

United States General Accounting Office

Report to the Chairman  
on Crime and Criminal Justice  
Committee on the Judiciary  
Representatives

REPROBATION  
SUPERVISION

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United States  
General Accounting Office  
Washington, D.C. 20548

**Program Evaluation and  
Methodology Division**

B-239626

June 4, 1993

The Honorable Charles E. Schumer  
Chairman, Subcommittee on Crime and Criminal Justice  
Committee on the Judiciary  
House of Representatives

Dear Mr. Chairman:

Since 1980, the number of offenders incarcerated in the United States has doubled. Along with this enormous increase in the prison population has come a corresponding increase in the cost of incarcerating these offenders. The high cost of imprisonment is one factor that has led to the proliferation of intermediate sanction programs.

In order to achieve a more specific understanding of the role that intensive supervision programs—the most prevalent form of intermediate sanctions—can play in future corrections policy, we undertook the evaluation of one state's intensive supervision program. Our evaluation focused on the extent to which intensive supervision was effective in controlling criminal behavior and whether intensive supervision was a cost-saving alternative to incarceration. This report, the first in a series, presents our findings on the crime control objective.

As agreed with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from its date of issue. We will then make copies available to interested organizations, as appropriate, and to others upon request.

If you have any questions or would like additional information, please call me at (202) 512-2900 or Mr. Robert L. York, Director of Program Evaluation in Human Services Areas, at (202) 512-5885. Major contributors to this report are listed in appendix IV.

Sincerely yours,

Eleanor Chelimsky  
Assistant Comptroller General

# Executive Summary

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## Purpose

The number of incarcerated Americans has doubled since 1980 and tripled since 1970. One consequence of this rapid increase in the prison population is that enormous demands are being placed on municipal, state, and federal budgets. Every year, tens of billions of dollars are spent on keeping offenders in the jails and prisons of this nation. Not only is the current burden great (some \$20 billion in 1990), but also all projections are that the financial demands will only increase in the coming years. This situation has led to an increase in the number and type of sentencing options used to sanction offenders.

In order to inform future policy on sentencing, GAO undertook an in-depth evaluation of one state's effort to intensively supervise convicted offenders outside a prison environment. This evaluation had two broad objectives: (1) to determine the extent to which the program was able to control criminal behavior, and (2) to assess the cost-saving potential of sentencing offenders to the program rather than prison. Each of the two broad objectives is addressed in a different volume of this series. This first report presents GAO's findings on the crime control objective.

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## Background

The cost of incarcerating ever increasing numbers of offenders has helped popularize a group of programs that are referred to collectively as intermediate sanctions. These programs get their name from the fact that the various sanctions they impose on offenders are typically more severe than standard probation or parole and less severe than traditional incarceration. The most prevalent form of intermediate sanction is intensive supervision, which differs from both standard probation and parole mainly by providing closer supervision.

The proliferation of intermediate sanction programs—all states currently have them—has proceeded despite the absence of good information on how well they serve as alternatives to incarceration. Whether these programs actually save money, and the extent to which they can ensure public safety, remained unanswered questions, even after considerable study. Accordingly, GAO examined the impacts of the Arizona Intensive Probation Supervision (IPS) program as it has functioned in the two largest counties in the state, Maricopa and Pima.

GAO used two measures of criminal behavior: arrests for new crimes and revocations (that is, revoking the sentence and sending the offender to prison). In this report, GAO makes two sets of comparisons. One set focuses on subsequent arrests and revocations for offenders sentenced to

the intensive supervision program and compares them to subsequent arrests and revocations for offenders sentenced to standard probation. GAO's intent in making these comparisons was to determine how well IPS, both as a discrete program and as a sentence, controlled crime. By employing the arrest rates for probationers as the standard against which arrests for offenders sentenced to IPS are compared, this study shows the extent to which IPS did or did not pose an incremental threat to public safety.

The second set of comparisons involves offenders in intensive supervision and offenders who were sentenced to prison for a relatively short time (less than 6 years) and then paroled. This analysis, which again focuses on arrests, shows how the percent of individuals arrested compared across the groups. In effect, this comparison addresses the question of which sentence—IPS followed by standard probation, or prison followed by parole—was more effective in controlling crime.

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## Results in Brief

GAO concluded that the Arizona IPS program was effective in controlling criminal behavior. Fewer offenders under IPS supervision than offenders under standard probation supervision were arrested for new crimes, even though the characteristics of the IPS offenders and their criminal histories (that is, number and types of previous crimes) suggested that they were more likely to be arrested than the less risky group of offenders sentenced to standard probation.

Once offenders finished the IPS program and moved to standard probation supervision (to serve out the time remaining on their sentences), arrests among the group increased. As a consequence, in GAO's judgment, a sentence to IPS did not ensure public safety. By the end of GAO's period of observation, the percentage of offenders originally sentenced to IPS who had been arrested for new crimes exceeded the corresponding percentage for the group of offenders sentenced to standard probation. For example, in Maricopa County, approximately 60 percent of offenders sentenced to IPS had been arrested for a new crime, compared with a 50-percent rate for those offenders sentenced to standard probation.

The transitory crime control effect of an IPS sentence—that is, IPS followed by standard probation—must be considered in relation to the level of crime control achieved by a prison sentence. The latter clearly had the benefit of allowing no new crimes against the public for the entire time that the offender was in prison. However, GAO determined that during the

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period following release from prison—when offenders in Arizona were typically under parole supervision—they were frequently arrested for new crimes. In fact, by December 1990, almost as many offenders sentenced to prison in 1987 in Maricopa County had been arrested for new crimes (48 percent) as had offenders sentenced to IPS (55 percent), despite the fact that the prison group had been incarcerated for a considerable portion of the time. The implication of this finding is that a prison sentence—even though it clearly guarantees crime control for the period of incarceration—may not reduce total crime commission on account of the high rate of arrests during the period of parole.

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## GAO Analysis

GAO selected for its study offenders who had been sentenced in Maricopa or Pima County during the summer of 1987. The offenders were drawn from four groups: those sentenced to standard probation, those sentenced directly to IPS, those reinstated to IPS due to probation violation, and those sentenced to prison and released by the spring of 1990. Data were collected on the demographics of the offenders (age, race, and gender), as well as on their criminal histories (number and type of prior offenses) and the types of offense for which they were sentenced.

In terms of both the severity of the offense for which they were sentenced and measures traditionally used to estimate “risk” (the likelihood of future criminal activity), the offenders sentenced to IPS were distinct from those sentenced to probation or prison in both counties. Although the results varied somewhat by county, the IPS offenders in general were riskier than the offenders placed on probation and as risky as the offenders sentenced to prison.

In addition to examining the percentage of offenders arrested within each group and how those arrests were distributed over time, GAO also examined revocations for both the IPS and standard probation groups. This examination showed that Maricopa County IPS (where offenders were not screened prior to being sentenced to IPS) made liberal use of the revocation process. It was clear that the sizable number of IPS offenders revoked to prison during the first 6 months after sentencing largely explained the program’s ability to keep arrest levels relatively low. That is, many IPS offenders could not be arrested for new crimes because they had been revoked to prison. Revocations played a relatively less important role in Pima County, where IPS officers had the ability to screen offenders to determine whether they should be sentenced to the program.

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If there is a single message in the data analyzed in this report, it is the apparent futility of criminal justice sanctions. Approximately half of all offenders GAO observed in Maricopa County, and about one third of offenders observed in Pima County, were arrested for new crimes within 3 years of their initial sentencing. Further, approximately three out of every four offenders in Maricopa and one out of two in Pima County might be characterized as having "failed" subsequent to sentencing, if those offenders who were revoked are combined with those who were arrested for new crimes. In fact, the sentences meted out in Arizona to the offenders in GAO's study did little to control crime. However, it is important to note that, among the IPS groups, the majority of arrests for new crimes occurred after the offenders moved to standard probation, rather than while they were the direct responsibility of the program.

Finally, GAO's experience in this study yielded three important lessons for future evaluations of corrections programs. First, the variability observed between the two Arizona counties, both in the way in which their IPS programs functioned and in the behaviors of their offenders, demonstrated that the decision to aggregate data on program operations and outcomes, even across a single state, must depend on how similar the programs are. Second, the fact that the relative level of arrests for each group changed over time indicates once again the dangers of reaching conclusions concerning the effectiveness of criminal justice interventions solely on the basis of short periods of observation. The third and final methodological lesson of this study is the critical importance of employing the appropriate unit of analysis. Because sentences are often "mixed" interventions (including periods of more and less intensive supervision), a better understanding of the consequences of sentencing can be gained only by distinguishing between the effects of each component of the sentence.

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## Recommendations

This report contains no recommendations.

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## Agency Comments

Comments were obtained from IPS officials throughout the course of our data collection. These comments were incorporated in the report as GAO deemed appropriate.



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## Abbreviations

AOC	Administrative Office of the Courts
DUI	Driving under the influence
GAO	General Accounting Office
IPS	Intensive probation supervision



# Objectives, Scope, and Methodology

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## Introduction

The number of incarcerated Americans has doubled since 1980 and tripled since 1970, and the United States currently has a higher percentage of its population in prisons and jails than does any other industrialized nation. Independent of ideological views on the benefits of prison, there is consensus that the expanding prison population is making enormous demands on municipal, state, and federal budgets. Every year, tens of billions of dollars are spent on keeping offenders in the jails and prisons of this nation. Not only is the current burden great (some \$20 billion in 1990), but also all projections are that the financial demands will only increase in the upcoming years.

The realization that the nation may not be able to afford to incarcerate ever-increasing numbers of offenders is one of the primary factors that has led to the popularity in recent years of a group of programs referred to collectively as intermediate sanctions. These programs get their name from the fact that the sanctions they impose on offenders are typically more severe than standard probation and less severe than traditional incarceration. Examples of intermediate sanctions include electronic monitoring (where the offender wears an anklet or bracelet that enables officers to verify that the offender is at a specific location); shock probation (typically, a short-term program for youthful offenders modeled after the "boot camps" of the armed services); and intensive supervision (a program that involves frequent—sometimes daily—contacts between program officers and offenders). The exact nature of the sanctions imposed by these programs varies greatly from jurisdiction to jurisdiction, even within program type.

Intermediate sanction programs have proliferated—all states currently have them—despite the absence of good information on how well they work. Do they actually save money when compared to incarceration? How effective are these programs in controlling criminal behavior? Although answers to these questions are critical for informing future policies on the most effective and appropriate ways to sanction offenders, few answers exist except at the most general level.<sup>1</sup>

We undertook this study of Arizona's Intensive Probation Supervision (IPS) program to achieve a more specific understanding of the role that intensive supervision programs—the most prevalent form of intermediate

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<sup>1</sup>See Intermediate Sanctions: Their Impacts on Prison Crowding, Costs, and Recidivism Are Still Unclear, GAO/PEMD-90-21 (Washington, D.C.: September 7, 1990).

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sanctions—can play in future corrections policy.<sup>2</sup> Our study had two major objectives:

- to evaluate how well IPS controlled criminal behavior, and
- to determine the extent to which the program served as a cost-saving alternative to incarceration.

This report is the first in a series of three that present our results.<sup>3</sup> The focus here is on our first objective, which was to evaluate the ability of Arizona's IPS program to control criminal behavior. In the section that follows, we present a detailed description of what we mean by the phrase "ability to control criminal behavior." We then describe the scope and methodology of our study. The chapter concludes with an overview of the remainder of this report.

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## Objectives

The overall objective of the crime control portion of the evaluation was to provide a sense of how intensive supervision compares with the traditional alternatives available for sentencing offenders—prison and probation. Our interest was in determining the extent to which offenders sentenced to each of the three sanctions engaged in criminal activity subsequent to the time of sentencing. This focus on post-sentencing criminality addresses an issue critical to the determination of whether intensive supervision has a role to play in future corrections policy. One of the promises made by intensive supervision programs is that the supervision these programs provide to offenders who typically would be incarcerated is sufficient to ensure that the level of risk to the community will not increase. The ability of intensive supervision programs to deliver on this promise is critical. If they cannot, it is unlikely that any other benefits (for example, cost savings) would be sufficient to encourage people to support such programs.

Our interest in crime control led us to examine how arrests for new crimes compared across the groups. That is, we determined the percentage of offenders originally sentenced to IPS who were subsequently arrested for new crimes and compared that to the corresponding percentages for

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<sup>2</sup>Intensive supervision is variously called "intensive supervision program" (ISP), "intensive supervision probation" (ISP), "intensive probation supervision" (IPS). In this report, we use IPS to refer to Arizona's Intensive Probation Supervision program. We also restrict our discussion to intensive supervision for probation, although some intensive supervision programs supervise parolees while others supervise both probationers and parolees.

<sup>3</sup>See *Intensive Probation Supervision: Cost Savings Relative to Incarceration*, GAO/PEMD-93-22 (Washington, D.C.: June 1993) and *Intensive Probation Supervision: Crime Control and Cost-Saving Effectiveness*, GAO/PEMD-93-23 (Washington, D.C.: June 1993).

offenders sentenced to standard probation, on the one hand, and to prison, on the other.

The comparison between intensive supervision and standard probation was conducted to see whether the former was able to take a group of offenders who were relatively more likely to commit future offenses and maintain their level of arrests for new crimes at or below that of a group (standard probationers) who were less likely to commit new crimes. The typical sentence to IPS, however, involved two very distinct components. The offender was directly supervised by IPS officers for the first part of his sentence. Then, once the offender was deemed to have successfully completed the program, he served out the remainder of his sentence under the supervision of standard probation. As a result, the comparison of IPS with standard probation actually addresses two distinct questions:

- How did arrests among offenders being supervised by IPS compare with arrests among offenders sentenced to standard probation?
- How did arrests among offenders sentenced to IPS compare with arrests among offenders sentenced to standard probation?

The distinction between these two questions is whether arrests among offenders sentenced to IPS are counted only while they were supervised by IPS (the first question) or during the entire time the study was underway (the second question). By answering the first question, we provide evidence on the effectiveness of the IPS program. By continuing to observe the behavior of the offender after he moved off intensive supervision into standard probation, we provide evidence on how well a sentence to IPS controlled crime. Both questions—how well the program controlled crime and how well the sentence controlled crime—are central to our evaluation of IPS.

The concept of evaluating the effects of the “sentence” is also important for understanding the intent of the IPS versus prison comparison. Clearly, offenders cannot commit crimes against the public while they are in prison. Therefore, prison would always be more effective at controlling crime than any program that supervised offenders “on the street,” where they would have the opportunity to commit new crimes. Our interest, however, was in determining whether a prison sentence—typically involving some time in prison and the remainder on parole—or an IPS sentence was more effective. Thus, our third evaluation question was

- How did arrests among offenders sentenced to IPS compare with arrests among offenders who were sentenced to prison and released to the custody of parole?

In addition to addressing questions on the crime control effectiveness of IPS, we also examined how IPS offenders compared with offenders sentenced to standard probation. This comparison was necessary because the two study questions that compare arrests among IPS offenders and those sentenced to standard probation assume that offenders sentenced to IPS were “riskier” (more likely to commit future crimes) than probated offenders. Therefore, a threshold requirement for our study was to determine how the two groups compared on the factors traditionally associated with risk.

Finally, in an attempt to illuminate ways to improve the effectiveness of IPS, we determined whether there were any consistent differences in the offender characteristics associated with “success” or “failure” subsequent to sentencing.

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## Scope

As mentioned earlier, intermediate sanctions include a wide variety of programs. For this study, we evaluated an intensive probation supervision (IPS) program in one state (Arizona). IPS has been in existence in Arizona since it was created by the state legislature in 1985 and is essentially a house arrest program intended to serve as a cost-saving alternative to traditional incarceration.<sup>4</sup>

The actual scope of our work differed for each of our two broad objectives (crime control and cost). With respect to crime control, our focus was on the cohort of offenders sentenced to IPS in the summer of 1987 in Arizona’s two largest counties. These counties, Maricopa and Pima, accounted for 80 percent of the offenders in the IPS program statewide.<sup>5</sup> This cohort was selected because the date of sentencing was long enough after program start-up (1985) to allow for early implementation problems to be ironed out. It also enabled us to obtain arrest and revocation records for

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<sup>4</sup>See appendix I for Arizona’s state statutes and policies governing the intensive supervision program.

<sup>5</sup>These counties include the cities of Phoenix (Maricopa) and Tucson (Pima).

offenders for a period long enough after sentencing to evaluate not only program but also sentence effects.<sup>6</sup>

The focus on intensive supervision in one state is both the major limitation and the major strength of our study. On the one hand, our results cannot be assumed to hold true for intensive supervision programs in other states. On the other hand, the benefit of a singular focus is that it allows for specificity. Trends in data can be linked to specific aspects of program operations in order to gain a better understanding of why specific outcomes occur. For example, differences in the process by which offenders entered IPS, how they were moved through the program, and the conditions that had to be satisfied before they were allowed to "graduate," can all affect observed outcomes. Therefore, where such differences exist, a specific understanding of them is necessary to guard against reaching inappropriate conclusions due to the combining of programs that operate quite differently.<sup>7</sup>

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## Methodology

Our first two evaluation questions required comparing the arrests for offenders sentenced to IPS with those for offenders sentenced to standard probation. (The first question called for including only those arrests among the IPS offenders that occurred while they were supervised by the program, while the second included all arrests subsequent to sentencing as well.) Our third question (how arrests for IPS offenders compared with those for offenders sentenced to prison) called for a comparison between offenders sentenced to IPS (and supervised both by IPS and standard probation) and those sentenced to prison (who were incarcerated and then released to parole supervision).

We selected for study all offenders who entered IPS in either Maricopa or Pima County during the summer of 1987 and established them as the IPS group.<sup>8</sup> Because many offenders were sentenced to standard probation each month, we constructed our probation groups by randomly selecting a sample from among all offenders sentenced to standard probation during the summer of 1987.

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<sup>6</sup>Records were obtained through the end of December 1990. This meant that the follow-up period for some offenders (those sentenced in June 1987) was three and a half years, and was more than 3 years even for offenders sentenced in the last month of the period from which we drew our sample (October 1987).

<sup>7</sup>See appendix II.

<sup>8</sup>The details of the sampling plan are provided in appendix III.

Finally, we created our prison samples by including all offenders sentenced during that same period—the summer of 1987—and released from prison to parole by March of 1990. The provision that the offenders be released by a specific date was necessary to ensure that all these offenders had enough “street time” (9 months) for us to examine at least their immediate post-release criminal activity. This prison sample, then, consisted of offenders sentenced to shorter prison terms. At the same time, our sample consists of the very offenders most likely to be considered appropriate for an intensive supervision program.

Once the three groups were established, we examined the arrest and revocation records for the subjects from the date of sentencing through the end of December 1990. The inclusion of data on revocations is especially important for two reasons. One is that revocations (whereby the court decided that the offender should be sent to prison rather than continuing to remain under IPS or probation supervision) can be viewed as program “failures” because the offenders wound up serving their presumptive prison sentence.<sup>9</sup> A less ambiguous reason for including data on revocations is that revocations directly affected the likelihood of arrest. That is, once an individual was revoked, he was no longer “at risk” of being arrested. Therefore, including revocations was essential for interpreting the data on arrests.

The succeeding chapters in this report contain more details on our methodology. What was measured and how the analyses were conducted are issues that are addressed in the appropriate chapters. There is, however, one more point that should be made before concluding this discussion of our methodology. The use of the probation group’s behavior as a standard obviated a common obstacle faced in other evaluations of intermediate sanctions, including intensive supervision. In those studies, considerable efforts were made to ensure that the groups of offenders being compared were as similar to one another as possible—in order that differences in observed behavior could be attributed to the effect of the program rather than to baseline differences in the offender groups. Our study of IPS, however, does not assume that the groups are comparable; instead, as already noted, our comparison requires that IPS offenders be “riskier” (that is, more likely to commit new crimes) than the probation group with whom they are being compared. For this reason, the next chapter is devoted to describing the characteristics of each group,

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<sup>9</sup>At the same time, IPS officials argue that revocations are not indicative of program failure in that offenders who posed a threat to public safety were taken off the street and incarcerated before they committed new crimes.

especially those factors traditionally associated with the likelihood of committing crimes.

Our work was conducted in accordance with generally accepted government auditing standards.

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## **Report Overview**

The next chapter, on offender characteristics, is followed by a chapter that compares the IPS and probation groups in each county. Included in the latter chapter are the results of both the in-program and post-program comparisons. The comparison of IPS with the prison groups is presented in the concluding chapter, which also presents our findings on the offender characteristics typically associated with arrests for new crimes. This final chapter concludes with a discussion of the implications of our study both for future evaluations and for corrections policy.



# Offender Characteristics

The central questions addressed in this evaluation were answered by comparing arrest levels of IPS offenders with those for offenders either on standard probation or sentenced to prison. We made two basic assumptions in order to interpret the results of these comparisons. One was that under similar circumstances the IPS offenders committed more crimes than the probated offenders. That is, the IPS group was "riskier" than the offenders on standard probation. Only by making this assumption could we characterize equivalent arrest rates among the two groups as an indicator of the "success" of IPS. The second assumption was that there was little significant difference between the IPS and prison groups in terms of the factors that predispose individuals to commit crimes.

This chapter is devoted to determining the extent to which these two assumptions were valid. Because "risk of future crime commission" is so difficult to predict well and impossible to predict perfectly, we provide all the data available on the characteristics of the offenders. The chapter begins with demographic information and then proceeds to describe the criminal histories of the offenders. We conclude by showing the values for each of the groups on the "risk score" used by Arizona to measure the likelihood that offenders will commit future crimes.

As previously mentioned, the comparisons made are between IPS and standard probation, on the one hand, and IPS and prison, on the other. However, in the data that follow, four groups are represented. The IPS offenders are separated into two groups based on whether they were sentenced directly to the program (the IPS direct group) or were "reinstated" to IPS as a result of some violation of the conditions of standard probation (the IPS reinstated group).<sup>1</sup>

A detailed description of the sampling plan is provided in appendix III. Here, we will only mention that the sample sizes for the prison and standard probation groups ranged from 95 to 153. For Maricopa County, there was a total of 116 IPS offenders (70 reinstated from standard probation and 46 directly sentenced to IPS), and for Pima County there was a total of 100 (42 reinstated and 58 directly sentenced). Because we included nearly all offenders entering IPS in each county during a specified

<sup>1</sup>Although the 1985 Arizona legislation specified that more serious felons (those convicted of a class 1, 2, or 3 offense) were not eligible for a sentence to IPS, we discovered a considerable number of class 2 and 3 offenders in our IPS samples. These offenders were originally sentenced to standard probation but, as a result of some violation of the conditions of standard probation, were "reinstated" to the IPS program.

time, the ratios of reinstated to directly sentenced offenders indicate how offenders typically entered IPS in each county.<sup>2</sup>

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## Offender Demographics

In Maricopa County, there were few differences between the four groups (probation, prison, and the two IPS groups) in gender, ethnicity, or education. They were predominantly white males with some high school or technical school education. The proportion of offenders who were male ranged from 84 to 93 percent. Whites constituted from 57 to 62 percent of the offenders in the different groups.<sup>3</sup> A third or more of the offenders in all four groups had some high school or technical school education.

There were some differences among the groups in terms of age. The average age across groups ranged from 26 to 30, with the majority of the offenders in each group ranging in age from early twenties to thirties. However, offenders sentenced to probation covered a wider age range, and the prison sample had a greater proportion of older offenders, which contributed to the higher average age (30 years old) for that group. Some age difference existed between offenders sentenced directly to IPS (who were younger) and those reinstated to IPS.

In Pima County, there were also few major differences between the four groups in terms of gender, ethnicity, or education, although the differences were somewhat more distinct than those observed in Maricopa County. Males constituted from 74 to 89 percent of the offenders. The proportion of offenders in the four groups who were white ranged from 57 to 69 percent. The Pima County offenders, as a whole, were slightly more educated than offenders in Maricopa County. Approximately 45 percent of those sentenced to standard probation and IPS had some high school or technical school education. The level of education of offenders sentenced to prison tended to be evenly distributed among the four different educational levels (college, high school graduate, some high school, and 8th grade education or less). A greater proportion of offenders sentenced to prison had lower educational levels than was true for offenders in other groups.

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<sup>2</sup>Discrepancies in the sample sizes in the two counties were due to missing data for the particular variable.

<sup>3</sup>Blacks, Hispanics, and American Indians constituted the other 38 to 43 percent. The data on the ethnicity of the offender were inconsistent, especially with respect to Hispanics and American Indians. Specifically, for some offenders, a different ethnicity was indicated by the different data sources—law enforcement, probation, and the Department of Corrections.

The pattern observed in Maricopa County, where the prison group had the highest average age, was also found in Pima County. The average ages of offenders sentenced to probation, directly to IPS, and reinstated to IPS were comparable—around 28 to 29 years old—while the average age of offenders sentenced to prison was slightly higher—33 years old.

## Criminal Histories

In the tables and figures that follow, we present data on the class and type of offense for which offenders in each sample were sentenced, as well as the number of times each offender had been arrested prior to the current (“instant”) offense.

## Class of Offense

The Arizona Criminal Code establishes six classes of felony offense, ranging from the most serious (class 1) to the least serious (class 6). Based on class of offense alone, IPS offenders in both counties can be viewed as more serious than both the probation and prison groups. As tables 2.1 and 2.2 show, a higher percentage of both the IPS direct and the IPS reinstated groups had been convicted of a class 4 or higher offense (that is, class 1, 2, 3, or 4) than was true for the probation and prison groups.

Table 2.1: Distribution of Offenders by Class of Offense and Offender Group, Maricopa County

Class of offense	Offender group <sup>a</sup>			
	Probation	IPS		Prison
		Reinstated	Direct	
Class 6 (least severe)	50%	36%	24%	29%
Class 5	12	6	28	40
Class 4	16	26	46	21
Class 3	13	23	0	9
Class 2 (most severe) <sup>b</sup>	11	10	2	1

<sup>a</sup>Percentages may not add to 100 due to rounding. The numbers of offenders in each group were as follows: probation = 95; IPS reinstated = 70; IPS direct = 46; prison = 153.

<sup>b</sup>Includes a single class 1 offender.

**Table 2.2: Distribution of Offenders by Class of Offense and Offender Group, Pima County**

Class of offense	Offender group <sup>a</sup>			
	Probation	IPS		Prison
		Reinstated	Direct	
Class 6 (least severe)	61%	43%	21%	37%
Class 5	3	12	7	22
Class 4	18	24	58	22
Class 3	14	14	11	17
Class 2 (most severe)	5	7	4	2

<sup>a</sup>Percentages may not add to 100 due to rounding. The numbers of offenders in each group were as follows: probation = 89; IPS reinstated = 42; IPS direct = 57; prison = 85.

## Type of Offense

The data on type of offense do not present as clear a picture as those on class of offense.<sup>4</sup> For example, for Maricopa County, property and drug offenses were the largest categories of offense type for each of the groups, but they most dominated the IPS direct group. (See table 2.3.) Additionally, it is clear that the prison group was the most heterogeneous of the four groups, given the fact that approximately a third of its members were incarcerated for "driving under the influence" (DUI) or other public order offenses.<sup>5</sup>

<sup>4</sup>In this study, the type of offense is classified according to the offense categories developed by the U.S. Bureau of Justice Statistics—person, property, drug-related, and public order offenses. Person offenses include homicide, kidnapping, robbery, assault, and sex offenses; property offenses include burglary, theft, arson, and fraud; drug-related offenses include trafficking, possession, and usage; and public order offenses include misconduct involving weapons, escape, failure to appear, alcohol-related offenses, and commercialized vice.

<sup>5</sup>Again, it must be kept in mind that the prison sample consists of those offenders sentenced to shorter prison terms. Public order offenses are violations of the law rather than criminal behavior. As such, they are likely to be less serious and thus likely to result in shorter sentences.

**Table 2.3: Distribution of Offenders by Type of Offense and Offender Group, Maricopa County**

Type of offense	Offender group <sup>a</sup>			
	Probation	IPS		Prison
		Reinstated	Direct	
Person	15%	11%	7%	8%
Property	33	61	48	42
Drug related	36	16	35	14
Public order <sup>b</sup>	17	11	11	36

<sup>a</sup>Percentages may not add to 100 due to rounding. The numbers of offenders in each group were as follows: probation = 95; IPS reinstated = 70; IPS direct = 46; prison = 154.

<sup>b</sup>Within this category, 4 percent of probationers, 1 percent of offenders reinstated to IPS, 2 percent of offenders directly sentenced to IPS, and 9 percent of offenders sentenced to prison, were sentenced for DUI.

The data from Pima County on offense type also do not show any clear general pattern. (See table 2.4.) The exception is that they do show a strong similarity between the probation group and the IPS reinstated group. This similarity—which can also be seen in the data on offense class in tables 2.1 and 2.2—should come as no surprise. After all, the offenders in the reinstated group were initially sentenced to probation (and entered IPS through probation violation) and therefore could be expected to be quite similar to the probation group.

**Table 2.4: Distribution of Offenders by Type of Offense and Offender Group, Pima County**

Type of offense	Offender group <sup>a</sup>			
	Probation	IPS		Prison
		Reinstated	Direct	
Person	21%	26%	10%	18%
Property	46	45	72	40
Drug related	19	24	14	20
Public order <sup>b</sup>	14	5	4	22

<sup>a</sup>Percentages may not add to 100 due to rounding. The numbers of offenders in each group were as follows: probation = 89; IPS reinstated = 42; IPS direct = 58; prison = 85.

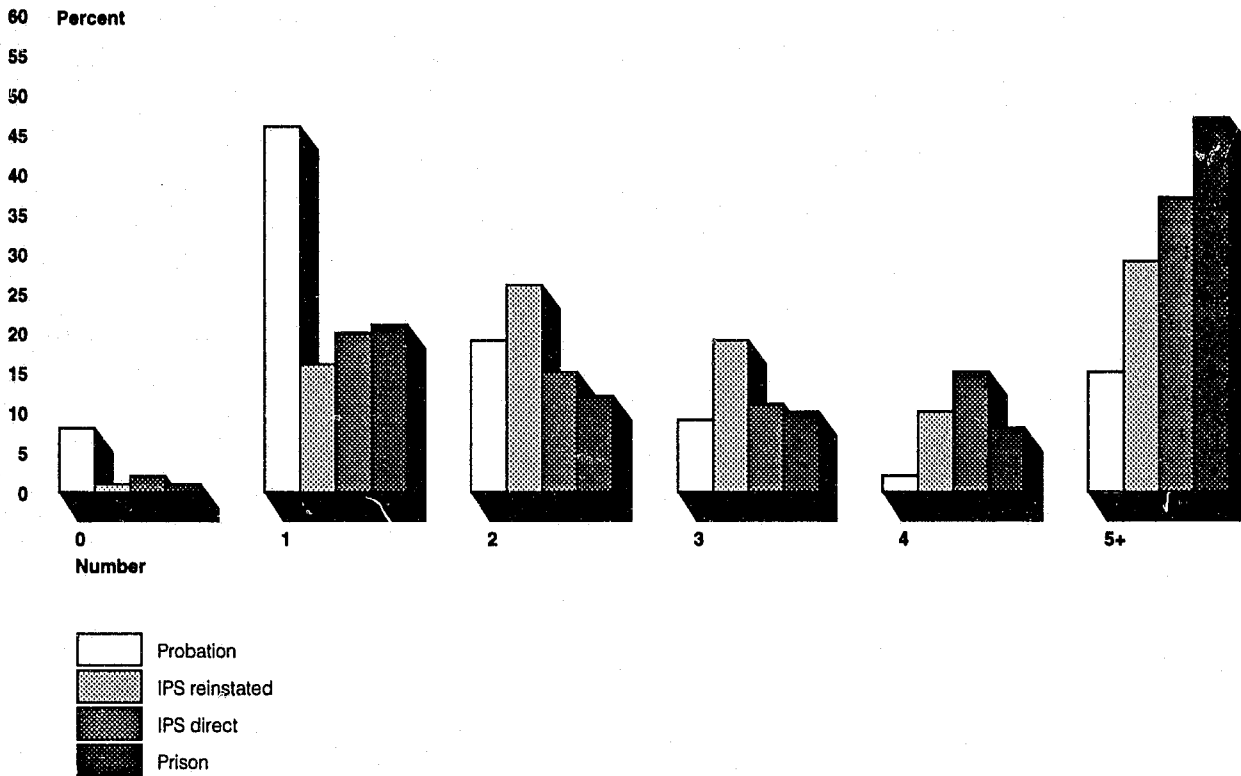
<sup>b</sup>Within this category, 2 percent of probationers, 2 percent of offenders reinstated to IPS, 2 percent of those directly sentenced to IPS, and 9 percent of offenders sentenced to prison, were sentenced for DUI.

## Number of Prior Arrests

Differences between the groups emerge quite strongly from a cross-group comparison of the number of arrests found in offenders' records.<sup>6</sup> As figures 2.1 and 2.2 show, offenders on standard probation were quite distinct from the other groups in both counties. In Maricopa County, more than half of the offenders on standard probation, and in Pima County nearly half, had only one arrest. In contrast, more than half of those offenders sentenced directly to IPS in both counties had been arrested four or more times. In fact, when considering numbers of arrests as the indicator of the likelihood of future crime commission (risk), the IPS groups in Maricopa County appear to be as risky as the prison group, while in Pima County they appear even riskier than prisoners.

<sup>6</sup>The number of arrests should be at least one to indicate an arrest for the instant offense—that is, the offense for which the offender was convicted. The small number of individuals in each county with no history of arrest, therefore, most likely indicates an error in record-keeping. However, in view of the small numbers involved, we did not attempt to determine the exact nature of these errors.

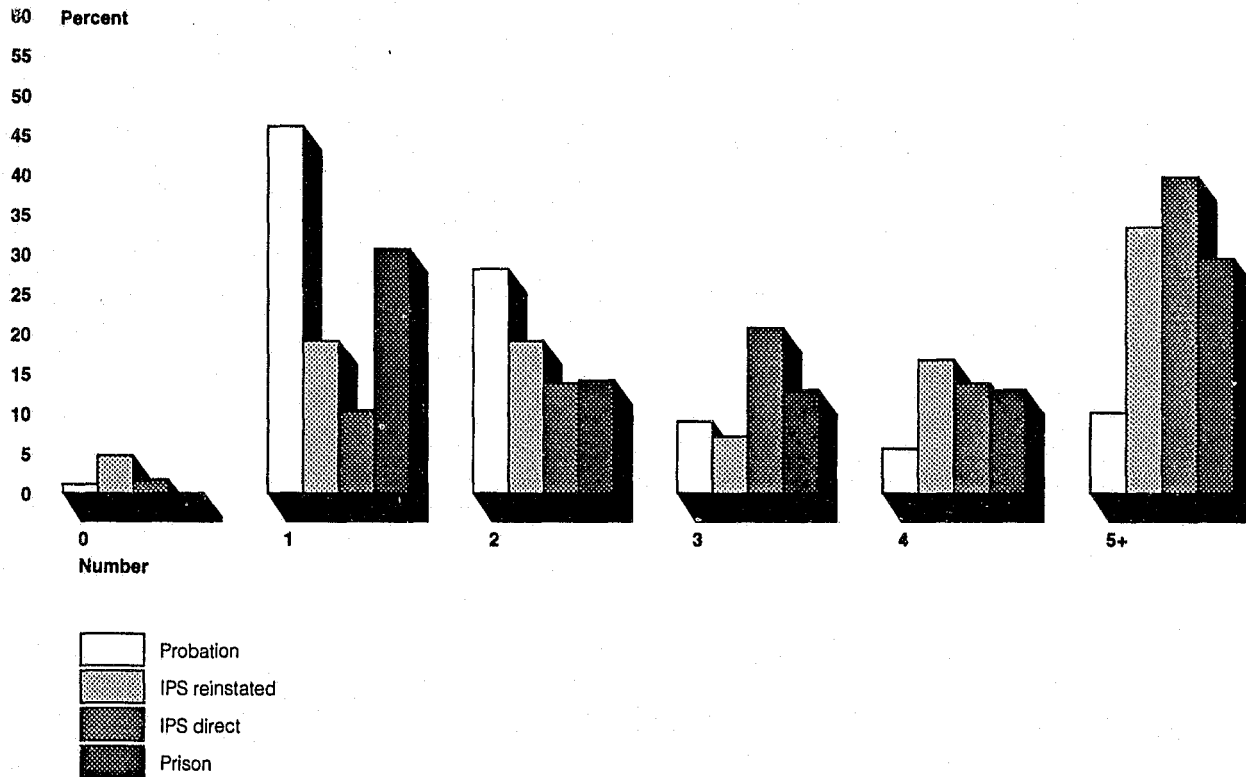
Figure 2.1: Number of Prior Arrests, Maricopa County<sup>a</sup>



<sup>a</sup>Probation = 95; IPS reinstated = 70; IPS direct = 46; prison = 154.



Figure 2.2: Number of Prior Arrests, Pima County<sup>a</sup>



<sup>a</sup>Probation = 89; IPS reinstated = 42; IPS direct = 58; prison = 85.

## Measuring Risk: Arizona's IPS Risk Assessment

Corrections and court officials need the best possible assessments of the likelihood that offenders will commit new crimes in order to make rational decisions concerning those offenders. To meet this need, Arizona developed a risk assessment instrument. The IPS program used the

following five objective measures in the Arizona risk assessment instrument to determine offender eligibility for the program.<sup>7</sup>

1. Age at first juvenile adjudication or adult felony conviction (includes instant offense):

Not applicable (0)  
25 or older (1)  
19 to 24 (3)  
18 or younger (5)

2. Number of prior juvenile adjudications and adult felony convictions:

Zero (0)  
1 or 2 (2)  
3 or more (6)

3. Prior probation/parole revocation (juvenile and adult):

No (0)  
Yes (3)

4. Present (instant) offense designation (as sentenced):

Misdemeanor (0)  
Class 4-5-6 felony (2)  
Other class felony (3)

5. Felonious criminal behavior past 5 years (juvenile and adult; includes instant offense) (Circle all that apply.):

Burglary, theft, auto theft (2)  
Forgery, deceptive practices (3)  
Violence (5)  
Other (0)

<sup>7</sup>Numbers in parentheses are weights assigned to response categories. The Arizona risk assessment instrument was developed by Maricopa County Adult Probation. Part of the instrument (the first five items) subsequently was used in the determination of offender eligibility for IPS. We refer to the total of those five items as the IPS risk score. The intent of restricting the IPS risk score to the first five items was to utilize only objective indicators of risk. For example, the attitude of the offender and the extent of drug usage are subjective. One consequence of using only the first five items is that the IPS risk score is not sensitive to drug-related offenses.

Table 2.5 shows how the IPS risk score, in combination with the class of the instant offense, was used to determine offender eligibility.

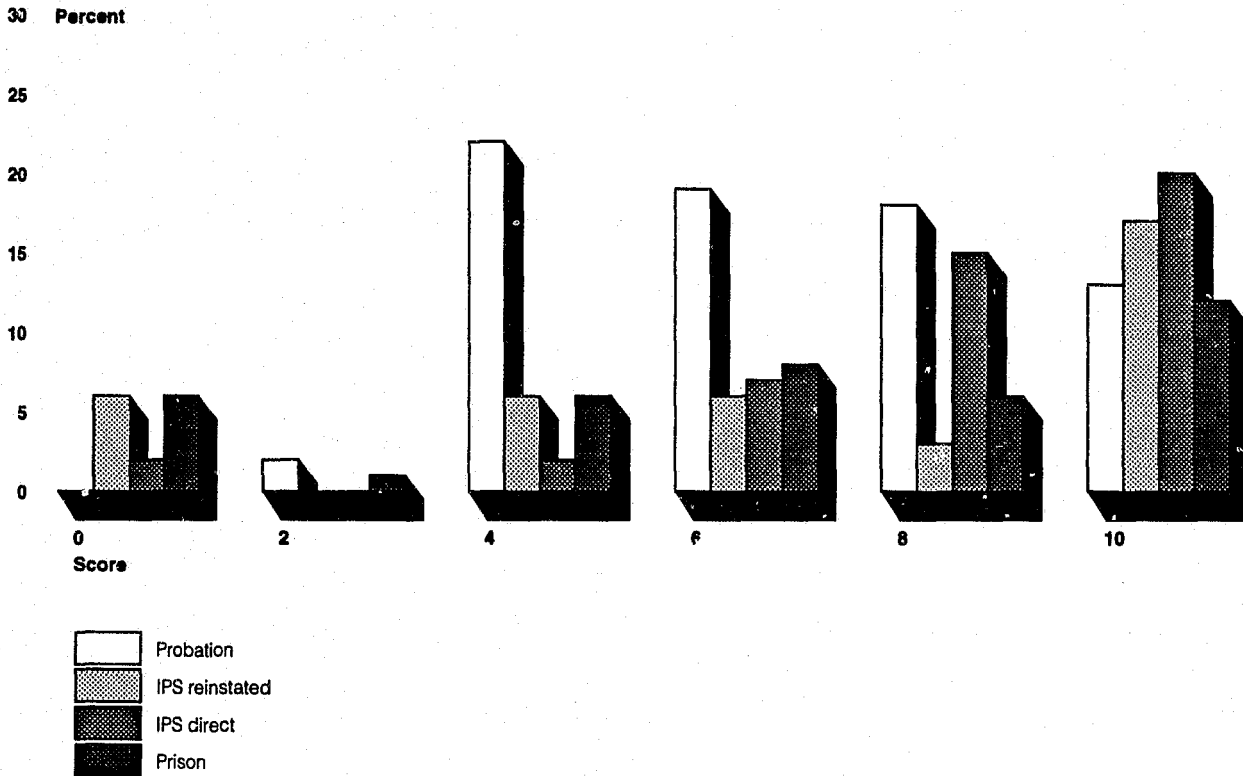
**Table 2.5: Arizona's IPS Sentencing Matrix for Determining Offender Eligibility<sup>a</sup>**

Most serious current offense	IPS risk scores			
	0-7	8-11	12-15	16+
Class 6	Regular probation pool	Regular probation pool	Prison or IPS pool	Prison or IPS pool
Class 5	Regular probation pool	Regular probation pool	Prison or IPS pool	Prison or IPS pool
Class 4	Regular probation pool	Prison or IPS pool	Prison or IPS pool	Prison or IPS pool
Class 3	Regular probation or IPS pool	Regular probation or IPS pool	Prison	Prison
Class 2	Regular probation or IPS pool	Regular probation or IPS pool	Prison	Prison

<sup>a</sup>This matrix reflects the 1988 changes in statutes that allowed for direct sentencing of class 2 and 3 offenders to IPS. Prior to 1988, these offenders were eligible for probation but not for IPS.

Although risk assessment instruments cannot predict perfectly, they combine a number of specific factors associated with likelihood of crime commission, and thus present a composite picture of the differences in risk between offender groups. Figures 2.3 and 2.4 show the risk assessment scores for all four groups of offenders for each of the counties. The picture that emerges from these figures is quite distinct from the one derived solely from the sentencing matrix (table 2.5). Based on the matrix alone, one would imagine that the prison and probation groups would be quite distinct and that the IPS groups would lie somewhere between prison and probation on a risk continuum. However, the actual risk scores show that IPS is clearly distinguishable from probation. The distinction is not as clear between IPS and prison.

Figure 2.3: IPS Risk Scores, Maricopa County<sup>a</sup>

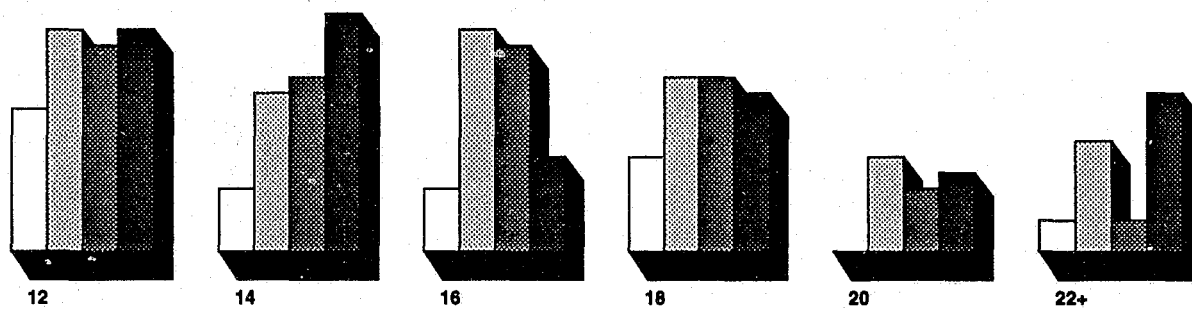


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**Chapter 2**  
**Offender Characteristics**

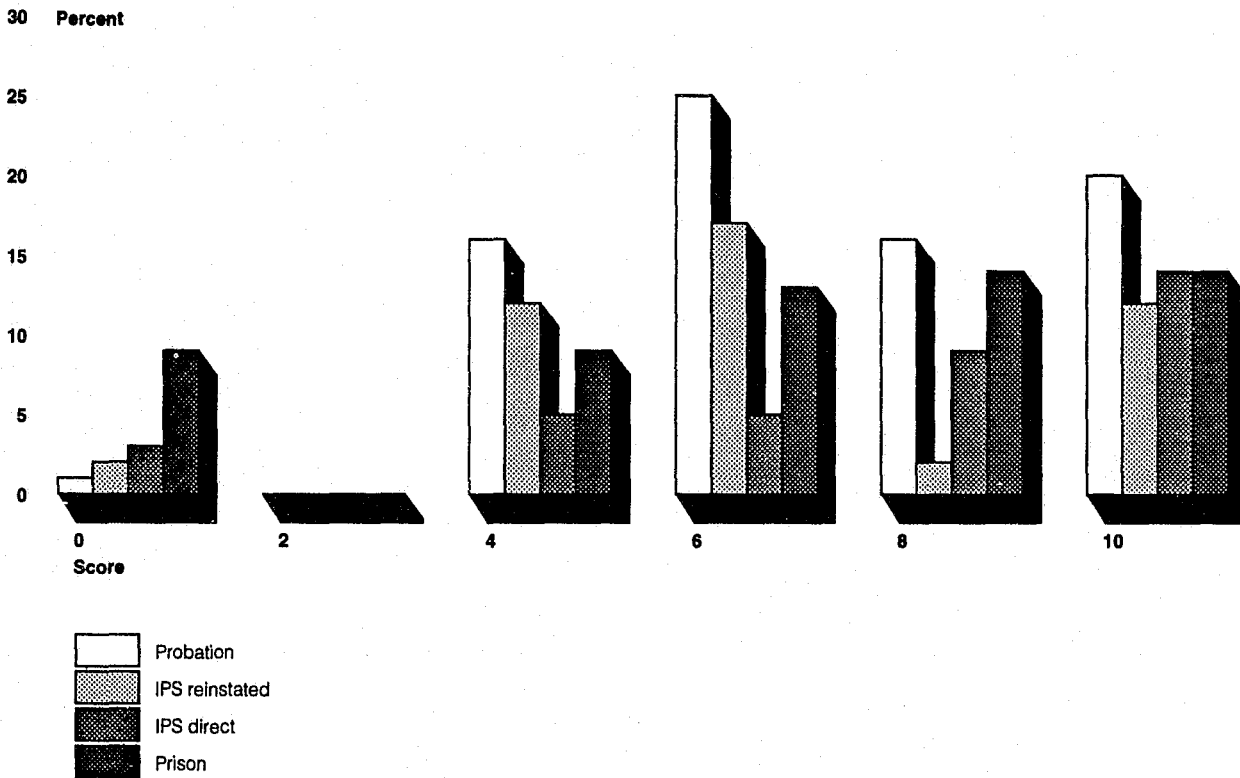
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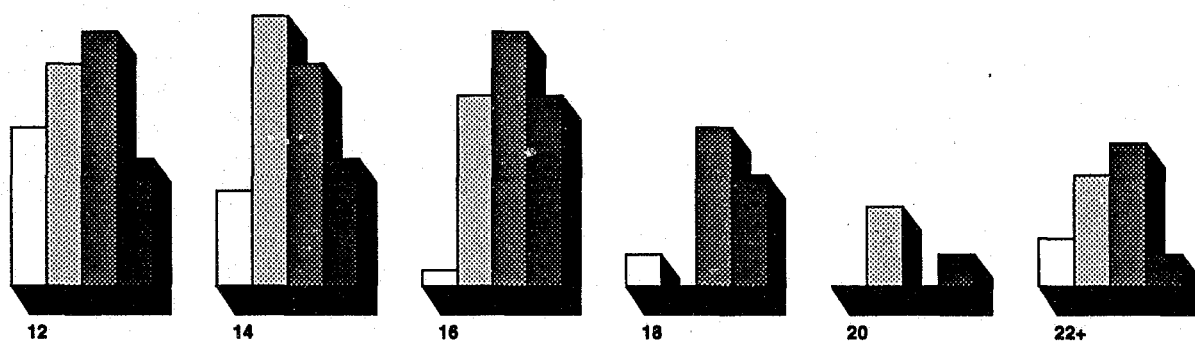


<sup>a</sup>Probation = 95; IPS reinstated = 70; IPS direct = 46; prison = 153.

Figure 2.4: IPS Risk Scores, Pima County<sup>a</sup>







<sup>a</sup>Probation = 89; IPS reinstated = 41; IPS direct = 56; prison = 77.

## Conclusion

The data in this chapter display the relationship between offenders in the IPS program and offenders sentenced to either probation or prison. What these data show are few differences in the demographic composition of each of the groups, but some distinctions in terms of criminal histories and risk.<sup>8</sup> In sum, these differences indicate that IPS did function as an “intermediate” sanction. That is, where differences in group characteristics existed, the IPS offenders tended to fall somewhere between offenders sentenced to probation and those incarcerated for their crimes.

The important consequence of this finding for our study is that the data support our study design assumptions—that is, offenders in the IPS groups

<sup>8</sup>In both counties, the differences among the four samples were statistically significant for offense class, offense type, number of prior arrests, age, and IPS risk scores. They were not significant for gender, ethnicity, or education.

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were notably riskier than those in the probation group but were not clearly distinguishable from the prison group in terms of risk. This distinction having been established, we can now proceed to examine how each of these groups behaves subsequent to sentencing.

# IPS and Probation

This chapter presents data that compare the outcomes produced by IPS with those produced by a sentence to standard probation. The chapter begins with a discussion of the measures used as outcomes with special concern for their utility as indicators of crime commission. The discussion of the measures is relevant both for this chapter, in which IPS is compared with probation, and the next, which compares the behavior of IPS offenders with that of offenders sentenced to prison.

## Measures of Crime Commission

Evaluators of criminal justice programs are often confronted by the need to measure an activity (crime) that is conducted with the specific intent of not being observed. In evaluating IPS, we were faced with the same problem. Given that the intent of any measure would be to make comparisons—that is, between the behaviors of the IPS and probation groups—the criterion we established as most important was that the measure not bias the results either in favor of or against any group being studied.

One measure that meets this criterion is “arrest for a new crime” (subsequently referred to as “arrest”). Clearly, there is a distinction between the concept of arrest and the concept of crime. Many crimes never result in an arrest, so that simply relying on arrests would severely underestimate the volume of crime. Nevertheless, arrest is a reasonable indicator of relative crime commission, because membership in any of the groups being compared does not alter the likelihood of arrest once an offense is committed. In the case of our evaluation, this means that the offender’s likelihood of arrest by the police for a new crime will not be related to the type of his or her supervision (IPS, probation, or parole).<sup>1</sup>

Ideally, we would want to compare the offenders in our samples on the basis of total number of arrests. However, doing so would introduce bias into the study. The bias arises from the fact that there are a number of different outcomes to an arrest. At one end, the offender can be detained until tried, convicted, and incarcerated. When this sequence of events occurs, the offender is never “on the street” after the time of the arrest and therefore is not “at risk” of additional arrests.

<sup>1</sup>IPS officers as “peace officers” are authorized by statute to conduct their own arrests. A bias could be introduced if IPS officers are more likely to detect and arrest for criminal activity; however, our data showed few arrests by IPS officers and none for new charges. Another bias could be introduced if some offenses were charged as probation violations by IPS officers at the same time that they were charged as criminal offenses by law enforcement officers. For example, arrests by law enforcement agencies for drug usage are charged as drug usage, while arrests by IPS officers for drug usage are charged as probation violations. We have no indication of the extent of such biases.

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Alternatively, the subject can be released on bail and either never come to trial (because of dropped charges or plea agreement) or be free subsequent to trial (via acquittal, suspended sentence, or probation). Under the latter sets of circumstances, the offender would be at risk for further arrests. And, because the offender's status at the time of arrest (on probation, IPS, or parole) can influence what happens upon arrest, the total number of arrests is likely to be a biased indicator. For this reason, we decided to use the first arrest as our indicator.

One of the problems with using arrest as an indicator of criminal activity was that offenders in all three samples, because they were under supervision, could have their status changed at any time. When this status change involved incarcerating the offender, it meant that the offender was no longer at risk for committing new crimes. For this reason, we also measured revocations—changes in status that involved revoking the sentence and sending the offender to prison—and used this alteration as an outcome measure. The actual measure, referred to as “fail,” thus denotes the number of offenders who were either arrested for a new crime or revoked to prison.

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## IPS Versus Probation: Sentence Effects

Table 3.1 shows, for each county, how arrests and revocations in the IPS and probation groups compared by the end of our period of observation.<sup>2</sup>

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<sup>2</sup>Given the time frame of the sampling plan, offenders were at risk for varying lengths of time. For those sentenced early in the summer of 1987, the length of follow-up exceeded that for offenders sentenced in October of that year. All offenders, however, were at risk for at least 3 years and 3 months.

**Table 3.1: Distribution of Maricopa and Pima County Offenders Arrested and "Failed" Subsequent to Sentencing**

Offender group	County			
	Maricopa <sup>a</sup>		Pima <sup>b</sup>	
	Arrested <sup>c</sup>	Failed <sup>d</sup>	Arrested <sup>c</sup>	Failed <sup>d</sup>
Probation	50%	54%	27%	30%
IPS reinstated	60	86	50	69
IPS direct	59	84	44	65

<sup>a</sup>The numbers of offenders in the Maricopa County samples were as follows: probation = 82; IPS reinstated = 65; IPS direct = 44; prison = 144.

<sup>b</sup>The numbers of offenders in the Pima County samples were as follows: probation = 86; IPS reinstated = 42; IPS direct = 57; prison = 81.

<sup>c</sup>Figures reflect percent arrested for a new offense after sentencing in the summer of 1987 (through December 1990). Chi-square tests of independence indicated that differences among the three Maricopa County groups were not statistically significant, while differences for the three Pima County groups were statistically significant (p less than .05).

<sup>d</sup>"Failed" includes offenders who were either arrested for a new offense or revoked from summer 1987 through December 1990. Chi-square tests of independence indicated that differences among the three groups in both counties were statistically significant (p less than .01).

The data in the table indicate the relative ineffectiveness of an IPS sentence. These data clearly show that IPS offenders were arrested more frequently than were offenders sentenced to standard probation. The absolute levels varied between counties—more offenders in Maricopa County were arrested—but the relative levels were consistent across counties. In addition, when we excluded arrests for what might be considered less serious offenses (for example, prostitution and failure to appear in court), the relationship between the IPS groups and probationers did not change; IPS offenders continued to show higher levels of arrest for new offenses.

We also conducted an analysis that provided some insight into why more IPS offenders were arrested. Using logistic regression, we "controlled for" differences in the composition of each group. That is, we examined whether differences in arrest levels still existed once all the differences in the groups were accounted for. This analysis showed that, in all likelihood, there would be no differences in arrest levels between probation and IPS if these programs contained similar offenders.<sup>3</sup> Nevertheless, our objective was to determine whether the IPS program could maintain arrest levels at or below those for probation even when dealing with riskier offenders. Employing probation as a yardstick for assessing the extent to which IPS

<sup>3</sup>One exception is Pima County offenders reinstated to IPS, who were more likely to be arrested.

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guaranteed the public's safety, we concluded that IPS, as a sentencing option, failed in both counties.

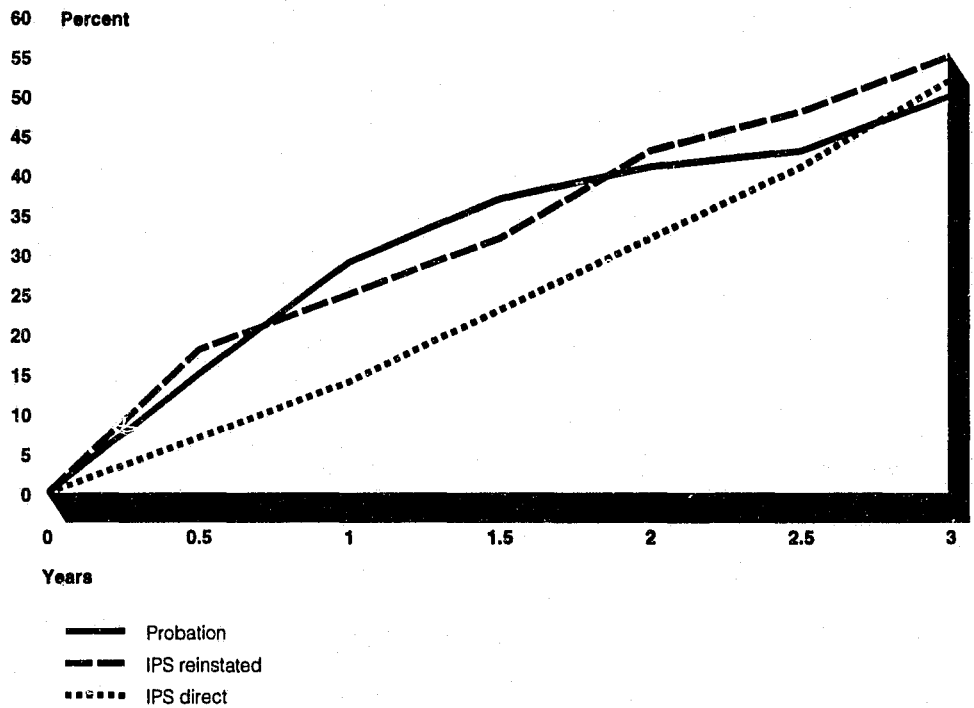
A second, quite striking point derived from the data in table 3.1 is the large numbers of offenders in the IPS groups who were revoked and sent to prison. This trend was again more pronounced for Maricopa than for Pima County. When the number of IPS offenders arrested are added to the number revoked, more than 80 percent of offenders in Maricopa County and 60 percent in Pima County can be said to have "failed" during the interval of their sentence.

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## IPS Versus Probation: Program Effects

If IPS can be said to have failed as a sentencing option, what about the effect of the program itself? Offenders in all of the four IPS groups (direct and reinstated for both counties) rarely remained under the direct supervision of the program for the entire period that we observed them. Rather, offenders spent some time in the program (an average of 13.8 months in Maricopa and 18.7 months in Pima County) and then "graduated" to standard probation. In effect, therefore, it is likely that at least some of the arrests occurred after offenders left the program. Figures 3.1 and 3.2 show, for each county, how the arrests for offenders were actually distributed over time.

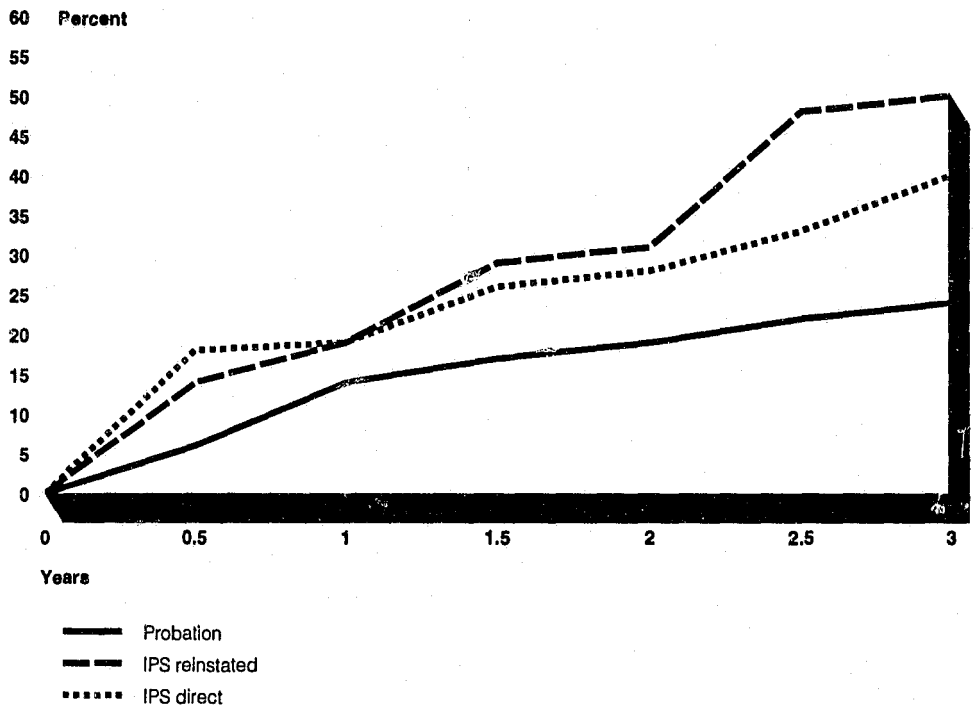
Figure 3.1: Cumulative Arrests Over Time, Maricopa County<sup>a</sup>



<sup>a</sup>Probation = 82; IPS reinstated = 65; IPS direct = 44.



Figure 3.2: Cumulative Arrests Over Time, Pima County<sup>a</sup>



<sup>a</sup>Probation = 86; IPS reinstated = 42; IPS direct = 57.

The data in these figures support a more positive assessment of IPS. As can be seen from figure 3.1, arrests for offenders reinstated to IPS were slightly higher in the first 6 months but remained below those for offenders on probation until the second year. The arrests for offenders directly sentenced to IPS remained below those for offenders on probation until after 2.5 years. What this means is that many of the arrests for IPS offenders occurred at a time when offenders were likely to have left the direct supervision of IPS.

Figure 3.2 shows a different pattern of arrests for Pima County, where arrests for both IPS groups exceeded those for the probation group within the first 6 months—indicating that arrests might have been higher for IPS offenders even while they were directly supervised by IPS. The perplexing aspect of the Pima County data is the “flat” arrest line for probation after the first year. Whereas 15 percent of the probation group were arrested by the 1-year point, only 5 percent more were arrested within the next 2 years. This pattern is quite unusual, and we can offer no explanation for why it occurred.

Tables 3.2 and 3.3 present more direct evidence of the crime control effect of the IPS program. Each table displays the percentages of offenders arrested while they were supervised by IPS and compares these percentages with those for arrests among the probation group.

**Table 3.2: Cumulative Distribution of In-Program Arrests Over Time, Maricopa County<sup>a</sup>**

Time from sentence	Probation	IPS <sup>b</sup>	
		Reinstated	Direct
0-6 months	15%	17%	7%
7-12 months	29	22	14
13-18 months	37	25	21
19-36 months <sup>c</sup>	41	28	21
<b>Total<sup>d</sup></b>	<b>50</b>	<b>28</b>	<b>21</b>

<sup>a</sup> The numbers of offenders in each group were as follows: probation = 82; IPS reinstated = 65; IPS direct = 44.

<sup>b</sup> These percentages are adjusted for "censoring"—which accounts for the differential times at which offenders were transferred from IPS to standard probation.

<sup>c</sup> The average duration of IPS supervision in Maricopa County was 13.8 months; after 18 months, most offenders had either "graduated" to standard probation or been revoked to prison.

<sup>d</sup> The totals are for the percentages arrested by the end of the period of observation (a maximum of 3.5 years).

**Table 3.3: Cumulative Distribution of In-Program Arrests Over Time, Pima County<sup>a</sup>**

Time from sentence	Probation	IPS <sup>b</sup>	
		Reinstated	Direct
0-6 months	5%	5%	14%
7-12 months	13	7	14
13-18 months	16	14	16
19-24 months	17	17	16
25-36 months <sup>c</sup>	18	17	18
<b>Total<sup>d</sup></b>	<b>27</b>	<b>24</b>	<b>25</b>

<sup>a</sup> The numbers of offenders in each group were as follows: probation = 86; IPS reinstated = 42; IPS direct = 57.

<sup>b</sup> These percentages are adjusted for "censoring"—which accounts for the differential times at which offenders were transferred from IPS to standard probation.

<sup>c</sup> The average duration of IPS supervision in Pima County was 18.7 months; after 24 months, most offenders had either "graduated" to standard probation or been revoked to prison.

<sup>d</sup> The totals are for the percentages arrested by the end of the period of observation (a maximum of 3.5 years).

As can be seen from these two tables, when only in-program arrests are considered, the percentage of IPS offenders arrested was at or below the percentage for probation offenders. In Pima County, equivalent percentages of offenders in all groups were arrested (table 3.3), while in Maricopa County the percentage of IPS offenders arrested was below that for offenders on probation (table 3.2).

## IPS: Mechanisms of Control

As mentioned in the introductory chapter, one reason we collected data on revocations was that, once an offender was revoked, he no longer was at risk of being arrested for new crimes. A comparison of the percentage "arrested" with the percentage "failed," which included arrests and revocations (see table 3.1), provides some indication that revocations were, in fact, important. However, the impact of revocations on arrests becomes clearer when the 6 months following sentencing are examined. During that period in Maricopa County, 14 percent of offenders reinstated to IPS and 7 percent of those directly sentenced to IPS were arrested for new crimes. The corresponding figures for the "fail" variable were 43 and 32 percent. Essentially, these data show that the Maricopa County IPS program "threw out" approximately one of every four offenders by sending them to prison soon after they were sentenced.

Although not as dramatic, the pattern of high revocations also existed in Pima County. In Pima County, IPS officers played a key role in screening offenders to determine their suitability for IPS. These officers made recommendations to the sentencing judges concerning whether the offender should be placed in IPS. In Maricopa County, however, IPS had no direct say concerning which offenders were sentenced to the program. As a result, Maricopa County essentially "screened" offenders after they had been sentenced to IPS. This explains the very high revocation rates in the Maricopa County IPS program during the first 6 months after sentencing.

The high numbers of revocations illustrate the primary mechanism by which Maricopa County was able to keep arrest statistics for its IPS offenders at levels below those for standard probationers. That is, large numbers of IPS offenders were revoked from the program and therefore were not at risk of being arrested.

## Summary

In sum, the data in this chapter present a "mixed" picture of IPS. Clearly, the data on cumulative arrests show that an IPS sentence did little to guarantee public safety. However, during the period when higher-risk

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offenders were the direct responsibility of the program, they were arrested less frequently than lower-risk offenders supervised by standard probation. This relatively low level of arrest for IPS offenders was achieved, at least in part, through the control mechanism of sending many of them to prison.

# IPS and Prison: Implications for Policy and Evaluation

If Arizona's IPS effectively controlled crime as a program, yet failed to do so as a sentence, what are the implications for sentencing policy? In order to answer this question, we compared IPS effects with those of the other traditional sentencing option, imprisonment. This comparison serves as the focus for the first part of this chapter. To illustrate one way that the effectiveness of IPS might be improved, we then present findings on the factors associated with an offender's likelihood of success or failure subsequent to being sentenced in Arizona. Finally, the chapter turns to the implications of our findings, in terms of both future studies of intermediate sanctions and corrections policy itself.

## IPS Versus Prison

The comparison of IPS with prison that follows is a comparison of sentences. Clearly, offenders cannot commit crimes against the public while they are incarcerated. However, the important question is how effective in controlling crime is a sentence that consists of some time in prison and the remainder of the sentence time on parole supervision. Tables 4.1 and 4.2 present data that offer some insight into this question. These tables show, for each 6-month interval from the date of sentencing, the percent of the prison groups arrested for new crimes. The tables also present comparable data for the two IPS groups.

**Table 4.1: Cumulative Distribution of Arrests Over Time, Maricopa County<sup>a</sup>**

Time from sentence	Prison	IPS	
		Reinstated	Direct
0-6 months	1%	18%	7%
7-12 months	9	25	14
13-18 months	21	32	23
19-24 months	31	43	32
25-30 months	40	48	41
31-36 months	48	55	52

<sup>a</sup>The numbers of offenders in each group were as follows: IPS reinstated = 65; IPS direct = 44; prison = 144.

**Table 4.2: Cumulative Distribution of Arrests Over Time, Pima County<sup>a</sup>**

Time from sentence	Prison	IPS	
		Reinstated	Direct
0-6 months	0%	14%	18%
7-12 months	1	19	19
13-18 months	4	29	26
19-24 months	15	31	28
25-30 months	22	48	33
31-36 months	28	50	40

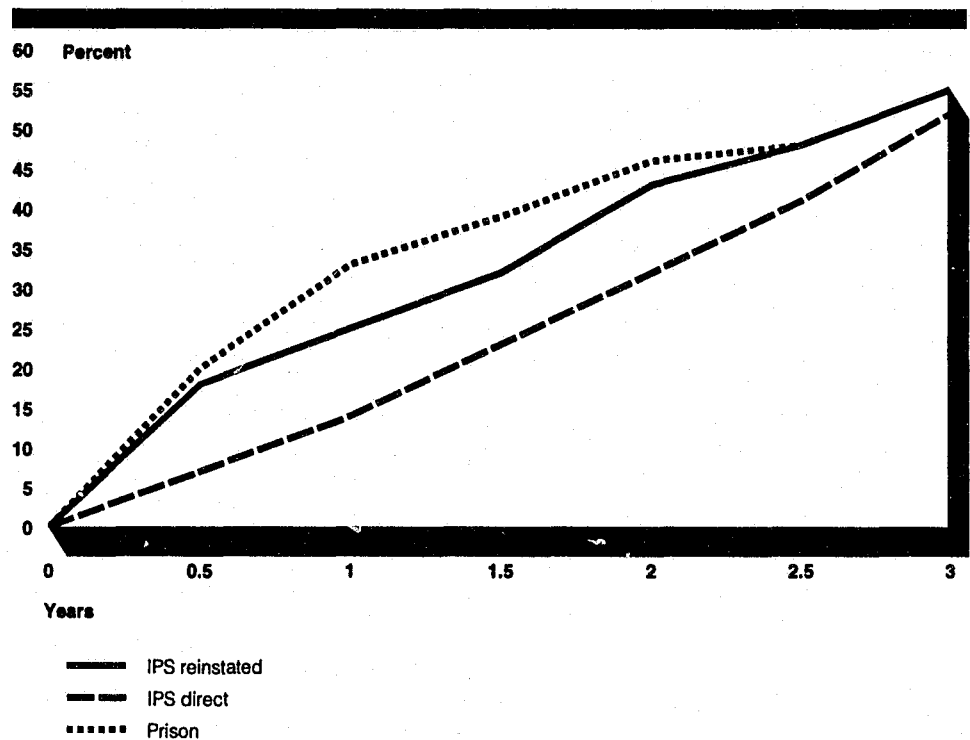
<sup>a</sup>The numbers of offenders in each group were as follows: IPS reinstated = 42; IPS direct = 57; prison = 81.

Tables 4.1 and 4.2 show very different pictures of the relative effectiveness of prison sentences in each of the counties. In Maricopa County, a prison sentence was as ineffective as an IPS sentence. That is, the percentage of the prison sample arrested approximated the percentages for the IPS samples. Importantly, the equivalence in arrests occurred despite the fact that the prison group spent a large proportion of the period in prison. That is, as noted in chapter 1, we selected individuals who were sent to prison in 1987 and then determined how many had been arrested by the end of 1990. On average, these offenders spent more than one third of the observation period in prison, and some were not released until the spring of 1990.

In Pima County, however, a prison sentence was considerably more effective than a sentence to IPS. This difference between the counties in the relative effectiveness of prison as a sentence can be seen more clearly by comparing arrest percentages for the prison groups from the time they were released from prison. (See figures 4.1 and 4.2.)

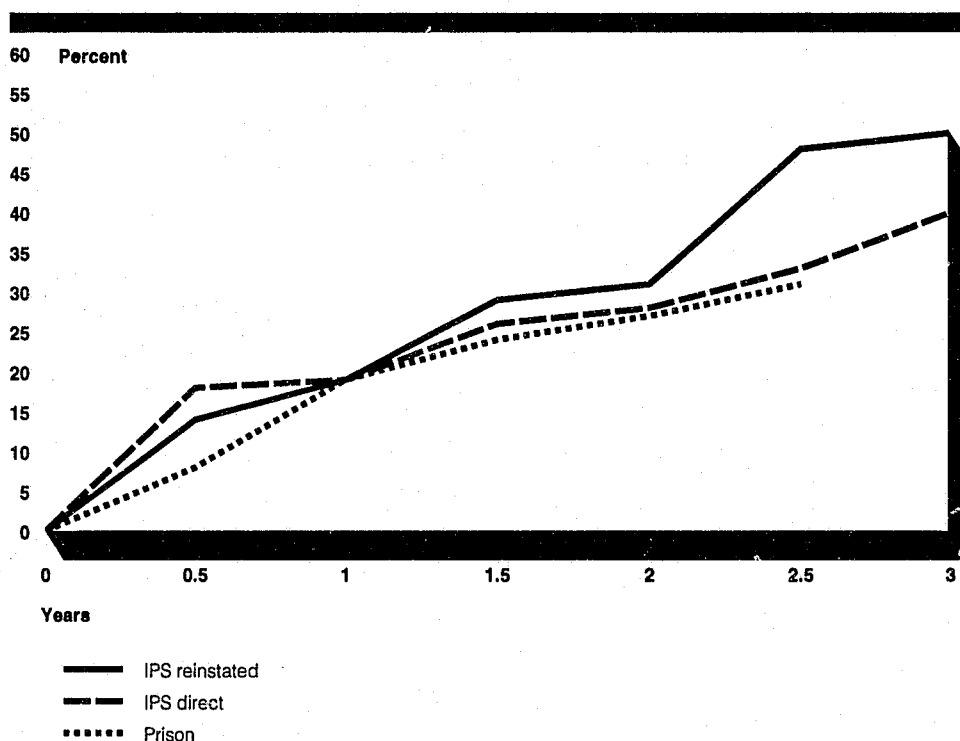
**Chapter 4**  
**IPS and Prison: Implications for Policy and**  
**Evaluation**

**Figure 4.1: Adjusted Arrests Over Time, Maricopa County<sup>a</sup>**



<sup>a</sup>IPS reinstated = 65; IPS direct = 44; prison = 132. The prison group was measured from the time of release to parole—which explains why the prison line ends at 2.5 years.

Figure 4.2: Adjusted Arrests Over  
Time, Pima County<sup>a</sup>



<sup>a</sup>IPS reinstated = 42; IPS direct = 57; prison = 78. The prison group was measured from the time of release to parole—which explains why the prison line ends at 2.5 years.

A comparison of figures 4.1 and 4.2 indicates how the relative standings of the prison and IPS groups differed by county. In Maricopa County, for offenders sentenced to prison, the rate of new arrests once they were released (the slope of the line representing the prison group) was considerably higher than that for the IPS offenders. Therefore, even though the prison group had a maximum “at-risk” time of only 2.5 years, their absolute percentage of arrest after release exceeded the percentage of the IPS groups arrested within 3 years of sentencing. For Pima County, however, the graph lines for the groups parallel each other, which means that the “savings” achieved by the period of incarceration (when offenders could not be arrested) were retained.

One possible explanation for why the two counties differed in the relative crime-control effectiveness of their prison sentences relates to the “riskiness” of the offenders. As mentioned in chapter 2, a basic assumption of our study design was that the IPS and prison groups would be at least equivalent in risk. The data show that this assumption was valid for



Maricopa County. However, the data on risk for Pima County indicate that the IPS groups in that county had higher risk scores than the prison group. (See figure 2.5.) This difference could explain why the IPS groups in Pima County were arrested so much more frequently than the prison group, while that was not true in Maricopa County (where the groups were equivalent in risk).

## Determinants of “Failure”

Up to this point, we have focused on how groups compare with each other. In an effort to understand why the observed patterns occurred, we undertook a series of analyses to see whether there were characteristics of the individuals within the groups that might give some insight into the likelihood of arrest subsequent to sentencing. The analyses (Cox proportional hazard models) used the data on the offenders in all the groups to estimate the extent to which each specific characteristic increased or decreased the likelihood of being arrested for a new crime subsequent to sentencing. The key statistic generated was the “relative risk.” (See table 4.3.) This statistic uses 1.0 as the baseline and then indicates how the presence of a specific factor (for example, being under the age of 21) affects the likelihood of arrest. The extent to which the value is above 1.0 indicates the increase in risk, while values below 1.0 indicate a diminution in risk associated with that factor.

**Table 4.3: the Estimated Contribution of Specific Factors to the Relative Risk of Arrest**

Factor	Relative risk	
	Maricopa	Pima
Prior offenses: exponential increase for each additional offense	1.07	1.08
Sentenced to prison	1.43	1.88
Reinstated to IPS	<sup>a</sup>	2.21
Age: offender under 21	<sup>a</sup>	4.24
Low offense class: offender convicted of a class 6 felony	1.66	<sup>b</sup>

<sup>a</sup>In Maricopa County, neither age nor being reinstated to IPS affected the likelihood of an arrest.

<sup>b</sup>In Pima County, the severity of the offense committed (offense class) did not affect the likelihood of an arrest.

The data in table 4.3 show, not surprisingly, that each additional offense in the offender’s history also increased (exponentially) the likelihood of arrest. This was true for both counties. Additionally, offenders sentenced to prison were more likely to be arrested (by a factor of 1.4 and 1.8 in

Maricopa and Pima County, respectively). However, in Pima County, offenders reinstated to IPS were 2.21 times as likely to be arrested as offenders in any other group. All else being equal, offenders under 21 were most likely to be arrested in Pima County—by a factor of 4.23. In contrast, the age of the offenders did not affect their likelihood of being arrested in Maricopa County. Finally, only in Maricopa County did the severity of the instant offense affect the likelihood of an arrest—offenders sentenced for the less serious crimes, class 6 felonies, were 1.7 times as likely to be arrested.

## IPS: Success or Failure

Data have been presented to address the question of how well IPS in Arizona controlled criminal behavior; however, the answer to this question is not obvious. Depending on the criterion used to determine “effectiveness,” we arrive at different conclusions concerning the IPS program. That is, if we are concerned with the effectiveness of the sentence (where the interest goes beyond the time when the program had direct responsibility for the offender), it is clear that IPS did a relatively poor job of protecting the public. Arrest levels for both groups of IPS offenders in both counties exceeded those for all other offenders included in the study.

Adding to this negative assessment of IPS are two other important facts. The first is that IPS offenders in both counties were not disproportionately arrested for public order offenses. That is, IPS offenders were being arrested for criminal activity rather than simply for violations of laws. Second, if revocations are viewed as indicative of the program’s inability to successfully supervise offenders in the community, an even bleaker picture of IPS emerges, in which only one in six offenders successfully completed the program and was not arrested for a new offense. Although this ratio was two of five in Pima County, we have already noted that IPS officials there had more control over which offenders were accepted into the program.

However, if a narrower definition is adopted, the Arizona IPS program could make a legitimate claim to having protected the public. That is, if the concern is only with the period during which the offender was under IPS supervision, the program appears to have been successful in both counties. (See tables 3.2 and 3.3.)

In addition, in one county, we found that short-term incarceration, the other sentencing alternative we examined, was hardly preferable as a

crime-control strategy. The level of arrests observed for the prison group in Maricopa County approximated those observed for the IPS groups, despite the prison group's much shorter time at risk. Importantly, the rate at which the prison group was arrested (see figure 4.1) raises the issue of whether arrest levels among the prison group in Maricopa County would have surpassed those of the IPS groups if our study period had been extended.

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## Methodological Implications

First, we concluded in our description of intensive supervision in Arizona that the county programs, although operating under the same state statutes and administrative policies, were very distinct entities.<sup>1</sup> The contrasting outcomes for the Maricopa and Pima County IPS programs provide further evidence that a qualitative understanding of the intensive supervision program is necessary for the quantitative evaluation of such a program. Had we pooled our data from the two counties and evaluated their outcomes as a single Arizona IPS program, we would have arrived at different (and quite misleading) conclusions. At the very least, analyses of data from programs, even when they operate under the same statutes and policies, need to proceed separately, because combining the data may mask differential effects of the respective programs.

Second, it is clear from this study that there is no single criterion for determining effectiveness. The ambiguity of whether revocations are a measure of program success (the offender who was difficult to control was sent to prison) or failure (the program was unable to control the offender) serves as one example of the difficulty of measuring IPS program effectiveness. More importantly, the effectiveness of IPS as a program and its ineffectiveness as a sentence are examples of the very different conclusions that can be reached, depending on the criterion of success employed.

The different impressions of effectiveness that result from focusing on the program, on the one hand, or the sentence, on the other, are particularly significant when assessing the benefits of incarceration. In this instance, there is of course no doubt that the "program" (the period of imprisonment) was effective in controlling crime. However, as the data from Maricopa County indicate, a prison sentence—that is, incarceration followed by parole supervision—did little to control ensuing criminal behavior.

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<sup>1</sup>See appendix II.

The fact that conclusions changed as we move from program to sentence as the unit of analysis indicates the need to examine effectiveness under yet a third definition. This third definition of effectiveness, one that goes beyond the scope of our evaluation of IPS, extends the responsibility of a sentencing option to include the consequences of that sentence—that is, criminal behavior that occurs after the expiration of a sentence. In the case of IPS offenders, this definition of effectiveness would involve following them as they moved off standard probation. In the case of the prison group, the time frame of analyses would extend beyond the point at which their supervision by parole officers ceased.

The third and final implication of our study for the evaluation of intensive supervision programs concerns the need for longitudinal data. In situations where a discrete event is evaluated, presenting data that show “final” levels at the conclusion of that event is appropriate. For example, when the concern is only with how well the program controlled crime, reporting arrest levels at the conclusion of the program is valid. Similarly, when evaluating a sentence, data can be presented solely for the point at which the sentence expired (for example, arrest levels at the conclusion of the sentence). However, when follow-up data cannot be obtained for the entire duration of the program or sentence, it is critical that data be presented longitudinally, rather than simply for the last period for which data are available. The reason is that the final look is an arbitrary one, not one based on the conclusion of the program or sentence. Figure 3.1 demonstrates the dangers of “interim” looks. In this figure, the outcomes observed depend on the time at which the observation occurred. That is, with regard to the percentages of offenders arrested, the relative positions of the groups (which group was highest or lowest) differed at various points in time. Thus, when using arbitrary endpoints (often based on the need to conclude the evaluation) that are not related to the expiration of a sentence or tenure within a program, it is essential that data be presented for the whole period.

## Implications for Corrections Policy

Our evaluation was of one program in one state at one point in time. What implications could such a “limited” study have for the broad field of corrections policy? Three areas of importance suggest themselves.

First, if there is a single message that runs through all the data in this report, it is the apparent futility of hoping to achieve real crime control with current sentencing options. This perspective is most dramatically supported by the figures from Maricopa County. At least 50 percent of all

offenders in each of the groups in that county were arrested for new crimes during the period of the sentence. The figures for Pima County are quite different from those for Maricopa County; nonetheless, even the lowest percentage observed (for the probation group) had one in four offenders being arrested for an offense subsequent to sentencing. These data serve as yet one more piece of empirical evidence in a growing body of research showing that there are few good options for preventing future crimes within the range of currently available sentencing options. This in turn suggests that alternative sentencing options need to be explored.

Second, our findings on the behaviors of the prison groups are of critical importance. Much of the growth in prison populations has been fueled by the intuitive conclusion that prison sentences, because they include a period when offenders cannot commit new crimes, necessarily reduce the total number of crimes. The data from Maricopa County call this conclusion into question. We have demonstrated that the common practice of incarcerating offenders for 1 or 2 years in prison, followed by parole, did little to reduce the overall volume of crime. This finding suggests that the likelihood of crime commission during the period of parole must also be considered when sentencing individuals to prison.

Finally, the effectiveness of IPS in controlling crime during the period when the offenders were under supervision by the program cannot be overlooked. How to translate this period of effectiveness into a sentencing option that effectively controls crime is a question our data cannot answer, but one that deserves further attention. One option would be to extend the period of supervision offered by the program. A second strategy, suggested by our finding that specific offender characteristics were associated with the likelihood of success or failure, would be to target the program to a more selective group of offenders. However, each of these options is supported more by reasonable conjecture than by empirical evidence, and therefore further study is needed before general recommendations can be made.



# State IPS Statutes and Policy Common to Arizona's County Programs

In this appendix, we briefly describe the Arizona Intensive Probation Supervision (IPS) program as it is specified by state statute and administrative policy. The state, by specifying program components, supervision requirements, and offender eligibility, defines aspects of the IPS program that are common throughout the state.

Offenders under the IPS program are required to

- be fully employed, full-time students, or seeking employment and community service work;
- remain under house arrest, except for reasons of employment, school, community service, or as allowed by the IPS officers;
- submit to drug and alcohol testing;
- perform at least 40 hours of community service per month, except for full-time students who may be required to do less;
- pay restitution and fees; and
- comply with other court-ordered conditions.

Minimum supervision requirements as specified by statute include four visual contacts (as opposed to phone contacts) with the offender each week, as well as weekly contacts with the offender's employer. IPS officers are also required to make weekly checks for new arrests. These supervision requirements were further delineated by state policy, which created three levels of supervision with decreasing minimum requirements. Under this policy, the number of required visual contacts is gradually reduced from four times, to twice, and finally once a week; employer contacts are reduced from once a week to once every 2 weeks.<sup>1</sup>

Control over the offender's finances is maintained through the collection of the offender's wages; IPS officers deduct the appropriate amount for probation fees and other court-ordered restitution before—the practice in some counties—returning the balance to the offender.

To ensure that the intensity of IPS supervision is maintained, the state mandated a maximum officer-to-offender ratio. A two-person IPS team, consisting of a probation officer and a surveillance officer, is allowed to supervise no more than 25 offenders.<sup>2</sup> Exceptions are made for small counties with few offenders, where a single IPS probation officer can

<sup>1</sup>Under standard probation, the minimum requirements for offenders on the maximum level of supervision are two visual contacts monthly.

<sup>2</sup>The average number of offenders supervised by a single probation officer in Arizona ranges between 60 and 80 offenders.

supervise, at most, 15 IPS offenders. The supervision requirements for the single IPS officer are also revised accordingly. Statutory changes in mid-1988 permit an alternative three-person IPS team, consisting of a single probation officer and two surveillance officers, to supervise, at most, 40 IPS offenders.

Offender eligibility requirements differ according to the mode of program entry. Offenders enter the program through either direct sentencing or reinstatement for violation of conditions of standard probation—both of which are judicial decisions. In 1987, only offenders convicted of class 4, 5, and 6 felonies were eligible for direct sentencing to IPS. A 1988 change in the statute allowed for the direct sentencing of class 2 and 3 felons who are “probation bound” to the program. A subsequent statutory change in 1989 allowed for the direct sentencing to IPS of any “probation eligible” class 2 and 3 felon.

Probation violators who commit a technical violation (that is, a violation of conditions of probation but not a new crime) are eligible for reinstatement to IPS. This means that any offender under standard probation supervision, regardless of the class of the original conviction, is eligible for intensive supervision. Only class 1 offenders (for example, those convicted of murder) are not eligible for probation. Consequently, although class 2 and 3 felons were not eligible for direct sentencing to IPS prior to the 1988 statutory changes, such offenders nevertheless entered the program by way of the probation-violation route. State policy also attempted to restrict the program to “prison-bound” offenders—that is, those who otherwise would have been sentenced to prison.

Beyond state legislation and administrative policies, counties had a great deal of discretion in defining the actual programs. Each county determined the specific structure of its IPS teams, the supervision provided, as well as the type of offenders supervised. County differences in the size of the program, offender population, employment and community service opportunities, and treatment resources, all contributed to differences in county programs. At another level, IPS officers exercised discretion in carrying out these state mandates and policies. Individual IPS officers determined what supervision actually entailed, what was permissible behavior, how to respond to violations, and perhaps most importantly, when to take offenders off the streets by revoking them to prison.



# County Differences in IPS Program Operations

In this appendix, we focus on differences between the Maricopa and Pima County IPS programs in how offenders entered, progressed through the decreasing levels of supervision, and ultimately exited the program. These program characteristics are important because they are related to the effectiveness of the program in controlling crime and the cost of the program.<sup>3</sup> For example, effective screening and selection of offenders for the IPS program were likely to increase the number of those who successfully completed the program. The longer offenders were supervised under the program, the greater the cost to the program.

## Relationships Among IPS, the Courts, and the Probation Department

Entry into IPS, modification of supervision to a less intensive level, and exit from the program (either successfully, progressing to standard probation, or unsuccessfully through revocation) were all court decisions. However, judicial decisions at each juncture were based on information provided by either IPS or the probation department (as described herein).

Consequently, IPS was able to influence these decisions to a greater or lesser degree, depending on its relationship to the courts. Before turning to the description of how offenders entered, progressed through, and exited the IPS program, then, we briefly describe the relationship between IPS and the courts.

At the time of our data collection, the Maricopa County Adult Probation Department was a large, complex organization; its sheer size distinguished it from probation departments in other Arizona counties. Maricopa County had approximately 20 judges on its criminal bench. The relationships among the courts, the probation department, and IPS were more bureaucratic than personal. IPS was decentralized, with teams located in six different offices in 1989, and the relationship between IPS and standard probation varied across different offices.

In contrast, the Pima County Adult Probation Department was half the size of Maricopa's, and the business of probation was conducted through informal contacts between judges and probation officers. Pima County

<sup>3</sup>One important county difference was whether IPS officers were armed. Although we do not discuss this important issue in this report, we do want to point out that the debate revolved around the issue of officer safety and not that of supervising dangerous offenders. Any program that requires its officers to monitor compliance with house arrest needs to consider whether it is jeopardizing the safety of its officers by requiring them to enter potentially dangerous neighborhoods. The policy of the Administrative Office of the Courts (AOC) only stipulated that counties electing to allow officers to be armed needed to provide weapons training. Of the 15 Arizona counties with programs, only Pima County IPS permitted its officers to be armed. Whether this resulted in the riskier group of IPS offenders that we found in Pima County cannot be determined from our data.

had about 12 judges on its criminal bench.<sup>4</sup> Probation officers provided oral briefings and discussed each case with the judge in presentence conferences. This system of judges meeting with probation officers in chambers was possible in Pima County's smaller Adult Probation Department.<sup>5</sup>

The Pima County IPS program, unlike Maricopa's, was centralized. This isolation and separation from regular probation fostered an esprit de corps within IPS at the same time that it created tension between standard probation and intensive supervision.<sup>6</sup>

## Entry Into the IPS Program

Offenders entered IPS through either direct sentencing for their instant offense or reinstatement for violation of the conditions of standard probation. In the first case, sentencing decisions were generally based on information provided in presentence investigation reports.<sup>7</sup>

In Maricopa County, presentence investigation reports included a recommendation for sentencing and sentence length based on Arizona criminal codes. In Pima County, sentencing recommendations were not included in the report; they were provided orally during a presentence conference. In both counties, the presentence investigation reports were written by probation officers who were not involved in the supervision of offenders.<sup>8</sup>

For the second mode of entry—reinstatement to IPS following probation violation—judicial decision was based on information provided by the

<sup>4</sup>In contrast, in the two other counties where we conducted some exploratory fieldwork—Cochise and Coconino—three and four judges, respectively, heard both criminal and civil cases.

<sup>5</sup>With the growth of the offender population in Pima, and thus the growth of the judiciary, this practice may become less tenable. The size of Pima County's probation department doubled in the last couple of years, and one likely consequence of the growth is the loss of the informal, personal contacts between judges and probation officers.

<sup>6</sup>The Pima County IPS teams were all located at a single site until late 1989, when 5 of the 16 teams moved to another location.

<sup>7</sup>These reports typically included information on the instant offense (the offense for which the offender was being sentenced) describing any mitigating or aggravating circumstances, related offenses and stipulations that resulted from plea bargaining, juvenile and adult arrest history, and social and family background.

<sup>8</sup>Both Maricopa and Pima County probation departments were large enough to have a presentence investigation division separate from field supervision.

probation officer currently supervising the offender.<sup>9</sup> The probation officer provided recommendations for disposition—that is, reinstatement to standard probation, reinstatement to IPS, or revocation to prison. Additional court-ordered conditions—including jail incarceration, drug treatment, and payment of restitution—could also be recommended. These recommendations were included in the written probation violation reports in Maricopa County; in Pima County, they were provided orally through presentence conferences.<sup>10</sup>

Except in cases where the offender was charged with a new crime and arrested by the police, the initiation of probation violation proceedings was at the discretion of the probation officer. Unlike in the case of direct sentencing, the recommendations and ultimate disposition of the probation violation directly affected the standard probation officer currently supervising the offender.

As previously noted, IPS was able to influence the judicial decision to a greater or lesser degree depending on its relationship to the courts, specifically whether the program had an official role in screening offenders as prospective candidates for the program. In Maricopa County, the IPS program did not have any official role in screening offenders. Recommendations for sentencing and probation violations were provided in presentence investigation or probation violation reports, neither of which were written by IPS officers. Maricopa County policy had consistently been that the “most knowledgeable” probation officer—the presentence investigation probation officer or the supervising probation officer—be responsible for presenting the case before the court. Consequently, the type of offender entering the Maricopa County IPS program was largely determined by the court and the probation department.

In contrast, Pima County IPS screened offenders for the IPS program and communicated its recommendations directly to the court. The officer conducting the presentence investigation notified IPS of prospective candidates. Prior to sentencing, an IPS officer interviewed both the offender and the offender’s family. Similarly, probation violators who were prospective IPS candidates were also interviewed and screened by an IPS

<sup>9</sup>The probation violation report provided the judge information concerning the offender’s probation status, the specific violation, and the officer’s evaluation of the offender’s progress under standard probation.

<sup>10</sup>Judges concurred with the recommendations about 90 percent of the time. However, it could also be said that, because probation officers were familiar with their judges, these officers were able to predict the likely sentence about 90 percent of the time given the instant offense, the criminal history, and the particular judge.

officer. For both modes of entry, direct sentencing and reinstatement for probation violation, an IPS probation officer attended the presentence conference together with either the investigating or supervising probation officer.

These different mechanisms of entry into the IPS program raised different concerns for standard-probation and IPS officers. In the case of Maricopa County, some IPS officers were concerned that IPS was a “dumping ground” for standard probation. Probation violation was a means of transferring offenders from a standard probation officer’s caseload to the IPS program. Offenders who were recalcitrant and difficult to supervise rather than criminal—that is, offenders who were unlikely to be revoked to prison—might be reinstated to IPS through probation violation. In the case of Pima County, some standard probation officers were concerned that IPS was “creaming” offenders who were easy to supervise while rejecting recalcitrant offenders who had committed petty offenses but who also had substance abuse problems and thus were difficult to supervise and control.

## Supervision of Offenders in IPS

State policy governing the supervision of IPS offenders specified the minimum supervision requirements for each of the three supervision levels; the level of supervision for offenders was determined by the courts. IPS officers petitioned the courts in order to modify or reduce the level of supervision. Similarly, IPS officers also petitioned the courts to modify the conditions of intensive supervision to those of standard probation—that is, to “graduate” the offender to standard probation. How offenders progressed through the three levels of supervision was determined by county policy.

The Maricopa County IPS program essentially incorporated the systematic review procedures used in standard probation. IPS officers conducted an initial assessment and evaluation when the offender entered the program and then conducted reviews at 90-day intervals.<sup>11</sup> In the initial assessment, the IPS officer proposed a supervision strategy for the upcoming 3 months. For example, an offender who was unemployed would be required to verify job applications with five employers every week until the offender obtained employment. Every 90 days, the offender’s progress was summarized and a new supervision plan outlined. The 90-day review was the natural point at which to assess changes in the level of supervision or progression from IPS to standard probation.

<sup>11</sup>Standard probation employed a 180-day review.

In contrast, progression through the different levels of supervision in Pima County IPS was based on the professional judgment of its officers. The IPS officer, who had the most frequent contacts with the offender, was considered to be in the best position to determine when it was appropriate to modify the level of supervision and when to "graduate" the offender. No systematic review or assessment of supervision strategy was required.<sup>12</sup>

## Exit From the IPS Program

Offenders left the IPS program through four different modes. Offenders either (1) progressed through the different levels of intensive supervision and "graduated" to standard probation, (2) left IPS due to the expiration of their probation sentence,<sup>13</sup> (3) had their probation grant revoked and were sent to prison, or (4) absconded.<sup>14</sup>

Although progress from IPS to standard probation and from revocation to prison were both court decisions, the IPS officer initiated the process by petitioning the court. To that extent, IPS officers defined what was acceptable or unacceptable behavior for IPS offenders. The one exception was in the case of arrest by the police for criminal activity.

Revocation was but a single possible disposition for violations and did not necessarily indicate the severity of the violation any more than it indicated criminal activity. A petition for violation was not necessarily an indication of the failure of IPS officers to supervise the offender in the community; rather, it was an indication from the IPS officer to the court, as well as to the offender, that some action should be taken. Some IPS officers used the violation process as a means of controlling offenders; it was a way to "get their attention." In this case, the IPS officer did not recommend revocation, but reinstatement to IPS. The violation process was also a means of adding court-ordered conditions to the original sentence. For example, IPS officers could recommend reinstatement to IPS with additional terms—short-term jail incarceration or mandatory drug treatment.

<sup>12</sup>In early 1990, Pima County IPS instituted 120-day reviews that also included an assessment to modify the level of supervision.

<sup>13</sup>Expiration of the sentence was more likely to occur with offenders reinstated to IPS than with those directly sentenced, since the former had served a portion of their sentence on regular probation before reinstatement to IPS.

<sup>14</sup>Jurisdiction for offenders who absconded was subsequently transferred to a warrants or absconder division in the probation department.

Criminal activity did not necessarily lead to revocation of the IPS sentence. Violations due to criminal activity were often initiated by a police arrest. According to state criminal codes, a violation of laws constituted an automatic revocation. Nonetheless, the court could dismiss criminal charges (or find the offender not guilty of any criminal offense) and reinstate the offender to IPS. For example, an offender who shoplifted alcohol might be reinstated to IPS with 3 months of jail, subject to available bed space in a residential treatment program for substance abuse.

Just in terms of how offenders entered, progressed through, and exited the IPS programs, Maricopa and Pima counties implemented vastly different programs. Aggregating data across the two could clearly have led to misleading findings, and could also have masked important outcome differences based on these differences in implementation. In consequence, we have, throughout our study, treated data from the two counties separately.

# Data Collection and Data Sources

We found in our prior work on intermediate sanctions that almost every program was unique and most involved multiple components.<sup>1</sup> This argued for a closer examination of programs as the optimal method for learning not only about the actual supervision they provided but also about their effects. Alternative approaches, which compared offenders in a program with those sentenced to probation or prison without regard to exactly how the program operated, were open to misinterpretation. Accordingly, we selected the most prevalent form of intermediate sanction—intensive supervision—and evaluated it in a single state.

We spent about 5 months conducting field research in four counties—Cochise, Coconino, Maricopa, and Pima—learning how offenders entered IPS, how they were supervised while in the program, and how they exited the program. In addition, we studied incentive structures for the IPS staff, their backgrounds and experience, and officer safety and weapons policies in each of the counties.

## Data Requirements: the Effectiveness of IPS for Controlling Crime

To answer the question concerning the ability of IPS to control crime, we selected our samples from the two largest counties—Maricopa and Pima—which together accounted for 80 percent of the IPS offenders statewide. We selected samples of offenders sentenced to probation, intensive supervision, and prison, as well as offenders reinstated to IPS in the summer of 1987. Because IPS had been implemented 2 years previously (in July 1985), we worked with data that were not complicated by program implementation problems. At the same time, our use of 1987 data enabled us to track arrests and revocations for as long as our study's time frame allowed.

In 1987, IPS supervised 5 percent of Arizona's adult offender population convicted under the superior courts; of the rest, 32 percent were incarcerated in prisons, and 63 percent were under standard probation.<sup>2</sup> The Maricopa County IPS supervised over half (53 percent) of the IPS offenders in the state. The Pima County IPS, which was approximately half the size of Maricopa's, supervised 26 percent of the IPS offenders statewide.<sup>3</sup>

<sup>1</sup>See *Intermediate Sanctions: Their Impacts on Prison Crowding, Costs, and Recidivism Are Still Unclear*, GAO/PEMD-90-21 (Washington, D.C.: September 7, 1990).

<sup>2</sup>Most offenders charged with a felony are under the jurisdiction of the county superior courts. Offenders charged with lesser offenses—misdemeanors, traffic offenses—are usually under the jurisdiction of lower courts—specifically, the justice of the peace courts and the municipal courts.

<sup>3</sup>Cochise and Coconino counties each supervised approximately 3 percent of the IPS offenders.

## Maricopa County Samples: July-September 1987

The three Maricopa samples were drawn from two magnetic tapes provided by the Maricopa County Adult Probation Department. Offenders sentenced to either probation, IPS, or prison during the months of July through September 1987, as well as offenders reinstated to IPS for probation violation during this period, were selected. The Maricopa County probation sample consisted of a random sample of 108 offenders selected from approximately 6,360 offenders sentenced to probation for a felony in 1987. This probation sample was selected using a randomization process available in a commercial statistical package.<sup>4</sup> Dropping cases for which relevant data were missing resulted in a sample size of 95.

All offenders entering Maricopa County IPS during these same 3 months were selected for the IPS sample. Of the 116 offenders entering IPS, 40 percent were directly sentenced to IPS, and 60 percent were reinstated to IPS as a result of probation violation. (In 1987, a total of 542 offenders entered Maricopa County IPS.)

The resulting list of all offenders entering IPS during the 3-month period was not consistent with data provided by Arizona's Administrative Office of the Courts (AOC). Offenders who, according to AOC data, entered Maricopa County IPS during the July-September 1987 period, but were missing from the list, were subsequently included in the sample. (According to AOC data, an additional 45 offenders entered Maricopa County IPS during this time period. However, of these 45 offenders, some were subsequently dropped from the sample because they had been sentenced in other counties and then sent to Maricopa County for "courtesy" supervision.) Our resulting samples consisted of 70 offenders reinstated and 46 directly sentenced to IPS.

For the prison sample, the intent was to select all offenders who were sentenced to prison in the July-September 1987 period and subsequently released by March 15, 1990. Our method for doing this was initially to select all offenders who were sentenced to prison for 6 years or less during the 3-month period in 1987 and then draw our sample of offenders released by March 15, 1990, from this pool. (We assumed that offenders sentenced to more than 6 years of prison had not been released by March 1990—after less than 3 years of incarceration.) We obtained a list of 234 offenders sentenced to prison for 6 years or less during the July-September 1987 period. Of these 234 offenders, 160 had been released by March 15, 1990. (During the whole of 1987, 859 offenders were sentenced to prison for a felony.)

<sup>4</sup>See SPSS, Inc., SPSSX User's Guide (New York: McGraw-Hill, 1986).



However, the list of 234 offenders consisted of offenders who were recommended for a prison term of 6 years or less, rather than those actually sentenced to 6 years or less.<sup>5</sup> Offenders recommended for prison terms of more than 6 years but actually sentenced to shorter terms and subsequently released by March 1990, were missing from the sample.<sup>6</sup> That is, our prison sample consisted of offenders who were considered by both a probation officer—the person recommending the sentence—and a judge to be appropriate candidates for a shorter prison term.

Offenders who were released to a detainer—that is, released to the custody of the Federal Bureau of Prisons, another state agency, or the Immigration and Naturalization Service—to treatment facilities, or to the work furlough program, were dropped from the prison sample. The resulting Maricopa prison sample consisted of 154 offenders.

#### Pima County Samples: July-October 1987

The Pima County samples were drawn from 4 months—July through October 1987—because fewer offenders were sentenced in Pima County. Offenders were selected from court dockets of all offenders sentenced during this 4-month period. A list of all offenders reinstated to IPS during this same period was provided by the Pima County IPS program.

The Pima County probation sample consisted of a random sample of the 398 offenders sentenced to probation during the 4-month period. Every fourth offender of each month was selected. Of this group, only offenders sentenced to standard probation supervision for a felony offense were retained. Excluding cases for which relevant information was missing yielded a sample of 89 probationers. All offenders directly sentenced to Pima County IPS during this 4-month period, as well as those reinstated to Pima County IPS through probation violation, were included in the sample, yielding a total of 100 IPS offenders. In Pima County, 60 percent of the IPS offenders were directly sentenced to IPS, while 40 percent were reinstated. Of the 151 offenders sentenced to prison for 6 years or less in Pima County during this period, 108 had been released by March 15, 1990. As with the Maricopa prison sample, offenders released to detainees, treatment facilities, and work furlough, as well as those for which relevant information was missing, were dropped from the sample—yielding a sample of 85 offenders.

<sup>5</sup>Some of the offenders on the list were actually sentenced to terms of more than 6 years.

<sup>6</sup>There were 86 offenders sentenced to 6 years of prison or less during the 3-month period in 1987 who were not included in the list. It is unknown how many of these offenders were released from prison by March 15, 1990.

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**Sources of Arrest and  
Revocation Data**

We obtained the data for our outcome measures—arrests and revocations—from three sources. The Arizona Department of Public Safety—the state law enforcement agency that maintains arrest records for the state—provided arrest data, including arrests by Arizona state, county, and city law enforcement agencies. We also used probation violation data obtained from the respective county probation data bases. Data concerning release from prison, as well as that on subsequent return-to-prison due to parole violations, were provided by the Arizona Department of Corrections.

# Major Contributors to This Report

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