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COMMISSION**

**COMMUNITY CORRECTIONS IN THE UNITED STATES**

**A SUMMARY OF RESEARCH FINDINGS**

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## TRADITIONAL FINES AND DAY FINES

### PURPOSE:

- To punish the offender through imposition of a monetary penalty (Mullaney, 1988).

### PROGRAM CHARACTERISTICS:

- Traditional fines are not new sanctions. They have been in place since biblical times (Mullaney, 1988).
- Traditional fines are flat sums ranging from \$50 to hundreds of thousands of dollars. The amount of a fine is set by State statute and is usually based on the severity of the crime (Mullaney, 1988).
- In 1987, NIC funded the Vera Institute of Justice to develop, with the Staten Island Criminal Court, the first day fine system in the United States. In contrast to the traditional fixed-sum fine, the day fine tailors the fine amount to the defendant's ability to pay. Thus for a given crime, the day fine amount is larger for a high-income offender than for an irregularly employed or low-paid offender. The impact of the fine on each offender should be equal (Gowdy, 1994).

### ELIGIBLE POPULATION:

- Fines are imposed for all types of crimes, from minor misdemeanors to serious felonies (Mullaney, 1988).

### RESEARCH FINDINGS:

- Survey data indicates that traditional fines are used frequently in American courts, but rarely as a sole sanction except for minor offenses (Cole in Byrne, Lurigio, and Petersilia, 1992). American judges generally impose fines well below statutory limits probably due to the modest economic circumstances of most offenders. The court systems in Sweden, England and West Germany impose fines as the sole penalty in 80 to 85 per cent of all convictions (Greene, 1988).

## RESEARCH FINDINGS CONT'D:

### COMPLIANCE

Little data is available on the percentage of fines that are paid and unpaid. A 1984 national survey of trial court judges indicated that 47% of the general-jurisdiction judges and 62% of the limited-jurisdiction judges said their courts had a moderate or major problem collecting fines. There was considerable diversity in success rates among court systems. (Cole in Byrne, Lurigio, and Petersilia, 1992).

In a 1986 national survey about probationers, 48% of probationers were required to pay financial assessments as a condition of probation (includes fines, court costs and public defender costs). The average assessment amount was \$2,172, though there was wide variability among jurisdictions. On average, probationers paid 45% of their total financial obligation. The data showed that the higher the assessment, the lower the per cent for the total assessment paid. Probationers required to pay a small amount were much more likely to make their full payment. Nearly every probationer paid something, less than one half of one per cent failed to make any payment at all, and more than 70% of the probationers paid off more than half of their assessment (Cunniff and Shilton, 1991).

### RECIDIVISM

In 1990, NIJ funded an evaluation of the pilot day fine project in Staten Island, New York. Judges had established punishment units for all misdemeanor crimes based on the severity of the crime and then set day fines by multiplying the number of punishment units by the amount the offender normally earned in 1 day, adjusted downward depending on personal needs and family support responsibilities. The evaluation concluded that between 1988 and 1990, the project successfully implemented a day fine system. The total dollar amount of fines imposed by the court increased by 14% during the pilot project. Despite significantly larger average fines and longer collection periods, 70% of all offenders given day fines paid their amounts in full (Gowdy, 1994). Warrants were issued for 13% of all fined offenders, and 10% of all closed cases were ultimately jailed for default (Hillsman and Greene in Byrne, Lurigio, and Petersilia, 1992).

RECIDIVISM  
CONT'D:

In 1989, the Milwaukee Municipal Court undertook a twelve-week experiment to use day fines in cases where offenders had been charged with violating city ordinances. The courts used the maximum and minimum dollar amounts permitted by the city ordinance for fines authorized upon conviction of specific charges and translated those into day fine units. The Milwaukee demonstration was designed as a controlled experiment, with violators sentenced one week to day fines and those sentenced in alternating weeks to conventionally administered fines. The proportions failing to pay their fines differed little (59% versus 61% of those given day fines and conventional fines, respectively). However, those given day fines were more likely to pay in full (37% versus 25%). Differences in likelihood to pay were even more pronounced among the poorest victims (33% versus 14%). Within nine months of being sentenced, there was no significant difference between the experimental and control populations in the proportions of repeated arrests (34% and 33%, respectively).

## COMMUNITY SERVICE WORK

### PURPOSE:

- To make reparation to the community which was wronged by requiring the offender to work for free for public or nonprofit agencies (Tonry and Will, 1988).

### PROGRAM CHARACTERISTICS:

- Punitive philosophy - punishment exacted against time and energy  
Rehabilitative philosophy - teach good work habits and the value of service to others (Tonry and Will, 1988).
- Ordered as a condition of deferred prosecution, as a stand-alone sanction for convicted offenders, or as a condition of unsupervised or supervised probation.
- Typical tasks include cleaning up highways and public parks, maintenance work in hospitals or nursing homes, or clerical tasks in public agencies; sometimes use special skills of offenders, such as free medical care to indigent citizens by convicted doctors or public speeches in schools by prominent sportsmen.
- Supervision sometimes by community service staff, sometimes by probation officers, and sometimes by the governmental or tax-exempt agency for which the offender works; enforcement of orders varies considerably (Tonry and Will, 1988).
- Amount of community service ordered varies greatly (New York City Program requires 70 hours); many programs have no limit on the amount of community service which judges can order; upper limit recommended by various experts is 240 hours. (Tonry and Will, 1988).

**ELIGIBLE  
POPULATION:**

- Community service was first ordered as a punishment in California's Alameda County courts in 1966 for indigent offenders who could not pay fines. Within a few years such sentences became a fixture in the Alameda courts and began to be used more broadly for other types of offenders as well (Byrne, Lurigio, and Petersilia, 1992).
- Today, community service is utilized most often for nonviolent first offenders convicted of traffic offenses (drunk driving) and misdemeanor property crimes (Tonry/Petersilia, 1987).
- However, community service is sometimes ordered for more serious, chronic property offenders and offenders convicted of white-collar crimes (Ellsworth, 1992).

**RESEARCH  
FINDINGS:**

- Several national assessments of community service and restitution programs were conducted in the 1970's; none addressed the question of relative effectiveness. No community service program has been evaluated using an experimental design (Morris and Tonry, 1990).
- Community service is used extensively in the United Kingdom. Ken Pease (1985) reports that in England and Wales, between 1979 and 1982, 10% of those given community service sentences were reconvicted for new offenses, but whether offenders would have been reconvicted at higher or lower rates had other sentences been imposed was not determined. (Byrne, Lurigio, and Petersilia, 1992).

**The New York City Program (1986)**

- The most widely studied community service program in the United States was initiated in 1979 by the Vera Institute of Justice and the courts of New York City. This program is distinctive from most community service programs in that it targets "untrained, ill-educated, chronic and persistent property offenders who crowd city jails." The program is highly structured and involves work crews supervised by foremen who monitor attendance, transport offenders to work locations, and report all violations (Morris and Tonry, 1990).

#### RECIDIVISM

- McDonald (1986) found that the recorded criminality of community service order offenders in the 180 days following conviction was for all practical purposes equivalent to that of a matched comparison group of jailed offenders during their first 180 days of freedom. Between 39% and 51% had been rearrested, depending on the borough, typically for a variety of property offenses (Byrne, Lurigio, and Petersilia, 1992).

#### JAIL DIVERSION

- McDonald (1986) noted that a benefit of the program was averted use of jail cells, since community service was imposed approximately half the time in lieu of a jail sentence (Byrne, Lurigio, and Petersilia, 1992).

#### COMPLETION RATES

- McDonald (1986) indicated that slightly more than 85% of the offenders receiving community service orders prior to June 1983 completed their community service. These offenders received assistance in finding jobs, housing, and educational or other social services. The major reason for terminating clients' orders and returning them to court was failure to show up for work. An average of 80% of those cases returned to court for refusal to complete the community service order were resentenced to jail (Tonry and Will Draft, 1990).

#### UNPAID LABOR

- McDonald (1986) noted that approximately 60,000 hours of labor were donated to the community (1984), valued at \$200,000 if someone had been paid minimum wage (Byrne, Lurigio, and Petersilia, 1992).



## **REGULAR SUPERVISED PROBATION**

### **PURPOSE:**

- (1) To punish offenders and protect the public through incapacitation in the community (Byrne, 1988), and (2) To reintegrate and rehabilitate the offender (Ellsworth, 1992).

### **PROGRAM**

#### **CHARACTERISTICS:**

- Probation is the most commonly used sanction in the United States today (Byrne, 1990).
- The level of supervision and monitoring is based on the offender's risk to the community and needs (Cunniff and Bergsmann, 1990).
- Probation is rarely a sole sanction, it is usually coupled with fines, restitution, community service and/or counseling (Cunniff and Bergsmann, 1990).

### **ELIGIBLE**

#### **POPULATION:**

- Nationwide, roughly equal numbers of felony and misdemeanor probationers are supervised in the community, although the mix of offenders on probation varies from state to state (Byrne, 1990).
- Nationwide, felony offenders sentenced to probation in 1986 were typically convicted of a nonviolent offense. Three-quarters had no prior felony convictions, a majority had a drug abuse problem, most had a stable residence, and most lacked a high school diploma and a full time job (Cunniff and Shilton, 1991).

## RESEARCH FINDINGS:

### RECIDIVISM

According to Byrne, most offenders who are placed on probation succeed in the sense that they complete their probation without incarceration or revocation. Survey data for 1983 from 20 states reveal that the percentage of adult probationers who successfully completed their probation terms ranged from 66% to 95%. The percentage of probationers incarcerated for a new offense or following a revocation for the original offense varied from 5% to 23%. If success for probation is gauged by the percentage of probationers who are arrested or rearraigned, success rates are lower. In the 20 states in the survey, 10-15% of probationers under minimum supervision were rearrested compared to 50-60% of probationers under maximum or intensive supervision cases (Byrne, 1988).

The Rand Corporation conducted an evaluation of adult felons placed on probation in 1983 in California. The research indicated that 65% of the probationers in the sample were rearrested, 53% had official charges filed against them, 51% were reconvicted, 18% were reconvicted of violent crimes, and 34% were reincarcerated. The study found that the following factors were associated with rearrest: type of conviction crime (Property offenders had higher rearrest rates.), number of prior juvenile and adult convictions (The greater the number, the higher the probability of recidivism.), income at arrest (The presence of income was associated with lower recidivism.), and household composition (If the offender was living with a spouse and/or children, recidivism was lower.). The researchers noted that the recidivism results should not be generalized to all adult probationers in California. Counties with less serious offenders in their probation population or with more resources might have lower recidivism rates, and the characteristics of felony probationers are not necessarily those of probationers in general. The researchers indicated that they were not assessing probation's overall effectiveness. When the same researchers (Petersilia and Turner) conducted a study which compared a matched group of convicted California felons in prison and felons on probation supervision, they found that prisoners had a significantly higher recidivism rate (72%) than a similar group of felons on probation (63%) (Byrne, 1988).

RECIDIVISM  
CONT'D:

In 1984, E. J. Latessa and G. F. Vito summarized research on felony probationer recidivism over a twenty-six year period. Ten studies were reviewed and the studies showed some basic methodological weaknesses. The ten studies generated failure rates defined in various ways (i.e., arrests, convictions, revocation). Arrests rates were 30%, arrest and conviction rates ranged from 30-42%, conviction rates varied from 16-18%, and revocation of probation and incarceration ranged from 23-55%. Latessa concluded that these studies provide a "rule of thumb that probation can be considered effective and that a failure rate above 30% indicates that it is not effective" (Vito, 1986).

Vito replicated the methodology of the Rand Study and examined felons placed on probation in 1982 in Kentucky. Approximately 22% of the felony probationers were rearrested, 18% were convicted, 12% were sent to prison, and 2% were sent to jail. Roughly 7% of all probationers were reincarcerated for a technical violation of their conditions of supervision. The total prison reincarceration rate for felony probationers was approximately 19%. Compared to this study, the RAND rearrest and conviction rates were much higher, but the prison reincarceration rates were similar. Although the two probationer groups under study appeared to be similar, their performance on probation differed. Variables which could account for these differences include caseload size, type of probation supervision, and differences in demographic and urbanization patterns between California and Kentucky (Vito, 1986).

BEHAVIORAL  
COMPLIANCE

In 1986, Cunniff and Shilton surveyed over 12,000 felony probation cases that were sentenced to probation during 1986 in 32 large metropolitan and suburban jurisdictions. The data provided an overview of how probation cases were processed and underscored the wide variations in probation practices among the jurisdictions. The probationer questionnaire included information on the following behavioral conditions: community residential placement, alcohol treatment, drug treatment, mental health treatment, drug testing, house arrest, financial assessment, and community service. Fifty-five per cent of the probationers received behavioral conditions and 50% of those received multiple conditions. The most frequent conditions were financial

BEHAVIORAL  
COMPLIANCE  
CONT'D

assessments (84%), drug abuse testing (31%), drug abuse treatment (23%), alcohol treatment (14%), and community service (12%). Nearly fifty per cent of the probationers either fully complied with their conditions (28%) or made substantial progress in meeting them (19%). Compliance rates increased with the age of the probationer, as employment increased, and as drug abuse decreased (Cunniff and Shilton, 1991).

## **INTENSIVE SUPERVISION PROBATION/PAROLE (ISP)**

### **PURPOSE:**

- To provide a community sanction which imposes increased levels of control and surveillance compared to regular probation and parole. ISP can be implemented as a prison diversion program, a prison reduction program, or as a case management tool for high-risk probationers.

### **PROGRAM**

#### **CHARACTERISTICS:**

- Punitive philosophy
- High levels of contact with a team of officers (P.O. and Surveillance Officer)
- Caseloads generally limited to 25 probationers per team
- Common Elements: curfew, alcohol and drug testing, electronic monitoring, employment verification, weekly arrest checks, payment of fines and restitution, community service, participation in a treatment program

### **ELIGIBLE**

#### **POPULATION:**

- Intensive Supervision Programs accept a wide variety of offenders: violent and nonviolent; high and low risk; probation and parole violators; and drug offenders (IARCA, 1993; Byrne, 1986).

### **RESEARCH**

#### **FINDINGS:**

**"Evaluating Intensive Supervision Probation/Parole: Results of a Nationwide Experiment" (Petersilia and Turner, 1993).**

Methodology: The Bureau of Justice Assistance (BJA) selected fourteen jurisdictions for participation in the demonstration and evaluation. Each of the jurisdictions were asked to design and implement an ISP program that was to be funded for 18 to 24 months. Each site was allowed to design its own ISP, therefore, no two programs were alike.

**RESEARCH  
FINDINGS  
CONT'D:**

- (1) The study was conducted as a randomized experiment (i.e., randomized assignment to an experimental or control group).
- (2) The population studied consisted of approximately 2,000 adult offenders who were not currently convicted of a violent crime.
- (3) Data were collected for both the experimental and control groups. A background assessment recorded demographic information, prior criminal record, substance abuse, and other similar information.
- (4) Six and twelve month reviews recorded probation and parole services received, participation in drug treatment and work programs, and recidivism during a one-year follow-up.

**SURVEILLANCE**

- The definition of "intensive" varied across ISP sites--from 2.7 contacts per month to almost 23 contacts per month over the same time period.
- The ISP samples delivered more contacts and monitoring than the routine supervision provided in the control groups.
- The average number of monthly face to face contacts was significantly higher for the ISP sample (5.8 v. 1.6 for the control groups).
- Levels of supervision (i.e., # of contacts) were not significantly related to recidivism.

**RECIDIVISM**

- Measured by arrests and technical violations
- ISP samples had approximately the same rate of arrest as the control groups (37% v. 33%, respectively).

RECIDIVISM  
CONT'D:

- The offenses of those arrested as well as the time to failure were comparable for both groups.
- The average ISP technical violation rate was 65% compared to 38% for the control group.
- Twelve of the 14 ISP sites had violation rates above 50% and 4 sites had rates over 80%.
- The relationship between technical violations and subsequent criminal behavior was weak and insignificant.
- Findings indicated that ISP had a marginal effect on reducing recidivism and was no more effective than regular probation.

REHABILITATION

- There were significant reductions in rearrest for those ISP clients who participated in treatment programs (i.e., drug and alcohol counseling, employment, community service, and restitution).
- At two ISP sites, there was a 10 to 20 per cent reduction in recidivism among those who received treatment services.

CROSS-PROGRAM  
CONCLUSIONS

- Increased surveillance and control had a marginal impact on offender recidivism.
- The results of this study did not confirm the assumption that increased surveillance deters criminal activity.
- Technical violations increased when heightened surveillance was used with numerous restrictions on the offender.

CROSS-PROGRAM  
CONCLUSIONS  
CONT'D

- The data did not support the theory that technical violations are indicative of criminality.
- Expanding treatment and service components may be the best method of reducing recidivism.
- "A balanced approach that includes supervision, control, and treatment working in conjunction may provide the structure, coercion, and methods necessary to alter behavior" (IARCA, 1993;16).



**RESEARCH  
FINDINGS:**

**"Intensive Probation Supervision: Mixed Effectiveness in Controlling Crime" (GAO, 1993).**

Methodology: GAO examined Arizona's intensive probation supervision (IPS) which was created by the state legislature in 1985. IPS essentially functions as a house arrest program intended to serve as a cost-saving alternative to prison. Following a sentence to IPS program, the offender is moved to standard probation supervision. The evaluation questions required: (1) comparing the arrest rates for offenders sentenced to IPS with arrests for offenders sentenced to regular probation and to the rates of offenders sentenced to prison; (2) comparing the arrest rates of offenders sentenced to IPS to the arrests of offenders supervised under IPS; (3) examining the differences in offender characteristics associated with "success" or "failure" subsequent to sentencing.

- The Arizona IPS program was effective in controlling criminal behavior in that fewer offenders under IPS were arrested for new crimes as compared to offenders sentenced to regular probation.
- However, once offenders completed the IPS program and moved on to regular probation, the arrests among the group increased. By the end of the study period, 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.
- Therefore, the GAO report concluded that a sentence to IPS did not ensure public safety (i.e., did not control criminal behavior).
- Forty-eight per cent of the offenders who were sentenced to prison and subsequently paroled were arrested for new crimes compared to 55% of the offenders who were sentenced to IPS.
- Thus the GAO report concludes that, "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 the total crime commission on account of the high rate of arrests during the period of parole" (GAO, 1993;4).

RESEARCH  
FINDINGS  
CONT'D

**"Intensive Probation Supervision: Cost-Savings Relative to Incarceration" (GAO, 1993).**

Methodology: The first cost estimate was based on the direct cost of supervising an offender for the duration of the sentence, under the assumption that all offenders completed their full sentences. The direct cost of an IPS sentence was the cost of both the IPS portion and the subsequent period of standard probation supervision. This cost was also based on the assumption that a certain proportion of offenders "failed" and were revoked to prison. The direct cost of a prison sentence included the cost of both incarceration and subsequent parole supervision.

- GAO concluded that IPS sentences were cost-savings alternatives to prison sentences with the exception of the least serious felony in Maricopa County.
- Revocations in Maricopa reduced cost-savings substantially. The projected cost of an IPS sentence doubled when revocations were taken into consideration.
- Nonetheless, the GAO report concluded that "the extent of the cost-savings realized from supervising offenders who had committed more serious offenses was such that, despite high revocation costs, IPS remained a cost-saving alternative in the two Arizona counties" (GAO, 1993;3).

## ELECTRONIC HOUSE ARREST (EHA)

### PURPOSE:

#### House Arrest

- To limit the geographical freedom of an individual to his or her residence during specified periods of time (Tonry and Will, 1988).

#### Electronic Monitoring

- To provide surveillance technology as a means of monitoring compliance with a home confinement sentence.

### PROGRAM CHARACTERISTICS:

- Punitive philosophy (generally viewed as more punitive than ISP).

- House arrest can be served as a single sentence or as part of a punishment package.

- The program can be used at any stage in the criminal justice process: as a condition of pretrial release, as a diversion from jail or prison, as part of a split sentence, or as a condition of parole. (Tonry and Will, 1988).

- House arrest is flexible and can be tailored to the needs of the individual. There are two types of house arrest programs:

- (1) High volume programs for convicted felons diverted or released from prison;
- (2) Low volume programs generally aimed at drunk drivers, misdemeanants, and minor felons.

- Common Elements: compliance verified manually (i.e., random visits and telephone call, interviews with employers or neighbors) or through the use of electronic monitoring, frequent staff-offender contacts, urinalysis testing for substance abuse

**ELIGIBLE  
POPULATION:**

- Most EHA programs historically have targeted low-risk offenders, especially concentrating on DWI clients (Lilly et al., 1993).
- However, there is a growing tendency to use EHA for more serious offenders and parolees (Beck and Klein-Saffran, 1989).
- For example, between 1987 and 1989, EHA clients who had committed violent offenses increased from 6% to 12%. Drug offending clients increased from 14% to 22%, and property offenders increased from 18% to 32%.
- Conversely, DWI clients decreased from 33% to 19% during the same time period (Renzema and Skelton, 1989; Schmidt, 1991).
- In 1987, 3/4 of the clients were probationers, whereas in 1989 only 1/4 of the clients were probationers.
- In 1989, approximately 50% of EHA clients were either offenders sentenced to home confinement or inmates paroled to the program.

**RESEARCH  
FINDINGS:**

- The average length of stay on EHA is approximately 80 days (Renzema and Skelton, 1990).
- The average number of office and field contacts between staff and offender range from four to eight per month (Renzema and Skelton, 1990).
- Substance abuse testing is an integral feature of most EHA programs. Sixty-three per cent of the programs routinely test at least half of their offenders (Renzema and Skelton, 1990).

PRISON  
DIVERSION

- An evaluation of Florida's high-volume EHA program found that 50% of the offenders were "bona-fide" diversions (NCCD, 1991).
- Most EHA programs are typically low-volume, and therefore small-scale diversions do not affect enough offenders to impact jail or prison overcrowding (IARCA, 1993).

RECIDIVISM

- As a group, evaluations of EHA programs indicate that recidivism rates are typically below 25% (IARCA, 1993; Petersilia, 1988).
- However, there is significant variation in recidivism depending on the programs goals (i.e., pretrial or post-conviction).
- Low recidivism rates may reflect the low-risk nature of the offenders (Rodgers and Jolin, 1991).
- There is inconsistent variation in the revocation rates for EHA programs (range = 0 to 50%).
- Therefore, it is unclear whether EHA deters technical violations more than other forms of supervision.
- It is important to note that EHA programs vary in their capability to detect infractions, their response to technical violations, and their willingness to revoke violators (Baumer et al., 1993).

## **DAY REPORTING CENTERS (DRC)**

### **PURPOSE:**

- No single purpose, often used to increase public safety and provide treatment opportunities (Curtin, 1990).

### **PROGRAM CHARACTERISTICS:**

- DRC's are highly structured non-residential programs utilizing supervision, sanctions and services coordinated from a control locus (Curtin, 1990). Major program elements include structure and accountability (often through a daily itinerary), frequent client contacts, urinalysis testing, and single-site habilitative services including counseling. Some programs use electronic monitoring. Program size varies from an average of 30 to 110 clients. Average length of stay is 6-8 weeks (McDevitt and Miliano in Byrne, Lurigio, and Petersilia, 1992).

### **ELIGIBLE POPULATION:**

- DRC's often serve both pretrial and sentenced offenders. Some are early release centers for incarcerated offenders, some are for probationers, and some are for probation violators. Sentenced offenders are usually nonviolent drug, alcohol, or property offenders (McDevitt and Miliano in Byrne, Lurigio, and Petersilia, 1992).

### **RESEARCH FINDINGS:**

- No national evaluations to date. Outcome data is available on a few individual programs. A 1990 analysis of quarterly reports of four Massachusetts Day Reporting Centers indicated that 79% of the clients successfully completed the program. Sixteen per cent were revoked for technical violations and 5% were revoked for a new crime (McDevitt and Miliano in Byrne, Lurigio, and Petersilia, 1992).

**RESEARCH  
FINDINGS  
CONT'D:**

A 1992 report on two felony Day Reporting Centers and one misdemeanor Center in Ohio indicated a 25% termination rate. Of those terminated, 68% were terminated for technical violations and 32% committed new offenses (Allen, 1992).

## RESIDENTIAL FACILITIES

### PURPOSE:

- Not possible to describe the average residential facility since diversity in population, program, size, and structure is the rule (Byrne, Lurigio, and Petersilia, 1992).

### Types

Halfway House - transitional residential placement for offenders which provides interventive or supportive services (Byrne, Lurigio, and Petersilia, 1992).

Community Corrections Facility - "...correctional facility from which offenders are regularly permitted to depart, unaccompanied by any official, for the purposes of using community resources, such as schools or treatment programs, and seeking or holding employment," e.g. restitution center (Rush/Byrne, Lurigio, and Petersilia, 1992).

Substance Abuse Facility - residential facility in which substance abuse services are provided to offenders, e.g. therapeutic community.

### PROGRAM CHARACTERISTICS:

- NIC (1993) survey identified 641 residential facilities for offenders under correctional supervision (Byrne, Lurigio, and Petersilia, 1992).
- Traditional halfway houses may be either public or private, and they can be either interventive (provide services) or supportive (use community resources) programs (Allan/Byrne, Lurigio, and Petersilia, 1992).
- Newer community corrections facilities focus more on supervision rather than treatment (Byrne, Lurigio, and Petersilia, 1992).



**ELIGIBLE  
POPULATION:**

Initially, halfway houses targeted inmates released from prison in order to provide transitional services. This concept broadened over time to include offenders halfway into prison as well as halfway out of prison so that populations today include offenders awaiting trial, probationers and parolees (Byrne, Lurigio, and Petersilia, 1992).

The newer types of community corrections facilities serve as intermediate punishments in the community and target "more serious and more dangerous offenders" (Byrne/Petersilia, 1985).

**RESEARCH FINDINGS:**

Research literature is sparse.

**RECIDIVISM**

The first systematic evaluation of correctional halfway houses was conducted in 1976. Allen et al. reviewed 35 studies. "Of these, 17 used quasi-experimental designs in comparing postprogram recidivism rates, 2 utilized true experimental designs, and 16 relied on nonexperimental designs. Based on the experimental and quasi-experimental studies, the researchers concluded that the evidence was about equally divided between lower recidivism rates for halfway house residents and no difference in recidivism rates when compared with a control group. They also found that halfway houses improved socially acceptable adjustment behaviors of residents, were cheaper to operate than prisons, and were more expensive than probation or parole" (Byrne, Lurigio, and Petersilia, 1992).

Focusing on parolees, Latessa and Allen (1982) reported on evaluations of halfway houses throughout the United States. They rated 44 such studies as being characterized by sufficient methodological rigor to allow assessment of post-release outcome. Of these, only 2 studies were found to have employed true experimental designs. Neither study indicated that halfway house clients performed significantly better than did subjects in control (incarceration or other placement) conditions. An additional 23 studies employed quasi-experimental designs. There were 19 nonexperimental studies that reported outcome data. In general, the results were mixed, with some reports showing significantly lower recidivism among halfway house residents, some showing no significant difference, and others showing that the halfway house residents did significantly worse than did their counterparts in the control groups. In their conclusions, Latessa

RECIDIVISM  
CONT'D

and Allen suggested that the literature indicates that halfway house programs are at least as effective as parole, especially given that halfway house clients are generally characterized by having higher risk and greater needs than those in a traditional parole population (Byrne, Lurigio, and Petersilia, 1992).

- Austin (1989) examined outcome data reported by several residential facilities in Ohio. He concluded that re-arrest rates for offenders placed in community-based correctional facilities were well below a matched group of prison-sentenced offenders, and the programs produced substantial cost savings when compared to even short-term prison confinement. A 1984 study of MonDay found that 24% of program completers were revoked to prison. Only 8% of SEPTA Center participants were revoked to prison. An evaluation of Oriana House found that 76% of Oriana's residents remained crime-free two years after release based on arrest data. (Draft Report, May 1993, Ohio Criminal Sentencing Commission).

SOCIAL ADJUSTMENT

- Seiter et al. (1974) used a scale of social adjustment which showed the offender's involvement in employment, education, interpersonal relations, etc. Based on their measure of recidivism and social adjustment, Seiter concluded "that halfway house programs may more effectively reintegrate prisoners returning to the community than direct release to parole" (Byrne, Lurigio, and Petersilia, 1992).

- Beck (1979) evaluated federal community treatment centers with measures of both recidivism and social adjustment (days employed and money earned). He concluded that CTC clients "fared better in social adjustment than did control subjects" (Byrne, Lurigio, and Petersilia, 1992).

- Donnelly and Forscher (1987) reviewed evaluations of halfway houses that examined both recidivism and social adjustment. They studied 132 probationers who resided in three halfway houses during 1983 (Latessa and Travis, 1986). A comparison group was composed of a sample of 140 felony probationers selected from the county probation department. They conducted a three year follow-up through the use of official criminal records. The results showed no significant differences between the groups in terms of new crime convictions or social

SOCIAL ADJUSTMENT  
CONT'D

adjustment. The halfway house group was less educated, exhibited more prior involvement in drugs, alcohol treatment, and psychiatric problems which indicated a greater need for intensive treatment than probationers (Byrne, Lurigio, and Petersilia, 1992).

## **BOOT CAMPS**

### **PURPOSE:**

To place offenders for short periods of time in a quasi-military program that instills discipline, routine, and unquestioning obedience to orders (NIJ, 1993).

### **PROGRAM CHARACTERISTICS:**

- Punitive/deterrence/rehabilitative philosophy (depending on the emphasis of program components).
- Average program length is 90 to 180 days.
- Average number of monthly participants is between 100 and 250 offenders (range = 42 to 1,600).
- Core Components: highly structured, military model of discipline, physical training, work
- Aside from these core components, the program content of boot camps varies tremendously.
- Some boot camps focus on rehabilitation, such as treatment, counseling, education, and vocational training.

### **ELIGIBLE POPULATION:**

- Generally, nonviolent, first-time, youthful male offenders

## RESEARCH FINDINGS

### "Multi-Site Evaluation of Shock Incarceration" (MacKenzie and Souryal, 1994).

Methodology: The multi-site study consisted of five major components:

- (1) a qualitative description of eight programs based on staff/inmate interviews, official program materials, and observation;
- (2) a study of inmate attitudinal change during incarceration;
- (3) a study of offender recidivism;
- (4) a study of positive adjustment during community supervision as measured by indicators such as employment/educational status; and
- (5) a study of prison bedspace savings.

Eight program sights were selected based on the fact that they incorporated the "core" elements of shock incarceration programs yet varied on "critical" elements believed to influence the realization of program goals. Core components were defined as: (1) strict rules, discipline and boot camp-like atmosphere; (2) mandatory participation in military drills and physical training; and (3) separation of program participants from other prison inmates. Critical elements hypothesized to affect program goals included: (1) decision-making authority; (2) supervision intensity upon release; (3) type of aftercare during community supervision; (4) program components; (5) program size and location; (6) type of therapeutic programming as well as the hours per day devoted to such programming.

#### GOAL ACHIEVEMENT

The two major goals of the boot camps were to reduce prison overcrowding and to change offenders so they will participate in more positive activities and fewer criminal activities upon release from boot camp.

A survey of boot camp prisons indicated that although the boot camps have similar core characteristics, they differ greatly in many dimensions that would be expected to have an impact on their ability to successfully achieve their goals.

## OFFENDER ATTITUDES

- All boot camp programs had a similar affect on the attitudes of inmates. Unlike inmates in conventional prisons, boot camp participants believed that their experience had been positive and that they had changed for the better.
- Boot camp participants in each state developed more positive social attitudes during their time in the boot camp. Comparison samples of inmates incarcerated in a tradiūonal prison also developed more positive social attitudes.
- Positive social change was greater (more positive) for offenders in boot camps that were voluntary, had higher dismissal rates, or devoted more time to therapeutic activities.

## RECIDIVISM

- Estimated recidivism rates for boot camp graduates during the first year of community supervision were between 23% and 63% for rearrests, between 1.3% and 13.8% for new crime revocations, and between 2.1% and 14.5% for technical violation revocations.
- In general, the recidivism rates of those who successfully completed the boot camp prison were similar to comparable offenders who spent a longer time in prison. When boot camp offenders had lower recidivism rates, it appeared to be the result of the process of selecting offenders for the program or the intensive supervision they received after graduating from the boot camp.
- In five states, the boot camp experience did not reduce recidivism.
- Since each of the boot camps was modeled after military boot camp training with strict rules and discipline, physical training and hard labor, the inconsistency of the results suggests that the boot camp atmosphere did not successfully reduce recidivism and positively change offenders.
- In the three states (New York, Illinois, Louisiana) where boot camp graduates had lower recidivism rates on one measure of recidivism, the in-prison phase of the boot camp was followed by a six-month intensive supervision phase in the community. Other similarities among the three programs included a strong focus on rehabilitation, high dropout rates, voluntary participation, selection from prison-bound entrants, and program length (longer than others). Any or all of

RECIDIVISM  
CONT'D

these aspects of the programs could have an impact on offenders with or without the boot camp atmosphere. It was not possible to disaggregate the specific effects of these program components within the scope of this research.

- The more intensely offenders were supervised in the community after release from boot camp, the better they adjusted. However, the improvement in adjustment did not continue after two contacts per month. Thus, there may be an optimal number of contacts that will induce offenders to participate in positive activities beyond which there is no positive gain.

PRISON  
OVERCROWDING

- Program design is critical to the successful reduction of prison crowding. Programs that empower the Department of Corrections to select boot camp participants are most likely to alleviate prison overcrowding because they maximize the probability of selecting offenders who would have otherwise been sentenced to prison. Other characteristics that affect the ability of boot camp programs to reduce prison crowding include restrictive eligibility/suitability criteria, program length, program size, and graduation rates.

- An analysis of the impact of the program on prison bed-space savings revealed that carefully designed programs can reduce prison crowding (see Louisiana and New York).

- The major factor influencing prison bed-savings is whether the boot camp program targets a sufficient number of prison-bound offenders.

**RESEARCH  
FINDINGS  
CONT'D:**

**"Prison Boot Camps: Short-term Prison Costs Reduced, but Long-term Impact Uncertain":(GAO, 1993).**

Methodology: Identified 26 states that had a combined total of 57 boot camp programs. Developed and distributed detailed questionnaires regarding program design, eligibility, statistics, costs, and results. Examined documents and evaluations which described program activities in the 26 states.

- Boot camps were viewed as successful in rehabilitating participants, treating substance abuse, and improving the participants' self-image.
- The lower costs of the boot camps were not the result of lower daily operating costs per inmate but rather the reduced time the inmates were incarcerated.
- Prison crowding was reduced for the same reason, under the assumption that (1) the boot camp participants would have otherwise been placed in prison rather than on probation, and (2) the camps do not result in higher recidivism in the long term.
- There was no clear indication that boot camps measurably reduced recidivism. Those programs that attempted to measure recidivism showed that boot camp graduates had only marginally lower recidivism rates as compared to similar inmates in traditional prisons. In addition, any differences in the rates tended to diminish over time.



## **SPLIT SENTENCE**

### **PURPOSE:**

- "Specific deterrence," shock an offender by a brief prison or jail experience (Byrne, Lurigio, and Baird, 1989).

### **PROGRAM CHARACTERISTICS:**

- "Penalty that explicitly requires the convicted person to serve a brief period of incarceration in a local, county, State or Federal facility" (Byrne, Lurigio, and Baird, 1989).
- Appears in a variety of forms in jurisdictions across the country including intermittent incarceration, shock incarceration, and Boot Camp.
- According to a Petersilia study (1987) of felony probation in 18 jurisdictions, 20% of all convicted felons in the 18 jurisdictions received split sentences. In several states, nearly a third of those receiving probation sentences also were sentenced to brief periods of confinement (Byrne, Lurigio, and Baird, 1989).
- Used as a sole sanction or in combination with other sanctions such as ISP.

### **ELIGIBLE POPULATION:**

- Unspecified, commonly referred to as an intermediate punishment.

### **RESEARCH FINDINGS:**

- Recent reviews of research on this issue by Gottfredson and Gottfredson (1988), Shover and Einstadter (1988), and the General Accounting Office (1988) found that the necessary research has not been done (Byrne, Lurigio, and Baird, 1989).

**RESEARCH  
FINDINGS  
CONT'D:**

Petersilia, Turner, and Peterson (1986) examined the deterrent effect of imprisonment and determined that incarceration "may indeed have a short-term suppression effect that is counter-balanced by noticeably higher recidivism rates once the offenders are released from prison or jails" (Byrne, Lurigio, and Baird, 1989).

## **CLIENT SPECIFIC PLANNING PROGRAMS (COMMUNITY PENALTY PROGRAMS)**

### **PURPOSE:**

- "To reduce unnecessary incarceration and to have an impact on sentencing practices in general" through "staff and consulting services to assist defense attorneys in the preparation of alternative sentencing proposals" (Briefing Paper, The Sentencing Project, 1989).

### **PROGRAM CHARACTERISTICS:**

- Client Specific Planning Model (CSP) initiated in the late 1970's by the National Center on Institutions and Alternatives (NCIA). Sentencing plans typically include elements of employment, restitution, community service, and social service and treatment programs, supervised during a term of probation (Briefing Paper, The Sentencing Project, 1989).

- Since the introduction of the CSP model, defense-based sentencing programs have been developed by NCIA, public defenders, and private sentencing services. There are now over 100 such programs throughout the country (Yeager, 1992).

- Case developer examines record, interviews the defendant, and investigates the client's social history, including contacts with criminal justice, educational, vocational, mental health and drug treatment agencies with whom he/she has had contact. The case developer helps to order psychological/psychiatric testing if indicated, pulls record from schooling, employment and past criminal contacts. The case developer identifies community options that include employment, treatment agencies, residential options and community corrections programs including intensive monitoring electronic surveillance, house arrest, day programs, therapeutic communities (Yeager, 1992).

- Most of the placements used in CSP are not radical departures from correctional options currently available to sentencing judges. The difference is in the presentation of these options on a case-by-case basis. Thus, sentencing options are identified and documented (usually through a letter)

**PROGRAM  
CHARACTERISTICS  
CONT'D:**

in a client specific plan and are generally absent in a traditional presentence report. Ideally, the client is pre-interviewed and accepted for placement prior to the sentencing hearing in order to provide the judge with alternate measures that are available and willing to help manage the offender. "Well-grounded CSP reports also include input from the victim." (Yeager, 1992).

**ELIGIBLE  
POPULATION:**

- "Prison-bound offenders, or at least those who are likely to be sentenced to incarceration" (Yeager, 1992).
- Can be applied at several stages in criminal justice process - during pretrial negotiations, at the sentencing stage, and at parole (Yeager, 1992).

**RESEARCH FINDINGS:**

**PLAN ACCEPTANCE  
RATES**

- Yeager (1992) examined 16 studies of CSP programs which reported court acceptance rates. Of the 16 studies that reported this statistic, "a mean of 70% of CSP recommendations were accepted in part or in full by the courts" (Yeager, 1992).

**SENTENCING  
OUTCOMES**

- Yeager (1992) examined 27 studies of CSP programs, seven of which used a control group for comparison purposes. When the CSP group was compared to the control group along the variable per cent incarcerated/imprisoned, four of the studies showed a positive result for the CSP sample. In other words, offenders receiving a CSP report were less likely to be imprisoned" (Yeager, 1992).

SENTENCING  
OUTCOMES  
CONT'D

In 1981, the National Center on Institutions and Alternatives examined their CSP program. NCIA studied a sample of 80 cases handled in the Washington, D.C. area. Evaluators interviewed judges, prosecutors, and defense attorneys assigned to each client, examined case background and reviewed sentencing outcomes. The study found that CSP had been "effective in promoting alternatives to incarceration." "Because of CSP, the defendants in this study, all of whom would almost certainly have received lengthy prison sentences, received suspended sentences or...shorter jail or prison terms than they otherwise would probably have received" (Briefing Paper, The Sentencing Project, 1989).

NLADA reported on the first year results in 110 cases handled by CSP-styled alternative sentencing programs in West Palm Beach, Florida, Lincoln, Nebraska, and Fayetteville, North Carolina. The evaluation identified cases in which a defendant appeared to be "prison-bound" and found that in all three jurisdictions, CSP-styled sentencing planning directly resulted in either probationary sentences or reduced jail or prison terms. Courts used the sentencing proposals to impose alternatives to prison, or shorter prison sentences, from 1/3 (Lincoln, Nebraska) to more than 3/4 (West Palm Beach, Florida). (Briefing Paper, The Sentencing Project, 1989).

An evaluation of the Nebraska Center on Sentencing Alternatives (1984) examined outcomes in 35 cases and issues such as the relationship between the probation department and the Nebraska Center. "The Nebraska evaluation concluded that despite certain institutional obstacles within the court system, the Nebraska Center had a positive impact, by reducing prison use, in approximately 36% of the cases handled in 1983" (Briefing Paper, The Sentencing Project, 1989).

The New York State Division of Criminal Justice Services evaluated the New York Center on Sentencing Alternatives in Syracuse, New York in 1984. Using statistical models and a study of 31 cases, the evaluators concluded that clients of the program "were not likely to receive sentences of incarceration, even in the absence of CSP services, and that the program did not

SENTENCING  
OUTCOMES  
CONT'D

appreciably reduce the aggregate incarceration rate in relation to the rate that would have been expected in the absence of the service. It should be noted that the report criticized the implementation of services by the program rather than the CSP model itself and found that the former may have been responsible for program shortcomings." (Briefing Paper, The Sentencing Project, 1989).

RECIDIVISM

Yeager (1992) examined 27 studies of CSP programs, seven of which used a control group for comparison purposes. Yeager reported that of these seven studies, in only one (New York State Division of Criminal Justice Services, 1984) did the CSP sample do worse on recidivism than a control sample. However, Clements (1982) reported that the sampling technique used in the New York State report is probably defective. "For the most part, no significant differences in recidivism emerged when CSP and control samples were compared."

## WORKS CITED

- Allen, J. (1990). "Day Reporting: A Link to the Community." *International Association of Residential and Community Alternatives*, January/February, 23.
- Bergsmann, I., and M. A. Cuniff (1990). *Managing Felons in the Community*. Washington, DC: National Association of Criminal Justice Planners.
- Summary of Evaluations of Defense-Based Sentencing Programs* (1989). Briefing Paper. Washington, DC: The Sentencing Project.
- Beck, James L. and Jody Klein-Saffran (1989). *Community Control Project*. United States Parole Commission. Report Number 44.
- Byrne, J. (1986). "The Control Controversy: A Preliminary Examination of Intensive Probation Supervision in the United States." *Federal Probation* 2:4-16.
- Byrne, J., (1988). *Probation*. Crime File Study Guide. Washington, DC: U. S. Department of Justice, National Institute of Justice.
- Byrne, J., et al. (1989). *Research in Corrections: The Effectiveness of the New Intensive Supervision Programs*, Vol 2, Iss.2. Boulder, Colorado: National Institute of Corrections.
- Byrne, J., et al. (Eds). (1992). *Smart Sentencing: The Emergence of Intermediate Sanctions*. Newbury Park, California: SAGE Publications.
- Cuniff, M. A. and M. K. Shilton (1992). *Variations on Felony Probation*. Washington, DC: National Association of Criminal Justice Planners.
- Curtin, E. (1990). "Day Reporting Centers: A Promising Alternative." *International Association of Residential and Community Alternatives*, January/February.

Ellsworth, T. (Ed.).(1992).*Contemporary Community Corrections*.Prospect Heights, Illinois:Waveland Press, Inc.

*Intermediate Sanctions:Their Impacts on Prison Crowding, Costs, and Recidivism Are Still Unclear* (1990).Washington, D.C.:General Accounting Office.

*Intensive Probation Supervision:Cost Savings Relative to Incarceration* (1993).Washington, DC:General Accounting Office.

*Intensive Probation Supervision:Mixed Effectiveness in Controlling Crime* (1993).Washington, DC:General Accounting Office.

*Prison Boot Camps:Short-Term Prison Costs Reduced, But Long-Term Impact Uncertain* (1993).Washington, DC:General Accounting Office.

Gowdy, V.B.(1994).*Intermediate Sanctions*.Research in Brief.Washington, DC:U.S. Department of Justice, National Institute of Justice.

Greene, J.A.(1988)."Structuring Criminal Fines; Making an Intermediate Penalty More Useful and Equitable."*The Justice System Journal*, Volume 13, Number 1 (1988).

International Association of Residential and Community Alternatives (IARCA) (1993).*Control in the Community:The Limits of Reform*.Paper for IARCA.

*Intermediate Criminal Sanctions in Ohio*(1993).Draft Report.Akron, Ohio:Oriana House, Inc.

Lilly,J.R., Richard A. Ball, G. David Curry and John McMullen (1993).Electronic Monitoring of the Drunk Driver: A Seven-Year Study of the Home Confinement Alternative. *Crime and Delinquency* 39:462-484.

McDonald, D., (Ed.).(1992).*Day Fines in American Courts:The Staten Island and Milwaukee Experiments*.Issues and Practices.Washington, DC:U.S. Dept. of Justice, National Institute of Justice.

Mackenzie, Doris and Claire Souryal (1994).*Multi-Site Evaluation of Shock Incarceration*.Washington, DC:U.S. Dept. of Justice, National Institute of Justice



- Morris, N. and M. Tonry (1990). *Between Prison and Probation: Intermediate Punishments in a Rational Sentencing System*. New York: Oxford UP.
- Mullaney, F. (1988). *Economic Sanctions in Community Corrections*. Washington, DC: U. S. Department of Justice, National Institute of Corrections.
- National Council on Crime and Delinquency (NCCD) (1991). *Evaluation of the Florida Community Control Program*. San Francisco: NCCD.
- Petersilia, Joan and Susan Turner (1993). *Evaluating Intensive Supervision Probation/Parole: Results of a Nationwide Experiment*. Washington, DC: U.S. Department of Justice, National Institute of Justice.
- Renzema, Marc and David T. Skelton (1989). *The Use of Electronic Monitoring by Criminal Justice Agencies*. Kutztown, Pennsylvania: Kutztown University Foundation.
- Schmidt, Annesley K. (1991). "Electronic Monitors--Realistically, What Can Be Expected?" *Federal Probation* 2:47-53.
- A Survey of Intermediate Sanctions* (1990). Washington, DC: U. S. Department of Justice, National Institute of Corrections.
- Tonry, M. and R. Will (1988). *Intermediate Sanctions*. Draft Report. Boulder, Colorado: National Institute of Corrections.
- Vito, G.F. (1986). Felony Probation and Recidivism: Replication and Response. *Federal Probation*, Volume 50, pp. 17-25.
- Yeager, M.G. (1992). *Client-Specific Planning: A Status Report*. Washington, DC: The Sentencing Project, Inc.