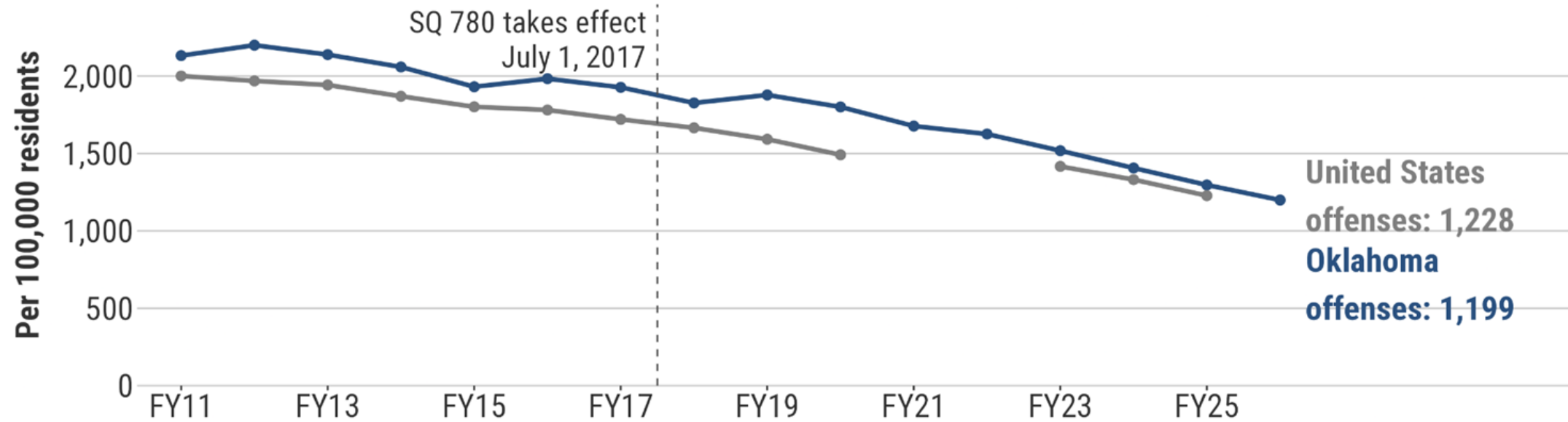


Larceny-theft rates fell 33% in Oklahoma and 29% nationally from FY17 to FY25

Larceny-theft offenses reported to police per 100,000 residents.

FY17, the last year before SQ 780: Oklahoma offenses 1,927, United States offenses 1,720.

FY25, the latest year with complete U.S. data: Oklahoma offenses 1,297, United States offenses 1,228.



Source: FBI Crime Data Explorer, larceny-theft offenses (exported Oct. 15, 2026). Offenses are crimes reported to police, not arrests or charges.

All Oklahoma data are NIBRS from 2021.

Population: Census Bureau Population Estimates (vintage 2019 for 2010 to 2019, vintage 2025 for 2020 to 2025), July 1 at the start of each fiscal year.

Rates divide by the population that reporting agencies cover, so they assume that areas without reporting agencies had the same rate.

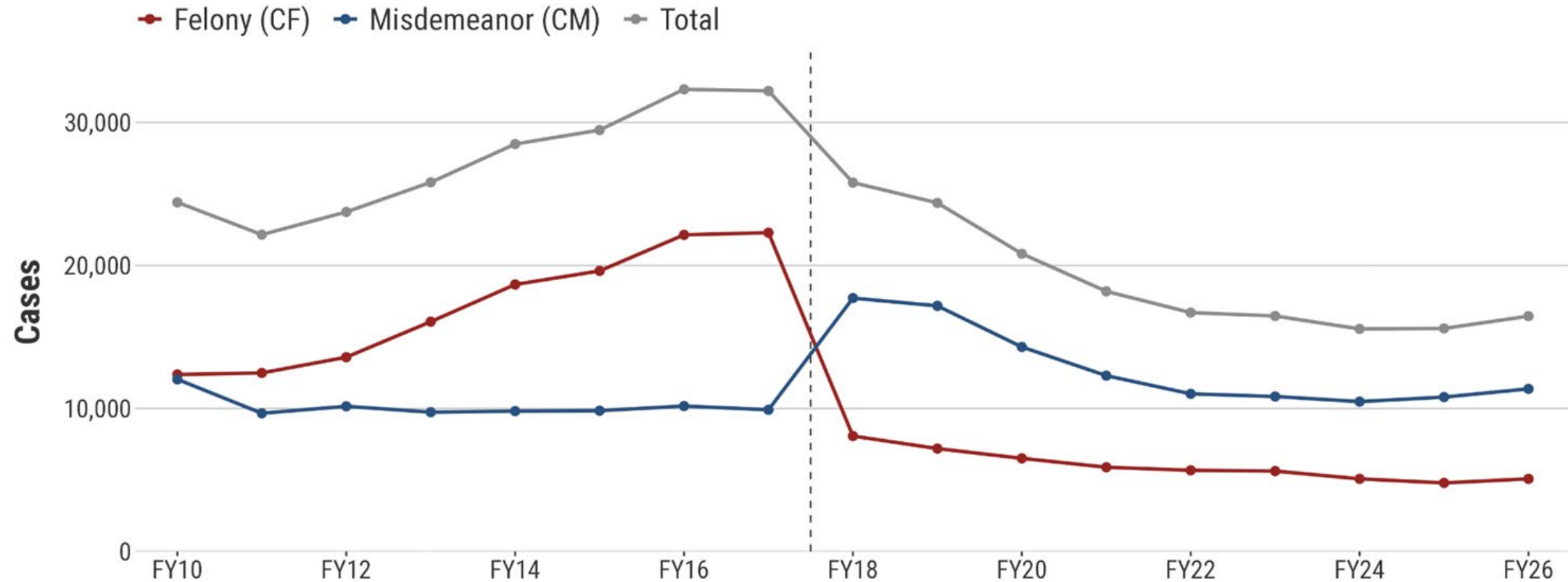
U.S. years omitted: FY21, FY22, FY26. In each, U.S. population coverage fell below 90% in at least one month (NIBRS transition or recent reporting delays).



Case filings with SQ 780 charges decrease by 29% on average, all 77 counties

Cases by fiscal year of filing, FY10 to FY26. The dashed line marks July 1, 2017, when SQ 780 took effect.

Average change compares average annual cases in FY18–FY24 with FY11–FY17.



Analysis by Oklahoma Policy Institute using data from the Oklahoma Supreme Court Network.

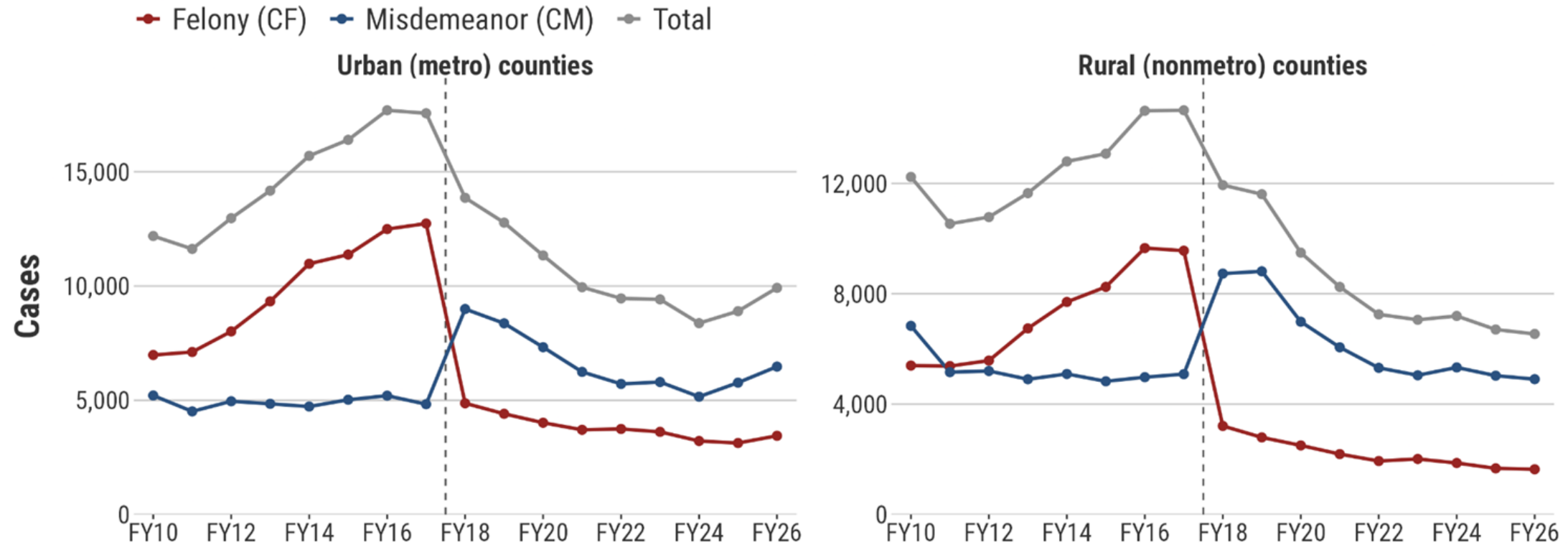
Totals are cases filed with at least one SQ 780 charge, by fiscal year of filing.



Case filings with SQ 780 charges decrease by 29% on average, urban and rural counties

Cases by fiscal year of filing, FY10 to FY26. The dashed line marks July 1, 2017, when SQ 780 took effect.

Average change compares average annual cases in FY18–FY24 with FY11–FY17.



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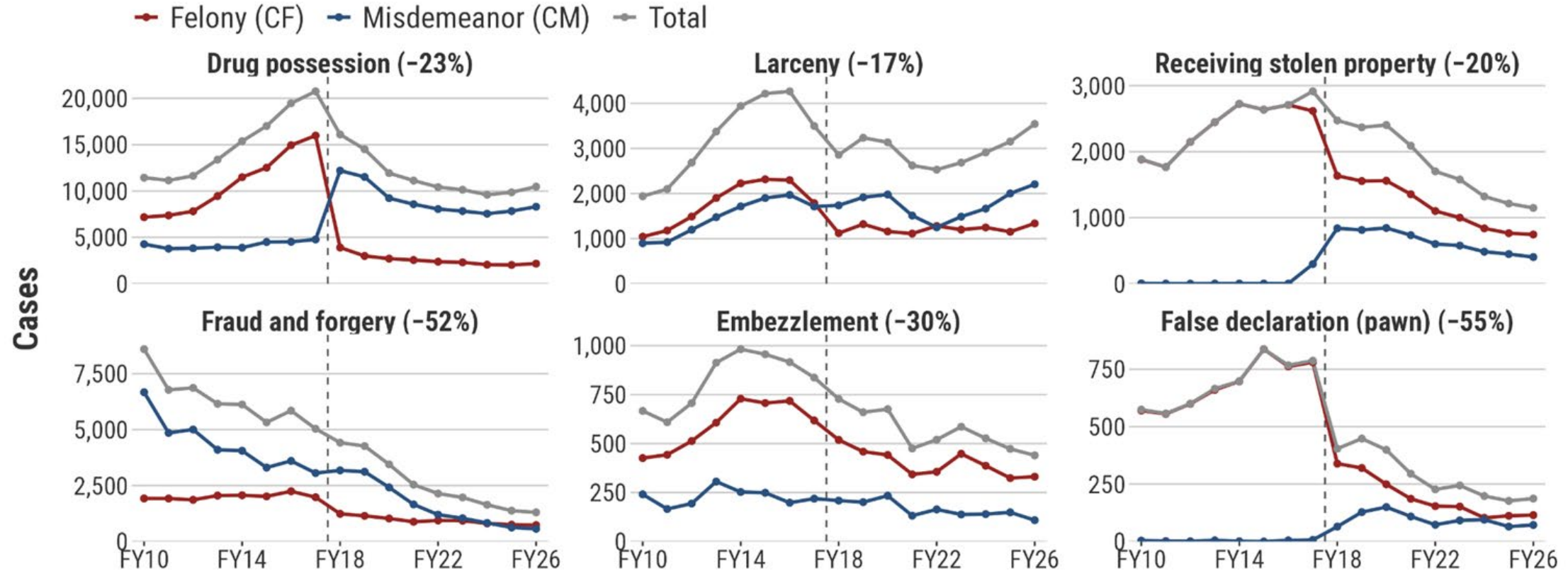
Urban counties have USDA 2023 Rural-Urban Continuum Codes 1 to 3 (metro areas); rural counties have codes 4 to 9.



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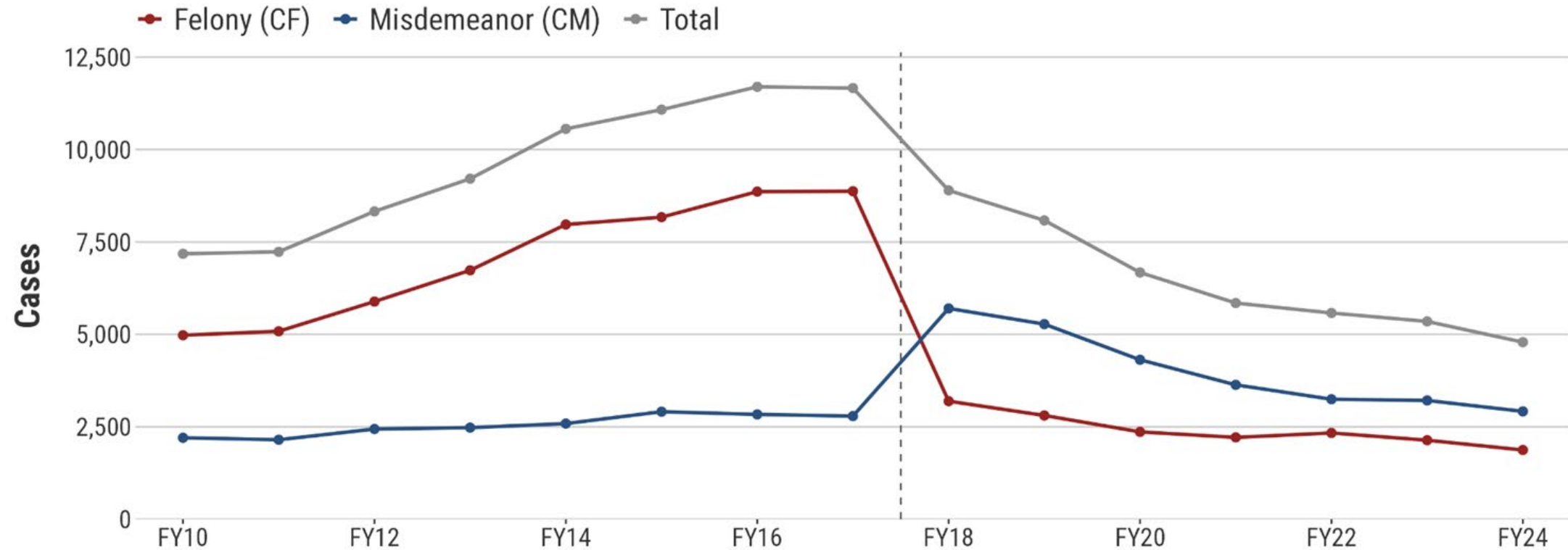
Totals are cases filed with at least one SQ 780 charge in the category, by fiscal year of filing. A case with charges in two categories counts in both.



Convictions on SQ 780 charges decrease by 35% on average, the 13 OCIS counties

Cases by fiscal year of filing, FY10 to FY24. The dashed line marks July 1, 2017, when SQ 780 took effect.

Average change compares average annual cases in FY18–FY24 with FY11–FY17.



Analysis by Oklahoma Policy Institute using data from the Oklahoma Supreme Court Network.

Totals are cases with at least one conviction (guilty plea, nolo contendere, or conviction) on an SQ 780 charge, by fiscal year of filing. Deferred sentences are not convictions.



Recidivism



Diversion Hub clients have new court filings at lower rates than non-clients

Metric	Diversion Hub Clients	Total Unique Defendants
Total	290	85,146
Total w/ new filings any time	30 (10.34%)	25,506 (29.96%)
Total w/ new filings <90 days	10 (3.45%)	5,395 (6.34%)
Total w/ new filings <180 days	25 (8.62%)	8,243 (9.68%)
Total w/ new filings <1 year	30 (10.34%)	12,149 (14.27%)
Total w/ new filings <2 years	30 (10.34%)	16,695 (19.61%)

Analysis by Oklahoma Policy Institute of data from Diversion Hub and OSCN

Diversion Hub clients in the Misdemeanor Diversion Program with a program end date September 1, 2025-July 31, 2026

Total Unique Defendants with cases filed on OSCN 2015-2026



Diversion Hub clients are rebooked at lower rates than non-clients

Metric	Diversion Hub Clients	Total Individual Jail Bookings
Total	290	128,612
Total w/ new bookings any time	39 (13.45%)	56,221 (43.71%)
Total w/ new bookings <90 days	20 (6.9%)	11,475 (8.92%)
Total w/ new bookings <180 days	34 (11.72%)	20,166 (15.68%)
Total w/ new bookings <1 year	39 (13.45%)	30,847 (23.98%)
Total w/ new bookings <2 years	39 (13.45%)	41,399 (32.19%)

Analysis by Oklahoma Policy Institute of data from Diversion Hub and Oklahoma County Detention Center
Diversion Hub clients in the Misdemeanor Diversion Program with a program end date September 1, 2025-July 31, 2026
Jail bookings in the Oklahoma County Detention Center 2015-2026



JusticeLink clients are rebooked at lower rates than non-clients

Cohort	Total Population	Rebooked	Rebooking Rate
General jail population (excl. JL)	10,377	2,677	25.8%
JusticeLink - All Clients	2,410	446	18.5%
JusticeLink - Successful Client	1,099	194	17.7%
JusticeLink - Unsuccessful Client	1,311	252	19.2%

Analysis by Oklahoma Policy Institute using data from JusticeLink and the Tulsa County Jail
Data taken between July 1, 2025 and May 27, 2026



Recap & Takeaways



Takeaways

- FY20–FY25 official SQ 780 savings estimates totaled \$100.2 million. The Legislature began appropriating to the CCSIF in FY24, with \$25.0 million through FY25.
- Crimes affected by SQ 780 are down in rural and urban Oklahoma
- The data show that investment in diversionary programs significantly reduces recidivism
- Expanding investments to more communities could have similar public safety impacts



Contact us for more information

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Appendix



OK Policy SQ 781 Savings Estimate Details

See more detail at
<https://storage.googleapis.com/publisher/loft-report/loft-report.html>



FY 2019: John is charged with simple possession of a Schedule I or II controlled dangerous substance under 63 O.S. 2-402.



Universe 1: No SQ 780

Felony charge

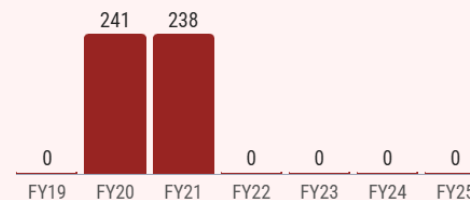
Without SQ 780, simple possession of a Schedule I or II drug is a felony punishable by prison.

Convicted

John is convicted on this charge only.

Sentenced to prison

Suppose John is in DOC custody the year after filing and the year after that. People in custody in those years served about 241 and 238 days.



479 days × \$51.24 = \$24,544



Universe 2: SQ 780 (what happened)

Misdemeanor charge

SQ 780 made simple possession a misdemeanor punishable by up to one year of confinement.

Convicted

John is convicted on this charge only.

Days in DOC custody, by fiscal year

We assume no DOC prison time for a misdemeanor.



0 days × \$51.24 = \$0

Savings from John, if he would have gone to prison: \$24,544

\$24,544 – \$0. Each fiscal year gets the savings from the days that would have been served in it.

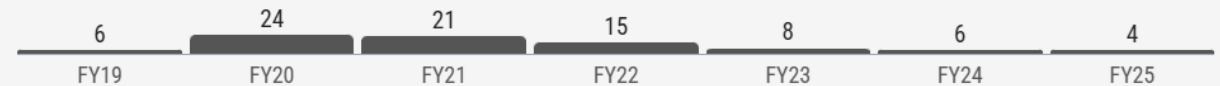


OK Policy SQ 781 Savings Estimate Details

See more detail at
<https://storage.googleapis.com/publisher/loft-report/loft-report.html>

The estimate of days diverted from prison does not count John's 479 days. It counts about 84 days for each convicted defendant.

Most convicted defendants never go to prison, so the estimate of days diverted from prison spreads the days of those who do go across all convicted defendants. The DOC data in the OMES report gives only the total days served for each filing year by people whose last case before entering DOC included only SQ 780 charges, not the days that any one person served, so the estimate works per convicted defendant.



About 84 days × \$51.24 = \$4,284 per convicted defendant

All bars use the same scale. John's days are the average days served by people in DOC custody in each year after filing; real sentences vary. The per-defendant averages come from cases filed in FY 2015 through FY 2017. The savings estimate applies them to every defendant convicted only on SQ 780 charges statewide.

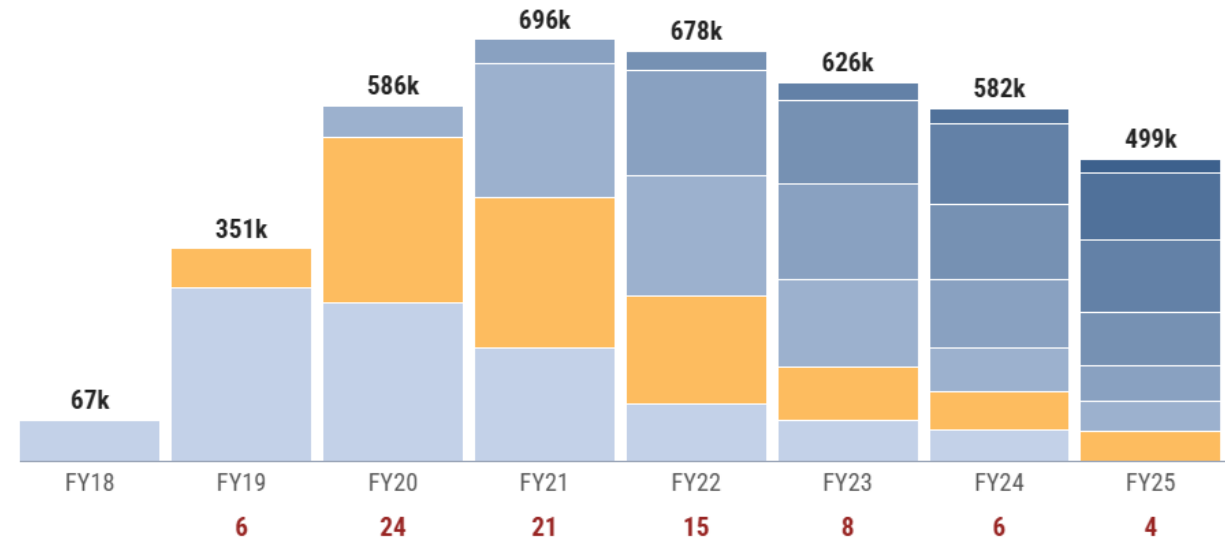
Source: Oklahoma Policy Institute analysis of Oklahoma State Courts Network and Oklahoma Department of Corrections data.
Graphic created by: Anthony Flores



OK Policy SQ 781 Savings Estimate Details

See more detail at
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Estimated days diverted, by fiscal year served (k = thousand days)



● John's days. He only contributes 6 days in FY19 but with the other FY19 convicted defendants, they contribute 64k days.

● FY 2018 filings ● FY 2019 filings ● FY 2020 filings ● FY 2021 filings ● FY 2022 filings ● FY 2023 filings
● FY 2024 filings ● FY 2025 filings

Each fiscal year's total days × \$51.24 = dollars saved

Each color is one filing year's group of convicted defendants. See [the table below](#) for the totals.

Source: Oklahoma Policy Institute analysis of Oklahoma State Courts Network and Oklahoma Department of Corrections data.

Graphic created by: Anthony Flores



Changes in OSBI's reporting system are falsely suggesting an increase in larceny

Rate of Larceny-Theft per 100K Oklahomans

