

Research and program evaluation in Illinois: Studies on drug abuse and violent crime

An Implementation Evaluation of the Pretrial and Drug Intervention Programs in Macon and Peoria Counties

October 1998

Prepared by
Center for Legal Studies
University of Illinois at Springfield

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Information Authority

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**ILLINOIS
CRIMINAL JUSTICE
INFORMATION AUTHORITY**

**An Implementation Evaluation of the Pretrial and
Drug Intervention Programs in Illinois'
Macon and Peoria Counties**

Prepared for the
Illinois Criminal Justice Information Authority

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Commonly Used Acronyms

- AA:** Alcoholics Anonymous
- ABE:** Adult Basic Education
- AOIC:** Administrative Office of the Illinois Courts
- CA:** Cocaine Anonymous
- CLES:** The Center for Legal Studies
- DIP:** Drug Intervention Program
- DMHC:** Decatur Mental Health Center
- DRC:** Day Reporting Center
- FTAs:** Failure to appear
- GED:** Graduate Equivalence Degree
- ICJIA:** Illinois Criminal Justice Information Authority
- IDOC:** Illinois Department of Corrections
- LEADS:** Law Enforcement Agency Data System
- NA:** Narcotics Anonymous
- REACH:** Relapse Education Assistance for Continual Healing
- ROR:** Released on own recognizance
- SAO:** State's Attorney's Office
- TASC:** Treatment Alternatives to street crimes
- TRG:** Treatment Readiness Group

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EXECUTIVE SUMMARY

Prison and jail overcrowding are longstanding problems facing American criminal justice systems. Jail crowding, in particular, has hit local jurisdictions hard, stretching already thin resources further and exacerbating existing problems in providing adequate inmate services and programs. Jail crowding also creates stress in local probation departments as crowding forces probation departments to absorb a growing number of offenders, many of whom have substance abuse problems interwoven with a criminal lifestyle. In a number of jurisdictions, this has resulted in unmanageable probation caseloads of offenders in need of more supervision and/or treatment than traditional probation had to offer. Thus, national and local attention turned toward the development of alternative programming.

Officials in the Illinois counties of Macon and Peoria recognized problems of jail crowding and a need for more alternative programming in their local criminal justice systems. In an effort to provide relief from jail crowding, both counties initiated Pretrial Services Programs aimed at decreasing the number of pretrial detainees in their jails. The Macon County State's Attorney also began the Deferred Prosecution Program to provide early intervention by removing offenders from formal court processing and directing them to treatment. The Day Reporting Center (DRC) was developed by the Macon County Department of Probation and Court Services Department to provide increased supervision and services, primarily for drug involved and violent offenders. In addition to its pretrial program, the Peoria County Adult Probation Department initiated the Drug Intervention Program (DIP) targeted at probation clients with the most serious need for drug treatment services.

In December 1995, the Illinois Criminal Justice Information Authority issued a solicitation for a process and impact evaluation of these five programs. The Center for Legal Studies at the University of Illinois at Springfield was subsequently awarded the two-year evaluation, which commenced in May 1996. The remainder of this Executive Summary introduces the methodology employed in the study and describes some of the evaluation findings.

METHODOLOGY

While all five evaluated programs were directed toward like goals, each was located within a separate phase of the judicial process and hypothetically targeted an identifiable offender population. Consequently, this project produced five separate, yet interrelated, implementation and impact evaluations.

This two-year evaluation project encompassed a 37-month period of program operation, commencing in February 1995 with the start of the first program—the Deferred Prosecution Program. Throughout the course of the evaluation, various types of data were collected. These included program grant proposals and ICJIA monitoring records; monthly data reports submitted by each program to the ICJIA; interviews with individuals who were/are involved in the development or operation of one or more of the programs; individual-level data regarding clients served (when available); and system-level data involving both counties' jail populations and circuit clerk records.

REVIEW OF THE PROGRAMS

The five programs were examined for their compliance with their stated implementation schedules and pre-operational expectations. In addition, the impacts of

the programs were analyzed, and recommendations for the further development of the individual programs or similar enterprises were developed.

The Macon County Day Reporting Center (DRC)

The DRC's main purpose is to provide services and supervision in a community-based location. Criteria for referrals to the DRC are limited to specific offender populations, including adult felony level offenders charged/convicted of drug or violent offenses, offenders with substance abuse histories, and probationers with compliance problems.

Implementation of the DRC was hampered by turnover of key personnel and difficulties obtaining facilities and acquiring contracts with outside service providers. These difficulties delayed program operations for more than one year.

From inception through February 1998, the DRC received 703 referrals. Slightly less than 20 percent were non-grant (those not meeting the client selection criteria mandated by the implementation grant) referrals, while the majority, 81 percent, were grant referrals. The DRC received an average of 38 referrals per month. Of the 288 clients discharged from the DRC by the end of February 1998, one-fifth was successful.

Over the course of its operations, the DRC introduced numerous programming options. However, these initiatives were undertaken without full consideration of their continuity with program goals or client needs. The program also has not implemented an instrument to assess an offender's appropriateness for DRC programming. In order to facilitate on-going internal evaluation of program performance, the DRC needs to implement a client data collection form that will permit better identification of client

characteristics impacting successful treatment. Collection of individual level data would be especially important in this regard.

The Macon County Deferred Prosecution Program

The Deferred Prosecution Program is operated by the Macon County State's Attorney's Office. The purpose of the program is to divert adult offenders whose offenses are related to substance abuse out of the court system and into treatment through a voluntary contractual arrangement between the offender and the prosecutor's office.

For the most part, implementation of the program proceeded according to pre-operational expectations. While there was some staff turnover and a change in the treatment service provider, these changes were not significantly disruptive.

From February 1995 through February 1998, 332 individuals entered the Deferred Prosecution Program. Of these individuals, 279 (84%) completed the program; the rest remained active. Only 111 (40%) clients were successfully terminated. The typical successful participant entered the program for a misdemeanor arrest and had no prior arrests.

While the data handling capability of the program has increased over time, there are data issues that remain unresolved. First, the inability to share automated data between staff has resulted in unnecessary duplication of effort. Second, the inability to obtain comprehensive records checks on all potential participants creates the risk of inappropriate offenders being offered deferred prosecution. An issue for further investigation involves the representation of and service delivery to minorities in the program. African-Americans are *underrepresented* in the program compared to their

presence in the county criminal justice system and are *overrepresented* in the population of unsuccessful participants.

Among the recommendations made for the program is the elimination of duplication in databases separately maintained by the two Deferred Prosecution staff members. The program should also seek to expand its pre-program admission criminal history checks to a nationally based search in order to reduce the risk of inappropriate offenders entering the program. Additionally, the Deferred Prosecution initiative should explore the acquisition or development of an objective screening instrument to aid in selection. Finally, program administrators should investigate the underrepresentation and low success rates of African-American participants.

The Macon County Pretrial Services Program

The Macon County Pretrial Services Program was created to provide the court with detailed, verified information about felony arrestees appearing in bond court. The goal was to maximize the number of defendants released pretrial, to ensure high court appearance rates and to address community safety. Social history and/or criminal background information about defendants is gathered by pretrial officers and a written bond report is provided to the court. The program also provides pretrial supervision of cases when ordered by the court.

The program generally is viewed as having a very positive impact in the local criminal justice community. However, it is extremely difficult to gauge the direct impact of the program on jail crowding. The program is viewed as consistently providing the court with accurate background information on felony defendants and as providing satisfactory monitoring of pretrial supervision cases.

From June 1995 through February 1998, approximately 5,800 felony defendants were eligible for a pretrial interview, 4,616 (80%) were investigated and 3,753 (65%) bond reports were completed. Since June 1995, approximately 3,760 cases were released on bond and 15 percent of those were ordered to pretrial services supervision. Almost 80 percent of the exits from pretrial supervision were deemed successful. The majority of unsuccessful exits were due to failures to appear in court (FTA).

It is recommended that the program develop a clear contact standard for pretrial supervision and facilitate a common understanding within the program of terms used to report program activity. Resolution of problems regarding the very limited amount of time available to conduct investigations and produce reports, as well the role of the program in responding to the increasing number of misdemeanor domestic battery defendants in the system will require the involvement of a broad spectrum of local stakeholders.

The Peoria County Pretrial Services Program

The Peoria County Pretrial Services Program was created to provide the court with detailed, verified information about arrestees appearing in bond court. The goal is to maximize the number of defendants released pretrial, to ensure high court appearance rates and to address community safety. Social history and/or criminal background information about defendants is gathered by pretrial officers and a written bond report is provided to the court.

Throughout its existence, the Pretrial Services Program has focused on producing investigations and bond reports for the court, with supervision being utilized in a minute number of cases. Interviews indicate a general acceptance of the services

provided by the program, but there is a continuing dissatisfaction with the lack of case supervision.

During the first 30 months of operations, 11,490 defendants were eligible for a pretrial interview, 4,238 (41%) were interviewed and 2,222 bond reports were completed. Since September 1995 only nine cases have been released from jail on pretrial services supervision.

Differences among the local stakeholders over the lack of pretrial supervision present one of the most prominent issues the program must address as it progresses. The purpose of the Pretrial Services Program should be examined in an effort to produce harmony within the program, Peoria County Court Services, and among the local stakeholders, especially the county state's attorney.

The Peoria County Drug Intervention Program (DIP)

Overall, the purpose of the DIP, which began in August 1995, is to reduce the rate of revocations of probation for offenders in the program and increase the degree to which they successfully complete treatment. The DIP is characterized by an emphasis on treatment and a higher level of supervision than a typical probation case.

Probation officers and TASC are the primary referral sources for the DIP. Subsequent to being assessed and admitted into the DIP, probationers are assigned to one of three levels of supervision.

As of February 1998, 44 of the 68 probationers who entered the DIP were no longer receiving services. Of them, 23 successfully completed the program. The majority of the "successful" DIP probationers were returned to regular probation to complete the remainder of their sentence.

The successful DIP probationer is an African-American male, six years older than his unsuccessful counterpart. His instant offense is most likely drug-related, while the typical unsuccessful participant committed a property-related offense. Those succeeding had tried, on average, more different types of drugs than their unsuccessful counterparts. Thus, these preliminary results indicate the successful candidate has an extensive history involving drugs, and as such, is perhaps more agreeable to his/her need for treatment.

As the program is relatively new, any discussion as to whether the program succeeded in achieving its objective of "have 10% complete probation" is premature. However, these preliminary results do indicate that the DIP is achieving a success rate of slightly over 50 percent, and thus surpassing three additional program objectives.

Despite these potentially promising results, the DIP is hampered by a lack of clear purpose and definition. Specifically, confusion exists as to whether its primary purpose is to benefit the department (i.e., ancillary services provided by the DIP officer) or benefit the probationer (distinct program). Compounding this problem is the desire on the part of current administration to alter the DIP's operation prior to offering full consideration to this concern.

SYSTEM IMPACTS

As these programs were initiated to relieve jail crowding, either directly (i.e., pretrial) or indirectly (DIP), information regarding the population of both jails was analyzed.

While Peoria County has witnessed a reduction in the extent to which their jail is overcrowded, it is highly unlikely this change is due to the implementation of the Pretrial

Services Program. First, the size of the total sentenced and non-sentenced jail population remained relatively stable during the course of the evaluation. Second, only small changes in the average length of stay for non-sentenced inmates (the only jail population that the Pretrial Services Program can impact) occurred over the program's operational period. This, coupled with the observation that only nine individuals were placed on pretrial services supervision during the evaluation period, results in the program having, at best, a negligible affect on jail population levels in Peoria County.

Data constraints in Macon County seriously impacted the extent to which program impacts on the jail population could be assessed. One finding revealed that although there was a reduction in the average number of days spent in jail by individuals released on pretrial supervision, the decrease was not sizeable. However, as this group of individuals averaged fewer days in jail prior to release than those not released and those being released ROR, expanding the program to other populations might be worthy of consideration.

SUMMARY AND RECOMMENDATIONS

In analyzing the common issues that exist among the five programs, several issues come forth in most, if not all, of them. First, there are pervasive problems related to the clarity of goals and objectives, or their conformance with actual program performance. Second, data systems in both counties and, thus in all five programs, present difficulties not only for this evaluation team, but also for any future attempts by the programs to perform ongoing assessments of their performance. Third, the pending reorganizations in the two court services and probation departments present both challenges and opportunities for the future development of the programs.

Mission and Goals Recommendations

It appears that goal fragmentation and its resulting confusion stems from two sources: misconceptions of the objectives on the part of those outside the programs and program staff, and a change in some goals in response to knowledge gained during program operation. To the extent that goals have changed in response to circumstances or new information, the changes in them should be communicated to program staff and external constituencies. Also, in order to avoid confusion both within and outside the program, the goals and objectives should be articulated clearly to staff and those conducting business with, or otherwise interested in, the program. These measures should help keep staff and management "on the same page," and allow for more accurate assessment of program performance both by funders and by the broader community.

Data Improvement Recommendations

The research team encourages the programs to continue their quest for improved data handling capacity. These concerns can be rectified over time through purchases of additional equipment and software, as funds become available. Correction of the inaccuracy of collected data must be rectified through human solutions. It is recommended the programs take steps to clarify data reporting procedures and terminology through the development of appropriate policy and procedure, as well as appropriate training of staff regarding policy and procedure. The programs also must work on the collection of data at the individual offender level, rather than in aggregate form. Only in this way can programs identify client characteristics

associated with successful program outcomes and ensure congruence between client needs and program structure and services.

Probation and Court Services Reorganization Recommendations

Court Services administrators in each county can increase the likelihood of positive results from reorganization by taking care to match officer aptitude and interest to their unit assignment. Also, because reorganization inevitably will result in some officers performing tasks related to programs they were only marginally familiar with prior to reorganization, care must be taken to provide these staff with a clear orientation regarding program goals, objectives, and procedures.



CHAPTER 1: STUDY BACKGROUND

In November 1995, the Illinois Criminal Justice Information Authority (ICJIA) issued a request for proposals to conduct an implementation and impact evaluation of pretrial and drug intervention programs in Macon and Peoria Counties. The three programs to be studied in Macon County were the Pretrial Services Program, the Deferred Prosecution Program, and the Day Reporting Center (DRC). In Peoria County the two programs that were the subject of evaluation were the Drug Intervention Program (DIP) and the Pretrial Services Programs. Two years and a maximum of \$200,000 were allowed for the study.

In the *Request for Proposals*, the ICJIA identified three broad goals for the implementation evaluation: 1) to determine the extent to which implementation was conducted in accordance with pre-operational expectations; 2) to guide future refinement of the programs, which offered a unique opportunity as funding for all of the programs had begun just the previous year; and, 3) to guide similar undertakings in other jurisdictions.

The grant solicitation identified two general goals for the impact evaluation. The first was to evaluate the degree to which the programs reduced jail crowding in the two jurisdictions. The second was to determine the degree to which the programs provided the court system in both jurisdictions with alternative sanctions for appropriate populations.

A STATEMENT OF THE PROBLEM

Prison and jail overcrowding are longstanding problems facing American criminal justice systems. Jail crowding, in particular, has hit local jurisdictions hard, stretching already thin resources further and exacerbating existing problems in providing adequate inmate services and programs. In an effort to deal with this situation, jurisdictions started programs to channel offenders out of the criminal justice system at the earliest possible point, thus reducing system associated costs and preventing deeper penetration of the offender into the criminal justice system.

Of offenders processed and adjudicated guilty, probation services traditionally handled those considered less serious. However, given the increased rate at which offenders come into the system, probation departments were forced to absorb a growing number of offenders, many of whom had substance abuse problems interwoven with a criminal lifestyle. In several jurisdictions this resulted in unmanageable probation caseloads of offenders in need of more supervision and/or treatment than traditional probation had to offer. Thus, national and local attention turned toward the development of alternative programming.

The Problem of Jail Overcrowding

Since the 1970s, one of the most severe problems facing American jails is overcrowded conditions. Between 1972 and 1984, jail populations grew almost 84 percent (from 141,588 to 233,551 inmates), while the rated capacity of jail space grew by less than 20 percent (Thompson and Mayes, 1991). While results from a 1982 survey of jail administrators revealed that overcrowded conditions were the foremost

problem facing American jails, other problems directly resulting from the overcrowded conditions also were noted. These related to recreational and medical offender services and/or programs and basic facility issues such as building structure, fire hazards, staffing, and food (Kerle and Ford, 1982). In the ensuing years, overcrowded conditions persisted in the country's jails. Guyes reported similar findings in 1988 noting that overcrowded conditions were the most serious problem facing American jails, followed by staff shortages.

In the past decade, the population problem in American jails improved, but conditions remained troublesome. Between 1983 and 1993, there was more than a 100 percent increase in the average daily jail population (227,541 in 1983 to 466,140 in 1993). Although jail capacity limits increased as well, since 1989, the average jail population has hovered around 100 percent of capacity (Bureau of Justice Statistics, 1995).

Compounding the issue was that, since the 1980s, many state correctional systems have been overcrowded and under federal court orders or consent decrees to limit inmate populations due to crowding or other specific conditions of confinement (McDonald, 1989). As a result, convicted offenders often are held in local jails for extended lengths of time until bed space becomes available in a state facility. Further, some states, such as Illinois, attempted to free up valuable bed space in state correctional facilities by not admitting lower level offenders into state custody, instead having those offenders complete their sentences in locally operated jails.

Illinois was not immune, however, to the national problem of jail overcrowding. As was the case nationally, in the 1980s the population of Illinois jails dramatically increased. For example, according to the ICJIA (1990), the number of inmates occupying space in Illinois jails increased almost 30 percent between fiscal years 1981 and 1988. Several reasons existed which can explain this increase: 1) the legislature mandated imprisonment for certain offenders; 2) the time served for certain crimes was increased; and, 3) there was an increased emphasis on arresting those suspected of committing drug offenses. Together, these practices increased the jail population levels of both pretrial detainees and sentenced offenders, who frequently were housed within the same facility.

The Search for Viable Alternatives

Due to institutional overcrowding and unmanageable probation caseloads filled with more serious offenders, by the mid-1980s a renewed interest in alternative community-based corrections programs existed (Petersilia, 1987; Larivee, 1990). Unlike the community-based corrections movement, alternative programming was viewed as a mechanism by which offenders received their "just desserts" through appropriate levels of punishment and control (Morris and Tonry, 1990). Through the development of these community-based sanctions, several objectives could be attained: 1) the judiciary would have new sentencing options enabling it to fit the sentence to the severity of the crime; 2) offenders who were too dangerous to be placed on probation, but not dangerous enough to warrant a prison sentence, could remain in the community under increased surveillance, with an emphasis on offender

control and public safety; and, 3) the diversion of offenders from incarceration would save the government money (Cromwell and Killinger, 1994; Palumbo and Peterson, 1994; Morris and Tonry, 1990).

Although an abundance of literature on the alternative sanction movement in general exists, information relating to individual, specific programs is often sparse and/or difficult to locate. Further, because alternative programs vary greatly in many ways, such as program length, type of treatment, target population, operating procedures, and definition of success, comparing outcomes across what appear to be similar programs is difficult. Thus, to understand fully the unique processes by which many alternative programs operate, considering them individually is often best.

Macon and Peoria Counties' Jail Problems

Over the last several years, officials in both Macon and Peoria Counties became increasingly aware of overcrowding in their local jails. In addition, high levels of commitments to the Illinois Department of Corrections (IDOC) were noted. These circumstances were attributed to continued increases in the numbers of defendants charged with drug offenses.

Between 1988 and 1992, there was a 46 percent rise in the number of bookings into the Macon County Jail, and a 29 percent increase in the Peoria County Jail. These increases raised the proportion of pretrial offenders held in jail to unacceptable levels, making it apparent that the jails were being used to house offenders awaiting court hearings, rather than those already convicted and sentenced.

To assist in analyzing what factors contributed to the disproportionate number of pretrial detainees held in their jail, Peoria County officials reviewed the jail crowding situation through a National Institute of Corrections funded study and by assembling a task force to address jail population management. Three critical factors were identified as fostering the county's overcrowded jail conditions. First, it was noted that the judiciary felt ill-equipped to make decisions regarding bail for offenders about whom they knew very little. Second, few options existed that provided any form of supervision in the community for pretrial defendants. Third, a perception existed that only two sentencing options existed—court ordered supervision (probation) and incarceration.

Counties' Initiatives

Through an ICJIA initiative, both counties planned for and implemented Pretrial Service Programs to generate more background information about non-capital felony level offenders, and to provide some supervision of pretrial offenders released into the community.¹ Each county also implemented programs to address and provide services for the increasing number of drug-related offenders.

In addition to its Pretrial Services Program, Peoria County created the DIP to serve as a specialized caseload for offenders with chronic substance abuse problems. The DIP was designed to provide supervision, assessment, and treatment options for those experiencing repeated contacts with the criminal justice system due to their substance abuse. It was envisioned that the DIP would create links between the court,

¹The Peoria County Pretrial Services Program also includes misdemeanants in its program.

court services, and service providers to ensure concentrated efforts were made to address this population of offenders.

Macon County complemented its Pretrial Services Program with the implementation of two supervision and service oriented programs: the DRC and the expansion of the State's Attorney's Deferred Prosecution Program. Both of these programs were designed to offer a range of community-based education and treatment services to offenders in a timely and efficient manner. With the DRC and the Deferred Prosecution Program, offenders would be supervised and monitored while receiving services necessary for their adjustment in the community as productive, law-abiding citizens.

The DRC was designed to serve offenders who were court ordered to pretrial supervision, as well as offenders convicted and sentenced to either standard or intensive probation. In addition, eligible candidates for the DRC could be identified as having a history of substance abuse, being at risk for re-offending, in need of daily supervision and structured activities, or requiring special services.

The expansion of the Macon County State's Attorney's Deferred Prosecution Program was designed to target drug and drug-related offenders. The program defers prosecution in lieu of providing offenders the opportunity to obtain substance abuse treatment, or address their criminal behavior inherently linked to drug involvement. Clients successfully completing the Deferred Prosecution Program were channeled away from formal prosecution. Those unable to refrain from drug use and criminal activity, or those who violated the conditions of the program, would be referred back to

the State's Attorney's Office (SAO) for prosecution of the original charges. The primary purpose of the expanded deferred prosecution program was to decrease the number of offenders entering the criminal justice system. Intercepting first time offenders and connecting them with services at their earliest point of contact with the court was intended to result in decreased numbers of pretrial detainees in the county jail, as well as increased numbers of individuals receiving needed rehabilitative services.

This report, divided into five chapters, provides a discussion of the evaluation of these five programs conducted by researchers at the Center for Legal Studies at the University of Illinois at Springfield. Following Chapter 1 is a discussion of the study's methodology. An identification of the major sources of information gathered is discussed, as well as the scope and structure of both the implementation and impact dimensions of this evaluation. Chapter 3 introduces the readers to the five programs and their placement and functioning within the criminal justice systems of the respective counties. The five programs are then individually reviewed, with each review beginning with a concise summary that provides the reader with an overview of prominent program characteristics. An analysis of program activities such as the numbers of clients served, success rates for clients, perceived strengths and weaknesses of the programs, and an identification of any data concerns is then presented. Chapter 4 synthesizes the impacts experienced by each county as a result of these initiatives. Chapter 5 summarizes the report's major findings, including global concerns experienced across many of these programs, and offers a number of universal recommendations.

CHAPTER 2: METHODOLOGY

While all five evaluated programs were directed toward like goals, each was located within a separate phase of the judicial process and hypothetically targeted an identifiable offender population. Consequently, this project produced five separate, yet interrelated, implementation and impact evaluations. As Pretrial Services Programs operated in both counties, some comparisons between these programs were undertaken to provide a perspective on the findings. However, the point of these comparisons was not to gauge which program was implemented more effectively or produced greater impacts.

This two-year evaluation project encompassed a 37-month period of program operation, commencing in February 1995 with the start of the first program—the Deferred Prosecution Program. Some unevenness exists in the depth of information presented on each of the five programs due to their differing operational lengths and the data routinely collected. As noted in the introduction, this report focused on both implementation and impact issues. However, a lack of individual-level data for certain programs, an automated Peoria County computer system that was cumbersome to work with, and a limited Macon County computer system that required manual data collection, made it difficult to comprehensively address many impact issues.

Throughout the course of the evaluation, various types of data were collected. These included grant proposals and ICJIA monitoring records, monthly data reports submitted by each program to the ICJIA; interviews with individuals who were/are involved in the development or operation of one or more of the programs;

individual-level data regarding clients served (when available); and system-level data involving both countys' jail populations and circuit clerk cases.

Prior to a discussion involving the types of information collected during the course of this evaluation, attention needs to be focused on the scope and structure of the two abovementioned dimensions of this evaluation—implementation and impact.

THE IMPLEMENTATION EVALUATION: SCOPE AND STRUCTURE

In the Request for Proposals, the ICJIA identified three principal objectives for the implementation portion of the evaluation: 1) to assess the extent to which program implementation was conducted according to pre-operational expectations; 2) to guide the refinement of the programs in the future; and, 3) to guide similar program undertakings by other counties in the future (p. 5). Because all five of the evaluated programs were structured similarly, the design of the implementation evaluation was approximately the same for each. The variance among the individual implementation evaluations comes through the differing perceptions of key actors involved with program development and initiation, the existing data sources available for each program, and the stage of implementation the program has attained.²

A comprehensive description of each program, its history and the original context in which it was developed and operationalized was completed during this portion of the evaluation. It began with a review of program documentation extracted from the ICJIA, the AOIC, and on-site program files. From this information, details regarding each program's goals, initial structure, resources and staff were extracted. The information

² For example, the Macon County Deferred Prosecution Program was the first evaluated program to be operational (February 1995), while the Macon County DRC was the last to commence (December 1996).

was synthesized into a description of the initiation context of the program.

Semi-structured interview protocols (see Appendix A) then were developed to review these areas with key actors (i.e., those involved with the development, administrative shaping, or operation of the programs), to solicit their perceptions of these program dimensions, and to identify the manner in which the programs actually were implemented.

THE IMPACT EVALUATION: SCOPE AND STRUCTURE

The purpose of the impact evaluation was to determine whether the five programs assisted in the relief of jail crowding and provided alternative programming for drug offenders. Because all five programs had unique goals and objectives, the discussions of impacts vary. When possible, criminal justice system impacts also are included, for example, the impact of the Pretrial Services Programs on the number of failure to appears (FTAs) in court and the Deferred Prosecution Program's impact on prosecution costs. A more global impact analysis of change in available jail space also is provided.

The impact evaluation section is derived primarily from monthly data reports, individual case files, and jail and circuit clerk records. The perceptions of interview subjects regarding program impacts supplement the discussion. The analysis of program impacts includes client success rates and the achievement of goals and/or objectives. System level impacts center on reducing jail overcrowding, increasing personal recognizance bonds, and decreasing the number of failures to appear in court.

DATA SOURCES

As mentioned above, a number of different data were obtained to address the implementation and impact sections of this evaluation. A brief discussion of each data type is presented in Table 2.1.

Table 2.1: Data Sources

ICJIA Program Proposals and Monitoring Records

Grant proposals submitted by the target counties, contracts and contract amendments, program monitoring correspondence, reports and other documentation were utilized in determining pre-operational expectations and context and to gauge implementation efforts.

Monthly Program Data Reports sent to the ICJIA/AOIC

These documents were used to obtain program data, including the number of clients served by these programs, characteristics of program participants, and program success rates. Some reports also documented program milestones, problem areas, and changes in program structure, staffing, and services.

Interviews

Level I Interviews: These interviews were conducted with key officials including judges, prosecutors, defense attorneys, program administrators, law enforcement personnel, jail administrators, and others identified as having impacted program development and/or operation.

Level II Interviews: These interviews involved the program's operational staffs, associated program staff (e.g., regular probation officers not assigned to the targeted programs) and affiliated service providers, such as substance abuse treatment providers.

Individual-level Program Data

Individual-level program data were obtained for all programs except the DRC. The Deferred Prosecution Program provided client information that included social demographics, start/terminated dates, and types of treatment contacts. The Macon County Pretrial Services Program provided names of individuals for whom bond reports were prepared, the date of the bond report, bond court release decision, and the final date of pretrial supervision if applicable. They also provided criminal records checks for a sample of Deferred Prosecution Program clients. The Peoria County Pretrial Services Program presented a detailed supervision history for each individual released on supervision. Lastly, case files and Peoria County booking records were obtained for DIP clients, as well as a comparison group of probationers. This information detailed arrest records, services and sanctions received while on probation, and case outcome.

System-level Program Data

Jail Records: Automated jail records were obtained from Peoria County, while Macon County's records were accessed manually. All Peoria County Jail booking records were collected beginning with the 11 months prior to the start of the earliest program—DIP in August 1995. Macon County jail information was collected on a sample of individuals for

whom bond reports were prepared. These records were utilized for a number of purposes including determining average daily populations and changes in the number and type of pretrial detainees.

Circuit Clerk Records: In Peoria County, records of failures to appear in court were collected to determine the effectiveness of the Pretrial Services Program in reducing FTAs. Macon County circuit clerk records, for the same sample of individuals with bond reports, also were utilized to determine the number of FTAs, as well as to describe case outcomes.

ICJIA Program Proposals and Monitoring Records

Reports, individual-level program data, archival documents, grant applications, and other relevant materials provided by the agencies, the AOIC, and the ICJIA were reviewed. Evaluation staff visited the ICJIA offices on three occasions to photocopy master program files. These visits occurred at the beginning of the evaluation, prior to the production of the interim report in March 1997, and in March 1998.

Monthly Program Data Reports

Program monthly data reports, which are submitted to the ICJIA, were obtained by the evaluation team for all programs for the months each program was in operation. While specific data contained in each report varied by the individual program, all of these reports include information about the number of cases for which the program had responsibility, the number of new cases entering the program each month, and the number of cases exiting the program successfully or unsuccessfully. Below is a description of the monthly reports obtained for each of the five programs.

DRC

DRC monthly data reports were available for the first 15 months of program operation (December 1996–February 1998). These reports described the clientele served by the DRC and its programs, including social demographics, offense level,

client referral source, class participation, and outcome. Although evaluation staff worked with the DRC staff to improve the report format, suggestions made have yet to be incorporated into the monthly data report.

Deferred Prosecution Program

Deferred Prosecution Program monthly data reports were obtained for the first 37 months of program operation (February 1995–February 1998). Program information reported included the numbers of individuals offered and accepting deferred prosecution and their arrest charges, social demographics of participants, the number of drug screens, and reasons for program termination.

The Macon County Pretrial Services Program

The Pretrial Services Program provided the evaluation team with its data reports for its first 33 months of operation (June 1995–February 1998). These reports included the numbers of bond report investigations and Pretrial services supervision cases, types and frequencies of special conditions, and program outcomes. In addition, program staff provided two supplementary reports, specific to the Macon County program. One report detailed the social demographics of all individuals who received a bond report and the other outlined the electronic monitoring cases supervised by one of the Pretrial officers.

The Peoria County Pretrial Services Program

The Peoria County Pretrial Services Program provided the same monthly data report as Macon County. The format of this report was developed and standardized by the AOIC in consultation with representatives of pretrial services programs throughout

the state. It is used by all pretrial services programs in Illinois to report program data to the AOIC.

DIP

DIP monthly data reports were available for the first 31 months of program operation (August 1995–February 1998). These reports recorded the number of probationers screened for and accepted into the program, social demographics of participants, results of drug screens, the number of program violations, and program outcomes. Monthly summaries of these reports provided information regarding milestones, problems, and changes in program application.

Interviews

Interview subjects were identified from the program documentation and through a "snowball" sample process whereby initial subjects were asked to identify other appropriate interview subjects. Additionally, program documents such as grant proposals, progress reports, media reports, and program memorandums were reviewed to insure the universe of relevant individuals had been identified. Each potential interviewee was contacted by phone to set an interview appointment time. There was only one direct refusal to participate in interviews; however, several interviewees seemed unable to make scheduled interview appointments. It was decided that after three unsuccessful attempts to establish an interview, the individual would be stricken from the interview list.

On-site interviews were conducted individually, using the aforementioned protocols. Exceptions to the protocols were made when interviewing individuals, such as members of the county board, judges or state's attorneys, whose knowledge of

operational or structural aspects of the programs was limited. Interviews typically lasted 30 to 40 minutes.

As the study was originally conceived, each person identified as an appropriate subject for interview would be interviewed at two stages during the evaluation. The first interviews began in the fourth month of the evaluation and focused on obtaining information regarding the initiation context, initial program features and procedures. A second round of interviews began in the sixteenth month of the evaluation and focused on identification of program changes, significant program events, early assessments of program operations and impacts, and views regarding program continuation.

After the initial interviews with key actors were completed, interviews with a second level or "tier" of individuals were initiated. This group included individuals affiliated with the programs, but not involved in the design, initial implementation or operational administration of the programs' efforts. This group included client service providers, such as those involved with substance abuse evaluation and treatment, educational services and mental health programs. Table 2.2 provides an overview of interviews conducted with individuals associated with each program.

Table 2.2: Number of Personnel Interviewed¹

| | MACON COUNTY | | | PEORIA COUNTY | |
|-----------------------------|---------------------------|----------------------|------------------------------|---------------------------|------------------------|
| | Pretrial Services Program | Day Reporting Center | Deferred Prosecution Program | Pretrial Services Program | Drug Intensive Program |
| Program Administrators | 3 ² | 3 ² | 1 | 4 | 4 ² |
| Program Staff | 5 | 3 | 2 | 2 | 2 |
| Judges | 3 | 2 | 2 | 5 | 3 |
| Prosecutors | 2 | 1 | 3 | 3 | 1 |
| Defense Attorneys | 0 | 0 | 0 | 1 | 1 |
| Service Providers | N/A | 2 | 3 | N/A | 6 |
| Associated System Personnel | | | | | |
| • Law Enf. Office | 2 | 2 | 2 | 4 | 2 |
| • Court Services | 1 | 1 | 1 | 3 ³ | 3 |
| • Other | 1 | 1 | 1 | 7 | 7 |

¹ Six additional persons (one from Macon County and five from Peoria County) either directly or indirectly associated with one of the programs were interviewed (e.g., members of the County Board, Jail Management Task Force, and retired Judges). However, as these interviews did not follow the standard protocol and were historical in nature, the information gleaned was incorporated into the related narrative but not recorded in the above table.

² One program administrator also served as program staff; he/she is recorded in both categories

³ One court services interviewee also served as a program administrator; he/she is recorded in both categories.

During the first 11 months of the study, 45 interviews were conducted with policy makers involved in the formation of one or more of the five programs, program staff, and individuals who interact with the programs. In the second year of the evaluation, 26 of them were reinterviewed in order to gain their insights regarding program changes since their initial interview. Another 16 individuals were interviewed for the first time in the second year. Included in this group were new program staff or personnel from outside entities having contact with one or more of the programs.

Individual-level Program Data

Individual level program data were obtained from all programs with the exception of the DRC. Analysis of the individual level data also is presented in Chapter 3 within each program's individual section.

Deferred Prosecution

The Deferred Prosecution Program provided automated copies of 332 case files to the evaluation team. These files included dates of each participant's program interview, beginning of treatment, and termination. Also included were social demographics, offense level, and type and frequency of treatment contacts for each participant.

Further case analysis was performed on individuals accepted into the Deferred Prosecution Program during its first 12 months of operation (February 1995–January 1996). Criminal history checks were obtained from LEADS on 97 participants in May 1998. From these checks, the evaluation team recorded each participant's prior arrest history including the number and offense levels of arrests, and subsequent convictions, prior to the offense that led to participation in the Deferred Prosecution Program. Rearrest history also was collected from these record checks, including the number and dates of rearrests, rearrest charges³, and whether charges were filed and the individual was found guilty. However, the comprehensiveness of LEADS is limited because the arrest and dispositional information is available only if the arresting and prosecuting

³ Appendix B provides a table of offenses categorized by offense type—person, property, drug, driving, weapon, other, sex, and procedural. Although not included in the appendix, evaluation staff further coded each offense. For example, theft was coded "201". This same coding scheme was used for all programs when arrest charges or charges filed were known.

agencies report the information to the ISP for inclusion in the criminal history record information system. For example, the arrest that led to program participation was listed on only one-third of the individuals' record checks.

Pretrial Services Programs

The Macon County Pretrial Services Program provided names of individuals for whom bond reports were prepared (n=405), the date of the bond report, the bond court release decision (not released, released with pretrial services supervision, or released with no supervision), and the final date of pretrial supervision if applicable. This information was used to create a sample of individuals for whom jail and circuit clerk information was collected. This information is presented with the system impact discussion in Chapter 4. The Peoria County program presented a detailed supervision history for each individual released on supervision (n=9). The evaluation team asked for this information because information on the monthly data reports were inconsistent across reporting categories regarding the number of individuals released.

DIP

Individual level data were obtained for each probationer admitted into the DIP during the first 31 months of program operation. For each of these 68 probationers, the DIP officer provided the following information: social demographics, Peoria County Jail booking information, officer case file notes, identification of the instant offense and offense class, drug usage and treatment history information, and toxicology results. Information regarding these latter three items (i.e., drug usage history, prior treatment, and toxicology) came from each DIP probationer's TAG sheet. According to the *Policy and Procedures Manual*, this form was to be filled out for each DIP probationer upon

entrance into the program and serve to evaluate the process and impact of the DIP. Unfortunately many of these forms were not completed with the probationer's assistance and were filled out retrospectively from information contained within probation records. As such, concern surfaced with respect to the completeness and accuracy of that information. From the case file notes, the research team was able to identify the DIP entry and exit (if applicable) dates for each probationer, the number and type of any technical violation petitions filed with the court while they were in the DIP, and an identification of their exit status (i.e., successful or unsuccessful) and placement (e.g., to regular probation, to IDOC, etc.).

System Level Data

System level data were collected in both counties. In Macon County, a sample of the jail and circuit clerk data were manually collected, while in Peoria County the data were obtained in automated format. Analysis of these data is presented in Chapter 4.

Macon County

Because there is no countywide computer system in Macon County's court system, a sample of system level data was established and collected manually. Data collection was performed by only two researchers to maintain intercoder reliability.

Individuals for whom bond reports were provided by Pretrial officers were the population of interest. A request for information on those individuals for whom bond reports were prepared was made in January 1998. The list provided included approximately 3,600 individuals for whom bond reports were prepared between June 1995 and December 1997. Information on each arrestee included name, date of birth, date of pretrial interview, and release type. An individual's initial release from jail is

recorded in one of three ways: 1) not released—individuals held or given a cash bond⁴, 2) released with no supervision—individuals released on personal recognizance bonds, and 3) released with pretrial services supervision.

There were approximately 400 individuals released with pretrial services supervision. Therefore, random sample sizes of 400 individuals also were chosen from the other two release type groups. These sample sizes represented nearly 20 percent of the not released group and nearly 40 percent of the released with no supervision group. Cases with date problems or missing jail/circuit clerk files were deleted from the sample. As a result, the final total sample size was 1,134. The size of the not released group was 380 persons (33.5% of the entire sample), the released without supervision group was 383 persons (33.8%), and the pretrial services supervision group was 371 persons (32.7%).

Information was collected on individuals in all three groups from the Macon County Jail and the Circuit Clerk's Office during January and February 1998. Evaluation staff were provided access to a computer in the jail that contained all booking information. Information collected included the date of arrest that led to the bond report, length of jail stay, arrest charge, and all Macon County rearrest history through February 1998. The circuit clerk's office also provided a computer for staff to access public records. Due to the 1996 transition from paper to automated files, information for most 1995 cases was collected from the paper files. Using the arrest

⁴ Pretrial officers record individuals given a cash bond as not released, regardless of whether the individual is financially able to pay the bond and released from jail on the day of bond court or at a later date.

and bond report dates, staff attempted to locate the corresponding case file. When located, this file provided information on charges filed, date and type of disposition and sentence, and FTA information for the current case. Information was collected on all case activity occurring through February 1998. If attempts to locate the case were unsuccessful, it was assumed that charges were not filed in that instance.

After all jail and circuit clerk information had been collected from county offices, other evaluation staff returned to Macon County to conduct a validity check of the data collection. Approximately five percent of all cases in the sample were verified and determined to be valid.

Peoria County

The unit responsible for data processing in the Peoria County court system provided the evaluation team with jail and circuit clerk computer files. The Peoria County computer system is organized on the case level, which made data analysis at the individual level nearly impossible. The jail computer file was the simplest to analyze because it was formatted as one file, whereas the clerk's file was separated into several smaller files, each containing different court information. Requests for these data were first made in fall 1996. A data update was requested in early 1998; data were then complete through February 1998.

Jail information was collected from September 1994 through February 1998. The first 11 months of that period represent a pre-program implementation baseline period. The jail file contained information on all Peoria County Jail bookings during this time. Also detailed were social demographics, length of jail stay, arrest charge, and how the individual was released from jail.

Initially, the evaluation team requested eight circuit clerk files that contained social demographics, charge information, case disposition, sentence, financial information, FTA information, and bond information. In addition to the problem of the aggregate level formatting, the circuit clerk records do not specify which individuals the pretrial officers interviewed, investigated, or for whom bond reports were prepared. Without this information, any data analysis could not be linked to Pretrial Services Program impacts. Therefore, the only circuit clerk information reported is an overview of FTA information, as the reduction of FTAs is an objective of pretrial services programs. It was decided other circuit clerk information would not substantively add to the content of this report.

Two additional data collection methods employed included conducting site-visits and holding two administrative update meetings with program administrators and/or staff and representatives of the AOIC and ICJIA. Information regarding these efforts is disclosed below.

Site-Visits

On-site visits to programs were made in both counties. In Macon County, evaluation staff observed interviews with prospective Deferred Prosecution Program clients and treatment sessions, DRC classes, pretrial bond report interviews, and bond court. Similar observations also were made in Peoria County, including a ride-along with the DIP officer during client home/work visits.

Administrative Update Meetings

The CLES hosted two administrative update meetings in the spring of 1997 and 1998. On February 14, 1997, program and ICJIA administrators and evaluation staff

attended the first of these information-gathering sessions. This meeting served three purposes. First, those attending received an overview of progress to date and the remaining evaluation project schedule. Second, it provided an opportunity for evaluation staff to discuss data acquisition problems with the program representatives and review existing data, as well as to consider the best strategies for obtaining needed data. Third, evaluation staff were able to share their observations of program operations with the program representatives. This discussion helped facilitate realization of the ICJIA goal of guiding future refinement of the programs. After the plenary session, evaluation staff met with the individual program representatives for a more in-depth discussion of observations and recommendations.

Following this first administrative meeting, an interim report concentrating on the development and implementation of the five programs was issued in March 1997. The interim report reviewed program data through December 1996. Issues common to all, or most, of the programs were addressed in the report along with recommendations regarding the common issues and the individual programs.

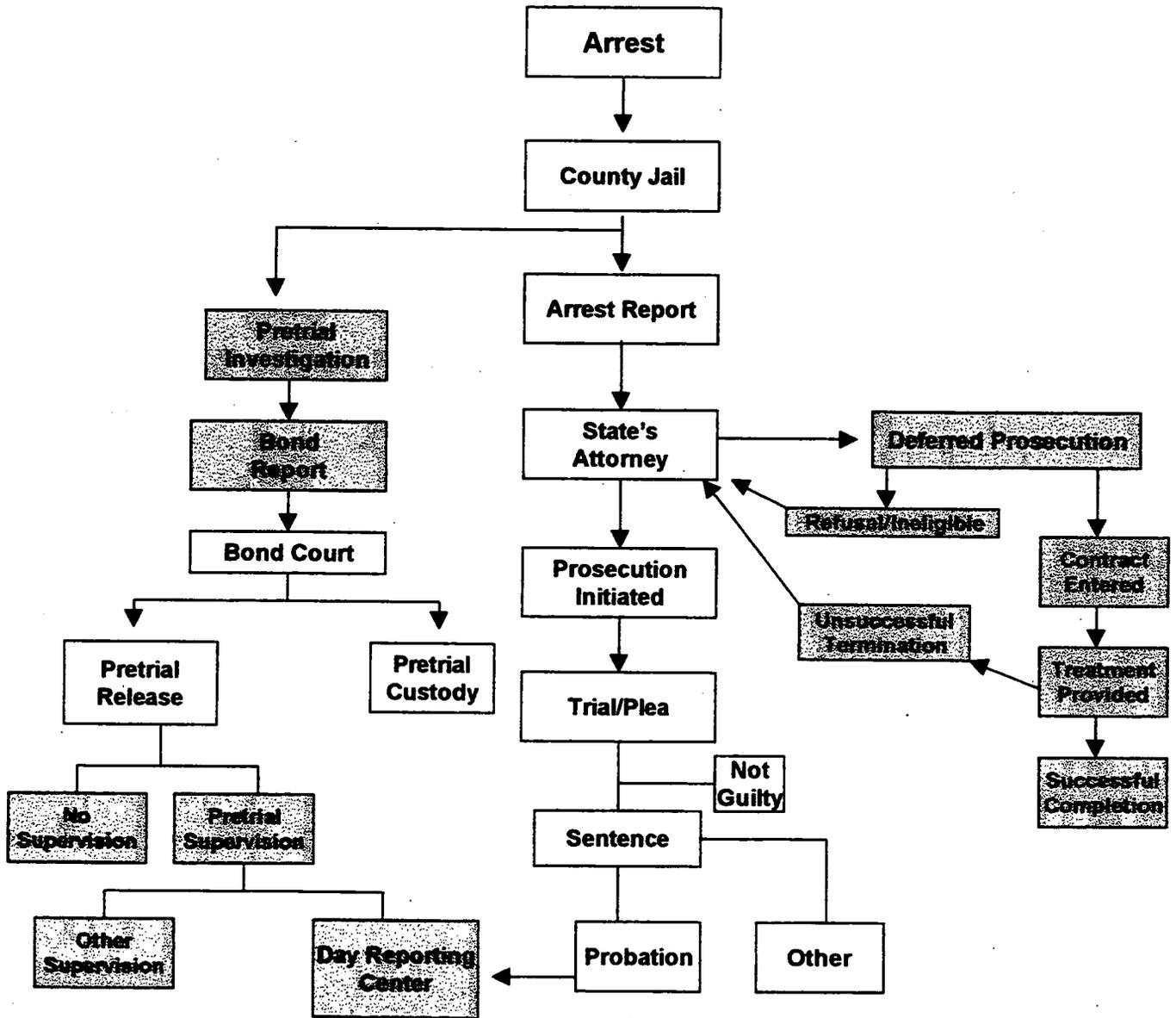
On March 19, 1998 the second administrative update meeting was held. Representatives of each of the five programs, the ICJIA, the AOIC, and the evaluation team attended this session. This meeting provided an opportunity to review program progress since the initial administrative meeting and the interim report. It also allowed evaluation staff to obtain feedback from the program representatives regarding initial interpretations of the data. Lastly, the meeting gave evaluation staff and program representatives the chance to work out remaining final data collection details.

CHAPTER 3: A REVIEW OF THE PROGRAMS

The five programs that are the focus of this evaluation are located within the continuum of either the Macon County or Peoria County criminal justice systems. Specifically, three of the initiatives, the Macon County Pretrial Services Program, the Peoria County Pretrial Services Program, and the Deferred Prosecution Program attempt to impact the system and offender early in the court process. By contrast, the Drug Intervention Program (DIP) focuses on post-adjudication offenders through a program targeted at a high-recidivism offender category—those with significant substance abuse problems. The fifth program, the Day Reporting Center (DRC), includes offenders from several points in the process: those referred directly from the court, those under pretrial supervision, and those on probation. The following charts illustrate the additional options the five programs brought to their respective court systems as well as the relative placement of each program in their overall criminal justice system.

The relational structure among the Macon County Court Services programs is provided in Figure 3.1. The Pretrial Services Program, through its pretrial investigations and subsequent bond reports, has provided the judiciary and the SAO with additional information for bond court hearings. This bond report information also is used by the Deferred Prosecution Program as an aid in determining program eligibility. Also, the existence of pretrial supervision provides the court with an additional option to pretrial incarceration and release without supervision. The DRC constitutes a supplemental means of pretrial supervision in addition to supervision by pretrial officers.

Figure 3.1: Macon County Probation and Court Services Flow Chart

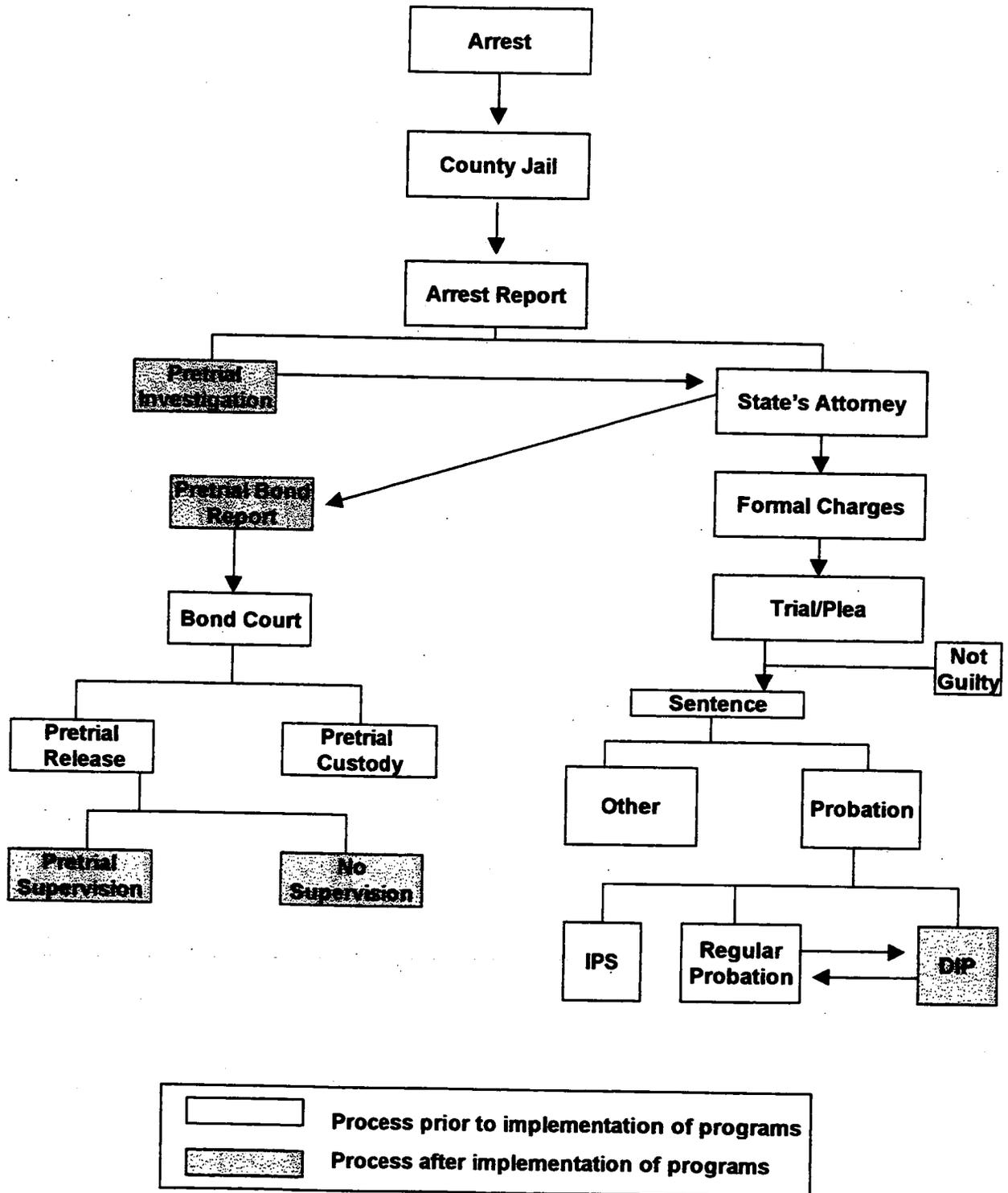


| | |
|--|---|
| | Process prior to implementation of programs |
| | Process after implementation of programs |

In Peoria County, an offender enters the criminal system upon arrest and detention in the county jail. As described later in this report, many offenders who are detained in jail are interviewed by a pretrial officer who then submits the findings of the interview and a records check to the SAO. A determination is made regarding an offender's potential for pretrial release. Those selected by the prosecutor to appear in bond court may be released to pretrial services supervision, released without supervision, or retained in jail. For detainees not selected for bond court and those denied pretrial release, formal prosecution proceeds as normal.

The relationships among Peoria County Court Services programs are presented in the Figure 3.2. Local court services provide three alternatives to incarceration, intensive probation services, standard probation supervision, and the DIP. The DIP provides supervision to a specialized caseload of offenders with substance abuse problems. Offenders may be ordered by the court to participate in the DIP, or they may be referred to the program from standard or intensive probation. Once an offender completes the DIP, he/she is either terminated from supervision, or returned to a traditional probation caseload.

Figure 3.2: Peoria County Probation and Court Services Flow Chart



The remainder of this chapter is devoted to a review of each of the five programs. Discussion includes a concise summary of prominent program characteristics; a review of operations, including program goals, program structure and staffing, and program implementation; an analysis of activities, including scope of services and program impacts; an identification of program strengths and weaknesses, including implementation, operation and data issues; and a discussion of program recommendations. The Macon County DRC is presented first, following by the Macon County Deferred Prosecution and the Macon Pretrial Services Program. Information regarding the Peoria County Pretrial Services Program and the Peoria County DIP complete this chapter.

Day Reporting Center (DRC)

- Location:** Macon County, Decatur, Illinois
- Start Date:** November 1996
- Purpose/Mission:** The DRC's main purpose is to provide services and supervision in a centralized community-based location. Criteria for referrals to the DRC are limited to specific offender populations, including adult felony level offenders charge/convicted of drug or violent offenses, offenders with substance abuse histories, and probationers with compliance problems. A target DRC candidate will have the highest risk of recidivism, require enhanced supervision, and need special services.
- Goal:**
- ▲ Reduce the number of commitments to the IDOC.
 - ▲ Reduce recidivism rates and technical violations.
 - ▲ Reduce the average number of days probationers spend in jail for violations.
 - ▲ Develop and centralize a comprehensive network of resources to address the needs of offenders.
- Program Budget:**
- Agreement 1: September 15, 1995 through September 30, 1996
#4272 \$79,317 Federal Anti-Drug Abuse Act funds
\$26,439 Matching county funds
Total Funding: \$105,756
- Agreement 2: October 11, 1996 through present
#4562 \$79,317 Federal Anti-Drug Abuse Act funds
\$26,439 Matching county funds
Total Funding: \$105,756
- Staff:** A program coordinator, a DRC officer, and one support staff member
- Contact:** Colleen Boyle (217) 425-6551
- Scope of Services:** Seven primary services are offered.
- Substance abuse counseling (offered 12/96 to present; counseling conducted during 12 of those months)
- 410 assessments, 199 participated (35% of grant referrals)
 - an average of 68 individuals per month received counseling

- 129 completed counseling; began reporting data in 8/97 that indicate 82 completed counseling; 35 percent were noted as successful

Drug testing (445 drug tests administered)

- 333 (75%) tests administered to adult probationers
- 24 (10%) tests administered to juvenile probationers
- 17 (4%) tests administered to pretrial supervision clients
- 71 (16%) tests administered to IPS offenders

Life skills training (offered from 12/96 to 8/97; classes conducted during seven of those months)

- 23 assessments, 23 participated (4% of grant referrals)
- an average of 9 individuals per month received training
- 15 completed life skills training; 93 percent were noted as successful

Employment skills training (offered from 12/97 to present; classes conducted during all months)

- 49 participated (9% of grant referrals)
- an average of 9 individuals per month received training
- 48 individuals completed training; 39 offenders (62%) reported as successful

GED/ABE (offered 12/97 to present; classes conducted during all months)

- 106 participated (19% of all grant referrals)
- an average of 27 individuals per month took classes
- 43 completed GED/ABE; data reported on 40 individuals indicated 13 percent were successful, 73 percent unsuccessful, and 15 percent completed GED by other method

Parenting class (offered 9/97 to present; classes conducted during three of those months)

- 10 participated (2% of all grant referrals)
- an average of 5 individuals per month took class
- 6 completed class; 83 percent noted as successful

Anger management class (offered 10/97 to present; classes conducted during all months)

- 21 participated (4% of all grant referrals)
- an average of 9 individuals per month took class
- 11 completed class; 82 percent noted as successful

**Summary of
Evaluation
Activities:**

During the evaluation period, program documentation was collected from DRC staff and the ICJIA. Relevant documentation included grant applications, RFPs for service providers, the draft policy and procedure manual, monthly data reports, and correspondence between the ICJIA and Macon County administrators involved with the DRC. Interviews were conducted with 14 DRC personnel and service providers. Because some individuals were interviewed two or more times, the total number of interviews was 22. In addition site-visits were conducted to observe the daily milieu. To assist with charting the program's growth and success, the monthly data report was revised.

Program Impacts:

From inception through February 1998, the DRC received 703 referrals. Based on data reporting begun in February 1997, slightly less than 20 percent (n=136) were non-grant referrals, while the majority, 81 percent (n=567), were grant referrals. The grant referrals originated from the following referral sources:

- 72.0 percent from adult probation (n=408)
- 19.0 percent from the Pretrial Services Program (n=109)
- 6.0 percent from juvenile probation (n=28)
- 3.0 percent from IPS (n=17)
- 0.7 percent directly from court (n=4)
- 0.1 percent from administrative actions (n=1)

These sources provided 19 to 57 monthly referrals, with an average of 38 per month.

Violations included both rearrests and technical violations:

- 68 rearrests (may include individuals arrested more than once)
- 42 technical violations (almost 10% received jail time for the commission of a technical violation)

288 clients were discharged from the DRC:

- 21% successful
- 58% unsuccessful:
 - 23% failure to attend initial assessment
 - 63% non-compliance with DRC
 - 9% revoked
 - 5% jail/DOC
- 21% other discharge

Program Issues:

- ▲ Lack of clarity in the DRC's mission and goals results in a lack of program direction and appropriate targeting of referrals' needs.
- ▲ High staff turnover and chronic understaffing coupled with two physical office moves has resulted in program instability.
- ▲ Although the program receives information from Macon County Probation and Court Services, which uses the "Wisconsin model" of assessment, the DRC has never implemented an appropriate client assessment instrument.
- ▲ The DRC needs to implement a client data collection form that will permit better identification of client characteristics impacting successful treatment.

Anticipated Developments:

- ▲ Under an agency wide reorganization, the DRC will be placed in the Services Unit and ultimately gain two additional officers.
- ▲ The DRC will be relocating to a more suitable office location.

Recommendations:

- ▲ The DRC needs to reexamine its mission and consider a philosophic-therapeutic orientation that will anchor its programs.
- ▲ Goals also need to be reexamined, as they should be meaningful, realistic, and attainable.
- ▲ The DRC should collect data on the individual case level.
- ▲ A reliable assessment instrument, which can identify client problems and needs should be developed and/or adopted.
- ▲ Issues affecting staff turnover should be identified and addressed.

DAY REPORTING CENTER

The DRC was established after a 1993 report from the Illinois Task Force on Crime and Corrections determined Macon County needed community-based options beyond those offered by existing probation and other court services. The DRC is one component in Macon County's threefold effort to reduce the jail population, decrease the number of Macon County offenders committed to the IDOC, and provide educational and therapeutic services for a rapidly increasing number of drug-related offenders. Operating as a separate unit, the DRC was designed to be an integral part of Macon County Probation and Court Services. The purpose of the DRC was to provide accountability for both pretrial and dispositional adult offenders residing in the community, while also furnishing needed program services such as GED/ABE classes and substance abuse and mental health counseling.

PROGRAM OPERATIONS

The DRC program initially was intended to start on September 15, 1995, (Agreement #4272), with \$79,317 in grant funds from the Federal Anti-Drug Abuse Act distributed by the ICJIA. This amount was augmented with \$26,439 in local funds, providing \$105,756 in total funds available for the program. Due to a very slow startup, an amendment of the initial contract was filed on February 26, 1996 carrying the project to September 30, 1996. On October 1, 1996 a second contract agreement (#4562) was established to provide a similar amount of funding for another year. The program officially became operational in November 1996, but did not receive its first client until the following month.

Program Goals

The DRC was conceived with an extensive list of goals. Of primary importance was the county's desire to reduce the number of pretrial detainees being held in the local jail, and to lessen the number of commitments from Macon County to the IDOC. The concept of a DRC appeared to be a viable and promising alternative to incarceration, while offering selected offenders increased supervision, as well as a variety of centralized services located in the community.

For sentenced offenders being supervised by court services, the DRC was to serve as a daily check-in setting where services could be received and/or a client could simply be monitored. By providing consistent daily contact with clients, the DRC staff hoped to reduce the number of technical violations by becoming aware of the factors triggering socially unacceptable and illegal behavior, and then neutralizing them with appropriate interventions. Specific goals, sub-goals and objectives (hereafter "goal areas") included in the original program proposal are as follows:

1. Reduce the number of commitments to the Department of Corrections from Macon County;

Sub-goal: Establish an additional alternative custody option for the court to consider when sentencing violent/drug offenders in Macon County.

Objective: The program will be used as a sanction by the court/probation for 50 adult probationers.

2. Reduce the number of new criminal offenses committed by defendants under the supervision of the Probation and Court Services Department;

Sub-goal: Establish an assessment and supervision strategy, which will identify successfully and address those factors that cause or contribute to criminal behavior.

Objective: The recidivism rate (new arrests) of adult felony probationers who receive DRC services will be reduced by 10 percent from baseline data established for the preceding year.

3. Reduce the number of technical violations committed by defendants under the supervision of the Probation and Court Services Department;

Sub-goal: Establish a supervision strategy that successfully will identify and address those factors that lead to non-complaint behavior.

Objective: The number of technical violations of adult felony probationers who receive DRC services will be reduced by 15 percent from baseline data established for the preceding year.

4. Reduce the aggregate number of jail days served by probationers as the result of probation violations/sanctions;

Sub-goal: Establish an additional alternative to custody for the court to consider when sentencing probation violators.

Objective: The number of jail days served by adult felony probationers who receive DRC services as the result of technical violations will be reduced by 15 percent from baseline data established for the preceding year.

5. Increase the ability of Macon County Court Services to successfully assess the causes of volatile behavior;

Sub-goals: Research and identify assessment instruments which accurately identify the causes of criminal and non-complaint behavior. Implement a standard assessment process for target population.

Objective: By February 1, 1996, a standard assessment process measuring factors which contribute to or increase the likelihood of criminal and non-compliant behavior and identifies treatment strategies will be in operation for adult probationers assigned to the DRC.

6. Increase the ability of Probation and Court Services to accurately match causes of volatile behavior with appropriate treatment services; and,

Sub-goals: Identify available treatment services for each identified defendant need. Increase the knowledge of Probation and Court Services staff of the available resources/treatment providers and the type of services/program offered by each.

Objective: By March 1, 1996, project staff will provide a training program for probation officers, including a resource manual, regarding the availability and proper utilization of resources/treatment providers and programs

7. Increase and centralize services delivered to target offenders.

Sub-goals: Recruit and maintain a service delivery system for target offenders. Establish interagency agreements. Locate and secure physical resources necessary to establish a centralized service center (Initial draft of Macon County Day Reporting application to the ICJIA).

Objectives: The program will increase the number of agencies/programs providing services to adult probationers who receive Day Reporting services in Macon County by 25 percent. The program will have written interagency agreements and/or contracts for services with 50 percent of the agencies who provide services to adult probationers referred to the Day Reporting program (Agreement #4272, Exhibit A, p. A3, A4).

In the second agreement (#4562: October 1, 1996 through September 30, 1997) the DRC's goals were stated more generically: ". . . to provide offenders with on-site services that will increase their ability to function in an independent and socially acceptable manner. The Day Reporting Center will provide assessment, treatment, and evaluation to the offenders" (Agreement 4562, Exhibit A, p. A3).

Because the DRC had not accepted clients in the first year, the first four program goal areas (listed above) were repeated in the second year agreement. The fifth goal area of the first year, which involved having a standard assessment process operational, was moved back to October 7, 1996. It is noted, however, that Agreement

4562 did not become effective until October 1, 1996, thus it was unrealistic to assume an assessment process would be in place by that date.

Further, in the second agreement period, the sixth goal area (to accurately match causes of volatile behavior with appropriate treatment services through officer training involving available resources) was dropped. Although increasing the number of agencies providing services to DRC probationers by 25 percent (goal area seven) was retained, it was unclear whether this goal meant an *additional 25 percent* beyond that established for the first grant period, or if it merely repeated the *25 percent* goal which was never achieved in the first contract period. Similarly, within that goal area, the objective of to “have written interagency agreements and/or contracts for services with 50 percent of the agencies who provide services to adult probationers referred to the Day Reporting Program”, was increased in the second agreement period to “having agreements/contracts with 100 percent of the agencies who provided services” (Agreement #4562, Exhibit A, p. A3).

Program Structure and Staffing

The DRC was staffed with a program coordinator, a DRC officer, and one clerical staff member. The program coordinator was involved in program development by securing contracts with service providers, informing the public about the program, and overseeing the DRC’s daily operations. The DRC officer scheduled services for clients, monitored clients whereabouts, and served as a liaison with affiliated agencies in the community, as well as other court services units. The clerical staff member played a key role in receiving clients, coordinating activities and schedules, monitoring client participation and compliance, and keeping progress records current in the database.

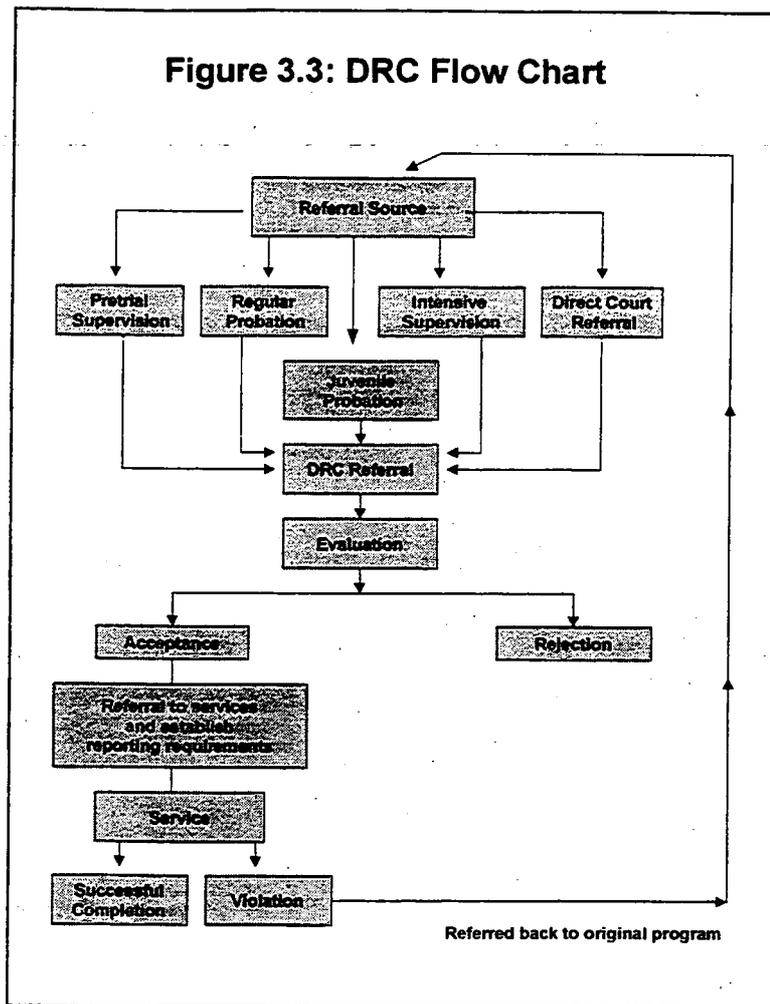
Referral Process

Referrals to the DRC came from four sources: the court, the Pretrial Services Program, standard probation, and intensive probation. Although a referral packet of forms was prepared, no formal assessment instrument existed to assist in defining appropriate clients. Thus, the program coordinator made the final decision to accept or deny a referral; however, interviews indicate that no referral was denied DRC programming.

The actual referral mechanisms differed depending on which of the four referral sources was involved (see Figure 3.3):

- ***Pretrial supervision clients:*** Utilizing the information from the jail interview, the daily log in the jail, and/or a criminal history check, a pretrial officer may refer a client to the DRC through the bond report or by direct referral over the telephone.
- ***Standard probation:*** Referrals may be made by probation officers resulting from the presentence investigation report, or by a risk/needs assessment instrument. If, after reviewing the client's needs, the probation officer determined the DRC could provide services of benefit to the client, the officer completed a referral form containing basic information about the offender including contact, offense, legal status, reason for referral, and the name of the referring office. Referrals also may come during the course of supervision either by referring the probationer to the DRC as a consequence of revocation or as part of an administrative sanction.
- ***Intensive Probation Supervision (IPS):*** Referrals can be made by intensive probation supervisors in the same manner used for referral of offenders on standard probation supervision.
- ***Court Referral:*** Sentencing judges may refer an offender to the DRC as part of the dispositional order. In addition, the judge may ask the DRC to supervise a pretrial defendant, or any other client he or she perceives to be in need of increased monitoring.

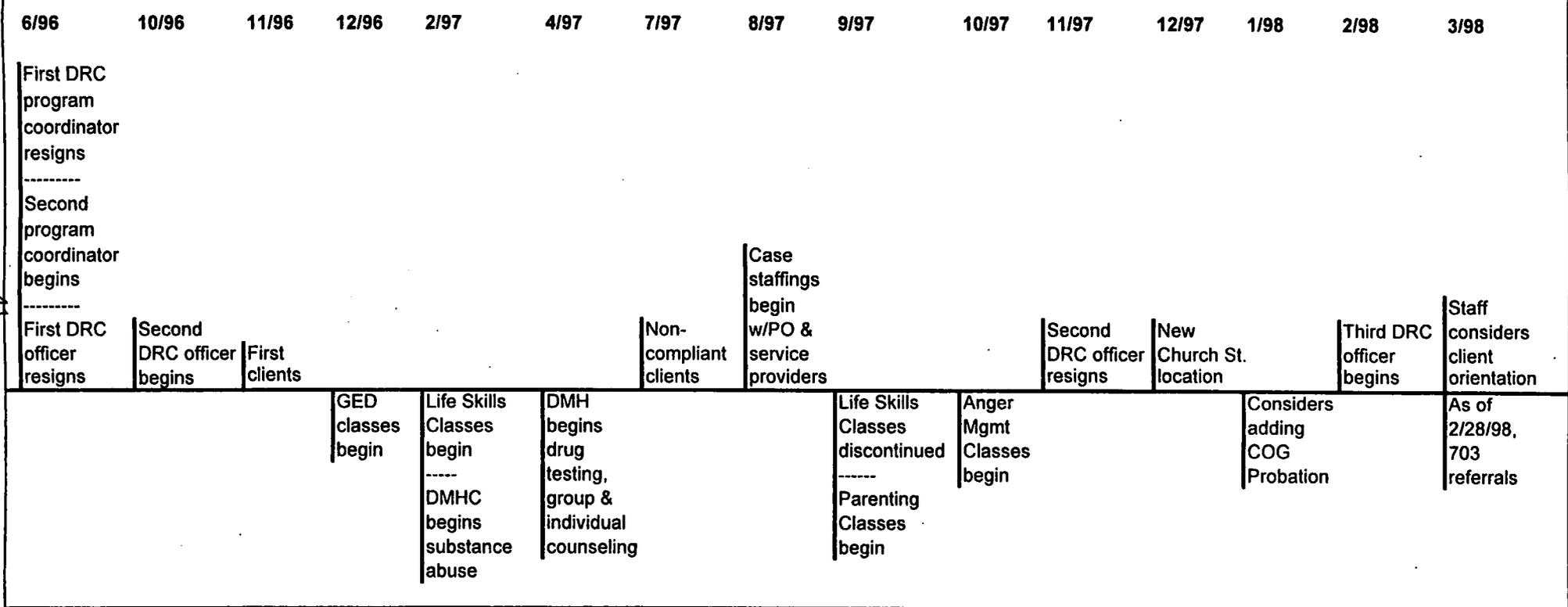
Figure 3.3: DRC Flow Chart



Program Implementation

To say the implementation process for the DRC was problematic is an understatement. Program documentation and interviews conducted by the research team indicate considerable implementation delays were created by staff turnover, problems in developing contracts with service providers, establishing the DRC facilities, and developing formalized procedures. Figure 3.4 provides an overview of some of the major events occurring during the implementation of the DRC.

Figure 3.4: DRC - Major Programmatic Milestones



Note: Third DRC officer resigns 4/98; Fourth DRC officer begins 5/98

Although implementation was slowed due to the contracting processes, resources were not perceived as a problem. A computer lab with new computers, a van, and a trailer (for the Community Service Unit) were reportedly all purchased with grant money. In addition, all three DRC staff positions were grant funded.

The DRC's first program coordinator was hired approximately four and one-half months after the program officially was inaugurated. After visits to several day reporting centers, including those in Chicago, Boston, Springfield (Massachusetts), and Bridgeport and Hartford (Connecticut), and attending a national TASC conference and a DASA conference both in Chicago, this individual resigned after four months on the job. Other than travel and site visitations, it appeared little else was accomplished during that time. The present program coordinator was promoted from within Macon County Probation and Court Services on June 1, 1996.

At about the same time as the change in the program coordinator position, the first DRC officer left the program to take a promotion within the Macon County system. Since then, a second and third DRC officer have come and gone and will be replaced by a fourth. This turnover in personnel, coupled with two moves in the DRC's physical location has created continuity problems which may, in part, account for some of the delays in the implementation of various intended client services.

Two additional organizational changes are worth noting regarding the implementation of the DRC during the evaluation period. In August 1997, the DRC was placed under the direct supervision of the deputy director of Macon County Probation and Court Services. Before this date, the DRC program coordinator had reported directly to the agency's director. Second, Macon County Probation and Court Services

is currently undergoing a reorganization that is to become effective June 1998. This reorganization will divide the agency into three primary units: Investigations, Supervision, and Services. The DRC is scheduled to be located within the Services Unit.

PROGRAM ACTIVITIES

Scope of Services

Clients eligible for participation in the DRC program are those who have been ordered by the court to participate in pretrial supervision, as well as felony level offenders convicted and sentenced to either standard or intensive probation. Eligible participants from these programs may be selected because of a history of substance abuse, an identified risk for reoffending, a need for daily supervision, or because they require special services such as education, job skills training, or counseling.

The DRC was structured to provide both supervision and program opportunities for its clients in the following areas:

- completing community service work hours;
- receiving job training and assistance with application & interview processes;
- obtaining life skills education;
- GED preparation and testing;
- receiving ABE certification;
- engaging in individual & group therapy; and,
- receiving chemical dependency screening & counseling.

Although the DRC staff provided some services directly to clients, the majority of programs were provided through contracted vendors. In July 1996 the DRC issued a *Request for Proposals* seeking the provision of services in five areas: 1) substance abuse assessment, treatment (counseling) and evaluation, 2) drug testing, 3) literacy, basic skills/GED instruction, 4) vocational training and job placement, and 5) life skills education. Subsequently, contracts were established with the Decatur Mental Health/Jeffrey Geoghegan Recovery Center (DMHC) to supply the substance abuse treatment, drug testing and some mental health services and the Macon/Piatt Regional Office of Education for provision of the education component. Employment skills were to be provided by DRC staff with the assistance of the Macon County JPTA office, and the local Illinois State Employment Service.

In addition, Macon County contracted with a private national provider, Western Judicial, Incorporated, to implement the life skills education classes. These classes were cancelled in early August 1997, because the agency did not believe Western Judicial was meeting the DRC's scheduling needs, and was not providing an acceptable trainer or responding to the agency's concerns. At the conclusion of this evaluation, the agency was renegotiating with Western Judicial for some of the instruments developed by the company, although Macon County will likely provide the classes. After termination of the life skills classes in August 1997, the DRC added parenting classes the following month. Anger management classes provided by the DMHC were added in October 1997.

DRC Client Population

Monthly data reports indicate that since the DRC's official starting date in November 1996, the program has received 703 referrals from all sources. The evaluation project's interim report in March 1997 suggested that referral information be described in greater detail, including the number of grant and non-grant referrals.⁵ Therefore, the program began providing greater data enumeration beginning in April 1997. Based upon this data, approximately 81 percent (n=576) of the referrals appear to have been grant related, while about 20 percent (n=136) were non-grant related. Standard probation referrals comprised about 58 percent of the total referrals and about 72 percent of the grant related participants. On average, the DRC handled between 27 and 28 probation referrals per month. The other major referral source was the Pretrial Services Program, which comprised roughly 16 percent of the total referrals, and about 19 percent of the grant related referrals, an average of seven or eight individuals per month. Thus, it would appear that the DRC was reaching its primary target population of probation and pretrial clients, as nearly 91 percent of all grant referrals were from these groups.

Additionally, 134 offenders or about 24 percent of grant related referrals were placed at the DRC as part of an administrative sanction. Within this group, 115 came from adult probation, six were juvenile offenders, and 13 were placed in the DRC from IPS as an administrative sanction. Thus for about nine offenders per month, DRC provided an added sanctioning dimension not previously available. An offender profile

⁵ Non-grant referrals are identified as those individuals who do not meet the grant criteria for participants, such as individuals whose current offense is neither violent nor drug related. Grant referrals are designated as those individuals meeting grant criteria.

of those identified as grant related referrals suggests that about 52 percent of DRC's client population was Caucasian, while about 42 percent were African-American. Slightly more than one-third were 21 years old or younger, and about three-fourths (77%) were males.

With regard to offense characteristics, slightly more than one-fourth (26%) had committed drug offenses and 21 percent were involved in violent crime. About 80 percent were felony referrals and 17 percent were misdemeanants. Additional client information is displayed in Table 3.1.

Table 3.1: DRC—Characteristics of Program Referrals

| | # of Reporting Months | Monthly Average | N | % |
|-----------------------------|-----------------------|-----------------|------------------------|-------------------------|
| REFERRAL SOURCE | | | | |
| • Non-grant ¹ | 11 | 12.4 | 136 | 19.3 |
| • Adult Probation | 15 | 27.2 | 408 | 58.0 |
| • Juvenile | 11 | 2.6 | 28 | 4.0 |
| • Pretrial Services Program | 15 | 7.3 | 109 | 15.5 |
| • IPS | 15 | 1.1 | 17 | 2.4 |
| • Court | 15 | 0.2 | 4 | 0.6 |
| • Administrative | 3 | 0.3 | 1 | 0.0 |
| TOTAL | N/A | 46.9 | 703 | 99.8² |
| RACE/ETHNICITY | | | | |
| • African-American | 14 | 17.0 | 238 | 44.3 |
| • Caucasian | 14 | 21.0 | 294 | 54.7 |
| • Other ³ | 14 | 0.4 | 5 | 0.9 |
| TOTAL | N/A | N/A | 537⁴ | 99.9² |
| AGE | | | | |
| • 16–21 | 15 | 12.8 | 192 | 33.9 |
| • 22–30 | 15 | 10.0 | 151 | 26.6 |
| • 31–40 | 15 | 10.3 | 155 | 27.3 |
| • 41–50 | 15 | 4.1 | 61 | 10.8 |
| • 50 or older | 15 | 0.5 | 8 | 1.4 |
| TOTAL | N/A | N/A | 567 | 100.0 |
| GENDER | | | | |
| • Female | 15 | 8.5 | 128 | 22.6 |
| • Male | 15 | 29.3 | 439 | 77.4 |
| TOTAL | N/A | N/A | 567 | 100.0 |
| OFFENSE LEVEL | | | | |
| • Felony | 15 | 30.4 | 456 | 80.4 |
| • Misdemeanor | 15 | 6.3 | 94 | 16.6 |
| • Other | 12 | 1.4 | 17 | 3.0 |
| TOTAL | N/A | N/A | 567 | 100.0 |
| OFFENSE TYPE | | | | |
| • Drug | 12 | 12.3 | 147 | 25.9 |
| • Violent | 12 | 9.9 | 119 | 20.9 |
| • Other—Not Reported | 12 | 25.7 | 301 | 53.2 |
| TOTAL | N/A | N/A | 567 | 100.0 |

¹ Only the number of non-grant referrals, not their characteristics, are included in this table.

² Totals over or under 100.0% are due to rounding.

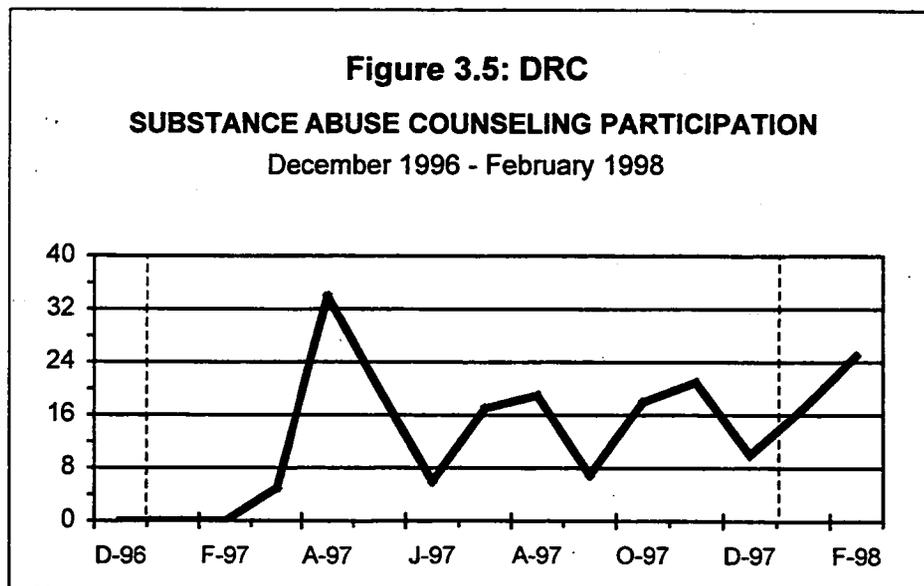
³ Races in the other category included Hispanic, Native American, and nonspecified ones.

⁴ Data on 30 individuals were missing.

Program Participation

As previously discussed, the DRC provided six therapeutic programs, in addition to drug testing, over the course of its existence. In the following sections, client participation and outcome in each of these programs is reviewed along with client outcomes.

Substance abuse. In April 1997, the DMHC began providing substance abuse assessments and counseling programs. Treatment included group and individual outpatient counseling as well as detoxification and residential treatment at the Geoghegan Recovery Center. During 15 months for which data were available, the DMHC provided substance abuse assessments on 410 individuals, 72 percent of the grant referral population. Nearly 200 individuals (approximately 49% of all assessments) subsequently received substance abuse counseling. Figure 3.5 shows the number of individuals who received treatment services during the 15-month period. After having about 34 individuals involved in the first month of operation, the number of DRC clients joining in substance abuse counseling each month ranged from five to 25.



Of the 199 individuals involved in substance abuse counseling, 129 completed counseling. In August 1997, the DRC began reporting the number who completed successfully or unsuccessfully. Based on the 102 individuals who completed the substance abuse treatment program after that time, about 28 percent of the clients successfully completed substance abuse treatment, whereas almost twice that number (52 percent) completed the program but were unsuccessful.

Drug testing. Although not a treatment program, a urinalysis testing program also was established by the DRC as a mechanism for monitoring clients with identified substance abuse problems. Like the substance abuse counseling program, the urinalysis testing was provided through a contractual arrangement with the DMHC. During the 15-month data collection period, 445 drug tests were performed on DRC referrals. Of this number, approximately 75 percent were conducted on standard adult probationers, with another 16 percent were conducted on offenders receiving intensive probation services. Slightly more than five percent (5.4%) were conducted on the juvenile probation referrals and nearly four percent (3.8%) were performed with the Pretrial Services Program referrals.

Unfortunately, the monthly reporting data forms developed by the DRC provide little insight into the impact of the urinalysis program. The reporting form records the number of tests, but provides no information as to the results of the drug screens or the consequences of "dirty" urine results. Evaluation staff worked with DRC staff to improve the format of the DRC monthly data report (see Appendix C for a copy of the revised form). Important information currently absent from the original form, such as drug testing results, was incorporated in the revised report. However, DRC staff has yet to

begin using the revised form. Consequently, the research team was unable to determine the level of sanctions or violations prompted by detected drug use while in the DRC program.

Education and employment skills. The first programs operational with the DRC were the educational (GED/ABE) and employment skills programs. A contract was established with the Macon/Piatt Regional Office of Education for provision of the GED/ABE education components. Beginning in December 1996, 16 individuals were involved in the GED/ABE classes, and in January another 23 enrolled in classes. After that time, the GED/ABE enrollments dropped significantly, averaging less than ten new participants a month. In the 14 months of the program for which data were reported, 106 offenders completed the GED/ABE program (see Figure 3.6). As with some of the other program reporting areas, DRC staff began reporting successful and unsuccessful program completions beginning in April 1997. From that date forward five individuals successfully completed the program, 29 did not, and six completed GEDs by other mechanisms, such as returning to school or enrolling in GED programs elsewhere. A large proportion of those unsuccessfully terminated were removed from classes for no or poor attendance. Overall, the DRC's education effort might best be characterized as moderately successful with less than 20 percent of grant referrals participating in education classes.

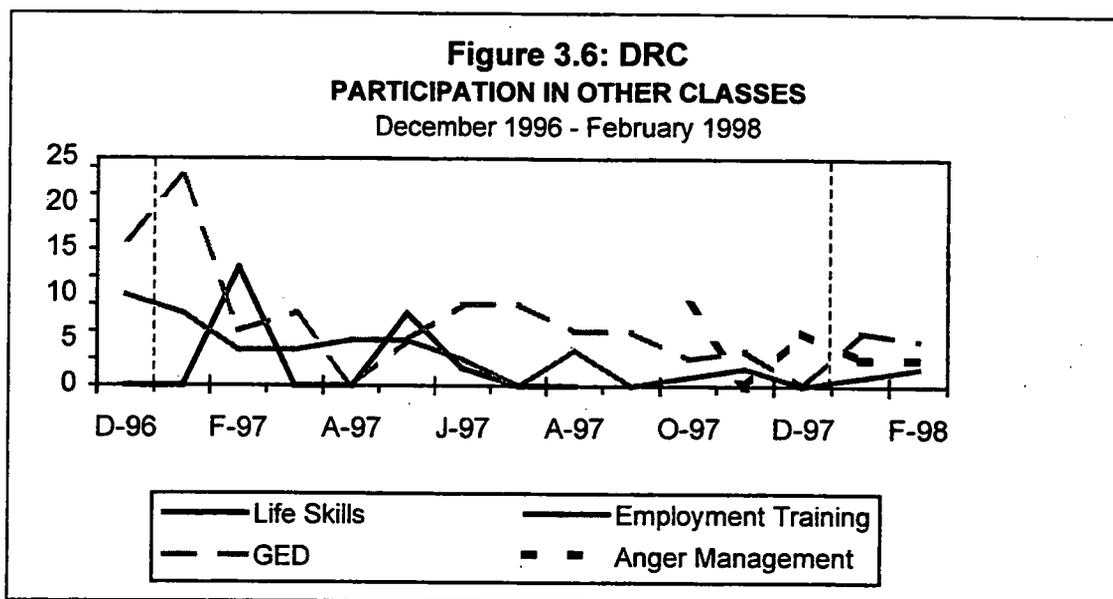
Employment skills training outcomes mirror those of the education classes, only on a lesser scale. The employment skills training began with 10 participants in December 1996, with eight more additions in January 1997. During the remaining 13

months of program operation, five or fewer individuals joined the employment skills training each month. In all, 49 referrals participated in this training.

Life skills. Life skills classes were offered through a contract with a private vendor, Life Skills Foundation, Inc. Although headquartered in Florida, this organization contracted the services of a local individual to provide classes. The contract with Life Skills, Inc. provided for both assessment and treatment in areas presumably linked to "life skills." The life skills program operated for seven of the 15 months of DRC data collection (see Figure 3.6). During this time, 23 individuals were assessed and participated in these classes. Thirteen individuals were involved in classes in February 1997. There were no new additions in March or April 1997, but eight individuals started classes in May. Two referrals began in June, but no other new participants were noted until the program was cancelled in August 1997. The contracted per person cost for the program was \$175.

Parenting and anger management classes. Partially as a response to the cancellation of the life skills classes, and partially as a response to the staff's identification of client needs, two new programs were initiated in the latter portion of the evaluation (see Figure 3.6). Parenting skills sessions began in September 1997. Six individuals enrolled in this class in September and October, and have completed the program. Of these six, five were successful completions and one was unsuccessful. Five additional clients started the program in January 1998, and were still enrolled as the data collection ended.

Anger management classes were initiated a month after the parenting classes, and 21 individuals have participated in this program. At the conclusion of data collection, eleven individuals had completed the program, nine successfully and two unsuccessfully.



Overall, the programs have had poor levels of participation given the rather sizeable numbers of clients in the eligible pool. As Figure 3.6 shows, after an initial burst of activity, most of the programs have struggled to continue. This may be due, in part, to the lack of adequate staffing to organize and monitor participation.

Program Impacts

Definitive analyses of program outcomes are difficult because data collected by the DRC are at the aggregate rather than the individual level. In essence, this precludes any comparison of offender characteristics (e.g., age, gender, race, type of crime), referral source (e.g., court order, pretrial program, adult probation), or referral purpose (e.g., monitoring, education, substance abuse treatment) with program

impacts, such as successful program completion, violations, or rearrests. Keeping this caveat in mind, a more general analysis of impacts permitted by the data is presented below.

Overall, the DRC's operational success appears mixed. An objective to have the DRC used as a sanction by the court or probation for 50 adult probationers certainly was met. Over 400 adult probationers were involved in the DRC program during the evaluation period, and of this group, 115 were referred as an administrative sanction from standard adult probation. Additionally, 13 offenders were referred as an administrative sanction from IPS. While lack of knowledge of the reasons for referral of these individuals or their subsequent criminal behavior precludes any authoritative conclusions regarding their being channeled away from the IDOC or Macon County Jail sanctions, little doubt exists that at least a portion may have been incarcerated if the DRC had not been available as an alternative sanction. Unfortunately, the monthly data reported on DRC discharges for jail/IDOC were not maintained after April 1997. It is known that 68 of the grant referrals (12 percent) were rearrested. Further, 42 (approximately 7 percent) committed technical violations and four (less than one percent) were jailed on these violations. Internal sanctioning of clients established by DRC staff as a mechanism to bolster program participation also likely served to retain participants in the program, thus reducing technical violations of their DRC status. Progress reports in August 1997, for example, noted that GED class attendance was up 20 percent as a result of a structured notification and sanctioning of those failing to make class.

To date, there have been 248 grant referrals discharged from the DRC. Of those discharged, 21 percent were categorized as successful, and 58 percent as unsuccessful. Another 21 percent were identified as an "other" discharge—meaning that services were continued elsewhere or were no longer needed. Of the 58 percent unsuccessfully terminated from the DRC, 63 percent were due to non-compliance, 23 percent were due to failure to make an initial assessment appointment, 9 percent were revoked, and 5 percent returned to jail.

PROGRAM STRENGTHS AND WEAKNESSES

Implementation Issues

The DRC has been plagued with implementation problems in three areas: goal ambiguity, high staff turnover and a failure to identify the target client population and its needs. Each of these issues is briefly described below.

The goals specified for the DRC appear very ambiguous and fail to have established appropriate measurable objectives (outcomes). Further, in those instances where measurable outcomes did exist, the Macon County Probation and Court Services Department did not collect the necessary information to address the DRC's success or failure in achieving the identified objectives.

To illustrate, the second year's goal statement was ". . . to provide offenders with on-site services that will increase their ability to function in an independent and socially acceptable manner. The Day Reporting Center will provide assessment, treatment, and evaluation to the offenders" (Agreement #4562, Exhibit A, p. A3). A review of this goal suggests the program will be for *all* offenders, and that the DRC will provide *all* types of treatment for this conglomerate of offenders. Moreover, the terms *independent and*

socially acceptable manner are extremely difficult to define. The vagueness of such goals created, in part, the lack of program direction seen in the DRC. In essence, it created an environment where the program attempted to be "all things to all people." Further, even if the DRC possessed the resources and expertise to attempt to achieve such a goal, the establishment of measurable objectives for its implementation would be impossible in practical terms. The ambiguity of the DRC's goals was reflected in its program structure and daily operations. Essentially, the program elements, such as anger management, were developed in a *post hoc* fashion after staff realized this was a common offender need for which services should be available.

Second, staff turnover on this project has been extremely destabilizing. During its brief lifespan, the DRC had two directors (program coordinators) and four DRC officers, one of whom never actually started after being offered the position. The first DRC supervisor left the program after only four months. The second and current supervisor has been with the program since, but frequently has been left not only to handle the administrative functions but also to facilitate the treatment programs and handle client monitoring as well.

Compounding the staffing turnover issues were the problems associated with two physical relocations of the program to date (a third relocation is planned for June 1998). The evaluators twice raised staff safety issues given the fact that the physical space of the DRC isolates the few staff from other assistance in the case of an emergency.

Third, the client selection processes gave staff little control over its referral population. Early in the program's operation, clients "just showed up" according to one staff member interviewed. Confusion existed about meeting the target population

specified in the ICJIA grant. Gradually, better communication and more complete referral forms improved linkages between the DRC and the probation supervisors. However, a planned client assessment instrument, stipulated as a program goal, was never developed.

Data Issues

As part of the evaluation project mandate, the research team was asked to provide comments to the programs on issues and problems encountered during the evaluation process. Early on in the DRC's development, it became apparent to the researchers that data collected on DRC participants were not adequate to determine whether program goals and objectives had been reached. Moreover, as the information was not collected on individual client characteristics, the relationship between client needs and treatment services provided could not be determined. For example, the "reason for referral" was not recorded for clients from different referral sources, nor was program participation or outcome information identified for different referral groups. In the spring of 1997, the research team developed a prototype data collection form (see Appendix C) that addressed the shortcomings of the DRC's existing data collection instrument. This form was sent to the program coordinator for review and some of the revisions were implemented. However, the revised report has not been used and information that could identify individual client characteristics, treatment participation or program outcome by referral source is still missing. Thus, the ability to document and analyze data needed to make treatment decisions remains out of the hands of program decision—makers and staff.

A generalized need for more readily accessible information about DRC clients was expressed throughout the interview process. The Macon Probation and Court Services Department recently took a long-awaited step forward in its client information system with the acquisition and installation of the Tracker offender information system. Previously, much of the information collection on offenders was not automated or not available to DRC staff. The availability of comprehensive case information starting with the pretrial bond report and continuing through case closure will prove of tremendous benefit to the assessment of treatment needs and monitoring of offender progress. Exchange of client information between the pretrial officers, the DRC unit and juvenile and adult probation officers will provide for better transition of cases as they move between programs.

PROGRAM RECOMMENDATIONS

The DRC was designed to fill a niche—a more structured and controlled sanction than was offered through traditional field supervision—available to the court or probation officers as a replacement for incarceration. With the advent of pretrial supervision, the DRC took on yet another clientele, those needing program services and/or structure beyond the customary pretrial supervision. Program rationales were based on a perceived need for greater substance abuse services and a desire to keep the DRC's client base out of the Macon County Jail. Grant funding supporting the effort mandated DRC referrals to be individuals with either substance abuse or violent offenses. Operationally however, the DRC participants came through a variety of both formal and informal referrals and included both juveniles and adults. Gradually a group of programs was developed in addition to substance abuse based on perceived, but

unsubstantiated offender needs. Lacking formalized assessment or integrated structure, the programs (except for substance abuse) limped along with few participants. High staff turnover and chronic understaffing, coupled with two physical moves of the program undermined the program's stability. To move forward in a positive manner, the evaluation team recommends five actions to counter these problems.

First, the program needs to focus its energies. The DRC needs to reexamine its mission and consider a philosophic-therapeutic orientation that will anchor its programs. Is the primary focus of the DRC to monitor and control, or to provide enhanced program services? Should the DRC stress a brokerage model or should staff provide services? What are the fundamental needs that offenders face to overcome problems leading to criminal behavior? What specialized services will individuals get in the DRC that are not available elsewhere in Macon County Probation and Court Services programs? The exploration in which that the DRC was engaging as this evaluation came to an end, regarding a therapeutic approach such as cognitively oriented probation, is strongly supported.

Second, the DRC needs to examine its goals in conjunction with the above. The goals should be meaningful, realistic, and attainable. Objectives to reach these goals should be measurable.

Third, the DRC, as part of the larger Macon County Probation and Court Services, needs to address its client information data collection. To be useful in determining offender needs for services and treatment amenability; the *data must be collected on the individual case level* rather than in simply aggregated monthly totals.

The data form developed by the research team (Appendix C) is oriented in this fashion and could serve as a template to be modified by the agency in conjunction with its own needs. To determine whether program changes are needed and whether goals/objectives have been met, the need to collect baseline data cannot be emphasized enough. Efforts by the evaluators to assess the progress of the DRC in attaining its initial goals/objectives were not possible due to this problem.

Again, the progress the department has made in its client data system is noted and commended. The benefits of information sharing available through the recently implemented Tracker system should help the DRC and other units address the data problems found throughout this evaluation.

Fourth, the DRC needs to develop or adopt a reliable assessment instrument to identify client problems and needs. Although specific programs, such as substance abuse, are currently employing such an assessment, the need is for a general screening instrument. It should drive individual programmatic decisions and serve as a basis for operational decisions regarding program development.

Fifth, although staffing turnover and concomitant understaffing observed during the course of this evaluation lies partially beyond the control of the Macon County officials, it is a problem that requires attention. The lack of program initiatives, operational protocols and small program enrollments likely are due to overextended personnel resources. The proposed plan to add officers to the DRC initiative as part of Macon County's Probation and Court Services reorganization is seen as an important step in rectifying this problem.

Deferred Prosecution Program

- Location:** Macon County, Decatur, Illinois
- Start Date:** February 1995
- Purpose/Mission:** The purpose of the program is to divert adult offenders whose offenses are related to substance abuse out of the court system and into treatment through a voluntary contractual arrangement between the offender and the prosecutor's office.
- Goals:**
- ▲ Reduce the demand for jail space.
 - ▲ Reduce the caseloads of prosecutors and judges by diverting individuals from prosecution.
 - ▲ Direct offenders to needed treatment.
- Program Budget:**
- Agreement 1: December 1, 1994 through March 30, 1996
#4270 \$90,509 Federal Anti-Drug Abuse Act funds
\$30,170 Matching county funds (\$100 overmatch)
Total Funding: \$120,679
- Agreement 2: April 1, 1996 through March 9, 1997
#4565 \$90,509 Federal Anti-Drug Abuse Act funds
\$30,170 Matching county funds
Total Funding: \$120,679
- Agreement 3: March 10, 1997 through June 30, 1998
#4664 \$95,035 Federal Anti-Drug Abuse Act funds
\$31,678 Matching county funds
Total Funding: \$126,713
- Staff:** One program director, one grant coordinator, one program coordinator, and one caseworker
- Contact:** H. Dianne Spaniol (217) 424-1400
- Scope of Services:** Potential participants are screened by members of the prosecutor's office who review arrest sheets and bond reports. Individuals interested in participating meet with the program coordinator who explains the program and offers a behavioral contract for participation. Upon entering an agreement, participants are referred to a drug treatment provider for further assessment and treatment. Treatment intervention included drug education, random drug screening, individual or group therapy, as well as relapse prevention and aftercare support.

**Summary of
Evaluation
Activities:**

During the evaluation period, documentation regarding the program was collected from the ICJIA and the Deferred Prosecution Program. Relevant documentation included internal reports, grant applications, monthly data reports, and inter- and intra-office memorandum. In addition, 22 interviews were conducted with 14 people; eight individuals were interviewed twice. Interview subjects holding a variety of positions were interviewed as to their perceptions of the implementation, operation, and purpose of the Deferred Prosecution Program. In particular, interviewees included Deferred Prosecution Program administration and staff, and treatment providers. Additionally, individual-level data for Deferred Prosecution Program clients were collected, including criminal history information.

Program Impacts:

From February 1995 through February 1998, 332 individuals entered the Deferred Prosecution Program. Of these individuals, 279 (84%) were successfully or unsuccessfully terminated from the program; the rest remained active. Only 111 (40%) successfully completed the program. Annual success rates have ranged from a high of 45 percent in 1996 to a low of 35 percent in 1995. The typical successful participant entered the program for a misdemeanor arrest and had no prior arrests.

Program Issues:

- ▲ The lack of ability to share automated data within the program.
- ▲ Underrepresentation of minorities in the program.
- ▲ Overrepresentation of minorities among those unsuccessfully terminated from the program.

**Anticipated
Developments:**

As the Deferred Prosecution Program continues to develop, the process of increasing the program's capacity to monitor offender progress and keep track of billing for services needs to continue. In addition, in order for the program to be able to evaluate its viability as an alternative sanction, it must continue to develop the ability to assess recidivism rates for those who have exited the program.

Those working within the Deferred Prosecution Program have expressed a desire to increase the number of offenders in the program. The ways in which caseload sizes can be increased, especially in light of the development of new options for drug involved offenders in Macon County, must be carefully thought out.

Recommendations: ▲ *Linking Databases*

Databases maintained by the grant coordinator and the caseworker contain many duplicate items. However, they are unable to transfer data to each other requiring them to make duplicate entries. Elimination of the need for duplicate entries is advised.

▲ *Screening Prior Records of Potential Participants*

For some offenders who are screened for eligibility into the program, bond reports containing the results of national database criminal records searches are available. For offenders who do not have a bond report, only a countywide record check is utilized. The program should attempt to conduct national record searches on all potential participants in order to reduce the risk of inappropriate offenders entering the program.

▲ *Objective Screening Instrument*

The initial screening interview for potential participants is conducted by program staff and is based, in part, upon a subjective assessment of an individual's attitude. The use of an objective screening instrument to assess amenability to treatment is recommended.

▲ *Minority Representation*

The percentage of African-Americans in the program is far below their representation in the county criminal justice system. On the other hand, the percentage of African-American participants who are unsuccessful in the program is much higher than the rate for Caucasians. Investigation of the reasons for these disparities is recommended.

DEFERRED PROSECUTION PROGRAM

As part of a threefold effort to reduce jail overcrowding and create alternatives to incarceration, the Macon County SAO expanded their Deferred Prosecution Program in February 1995. Deferred prosecution was originally designed as an alternative for domestic batterers and misdemeanor pregnant women with substance abuse problems. This expansion afforded first-time drug and drug-related offenders, as well as other selected offenders perceived as strong candidates for successful treatment, the opportunity to receive treatment at the earliest point of contact with the court. Intervention included treatment for chemical dependency problems and counseling to address drug-related criminal behavior. If a deferred prosecution candidate successfully completed his or her treatment with no further offenses, the original allegations would not be pursued.

PROGRAM OPERATIONS

Initial funding for the expansion of the Deferred Prosecution Program consisted of \$90,509 in grant funds from the Federal Anti-Drug Abuse Act, augmented with \$30,170 of local funds, a total of \$120,679 (Agreement #4270). (Reports indicate a \$100.00 local overmatch occurred). The following year (Agreement #4564: April 1, 1996–March 9, 1997) funding remained at \$120,679. Funding for the current ICJIA agreement (#4664: March 10, 1997–June 30, 1998) increased slightly to \$126,713. This includes \$95,035 in Federal Anti-Drug Abuse Act funds and \$31,678 in local matching funds.

The Deferred Prosecution Program for drug offenders grew out of previous initiatives in the Macon County SAO to divert certain offenders from formal court

processing. Program implementation proceeded in a timely fashion. Over the course of its operations the program goals have remained consistent while changes in program staff and outside contractors have had minimal impact.

Program Goals

The primary purpose of the Deferred Prosecution Program was to decrease the number of offenders entering the criminal justice system, and the amount of time that first-time offenders were spending in jail beyond their first appearance in court. In addition, the expansion of deferred prosecution was designed to allow prosecutors additional time for more serious cases, and to lighten the court dockets for judges. The drug component of the Deferred Prosecution Program was intended to connect offenders with treatment resources, save Macon County the expense involved in traditional prosecution, and provide drug offenders with the intervention they needed. By providing the opportunity to receive treatment in lieu of prosecution, the Deferred Prosecution Program hoped to decrease drug abuse and the recidivism often displayed by drug-related offenders.

According to program documents, there were three primary goals for the Deferred Prosecution Program that remained during all ICJIA grant cycles. One goal was to reduce the number of offenders entering the court system and thereby save time, money, and other resources that would otherwise be used to prosecute and/or incarcerate offenders. The second goal was to direct appropriate offenders to treatment services in the hope of reducing their future drug use and criminal behavior. Increasing accountability for offenders by requiring restitution or apologies to victims was a third

program goal. The following program objectives were established to measure the achievement of the stated goal to:

- Divert five percent of felony offenders from the jail population and court system;
- Attain a 60 percent successful completion rate for accused felons;
- Reduce recidivism by 20 percent among felony participants for three years post-program participation;
- Refer 20 to 25 percent of misdemeanor cases involving drug charges to the program;
- Attain a 65 percent successful completion rate for accused misdemeanants;
- Reduce recidivism by 40 percent among misdemeanor participants for three years post-program participation;
- Reduce the cost to Macon County of prosecuting those diverted to the program; and,
- Obtain timely payment of victim restitution.

During interviews conducted with individuals associated with the Deferred Prosecution Program, a general consensus regarding program goals and objectives were revealed. Nearly all those interviewed agreed that removing individuals from the jail and courts, increasing opportunities for offenders to obtain treatment services, and breaking the cycle of criminal behavior for drug involved individuals were the primary purposes of the program. Individual differences only existed in the relative priority given to each item.

Program Structure and Staffing

Staffing of the Deferred Prosecution Program consisted of a program director, program coordinator, grant coordinator, and a caseworker. The director, an assistant state's attorney, was responsible for overseeing program operations. In the first two

budget cycles the program director was allotted 10 to 12 hours per week for these duties (30 percent of the director's full time schedule). In the last budget cycle this was reduced to a 15 percent commitment, reflecting increased efficiency that came with the maturity of the program. The grant coordinator spent 12 to 15 hours per month on this program and was responsible for maintaining program finances, verifying service provider invoices, corresponding with the ICJIA, and preparing quarterly reports, proposals, and revisions. During the 30 hours per week spent by the program coordinator, applicants were screened via face-to-face interviews, routine contact with clients was maintained, and the treatment provider was monitored in terms of meeting the behavioral contracts. The full time caseworker assisted the program coordinator with case management duties and documentation, obtained criminal history information, and completed clerical duties.

Program Implementation

While no staff turnover has been experienced in the grant coordinator or program coordinator positions, three individuals have held the program director position. (See Figure 3.7 for a timeline of this and other programmatic milestones). The initial program director took on different job duties within the Macon County SAO in February 1997. The second director left the office in the summer of 1997 for a job in another community. The third director took the position in the fall of 1997. Stability in the director's position was maintained through the continued availability of the original director for training and orientation of his predecessors. Similarly, two individuals have held the caseworker position since program initiation.

Figure 3.7: Deferred Prosecution Program - Major Programmatic Milestones

| 2/95 | 4/95 | 7/95 | 2/96 | 5/96 | 2/97 | 9/97 | 2/98 |
|------------------------------------|---------------------------------------|--------------------------|-----------------------------------|--|--|------------------------|---|
| Original deferred program expanded | | Increase in drug testing | | Begin recidivism record checks on those completing program | Service provider changed ----- First director change | Second director change | |
| First clients accepted | Successful completion by first client | | Highest number (18) enter program | | | | As of 2/28/98, 332 clients accepted & 111 successfully terminated |

Throughout its existence, the Deferred Prosecution Program contracted with an outside entity for assessment, treatment, and drug screening services. The program has employed two different providers. The initial provider began treating deferred prosecution clients in February 1995 and remained under contract for two years. However, the provider did not submit a bid to provide services for subsequent years. The current provider has been under contract with the program since February 1997 and began treating deferred prosecution clients in March 1997.

In interviews conducted during this evaluation, reasons why the original treatment provider declined to continue involvement with the program varied based on the perspective of the interviewee. From the provider's perspective, the program was too tolerant of offender violations of program requirements. The provider interviewee stated that their staff were not being supported by the prosecutor's office when requesting discipline or termination of participants. In particular, the provider believed the prosecutor was reluctant to follow through on treatment staff recommendations for termination due to repeated drug use. The original provider also suggested the program misjudged the level of need of the clients, in that the original assumption was that most clients would be at a much lower level of dependency than actual deferred prosecution clients showed. Based on the initial budget and caseload projections, it was assumed that the need for group treatment would be greater than the need for individual care; this was an incorrect assumption. There also were complaints that reimbursement was slow.

Program staff stated the original provider was unaccustomed to dealing with criminal justice clients and had more experience with a population that came to

treatment with more internal motivation for change. This seems borne out by statements of the provider that their current clientele primarily consists of professionals experiencing substance abuse related problems. Also, the provider noted that they eventually separated the deferred prosecution clients from the rest of their clients. Deferred Prosecution Program staff also suggested the provider viewed the program as only marginally profitable. The treatment provider did not speak in terms of profitability, but did acknowledge that they did not believe they could do a good job for the money that was available. However, none of the Deferred Prosecution Program staff interviewed had any complaints regarding the quality of services provided to deferred prosecution clients.

The current provider appears to be more accustomed to criminal justice clients and seems to have a closer philosophical fit with the deferred prosecution program. Interviews did not reveal any disciplinary or other conflicts with the prosecutor's office, although both the current provider and the program staff acknowledge there have been difficulties with billing. These seem to be related to differences in terminology used in billing documents. There also have been billing delays attributable to repeated physical moves that both the provider and the SAO have undertaken during the course of this study. Both parties expressed confidence that the communication and billing issues have improved over time.

PROGRAM ACTIVITIES

The Deferred Prosecution Program has assisted program participants in receiving substantial amounts of drug treatment services. The impact of these services on the criminal justice system in Macon County and on individual participants was

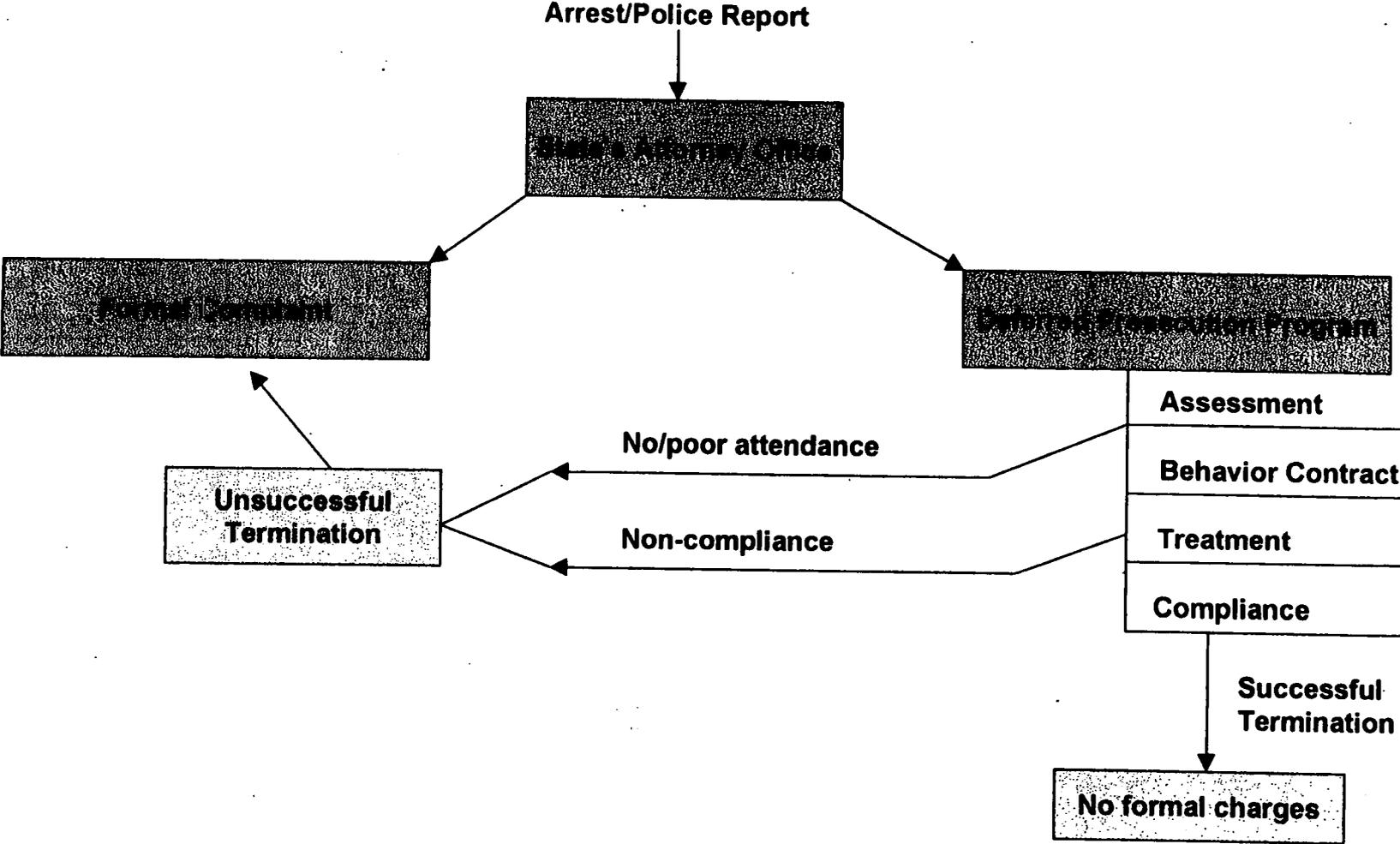
examined as well as the extent to which the program attained its stated objectives.

Factors that correlate to program success also were identified.

Scope of Services

Strategies such as assessments, random drug screening, treatment intervention, and outcome monitoring were the means by which the Deferred Prosecution Program intended to accomplish its objectives. Treatment intervention included drug education, individual, or group therapy, as well as relapse prevention and aftercare support. An overview of client processing in the Deferred Prosecution Program is set forth in Figure 3.8.

Figure 3.8: Deferred Prosecution Program Flow Chart



Program Placement

Operational procedures of the Deferred Prosecution Program began with the identification of potential candidates. An assistant state's attorney identified participants after reviewing information contained in pretrial bond reports and police reports. Prior to an offender being offered deferred prosecution, criminal history records were checked for incidents of violence, and drug manufacturing or delivery. Those with records of violent behavior and extensive drug involvement were not considered candidates for successful intervention, nor deferred prosecution. Those ineligible for deferred prosecution included offenders who committed Class X felonies, violent crimes, and/or sales of controlled substances. A candidate's attitude toward, and availability for treatment intervention, were carefully scrutinized by the program coordinator.

Candidates selected for the program were offered deferred prosecution through a letter from the SAO. Each candidate had seven days to indicate his or her interest in the program. Following a face-to-face meeting with the program coordinator, the deferred prosecution client had to sign the behavioral contract or decline participation in the program and proceed to formal criminal prosecution. The process from initial report review to signing of the contract took approximately 30 days.

Once accepted into the program, the program coordinator devised a behavioral contract, which outlined the conditions for participation after taking into consideration the nature of the pending offense, victim impact information, and criminal history. A service provider then prepared a care plan for treatment based on the results of a professional drug assessment, psychosocial evaluation, eligibility for employee and educational assistance, and a review of the client's socioeconomic background.

Standard conditions of each client's behavioral contract included:

- payment of a non-refundable program fee of up to \$400;
- no alcohol or illegal substance consumption;
- participation in recommended treatment;
- compliance with random drug screening;
- payment of restitution to victims; and,
- no new criminal offenses.

Deferred Prosecution Participants

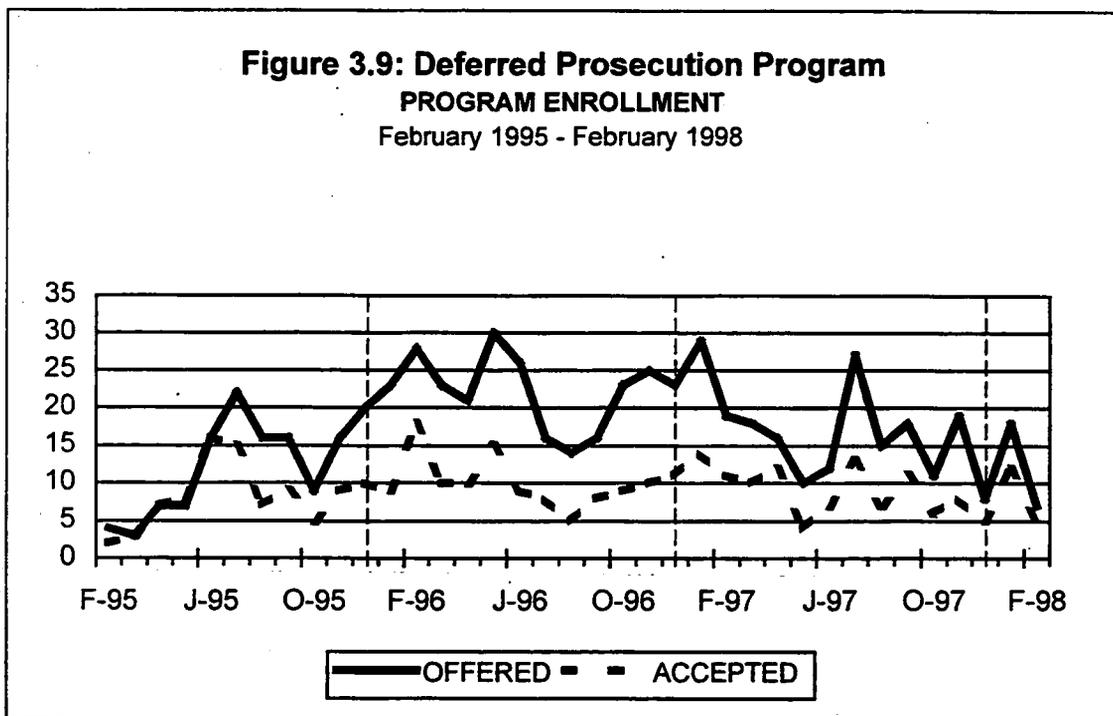
During the first 37 months of program operation (February 1995–February 1998), 631 offenders were offered deferred prosecution. Of those, 332 (52.6%) accepted and entered the program. Individuals charged with either possession of cannabis, a controlled substance, or drug paraphernalia, or combined charges of possession of cannabis and drug paraphernalia accounted for more than three-fourths of those offered deferred prosecution and 67 percent of those accepting entry into the program. These same four charges accounted for the charges of 258 (86.2%) of those rejecting an offer of deferred prosecution.

The average age of those participating in the program was 27; the youngest participant was 15 and the oldest was 54. Three-fourths of the participants were male. The female population in the program was slightly less (22.9% vs. 25.7%) than the Macon County Jail sample taken between June 1995 and December 1997.⁶ Program participants also were overwhelmingly Caucasian (78.3%); only one-fifth were

⁶ As discussed in Chapter 4, this jail sample included only individuals for whom bond reports were prepared.

African-American and less than one percent were Hispanic. This differs greatly from the Macon County Jail population sample, which was 53 percent African-American, 47 percent Caucasian, and less than one percent Hispanic. Of those accepting deferred prosecution, a majority was charged with misdemeanors (66.5%).⁷

Figure 3.9 displays the number of offers and acceptances each month from February 1995 through February 1998. Acceptance rates were relatively high in the early months of the program. During 1995, 67 percent of those offered deferred prosecution accepted. In 1996 and 1997 this rate declined to 46 and 54 percent, respectively, and then rose in the first two months of 1998 to 68 percent. Program staff were unable to attribute these fluctuations to any distinct event or policy change in the program.



⁷ The charge type of one individual was unknown.

Interviews revealed that the individuals accepting deferred prosecution were discovered to be more of a challenge than initially anticipated. Breaking through clients' denial and dishonesty was reported to be an endless endeavor. Program staff and treatment providers revealed that one reaction to this problem was to move from sole reliance on group treatment sessions to more individual counseling.

Treatment Services

The treatment component of the program consisted of several layers of services. For those clients denying their substance abuse, a pretreatment education course often was recommended prior to treatment efforts. Primary treatment included individual or group counseling to address the physical, emotional, and social problems of substance abusers. Continuing care and relapse prevention, along with other aftercare and support groups were used to help prevent a reoccurrence of drug use. During this time, a client often was referred to AA/NA as a condition of the behavioral contract.

According to the original program design, each participant was to take part in 20 primary group sessions and 16 continuing care group sessions. However, due to the unexpected level of resistance encountered as clients addressed their own substance abuse issues, this was modified to provide more individualized contact between client and therapist. After the amendment, a client could use half of the primary sessions and the continuing care sessions (up to 18 sessions) for individual therapy sessions. The most recent contract for treatment services, dated February 13, 1998, provided for maximum contacts of one assessment, six sessions of pretreatment education, eight sessions of continuing care, 16 sessions of relapse prevention, 24 sessions of intensive

outpatient services, and five to 10 sessions of individual therapy based upon the client's level of dependency.

In addition to counseling, drug tests are utilized to monitor compliance with treatment requirements and to confront denial. Clients can expect an initial screening to determine a baseline level of usage, and periodic random screens during both the primary treatment phase of the program and while in continuing care. Positive drug tests that indicate continued drug use are reported to program staff. Under the original treatment program, it was possible to have three random screens during the course of the participants' involvement with the program. In July 1995, the treatment provider contract was modified to allow for increased drug testing. The amendment allowed for eight to 12 screens each during primary care and continuing care and up to three screens during the six-month period after successful termination. It was believed this was necessary to insure program compliance. The most recent treatment provider contract allows for up to 10 drug tests during treatment and two additional screens during the participant's final month of program supervision. Over the course of this evaluation, the rate at which deferred prosecution clients were tested for drug use remained consistent—one test in every three to four treatment contacts.

Based upon initial assessments of deferred prosecution participants, service providers found that nearly 90 percent of those assessed qualified as drug dependent (Deferred Prosecution Report, March 1996 & February 1997). Program staff understood that relapse to drug use was expected for dependent individuals during the course of their treatment. Therefore, positive drug screens were not considered automatic reasons for termination. Instead, the program and service provider staff

reviewed drug screens with positive findings. If a client gradually tested with lower levels of drugs in his/her system (s)he was considered to be making sufficient progress. However, the lack of such progress could result in an extended program stay or intensified therapy. Overt failure to comply with conditions of the program would result in a letter of reprimand to the client, which the client had to respond to within five business days. If no response was received, the client was terminated from the program and charges were pursued.

Data on the type and frequency of treatment provided to deferred prosecution clients were available through August 1997. The types of treatment contacts were pretreatment education, group treatment, individual counseling, intensive outpatient, relapse prevention, continuing treatment, and drug screens. During the period for which data are available, there were 4,662 treatment contacts with deferred prosecution clients. Of these contacts, group treatment and drug testing were the most common types of contacts. Group therapy comprised nearly one-half of the contacts (n=2,266) and drug screening another 22 percent of all contacts (n=1,022). Individual counseling, intensive outpatient, and relapse prevention were not available until 1997, when treatment providers utilized these treatment modalities in an effort to more effectively confront client denial. In 1997, individual counseling and intensive outpatient treatment each comprised 12 percent of the treatment contacts, while relapse prevention accounted for only two percent of the contacts. The frequency with which different treatment modalities were employed over the course of the program is illustrated in Table 3.2.

**Table 3.2: Deferred Prosecution Program—
Treatment Contacts**

| Type of Treatment | n | % |
|--------------------------|--------------|--------------|
| Pretreatment Education | 771 | 21.2 |
| Group Treatment | 2,266 | 62.3 |
| Individual Counseling | 118 | 3.2 |
| Intensive Out-patient | 116 | 3.2 |
| Relapse Prevention | 23 | 0.6 |
| Continuing Treatment | 346 | 9.5 |
| TOTAL | 3,640 | 100.0 |

Access to treatment was not identified as a problem in interviews with deferred prosecution staff or with treatment providers. Data collected support this conclusion. Program staff tracked each participant's entry date (the date the deferred prosecution contract was signed) and their start date (the date of first treatment contact). Most participants (78.3%) were able to start treatment within two weeks of entering deferred prosecution. While the average was 11.9 days, a small number of long waiting periods skewed the average making the median of 6 days a more accurate reflection of time from program entry to start of treatment.

The time individuals remained in the program was examined using individual level data supplied by the program. As detailed in Chapter 2, 332 case files were obtained. Table 3.3 illustrates the number of days individuals were in the program, which was related to whether the individual was successfully or unsuccessfully terminated from the Deferred Prosecution Program. Program documents estimated the average length of program participation would be six months. This is very close to the median time (177 days) spent in the program by successful participants. For all participants the median length of time in the program was 123 days. Many of those who were unsuccessfully terminated participated in the program for substantial lengths of

time; more than one-third of the individuals unsuccessfully terminated remained in the program for more than four months. The median for those who were unsuccessful in the program was 93 days with a maximum of 264 days for one individual.

**Table 3.3: Deferred Prosecution—
Days until Program Termination**

| Days in Program | n | % |
|---------------------------------|---|-------------------------|
| SUCCESSFUL TERMINATION | | |
| 1 to 30 days | 1 | 0.9 |
| 31 to 60 days | 3 | 2.7 |
| 61 to 90 days | 11 | 9.9 |
| 91 to 120 days | 8 | 7.2 |
| 121 to 150 days | 11 | 9.9 |
| 151 to 180 days | 30 | 27.0 |
| 181 to 210 days | 40 | 36.0 |
| 210 or more days | 7 | 6.3 |
| TOTAL | 111 | 99.9¹ |
| Mean = 161 days SD = 50 days | Median = 177 days Range = 29 to 288 days | |
| UNSUCCESSFUL TERMINATION | | |
| 1 to 30 days | 20 | 11.9 |
| 31 to 60 days | 26 | 15.5 |
| 61 to 90 days | 33 | 19.6 |
| 91 to 120 days | 31 | 18.4 |
| 121 to 150 days | 34 | 20.2 |
| 151 to 180 days | 9 | 5.4 |
| 181 to 210 days | 8 | 4.8 |
| 210 or more days | 7 | 4.2 |
| TOTAL | 168 | 100.0 |
| Mean = 98 days SD = 56 days | Median = 93 days Range = 1 to 264 days | |

¹Totals over or under 100.0% are due to rounding.

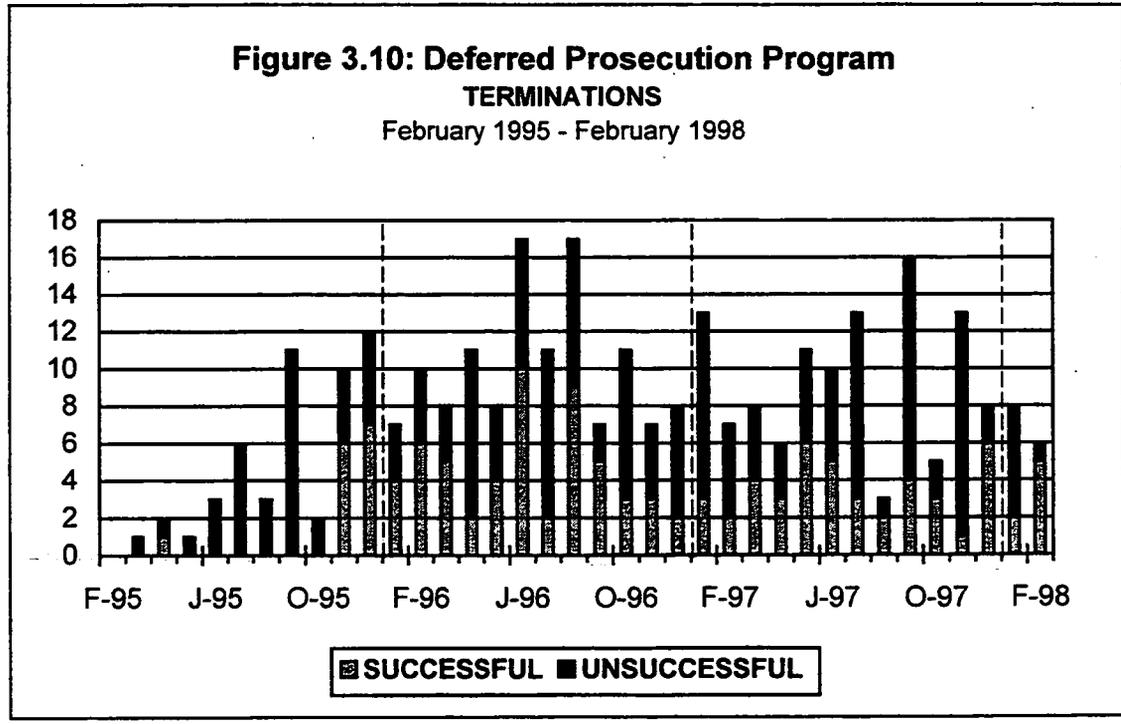
Program Impacts

In assessing the impact of the Deferred Prosecution Program, the research team analyzed success rates for program participants and compared these rates to the program's stated objectives. The issue of potential cost savings provided by deferred prosecution was examined along with the collection of restitution from participants. In

addition, the post-program criminal behavior of first year participants was analyzed. Factors that correlate to program success were identified for the first year participants and the entire population of deferred prosecution participants.

Participant Success Rates

From February 1995 through February 1998, 332 individuals entered the Deferred Prosecution Program. Of these individuals, 279 (84.0%) had been successfully or unsuccessfully terminated from the program; the rest remained active. Only 111 (39.8%) successfully completed the program. Annual success rates have ranged from a high of 45 percent in 1996 to a low of 35 percent in 1995. Table 3.10 illustrates success and failure totals for each month of program operation through February 1998.



Reasons for unsuccessful termination were divided into three categories: noncompliance with program conditions, no attendance or poor attendance in treatment, or other. In some instances more than one reason was identified for unsuccessful termination of an individual participant. In the majority (58.5%) of instances, noncompliance was the reason for unsuccessful termination. Lack of attendance was the reason for termination 39 percent of the time and other accounted for 2 percent of unsuccessful terminations.

When felony and misdemeanor offenders are considered separately, 31 percent of felony offenders and 44 percent of misdemeanants successfully completed the program. Table 3.4 illustrates that the success rate for felons ranged from a high of 36 percent in 1996 to a low of 17 percent in 1995. For misdemeanants, the rate of successful completion ranged from 47 percent in 1996 to 39 percent in 1997. These success rates are substantially below the program objectives of 60 percent successful completion for felons and 65 percent for misdemeanants.

Table 3.4: Deferred Prosecution—Outcomes & Offense Level

| | 1995 | | 1996 | | 1997 | | 1998 | |
|---------------------------------|-----------|--------------|-----------|--------------|-----------|-------------------------|----------|--------------|
| | n | % | n | % | n | % | n | % |
| SUCCESSFUL TERMINATION | | | | | | | | |
| Felony | 3 | 15.8 | 10 | 19.6 | 14 | 35.0 | 0 | 0.0 |
| Misdemeanor | 16 | 84.2 | 41 | 80.4 | 26 | 65.0 | 0 | 0.0 |
| TOTAL | 19 | 100.0 | 51 | 100.0 | 40 | 100.0 | 0 | 0.0 |
| UNSUCCESSFUL TERMINATION | | | | | | | | |
| Felony | 15 | 41.7 | 18 | 28.1 | 27 | 40.2 | 1 | 100.0 |
| Misdemeanor | 21 | 58.3 | 46 | 71.9 | 40 | 59.7 | 0 | 0.0 |
| TOTAL | 36 | 100.0 | 64 | 100.0 | 67 | 99.9¹ | 1 | 100.0 |

¹Totals over or under 100.0% are due to rounding.

Over 37 months of operation, the Deferred Prosecution Program has fallen short of its objective to divert five percent of accused felons into the program. In 1996 and

1997, the only two full calendar years included in this study, 5,328 misdemeanors and 3,220 felonies were filed in Macon County. During this same period, 149 misdemeanor offenders and 86 felony offenders were admitted to the program. Those entering deferred prosecution represent three percent of both the county's misdemeanor and felony charges for 1996 and 1997.

Cost Savings

A determination of cost savings by the Deferred Prosecution Program is, at best, difficult to accurately calculate. The 111 individuals who successfully completed the program were removed from formal processing in the court system. Beyond the initial screening, prosecutors were spared further contact with these cases. This would result in some time saved for the prosecutors, although the precise amount of time is difficult to determine. One way of calculating dollar costs of deferred prosecution is to divide the cost of operation of the program by the number of clients successfully deferred. For the first two cycles of the program, \$241,458 in federal and local dollars was allocated. In the last cycle, which covers the 15 months ending June 30, 1998, \$126,713 was allocated for deferred prosecution. Since data are available through the 11th month of this cycle, a rough proration of 11/15 would be \$92,923. Under these assumptions, a total of \$334,381 (\$241,458+\$92,923) can be attributed to the 111 successful individuals, a cost of \$3,012 per successful completion.

Determining the amount of money saved by the successful deferral of 111 cases is very debatable. In reports from the program to the ICJIA the dollar amount of \$6,000 was used to estimate the cost of formally processing deferred prosecution cases.

However, this figure is based upon an average cost of trial. Because the vast majority

of criminal cases in nearly all jurisdictions do not go to trial, the \$6,000 per case does not offer a valid basis for comparison. Also, the cost of trial will vary according to the nature and complexity of the case. A few of the many factors that should be considered in any cost/benefit calculation are the possible deterrent value of treatment received by those who were unsuccessful in the program; the possible cost savings attained by reducing or eliminating drug use or other criminal behavior in the program population; and costs already incurred by law enforcement and the judicial system in preliminary processing of program participants prior to their involvement in the program. However, an analysis of this magnitude is beyond the scope of this evaluation.

Any impacts the Deferred Prosecution Program may have had on the Macon County jail population are even more difficult to determine. First, it is impossible to determine how many of the program participants would have spent time in jail prior to, or after, formal prosecution. Two-thirds of those accepting entry into deferred prosecution were charged with misdemeanors. Also, because many of these misdemeanor charges were for possession of small amounts of cannabis, or possession of drug paraphernalia, it is likely that many of these offenders would not be subject to lengthy, if any, incarceration as a result of their offense. Further, deferred prosecution was not the only initiative targeted at reducing the jail population in Macon County. The Pretrial Services Program and the Day Reporting Center were among the initiatives that sought, at least in part, to reduce the jail population.

Collection of Restitution

The collection of restitution was another stated objective of the Deferred Prosecution Program. Monthly data reports indicate that \$7,409 in restitution was

ordered paid by deferred prosecution participants through February 1998. Of that amount, \$2,844 (38.4%) was paid. Program documents and interviews attribute most of the failures to pay restitution to individuals who were terminated from the program for various program violations before restitution was paid. For comparison purposes, data reported to the AOIC regarding restitution ordered and paid by individuals on probation indicates more than one-half (51.9%) of the restitution ordered was paid. Of the 37 months of data collected for this evaluation, restitution was ordered for offenders in only 10 of those months. This is consistent with the high percentage of participants who were charged with crimes, such as possession of paraphernalia or drugs, that would not normally generate a need for victim restitution.

Analysis of First Year Participants

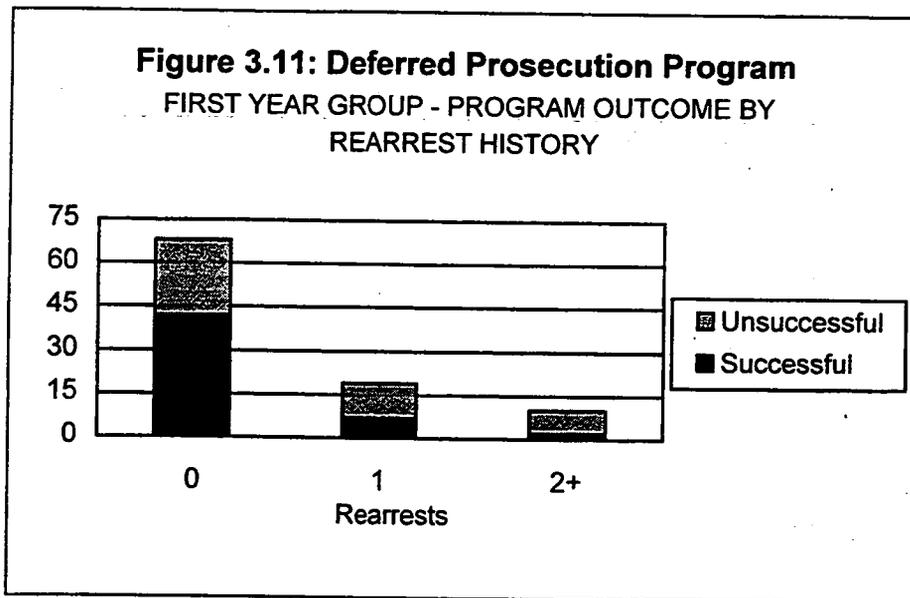
In order to gauge the impact program participation had on offenders, criminal records checks were run through the LEADS system on all 97 individuals who entered deferred prosecution in the first 12 months of program operation. This information was used to determine the criminal activity of these individuals both before and after their participation in deferred prosecution.⁸ The histories were complete through April 1998; consequently, these individuals had been out of the Deferred Prosecution Program an average of 2.2 years at the time of this analysis. All arrests, except non-DUI traffic offenses, were counted unless a disposition of dismissal of the charge was reported.

⁸ While the LEADS system is one of the most commonly recognized databases for determining criminal justice system involvement, it is not completely accurate. Underreporting is a common problem. For example, there were several instances where LEADS did not display a participant's arrest that formed the basis for their entry into deferred prosecution.

The criminal behavior of those successfully completing the program was compared to those who were unsuccessful.

During the first 12 months of operation, 97 individuals were accepted into the Deferred Prosecution Program. Of these individuals, 51 (52.6%) successfully completed the program and 46 (47.4%) were unsuccessful. Twenty-nine of the 97 participants (29.9%) accounted for the 53 rearrests that were listed in LEADS. Of the 53 rearrests, 22 were for felonies, 24 for misdemeanors, and seven were of an unknown offense level. Twenty of the arrests (37.7%) were for property offenses, including six burglaries; 11 (20.8%) were for crimes against persons, including six domestic battery arrests; eight (15.1%) were for drug offenses, including three for possession of drug paraphernalia.

Figure 3.11 displays the rearrests attributable to those who successfully completed deferred prosecution compared to those who were unsuccessful. Of those successfully completing deferred prosecution, 42 (82.4%) had no known rearrest history compared to 26 of those unsuccessfully terminated (56.5%). Seven (13.7%) of those successfully completing the program had one know rearrest compared to 12 (26.1%) of those who were unsuccessfully terminated. Only two of those who successfully completed (3.9%) had two or more rearrests compared to eight of the unsuccessful participants (17.4%).



The prior offense history for the 97 first year participants was examined in order to identify characteristics that correlate to performance in the program. The number of prior offenses was more predictive of program success than the occurrence of any specific type of offense. Of those with no prior arrests, 59 percent were successful in the program, compared to 47 percent of those with one to four prior arrests and 36 percent of those with five or more prior arrests. Prior arrests for offenses against persons or weapons offenses were less predictive of program performance, as 54 percent of those with no prior person offenses and 53 percent of those with no prior weapon offenses successfully completed the program.

Correlates of Success—Entire Population

The entire population of those individuals who are no longer active in the Deferred Prosecution Program was examined in an effort to determine the relationship between demographic characteristics or the offense being deferred to program performance. The performance of those entering deferred prosecution because of a

felony offense was compared to those entering for a misdemeanor arrest. Of those entering the program due to a felony charge, less than one-third of the participants (30.7%) were successful, compared to 44 percent of those entering on a misdemeanor arrest.

Demographic characteristics of age, race and gender also were examined for correlations with program success. When age at the time of entering the program was examined, no clear trend emerged. Success rates fluctuated up and down with client age; the use of age groups also proved no more predictive of success.

As for the relationship between success and gender, females consistently had lower success rates than males. From program initiation through February 1998, 43 percent of the males successfully completed the program, compared to 32 percent of the females. Males performed better than females in each year under evaluation; however, in 1996 the success rates were quite similar with 45 and 43 percent of the males and females, respectively, succeeding.

When success rates were examined according to race, the differences were most striking. During the evaluation period, 279 Caucasians, 52 African-Americans, and one Hispanic entered the program. Nearly 45 percent (n=126) of the Caucasians were successfully terminated, while only 23 percent (n=12) of the African-Americans successfully completed the program. When examined by year, the highest success rate for African-Americans was 26 percent in 1996 while the lowest rate for Caucasians was 38 percent in 1995.

PROGRAM STRENGTHS AND WEAKNESSES

In assessing the strengths and weaknesses of the Deferred Prosecution Program, implementation, operational, and data concerns were considered.

Implementation Issues

Implementation of the Deferred Prosecution Program largely proceeded according to schedule. However, there were some changes both within the program and with external contractors that caused a limited amount of program disruption. During the evaluation period, there were personnel changes within the Deferred Prosecution Program. The most notable position has been the program director, which changed three times during the course of the study. Despite the relatively rapid turnover in this position, it appears to have caused only a limited amount of disruption. Undoubtedly, the continued presence and availability of the original director within the SAO softened the impacts of the directorial changes.

In addition, there also was a change in service providers after the first two years of program operation. This change came about after the original provider no longer wished to bid to provide services. Although there were differences in opinion regarding the reason for the provider's lost interest in the program, it appears the provider found the deferred prosecution participants to be more difficult than their usual clients. The subsequent provider appeared more accustomed to working with clients from the criminal justice system.

Physical moves of the Deferred Prosecution Program offices and the offices of the second treatment provider caused some short term disruptions of services. While the program continued to operate through these moves, program staff interviewed

believed the moves might have caused some brief drops in program admissions. These moves were largely unavoidable and outside the control of program staff.

Monthly data reports indicate that in the first 11 months of operation the monthly caseload rose steadily until reaching a high of 53 in November and December 1995. In 1996 the average monthly caseload rose to 55.5. Since then it has decreased slightly, falling to 54.4 in 1997 and 53.5 in the first two months of 1998. Interviews with several program staff indicate a desire to increase the number of offenders deferred from prosecution. Concerns were voiced that the program was not being used as extensively as possible. However, no clear strategy to increase utilization of the program has evolved. It remains to be seen if the program can expand its caseload within the same population of eligible offenders without adverse effects on program success rates.

Operational Issues

One source of frustration between the Deferred Prosecution Program and the treatment service providers were delays and miscommunication of billing information. These contributed to problems of delayed payments. In interviews with program and treatment staff, much of the problem was attributed to differences in terminology assigned to different treatment modalities. However, both sides expressed a belief that communication is good and that the billing issues decreased over time because of the positive relationship between the parties.

Data Issues

Evaluation interviews revealed frustration regarding the lack of automation in the SAO. Searches for vital offender information were often time-consuming and

cumbersome. The absence of a computerized tracking system was identified as a factor hampering the success of the Deferred Prosecution Program.

EXCEL and ACCESS software were on a number of the computers within the SAO; however, some staff members reportedly lacked computer knowledge, and have never been trained to use the software. At one point, after an outside vendor set up a database, no one knew how to create additional fields, so supplementary information was recorded on paper. While hardware and software capabilities have improved over the course of the study, the ability to transfer electronic data between program staff remains an issue. For example, while the grant coordinator and the caseworker maintain some identical information in their databases, they cannot share that information electronically. This means they individually enter some of the same information. The shortfall regarding automation also created problems related to billing, insurance coverage, and other internal record keeping.

PROGRAM RECOMMENDATIONS

There are three areas in which further action or investigation is recommended. The first area concerns two data system issues involving linking current databases and utilizing a more comprehensive system for screening the prior criminal behavior of potential program participants. The second area involves utilization of an objective screening instrument to assist in making the decision to offer deferred prosecution to an individual. Third involves the examination of the relatively low number of African-Americans in the program and their relatively high unsuccessful termination rate.

While some of the funds made available to implement the Deferred Prosecution Program were used to enhance the computer capabilities of program staff, additional steps should be taken to maximize the efficiency of that equipment. Linking the caseworker and grant coordinator databases would reduce the time these personnel use to perform duplicative data entry tasks. Better data sharing between them also should enhance communication.

Data issues also arose in the process of determining a potential participant's prior criminal record. The prior criminal records of individuals who appear to be eligible for deferred prosecution are currently checked in one of two ways. For those charged with a felony, pretrial officers operating out of the Macon County Probation and Court Services Department normally conduct a records check. Nationwide databases are used to prepare these pretrial bond reports. For those individuals charged with a misdemeanor, or others who do not receive a bond report, the program staff relies on records maintained by the SAO. These records were viewed as accurate, but restricted to criminal activity occurring in Macon County. When the records of those who entered the program in its first 12 months of operation were checked with the LEADS system, a small number of offenders with substantial histories of criminality outside Macon County were discovered. Therefore, it is recommended the Deferred Prosecution Program explore the possibility of obtaining records checks from nationwide databases on all individuals offered deferred prosecution.

The prior criminal record is only one part of the eligibility screening process used in the Deferred Prosecution Program. The current screening of potential participants also is based upon an assessment of the offender's attitude as derived from an

interview with the program coordinator. All personnel interviewed during the course of this study agreed the program coordinator was a dedicated individual with a great deal of experience with the deferred prosecution clientele. While face-to-face contact between the program coordinator and program participants is valuable in assessing an individual's willingness to participate and in assuring the individual's understanding of program requirements, the use of an objective instrument in conjunction with the interview would provide additional value. The use of such an instrument to assess amenability to treatment might reduce the number of individuals who leave the program after only a few days of involvement. It also might serve to minimize any allegations of subjectivity in the selection process.

African-Americans are underrepresented in the Deferred Prosecution Program and overrepresented among those unsuccessfully terminated from the program. While the reasons for these disparities are unclear from this evaluation, the differences are significant enough to warrant further investigation by both program staff and the treatment provider. The underlying cause for the disparity will dictate what, if any, action needs to be taken.

Pretrial Services Program

- Location:** Macon County, Decatur, Illinois
- Start Date:** June 1995
- Purpose/Mission:** The Pretrial Services Program was created to provide the court with detailed, verified information about felony arrestees appearing in bond court. The goal is to maximize the number of defendants released pretrial, to ensure high court appearance rates and to address community safety. Social history and/or criminal background information about defendants is gathered by pretrial officers and a written bond report is provided to the court. The program also provides pretrial supervision of cases when ordered by the court.
- Goals:**
- ▲ Increase the use of release on recognizance and other alternatives to pretrial detention based on a least restrictive philosophy.
 - ▲ Decrease the pretrial jail population and open spaces for a more appropriate jail population.
 - ▲ Provide pretrial supervision and monitor release conditions.
- Program Budget:**
- | | |
|-----------------------|--|
| Agreement 1: #4271 | December 9, 1994 through September 6, 1996 \$115,185 Federal Anti-Drug Abuse Act funds \$38,395 Matching county funds Total Funding: \$153,580 |
| Agreement 2: #4560 | September 6, 1996 through February 28, 1998 \$115,185 Federal Anti-Drug Abuse Act funds \$38,395 Matching county funds Total Funding: \$153,580 |
- Staff:** Two pretrial officers and one clerical support
- Contact:** Liz Anderson (217) 424-1450
- Scope of Services:** Weekday and Saturday mornings pretrial officers review the county jail's list of new admissions in order to determine those eligible for a pretrial interview. Non-felony arrestees, non-bondable offenders and cases involving a felony warrant arrest are excluded. Those consenting to a voluntary interview are questioned regarding bond-risk factors according to a standardized interview protocol. Upon completion of the interview, the pretrial officers attempt to verify the self-reported

information. The interview, results of verification attempts, and a criminal records check are synthesized into a bond report made available to the court for bond hearings held the same morning. Pretrial officers also oversee individuals released with pretrial supervision and provide them with court date reminder letters.

Summary of Evaluation

Activities:

During the evaluation period, program documentation including internal reports, grant applications, monthly data reports, and inter- and intra-office memorandum was collected from the ICJIA and the Pretrial Services Program. In addition, 28 interviews were conducted with 17 people; 11 individuals were interviewed twice. Interview subjects holding a variety of positions were interviewed as to their perceptions of the implementation, operation, and purpose of the Pretrial Services Program. In particular, interviewees included Macon County Probation and Court Services Department administration, program staff, county jail staff, and local judges. In addition on-site visits were made and included the observation of pretrial interviews and bond court proceedings. Additionally, individual level data, on those for whom bond reports were prepared, were collected, including case disposition, rearrest history, and FTA information.

Program Impacts:

The program generally is viewed as having a very positive impact in the local criminal justice community. Although it would be extremely difficult to gauge the direct impact of the program on jail crowding, the satisfaction of stakeholders with the program's operation and products is fairly unanimous. The program is viewed as consistently providing the bond court with accurate background information on felony defendants and as providing satisfactory monitoring of pretrial supervision cases.

Thirty-three months of data were available from June 1995 through February 1998. During this time, approximately 5,800 felony defendants were eligible for a pretrial interview, 4,616 (80%) were investigated and 3,753 (65%) bond reports were completed. An additional 863 (15%) had only criminal history checks performed.

Since June 1995 approximately 3,760 cases were released on bond and 15 percent of those were ordered to pretrial supervision. Nearly one-fourth of the supervision cases were released with special conditions, including participating in substance abuse counseling, mental health treatment, and education classes.

According to monthly data reports, which differed from case file data, 537 clients have completed pretrial supervision since June 1995. Almost 80 percent of the exits were deemed successful terminations. The majority of unsuccessful exits were due to FTA in court; also common was bond revocation for a new offense. Since January 1997 the program has been reporting the number of scheduled court hearings for supervised individuals. In February 1998, the program boasted its first month with no FTAs.

Program Issues:

- ▲ There is a lack of clearly defined contact standards for supervision cases.
- ▲ The time schedule of bond court gives pretrial officers limited time in which to conduct investigations.
- ▲ The need for consistency in the definition of terms used in program data collection forms.
- ▲ Despite all stakeholders viewing misdemeanor domestic battery offenders as appropriate clients, these cases are not interviewed or assigned to pretrial supervision.

Anticipated Developments:

A soon to be complete reorganization of the Macon County Probation and Court Services Department places the bond report and investigation functions of the Pretrial Services Program into the Investigation/Reports Unit. This unit also will handle juvenile petitions and recommendations, criminal history inquiries and all other report generation activities. Pretrial supervision duties will be transferred to the Field Supervision Unit.

Recommendations:

- ▲ Continue the ongoing process of program reviews and involve all stakeholders in the process.
- ▲ Appropriate performance and outcome measures need to be clearly articulated to address the need for an adequate time frame for the bond report investigations and the development of a differential case management system.

Pretrial Services Program

- Location:** Peoria County, Peoria, Illinois
- Start Date:** September 1995
- Purpose/Mission:** The Pretrial Services Program was created to provide the court with detailed, verified information about arrestees appearing in bond court. The goal is to maximize the number of defendants released pretrial, to ensure high court appearance rates and to address community safety. Social history and/or criminal background information about defendants is gathered by pretrial officers and a written bond report is provided to the court. The program also provides pretrial supervision of cases when ordered by the court.
- Goals:**
- ▲ Improve the release/detention decision process in criminal court by providing complete, accurate, non-adversarial information to judicial officers.
 - ▲ Monitor released pretrial arrestees to ensure their compliance with conditions of release imposed by the court.
- Program Budget:**
- Agreement 1: December 1, 1994 through September 30, 1996
#4236 \$122,245 Federal Anti-Drug Abuse Act funds
\$40,748 Matching county funds
Total Funding: \$162,993
- Agreement 2: August 1, 1996 through September 30, 1997
#4561 \$127,245 Federal Anti-Drug Abuse Act funds
\$42,415 Matching county funds
Total Funding: \$169,660
- Staff:** Two pretrial officers and one clerical support
- Contact:** Cheryl Wager (309) 672-6018
- Scope of Services:** Weekday mornings pretrial officers review the county jail's list of new admissions in order to determine those eligible for a pretrial interview as well as those who would, based on their experience, be released from custody before a bond court appearance. The officers access the Peoria County court system, review and record criminal history background data, and conduct social history interviews with those defendants who consent to an interview. The interview, results of verification attempts, and a

criminal records check are synthesized into a bond report made available to the court for bond hearings held that afternoon.

**Summary of
Evaluation
Activities:**

During the evaluation period, program documentation including internal reports, grant applications, monthly data reports, and inter- and intra-office memorandum was collected from the ICJIA and the Pretrial Services Program. In addition, 38 interviews were conducted with 28 people; 10 individuals were interviewed twice. Interview subjects holding a variety of positions were interviewed as to their perceptions of the implementation, operation, and purpose of the Pretrial Services Program. In particular, interviewees included Peoria County Probation and Court Services Department administration and line officers, program staff, county jail staff, and local judges. Additionally, supervision case histories were obtained due to inconsistent aggregate level data.

Program Impacts:

Interviews indicate a general acceptance of the services provided by the program, but there is a continuing dissatisfaction with the lack of case supervision. However, there was an expression of growing confidence in the information provided in the bond reports.

During the first 30 months of operations, 11,490 defendants were eligible for a pretrial interview, 4,238 (41%) were interviewed and 2,222 bond reports were completed. Since September 1995 only nine cases have been released from jail on pretrial services supervision. Seven of these individuals were successfully terminated; the other two were not.

Program Issues:

- ▲ There are continuous problems with the county computer system and LEADS.
- ▲ The program continues to suffer from a lack of support from the State's Attorney.
- ▲ The need for consistency in the definition of workload and caseload.
- ▲ Despite a minimal number of supervision cases, data records were inaccurate.
- ▲ There is a lack of consensus regarding implementing pretrial supervision.

**Anticipated
Developments:**

A planned reorganization of the Peoria County Probation and Court Services Department will place the bond report and investigation functions of the Pretrial Services Program into the Investigations Unit. There also is a third pretrial officer position open. This staff member will cover Sunday bond court and send court date reminder letters and make follow-up phone calls.

Recommendations:

- ▲ Program administrators should collaborate with the Peoria County State's Attorney and the judiciary to develop consensus on the services to be provided by the Investigations and Supervision Units.
- ▲ The program should establish functional titles such as "investigator", which better describe the duties of pretrial officers.

PRETRIAL SERVICES PROGRAMS

Programs distinctly identified as pretrial services operate in 11 Illinois Counties, representing nine of the state's 22 judicial circuits. While most of these programs have been developed since 1990, two (Rock Island County and Lake County) were implemented in 1976 and 1978, respectively. The impetus for statewide development of pretrial services programs was provided in 1980 with the publication of performance standards by the Study Committee on Bail Procedures of the Illinois Judicial Conference. The Executive Committee of the Judicial Conference convened this conference in 1976 to evaluate bail administration in Illinois and to submit recommendations for its improvement. In 1986, those standards relating to pretrial services were codified by the General Assembly as the Illinois Pretrial Services Act, which provides that:

Each circuit court shall establish a pretrial services agency to provide the Court with accurate background data regarding the pretrial release of persons charged with felonies and effective supervision of compliance with the terms and conditions imposed on release (P.A. 84-1449/1, eff. July 1, 1987).

Paragraph 7 of this act identifies as the duties of the pretrial services agencies to:

- (a) Interview and assemble verified information and data concerning the community ties, employment, residency, criminal record, and social background of arrested persons who are to be, or have been, presented in Court for first appearance on felony charges, to assist the Court in determining the appropriate terms and conditions of pretrial release;
- (b) Submit written reports of those investigations to the Court along with such findings and recommendations, if any, as may be necessary to assess:
 - (1) the need for financial security to assure the defendant's appearance at later proceedings; and

(2) appropriate conditions which shall be imposed to protect against the risks of nonappearance and commission of new offenses or other interference with the orderly administration of justice before trial;

(c) Supervise compliance with pretrial release conditions, and promptly report violations of those conditions to the Court and prosecutor to assure effective enforcement;

(d) Cooperate with the Court and all other criminal justice agencies in the development of programs to minimize unnecessary pretrial detention and protect the public against breaches of pretrial release conditions; and

(e) Monitor the local operations of the pretrial release system and maintain accurate records of program activities.

To complement the Pretrial Services Act, the Probation Division of the AOIC, on July 1, 1990, published the *Illinois Pretrial Services Procedural and Operational Standards Manual* to direct program development and approval by the Illinois Supreme Court, and to provide program operation guidelines to the circuit courts. AOIC authority included providing 100 percent reimbursement monies (as available) to the circuits for operation of pretrial services programs. The Macon County (Sixth Judicial Circuit) and Peoria County (Tenth Judicial Circuit) Pretrial Services Programs were, however, initiated through federal resources provided through the ICJIA.

In both Macon and Peoria Counties, jail overcrowding was a precipitating factor in the search for pretrial service resources. In 1992, a Peoria County Jail Population Management Task Force and a National Institute of Corrections Consultant Team found the Peoria County Jail to be operating at 117 percent of its design capacity and projected a steadily increasing population. Similarly, Macon County's new jail experienced a 71 percent increase in its average daily inmate population in just three years. Criminal justice research teams in both counties identified improved and

expanded bond practices as a means to address jail overcrowding by diverting as many pretrial detainees from custody as possible. An improved quality and quantity of information available in the bond reports would provide for increasingly informed judicial decision making, which in turn might lead to bonds being set at more attainable levels.

PROGRAM OPERATIONS—MACON COUNTY

In the fall of 1994, the Macon County Department of Probation and Court Services applied to the ICJIA for \$115,185 Anti-Drug Abuse Act funding matched by \$38,395 county funds to establish a Pretrial Services Program. Table 3.5 shows a breakdown of this budget under ICJIA Agreement #4271 (December 9, 1994–September 6, 1996).⁹ Continuation funding of the program from September 6, 1996 through February 28, 1998 (Agreement #4560) also totaled \$153,580 but showed some reallocation among lines to provide for additional program staffing (also see Table 3.5).¹⁰

⁹ According to AOIC reports, \$6,337 of Agreement #4271 monies was not spent. Most of this amount had been allocated for personnel expenses.

¹⁰ According to AOIC reports, \$18,506 of Agreement #4560 monies was not spent. Most of this amount had been allocated for “other” expenses.

Table 3.5: Macon County Pretrial Services Program—Budgets

| Line Item | First Cycle (Dec. 9, 1994 to Sept. 6, 1996) 21 months Agreement #4271 | | Second Cycle (Sept. 6, 1996 to Feb. 28, 1998) 18 months Agreement #4560 | |
|--------------|---|--------------------------|---|---------------|
| | Personnel Services | \$103,279 | 67.2% | \$125,723 |
| Equipment | \$12,200 | 7.9% | \$10,000 | 6.5% |
| Commodities | \$6,200 | 4.0% | \$2,950 | 1.9% |
| Travel | \$3,000 | 2.0% | \$4,000 | 2.6% |
| Contractual | \$16,660 | 10.8% | \$10,907 | 7.1% |
| Other | \$12,241 | 8.0% | \$0 | 0.0% |
| Total | \$153,580 | 99.9%¹ | \$153,580 | 100.0% |

¹Totals over or under 100.0% are due to rounding.

Program Goals

The 1994 grant application to the ICJIA identified the purpose of the Macon County Pretrial Services Program as to:

... provide the Court with accurate background data regarding persons charged with non-capital felonies and provide effective supervision of conditions of release to those defendants released by the Court ... The intent of the program was to increase the release on recognizance and other alternatives to pretrial detention based on a least restrictive philosophy, thus decreasing the pretrial jail population and opening spaces for a more appropriate jail population (Grant Application, 1994:3).

Specifically, the quantifiable objectives for the Pretrial Services Program were detailed as:

- (1) Complete verified bond reports on 85% of defendants charged with non-capital felonies and admitted to the Macon County Jail.
- (2) Increase the use of release on recognizance (ROR) by 10%.
- (3) Provide supervision and monitor the conditions of release for all defendants released under the program.
- (4) Ensure that 90% of defendants supervised by the program appear for all their scheduled court hearings (Grant Application, 1994:4).

A review of the initial interview data indicates that most individuals involved with the Pretrial Services Program believed that the program was operating primarily to ease the jail crowding situation, with a process goal of providing better information to the court through the generation of bond reports. More recent interview data reveal that the originally perceived goal of reducing jail overcrowding was displaced early on by a more realistic goal of affecting the jail population in such a way as to house more appropriate offenders. As one interview subject noted, the Pretrial Services Program has assisted in "...using the jail (space) better, but not cleaning it out". Additionally, while the quantifiable program performance measures remained unchanged in the second year funding request, increased emphasis was placed on the case supervision aspects of the program, particularly in the areas of electronic monitoring and substance abuse treatment. Interviews with program staff, however, reveal that "supervision," while conceptually endorsed, has been inconsistent in both its definition and its application.

Almost all first and second round interviewees stated the responsibility of the Pretrial Services Program was to provide enhanced information to the court and reported that they believed this goal was being consistently accomplished. The re-interviews uniformly indicated a perception that progressive improvement is evident in the quality, accuracy and comprehensiveness of the bond reports. A Macon County Sheriff's Department interviewee noted that "most of the offenders sitting in the jail now are sentenced felons." Many other interview respondents voiced the belief that the reports prepared by the pretrial officers have been an asset to the court, providing more extensive and verified information to the judiciary who, in turn, have been able to make more informed release decisions. One bond court judge described the reports as

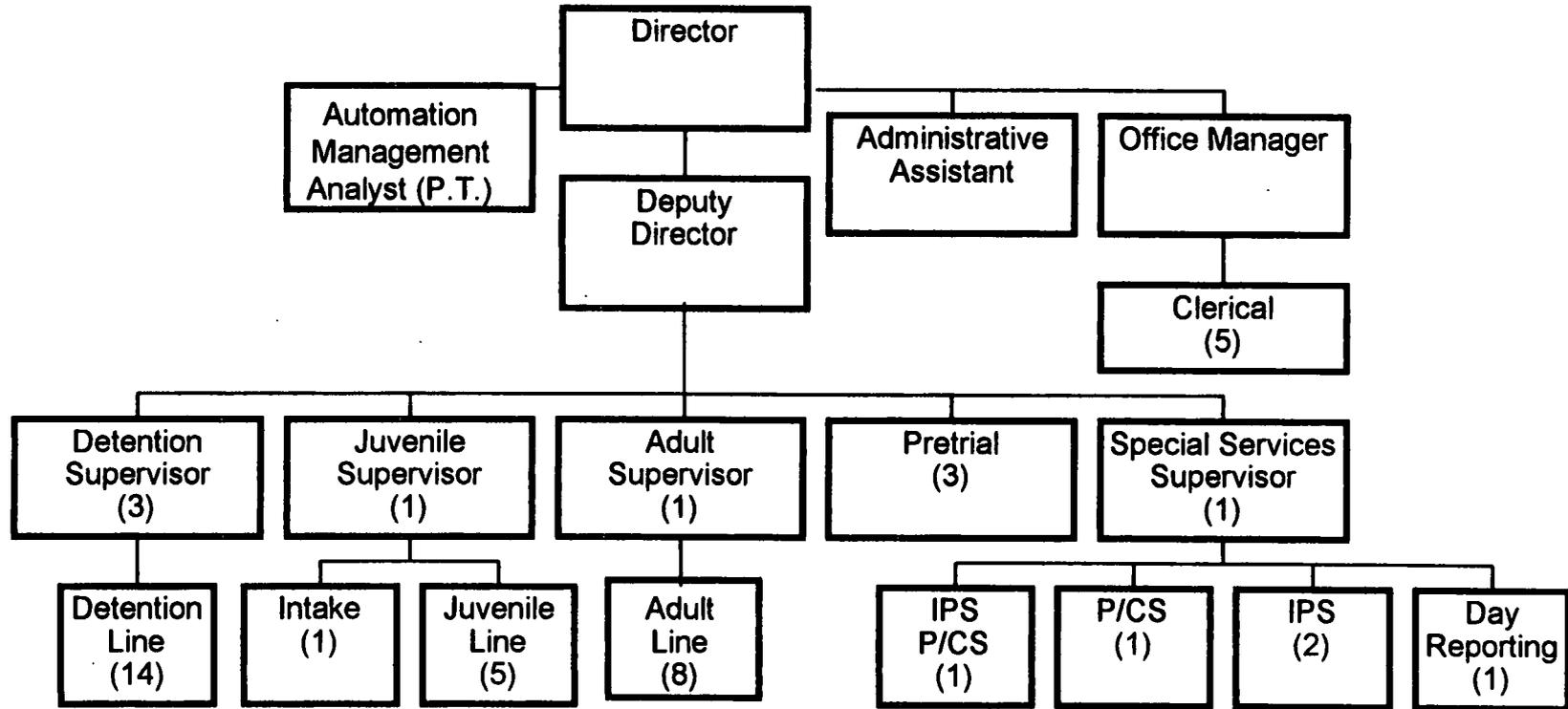
“wonderful,” and another stated that the reports “... now rarely miss anything that the States Attorney’s Office has on Macon County filings.” It was also frequently mentioned, however, that whatever positive impact the bond reports might have on jail overcrowding would probably be more than offset by other system events, such as increased sanctions in domestic violence cases.

Program Structure and Staffing

The original funding request included full time staffing by a program manager, two pretrial officers, one clerical position and associated equipment, commodities, travel and contractual expenses with the operation housed as an independent unit within the Macon County Probation and Court Services Department. The program manager was to report to the department’s director. Pretrial Services Program funding was approved on December 9, 1994; staff hiring, training and program development began the following March; and client services began on June 1, 1995.

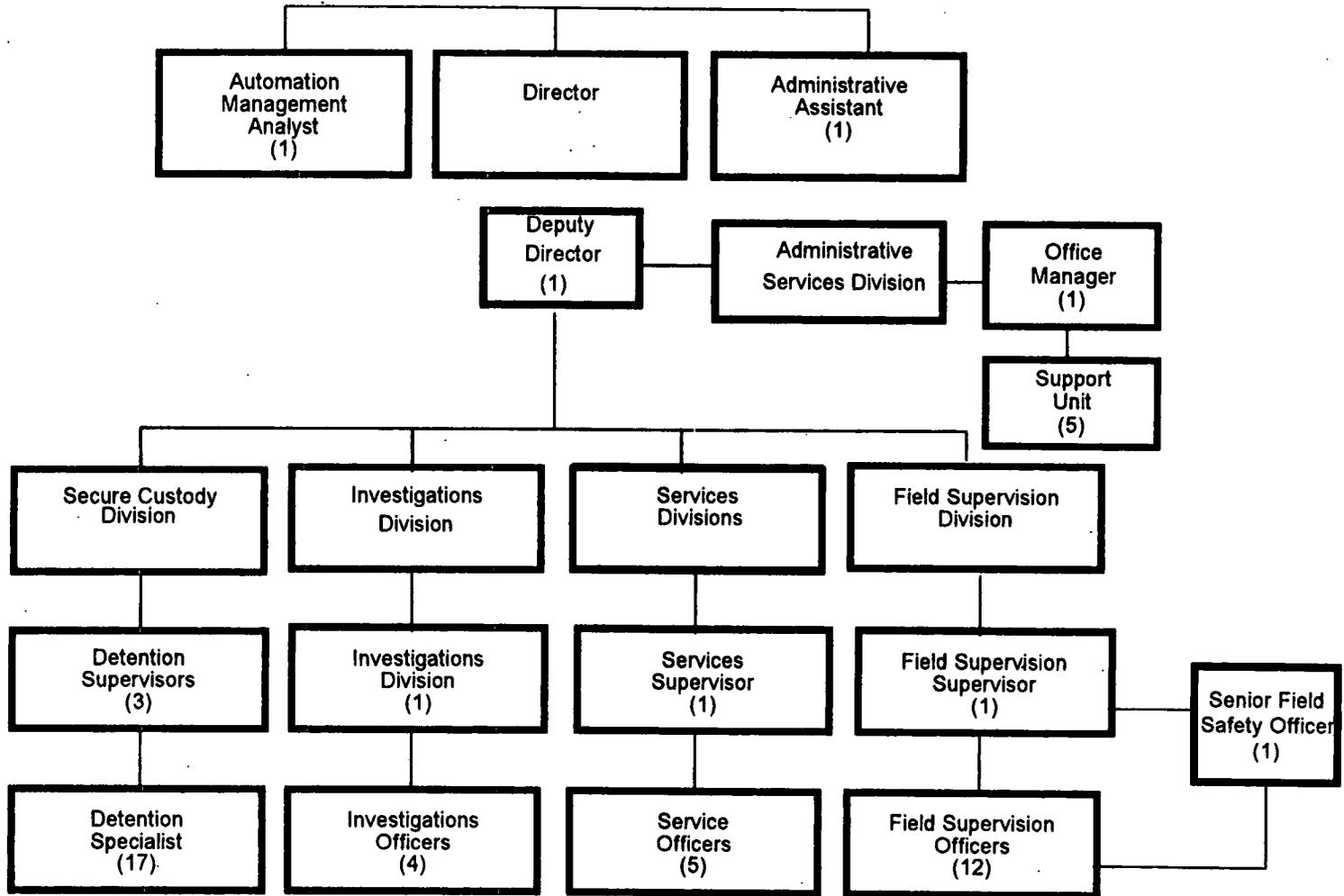
During the first six months of operation, two full time pretrial officers and one full time secretary staffed the Pretrial Services Program. The deputy director of adult services functioned as the program manager until his resignation in November 1995. In December 1995, a department restructuring placed the supervision of the three remaining Pretrial Services Program staff members under the newly hired deputy director of court services. Shortly thereafter, a third pretrial officer position was temporarily established and this was filled as a permanent position in May 1996. An organizational chart illustrating the Macon County Probation and Court Services Department in 1996 is presented in Figure 3.12.

**Figure 3.12: Macon County Probation and Court Services
1996 Table of Organization**



In January 1998, oversight of the Pretrial Services Program was transferred from the deputy director to the juvenile probation supervisor. This move represented the first formal step toward a future department-wide reorganization into five major Units: Administrative Services, Secure Custody (detention), Investigations, Services, and Field Supervision. The restructuring, planned for full implementation in June 1998, would shift the pretrial interviewing and bond report preparation functions into the Investigations Unit which would also handle presentence investigations, juvenile petitions and recommendations, criminal history inquiries and all other report-generation activities. Pretrial case supervision responsibilities would be assigned to the Field Supervision Unit and casework referral services would become the responsibility of the Services Unit. A tentative table of organization depicting the reorganization is presented in Figure 3.13. Macon County Court Services administrative staff anticipate that this departmental restructuring into functional divisions will streamline operations, equalize workloads and make better use of staff resources.

**Figure 3.13: Macon County Court Services
Table of Organization - Planned Implementation June 1998**



Program Implementation

Monthly grant reports and staff interviews show that bond report submissions and the supervision of some pretrial releasees began during the first month of formal program operations. (See Figure 3.14 for a timeline of these and other programmatic milestones.) One case was monitored for compliance with conditions of AA attendance and avoiding victim contact. One subsequent case was supervised briefly in September 1995. In December 1995, two cases were ordered to pretrial supervision followed by a small number of additional cases each month, eventually increasing the supervised caseload to 22 by the end of August 1996. At this point, pretrial services "supervision" was loosely defined as consisting of an initial home visit during the first week of release and two to three case contacts per week to monitor compliance with any release conditions imposed by the court. Also at this time, the Pretrial Services Program was responsible for criminal records investigations for the rest of the probation department and from 80–150 bond reports each month.

Figure 3.14: Macon County Pretrial Services Program - Major Programmatic Milestones

| 2/95 | 5/95 | 6/95 | 8/95 | 12/95 | 2/96 | 9/96 | 10/96 | 11/96 | 1/97 | 3/97 | 5/97 | 1/98 | 2/98 |
|------------------------------|-------------------------------|---|--|--|--|--|--|--|---------------------|-------------------------------------|---|--|--|
| First pretrial officer hired | Second pretrial officer hired | First bond report submissions to court | Pretrial Services Procedural Manual released | | Begin conducting all dept. criminal history records checks | | | New supervision case intake cut back to 30/month | Begin tracking FTAs | Saturday bond court coverage begins | Pretrial officers begin assisting PSI reports preparation | Pretrial Services report functions assigned to new Investigations Unit | |
| | | Informal supervision of first pretrial case | | Two defendants ordered to pretrial supervision | | 25 cases ordered to pretrial supervision | 74 cases ordered to pretrial supervision | | | | | | As of 2/28/98 3,753 complete bond reports & 405 persons placed on supervision ----- First month no FTAs |

Interview data suggest that the judiciary was initially hesitant about the Pretrial Services Program. In the spring of 1996, the judiciary suggested that the pretrial officers make recommendations to the court as to the appropriateness of an offender for pretrial release subject to special conditions. Implementation of this suggestion appears to have quickly improved the relationship between the judiciary and the Pretrial Services Program. In September 1996, 25 cases were ordered to pretrial supervision and the following month another 74 cases were added bringing the end of October caseload to 98, three times larger than it had ever been before. Also in October, one of the pretrial officers became responsible for overseeing pretrial and regular probation cases placed on electronic home detention. This sudden increase in workload necessitated a cutback in the basic pretrial supervision standards to an initial office visit, referrals to social services as needed, a home visit within the first month of release and court date reminder letters and telephone calls. Also reduced was Pretrial Services Program staff's responsibility for conducting criminal record investigations for non-pretrial clients.

As soon as the problems associated with the sudden caseload growth were brought to the attention of management and the judiciary, the volume of cases ordered to pretrial services supervision was reduced and has since stabilized at approximately 30 cases per month. This number is exceeded slightly by the number of supervision caseload exits each month, thus resulting in a gradual reduction of the unit's caseload to 66 at the end of February 1998.

In December 1996, the Macon County SAO requested that the Pretrial Services Program extend bond report preparation activity to the Saturday morning bond court.

This process was subsequently initiated in March 1997 but soon had to be abbreviated to the production of a criminal background check and if requested by an oral report in open court. Absent a full investigation and its accompanying recommendations for supervision, the Saturday bond court process has not produced any orders for pretrial services supervision of cases.

In January 1998, the Pretrial Services Program began a formal process of notifying all other probation officers in the department of their assigned cases held in the Macon County Jail. Previously, only felony detainees had been reported. Finally, the February 1998 Pretrial Services Status Report to the ICJIA indicates that in April the unit planned to begin regular documentation of all Macon County arrests. Data to be collected would include offenses committed by type, number of suspects released without charges, number of releases by type after filing of charges, days spent in jail and dispositional outcomes.

PROGRAM ACTIVITIES—MACON COUNTY

Staff Activities

Pretrial officers begin their workday at 7:00 a.m. Monday through Friday and between 5:30 a.m. and 6:00 a.m. on Saturday by reviewing the county jail's list of new admissions. Non-felony arrestees, non-bondable offenders and cases involving an arrest on a felony warrant are identified and excluded from the pool of clients to be offered a pretrial interview. Criminal records checks are conducted on the remaining felony defendants before the defendant's orientation to the Pretrial Services Program. All potential clients are advised that their participation in a pretrial interview is voluntary. Those consenting to an interview are questioned regarding such bond risk factors as

residence, employment, family and community ties, education, income and assets, transportation, prior arrest and court history, physical and emotional health, substance abuse history and personal references. The interviewees' responses are recorded in a standardized agency interview format on laptop computers.

Upon completion of the face-to-face interviews, the pretrial officers begin a process of verifying as much of the defendants' self-reported information as possible before the 10:00 a.m. bond court. On Saturdays, however, the 8:00–9:00 a.m. schedule of bond court usually does not allow enough time for pretrial interviews; therefore, normally only the criminal records check information is presented to the court. Pretrial officers may include in their reports to the court recommendations for bond release conditions and/or supervision. At least one Pretrial Services Program staff member, either an officer or the unit's secretary, attends bond court to respond to any questions which may arise and to record case dispositional information.

Following bond court the Pretrial Services Program staff complete case file record updates, brief other probation and local parole staff on arrest and court information regarding their assigned cases, monitor condition compliance and prepare compliance or noncompliance reports. They also handle the case management responsibilities of active supervision pretrial cases which may include office, home and field visits, referrals to supportive social services, drug and/or alcohol testing and court appearance reminder letters and telephone calls.

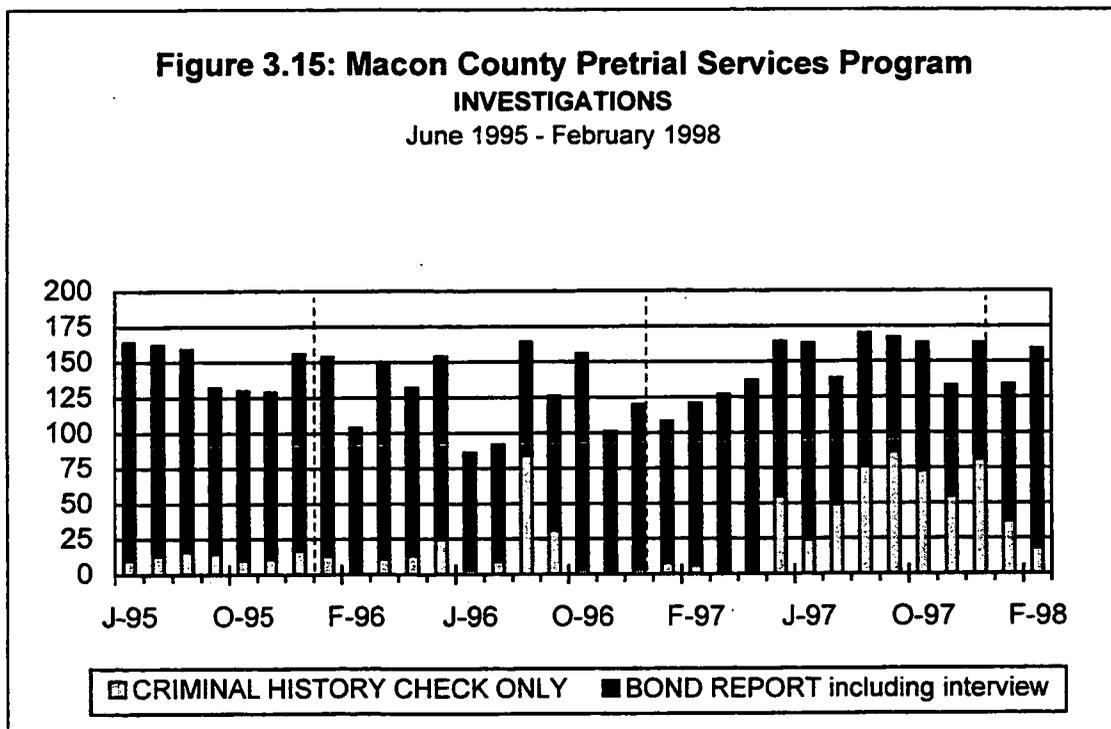
Scope of Services

Monthly data reports submitted to the ICJIA and the AOIC were obtained from the program for the first 33 months of program operation (June 1995–February 1998).

Information obtained in staff interviews and site visits also is incorporated into this section.

Pretrial Investigations

Since program inception, an estimated 5,825 felony defendants were defined as eligible for a pretrial interview, 4,616 were investigated (79% of those eligible) and 3,753 bond reports were prepared (64% of those eligible). A computer malfunction at the Macon County Jail forced estimation of the eligibility pool from October 1996 through August 1997. However, from September 1997 through February 1998, 919 investigations were conducted and 569 complete bond reports were prepared on 943 eligible detainees, a 60 percent bond report completion rate. The remaining 350 case investigations provided only a criminal history summary to the court (see Figure 3.15).



Pretrial Services Supervision Cases

Monthly data reports submitted to the ICJIA and the AOIC show that 630 defendants were released from custody to pretrial services supervision during the evaluation period.¹¹ Excluding the supervision referral start-up period and the unusually high number of referrals in October 1996, the last 16 months of data indicate an average of 30 supervision caseload additions per month, an average of 29 caseload closures per month and an average monthly supervision caseload of 82 clients.

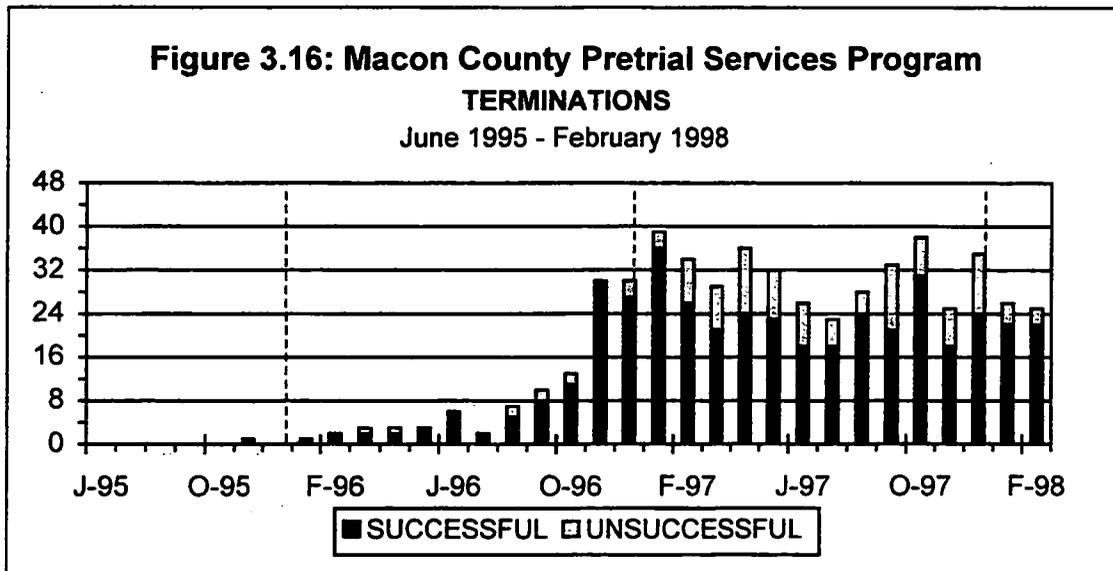
Specific program participation requirements were court imposed on less than one-half (n=263) of the cases released to pretrial services supervision. Those who did receive special conditions included substance abuse counseling (24.1%), mental health counseling (8.3%), and electronic monitoring (0.6%). Other types of special conditions were avoiding victim contact, school attendance, anger management and maintaining employment (all less than 0.5% of the supervision cases with special conditions).

Client demographics. Nearly 70 percent of the pretrial services supervision caseload were male, and slightly more than half were African-American. Less than half (44.8%) were high school graduates and only two-fifths were described as employed. Forty-five of the individuals (7.1%) were 17 years old or younger, 107 (17.0%) were 18 to 20 years old, 222 (35.2%) were 21 to 30, 167 (26.5%) were 31 to 40, 75 (11.9%) were 41 to 49, and 14 (2.2%) were age 50 or over.

Supervision completion. Data reports indicate a total of 537 pretrial services case closures through February 28, 1998 and "successful" completion of pretrial status

¹¹ According to bond report information provided by the program, only 405 individuals have been released with pretrial services supervision, an average of 12 clients a month. This data discrepancy affects all further data discussions.

for 428 clients, 79.7% of the exits (see Figure 3.16). There were 112 reported unsuccessful outcomes, a 21 percent failure rate.¹² The reasons for these unsuccessful case closures were rules violations (3.6%), new offense arrest (44.6%), and failure to appear (FTA) in court (51.8%). Since January 1997, the first month that FTAs in court were reported as discrete events, individuals on pretrial supervision missed 60 scheduled court hearings (5.3% of all scheduled hearings).



Program Impacts

The Macon County Pretrial Services Program generally is viewed as having a very positive impact in the local criminal justice community. Although it would be extremely difficult, if not impossible, to gauge the direct impact of the program on jail crowding, the satisfaction of stakeholders with the program's operation and products is fairly unanimous. The Pretrial Services Program is viewed as consistently providing the bond court with accurate background information on felony defendants and as providing satisfactory supervision and monitoring of the pretrial supervision cases.

¹² This sums the two outcome possibilities to three more than the exit population.

Bond Report Submissions

The program's impact, in terms of the quantifiable performance measures specified in the ICJIA agreements is somewhat mixed. Although one objective is to provide complete bond reports on 85 percent of the defendants booked into the jail charged with non-capital felonies, *complete* bond reports were submitted on approximately 64 percent. When *partial* bond reports also are considered, the submission rate is in excess of 97 percent.

Personal Recognizance Bonds

The objective of increasing the number of individuals released on recognizance (ROR) by 10 percent was found to be impossible to measure with a degree of accuracy. Program documentation indicated that the ROR rate for felons prior to program implementation was about three percent of bond court dispositions. In contrast, pretrial services staff reported that up to 90 percent of the pretrial supervision caseload are now on personal recognizance release.

Court Hearings Attendance

On the final quantitative objective—ensuring that 90 percent of supervised individuals appear for their scheduled court dates—Macon County circuit clerk files show that 76 individuals, 20 percent of the 383 pretrial services supervision cases, had 79 FTAs while on supervision. Additionally, 54 individuals had FTAs *after* they were removed from supervision and 43 of those cases (80%) had not had a FTA *while* on supervision.

PROGRAM STRENGTHS AND WEAKNESSES—MACON COUNTY

Implementation Issues

Implementation of the Macon County Pretrial Services Program generally followed the sequence of activities as presented in the initial ICJIA program agreement, although many implementation events were not completed until several months after their projected dates. Bond reports, the core product of the program's activity, were first submitted to the court in June 1995—some six months after funding commenced, and the submission of case supervision condition recommendations did not begin until the following December. However, the first few months of the program's development were not idle—much time was spent on gathering offender dispositional baseline data, networking with program stakeholders, recruitment and training of staff, and the establishment of LEADS query capability. The second year of the Pretrial Services Program operation adhered much more closely to the implementation schedule than did the first year. Most of the new activity focused on operational and data system refinements, extension of the program to Saturday bond court and planning for the realignment of responsibilities and activities within a department-wide reorganization.

On March 19, 1998 Macon County's director and deputy director of Court Services attended an evaluation update meeting with representatives from ICJIA and the CLES. When asked how Pretrial Services Program implementation might have been improved, the directors responded that they would like to have seen more local involvement in the pre-implementation planning process, better baseline system data and more opportunity to secure the commitment of stakeholders to the program's concept. Additionally, they commented that upon reflection they should have better

anticipated the problems associated with an inadequate automated information system and the conversion to an improved system.

Operational Issues

Many of the operational issues faced by the Macon County Pretrial Services Program seem associated with two phrases from the agency's statement of purpose: "... (to) provide effective supervision of conditions of release..." and "to increase the release ... to pretrial detention (alternatives) based on a least restrictive philosophy...". While these two program initiatives are generally complementary, their somewhat different foci appear related to the emergence of a "floating" definition of "supervision" and some confusion as to where the program should be headed. All parties involved in and/or impacted by the Pretrial Services Program agree that the production of quality bond reports is the core activity of the program and that minimizing FTAs is the fundamental program performance outcome measure. However, which particular offenders are to be served and the type of service to be provided are less clear. For instance, the Pretrial Services Act identifies felons as the programs' target population. However, the Macon County State's Attorney, the judiciary, law enforcement personnel and Pretrial Services Program staff all view misdemeanor domestic battery/domestic violence offenders as an appropriate, but as yet unserved, clientele whose numbers are disproportionately contributing to jail crowding. Similarly, the contact standards for active supervision cases have been differently defined at different points in time primarily as a response to resource limitations, and not as a directed effort to improve outcome or as a principle of differential case management.

A related operational issue is the day-to-day balancing act that weighs the production of accurate and comprehensive bond reports against a very short time frame for their completion. As mentioned earlier, in March 1997, recognition of the value of pretrial reports in expediting the bond court process prompted local officials to request extension of the weekday service to Saturday morning court. Only one month later, however, the impossibility of developing comprehensive reports on as many as 20 detainees in less than two hours was recognized, and the reports were cut back to include only criminal history summary information. Without question, this is still a valuable service to the prosecutor and the court, but it is a very staff-intensive activity that is only marginally grounded in the program's statement of purpose and its goals and objectives.

Data Issues

Accuracy

Most of the data issues, which surfaced during the course of this evaluation, are approaching resolution as the program matures and the department converts to the "Tracker" automated case management information system. Even since the conversion, however, a persistent statistical report problem is that one month's beginning-of-month pretrial services supervision caseload does not equal the reported end-of-month figure for the prior month. The research team discovered that in one recent month the discrepancy was as high as fifteen cases, 17 percent of the caseload at that time. The problem was subsequently rectified, although this situation would not have come to light unless the evaluation team had carefully examined the data. Errors of this type cause difficulty in using aggregate data for ongoing program performance

assessment and decision-making. The problems are, however, easily corrected if reports are routinely reviewed and verified for accuracy.

Consistency

Another area of concern is that the operational definitions of some of the terms used in the monthly statistical and status reports are unclear, at least to the extent that different report writers interpret and report the information differently. Some "FTAs" and "Rules Violation" cases, for instance, were recorded as "Dropped from Pretrial" before official bond revocation, while others were not. The formal definition of the term "Eligible for Interview", because it includes *all* felony cases eligible to be released on bond, causes the appearance of reduced program effectiveness on a key performance measure by including the Saturday bond cases in the interview eligible pool even though there is no expectation that these cases will be interviewed. Other more general terms, like "supervision" which was discussed previously and pretrial services "caseload", are relatively undefined in any operational sense.

Unreported Information

A final data issue is that the present data collection and reporting formats do not focus on some of the Pretrial Services Program goals. No comparative information, for instance, is readily available on Macon County arrestees who are released on a notice to appear, personal recognizance or cash bond unless they are referred to the Pretrial Services Program. Neither is information routinely reported associating the type or intensity of case management activity with offender demographics or case outcomes.

PROGRAM RECOMMENDATIONS—MACON COUNTY

At the present time there exists throughout the local criminal justice community a very high level of satisfaction with the Macon County Pretrial Services Program process and its products. Also evident is a high degree of confidence in the program administration and staff. This satisfaction and confidence, coupled with the upcoming department reorganization, suggests that now is the time for program solidification around concrete goals and objectives.

It is recommended that the department continue the ongoing process of program reviews and the assessment of its best fit within the overall criminal justice system, both today and in the future. Attention should be directed to involving all program stakeholders and service recipient groups in clearly defining/redefining the agency mission and in securing commitments to a continuous process of performance auditing, action and contingency planning. Similarly, appropriate and realistic performance and outcome measures need to be distinguished from one another, must be clearly articulated and should be subject to ongoing review. Only through such a process can current and future resource needs be identified and supported. Particular effort in this process should be directed to addressing two issues: 1) creating an *adequate* time frame for the development of comprehensive and verified bond reports, and 2) creating and implementing a differential case management system specifically directed at maximizing the court appearance rates of defendants.

PROGRAM OPERATIONS—PEORIA COUNTY

The Peoria County Adult Probation Department, in the fall of 1994, applied to the ICJIA and received \$122,245 Anti-Drug Abuse Act funding matched by \$40,748 county

funds to establish a Pretrial Services Program. Table 3.6 shows a breakdown of the initial Peoria Pretrial Services budget under ICJIA Agreement #4236 (December 1, 1994–September 30, 1996), as well as the following agreement's budget. Continuation funding of the program from August 1, 1996 through September 30, 1997 totaled \$169,660 (\$127,245 federal + \$42,415 local) under Agreement #4561. An Extension Agreement (#4672) continued program funding through February 1998, adding \$85,410 in federal funds matched by a local contribution of \$28,470.¹³

Table 3.6: Peoria County Pretrial Services Program—Budgets

| Line Item | First Cycle (Dec. 1, 1994 to Sept. 30, 1996) 22 months Agreement #4236 | | Second Cycle (Aug. 1, 1996 to Sept. 30, 1997) 14 months Agreement #4561 | |
|--------------|--|---------------|---|--------------------------|
| | Personnel Services | \$110,177 | 67.6% | \$135,298 |
| Equipment | \$25,104 | 15.4% | \$2,772 | 1.6% |
| Commodities | \$1,655 | 1.0% | \$3,100 | 1.8% |
| Travel | \$4,557 | 2.8% | \$5,000 | 2.9% |
| Contractual | \$20,900 | 12.8% | \$9,199 | 5.4% |
| Other | \$600 | 0.4% | \$14,291 | 8.4% |
| Total | \$162,993 | 100.0% | \$169,660 | 99.8%¹ |

¹Totals over or under 100.0% are due to rounding.

Program Goals

The original stated purpose of the Peoria County Pretrial Services Program was to:

...provide the Judiciary with verified information about individuals, arrested and placed in the Peoria County Jail for non-capital felony offenses, to help in making decisions regarding release into the community until his/her trial or court hearing ... and (to) carry out case supervision if ordered by the Court (Grant Application, 1994:2).

¹³ According to AOIC reports, \$998 of Agreement #4561 monies was not spent.

Interviews with key actors indicated that jail crowding was recognized as the primary impetus for the implementation of the Pretrial Services Program, followed by a desire for improved offender risk identification achieved by providing more thorough information to the courts in the bond reports.

The continuation agreement with ICJIA added as quantifiable performance measures for the program to:

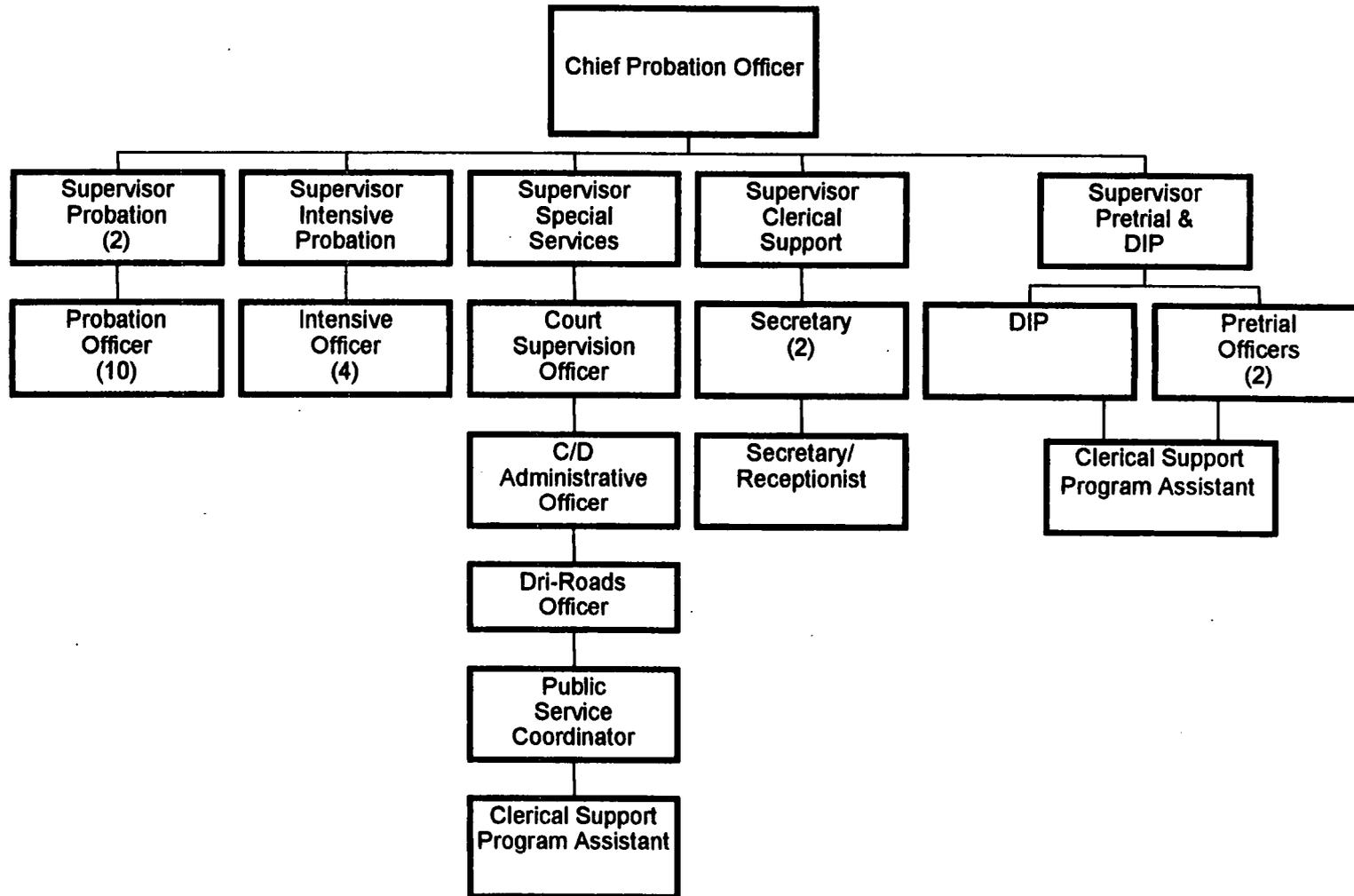
- (1) Increase the number of defendants interviewed by 20% to 1765.
- (2) Increase the number of bond reports prepared by 20% to 1120.
- (3) Design a database to collect information on factors that contribute to non-compliance in the criminal justice system by September 30, 1996.
- (4) Summarize data collected and make recommendation to the court by April 1, 1997 concerning target supervision population.
- (5) Begin offering supervision of target population by April 15, 1997 (Agreement #4561, 1996:A3).

Interviews with key individuals throughout the criminal justice system in Peoria County revealed a common belief that although the Pretrial Services Program was implemented as a vehicle to reduce jail crowding, the program's actual population impact after one year of operation was minimal. As in Macon County, the primary perceived value of the Peoria County Pretrial Services Program was in providing additional information to the court for more informed bond decision-making. Whereas the first series of interviews revealed several general concerns with the accuracy of data in the bond reports, the second year interviews showed overall confidence in, and satisfaction with, the content of the reports. However, several respondents during both rounds of interviews, expressed *dissatisfaction* that the Pretrial Services Program had very limited supervision and monitoring of pretrial releasees.

Program Structure and Staffing

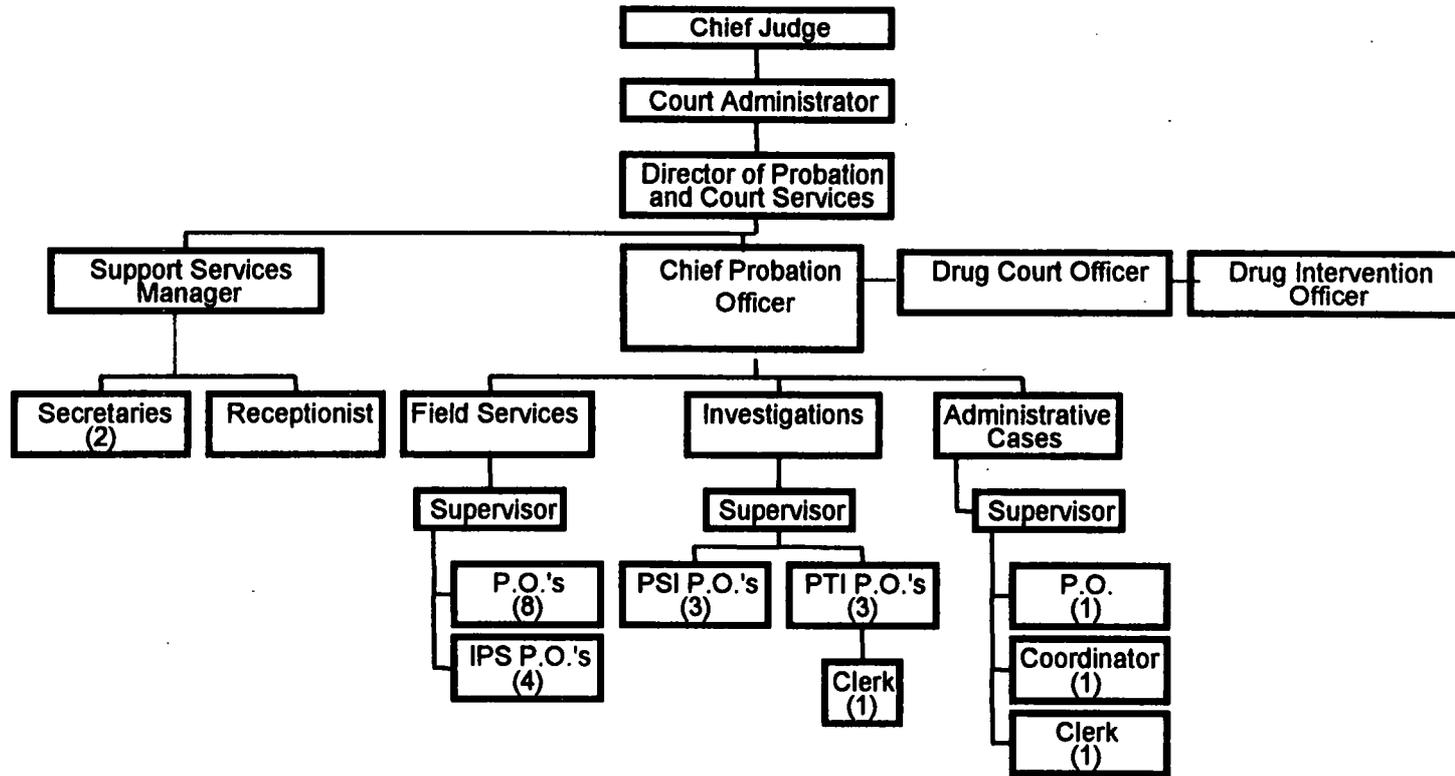
The original and continuation funding requests for the Peoria County Pretrial Services Program included unit staffing of one supervisor, two pretrial officers, and one clerical support position. The program is housed in the Peoria County Courthouse within the Adult Probation Office suite. The Pretrial Services Program supervisor originally reported directly to the chief adult probation officer and was responsible for policy and procedure development, daily supervision of the Pretrial Services Program staff, grant report preparation and liaison with other criminal justice system components. An organizational chart illustrating the Peoria County Adult Probation Department in 1995 is displayed in Figure 3.17.

**Figure 3.17: Peoria County Adult Probation Department
1995 Table of Organization**



The Pretrial Services Program experienced an unusually high level of staff turnover during the first year of operation. In November 1995, just six months after the first staff were hired, both pretrial officers and the unit's secretary resigned. The pretrial officer vacancies were filled within one month by new hires but the secretarial position was not refilled until May 1996. The chief adult probation officer retired on January 24, 1997, and was replaced by an acting director of Probation and Court Services. This new position was filled on a permanent basis in the summer of 1997 and shortly thereafter it was announced that the Pretrial Services Program supervisor position would be converted by year's end to an additional pretrial officer position to extend coverage to weekend and holiday bond court. On February 15, 1998 supervision of the Pretrial Services Program was assigned to the Investigations Unit supervisor as part of a department-wide restructuring as displayed in Figure 3.18. By the end of the evaluation period, the third pretrial officer vacancy had not been filled, nor had bond court coverage been extended to weekends and holidays.

**Figure 3.18: Peoria County Adult Probation Department
1998 Table of Organization**



Program Implementation

The supervisor of the Special Services Unit (court supervision, conditional discharge, dri-roads and public service caseloads) was initially designated to manage the Pretrial Services Program. In April 1995, a new full time supervisor for the program was hired and equipment purchases began. One month later, two pretrial officer positions were filled and staff began a training process which included LEADS, gang awareness, substance abuse, family violence and site visits to other pretrial services programs throughout the state. See Figure 3.19 for a timeline of major programmatic events.

The interviewing of Peoria County Jail inmates and the submission of bond reports began on September 11, 1995. Two weeks later, the Pretrial Services Program received its first supervision case from the court and one of the conditions imposed required 24-hour curfew monitoring. The program's monthly reports at this point began to indicate communication problems with the court and a general misunderstanding of the Pretrial Services Program, both in terms of the services available and the limitations of those services.

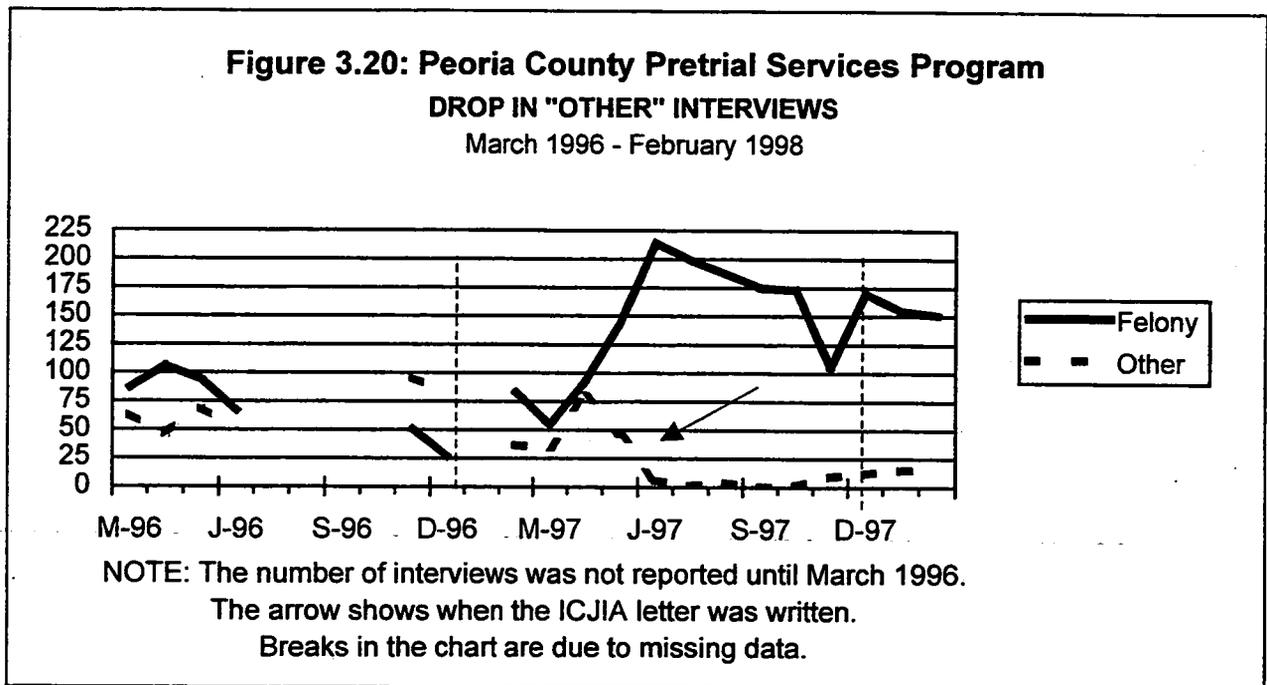
During the first four months of operation the program completed an average of 157 offender interviews per month, submitted an average of 78 bond reports to the court each month and received two court referrals for pretrial services supervision.

Figure 3.19: Peoria County Pretrial Services Program - Major Programmatic Milestones

| 4/95 | 5/95 | 9/95 | 11/95 | 12/95 | 4/96 | 7/96 | 10/96 | 1/97 | 6/97 | 11/97 | 2/98 |
|------------------------------------|-----------------------------|--|---|---------------------------------|---|--|--|---------------------------------------|---|---|--|
| Pretrial Services supervisor hired | Two pretrial officers hired | SAO expresses concern w/program's scope ----- First bond report submissions to court | Two pretrial pretrial officers & secretary resign | Pretrial software problems peak | Concerns expressed re: pretrial supervision limitations | Pretrial Services Procedural Manual released | Serious inter-office communications problems noted | Chief adult probation officer retires | New director of Probation & Court Services begins | Pretrial Services supervisor position abolished | Pretrial Services report functions reassigned to Investigations Unit |
| | | First defendant ordered to pretrial supervision | | | | | | | Last time individual placed on supervision | As of 2/28/98, 2,222 bond reports & 9 persons placed on supervision | |

In 1996 the Pretrial Services Program submitted 916 complete bond reports to the court, which led to one misdemeanor and five felony defendants released to supervision. Serious computer system problems, which began in 1996, continued to hamper the program throughout 1997. At one point, running the software specifically designed for the Pretrial Services Program caused the Windows 95 operating system to crash. A Pretrial Services Program Procedures Manual was drafted in the spring of 1996 and published in July 1996.

Program services during 1997 included 1,829 jail interviews, 905 complete bond report submissions and supervision of four additional felony cases. In June, in response to a concern expressed by ICJIA, the target population for the Pretrial Services Program interviews was redefined to prioritize substance abusers and violent offenders (see Figure 3.20).



During the first two months of 1998 interviews were conducted with 337 offenders and 131 complete bond reports were submitted to the court. Additionally, the average number of partial bond reports (consisting of criminal history records checks only) submitted to the court had risen to 19 per month by the end of February 1998. On February 15, all of the record checks and report-generating functions of the Pretrial Services Program were reallocated to a newly created Investigations Unit consisting of a supervisor, two pretrial officers and three presentence investigation officers. Though there were no active supervision cases assigned to the Pretrial Services Program at the time of the reorganization, all supervision functions which had been performed by pretrial officers are now be the responsibility of field probation officers assigned to the Supervision Unit.

PROGRAM ACTIVITIES—PEORIA COUNTY

Staff Activities

Pretrial officers begin their workday at 8:00 a.m. at the Peoria County Jail. Here they review the county jail's list of new admissions to sort out those cases which would be ineligible for a pretrial interview or which would, based on their experience, be released from custody before a bond court appearance. Generally, the cases that remain are non-capital felonies, prostitution and domestic battery/domestic violence cases and other more serious misdemeanor cases. The officers tie into the Peoria County court system computer system via hook-ups at the jail, review and record criminal history background data, and conduct social history interviews with those defendants who consent to an interview.

Upon completion of their face-to-face jail interviews the officers then travel to their courthouse headquarters and by records checks and telephone calls attempt to verify the information given to them by the defendants. Late in the morning or early in the afternoon, an assistant state's attorney contacts the Pretrial Services Program office with a list of defendants whom will appear in the 3:00 p.m. bond court. The pretrial officers then complete standardized bond reports on those defendants, submit them to the court, the prosecutor and defense counsel. One or more of the officers then attends the weekday bond court to represent their reports, respond to any questions and to record the dispositions of the cases. It should be noted that it is *not* a practice of the pretrial officers to include in their bond reports any recommendations for conditions of release. Other activities of the Pretrial Services Program staff include conducting LEADS inquiries for other units within the department and the preparation of noncompliance reports to advise the court of violations of pretrial release terms or conditions.

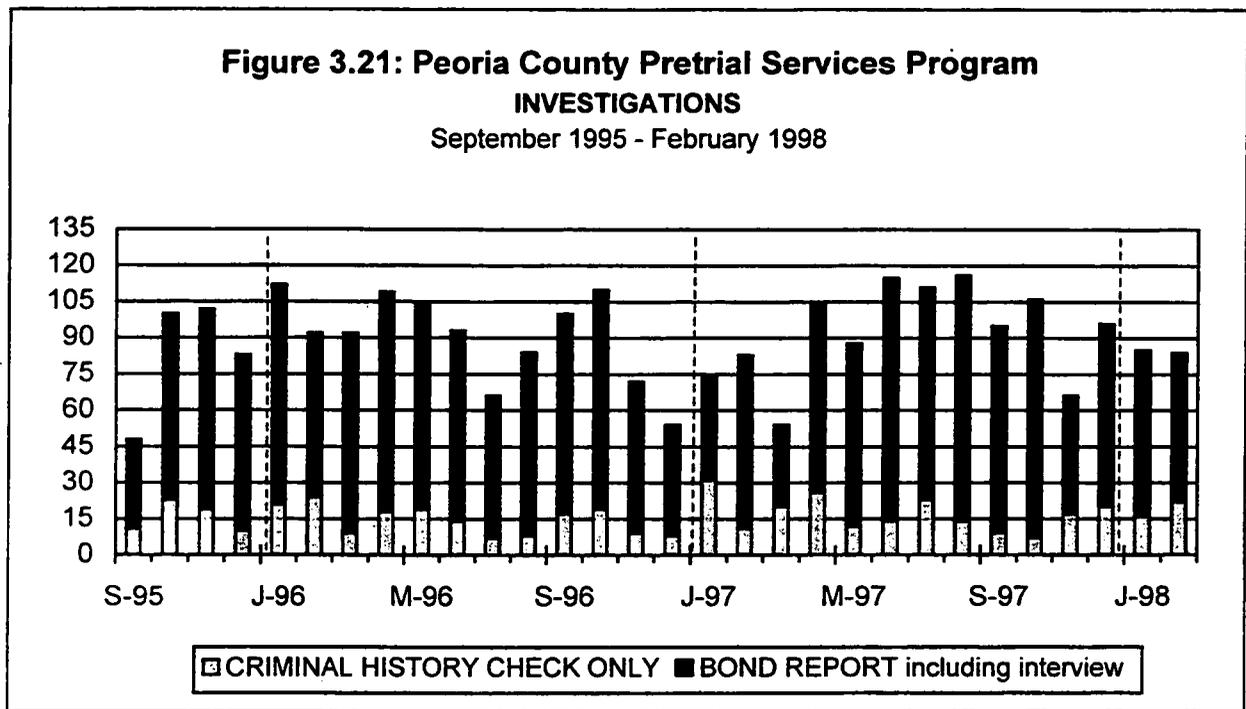
Scope of Services

Data sources for the Peoria County Pretrial Services Program included personal interviews with key actors throughout the Peoria city and county criminal justice community and the review of narrative Pretrial Services Program reports and data collected from the Peoria County Jail and the Circuit Clerk's office. Monthly data reports submitted to the ICJIA and the AOIC were obtained from the program for the first 30 months of program operations September 1995–February 1998.

Pretrial Investigations

Since program inception, 11,490 defendants were defined as eligible for a pretrial interview, an average of 383 per month. The number of individuals interviewed was

available only for 27 of the 30 months and showed a total of 4,238 interviews conducted, an average of 157 per month, 41 percent of those eligible. Complete bond reports, consisting of an interview summary and a criminal history records check, were submitted to the court on 2,222 defendants over the 30 month period, an average of 74 per month or slightly less than one half of those interviewed (see Figure 3.21).



Pretrial Services Supervision Cases

Different data sources indicate different numbers of cases ordered to pretrial services supervision, with nine, 12 or 13 individuals released to this condition. During the course of the evaluation, the greatest number of cases on pretrial services supervision at any one time was six. No cases were on supervision at the end of the evaluation period.

Client demographics. Of the nine individuals for whom detailed information was available, four were white males, three were white females and two were African-American males. The ages of these individuals ranged from 17 to 49 and they presented a wide variety of criminal charges. The majority had histories of serious substance abuse and/or child victimization. Four of the nine cases had a curfew and/or home confinement among other conditions of release. Two of the individuals had their bonds revoked, and seven successfully completed pretrial supervision having been sentenced to a term of incarceration.

Program Impacts

It was mentioned earlier that interviews with jail, police and court personnel indicated a common perception that the Peoria County Pretrial Services program *would not and has not* appreciably impacted jail crowding. If the program has had an impact, it is obscured by other system events, such as the statutory changes in jail time for domestic violence cases, to the extent that any correlation would be difficult, if not impossible to establish. What *is* possible to assess is the degree to which the program has addressed its stated goals and objectives, and on these measures the findings are mixed.

In regard to the overall goal of providing the judiciary with verified information for bond decision-making, the Pretrial Services Program has consistently presented the court with 34 to 102 complete bond reports each month. These are reports that did not exist before the program's implementation. Additionally, the goal of increasing the number of defendants interviewed by 20 percent from 1996 to 1997 appears to have been exceeded, although three months of missing data prevent establishing an exact increase. However, the goal of increasing the number of bond reports prepared during

this same time period by 20 percent was not achieved as the number actually fell from 916 to 905. The remaining goals, all of which relate to increasing the number of cases supervised during the pretrial period, have fallen short of accomplishment. Of particular concern is that the proportion of jail interviews which ultimately lead to complete bond reports has progressively fallen to less than 40 percent. In other words, now more than one half of the pretrial officers' time spent conducting jail interviews is not contributing to the Pretrial Services Program outcome objectives.

Some evidence was found of a slight increase in the frequency of ROR releases as compared to cash bond releases, since the inception of the Pretrial Services Program. It would be premature at this point to attribute this trend to the Pretrial Services Program, especially in view of the fact that releases on notices to appear show an even greater rate of increase. It is quite possible that both situations are more a reflection of system responses to increasing jail overcrowding than to anything else.

PROGRAM STRENGTHS AND WEAKNESSES—PEORIA COUNTY

Implementation and Operational Issues

The overriding implementation and operational issue for the Peoria County Pretrial Services Program is the supervision, or case management, of offenders conditionally released on bond. One week before the Pretrial Services Program began its core activity—interviewing defendants and preparing bond reports—the Peoria County state's attorney sent a letter to the chief judge, the court administrator, the probation director and the Pretrial Services Program supervisor expressing his concern with the program's design. Specifically, the state's attorney called for recommendations

regarding pretrial release conditions and the monitoring of defendants' compliance with any imposed conditions.

In his September 12, 1995 reply to the state's attorney the chief probation officer indicated that the "...functions outlined in (your) letter are critical activities of any Pretrial Program and they are objectives the program fully intends to carry out." This response was followed shortly by a letter from the chief probation officer to the presiding bond court judge outlining the monitoring, casework and supervision services available to defendants released to pretrial services supervision. Included in the summary of services attachment to the letter was a full range of casework activities from a minimum of monthly case contact and notification to defendants of scheduled court appearances to intensive monitoring for high risk defendants.

One week later, the first Peoria County defendant was ordered to pretrial services supervision with special conditions to avoid all victim contact, attend school every day, maintain at least a "C" average grade in school and home confinement. This case remained on supervision until his conviction and penitentiary sentencing eight months later. Though the supervision conditions were fairly rigorous, pretrial officers did monitor them and reported infractions to the court. In the following 29 months less than a dozen additional cases were ordered to pretrial supervision. Those that were ordered to supervision all had multiple conditions; the monitoring of which required significant officer oversight. The limited number of active supervision cases, coupled with the lack of bond report condition recommendations and an ongoing delay in implementing a system of court appearance reminder letters and/or telephone calls to defendants, appears to be the primary cause of less-than-enthusiastic support of the Pretrial

Services Program by the local state's attorney. This is a critical issue for the program, particularly in light of the fact that it is the prosecutor who serves as the gatekeeper between the pretrial interviews and the writing of bond reports.

Data Issues

Lack of Individual-level Data

The most significant Peoria County Pretrial Services Program data issue encountered by the research team related to difficulty in accessing individual-level information on the bulk of the program's clientele. Demographic information is routinely recorded and reported by the Pretrial Services Program only for those few cases assigned to pretrial supervision—not on the vast majority of cases which are interviewed, investigated and written into bond reports. The aggregate data on interviewed cases, though valuable, does not give sufficient detail to answer questions about differences within the population, changes in the population or about comparison with other populations.

Unreported Information

Information is also lacking on the number of defendants who are released from custody prior to an interview and on those who do not consent to an interview. Without these figures it is impossible to accurately determine the proportion of the eligible clients who are served by the program. Similarly, individual-level data needs to be recorded on those offenders who fail to appear in court. Without this information it will be impossible to comprehensively assess the effectiveness of efforts to reduce FTAs through reminder letters and/or differential supervision.

Accuracy

The evaluation team also encountered some problems with data accuracy. The outstanding example of data inaccuracy is in the number of cases reported to have been on pretrial services supervision. On the monthly statistical report forms submitted to the AOIC and the ICJIA, the total number of cases with demographic information is 13, but the total number of individuals reported released with supervision is 12. When asked, the program provided casework summaries of the supervised clients; however, detailed case notes were provided only on nine cases that were identified as having been supervised.

Consistency

Data inconsistency became an issue when it was discovered that in March 1996 the Pretrial Services Program began "whiting-out" the monthly statistical report heading "Number released prior to interview or initial bond hearing" and replaced it with the title "Number interviewed". This was apparently done in response to the unique situation in Peoria County where the charging prosecutor determines which cases advance to bond court prior to pretrial officers completing bond reports. The change, though meaningful in Peoria County, seriously hampered efforts to determine the number of eligible clients who were processed by the Pretrial Services Program. It will, in the future, make it difficult to compare Peoria County with other Pretrial Services Programs in the state, as all programs uniformly use the reporting form.

PROGRAM RECOMMENDATIONS—PEORIA COUNTY

It is perhaps the intensity of casework demanded by the supervision cases so far that has led to so few cases having been subjected to conditional release. Large

numbers of active supervision cases requiring intensive monitoring could strain the Pretrial Services Program's resources and interfere with the production of quality bond reports. However, if the outcome sought by the program is to minimize FTAs in court, it is quite possible that a larger impact could be achieved by less intensive attention to greater numbers of offenders. For instance, the program could work toward securing approval from the court and the state's attorney to refocus on ensuring that *all* pretrial releasees receive court appearance reminder letters and/or telephone calls and casework referrals to needed social services. Selected offenders could still be identified for specialized attention by Supervision Unit officers based upon recommendations for conditions that are case-specific, enforceable and, again, outcome-based. In this regard, it is recommended that the Peoria County Pretrial Services Program, the court and the state's attorney should embark upon a collaborative and concentrated effort to determine what interventions are most efficient and effective in ensuring court appearance for which offenders.

Drug Intervention Program (DIP)

- Location:** Peoria County, Peoria, Illinois
- Start Date:** August 1995 (officer began working in May 1995)
- Purpose/Mission:** According to the *Procedural and Operation Standards (1995)*, the mission of the DIP is as follows: The Drug Intervention Program is to serve as an alternative supervision strategy for high risk adult offenders who have been identified as drug abusers or chemically dependent and ordered to a sentence of probation. Drug Intervention will enhance the ability of Probation and Court Services to impact on drug abusing offenders as well as create a high profile integration of community services designed to reduce risk to the community and improve coordination of services provided to this population (p. 3).
- Goals:**
- ▲ Reduce the recidivism rate of drug-addicted offenders in Peoria County.
 - ▲ Improve the quality of life for the probationer by eliminating substance abuse as a viable alternative lifestyle.
 - ▲ Provide the tools to enable substance abusers to utilize treatment methods throughout their lives.
 - ▲ Move rehabilitated probationers back into the community as productive citizens.
- Program Budget:**
- | | |
|-----------------------|--|
| Agreement 1: #4254 | May 15, 1995 through September 30, 1996 \$52,166 Federal Anti-Drug Abuse Act funds \$17,389 Matching county funds Total Funding: \$69,555 |
| Agreement 2: #4563 | October 8, 1996 through March 1, 1998 \$47,166 Federal Anti-Drug Abuse Act funds \$15,722 Matching county funds Total Funding: \$62,888 |
- Staff:** One DIP officer
- Contact:** David Burgess (309) 672-6018
- Scope of Services:** Probation officers and TASC are the primary referral sources for the DIP. Prior to being admitted into the program, the probationer must receive a clinical substance abuse assessment to determine the existence and severity of a substance abuse problem and confirmation of likelihood for rehabilitation through treatment.

Once accepted in the program, probationers are assigned to one of three levels of supervision: Level One (high supervision), Level Two (moderate supervision), or Level Three (low supervision). Successful completion of the DIP results in probationers being released from probation or transferred to a regular probation caseload. In order for this to occur, they must have no positive urinalysis in the past 90 days, successfully completed all treatment programs, not have been arrested in the past 120 days, and complied with the guidelines of the DIP and TASC.

**Summary of
Evaluation
Activities:**

During the evaluation period, documentation regarding the program was collected from the AOIC, ICJIA and the DIP program. Relevant documentation included internal reports, grant applications, the initial policy and procedure manual, monthly data reports, and inter- and intra-office memorandum. In addition, 34 interviews were conducted with 28 people; six individuals were interviewed twice. Interview subjects holding a variety of positions were interviewed as to their perceptions of the implementation, operation, and purpose of the DIP. In particular, interviewees came from the following areas: judiciary, SAO/PD, law enforcement community, court services, the DIP administration and staff, Peoria County adult probation staff (other than from the DIP), and the DIP treatment providers. Additionally, individual-level data were collected on all DIP clients and included drug usage history, prior treatment, length of time in program, technical violations, toxicology screenings, prior arrests, and recidivism. Computerized case notes also were obtained for each DIP probationer.

Program Impacts:

As of February 1998, 44 of the 68 probationers who entered the DIP were no longer receiving such services. Of them, 23 successfully completed the program. The majority of the "successful" DIP probationers were returned to regular probation to complete the remainder of their sentence. The successful DIP probationer is an African-American male, six years older than his unsuccessful counterpart. His instant offense is most likely drug-related, while the typical failure came in on a property-related offense. Those succeeding had tried, on average, more different types of drugs than their non-successful counterparts. Thus, these preliminary results indicate the successful candidate has an extensive history involving drugs, and as such, is perhaps more agreeable to his/her need for treatment.

As the program is relatively new, few offenders have been released from all types of supervision. Thus, any discussion as to whether the program succeed in achieving its objective of "have 10% complete probation" is premature. However, these preliminary results do indicate that the DIP is achieving a success rate of slightly over 50 percent, and thus surpassing three additional program objectives.

Program Issues:

- ▲ Program's name is not used consistently. The DIP lacks an "identity" (IDP, DIP, IDI). This is contributing to intra-office confusion regarding the program's goals and the duties of the DIP officer.
- ▲ There is a disjunction between articulated and written goals.
- ▲ Data reliability and record keeping need additional attention.
- ▲ Until January 1998, referrals from other probation officers were not always forthcoming. As a result, a new referral process has been developed. The current DIP officer should be commended on this enhancement to program design. It also has been mentioned that the DIP officer's duties may be expanded to handle all probationer treatment referrals (ancillary service).

Anticipated Developments:

A continuum of speculations regarding whether the DIP will continue post-ICJIA funding was revealed. While some interview subjects believe the DIP will continue, as it is a viable program, others believe it will cease to exist because it cannot be justified with respect to its current operation. A third belief is that the DIP will continue, however, its clients will be more serious and fewer in number due to the new drug court program.

Additionally, as the larger department completes its reorganization, the DIP will (most likely) be placed in the Supervision Unit. Here the officer can take advantage of a closer working relationship with other officers (no longer separated by type of probation or supervisor), as well as some of the intensive supervision elements (e.g., electronic monitoring, night supervision).

Recommendations:

- ▲ *Program's Name*
The name of the program needs to be determined and should be reflective of the program's purpose and operation. Caution in using the term "intensive" is advised.

▲ *Program's Purpose/Mission*

A decision needs to be made whether the DIP is an independent program or whether its officer is providing the Department an ancillary service. Confusion exists whether the program is to "serve the department" or "serve the probationer".

▲ *Caseload Size*

Currently there is a push to increase the DIP caseload to 70 probationers. While it is true the DIP falls short of impacting other probation caseloads at its current capacity, caution should be exercised as to whether the program will be able to provide the appropriate level of supervision and assistance needed by the DIP clients, if the caseload increases to 70 (despite whether IPS officers assist the officer). If this program is to continue as "intensive", the caseload increase becomes questionable if the DIP officer also handles *all* departmental drug and alcohol treatment referrals (ancillary service mentioned above).

▲ *Referral Process*

Resistance continues on the part of regular probation officers to refer cases to the DIP. Currently, the DIP officer is handling all probation intakes that have drug or alcohol treatment court ordered (blanket order). It is recommended this process continue.

▲ *Collection of Data for Future Evaluation/Assessment*

Despite what is stated in the DIP manual, data collection sheets (TAG Sheets) were not consistently completed on each DIP offender. It is recommended the TAG sheet be completed at the time a new offender enters the DIP due to the difficulty of retrospectively completing the forms. Furthermore, if the DIP officer handles all intakes with drug or alcohol conditions, TAG sheets could be completed on other non-DIP probationers as well. They could serve as a comparison group for subsequent evaluations.

▲ *Relationship with Treatment Community*

Few treatment providers were aware of the DIP or its officer. It is recommended, when possible due to distance and program rules, the DIP officer continue visits with the offender while he/she is in treatment. Such a process will assist the officer in developing "rapport" with the offender and also give him insight into the needs, problems, and issues facing the offender once released back into the community.

DRUG INTERVENTION PROGRAM

Originally conceived as an alternative supervision strategy directed toward high risk adult probationers with recent drug-related convictions and/or a prior history of drug abuse, the Peoria County Drug Intervention Program (DIP) has been handling probationers since August 28, 1995. Prior to program implementation, the County lacked any systematic method of probationer drug screening, drug testing, or referrals to community-based substance abuse treatment agencies, despite data indicating over one-third of all Peoria County adult probationers suffered from drug problems and were in need of treatment (Peoria County Adult Probation Grant Proposal, 1994). TASC was designed to be an integral part of the program, conducting assessments, making referrals to treatment and providing cooperative supervision of DIP clients.

PROGRAM OPERATIONS

In December 1994, the Peoria County Adult Probation Department received \$47,166 in Anti-Drug Abuse Act funds (matched by \$15,722 in county funds) to establish the DIP under ICJIA Agreement #4254. Expenditures for the program began five months later (May 15, 1995), and continued through September 30, 1996, at which time additional funds were requested.¹⁴ The second funding period (Agreement #4563) commenced October 8, 1996 and expired on February 28, 1998. Total funding for that

¹⁴ Agreement #4254 was increased by \$5,000 federal per Budget committee action. No extensions were included, and no new items were added to the budget.

period included \$47,166 granted from the ICJIA with a county match of \$15,722.¹⁵

Table 3.7 presents a breakdown of both budgets, detailed by major line items.

Table 3.7: DIP—Budgets

| Line Item | First Cycle (May 15, 1995 to Sept. 30, 1996) 16.5 months Agreement #4254 | | Second Cycle (Oct. 1, 1996 to Mar. 1, 1998) 17.0 months Agreement #4563 | |
|--------------------|--|---------------------------|---|---------------|
| | | | | |
| Personnel Services | \$39,689 | 57.1% | \$25,971 | 41.3% |
| Equipment | \$5,267 | 7.6% | \$140 | 0.2% |
| Commodities | \$2,839 | 4.1% | \$500 | 0.8% |
| Travel | \$2,092 | 3.0% | \$2,000 | 3.2% |
| Contractual | \$19,068 | 27.4% | \$13,541 | 21.5% |
| Other | \$600 | 0.9% | \$20,736 | 33.0% |
| Total | \$69,555 | 100.1%¹ | \$62,888 | 100.0% |

¹ Totals over or under 100.0% are due to rounding.

Notable items identified in the budget cycles include the salary and fringe benefits of a probation officer and contractual expenses, such as drug testing services, case tracking computer system, phone service and officer training.

During the face-to-face interviews, no one expressed concern about the amount of funding, although negative remarks were offered regarding their usage early during the evaluation period. Specifically, as illustrated by the following comment, concern centered on obtaining the necessary supplies to implement the program. "Any supplies are hard to get because of the chain of command. There aren't even proper supplies

¹⁵ While this report was being prepared Peoria County requested its third cycle of ICJIA funding—\$33,495 in continuation monies with an \$11,165 county match. Any budget revisions made to that request are unknown as the evaluation data collection efforts ceased on February 28, 1998.

for drug testing". However, from interviews conducted during the second year of the evaluation, it was revealed that access to needed supplies was no longer problematic, and that they were immediately provided upon request.

Program Goals

The mission of the Peoria County DIP, as stated in the *Procedural and Operation Standards (1995)*, is as follows:

The Drug Intervention Program is to serve as an alternative supervision strategy for high-risk adult offenders who have been identified as drug abusers or chemically dependent and ordered to a sentence of probation. Drug Intervention will enhance the ability of Probation and Court Services to impact on drug abusing offenders as well as create a high profile integration of community services designed to reduce risk to the community and improve coordination of services provided to this population (p. 3).

Based on internal documents prepared by the AOIC and the Peoria County Adult Probation Office, there were six original goals of the DIP:

1. Reduce the recidivism rate of drug offenders in Peoria County;
2. Improve the quality of life for the probationer;
3. Enhance safety for the citizens of the surrounding communities;
4. Eliminate substance abuse as a viable alternative lifestyle for offenders;
5. Provide the tools to enable substance abusers to utilize treatment methods throughout their lives; and,
6. Move rehabilitated probationers back into the community as productive citizens.

As stated above, upon expiration of initial funding in 1996, Peoria County applied and received continued financial support from the ICJIA. While the overall purpose and rationale of the program remained constant throughout the DIP's existence, one of the original goals—enhancing safety for the citizens of the surrounding communities—was eliminated.

Subsumed within these goals were four individual-level objectives, that were believed attainable via a reduced offender caseload of 30. By utilizing a structured supervision strategy, the DIP would be able to assist drug offenders in achieving the following:

1. Successful discharge from the DIP;
2. Successful discharge from probation;
3. Successful completion of substance abuse treatment; and,
4. Successful completion of TASC's requirements.

A fifth, program-level objective of the DIP was to reduce probation violations resulting in revocations by approximately 10 percent.

As detailed within the second cycle funding application, each of the four individual-level program objectives was specified further (see Table 3.8). For example, during second cycle funding, the objective of "successful completion of TASC" was specified further to "have 30 percent complete TASC." The sole program-level objective (to "reduce violations by 10 percent") remained constant during second cycle.¹⁶

¹⁶ During proposed third cycle funding, which commenced on March 1, 1998 (see footnote #2), each of the four individual level program objectives were further increased in difficulty. For example, the second cycle funding objective of "have 30 percent complete TASC" was changed to "have 50 percent complete TASC". Furthermore, the program-level objective (to "reduce violations by 10 percent") was increased to 20 percent.

Table 3.8: DIP—Objectives

| First Cycle | Second Cycle |
|--|--|
| <input type="checkbox"/> Successful discharge from DIP | <input type="checkbox"/> Have 30% complete DIP |
| <input type="checkbox"/> Successful discharge from probation | <input type="checkbox"/> Have 10% complete probation |
| <input type="checkbox"/> Successful completion of treatment | <input type="checkbox"/> Have 50% complete primary treatment |
| <input type="checkbox"/> Successful completion of TASC | <input type="checkbox"/> Have 30% complete TASC |
| <input type="checkbox"/> Reduce violations by 10% | <input type="checkbox"/> Reduce violations by 10% |

Based on interviews conducted during the first year of the evaluation, various probation personnel and collateral service providers cited like goals/objectives for the DIP, thus reaffirming the desired perception that stated goals and objectives were consistent with actual program operational beliefs. However, since then, several indicators suggest the DIP goals have become unclear. First, during second year interviews some respondents were unable to articulate any program goals. The second indicator results from the name of the program not remaining constant. For example, while some individuals refer to the program as the DIP, others identify it as the Intensive Drug Program (IDP), which was the name of a different probation-level drug treatment program operated by the County in 1989-1990. Others, including representatives of the ICJIA and the AOIC, and a few administrators within Peoria County, refer to the program as the Intensive Drug Intervention (IDI) Program. For individuals who believe the program was intended as intensive, the goals they associate with the DIP differ from those held by individuals with the opposing view. As will be mentioned later, this in turn caused intra-office confusion as to the job responsibilities of the DIP officer.

A third concern centers around a disjunction between written versus articulated goals. While the written goals have remained fairly constant (see above), the articulated program goals have changed from an outcome based model (e.g., completion of treatment program or completion of probation) to a brokerage model (e.g., identifying access to treatment, early identification of those with drug problems, and directing all drug treatment for probation). Upon further consideration of these latter “goals,” however, it is apparent that they (for the most part) are more suitable program objectives than goals. That is, they can be regarded as the means by which the goals (i.e., the “ends”) may be attained. For example, identifying access to treatment can assist offenders in improving the quality of their life by “eliminating substance abuse as a viable alternative lifestyle.”

One overarching goal-identification concern permeated the evaluation and is cause for discussion—an apparent difference of opinion among interview subjects regarding the ultimate purpose of the DIP. While a few interview subjects believed goals such as “establish early identification of those with drug problems” and “focus on relapse prevention” (client-oriented) were primary, others stated such departmental-oriented goals as “relieve work from the line officers”. As remarked by an administrator within the County, “the program [DIP] exists for the convenience of the department, despite the goals.” Additional consideration needs to be given to

identifying the intended beneficiary of DIP's efforts. That is, is the primary purpose of the program to benefit the department or benefit the probationer?¹⁷

With respect to whether the DIP has achieved its written goals, mixed results have occurred. Amidst many failures, a number of DIP clients have been very successful in their treatment efforts. This has the potential to result in the program achieving its goals. Prior to a complete discussion of the extent to which the DIP achieved its goals, information relating to the program's structure and staffing and activities will be presented.

Program Structure and Staffing

As originally conceptualized, the DIP was to employ one officer, without clerical support, supervised by the chief probation officer. Initially the Pretrial Services Program supervisor oversaw the DIP officer's activities, but later that assignment was removed from her duties and became the responsibility of the chief probation officer. This chain of command was again reconsidered, and supervision of the DIP officer returned to the Pretrial Services Program supervisor (effective February 10, 1997). Upon the resignation of the Pretrial Services Program supervisor, supervision of the DIP officer was placed under the direction of the newly hired director of court services and probation. Although concern was raised regarding the appropriate locus of supervision for the DIP officer, due to the pending reorganization of the department, this concern lessened.

¹⁷ This evaluation was concerned only with client oriented goals. A future evaluation should be conducted to determine the success of the program on these departmental goals.

Interviews of individuals associated with the DIP revealed a general consensus that the program is worthwhile and there are plenty of clients awaiting service. While a number of interviewees expressed a desire to increase the number of DIP officers due to the effect of only having one officer on comprehensive supervision (e.g., lack of night supervision), this desire generally occurred when the interview subject believed the program's intended purpose was to offer intensive probation services.

During the first year of the evaluation, the DIP officer lacked secretarial support and was spending considerable time completing his own clerical tasks. Concern regarding this problem was first voiced in April 1996 and continued through March 1997. At that time, the decision was made to have the Pretrial Services Program secretary also provide clerical assistance to the DIP officer.

Program Implementation

The following is a detailing of major events that have transpired during the first 31 months of DIP operation. Both programmatic and administrative milestones are included, and are presented in Figure 3.22.

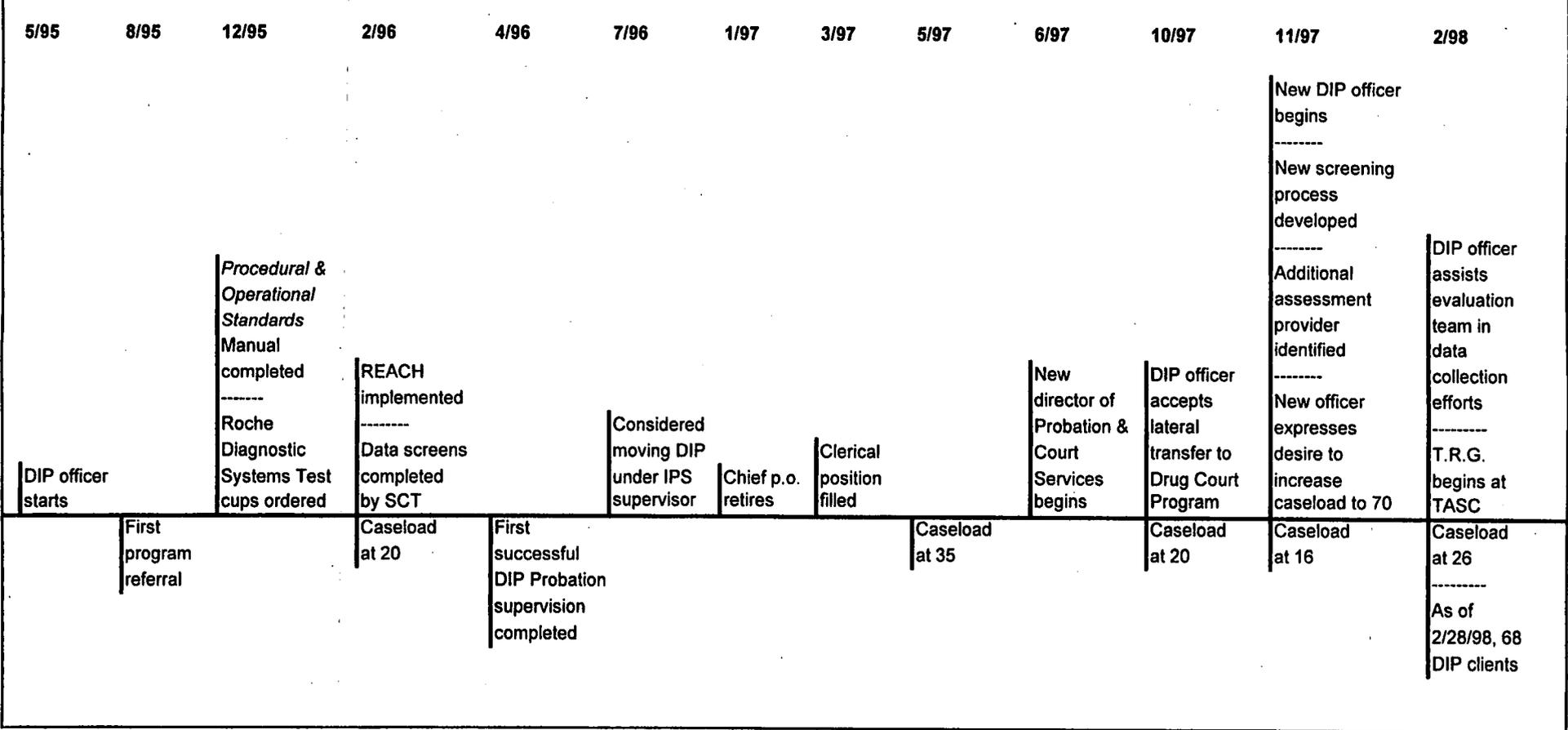
On May 15, 1995 the DIP officer assumed program duties, and during the next three months, he conducted site visits of other similar programs elsewhere in the state, developed eligibility screening and discharge criteria, and designed drug testing plans. As TASC was to be an integral part of the program, time was spent each week with its program staff viewing drug evaluation programs and drug treatment readiness counseling sessions. Many community drug treatment programs also were consulted regarding services they may be able to provide for drug abusing probationers.

The first probationer referral was received in August 1995. By December 1995, *the Procedural and Operational Standards* manual was completed and Roche Diagnostic Systems test cups were ordered to perform drug screenings. Two months later (February 1996) the caseload reached 20 probationers and a relapse education group was formed with TASC for DIP probationers. In April 1996 the first DIP client successfully completed his DIP probation and was returned to a regular probation caseload. As concern surfaced with respect to the level of supervision received by DIP clients, meetings were held in July 1996 between the IPS supervisor and the chief probation officer to identify whether the DIP would benefit from being under the supervision of the unit. This change did not occur. At the start of 1997, the DIP's supervisor (i.e., chief probation officer) retired. With a caseload near capacity, the officer had been verbalizing the need to have clerical assistance—that need was filled in March 1997.

In June 1997 a new director of probation and county services began. Planned reorganization within the department ensued, and in October 1997 the DIP officer assumed a different position within the probation department. In order to ensure a smooth transition of staff, the caseload was allowed to drop to 20 probationers. The new officer began working in November 1997, at which time the caseload was at 16 probationers. The new officer expressed a desire to increase the caseload to approximately 70 probationers. In an effort to do so, he began handling all probationer intakes that included court ordered drug treatment. He also identified a second agency

to perform drug assessments of DIP clients. By February 1998, the caseload was at 26 and the officer began co-facilitating a treatment readiness group (T.R.G) at TASC.

Figure 3.22: DIP - Major Programmatic Milestones



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PROGRAM ACTIVITIES

The following discussion of program activities is divided into two parts. The first part details the scope of services, including both those received by clients and provided by DIP staff. Attention also is placed on the referral/assessment process for DIP clients and their related stages of supervision. The second part of this section concerns the various treatment providers offering services to DIP clients. Information pertaining to the assessment instruments employment, types of treatment offered, and staff-client ratios are included.

Throughout these discussions, program data are presented. As detailed in Chapter 2 of this report, such information includes monthly data reports and individual level data for each DIP probationer. However, it should be noted that discrepancies exist between data reported to the ICJIA (i.e., monthly reports) and actual case file information provided by the DIP staff to the evaluation team. For example, although it was reported to the ICJIA that 79 offenders entered DIP between August 1995 and February 1998, DIP staff were able to provide the evaluation team with information on only 68 probationers. While one of these individuals can be accounted for by being in the program twice, when asked about the remaining ten probationers, DIP staff reported the monthly data forms were *most likely incorrect*. Because these forms are the only source of information regarding the number of probationers screened for the program, that information will be presented below. All other discussions, including that

of program impacts, will be based on individual-level data collected on each DIP probationer.

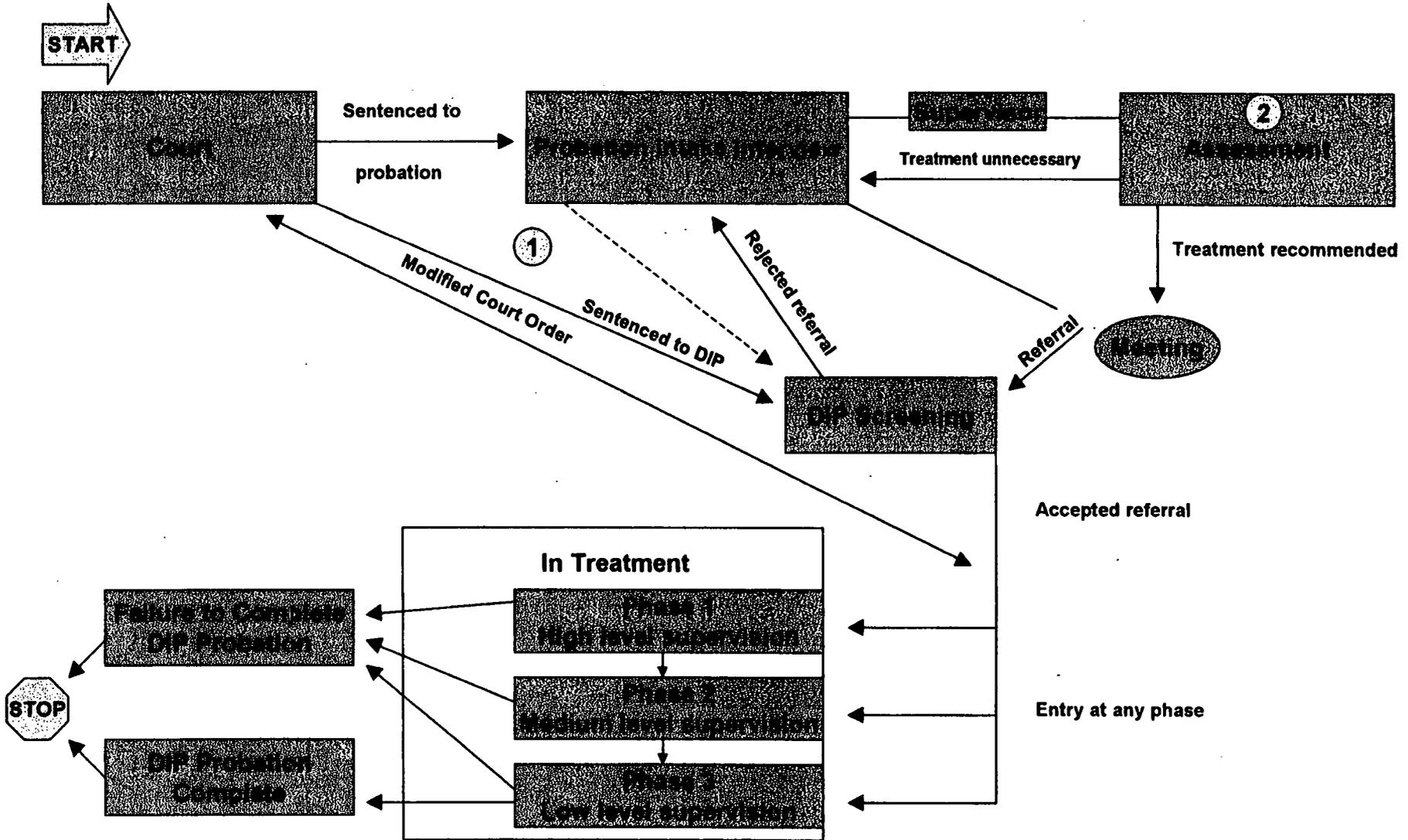
Scope of Services

The first step in being placed on DIP probation is the referral/assessment and DIP placement process. Throughout the following discussions, the reader should refer to Figure 3.23 on page 157.

Referral/Assessment and DIP Placement Process

As originally designed, probation officers and TASC were the primary referral sources for the DIP. Although court referrals could be made part of a court order, this was not the preferred route. DIP screening could be conducted at several stages, including upon order of the court, during the pre-sentence investigation, during Probation and Court Services Department intake processes, upon violation and/or revocation of probation, or at any other time during probation supervision. However, according to procedure, it originally was required that all tentative cases first be referred to TASC for the completion of a clinical substance abuse assessment to determine the existence and severity of a substance abuse problem and confirmation of a likelihood for rehabilitation through treatment. If a case had been referred to TASC by a regular probation officer and TASC ascertained that entry into the DIP was appropriate, a joint recommendation, after mutual consultation, was presented to the DIP officer. At that time, the DIP officer interviewed and screened [Substance Abuse Subtle Screening Inventory ('SASSI' form R)] the prospective DIP client.

Figure 3.23: Drug Intervention Program Flow Chart



As detailed in the Procedural and Operational Standards (1995: p.23), the eligibility criteria for acceptance into the DIP included the following:

- A. The offender has a documented or verifiable history of drug and/or alcohol abuse, which includes type of drugs used, frequency of use and patterns of usage. The verification must include information gathered through interviews with the offender, the Substance Abuse Subtle Screening Inventory (SASSI) and a collateral contact with a close relative or significant other;
- B. There is a relationship between drugs and criminality determined by TASC;
- C. Upon sentencing, the offender is sentenced to a term of not less than 12 months probation;
- D. As a condition of probation, the offender is ordered to undergo substance abuse treatment including but not limited to urinalysis;
- E. The offender is a resident of Peoria County, Illinois;
- F. The offender has been sentenced to a term of probation or is pending sentencing for a probationable offense; and,
- G. The offender has been charged with or convicted of a felony or misdemeanor offense.

If the client appeared suitable for the DIP, a meeting was to be held among both appropriate supervisors (DIP and regular probation), the regular probation officer, and the DIP officer.

In actual operation, while the route of referrals is quite similar to that specified in the *Procedural and Operational Standards*, some deviations occur. Specifically, while regular probation officers and/or TASC refer most cases, occasionally the courts place individuals in the DIP as a condition of probation. It is preferred that the court refer a case for drug intervention screening as a condition of *regular probation*, because from

that screening it can be better determined whether the DIP services are necessary and/or appropriate. Throughout the evaluation period, court referrals continued despite attempts by the DIP to convince the courts otherwise. Further, it was reported that such referrals have been occurring more frequently as the program continues.

It was mentioned during several interviews that not all officers are referring cases to the DIP. To illustrate, one individual noted, "the 'old guard' won't refer clients [to the DIP program]". For this reason, it is believed that the DIP was unable to identify all who needed the specialized services. When a referral did come from a regular probation officer, the actual recommendation to DIP screening often came solely from TASC as opposed to a joint recommendation made by that agency and the regular probation officer. In a similar vein, the extent to which both supervisors actively are involved in the decision to move a case into the DIP is unclear.

In November 1997, a primary change took place with respect to client referrals. In order to increase a low caseload (i.e., 16 during November 1997), all felony probation cases were screened by the DIP officer at intake for program eligibility. This practice was to continue until a substantial caseload had been built (see reference #1 on Figure 3.23).¹⁸

With respect to assessments, it was reported that TASC's output became irregular and inconsistent during 1997. Due to this and other problems, the DIP made arrangements with White Oaks Companies of Illinois, a local residential and outpatient alcohol and other drug treatment company, in November 1997 to also perform offender

¹⁸ This practice was continuing at the time evaluation data collection efforts ended.

treatment assessments (see reference #2 on Figure 3.23). While TASC currently maintains involvement with the DIP and continues to conduct needed assessments, the additional provider will afford the program and its clientele with greater flexibility and choice with respect to assessment needs.

During the first 31-months of program operation (August 1995–February 1998), 97 probationers were screened for entry into the program. Of those screened, 90 percent were referred to TASC for evaluation.¹⁹ As the relationship between the DIP and TASC became strained, fewer clients were referred to that agency for assessment. For example, in 1995 all 25 clients screened for the DIP were referred to TASC. By 1997, however, this percentage had dropped to 77 percent. As stated previously, White Oaks also conducts assessments and it is believed the remaining offenders were assessed by staff from that agency.

¹⁹ These numbers are based on the monthly data reports sent to the ICJIA and are possibly inflated. Caution in interpreting these figures with other information presented (e.g., number who entered the DIP) is recommended.

Client Process

While in the DIP, an offender is assigned to one of three levels of supervision:

Level I—High Level Supervision

- a. Face-to-face contacts are to be made with the probationer once per week.
- b. Home visits are to be made twice per month.
- c. Primary service providers are to be made twice per month.
- d. Collateral contacts are to be made once per month.
- e. One UA is to be conducted weekly.
- f. Arrest checks are to be conducted twice per month.
- g. All other verifications shall be conducted in accordance with the Adult Investigation and Supervision System.

Level II—Medium Level Supervision

- a. Face-to-face contacts are to be made with the probationer every other week.
- b. Home visits are to be made once per month.
- c. Contacts with primary service providers are to be made once per month.
- d. Collateral contacts are to be made once per month.
- e. Two random UAs are to be conducted per month.
- f. Arrest checks are to be conducted once per month.
- g. All other verifications shall be conducted in accordance with the Adult Investigation and Supervision System.

Level III—Low Level Supervision

- a. Face to face contacts are to be made with the probationer once per month.
- b. Home visits are to be made once every other month.
- c. Contacts with primary service providers are to be made once per month.
- d. Collateral contacts are to be made as needed.
- e. One random UA is to be conducted per month.
- f. Arrest checks are to be conducted once per month.
- g. All other verifications shall be conducted in accordance with the Adult Investigation and Supervision System.

Throughout the course of the DIP, probationers may receive less supervision (i.e., move from Level I to Level II, Level III) if they have not had a positive urinalysis in the last 60 days, if they have made acceptable progress in treatment/completed their treatment, have not been arrested in the past 60 days, and have complied with the guidelines of the DIP and TASC. Conversely, probationers also may have their supervision level increased if they fail urinalysis, are arrested, have jeopardy status with TASC, or fail to abide by the conditions of their treatment program.

Successful completion of the DIP may result in probationers being released from probation or transferred to a regular probation caseload. In order for this to occur, they must have no positive urinalysis in the past 90 days, successfully completed all treatment programs, not have been arrested in the past 120 days, and complied with the guidelines of the DIP and TASC. However, probationers who fail to comply with the rules set forth, may be removed from the DIP. There are four minimum standards for removal:

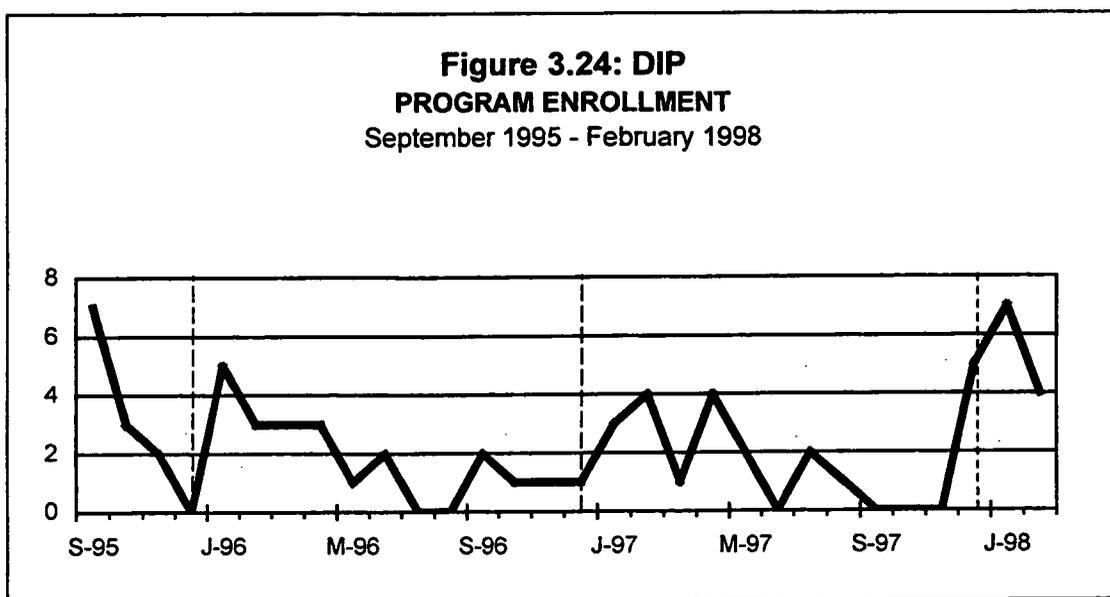
1. Failure to comply with the rules of probation.
2. Failure to comply with the rules of the DIP.
3. Failure to comply with the rules of TASC.
4. Failure to comply with the rules of the treatment program.

The decision-making process for successful or unsuccessful removals depends on a joint decision of the DIP officer, supervisor and TASC personnel. As revealed during interviews, the receiving unit of these removals, most often regular probation, would be interested in being involved in these decisions. Including the receiving officer

might provide better continuity of service for the probationer, especially for unsuccessful removals.

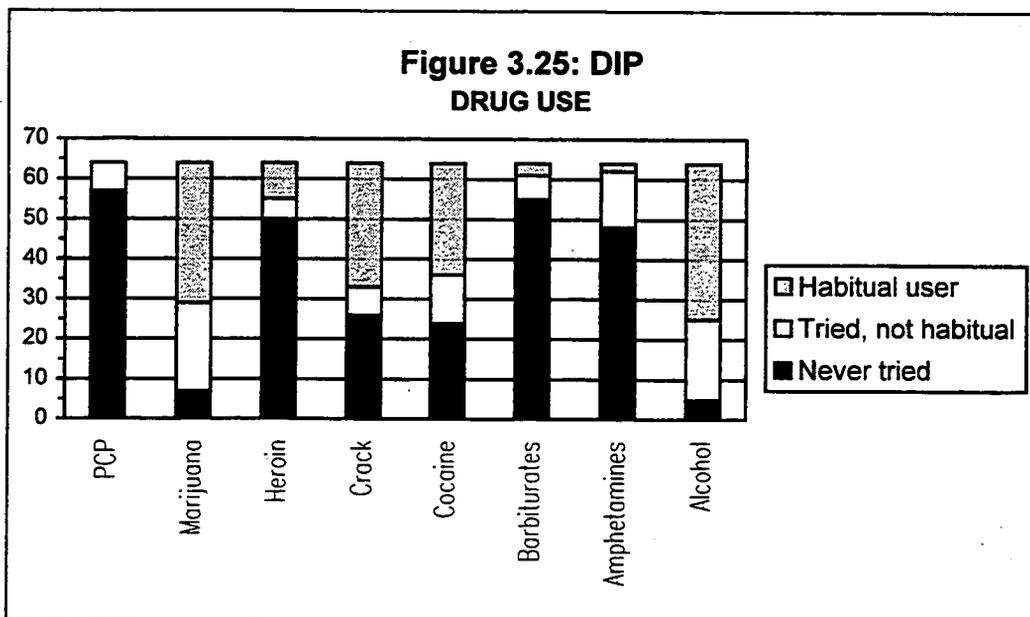
Demographic and Offense Characteristics of DIP Probationers

Since program inception, 68 probationers have entered the DIP. Of these, 12 entered during 1995, 23 during 1996, and 22 in 1997. During the first two months of 1998, 11 offenders entered the program (see Figure 3.24).



The majority of those entering the DIP were African-American (72.1%), male (70.6%), and approximately 32 years old. The oldest probationer was 56 years old, while the youngest was 19 years old. With respect to drug usage history, alcohol was the drug most probationers admitted to having tried (92.2%), followed by marijuana (89.1%), cocaine (62.5%) and crack (59.4%). Of probationers who admitted to trying these substances, more than 60 percent of the them were habitual users. Probationers

who reported they had tried crack had the highest rate of habitual use—82 percent. Although less than one-fourth of all DIP offenders admitted to having tried heroin, of those who did, slightly more than 60 percent considered themselves habitual users. Few offenders admitted they ever tried or became habitual users of amphetamines, PCP or barbiturates (see Figure 3.25).



Upon further consideration, the data indicated that on average, the typical DIP probationer is a poly-drug user, having tried between three and four of the above mentioned substances, and considers him/herself to be a habitual user of two of them. Slightly more than one-fourth (27.1%) of all DIP probationers have tried five or more of the drugs, and almost half (46.0%) consider themselves habitual users of three or more drugs. Across the different substances, DIP offenders who reported they are habitual users of marijuana reported the youngest average age at which their habitual

dependence began—18 years old, followed by those addicted to alcohol—20 years old. Offenders habitually using amphetamines and crack became addicted at the oldest ages—28 and 27 years old, respectively.

Almost 60 percent of all DIP probationers reportedly have been in residential treatment and 48 percent participated in self-help programs. Participation in intensive outpatient and regular outpatient counseling treatment also was common among the DIP offenders, 41 percent for each type of treatment. Few probationers have received treatment in methadone maintenance programs (n=3), dual diagnosis programs (n=1), detoxification programs (n=9), or in halfway houses (n=6).

Of the nine different types of treatment, data reveal that several probationers participated in the same type of treatment more than once. Participation in self-help programs (0 to 10 different attempts) and residential treatment (0 to 6 different attempts) revealed the most variation. For most offenders who attended such programming, participation occurred once or twice.

Thus, from this information, it appears the DIP probationers are poly-drug users, first introduced to illegal substances at a fairly early age. Many are habitual users who have previously attempted some sort of treatment program. Their identifiable drug use problems clearly make them a population in need of the type of services the DIP offers.

Additional information was collected on the prior Peoria County arrest history of each DIP probationer, as well as on their instant offense (i.e., offense that they were serving the sentence for while placed in the DIP). As based on inmate booking reports from the Peoria County Jail, data revealed that each DIP client had an average of nine

(median) prior arrests, with a range of zero to 48 occurring (96.7% had at least one prior arrest). About 10 percent of all DIP probationers had 23 or more prior arrests.

The charges associated with these arrests were coded by offense type and based on the most serious charge recorded (see Table 3.9). Of the 59 probationers with prior arrests, the most common charge was for property offenses (n=47), followed by person offenses (n=39) and driving-related offenses (n=36). Thirty-five DIP probationers had prior arrests for “other” charges such as prostitution, disorderly conduct, and obstructing justice, while 27 were arrested on drug charges. Few probationers had prior sex (3.4%) or weapons (3.4%) offenses in their inmate booking histories. Across all offense types, the greatest range in instances of being arrested was observed within the property (0–34 different arrests per probationer/mean of 3.25) and driving (0–21 different arrests per probationer/mean of 2.61) categories.

Table 3.9: DIP— Prior Arrest History

| Offense Type | Common Offenses | # With Prior Type | Range in # of Prior Arrests | Average per Probationer |
|---------------------|--|--------------------------|------------------------------------|--------------------------------|
| Person | <ul style="list-style-type: none"> • Domestic Battery • Assault | 39 | 0–12 | 2 |
| Property | <ul style="list-style-type: none"> • Retail Theft • Theft | 47 | 0–34 | 3 |
| Drug | <ul style="list-style-type: none"> • PCS • Possess Cannabis | 27 | 0–6 | 1 |
| Driving Related | <ul style="list-style-type: none"> • DUI • No license | 36 | 0–21 | 3 |
| Sex | <ul style="list-style-type: none"> • Agg Crim Sex Abuse • Public Indecency | 2 | 0–2 | less than 1 |
| Weapon | <ul style="list-style-type: none"> • UUW • UUW by Felon | 2 | 0–1 | less than 1 |
| Other | <ul style="list-style-type: none"> • Prostitution • Disorderly Conduct | 35 | 0–14 | 2 |

Of the 68 probationers who entered the DIP, the majority were serving sentences for drug or property offenses. Most common among the drug offenders were the crimes of possession of a controlled substance and intent to deliver a controlled substance, which comprised approximately three-fourths of all drug offenses. A greater variation within the property categories was revealed, with retail theft, burglary and theft occurring most often. Other probationers were serving sentences for person (n=4), weapon (n=1), sex (n=1) or other (n=4) offenses.

Offense class information also was obtained for all DIP offenders. While the majority of DIP probationers had been convicted of a Class 4, 3 or 2 offense, four probationers were convicted of more serious offenses. It should be noted that the Class X offense was for predatory criminal assault of a child, while the three Class 1 offenses were for residential burglary (n=2) and intent to deliver a controlled substance (n=1). One other probationer had been convicted of the Class A misdemeanor offense of prostitution. Table 3.10 presents offense type by offense class information.

Table 3.10: DIP—Instant Offense Type by Offense Class

| Offense Type | Misd. A | Class 4 | Class 3 | Class 2 | Class 1 | Class X |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Person | 0 | 0 | 3 | 1 | 1 | 0 |
| Property | 0 | 15 | 4 | 6 | 2 | 0 |
| Drug | 0 | 21 | 5 | 3 | 0 | 0 |
| Weapon | 0 | 1 | 0 | 0 | 0 | 0 |
| Sex | 0 | 0 | 0 | 0 | 0 | 1 |
| Other | 1 | 3 | 0 | 0 | 0 | 0 |
| Total | 1 | 40 | 12 | 10 | 3 | 1 |

In review of this criminal history information, it appears that many of the DIP probationers have extensive and varied prior criminal involvement, especially given that

arrest records were obtained only for Peoria County. Many of these probationers had been arrested previously for person offenses, including domestic battery and assault. While a number of these probationers were serving sentences for drug related crimes at the time they were placed on the DIP, many others committed a property offense. However, given the level of drug usage mentioned previously, it is assumed that many of these property offenders were committing such crimes either while under the influence or as a means to finance a drug habit.

Treatment and Testing While in the DIP

Of the offenders who entered treatment over the 31-month period, slightly more than one-half completed their treatment program. According to the monthly data reports, an average of 2.35 offenders entered treatment each month and an average of 1.35 completed treatment each month.

It was reported to the ICJIA that during the 31-month period, 941 drug tests were conducted. However, this number reflects all tests conducted within the entire department, as opposed to just those for DIP clients. As based on case file notes, 43 of the 68 DIP probationers (63.2%) had 169 toxicology screenings—an average of four per probationer. Of these screenings, 41 were positive for drug usage by 21 different probationers. The most common drugs found within a probationer's system were cocaine and marijuana.

Staff Activities

The activities performed by the DIP officer are both supervisory and administrative in nature. As supervisor for his caseload, the DIP officer conducts office,

home, and employment visits; makes collateral contacts (e.g., with TASC, psychologist, psychiatrist, spouse, significant others, employer, teachers, roommate, social service agency providers, etc.); performs criminal records checks; conducts urinalysis on offenders; and contacts the primary service providers, as specified by each offender's supervision level. When the situation arises, the officer also is responsible for emergency interventions (Procedural and Operational Standards, 1995; intra-office correspondence dated October 27, 1997).

In a related vein, the DIP officer has a number of administrative duties as well. For example, he is responsible for creating and maintaining positive working relationships with associated treatment facilities and TASC, coordinating program development, educating agencies working with the DIP (e.g., SAO, Probation, Courts), continued policy and procedure development, and maintaining data/case files regarding all offenders (Procedural and Operational Standards, 1995; intra-office correspondence dated October 27, 1997).

Since program inception, the DIP officer also has been involved in co-facilitating classes in conjunction with TASC. For example, treatment readiness groups (T.R.G.) and relapse education groups have been offered for DIP clients. Based on information provided via interviews, however, it was revealed that the relapse education group folded, as clients were never recruited into the program. At the time data collection efforts ended, a T.R.G. group was being provided to DIP clients.

As mentioned previously, confusion existed with respect to the specific job duties of the DIP officer. Although the officer himself seemed quite aware of the expectations

placed on him, other officers within the department expressed a limited understanding and appreciation of the DIP officer's duties. Because the county had previously attempted a similar, but intensively supervised, drug probation program (i.e., IDI), a number of tenured employees believed that the DIP was merely IDI reincarnated. According to AOIC and ICJIA staff, however, the program's purpose was not to include such techniques as curfew checks, electronic monitoring and drug searches, which are common place in intensive supervision programs. Adding to this confusion, however, was the limited caseload of the DIP officer. With a program capacity of 30 "high-risk probationers with current drug-related convictions and/or a prior history of drug abuse," it is understandable that one would surmise this is an intensive supervision program (Agreement #4254 Program Narrative).

Referral Agencies and Treatment Providers

As mentioned previously, the DIP differs from regular probation caseloads in that treatment is the primary focus of the program. TASC and White Oaks, Inc. are just two substance abuse providers/referral agencies utilized by the program. While the majority of DIP probationers remain in the greater-Peoria area for their treatment needs, occasionally a referral will be made outside the area. Based on information obtained from DIP staff, interviews were conducted with six providers (two primary referral agencies and four primary treatment providers), all of which are located in or near Peoria.

As reported during interviews, all six interview subjects indicated they use face-to-face client interviews and case history reviews, which go beyond drug involvement offense history information as tools in their assessment process. Specific assessment tests mentioned include the Addiction Severity Index, the Alcohol Use Inventory, DSM-IV criteria, the SASSI-2 adult form, and the Recovery Attitude and Treatment Evaluator scale. Of the four respondents who actually provide direct services, all indicated they follow ASAM directional criteria in determining program acceptance and needed treatment.

A wide range of substance abuse treatment modalities are available for DIP clients, including substance abuse education, AA/NA/CA, individual counseling, group counseling and milieu therapy. Residential, intensive outpatient, and regular outpatient services are accessible, though oftentimes require a 30-day wait. Although the programs vary by length, clients generally complete several stages prior to being successful in treatment, progressing, for example, from intensive outpatient to aftercare services. Respondents indicated that licensed addiction counselors provide treatment, and staff to client ratios are approximately 1:8.

Two concerns surfaced with respect to the treatment providers and the DIP. First, although Peoria operates a public bus system, a number of these facilities were quite off "the beaten path." The extent to which these services are readily accessible is questionable. Second, few providers interviewed were aware of the DIP or its officer. With respect to the DIP offenders in these programs, it appears more contact is with TASC than with DIP program staff.

Program Impacts

Overall, the written purpose of the DIP is to reduce the rate of revocations of probation for offenders in the program and increase the degree to which they successfully complete treatment. The DIP is characterized by an emphasis on treatment and a higher level of supervision than a typical probation case. The information presented below details the behavior of probationers while on the DIP, their DIP release status, and what their final outcome was on probation. Although an attempt was made to select a comparison group of probationers who met the eligibility criteria for the program, but were on probation the year prior to the start of the DIP, this proved problematic and was subsequently dropped from the evaluation. While these offenders met the criteria for placement, in application, the decision for DIP acceptance appeared to be more related to an offender's behavior at the time of referral/placement than solely on these criteria. As such, the comparison group drawn was not comparable on such variables as amount and type of prior criminal behavior. Furthermore, because TAG sheets were not completed on these individuals while they were on probation, it was very difficult to retrospectively code information regarding the different types of drugs they used or the various types of treatment programs in which they participated—additional variables used to compare the two groups.

Criminal Behavior While in the DIP²⁰

Within the DIP population, there were 56 rearrests resulting from the suspected commission of a new offense during the 31-month period. Of these rearrests, the majority was for property offenses, although, as displayed in Table 3.11, 10 person offenses also were recorded.

Table 3.11: DIP— Arrest History While in the Program

| Offense Type | # With Such Arrests | Example Offenses |
|---------------------|----------------------------|--|
| Person | 10 | <ul style="list-style-type: none"> • Domestic Battery • Assault • Armed Robbery |
| Property | 19 | <ul style="list-style-type: none"> • Theft • Retail Theft • Criminal Trespass |
| Drug | 9 | <ul style="list-style-type: none"> • Possess Controlled Substance • Possess Cannabis |
| Driving | 9 | <ul style="list-style-type: none"> • Driving Without a Valid License • Operate Uninsured Vehicle |
| Weapon | 2 | <ul style="list-style-type: none"> • UUW by Felon |
| Sex | 0 | <ul style="list-style-type: none"> • N/A |
| Other | 7 | <ul style="list-style-type: none"> • Disorderly Conduct • Obstructing Justice |

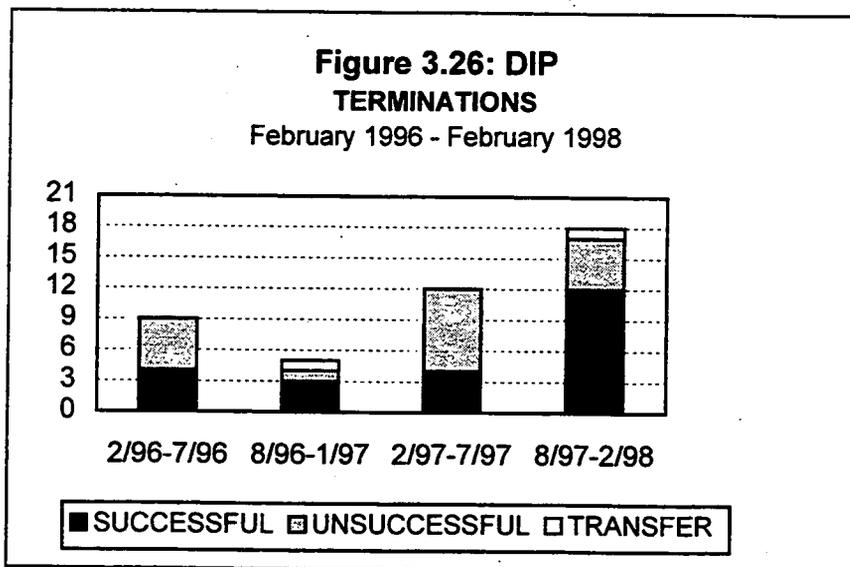
As based on case file notes collected for each DIP offender, a total of 40 technical violation petitions were filed with the court involving 32 of the DIP probationers while in the program (47.1%). Of the 32 offenders for whom such petitions were filed the majority had only one filed during their time in the DIP, although six had two each and one had three filings.

²⁰ In the period between probation intake and entrance into the DIP, 27 probationers were arrested on one or more occasion (range: 0–7 times). Of the 70 separate arrests, an average of 2.6 per probationer, there were 29 arrests for property crimes, 15 for drug crimes, nine for person crimes, eight for driving-related crimes and nine for “other” crimes.

Completion of the DIP

At the time data collection ended (February 28, 1998), 24 of the 68 offenders placed on the DIP continued on such supervision. They are excluded from the remaining program impact discussions.

Through February 28, 1998, 44 probationers no longer were receiving DIP probation services; they completed an average of 275 days in the program. Of those completing the program, slightly more than one-half (n=23) successfully completed the DIP, 43 percent (n=19) unsuccessfully completed the DIP, and 5 percent (n=2) were transferred to another county. Figure 3.26 presents a breakdown of these terminations.²¹

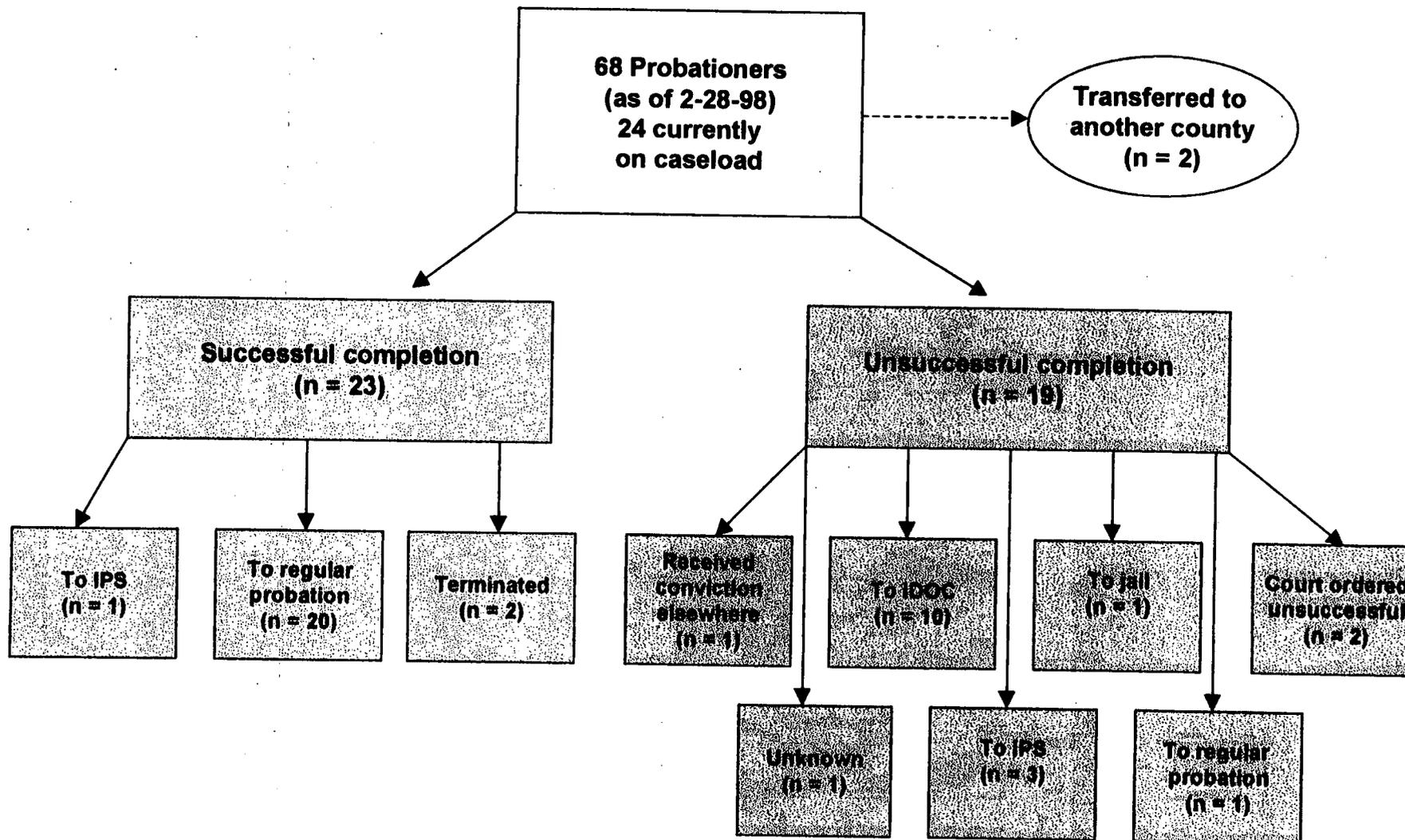


²¹ Although monthly data reports indicate that one probationer was terminated from the DIP prior to February 1996. This information was not found during a review of individual case file notes. Those later data serve as the basis for all impact discussions. Occasionally it was difficult to ascertain whether an individual had been released from the program. While the research team reviewed each offender's case file notes, errors may have occurred. Entry and exit dates provided to the research team, as indicated on each probationer's tag sheet, were not reliable in comparison to information presented in the case files of several probationers.

As displayed in Figure 3.27, the majority of those unsuccessfully completing the DIP were sent to the IDOC for either committing a new offense or as a result of a technical violation, such as failing to complete court ordered drug treatment while on the DIP. It should be noted, that two of the unsuccessful probationers, however, were merely court ordered as “unsuccessful” in the DIP, with no apparent subsequent action as a result of their inability to successfully complete the program.²² Of the 23 probationers who successfully completed the DIP, almost all were transferred to regular probation.

²² One continued on conditional discharge as the result of three other misdemeanor cases.

Figure 3.27: Completion of DIP



While the majority of those released successfully remained on regular probation supervision at the time data collection efforts ended, five had been successfully discharged from probation, while two were unsuccessfully discharged.²³ Only five of the unsuccessful DIP probationers remained under the supervision of Peoria County Adult Probation and Court Services by the end of February 1998.²⁴ Of them, three continued to be supervised—one on conditional discharge, one on IPS, and one on regular probation. Two others, originally placed on IPS, failed that program and subsequently were sent to the IDOC.

Of the five probationers who successfully completed the DIP and were returned to the community under no supervision, one has been re-arrested twice—once for possession of a controlled substance and once for driving without a valid driver's license.²⁵

Successful DIP Probationer Profile

The successful DIP probationer is an African-American male, six years older (35 years old) than his unsuccessful counterpart (29 years old). It should be noted that the percentage of Caucasians who are successful in the DIP (34.8%) is greater than their total composition within the DIP population (27.9%). The successful DIP probationer's

²³ One of the probationers unsuccessfully discharged received IPS services upon release from the DIP.

²⁴ Recall, ten were sent to IDOC while in the DIP, one received a jail term, one received a conviction elsewhere, one was simply court ordered as "unsuccessful" with no further identifiable punishment, and one's subsequent outcome was missing.

²⁵ The post-release behavior of one of the successful DIP probationers is unknown.

instant offense is most likely drug-related (56.5%), while the typical failure came in on a property-related offense (57.9%). Among those successful, the most common drug-related offense was possession of a controlled substance (39.1%), whereas variation was exhibited among the unsuccessful with respect to the most common property-related offense.

With respect to prior arrests, little difference was revealed between failures and successes, an average of 9.7 and 10.2 priors, respectively. A slight difference was revealed based on the variety of drugs each group reportedly had tried. Those succeeding had tried, on average, 4.7 drugs, while those not succeeding had tried, on average, 3.7 different drugs. Habitual usage was similar for the two groups.

As the program is relatively new, few offenders have been released from all types of supervision. Thus, any discussion as to whether the program succeed in achieving its objective of "have 10% complete probation" is premature. However, whether the objectives of "have 30% complete DIP," "have 50% complete primary treatment" and "have 30% complete TASC" have been attained, are somewhat easier to gauge. Because it is necessary the offender comply with TASC and successfully complete their primary treatment program prior to successful removal from the DIP, it appears the program has achieved these three objectives.²⁶ Although these data are preliminary, the DIP has achieved a success rate of slightly more than 50 percent.

²⁶ A case-by-case review of each probationer's movement through their treatment program was beyond the scope of this evaluation. Thus, the assumption was made that if an offender successfully completed the DIP, he/she most likely completed their primary treatment program as well.

PROGRAM STRENGTHS AND WEAKNESSES

Program strengths and weaknesses can be viewed on two dimensions—those relating to implementation and those relating to operation. Information on each is presented below and can serve to assist agencies elsewhere when implementing such programs.

Implementation Issues

Implementation of the DIP generally followed the sequence of activities as presented in the initial ICJIA program agreement, although many implementation events were not completed until several months after their project dates. For example, as based on an implementation schedule received by the ICJIA in January 1995, operations were to begin in March 1995, with full program implementation occurring two months later. In practice, operations began in May 1995 with full implementation occurring in August 1995. When the program was implemented, data processing requirements were not completed until several months into program operation and various equipment purchases were slow to occur. By the time data collection efforts ceased, it was reported that full program implementation had been achieved, and that efforts were focused on increasing the workload of the DIP officer.

As mentioned previously, from the onset the DIP officer lacked supervisory oversight and consistency. This caused difficulty for the DIP officer in completing his daily tasks. In a similar vein, it is unclear the extent to which input from other officers within the department was asked for and accepted during program planning. It is

apparent that animosity toward and a discounting of the DIP officer and his role emerged. To some degree a program aimed at serving a maximum of 30 high risk probationers, which does not offer intensive supervision strategies, is contradictory.

On March 19, 1998 Peoria County's court administrator, director of court services and probation, and supervisor of the Pretrial Services Program attended an evaluation update meeting with representatives from the ICJIA and the CLES. When asked how the DIP's implementation might have been improved, they responded that they would have liked it organizationally incorporated into the department. As it occurred, the program was seen as elitist.

Operational Issues

A series of interrelated operational issues surfaced during the evaluation period and warrant specific attention. Each of these issues concerns a change in program policy that was being considered by the department as data collection efforts ended.

A drug specialist within the probation department clearly was a need for Peoria County; as a result, the DIP officer position was created. However, the extent to which other officers within the department took advantage of the knowledge regarding illicit substances gained by this officer is unclear. Lines of division and animosity were created, leaving the DIP officer to be "an island in and of himself." Although interviews of individuals associated with the DIP revealed a general consensus that the program is worthwhile and there are plenty of clients awaiting service, for the most part other officers within the department expressed a limited understanding and appreciation of

the DIP officer's duties. Again, a strong supervisory role and open channels of communication within the department would have benefited this program.

In an attempt to validate the program in the eyes of other officers, a number of operational changes have been devised and/or are being planned. In addition to the change in receiving referrals and assessments discussed previously, two other program modifications include increasing the caseload to 70 *and* having the DIP officer make all in-house court mandated referrals for drug treatment. It is the belief of the evaluation team, however, that these latter two changes are competing. Although it has been mentioned that the DIP officer would utilize the intensive services provided by IPS, operationally it is doubtful whether the officer would have enough time to devote to both tasks.

Data Issues

Two primary data issues surfaced with respect to the DIP. First, as discovered during the second year of the evaluation, DIP staff discontinued completing TAG sheets several months into the program. Although staff indicated they did not see the utility in completing these forms, their use and related importance clearly is detailed in the *Procedural and Operational Standards* manual. As previously noted, without such information, the impact evaluation of the DIP became problematic. On a positive note, it was reported that the completion of tag sheets recently resumed. These data should be entered into one of the data screens developed for the program by Systems and Computer Technology (SCT). This process will assist Peoria County in any later

assessment/evaluation of the program. Also, as mentioned previously, in order to fully identify and understand the impacts of the DIP, it is necessary to compare their post-release behavior with that of similar probationers who did not receive such services. In order to complete this project, TAG sheets must be completed on these probationers as well to ensure similarity with the DIP group.

The accuracy of data provided on monthly data reports to the ICJIA serves as the second data issue. Despite relatively low client numbers, considerable problems surfaced with respect to these forms. As mentioned previously, there was a 10-person discrepancy between the number of probationers placed on the DIP as based on the monthly data reports (n=79 through February 28, 1998) as compared to the actual clients DIP staff were able identify by name (n=69 through February 28, 1998). According to DIP staff, the monthly reports are mostly likely incorrect, although there is "no way of being 100 percent sure." Additionally, given the other discrepancies noted above (e.g., number of terminations, number of successful terminations, etc.), it seems quite likely some or all of these ten offenders were in fact in the DIP.

PROGRAM RECOMMENDATIONS

In light of the findings presented above, several program recommendations are offered below. However, first it is necessary for the research team to impress on Peoria County the need to fully consider the ultimate purpose of the DIP. Whether the DIP should serve as a distinct program, supervising its own caseload, or be an ancillary service to other officers needs to be debated. Interviews and program documentation

show that there is confusion regarding the program's purpose. As competing goals have surfaced (i.e., departmental versus probationer), there is concern on the part of evaluation staff that the DIP is being modified without full consideration of this important issue.

Once a clear purpose is decided, appropriate goals and objectives should be identified. In order to ensure departmental support, perhaps appropriate goal and objective recommendations from other officers should be solicited. Also, a program name needs to be determined that is reflective of the program's purpose and operation. This will provide the program with its own "identity". Caution in using the term "intensive" is advised unless such services are included, and the name should be used *consistently* when referred to the program.

Currently there is a push to increase the DIP caseload to 70 probationers. While it is true the DIP falls short of impacting other probation caseloads at its current capacity, existing, written goals do not require that it does. Caution should be exercised as to whether the program will be able to provide the appropriate level of supervision and assistance needed by the DIP clients if the caseload increases to 70, despite whether IPS services will be utilized. If the DIP is to continue as a separate program, the caseload increase becomes increasingly questionable if the DIP officer also handles *all* departmental drug and alcohol treatment referrals (i.e., serves an ancillary role).

As resistance continued on the part of regular probation officers to refer cases to the DIP, a change in the process of identifying appropriate cases occurred. Currently,

the DIP officer is handling all probation intakes with court ordered drug or alcohol treatment. The evaluation team recommends this process continue and commends the new DIP officer on this program enhancement. Also, by reviewing all cases that seem appropriate, the DIP officer will be able to complete TAG forms on a comparison group of probationers. Given the problems the evaluation team experienced with the data, it is recommended the TAG sheet be completed at the time of *each* new offender's intake. Without accurate data, it is impossible to gauge the extent to which a program is accomplishing its goals and objectives.

Few treatment providers were aware of the DIP or its officer. If the program is to continue with its own caseload, it is recommended (when possible due to distance and program rules) the DIP officer continue visits with the offender while he/she is in treatment. Such a process will assist the officer in developing "rapport" with the offender and also give him insight into the needs, problems, and issues facing the offender once released back into the community. If the officer cannot visit the DIP probationer while he/she is in treatment, at the very least it is recommended the officer assume a more proactive role in the probationer's treatment. Information they receive about the probationer's progress should not come "second-hand" from TASC.

Finally, given the changes in program operation since the DIP's inception, it is recommended the *Procedural and Operational Manual* be updated. This product will serve as a valuable tool both to the officer and the entire department. Any discrepancies between program policy and actual operations can be fully addressed.

CHAPTER 4: SYSTEM PERSPECTIVES

Although the five programs targeted by this evaluation were distinct entities, a sense of the interrelatedness among the various criminal justice stakeholders emerged during the course of the study. Two broad issues with which all five initiatives identified were the impacts of the programs on the jail populations of their respective counties and the court processing of offenders within their jurisdictions. A number of program specific interests in these two arenas were discussed in the previous chapter. In this chapter, attention is focused on the jail populations of each county and upon FTA rates, both of which were identified as concerns in the research proposal.

As discussed in Chapter 2, differing data constraints in each county generally hampered the evaluation and shaped the type of analysis employed. For this section, the lack of computerized data in Macon County required a labor intensive sampling of jail inmates. In Peoria County, the data were automated, but data structures precluded the linkage of information needed to conduct certain desired analyses. In this section, an overview of the jail populations of Macon and Peoria Counties is presented to provide a context from which to consider the program impacts.

DESCRIPTION OF THE JAIL POPULATIONS

Macon County

The evaluation team collected Macon County Jail and circuit clerk information on a sample of individuals for whom the pretrial officers prepared bond reports. As mentioned previously, between June 1, 1995 and December 31, 1997, approximately 3,600 bond reports were prepared. The Pretrial Services Program reported these individuals were released from the county jail in one of three ways: 1) individuals not

released at the initial bond hearing (i.e., both those given and not given bond)²⁷, 2) individuals released without supervision (i.e., those released on their own recognizance—ROR), and 3) individuals released with pretrial services supervision.

As there were 405 persons released with pretrial services supervision, samples of 400 persons also were chosen randomly from the other two release type groups. A sample size of 400 accounted for 40 percent of the released with no supervision group and 18 percent of the not released group. Cases with date problems or missing jail/circuit clerk files were deleted from the sample. As a result, the final total sample size was 1,134. The size of the not released group was 380 persons (33.5% of the entire sample), the released without supervision group was 383 persons (33.8%), and the pretrial services supervision group was 371 persons (32.7%).

From these data, the following groups of individuals are profiled in this section—the Macon County Jail population, each of the release type groups, individuals not charged by the Macon County SAO, and individuals with FTAs in court. Information obtained from jail records consists of length of jail stay, arrest charge, and rearrest history. Data from the circuit clerk's office include charge offense, disposition, sentence, and FTAs.

Macon County Jail Population Sample Analyses

Prior to discussing the three release type groups, the jail population sample as a whole is described. Recall that the jail population sample group consists of the 1,134 individuals for whom the Pretrial Services Program provided bond reports.

²⁷ Pretrial officers record all individuals given a cash bond at bond court as not released from jail, regardless of whether the individuals are financially able to pay the bond at that point, at a later date, or not at all.

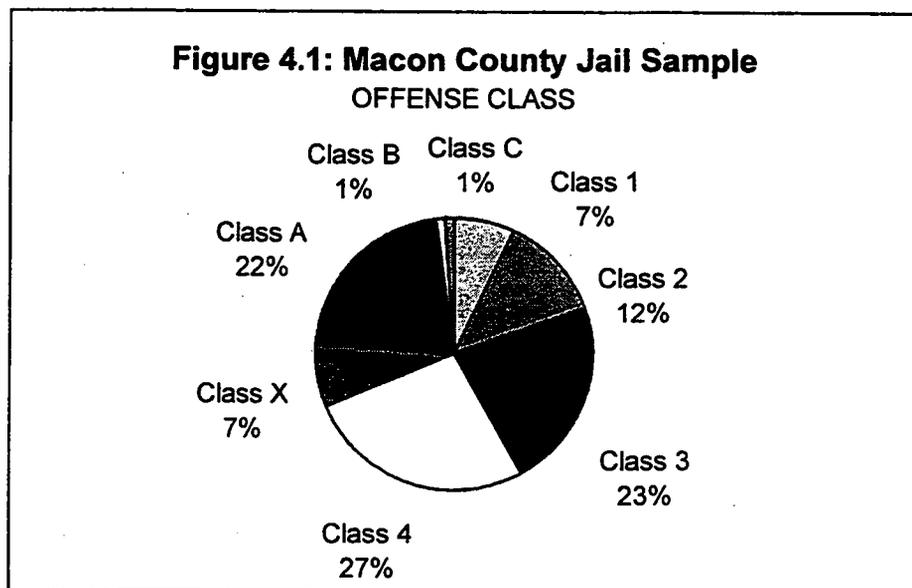
Demographics. The ethnicity of the jail population sample was primarily African-American (52.5%) and Caucasian (47.1%). In addition, the majority of the sample was male (74.3%). At the time of the bond report, the age of these persons ranged from 17 to 65. The mean age was 29, although the median age was slightly younger at 27.

Days in jail. The number of days housed in the county jail while awaiting case disposition obviously depends on whether an individual is given bond or ROR or not released at all. This sample was held in the Macon County jail an average of 16 days before being released. The median jail stay length was considerably less—two days. One-fourth of the sample remained in jail for a week or more and the longest stay was reportedly 325 days.

Current offense. The most serious current offense was recorded for each individual charged; 251 individuals (22.1% of the jail sample) were not charged. The most common crime types were property (41.3%), person (25.5%), and drug (11.6%) offenses.

Burglary, retail theft, and theft accounted for two-thirds of the property offenses. Furthermore, theft was the most common offense (10.3%) across all crime types. In the person category, aggravated, simple, and domestic battery comprised approximately 75 percent of the offenses. The four drug offenses of possession of a controlled substance or cannabis and manufacturing and delivery of a controlled substance or cannabis represented 85 percent of all drug charges. Offenses typified as sex, weapon, driving, procedural, or other accounted for a combined 22 percent of the most serious current offenses.

The offense severity for the most serious current charge was known for most individuals (see Figure 4.1). More than three-fourths of these charges were classified as felonies; the highest percentage of all class types (27.0%) was for Class 4 felonies. Although there were no Class M felonies in the sample, there were 63 Class X (7.4%) and 61 Class 1 (7.1%) felonies. The remaining non-felony offenses were mostly Class A misdemeanors (21.0%).



Disposition. Slightly more than one-half of the individuals in the jail population sample had pled guilty or gone to trial with their case by the end of the data collection period, February 28, 1998. An overwhelming majority of those cases involved plea bargains (94.1%). Only 36 individuals had cases go to trial, including one individual who entered a plea agreement for one offense and went to trial on another. Of the 36 trials, nearly three-fourths ended in guilty verdicts. In addition, 12 percent of the cases were dismissed, 14 percent were pending, and 22 percent of the individuals were never

charged.²⁸ Approximately seven percent of the individuals had outstanding warrants issued for the case included in the jail population sample.

The number of days from the date of an arrestee's entry into the Macon County jail to the date of case disposition was calculated to determine the length of time a case requires to process through the court system. The jail population sample averaged 128 days from jail entry to case disposition. The median length of time was one month less—100 days. The longest length of time until case disposition was 2.5 years, although three-fourths of the individuals had the case disposed within six months.

Sentence. The sentence for 96 percent of the individuals who pled or had their case go to trial was recorded in the clerk's files. A sentence that included fines, fees, and costs was the most common (59.4%), followed by probation (40.2%), an IDOC term (26.3%), and a jail term (20.8%). Only 21 individuals (3.7%) were ordered to perform community service work. Table 4.1 displays a complete breakdown of sentence type with its frequency.

²⁸ An individual was determined to not have been charged if there was no record in the circuit clerk files for the individual or if there were no records for that person that matched the arrest and bond report dates.

Table 4.1: Macon County Jail Population Sample—Sentence Received

| Sentence Type | Number Sentenced |
|---|-------------------------|
| IDOC with or without credit | 125 |
| IDOC with or without fines, fees, and costs (FFC) | 24 |
| TOTAL | 149 |
| FFC | 77 |
| TOTAL | 77 |
| Jail stayed/credited | 22 |
| Jail stayed/credited and FFC | 89 |
| Jail and FFC | 2 |
| TOTAL | 113 |
| Probation | 53 |
| Probation and FFC | 121 |
| Probation and jail stayed | 5 |
| Probation, FFC, and/or treatment | 42 |
| Probation, FFC, and jail | 7 |
| TOTAL | 228 |

The average amount of fines, fees, and costs ordered paid was \$540, although the median amount (\$220) was less than one-half the average amount, suggesting few very high costs/fines were assessed. The lowest amount was \$20 and the highest was \$17,100; the sum of all amounts was \$125,700. More than 200 individuals were sentenced to probation. The average probation term was 20 months, with a range of six to 60 months. Individuals sentenced to the IDOC had an average sentence length of four years; the longest was 28 years. Lastly, 118 individuals were sentenced to jail, with an average sentence of slightly less than one month—27 days. The shortest jail sentence was two days; the longest was 180 days.

Table 4.2 shows a breakdown of sentence type by current offense type. Sentences were categorized according to the most serious sentence for those individuals given more than one sentence type. For example, an individual sentenced to the IDOC and ordered to pay fines, fees, and costs would be categorized as IDOC in the table. Property offenses accounted for approximately one-half of all IDOC

sentences. In addition, property and person offenses each represented about 32 percent of the fines, fees, and costs sentences. This sentence type was actually the most common one given for person offenses. Further analysis of this relationship revealed that this was largely due to the high number of domestic battery cases, which accounted for nearly one-half of this sentence type. Again, property and person offenses accounted for the largest number of jail sentences—25 percent each. Finally, property offenses accounted for the greatest percentage of probation and jail with probation sentences. Given that 41 percent of all offenses were property-related, it was expected that those offenses would account for the greatest percentage of each sentence type. Another factor is the variation in severity of the property offenses, which ranged from arson and burglary to theft and deceptive practices.

Table 4.2: Macon County Jail Population Sample—Sentence & Offense Type

| Sentence Type | Offense Type | | | | | | | |
|------------------|--------------|----------|------|---------|--------|-------|-----|------------|
| | Person | Property | Drug | Driving | Weapon | Other | Sex | Procedural |
| IDOC | | | | | | | | |
| Count | 29 | 77 | 20 | 2 | 11 | 4 | 5 | 1 |
| % ¹ | 19.5 | 51.7 | 13.4 | 1.3 | 7.4 | 2.7 | 3.4 | 0.7 |
| FFC only | | | | | | | | |
| Count | 53 | 54 | 17 | 5 | 4 | 27 | 1 | 5 |
| % | 31.9 | 32.5 | 10.2 | 3.0 | 2.4 | 16.3 | 0.6 | 3.0 |
| Jail | | | | | | | | |
| Count | 6 | 6 | 2 | 5 | 0 | 0 | 0 | 1 |
| % | 25.0 | 25.0 | 8.3 | 20.8 | 0.0 | 0.0 | 0.0 | 4.2 |
| Probation | | | | | | | | |
| Count | 49 | 98 | 23 | 0 | 20 | 14 | 13 | 4 |
| % | 22.2 | 44.3 | 10.4 | 0.0 | 9.0 | 6.3 | 5.9 | 1.8 |
| Jail/Prob | | | | | | | | |
| Count | 2 | 3 | 1 | 0 | 1 | 0 | 0 | 0 |
| % | 28.6 | 42.9 | 14.3 | 0.0 | 14.3 | 0.0 | 0.0 | 0.0 |

¹ Percentages are listed for within the sentence type.

Comparison of the Three Release Type Groups

This section is a comparison of the three release type groups: not released, released without supervision, and released with pretrial services supervision. Each of these groups comprised approximately one-third of the jail population sample. As the information reported here demonstrates, these three groups were relatively similar.

Demographics. The ethnicity of all three groups was primarily African-American (51.6%–53.1%) and Caucasian (46.4%–48.1%). In addition, males were the majority in all groups. The released with pretrial services supervision group had the lowest number of males (n=255), while the not released group had the highest number (n=306). The mean age, 29, was the same across groups.

Days in jail. As expected, the number of days housed in the jail varied greatly by release type. Due to large standard deviations, the median numbers of days are reported. The not released group remained in jail for the longest period, from one to 325 days. Although the median number of days was six for this group, one-fifth of the individuals were held for more than two months. For the released with no supervision group, the median time in jail was three days. Surprisingly, the data revealed that more than one-fourth of this group remained in jail for more than four days. There are several possible explanations for this longer than expected jail time including being held on an outstanding warrant and incorrect jail dates or release type group information having been collected. The released with pretrial services supervision group was housed in the jail for the shortest number of days; the median was two days. Less than 10 percent of the individuals placed under supervision remained in jail more than four days.

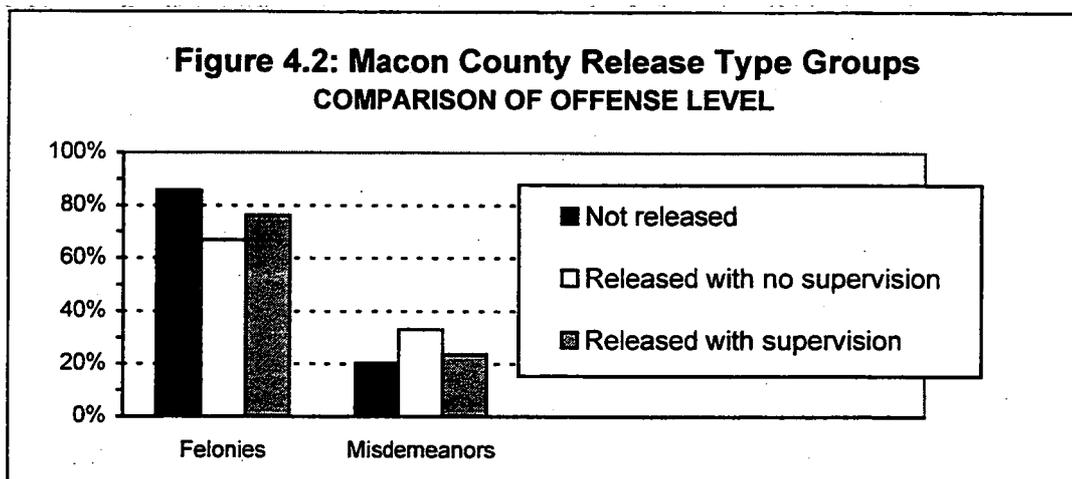
Current offense. Again recall that only the most serious current offense was recorded. The released with no supervision group contained the most individuals not charged with an offense (27.8%), followed by the not released group (20.8%) and the released with pretrial services supervision (18.3%).

The percentage of charges typified as property, person, or drug offenses were similar across groups. The greatest variation was in the percentage of person offenses: 28 percent for the released with no supervision group, 27 percent for the not released group, and 20 percent for the released with pretrial services supervision group. In order to determine this difference was not due to sampling error, a Chi-square measure was calculated. The statistic proved significant at the .01 level for that group difference in the number of person offenses. Thus, it appears less likely that an arrestee brought in for a person offense will be released under pretrial services supervision as opposed to being released with no supervision or not released at all.

The most common offense was different for each of the groups. Aggravated battery (10.3% of all charges) was the most common offense for the not released group, domestic battery and retail theft (8.2% each) was most common for the released without supervision group, and retail theft (9.6%) was most common for the released with pretrial services supervision group.

As displayed in Figure 4.2, the not released group had the most individuals charged with felonies (85.7%), including 36 Class X (12.2%) and 43 Class 1 (14.6%) felonies. Conversely, the individuals released with no supervision were charged with the most misdemeanors (33.1%). However, there were 24 Class X (9.2%) and eight Class 1 (3.1%) felonies included in this group as well. Slightly more than three-fourths

of the individuals released with pretrial services supervision were charged with felonies, including three Class X (1.0%) and 10 Class 1 (3.3%) felonies.



Rearrest information. Information on individuals rearrested in Macon County was collected from the jail computer system. The rearrest information recorded included the number of rearrests and the charges for the first two rearrests, when applicable. In addition, the amount of time at-risk (i.e., the length of time from the instant offense to the end of the data collection period) was calculated. The average amount of time was 1.4 years, with a range of 0.2–3.1 years. Individuals in the released with no supervision group (57.4%) were slightly more likely to have a rearrest history than individuals in the other two groups (49.6% of the released with pretrial services supervision group and 44.7% of the not released group). All groups averaged one rearrest. The highest number of rearrests for the released with pretrial services supervision group was nine; whereas it was 15 for the other two groups.

Property offenses were the most common rearrest offense type across groups, accounting for 24 to 30 percent of all rearrest offenses. Interestingly, the two most common rearrest offenses—domestic battery and driving with a revoked or suspended

license—were also the same across groups. Domestic battery accounted for 11 to 16 percent of all rearrests; the lowest percentage was for the released with pretrial services supervision group and the highest was for the released with no supervision group. Driving with a revoked or suspended license accounted for seven to 10 percent of all rearrests. Again, the lowest percentage was for the released with pretrial services supervision group, while the highest was for the not released group.

Examination of FTAs

The last profile is of individuals with FTAs. Surprisingly, the release type group with the most individuals with FTAs was the pretrial services supervision group (54.8%). Individuals released on personal recognizance and those not released accounted for 29 and 17 percent, respectively, of the individuals with FTAs. Although it is surprising that individuals supervised by the Pretrial Services Program would account for the most FTAs, because it is a program goal to reduce FTAs, one should consider that offense severity influences the type of jail release. Specifically, more serious offenders are more likely to be held in jail awaiting disposition, thus making it difficult to miss a court hearing.

Approximately one-fifth of the jail population sample missed 282 court hearings. Although the average was one FTA per individual, 56 persons had two or more missed court appearances. The social demographic and offense type information for these individuals mirrored that for the whole sample. The three most common offenses for the FTA group were aggravated battery (10.0%), criminal damage to property (9.0%), and possession of a controlled substance (8.1%). Offense class also mimicked the entire sample; individuals in the FTA group were charged mostly with felonies. One-third of

the felonies were Class 4; there were also nine Class X (4.3%) and 12 Class 1 (5.7%) felonies. In general, there do not appear to be any major differences that distinguish individuals with FTAs from others in the sample.

Pretrial Services Supervision Specific Information

Individuals released with supervision averaged two months in the Pretrial Services Program, with the median approximately two weeks shorter. The longest period of supervision was ten months.

One goal of the Pretrial Services Program is the reduction of FTAs for court hearings. Although the program began reporting FTAs in January 1997, the evaluation team chose to validate this information and collect FTA data from the circuit clerk files. One-fifth of the individuals had FTAs while being supervised. Only four individuals had more than one FTA while in the program because in most cases a FTA resulted in immediate termination from the program. Approximately 15 percent of the individuals also had FTAs after their supervision had ended. In all, 121 individuals missed 165 court hearings. For those individuals actively in the program, the number of days from the date of the bond report to the first FTA was calculated. The mean length of time was two months, and the median length was only a few days less.

The Not Charged Group

As previously mentioned, nearly one-fourth of the individuals in the jail population sample were not charged. The social demographics for this not charged group were comparable to the whole sample, although the percentage of females was slightly higher (31.5% versus 25.7%). By comparing the case information collected by the

evaluation team to the case files from the Deferred Prosecution Program, it was determined that seven of the individuals not charged were accepted into that program.

Similar to individuals in the other groups, individuals not charged were most frequently arrested for property (37.1%), person (19.9%), and drug (13.1%) offenses. The three most common arrest charges were possession of a controlled substance (11.2%), aggravated battery (10.8%), and obstruction of justice (9.6%).

Although most individuals not charged were initially held in jail for less than five days, eight percent of this group remained in jail more than 30 days. One individual reportedly remained in jail for more than eight months. When released, the majority of these individuals were ROR (41.0%).

Peoria County

Data on Peoria County's jail population were collected for an 11-month period prior to the start of the DIP in August 1995 (the Pretrial Services Program was initiated a month later). Post-program inception jail data were obtained for a 31-month period, ending in February 1998. During this period, 61,501 individuals entered the jail through the "booking" process. The following presents a brief overview of salient characteristics of this group which may be of interest to program administrators:

- Detainees were nearly equally divided between African-Americans, 54 percent, and Caucasians, 46 percent. The remainder of the population was Asian (0.2%), Hispanic (0.6%), or unknown (0.1%).
- Nearly all were arrested for a new charge or an original arrest warrant. Less than one percent combined were booked for bond forfeiture, parole violation, out-of-state detainment, or probation violations.
- About 89 percent were Peoria County residents.
- About seven percent were identified as gang members.

- Less than one percent were not U.S. citizens.
- Over 98 percent identified Illinois as their state of residence.
- Nearly 70 percent said they were single, over 15 percent indicated they were married, 12 percent said they were divorced, and approximately three percent indicated they were separated.
- Slightly less than half (44.9%) said they had completed high school, while about 20 percent had less than a high school education. Over 14 percent indicated at least some education beyond high school. Information on the remainder of the population was missing.
- Slightly more than eight percent (8.4%) admitted drug use.

With regard to offense and holding status, the following characteristics were noted:

- Non-sentenced inmates made up the bulk of the population over the 42-month period. More than 93 percent of the population was non-sentenced, 4.6 percent were serving regular sentences, and less than one percent were serving either work release or weekend sentences.
- Nearly 10 percent (9.5%) were being held for other agencies.
- About 14 percent were intoxicated at the time of their arrest.
- Slightly more than one percent were identified as suicidal.

Researchers examined the primary booking charge and the secondary booking charge (if applicable) for those individuals housed within the Peoria County Jail during the evaluation period. Excluding the number of individuals whose primary holding charge was to be "held for another agency," which the evaluation team did not consider to be a true originating charge, the five most common primary charges were failure to appear (20.1%), driving on a suspended license (5.3%), disorderly conduct (4.5%), domestic battery (4.4%), and battery causing bodily harm (4.0%). The five most frequent secondary charges were failure to appear (7.0%), operating an uninsured

motor vehicle (3.7%), disorderly conduct (2.6%), driving with a suspended license (2.1%) and resisting a police officer (1.6%).

Examination of FTAs

From the Peoria County circuit clerk records, the evaluation team was able to calculate the number of individuals with FTAs for court hearings. Although a time-consuming endeavor, the FTA data were manually manipulated into individual-level information. The information included FTA dates, when applicable, for all individuals arrested from September 1994 through February 1998, the same time frame used for jail data collection. Unfortunately, the county does not record individuals given a bond report or placed on supervision in its circuit clerk files; therefore, no discussion of Pretrial Services Program impacts can be discussed in relation to the number of FTAs.

Due to the case-level focus of data processing in Peoria County, it was not possible to use the data to determine the number of individuals charged in Peoria County during the time period of interest. Further, because different types of information (i.e., demographics, charge, disposition, and sentence) are stored in separate data files by case number, it was not feasible to link all of the data files. Therefore, it can only be reported that 6,426 individuals had 8,491 missed court appearances between September 1994 and February 1998. Although the average was one FTA per individual, 19 percent of the individuals had two FTAs and six percent had three or more FTAs.

In latter Peoria County system impact discussions, data are presented grouped into seven time periods to demonstrate change over time. A similar grouping was not

undertaken here because such a time comparison is misleading. To illustrate, the number of FTAs in Peoria County appear to steadily increase over time when grouped by the FTA date. The reason for this is that 1994 cases, on average, have most likely processed further through the court system than 1997 and 1998 cases; thus those cases have had more court appearances scheduled and greater opportunity for FTAs. Conversely, more recent cases, on average, will have had fewer court dates to miss. Furthermore, the FTA data could not be standardized by the number of days in the court system because the first and last scheduled court dates were unknown for all individuals. Therefore, it could not be determined, with the data available, if the number of FTAs remained stable, increased, or decreased during the evaluation period.

As the offense level is identified in the case number, it was possible to determine how many individuals charged with felonies had FTAs compared to those charged with misdemeanors. It was expected that misdemeanants would have more missed court hearings because they are more likely to be released from jail pending case disposition because of less serious charges. Nearly 90 percent of the individuals were charged with misdemeanors. In addition, misdemeanants were more likely to commit more than one FTA as compared to felons (27 percent versus 12 percent).

Although felons only accounted for a small percentage of offenders with FTAs, the charge data for felons were examined to determine some of the most common felony offenses. Due to the format of the data file, only information recorded as the first of five possible charges was matched to the FTA data file. This method resulted in five offenses accounting for more than one-half (52.5%) of all first charges. These offenses

were possession of a controlled substance, obstruction of justice/destroying evidence, retail theft, burglary, and forgery/make/alter document.

PROCESSES IMPACTING JAIL CROWDING

Three factors drive jail overcrowding. The first of these is the *number of individuals* confined at a given time. The second is the *capacity* of the jail. Thus, in a rather simple illustration, if a jail with a capacity of 100 detainees houses 200 individuals on a given Tuesday, it is obviously overcrowded. However, because jails typically experience high turnover in their population, it is difficult to gain an accurate picture of crowding using this approach. Individuals “booked” into a jail awaiting court action might only reside there for a matter of hours or they might be held for months. A count of jail inmates taken in the morning might vary sizably from a count taken mid afternoon or late at night. Thus, a third, less obvious factor, that influences jail crowding is the number of days to be served by the individual(s)—a notion commonly referred to as sentence length. Again, to illustrate this notion within the framework of the example above, if a jail with a capacity of 100 houses 200 inmates each spending three days in the facility, it will be at double capacity for each of the three days. However, if the same jail houses 600 inmates each spending only one day in the facility, the net crowding impact will be the same. This factor becomes significant when developing programs, such as the Macon or Peoria County Pretrial Services Program that are designed to impact jail crowding.

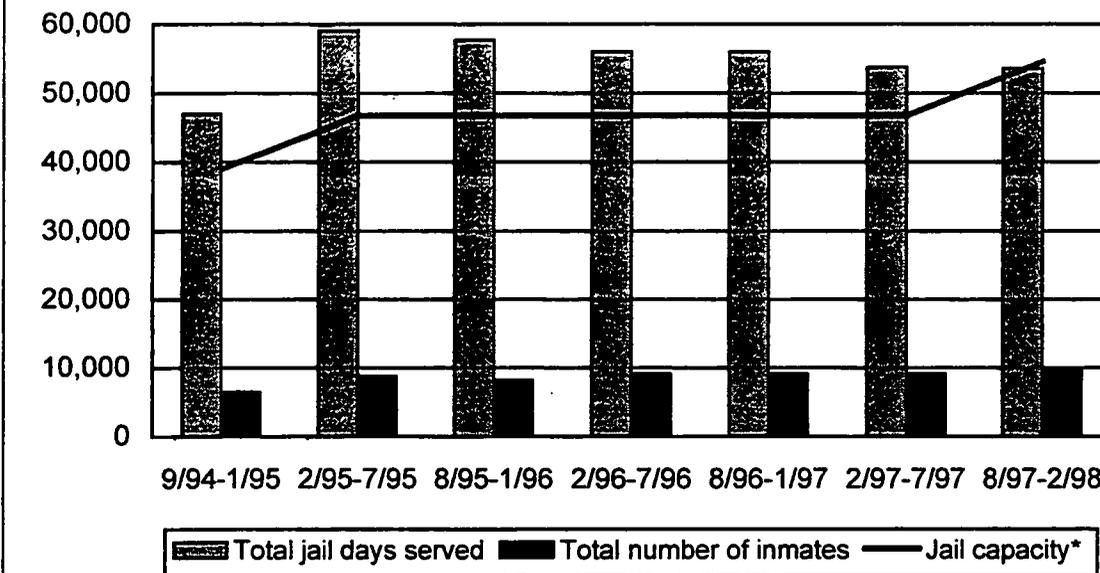
Peoria County Pretrial Jail Impact Analysis

Analysis of jail statistics for sentenced and non-sentenced offenders confined in the Peoria County Jail during the data collection period (September 1994–

February 1998), provides some insight into the Peoria County Jail crowding situation. For example, in the first five-month period reviewed, 6,164 non-sentenced jail inmates accumulated 35,364 days in jails—about 5.7 days per offender. The sentenced inmate group of 275 offenders accumulated 6,118 jail days—about 22.3 days per inmate; the weekend sentence group of 5 individuals created 54 jail bed days; and the remaining jail population²⁹ of 66 inmates amassed 321 jail bed days. The capacity of the Peoria County Jail is 260 cell beds and 80 work release beds. Based on an average 30-day month, 260 cell beds can accommodate 7,800 jail “person days” per month or about 39,000 person days during this five-month period. Thus, excluding work release inmates and work release beds, the jail was over capacity by approximately 8,016 person days from September 1, 1994 to January 31, 1995. However, in the following six-month period, just prior to the initiation of the Peoria County programs, sentenced and non-sentenced jail inmates generated 59,130 jail person days, which was nearly 20,130 jail days, or about 3,355 jails days per month above the jail's capacity. Looking at the remainder of the timeframe examined, it appears the jail ran overcapacity in each period, although in each timeframe overcapacity was reduced. The exception to this trend is in the final period (which incorporates seven months) when the jail ran under capacity by approximately 1,014 person days. Figure 4.4 graphically presents this scenario.

²⁹ Work release inmates were excluded from all jail space calculations as a separate portion of the jail is identified for this population; thus their beds also were excluded from the calculations.

Figure 4.3: Peoria County Jail
DAYS SERVED AND NUMBER OF INMATES
 September 1994 - February 1998



* Note: Jail capacity appears less in the 1st period because it only includes five months. Similarly jail capacity appears greater in the last period because it includes seven months.

Clearly, Peoria County has been reducing its overcrowding situation. However, it is unlikely that this reduction is due to the Pretrial Services Program. Two separate considerations support this conclusion. First, Figure 4.3 above clearly shows that the total sentenced and non-sentenced population increased slightly at the beginning of the reporting period, but remained relatively stable in the latter half of the study. Thus, to achieve the sizeable reductions of total jail person days observed, a corresponding reduction in the average number of jail days served by the individuals incarcerated must have occurred.

Second, if we consider that the Pretrial Services Program would have impacted only the non-sentenced population, this rationale becomes even clearer. Table 4.3

reveals that only small changes in the average length of stay for non-sentenced inmates occurred over the program's operational period. While the sheer number of non-sentenced inmates involved resulted in some impact on the jail overcrowding, the magnitude of these reductions was very modest in comparison with the total number of jail person days beyond the jail's capacity.

Table 4.3: Peoria Jail Analysis—Impact of Offenders on Days Served

| Time Period | # Offenders | Mean Days in Jail | Person Days ¹ |
|--|-------------|-------------------|--------------------------|
| September 1, 1994 to January 31, 1995 | 6,164 | 5.7 | 35,364 |
| February 1, 1995 to July 31, 1995 | 8,276 | 6.0 | 49,896 |
| August 1, 1995 to January 31, 1996 | 7,634 | 6.1 | 46,277 |
| February 1, 1996 to July 31, 1996 | 8,532 | 5.4 | 46,450 |
| August 1, 1996 to January 31, 1997 | 8,581 | 5.3 | 45,653 |
| February 1, 1997 to July 31, 1997 | 8,519 | 5.1 | 43,498 |
| August 1, 1997 to February 28, 1998 | 9,357 | 4.8 | 44,615 |

¹ May not total to actual person days as noted above due to rounding errors.

Coupled with this observation is the fact that only nine individuals were placed on pretrial services supervision during the evaluation period. If this number is multiplied by the average length of a jail stay for non-sentenced offenders held during this period (5.5 days) the total impact of these releases is a nearly undetectable 49 days. The point here is that the smaller the number of offenders involved, the larger the changes which must occur in the average number of days served by each offender if the *total* person days are to be reduced significantly. Thus, *even if other factors* such as arrest rates, crime severity, and number of bookings are held constant, it is unrealistic to assume that the Pretrial Services Program, as configured, would have a significant impact on jail population even if the program functioned well. This is especially true since the majority

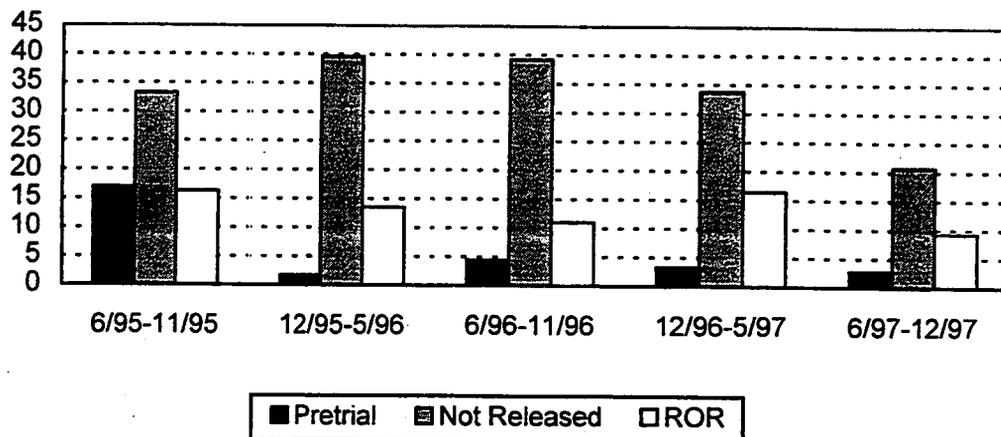
of non-sentenced offenders (59.4%) booked into the jail were housed for one day, and another 21 percent were held only two days.

Macon County Pretrial Jail Impact Analysis

As the Macon County jail data were based on the pretrial supervision caseload and samples of other referrals, a total jail population analysis similar to one just discussed for Peoria County was not possible. As an alternative, two strategies were undertaken to provide some estimation of the impact of pretrial services supervision on the Macon County jail population.

First, an analysis was undertaken to determine if the average number of days in jail served by the pretrial supervision group had changed over the course of the program's existence. It might be assumed that if the Pretrial Services Program was having its desired effect of moving individuals out of the jail, a reduction in the average number of days spent in jail by this group would decrease. As displayed in Figure 4.5 this did appear to happen although the decrease generally was not sizeable, except during the first year. Although this drop, from an average of 17 days to less than two days, might appear very significant, it should be noted that only one individual was placed on pretrial services supervision in the first six-month period of operation. Thus, this one person's length of stay might be an abnormality for normal pretrial incarceration, with or without supervision.

Figure 4.5: Macon County Comparison of Sample Groups
AVERAGE DAYS IN JAIL
 June 1995 - December 1997



Perhaps more important on the impact of pretrial services supervision is the differences in the average length of stay among the three release type groups. Overall, the fact that those not released averaged 32.4 days in jail, and those ROR averaged 13.7 days, while the pretrial services supervision group averaged only 3.3 days suggests that the Pretrial Services Program was moving individuals out of the jail more quickly. If even half of these other two populations were moved into pretrial services supervision, the net result would be a savings of 7,186 jail person days. This equates to the ability to fill the entire bedspace of the Macon County Jail for a month, or to increase its capacity by 10 percent over the course of a year.

In summary, analyses suggest the aggregate influence of the Pretrial Services Programs on jail populations in Macon and Peoria Counties is minimal. To enlarge their impact it would be necessary to either increase the number of arrestees receiving Pretrial Services supervision, or release these arrestees earlier from jail. However,

because these individuals serve only one or two days on average and a significant increase in their number is difficult from a practical perspective, this is unlikely. If pretrial release is to be considered valuable, it should be based on the increased safety afforded by having more information available to the judge for making release decisions, and by the advantage it provides in moving offenders into treatment programs earlier in the court process.

CHAPTER 5: SUMMARY AND RECOMMENDATIONS

This chapter discusses issues within three domains that the evaluation team believed impacted the operation of the evaluated programs individually, but were found universally. To provide a framework from which to consider the implementation and impact of these evaluated programs, and to provide insight for those considering similar initiatives, these global issues are reviewed below. For each issue, an accompanying narrative focuses on the particular associated problem and offers recommendations for their successful resolution.

COMMON ISSUES

In analyzing the common issues that exist among the five programs, several issues come forth in most, if not all, of them. First, there are pervasive problems related to the clarity of goals and objectives, or their conformance with actual program performance. Second, data systems in both counties, and thus in all five programs, present difficulties not only for this evaluation team, but also for any future attempts by the programs to perform ongoing assessments of their performance. Third, the pending reorganizations in the two court services and probation departments present both challenges and opportunities for the future development of the programs.

Mission, Goals and Objectives

The first of these issue domains—program goals and objectives—influence the nature, scope and direction of the program. Additionally, not only do the goals shape the program for which they are established, they also establish the benchmarks against which any success of the program is measured.

In reviewing the program goals and objectives, we consulted two sources. First, we examined the statements of goals and objectives put forth in the funding proposals submitted to the ICJIA. Next, we examined our interviews of program supervisors and staff, criminal justice personnel who work with the programs or who were involved in their formulation, and other local policy makers.

Description of the Problem

The goals and objectives of each program clearly state a mission to reduce local jail crowding. In addition, an examination of the goals and objectives of each of the five targeted programs clearly points to two other broad and universal goals: 1) improving the health and competency of the program participants, and 2) creating community-based resources for criminal offenders. Apart from these universal goals, the five program descriptions and goals appear to be somewhat tailored to the problem area and population each program was designed to assist. For example, the Pretrial Services Programs established a goal to write bond reports in order to provide judges with more information, while the DRC was designed to provide structure for clients via classes and counseling.

The most common goals among the five programs are to:

1. provide alternatives to the previously exclusive sanctions of either locking up offenders or releasing them;
2. link offenders with community-based assessments, treatment, and skills training;
3. increase community safety;
4. decrease recidivism rates; and
5. provide clear-cut accountability and sanctions for offenders through requirements such as daily check-ins, payment of restitution, satisfaction of community service hours, attendance for court appearances, enrollment in and completion of treatment, etc.

A review of the interviews conducted suggests it is the consensus that the programs exist to reduce jail crowding. However, the programs appear to be suffering from some goal fragmentation and lack a global mentality.

While within each program all individuals agreed that their respective program exists to relieve jail crowding, other internal goals seem inconsistent. Additional program goals, although consistent with program mission and operation, were often found unique among individuals within the same program affiliation. For example, when four individuals within the same office were asked to list program goals, four diverse responses of processing statistics, changing the computer system, increasing internal information, and reducing recidivism were recorded.

Likewise, external goals appear to experience the same fragmentation. During the first year of this evaluation, 44 of the interviewees identified 54 different goals for the five programs. Moreover, few goals were reiterated across an external cross-section of the professionals who come in contact with or work in the programs. For example, when members of the judiciary line staff, or law enforcement were asked to identify the mission of one of these initiatives, nine goals were generated: three from each division.

A review of the interviews conducted with those both within and external to the programs revealed a broad range of responses in program goals. To illustrate:

- Pretrial Services Program goals range from promoting continuity of internal information flow to changing the environment to which an offender returns.
- DIP goals range from a concentration on early intervention to a focus of closer monitoring of service providers.
- Deferred Prosecution Program goals range from a time-saving mechanism for the courts to improving the lives of offenders.

- DRC goals range from making probation more meaningful for the defendant to better meeting community needs.

Operational definitions diverge system-wide, complicating mission identification. For example, the perceived goal of “providing better information to the courts” is defined by one external division to be systematic (i.e., complete and verified information regarding the offender is desired), where a second external division defines “better information” to be evaluative (i.e., an assessment based on face-to-face contact with the offenders and his/her problems and needs is desired).

Although the goal of reducing jail crowding is universally accepted, it has undergone some modification stemming from perceptions that the removal of offenders from jail only results in their replacement by other offenders. In response to this concern, the goal was altered to one focused on changing the composition of the jail population to house more appropriate offenders by identifying low risk offenders for program initiatives and higher risk offenders for incarceration.

Thus, goals and their accompanying objectives seem to change dramatically over the relatively brief course of the existence of these programs. While some changes are expected in the natural evolution of a program, constant changes diminish the common thread that provides program direction and work focus. Second, a lack of goal and objective specification results in the goals failing to serve their desired purpose as guideposts for program direction and consequently, become meaningless to program staff. Moreover, the lack of goal and objective clarity results in differing perceptions by those within and outside the program as to its primary mission.

Mission and Goals Recommendations

It appears that goal fragmentation and its resulting confusion stems from two sources: misconceptions of the objectives on the part of those outside the programs and program staff, and a change in some goals in response to knowledge gained during program operation. To the extent that goals have changed in response to circumstances or new information, the changes in them should be communicated to program staff and external constituencies. Also, in order to avoid confusion both within and outside the program, the goals and objectives should be articulated clearly to staff and those conducting business with, or otherwise interested in, the program. These measures should help keep staff and management “on the same page,” and allow for more accurate assessment of program performance both by funders and by the broader community.

Data Issues

The concerns regarding data are, in some respects, connected to the goals related issues. Certainly, the programs must determine what they are attempting to accomplish before they can determine the data they need to capture. However, beyond establishing the targets for data collection, issues remain involving both the mechanical ability to collect and assemble data, and the human commitment needed to make data collection meaningful.

Description of the Problem

Chapter 2 contains a detailed description of the data concerns encountered during the course of this evaluation. One of the identified issues is that all of the programs suffer from technological deficits in their ability to store, retrieve, and analyze

data. All of the programs recognized their technological limitations early on and have taken steps toward improving their technological capabilities. Many of the programs have purchased new software and hardware in an effort to improve their data collection capacities, but frequently encounter difficulties in transitioning from earlier computer applications, due to limited personnel resources for data conversion and training.

However, more troubling than the technological deficiencies relating to data are the persistent inconsistencies in the data that is currently collected. In nearly all the programs, substantial variations were observed between monthly data and individual level data, as well as some instances where monthly data did not match from one month to the next. These variations appear to be the result of either differing interpretations of events or definitions among program staff, or a simple lack of care in recording and calculating data.

A third problem relates to the need to collect data on the individual client/offender level rather than simply recording aggregate monthly statistics. Data being collected on program participants frequently was not adequate to determine whether the goals and objectives established for the program had been reached. Moreover, as the information was not being collected on individual client characteristics, the relationship between client needs and treatment services provided could not be determined.

Data Improvement Recommendations

The research team encourages the programs to continue their quest for improved data handling capacity. These concerns can be rectified over time through purchases of additional equipment and software, as funds become available.

Correction of the inaccuracy of collected data must be rectified through human

solutions. It is recommended the programs take steps to clarify data reporting procedures and terminology through the development of appropriate policy and procedure, as well as appropriate training of staff. The programs also must work on the collection of data at the individual offender level, rather than in aggregate form. Only in this way can programs identify client characteristics associated with successful program outcomes and ensure congruence between client needs and program structure and services.

Court Services Reorganizations

During the course of this evaluation both the Macon and Peoria County Probation and Court Services Departments initiated reorganizations of their departments into function based units. Because four of the five programs examined in this evaluation are operated by court services, the reorganizations will have broad impact. The possible ramifications may be positive or negative.

Statement of the Problem

At the beginning of this evaluation, both Macon and Peoria County Probation and Court Services were organized in a traditional fashion that included separate units for specific methods of probation supervision such as pretrial supervision and intensive probation. Both departments are now in the process of organizing into broader functional groups, such as an Investigations Unit that encompasses pretrial investigations, presentence investigations, and criminal records checks. A Supervision Unit will be responsible for intensive probation supervision, pretrial supervision, and conducting home and other field visits.

To the extent the reorganization disrupts existing working groups, it may be seen as a negative event. For example, some former pretrial officers may end up in the Investigations Unit while others will be in the Supervision Unit and still others elsewhere. On the other hand, there are potential positive implications. If staff are assigned to functions that fit their individual strengths and interests, they may become more satisfied and productive employees. There also is the potential to realize time savings by eliminating duplicate collection of the same information. For example, the unit that collects information for a bond report will use the same information to generate a presentence report and for an initial intake, if the individual is later admitted to probation.

Probation and Court Services Reorganization Recommendations

Court services administrators in each county can increase the likelihood of positive results from reorganization by taking care to match officer aptitude and interest to their unit assignment. Also, because reorganization inevitably will result in some officers performing tasks related to programs they were only marginally familiar with prior to reorganization, care must be taken to provide these staff with a clear orientation regarding program goals, objectives, and procedures.

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ICJIA Agreement Contracts Cited

- #4236 Peoria County Pretrial Services Program (Dec 1, 1994–Sept 30, 1996)
- #4254 DIP (May 15, 1995–Sept 30, 1996)
- #4270 Deferred Prosecution (Dec 1, 1994–March 30, 1996)
- #4271 Macon County Pretrial Services Program (Dec 9, 1994–Sept 6, 1996)
- #4272 DRC (Sept 15, 1995–Sept 30, 1996)
- #4560 Macon County Pretrial Services Program (Sept 6, 1996–Feb 28, 1998)
- #4561 Peoria County Pretrial Services Program (Aug 1, 1996–Sept 30, 1997)
- #4562 DRC (Oct 11, 1996–Present)
- #4563 DIP (Oct 8, 1996–March 1, 1998)
- #4565 Deferred Prosecution (April 1, 1996–March 9, 1997)
- #4664 Deferred Prosecution (March 10, 1997–June 30, 1998)



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