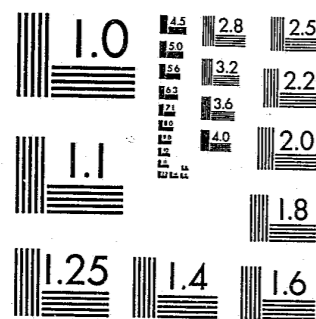


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8/31/83

Incarceration During Fiscal Restraint:
Training Seminars
for Key Decision-Makers

Project Summary and Final Report

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Incarceration During Fiscal Restraint:
Training Seminars
for Key Decision-Makers

Project Summary and Final Report

by

Todd R. Clear
Patricia M. Harris
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School of Criminal Justice
Rutgers University
Newark, N.J.
August 30, 1982

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ACQUISITIONS

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Chapter I
Incarceration During Fiscal Restraint:
The Problem for Policy-Makers

There may be no issue more important in the coming decade than the cost of corrections, particularly the cost of incarceration. The documentation of the problem includes statistics that are frequently repeated: prison populations have increased over 60 percent nationwide,¹ overcrowded conditions persist in the correctional facilities of nearly every state,² and harsher sentencing codes have gained a sweeping popularity, moving state officials in directions which generally lead toward more extensive use of incarceration.³ At the same time, states face pending financial crises--currently, 24 states are affected by court orders which declare existing penal operations unconstitutionally inadequate;⁴ recent court decisions hold government and its employees liable for injuries to prisoners arising from unconstitutional conditions;⁵ current plans call for \$8 billion dollars in new construction expenditures alone, not including operating costs;⁶ and it is estimated that such costs themselves will increase up to 60 percent in the next decade.⁷ It is not overstating the case to say that, in light of the currently popular government approach of fiscal restraint, the economic crisis facing corrections will be as much a political problem as a monetary one. Indeed, the responses of the legislative and the executive branches of government to this problem have been sometimes curious, given the critical nature of the problem in many states.⁸

However, too frequently the problem of rising costs is thought to be primarily due to increases in crime combined with pressures for greater use of imprisonment. Policy-makers in every state are confronted with familiar scenarios: more criminals are committing crimes; more criminals need to be sent to prison so that less crimes will be committed; more dollars are needed so that more criminals can be put away. In reality, the forces which influence incarceration costs are much more complicated. Below, we briefly explore some of the more crucial aspects of this problem.

The Problem Redefined

Public treatment of the recent growth in prison and jail populations tends to focus on assessments of the crime rate, which is usually depicted as rising. Such assessments are not only inaccurate but are misleading approaches to an understanding of the population boom. Uniform Crime Reports (UCR),⁹ which are maintained by the FBI and based upon the voluntary reports of citizens, provide data from which most publicized estimates of criminality are drawn. Yet numbers of crimes reported to the police comprise as little as half of the total amount of crime, according to more accurate measures, such as victimization surveys.¹⁰ Upon the incorporation of these more accurate measures into the analysis, it is no longer possible to explain population increases solely in terms of crimes committed.

Recently, attention has been directed toward the development of more appropriate explanations of prison population increases. Popular policy options, such as mandatory sentencing, community corrections subsidies, repeat offender provisions and even new prison construction have all been positively linked to increases in inmate populations, although the effects of each have been found to vary from state to state.¹¹ The point is that policy-makers are in a position to proactively manage the flow of offenders through the system.

Much of the policy-maker's justification for increased use of limited incarceration resources may be predicated on assumptions concerning the benefits offered by this sanction. In fact, much of the research related to this topic suggests that these kinds of policy reform are more likely to contribute to overcrowding without meaningfully affecting levels of crime.¹² Despite a wide range of methodological limitations, a very large body of evidence¹³ casts a skeptical eye on the ability of incarcerative measures to seriously affect the number of crimes committed.

The crime-control capacity of incarceration varies according to the benefit anticipated. Examinations of incapacitative effects, for example, can produce very different estimates of averted crime, depending upon the assumptions which are employed regarding the number of crimes felons would be committing were they not in prison. Nonetheless, most of these estimates are discouraging,

at 1-18 percent.¹⁴ Higher estimates have been offered, but these studies are normally based on less tenable assumptions.¹⁵

Deterrence, on the other hand, presupposes that the criminal justice system will behave in a way in which, in fact, it has been shown not to behave. Evaluations of stiff mandatory penalties¹⁶ consistently reveal the refusal of system officials to "waste" scarce incarceration space on those offenders for whom they feel the full force of the system is just not warranted. Research which has been favorable to the hypothesis that potential offenders can be deterred from committing crimes,¹⁷ on the other hand, suffers from serious methodological drawbacks.

Two final categories of crime control--rehabilitation and special deterrence--offer perhaps the least encouraging support in favor of the use of incarceration. Literally hundreds of studies¹⁸ have indicated that prisons do not rehabilitate, yet it is unlikely that costly prison programs can be eliminated from prison life. There is some evidence from the behavioral sciences that is supportive of the crime control benefits of punishment celerity, but celerity is nearly impossible to obtain in a system which honors due process and otherwise has a limited capacity to proceed quickly.

Confounding traditional responses to an inadequately perceived problem is the extreme expense associated with the expansion of prison capacity. Few would argue that prison construction is not a costly endeavor. Yet all too often, decisions concerning new prison construction are formed using

figures--typically per bed estimates--which tend not only to understate the actual costs of building correctional facilities, but which fail to reflect the full range of monetary considerations a commitment to incarceration involves.

Researchers of the topic of incarceration costs agree that as much as one-third of prison costs may be regularly unreported. In the case of new construction, the largest hidden costs may encompass architectural fees, equipment costs, site acquisition and preparation, insurance and bid, and construction supervision.¹⁹ If the construction effort must be financed, original estimates can quadruple.²⁰ For the existing prison, hidden expenses can include pensions and fringe benefits, and the costs of outside services.²¹

Commonly quoted per bed estimates generally do not lend themselves to the analysis of the many cost-related issues integral to the maintenance of an incarceration policy. For example, per-cell figures do not reflect the costs of running an institution years into the future--yet any commitment to build is tantamount to a commitment to operate. Moreover, incarceration leaves little opportunity for later reductions in costs, in that most of the expenses associated with the use of prisons are fixed and can decrease only slightly with diminished populations. The acceptance of the extreme costs of new construction may be conditioned on the belief that current demand for cell space will be met by this strategy. However,

researchers²² have indicated that this is not an inevitable result of construction policies. At any rate, prisons can take up to five years to construct,²³ and therefore are not realistic solutions to immediate demands. Per bed estimates can erroneously assume that institutions will comply with contemporary standards of operation, but if they do not, compliance costs can be crippling.²⁴ Finally, per bed estimates, by themselves, preclude consideration of other uses of the same funds. Efficient use of fiscal resources calls for definitive information on a wide range of options, including both incarcerative and non-incarcerative sanctions.

Theoretically, a wide variety of approaches is available for punishing offenders, although feasibility of some options may be limited. Alternative punishment strategies, including variations of incarcerative measures, offer no less crime control, and can be substantially cheaper.

Past experiences with certain options--such as pretrial services--indicate that the use of alternative measures may not automatically significantly affect the numbers of persons sentenced to prison.²⁵ Too often, the intentions of non-incarcerative options are distorted and replaced with practices which only "widen the net". Moreover, responsibility for the development of these other strategies is frequently left to only a few actors in the criminal justice process. Yet a recent nationwide assessment of options currently employed to reduce prison overcrowding²⁶ indicates that, in reality, creation and

researchers²² have indicated that this is not an inevitable result of construction policies. At any rate, prisons can take up to five years to construct,²³ and therefore are not realistic solutions to immediate demands. Per bed estimates can erroneously assume that institutions will comply with contemporary standards of operation, but if they do not, compliance costs can be crippling.²⁴ Finally, per bed estimates, by themselves, preclude consideration of other uses of the same funds. Efficient use of fiscal resources calls for definitive information on a wide range of options, including both incarcerative and non-incarcerative sanctions.

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promotion of alternative measures can involve a wide range of policy-makers, from both within and outside the system, including legislatures, prosecutors, the judiciary, private agencies, probation and parole and the governor's office in addition to departments of corrections. When one views the potential contributions which each of these actors can make through controlling both the flow of offenders into prison (and therefore, into alternative options) and length of stay, it becomes increasingly evident that crises such as the one which currently faces corrections can be averted.

Remedies

The preceeding discussion illustrates the complexity of the prison costs issue. Contrary to public sentiment, sharp increases in prison populations are not the immediate result of a larger number of actors operating outside the bounds of legal behavior. Rather, the crisis is the more direct outcome of an uncoordinated mix of system approaches to an inaccurately diagnosed problem. Solutions which require extreme monetary commitment yield less than desirable results at a higher cost than anticipated, even though less expensive means are available which offer similar ends. This, and not the familiar scenario recounted earlier, is the problem which presently confronts the policy-maker. It is imperative that the decision-maker begin to take action toward relief of the current crisis, and responsible action must be based upon an informed

assessment of the problem. Subsequent actions might include the following strategies:

The adoption of short-range solutions which are sensitive to the needs of corrections administrators. Overcrowding is indicative of a breakdown occurring in the later stages of what should have been the evenly distributed flow of offenders through the criminal justice process. To be effective, the short-range solution must involve whatever options may be available at the latter end of the system. Obviously, immediate remedies which alter the flow of persons into prison leave the overcrowding problem untouched. Viable backend strategies must be directed toward decreasing sentence length of those persons already in prison, reducing current capacity, or both. Mechanisms which are available to achieve these aims include work-release, furloughs, clemency, emergency overcrowding legislation, lower custody placements, parole and early release.

The adoption of long-range solution which can effectively match supply with demand. Basically, what is being referred to here is the development of resource management framework for action. This approach presupposes the interaction of a wide spectrum of decision-makers who are ultimately responsible for creating a demand for incarceration--e.g., legislators, who pass stiffer penalties, but who can authorize the adoption of less drastic means, such as restitution, or special probation; prosecutors, who can press for non-custodial sanctions, and

members of the judiciary, who can employ them; officials of departments of corrections, who can revise classification practices to adhere to more accurate criteria--with those parties, e.g., prison and jail administrators, who are charged with the responsibility of managing a limited supply of incarceration space. While construction of additional prison capacity offers one long-term avenue toward relief of overcrowding, decision-makers must realize that this is a sluggish measure requiring extreme expense for little gain in capacity.

Some Observations

The preceding treatment of the crisis in corrections and potential responses bares two critical impediments facing those parties whose job it is to deal with the problem. The first of these is that constructive solutions to the current crisis depend upon the working union of parties who normally perform their duties apart from each other. Seldom do they have to confront the ultimate impact of their occasional decisions about corrections, and even less frequently are they able to develop an interacting, supportive network for addressing the problem.

A second impediment, and certainly a crucial one, is the lack of information at the policy-maker's disposal upon which he or she can make rational decisions. Clearly, a considerable gap exists between the fruits of prison cost-related research and the behavior of the policy-making community. This should

come as little surprise, since the training and experience of most of these individuals are rooted in fields other than corrections, and the pressures of corrections administration often leaves these officials uninformed of corrections research. The point is that all too often key decision-makers are unaware of the information that is already available which can help them in policy decisions regarding incarceration costs. Their needs for information can be divided into three major categories.

At the most basic level, decision-makers need descriptive data on incarceration costs. These should include a detailed description of all "bricks and mortar" costs, in addition to an account of all potential operating costs. To be most helpful, cost figures should transcend the boundaries typically associated with public corrections budgets. Such a description should be capable of reflecting other costs committed, such as the amortized construction debt. Beyond the mere distribution of costs by categories, decision-makers need to be aware of the degree to which these costs are subject to alteration due to policy and population changes.

A second category of costs information needed by decision-makers involves projections of the demand for incarceration space, since these are critical to their role as final authority over policy planning. The point here is not the provision of a crystal ball prediction of future need, since projections were never intended for this purpose. Because they are unscientific guides, projections can only be as

accurate as the assumptions, or trends, upon which they are based. Trends are nonetheless important, of course, because they show the demand for resources which may be experienced by the corrections agency. For the policy-maker, trend data can be used to reflect the differential impact of different operating assumptions--especially punishment policy options. For example, projections that include alternate representations for pending sentencing reforms, optional redistributions of penalties emphasizing community corrections, changes in the age structure of the population and differing economic forecasts can all demonstrate helpful points regarding the volatility of prison costs. The point is that various policy-produced cost forecasts demonstrate the degree to which decision-makers, through enactment of policies that influence incarceration, have the capacity to artificially inflate the costs of prisons.

The final category of costs data with which policy-makers should be equipped is information regarding alternative expenditures for the corrections dollar. One particularly meaningful measure here is the conceptualization and comparison of punishment "experiences".²⁷ Simple per client estimates of service tend to disguise the fact that different punishment options are applied for varying lengths of time. When per client costs (calculated by dividing an institution's or program's operating costs by the number of its inmate days)

are similar for programs which otherwise involve dissimilar sentence durations, the failure to take sentence length into account can lead to erroneous conclusions regarding the optimum use of resources. On the other hand, what may appear to be lower per client costs in one program may end up as higher total costs if the sentence exceeds alternative options with higher per diem rates. Decision-makers need to be able to determine how many punishment experiences of different sanctions can be bought for a fixed amount of resources.

Notes: Chapter I

[1] See, particularly, U.S. Department of Justice, Bureau of Justice Statistics, Prisoners in 1980, Advance Report, May 1981.

[2] For one picture of the degree to which crowded conditions persist in correctional institutions nation wide, refer to J. Mullen and B. Smith, American Prisons and Jails Volume III: Conditions and Costs of Confinement (Washington, D.C.: National Institute of Justice, 1980).

[3] See T.R. Clear, "Correctional Policy, Neo-Retributionism and the Determinate Sentence," Justice System Journal 4 (Fall, 1978); see also S. P. Lagoy et al., "A Comparative Assessment of Determinate Sentencing in Four Pioneer States," Crime and Delinquency 24 (Fall, 1978).

[4] This number changes frequently although the figure has, lately, remained high. For recent updates on states affected by court orders, see American Civil Liberties Union, Report on Prison Litigation (most recent issue).

[5] Owens, City of Independence, Mo. (1980).

[6] Milton G. Rector, "Reduce Imprisonment--Why and How", paper presented to the Alternatives to Imprisonment Conference, York University, Toronto, June 8, 1980.

[7] Coopers and Lybrand, The Cost of Incarceration in New York City (Hackensack, N.J.: National Council on Crime and Delinquency, 1978).

[8] See, for example, The Prison Overcrowding Emergency Powers Act, proposed by the Joint Legislative/Executive Task Force in Michigan, 1980. Moreover, several states--for example, New Jersey--have encouraged policies which limit intake in state facilities, thus transferring the problem to local jails. The problem of prison costs and populations is a cross-jurisdictional, multi-branch political and economic problem.

[9] U.S. Department of Justice, Federal Bureau of Investigation, Uniform Crime Reports 1965-1980 (Washington, D.C.; U.S. Government Printing Office, 1965-1981).

[10] U.S. Department of Justice, Bureau of Justice Statistics, Criminal Victimization in the U.S.: 1973-79 Trends (Washington, D.C.: U.S. Government Printing Office, 1981).

[11] For a thorough exposition of the affects of various policy options on prison populations, see A. Rutherford et al., Prison Population and Policy Choices Vol. 1 (Washington, D.C.: Law Enforcement Assistance Administration, 1977).

[12] See, for example S. Van Dine et al., "The Incapacitation of the Dangerous Offender: A Statistical Experiment," Journal of Research in Crime and Delinquency 14:22-34; and J. Petersilia and

P. Greenwood, "Mandatory Prison Sentences: Their Projected Effects on Crime and Prison Populations." Journal of Criminal Law and Criminology 69:604-15.

[13] No attempt is made here to enumerate even a small portion of this vast body of research. For overviews of work in this area, the reader is directed to D. Nagin, "General Deterrence: A Review of the Empirical Evidence," in Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates, A. Blumstein, J. Cohen, and D. Nagin, eds. (Washington, D.C.: National Academy of Sciences, 1978) pp. 95-139. (Hereafter cited as Deterrence and Incapacitation.); L. Sechrest, The Rehabilitation of Criminal Offenders: Problems and Prospects (Washington, D.C.: National Academy of Sciences, 1979); and J. Cohen, "The Incapacitative Effect of Imprisonment: A Critical Review of the Literature," in Deterrence and Incapacitation, pp. 187-239.

[14] Supra note 12; see also S. Clarke, "Getting Em Out of Circulation: Does Incarceration of Juvenile Offenders Reduce Crime?" Journal of Criminal Law and Criminology, 65 (4): 528-35; D. Greenberg, "The Incapacitative Effect of Imprisonment: Some Estimates," Law and Society Review 9 (4):541-80; B. Boland, "Incapacitation of the Dangerous Offender: The Arithmetic is Not So Simple," Journal of Research in Crime and Delinquency 15 (1): 126-29; and T. Palmer and J. Salimbeni, "The Incapacitation of the Dangerous Offender: A Second Look," Journal of Research in Crime and Delinquency 15 (1):130-34.

[15] See, for example, S. Shinnar and R. Shinnar, "The Effects of the Criminal Justice System on the Control of Crime: A Quantitative Approach," Law and Society Review 9:581-611.

[16] See, for example, The Association of the Bar of the City of New York, Drug Abuse Council, Inc., The Nation's Toughest Drug Law: Evaluating the New York Experience (Washington, D.C.: U.S. Government Printing Office, 1977; and R. Ku, American Prisons and Jails Volume IV: Supplemental Report -- Case Studies of New Legislation Governing Sentencing and Release (Washington, D.C.: U.S. Government Printing Office, 1980) p. 47.

[17] For further explanation, see Nagin, supra note 13.

[18] See, for example W.C. Bailey, "Correctional Treatment: An Analysis of One Hundred Outcome Studies," Journal of Criminal Law, Criminology and Police Science 57 (1966):153-160; J. Robison and G. Smith, "The Effectiveness of Correctional Programs," Crime and Delinquency 17 (1971):67-80; and D. Lipton, et al., The Effectiveness of Correctional Treatment (N.Y.: Praeger, 1975).

[19]. See G.P. Falkin et al., Revising Connecticut's Sentencing Laws: An Impact Assessment (Alexandria, Va.: Institute for Economic and Policy Studies, Inc., 1981).

[20] This calculation is suggested by D. MacDonald in The Price of Punishment: Public Spending for Corrections in New York (Boulder, Co.: Westview Press, 1980) p. 54.

[21] Ibid.; see Coopers and Lybrand, supra note 7.

[22] One report indicated that demand for prison space would exceed expansion of capacity within two years of new construction of a single prison. See Carlson et al., American Prisons and Jails Volume II: Population Trends and Projections (Washington, D.C.: National Institute of Justice, 1980). Other researchers have re-evaluated this data and have concluded that the original researchers overestimated the rapidity by which new prison space would be consumed. This reanalysis was conducted for the Panel on Sentencing of the National Academy of Sciences. Their report is currently being drafted.

[23] K. Carlson et al., supra note 22.

[24] For some illustrative examples, see R.C. Grieser, ed., Correctional Policy and Standards: Implementation Costs of Correctional Standards (Washington, D.C.: Law Enforcement Assistance Administration, 1980) p. 76.

[25] See, for example, F.E. Zimring, "Measuring the Impact of Pre-Trial Diversion from the Criminal Justice System," University of Chicago Law Review 31 (1974).

[26] See M.K. Harris and B. Siebens, "Reducing Prison Crowding: An Overview of the Options," draft report to the National Institute of Corrections, Washington, D.C., 1981.

[27] For examples of the use of this concept, see G.S. Funke, "The Future Counts: Economic Prospects for Corrections," paper presented at the Annual Meeting of the American Society of Criminology, Washington, D.C. November 12, 1981.

Chapter II Design of the Seminar

The seminar was designed with three major aims in mind:

- (1) To present state-of-the-art information on incarceration policy in a format that would be meaningful to key decision-makers.
- (2) To provide key decision makers with an opportunity to interact with one another around the problem of incarceration policy.
- (3) To promote cost-effective change in the incarceration policies of participating states.

In addressing these objectives, several design issues emerged. In two meetings, the Advisory Board exercised a prominent role in determining the best ways to resolve these issues.

Issues in Seminar Design

Many of the issues confronted by this seminar surface in any type of training program--e.g., what quantity of materials should be distributed prior to the seminar; what meals should be held in group fashion; what visual aids should be used, and so on. These technical design issues were resolved by project staff, based upon their prior experience in numerous other training programs.

However, the fact that program staff sought the participation of predominantly top officials in state government raised three major problems of design, which are listed below. Each

of these problems was fully discussed and resolved by the Advisory Board, and their suggestions incorporated into the seminar design.

ISSUE # 1: To what degree should the seminar design take an advocacy position against new construction?

This was perhaps the central substantive issue in the area of seminar design. Because most of the project staff and Advisory Board members believed that the evidence supported a position of limited or no new construction, it was important to clarify how this issue would be handled during the project.

On the other hand, concern was expressed that the project could be perceived as a version of "bait and switch". That is, were the seminar participants to be recruited with the aid of a neutral seminar title such as "Costs of Incarceration During Fiscal Restraint," staff could not responsibly place them in the position of attending a seminar focusing solely on alternatives to incarceration. Hence, a straightforward presentation of materials was encouraged, which left policy-relevant interpretations to the participants. It was agreed that an appeal for participation based upon a pretext of information--which would precede, in fact, a program of advocacy--would be unfair to those attending.

Nonetheless, both Advisory Board membership and program staff strongly believed that the facts, when fully understood, led naturally to a position against wholesale construction programs and that such an implication of the data could not be downplayed by the seminar design.

It was further argued that "facts" in and out of themselves were not the only important data on the problem, but that "expert opinion" would exert an additional, crucial influence over the projected audience.

Similar concerns were expressed regarding the degree to which other policy changes should be promoted by the seminar. If the purpose of the program were merely to disseminate information, then an agenda of change would be inappropriate. Yet the proposal called for the creation of "state plans" for resolving the problems faced by systems of incarceration, and it was these plans which were viewed as the first step toward improved methods of handling incarceration demand problems. Again, it was recognized that the decision to force state officials to develop "action plans" as part of a seminar could lead to a task unsuitable for a dissemination-type seminar, but not for an advocacy program. Therefore, the issue of advocacy was directly relevant to the problem of seminar design.

After extended discussion, staff and advisory board acknowledged that the program should not take any position on the substantive issues facing the participants. It was finally decided that the program should 1) help define the issues correctly, 2) provide data about various positions on the problem, 3) and provide the opportunity for decision-makers to explore various resolutions to the problem, given the problem definitions and data. To the degree that it was to be "expert", and not personal opinion

which was to be solicited by participants during the program, any personal opinions which might be offered by speakers as answers to questions would be regarded as highly inappropriate.

This point of view helped staff to resolve those problems which concerned the issue of enforced change itself. They recognized that the gathering of an influential, concerned group would be only wasteful were no arrangements made to provide them with an opportunity for discussing the problem among themselves. But provision of the opportunity to work together on the problem demanded an acceptance of the legitimacy of those solutions which included as cornerstones programs of new construction.

All these related issues were finally resolved through agreement in favor of a position of "disinterested advocacy." The program was defined as a change-promoting vehicle through which the faculty and staff could provide information about and insight into the problem of incarceration costs. Plans were made to provide participants with the opportunity to explore solutions to these problems that could be applied to situations in their own states, without emphasizing the preferability of non-construction solutions. It was acknowledged that solutions could not be dictated by the project; that instead, their development depended on those persons who would have to implement them, and therefore, that some time should be put aside which would allow participants to plan solutions to these critical problems.

ISSUE # 2: How long should the seminar last?

The original proposal called for a three day seminar that included three overnight stays. It was felt that this much time would be needed to adequately cover the material. However, several Advisory Board members questioned whether truly "key" decision-makers would be able to attend for this length of time. It was felt that elimination of one overnight stay--while maintaining the program at three days--would be much more feasible. The analysis of program costs also made clear the financial advantages of eliminating one of the overnight stays. Advisory Board members encouraged staff to test the feasibility of a longer program during the recruitment stages of the initial seminar.

It was learned that many of the target participants who could have attended a shorter program would not have been able to attend the proposed longer program. On the basis of this experience, a program was designed which was to begin on Sunday and conclude on Tuesday, which would consume three days but require accommodations for only two nights.

ISSUE # 3: How should the seminar time be apportioned among lecture, task and open discussion time?

There was clearly a need for lecture format in the program; the amount of material to be covered made it necessary to present the seminar in a time-efficient manner. Yet, there was also value in giving the participants discussion-tasks with reported results as it is during these tasks that the concepts and informa-

tion presented in the lectures is clarified. Moreover, tasks allow the participants to test their reactions to the new approaches to the problems covered in the seminar.

There was also a need for time for open discussion among the participants. Advisory Board members pointed out that, at its basic level, incarceration policy is in fact a political problem, and that the people who would be attending the KDM programs would be accustomed to resolving political problems informally, such as over a drink or dinner conversation. They needed to be allowed time to conduct their business in this manner.

Because the Advisory Board members were widely experienced in the presentation of similar educational programs and materials, they were quite helpful throughout discussion of these design issues. They encouraged the following strategy: each substantive component of the program would be presented by short lecture, or at least some type of participatory task, using the component's concepts, following each presentation. In addition, the seminar would begin with a group discussion task. This design would reinforce the importance of participation during the seminar, while providing opportunities for concept clarification and experimentation regularly through the seminar. Moreover, it would break up the intensity of the material. All evenings would be left open for informal interaction among the participants, but to facilitate this process, the staff would "host" a reception in their suite on at least one evening during the program.

Design of the Seminar

The specifications of the seminar design were completed

jointly by the seminar faculty, rather than by the Advisory Board, because it was they who would be ultimately responsible for presenting the materials. Two different designs were actually used, but the essential sequencing followed the general model contained in the original proposal. This design is as follows:

Day #1

3:00-5:30 - Introduction to the Problem
 Presenter: Dr. Todd R. Clear
 Rutgers University

The general problems of incarceration costs and incarceration trends are summarized. Specific issues facing each participant state are identified. The seminar design is presented, with highlights of the link between lectures, tasks and substantive incarceration policy problems in each state.

5:30-6:30 - Reception

6:30-8:00 - Dinner

8:00-9:00 - Open discussion of incarceration problems

Day #2

8:30-11:00 - Prison Populations and Incarceration Policy
 Presenter, Dr. James Austin, Dr. James Galvin*
 National Council on Crime and
 Delinquency

This presentation begins with a group task which outlines the scenario in which incarceration problems are typically addressed in many jurisdictions. The point of the task is to demonstrate how limited policy options and fragmented decision-making have exacerbated the fiscal dilemmas facing most state prison systems. This is followed by a presentation of recent findings regarding the relationship between policy-making, crime trends and changes in prison populations.

* Dr. Austin lectured during the Cherry Hill, Atlanta and Kansas City seminars. Dr. Galvin participated in the Raleigh and Indianapolis seminars.

- 11:00-12:00 - The Costs of Incarceration, Part I
 Presenter: Dr. Gail Funke
 Institute for Economic and
 Policy Studies

A complete assessment of the costs of incarceration is presented. Areas covered include operating, capital, hidden and opportunity costs. Research on correctional expenditures is summarized, including the total costs of different incarceration policies.

- 12:00-1:00 - Lunch; discussion in state groups

- 1:00-3:00 - The Costs of Incarceration, Part II
 Presenter: Dr. Gail Funke
 Institute for Economic and
 Policy Studies

The conclusion of this presentation focuses on long-range incarceration costs. Incarceration policies are approached from the point of view of "resource management", and a group exercise is used to illustrate the varying costs of alternative resource allocation strategies.

- 3:00-5:00 - The Crime Control Effectiveness of Incarceration Policies
 Presenter: Dr. Todd Clear
 Rutgers University

A major impetus for incarceration is its crime control value: This lecture summarizes the most recent research on the effectiveness of imprisonment as a deterrent, incapacitative and/or rehabilitative device. Benefits of increased use of incarceration are explored, based on this research.

- 6:00 - Dinner; discussion in state groups

At this dinner, several issues facing each state are summarized, and dinner discussion is directed toward the significance of the day's information for the state.

Day #3

- 8:30-10:30 - Punishment Policy Options
 Presenter: M. Kay Harris
 Temple University

This lecture focuses on the effectiveness of existing strategies for controlling incarceration costs by managing demand for limited incarcerative capacity. New policies at the entry and exit stages of the prison system are explored, with general points regarding their potential for cost-control. The benefits of flexible punishment methods are also described.

- 10:30-12:30 - The Politics of Cost-Effective Incarceration Policy
 Presenter: Honorable Jeffrey Padden
 Michigan House of Representatives

Any improvements in incarceration policy require political decisions, and the context and strategies in this area are discussed in this presentation. The presentation begins with a frank, instrumented assessment of the political climate in each participating state. The experiences of the state of Michigan in politically dealing with this issue serve to illustrate the need for politically feasible cost-effective incarceration policies.

- 12:30-1:30 - Lunch; state groups

- 1:30-3:30 - Planning Strategies for Managing Incarceration Costs
 Presenter: Stefanie Barth
 National Council on Crime and
 Delinquency

The availability of assistance from consultants and organizations serves as a starting point for developing strategies for improving the cost-effectiveness of incarceration policies. Put into state groups, each group is given a task of assessing its current need for change, capacity for change and potentially feasible direction for achieving results. The task is followed by group reports.

- 3:30-4:30 - Discussion, evaluation and wrap-up

- 5:30 - Dinner (optional)

The logic underlying the program, using this design, is fairly straight-forward. After introductory activities, the program begins by providing the participants with a task that illustrates the policy-based nature of the problem. This was followed by a lecture on prison populations; a lecture on the costs of various prison policies, including policies based on construction; and the completion of a group task which linked the two concepts. Thus, the first segment of the seminar was used to define the problem as a variety of policy-related demands for correctional resources, and to demonstrate the requisite costs of providing those resources.

The second segment addressed the crime-control benefits of incarceration by assessing productive outcomes of various policies. This is the only segment not followed by a task--rather, the participants were provided with time for open discussion. During these initial segments, participants were put in mixed state groupings to facilitate exchange across political and jurisdictional lines.

The next logical step--that of policy options and their political feasibility--was covered in two lectures and complemented by a single task. To address this area, participants were put back into home state groupings, in preparation for the final segment of the program.

A lengthy, state-specific assignment comprised the final program element, in which the state groups were asked to develop plans for change based on what participants had learned in the

program. This was the most crucial part of the program, and set the stage for later work on the problems, summaries of which are reported in Chapter 6. (Program evaluations are presented in Chapter 5.)

This design proved extremely effective, and the manner in which major design issues were resolved helped to make the seminar a success. The only problem--which varied in seriousness from state to state--was a tendency to lose some participants. A re-design experiment which allowed the program to end earlier on Tuesday did not markedly reduce this problem, and it was felt that the difficulty in keeping all participants would apply, no matter what design was employed. One might speculate whether early departure provided an avenue by which participants were able to avoid participating what may have been perceived as a threatening or difficult in state planning task. Nevertheless, this problem did not substantially interfere with the work group products for all but 2 or 3 participating states.

Chapter III Design of Seminar Materials

The materials were designed with needs of the users in mind, and these included: need for summaries which could be easily and quickly reviewed; need for limited, representative selections from the literature which provide detailed information; need for references to further material, need for data on the problem nationwide but also locally. The materials contained in the seminar notebook were divided into five packets. The packets corresponded to the materials covered by the presentations in the seminar:

- Packet #1: Prison Populations and Incarceration Policy
- Packet #2: Costs of Incarceration
- Packet #3: Crime Control Impact of Incarceration
- Packet #4: Punishment Policy Options
- Packet #5: Resources for Change

The final packet, designed by Stefanie Barth of NCCD, contained a function-organized listing of technical assistance resources that participants could turn to for specific problems they might face. Each of the other four packets were divided into four sections. The contents and development of each of the sections is as follows:

Literature Review

The first drafts of the literature reviews were prepared by project staff. Each literature review was designed first, to summarize and criticize the existing literature in the area

and second, to assess its implications for the problem of incarceration costs. In order to be most useful, this needed to be done in no more than 12-15 pages. The purpose of these discussions was not only the provision of critical summaries of the literature, but the emphasis on those guidelines regarding incarceration costs which a survey of the literature can yield. Principal points of interest, which were highlighted in a preface to each review, are as follows for each packet:

Packet #1: Prison population changes, especially recent changes, are more a product of changes in incarceration policy than changes in rates or levels of crime. Moreover, in upcoming decades, rates and levels of crime can be expected to decline due to shifts in population characteristics.

Packet #2: Expansion and maintenance of incarceration resources cost from 3-5 times the normally published statistics. Delays in construction suggest this approach does not provide solutions to the immediate population crisis.

Packet #3: The deterrent, incapacitative and rehabilitative effects of incarceration are very difficult to estimate with confidence, however research suggests that these effects can be meaningfully increased only at the expense of major and unprecedented increases in prison populations.

Packet #4: Useful options exist for controlling demands for incarceration resources, particularly release options. But these must be carefully planned and implemented, especially

those that operate at the selection stage.

Each of the literature reviews underwent two stages of preparation. Initial drafts were prepared by project staff, which were sent to Advisory Board members for commentary and used in the first seminar. Based on their reaction to these drafts, revisions were incorporated into the final materials.

Key Literature

Upon completion of literature review, a series of papers were selected for potential inclusion as key literature. Advisory Board members were also asked to identify candidates for key literature. To be accepted as key literature, a paper had to (1) make a unique contribution to the area; (2) represent a state-of-the-art workpiece; (3) be comprehensive; and (4) be readable by laypersons. The following list of handbook contents shows the key literature for each packet:

CONTENTS

PROGRAM MATERIALS

PACKET #1: INCARCERATION POLICY AND PRISON POPULATION

- A. Literature Review
- B. Key Literature

1. Jim Galvin and Kenneth Polk, "Any Truth You Want: The Use and Abuse of Criminal Justice Statistics."
2. Joan Mullen, Ken Carlson and Bradford Smith, "Summary Findings and Policy Implications of a National Survey," American Prisons and Jails Vol. I.

3. Kenneth Carlson, "Logic of Projections," American Prison and Jails Vol. I.

4. William G. Nagel, "On Behalf of a Moratorium on New Prison Construction."

- C. Abstracts
- D. Data

PACKET #2: COST OF INCARCERATION

- A. Literature Review
- B. Key Literature

1. Gail S. Funke, "The Future Counts: Economic Prospects for Corrections."
2. Gail S. Funke, "Current Operating Costs," Comparative Costs of State and Local Facilities.
3. David S. Weimer and Lee S. Friedman, "Efficiency Considerations in Criminal Rehabilitation Research."
4. Douglas McDonald, "The New York State Prison System," The Price of Punishment.

- C. Abstracts
- D. Data

PACKET #3: CRIME CONTROL IMPACT OF INCARCERATION

- A. Literature Review
- B. Key Literature

1. Jacqueline Cohen, "The Incapacitative Effect of Imprisonment: A Critical Review of the Literature."
2. Paul Gendreau and Bob Ross, "Effective Correctional Treatment: Bibliotherapy for Cynics."
3. Daniel Nagin, "General Deterrence: A Review of the Empirical Evidence."

- C. Abstracts
- D. Data

PACKET #4: PUNISHMENT POLICY OPTIONS

- A. Literature Review

B. Key Literature

1. M. Kay Harris, "Reducing Prison Crowding: An Overview of the Options."
2. Barry Krisberg and James Austin, "The Unmet Promise of Alternatives to Incarceration."

C. AbstractsD. Data

PACKET #5: RESOURCES FOR KEY DECISION-MAKERS

Packet #3 was the only one for which we had problems in selecting key literature, largely because of the highly technical problems associated with interpreting the work in the area of crime control research. As a consequence, this section of key literature includes formulas and other difficult reading. Nevertheless, it was felt that a non-technical reading of these documents, in combination with the literature reviews, provided a suitable understanding of the area.

Abstracts

It was recognized that 3-5 articles might not be sufficient for some purposes, and so additional sources were provided in abstract form. Initially, the project staff prepared original abstracts. However, it soon became clear that this task would be unreasonably time-consuming, and so the Crime and Delinquency Abstracts were employed as the chief resource for this section, an approach which proved satisfactory. The following articles were abstracted in the final notebook:

- S 28298 University of Minnesota. School of Social Development. National assessment of adult restitution programs. Final report, by Joe Hudson, Burt Galaway, and Steve Novack. Duluth, Minn., 1980. 421 p.

- S 27695 U.S. National Institute of Justice. American prisons and jails. Volume 1: summary and policy implications of a national survey, by Joan Mullen, Kenneth Carlson and Bradford Smith, Abt Associates. Washington, D.C., U.S. Government Printing Office, 1981. 172 p.
- S 18127 U.S. National Institute of Law Enforcement and Criminal Justice. Cost analysis of correctional standards: half-way houses, by Donald J. Thalheimer. Washington, D.C., U.S. Government Printing Office, 1976. 2 vol. \$2.65.
- S 23452 Van Dine, Stephan; Conrad, John P.; Dinitz, Simon. Restraining the wicked: the incapacitation of the dangerous criminal. Lexington, Mass., Lexington Books, 1979. 134 p. \$14.50
- S 22799 U.S. National Institute of Law Enforcement and Criminal Justice, Halfway houses, by Harry E. Allen and others. Washington, D.C., U.S. Government Printing Office, 1978. 111 p.
- S 26405 Myers, Samuel L. "The rehabilitation effect of punishment." Economic Inquiry (Long Beach, Calif), 18(3):353-355, 1980.
- S 19252 Singer, Neil M. "Economic implications of standards affecting correctional programs," Crime & Delinquency (Hackensack, N.J.), 23(2):180-195, 1977.
- S 26273 Witte, Ann D. "Estimating the economic model of crime with individual data." Quarterly Journal of Economics (New York), no vol. (February):57-84, 1980.
- S 18706 Bailey, Willaim C.A. multivariate cross-sectional and longitudinal analysis of the deterrent effect of the death penalty. (Paper presented at the 1976 annual meeting of the American Society of Criminology.) Cleveland, Ohio, Cleveland State University, 1976. 16 p.
- S 22814 American Correctional Association. Arts in corrections: a summary of Project CULTURE and a handbook for program implementation. Washington, D.C. 1978. 23 p.
- S 14621 Goldberg, Nancy E. "Pre-trial diversion: bilk or bargain? NLADA Briefcase (Chicago), 31(6):490-501, 1973.
- S 14664 Nimmer, Raymond R. Diversion: the search for alternative forms of prosecution. Chicago, American Bar Foundation, 1974. 119 p.

- S 18284 Vaughan, Diane; and others. "Shock parole: a preliminary evaluation" *International Journal of Criminology and Penology* (London), 4(3):271-284, 1976.
- S 18309 Finckenauer, James O.; Rauh, Carol. "Contract parole: some legal and rehabilitative issues of mutual agreement programming for parole release." *Capital University Law Review* (Columbus, Ohio), 5(2):175-195, 1976.
- S 18355 Beck, James L.; Hoffman, Peter B. "Time served and release performance: a research note." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 13(2):127-132, 1976.
- S 18533 U.S. National Institute of Law Enforcement and Criminal Justice. Community-based corrections in Des Moines: an exemplary project, by David Boorkman and others. Washington, D.C., U.S. Government Printing Office, 1976. 88 p. App. \$3.20.
- S 18552 Nagel, William G. A Statement on behalf of a moratorium on prison construction. Philadelphia, The American Foundation, 1976. 21 p. App. (Mimeo.)
- S 14829 American Bar Association. National Pretrial Intervention Service Center. Diversion from the criminal justice system: technical assistance handbook on pretrial intervention techniques and action programs. Washington, D.C., 1973. 68 p.
- S 15054 Great Britain. Home Office. Community Service orders: a critical assessment. Manchester, 1974. 121 p. Mimeo.
- S 15242 Neil, Thomas C. "Who should go and who should stay: a study of prison commitments." *Probation and Parole* (New York), no vol. (6):21-29, 1974.
- S 15253 National Council on Crime and Delinquency. So you want to start a community corrections project: a primer for developing a community corrections project, by Ann Parker; and others. Washington, D.C., 1974. 104 p.
- S 20965 Fisher, Franklin M.; Nagin, Daniel. "On the feasibility of identifying the crime function in a simultaneous model of crime rates and sanction levels." In: U.S. National Academy of Sciences. Deterrence and incapacitation: estimating the effects of criminal sanctions on crime rates. Washington, D.C., 1978. Pp. 361-399.
- S 18264 Zaffrann, Ronald T. "First offenders: a deferred prosecution program." *Juvenile Justice* (Reno, Nev.), 27(3):41-50, 1976.
- S 18273 Nejelski, Paul. "Diversion: the promise and the danger." *Crime and Delinquency* (Hackensack, N.J.), 22(4):393-410, 1976.

- S 15953 Skogan, Wesley G. "Measurement problems in official and survey crime rates." *Journal of Criminal Justice* (Elmsford, N.Y.), 3(1):17-31, 1975.
- S 16176 California. Corrections Department. Direct financial assistance to parolees: a promising alternative in correctional programming, by Craig Reinerman and Donald Miller. Sacramento, 1975. 52 p. (Research report No.55.)
- S 16317 Lipton, Douglas; Martinson, Robert; Wilks, Judith. The effectiveness of correctional treatment: a survey of treatment evaluation studies. New York, Praeger, 1975. 735 p. \$37.50
- S 13053 National Council on Crime and Delinquency. Research Center. Pre-trial release with supportive services for "high risk" defendants. Davis, Calif., 1973. 82 p. App.
- S 13054 National Council on Crime and Delinquency. Research Center. Residential corrections: alternative to incarceration. Davis, Calif., 1973. 72 p. App.
- S 13578 Goldberg, Nancy E. "Pre-trial diversion: bulk or bargain NLADA Briefcase (Chicago), 31 (6):490-501, 1973.
- S 13567 National Council on Crime and Delinquency. Research Center. Four thousand lifetimes: a study of time served and parole outcomes, by Don M. Gottfredson and others Davis, Calif., 1973. 48 p.
- S 13522 Zimring, Franklin E.; Hawkins, Gordon J. Deterrence: the legal threat in crime control. Chicago, University of Chicago, 1973. 376 p. \$13.50.
- S 15835 Gottfredson, Michael R. "An empirical analysis of pre-trial release decisions." *Journal of Criminal Justice* (New York), 2(4):287-304, 1974.
- S 15859 Great Britain. Home Office. Research Unit. Community service orders, by K. Pease and others. London, 1975. 79 p. \$3.20 (Home Office Research Study #29.)
- S 15862 Abt Associates Inc. Pre-trial intervention: a program evaluation of nine manpower-based pre-trial intervention projects developed under the Manpower Administration, U.S. Department of Labor. Cambridge, Mass., 1974. 298 p. \$20.
- S 15916 American Bar Association. National Pretrial Intervention Service Center. Pretrial intervention strategies: an evaluation of policy-related research and policymaker perceptions, by Roberta Rovner-Piecznik. Washington, D.C., 1974. 249 p.

- S 20986 Coopers & Lybrand. The cost of incarceration in New York City. Hackensack, N.J., National Council on Crime and Delinquency, 1978. 18 p.
- S 21004 May, Edgar. "Weekend jail: doing time on the installment plan." Corrections Magazine (New York), 4(1):28-38, 1978.
- S 21006 Blackmore, John. "Minnesota's community corrections act takes hold." Corrections Magazine (New York), 4(1):46-56, 1978.
- S20959 U.S. National Academy of Sciences. Panel on Research on Deterrent and Incapacitative Effects. Deterrence and incapacitation: estimating the effects of criminal sanctions on crime rates. Alfred Blumstein, Jacqueline Cohen, and Daniel Nagin, eds. Washington, D.C., 1978. 431 p. \$15.25.
- S 20960 Nagin, Daniel. "General deterrence: a review of the empirical evidence." In: U.S. National Academy of Sciences. Panel on Research on Deterrent and Incapacitative Effects. Deterrence and incapacitation: estimating the effects of criminal sanctions on crime rates. Washington, D.C., 1978. Pp. 95-139.
- S 20961 Zimring, Franklin E. "Policy experiments in general deterrence: 1970-1975." In: U.S. National Academy of Sciences. Panel on Research on Deterrent and Incapacitative Effects. Deterrence and incapacitation: estimating the effects of criminal sanctions on crime rates. Washington, D.C., 1978. Pp. 140-186.
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- S 16773 Smith, Robert R. "A survey of good-time policies and practices in American correctional agencies." Journal of Criminal Justice (Elmsford, N.Y.), 3(3):237-241, 1975.
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- S 16801 Martinson, Robert. "California research at the crossroads." Crime & Delinquency (Hackensack, N.J.), 22(2): 1976.
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- S 17121 "The use of the fine as a criminal sanction in New Jersey: some suggested improvements." Rutgers Law Review (Newark, N.J.), 28(5): 1185-1202, 1975.
- S 17218 National Center for State Courts. An evaluation of policy related research on the effectiveness of pretrial release programs. Denver, Colo., 1975. 128 p.
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- S 16849 Shinnar, Shlomo; Shinnar, Reuel. "The effects of the criminal justice system on the control of crime: a quantitative approach." Law and Society Review (Denver, Colo.), 9(4):581-611, 1975.
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- S 28228 Shade, Oscar D. "The demise of Wisconsin's contract parole program." *Federal Probation* (Washington, D.C.), 45(1):34-43, 1981.
- S 28252 University of Denver. Denver Research Institute. Jail overcrowding and pretrial detention: a program evaluation, by Anita S. West and others. Denver, Colo., 1980. 223 p.
- S 28624 University of Denver. Denver Research Institute. An evaluation of the community service restitution program: a cluster analysis, by Glenn Cooper and Anita S. West. Denver, Colo., 1981. 221 p. App. \$14.
- S 16333 Tennessee Law Enforcement Planning Commission. Evaluation report: probation and parole. Nashville, Tenn., 1975. 44 p.
- S 16366 New York. State University. Public Policy Alternatives Institute. Final report of the project on Community Alternatives to Maximum Security Institutionalization for Selected Offenders, by Donald J. Newman, Vincent O'Leary, and Scott Christianson. Albany, 1975. 328 p.
- S 16501 American Correctional Association. Parole Corrections Project. An evaluative summary of research: MAP program outcomes in the initial demonstration states, by Anne H. Rosenfeld. College Park, Md., 1975. 76 p. (Resource document No. 7.)
- S 16548 American Correctional Association. Congress of Correction. Workshop on contract parole, by Stephen D. Minnich, Leonard R. McConnell, and Roger R. Roberts. Louisville, Ky., 1975. V.p.
- S 16574 Robison, James O. MAP markers. College Park, Md., American Correctional Association, 1975. 342 p. (Parole Corrections Project Resource Document # 5.)
- S 17333 Clark, Donald E. "Community service: a realistic alternative for sentencing." *FBI Law Enforcement Bulletin* (Washington, D.C.), 45(3):3-7, 1976.
- S 17438 Heinz, Jow; Galaway, Burt; Hudson, Joe. "Restitution or parole: a follow-up study of adult offenders." *Social Service Review* (Chicago), 50(1):148-156, 1976.
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- S 13996 Robertson, Leon S.; Rich, Robert F.; Ross, H. Laurence. "Jail sentences for driving while intoxicated in Chicago: a judicial policy that failed." *Law & Society Review* (Denver, Colo.), 8(1):55-67, 1973.

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- S 26544 Parisi, Nicolette. "Combining incarceration and probation." *Federal Probation* (Washington, D.C.), 49(2):3-12, 1980.

- S 26239 Carnegie-Mellon University. Urban Systems Institute. The impact of new sentencing laws on state prison populations in Pennsylvania: final report, by Harold D. Miller, Alfred Blumstein, and others. Pittsburgh, Pa., 1979. 95 p.
- S 25660 Urban Systems Institute. Demographically disaggregated projections of prison populations, by Alfred Blumstein, Jacqueline Cohen, and Harold D. Miller. Pittsburgh, Pa., Carnegie-Mellon University, 1978. 72 p.
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- S 27919 U.S. National Institute of Justice. American prison and jails. Volume III: conditions and costs of confinement, by Joan Mullen and Bradford Smith, Abt Associates. Washington, D.C., U.S. Government Printing Office, 1981. 382 p.
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- S 14126 Hoffman, Peter B. "Mandatory release. A measure of Type II error." Criminology (Beverly Hills, Calif.), 11(4):541-554, 1974.
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- S 17443 Baldus, David C.; Cole, James W.L. "A comparison of the work of Thorsten Sellin and Isaac Ehrlich on the deterrent effect of capital punishment." Yale Law Journal (New Haven, Conn), 85(2):170-186, 1975.
- S 20281 Rand Corporation. Criminal careers of habitual felons, by Joan Petersilia, Peter W. Greenwood, and Marvin Lavin. Santa Monica, Calif., 1977. 161 p.
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- S 20360 U.S. National Institute of Law Enforcement and Criminal Justice Evaluation of intensive special probation projects, by J. Banks and others. Washington, D.C., U.S. Government Printing Office, 1977. 62 p. (National evaluation program phase I summary report.)
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- S 19118 U.S. National Institute of Law Enforcement and Criminal Justice. Halfway houses, by Richard P. Seiter and others. Washington, D.C., U.S. Government Printing Office, 1977. 52 p. \$120. (National Evaluation Program, series A, no. 11.)
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Data

The last section of each packet included data from each of the states pertaining to the packet. For example, the section on "incarceration costs" included data on the corrections budget and the existing corrections facilities.

Unfortunately, adequate data on each of these points are

not always easily available. Some information could be taken from regular census sources such as the American Corrections Association's annual directory of correctional institutions. However, for many of the tables, we had to rely on the states' own data sources, but these are of highly variable quality and scope. For example, some states collect monthly intake and population data, while other states are barely able to provide this information at approximate yearly intervals. Where possible, we provided specific information on each participating state. For each seminar, we provided each participant with data on all the attending states, since this allowed comparison of state information on a regional basis.

For most states, we were able to provide the following data:

- Population trends
- Intake trends
- Institution-specific population counts
- Institutional capacity
- Capital and operating budget for corrections
- Construction-expansion plans
- Offense-specific prisoner distributions
- Distribution of offenders among sanction alternatives

Summary Concerning the Materials

It is difficult to evaluate a set of materials such as that prepared for this project. In retrospect, however, we can say that we substantially underestimated the costs--in both money and time--of their preparation.

Yet, there was feedback of various types concerning the importance of these materials. Participants rated them highly

(see Chapter 5) and continued to use them after the program was over (see Chapter 6). Moreover, a special issue of The Prison Journal was devoted to a paper based partly on a revision of these materials, and negotiations to publish the notebook in its entirety are progressing rapidly.

Chapter IV Site and Participant Selection

In order to be selected, states had to meet three criteria:

- (a) They had to be facing serious problems of incarceration policy, with current consideration being given to expensive construction programs;
- (b) They could not have made any irrevocable commitments to programs of construction;
- (c) They had to be in close physical proximity to other states that met the first two criteria, in order to minimize travel costs.

The assistance of the Advisory Board was enlisted to identify states of various geographic regions which met the criteria. Based on their comments a preliminary plan for seminar sites was established:

Seminar #1 (pilot program): January

Connecticut
Delaware
New Jersey

Seminar #2: March

North Carolina
South Carolina
Virginia

Seminar #3: April

Indiana
Kentucky
Michigan

Seminar #4: May

Alabama
Georgia
Mississippi
Tennessee

Seminar #5: June

Kansas
Missouri
Oklahoma

In February, the NIC Overcrowding Project selected South Carolina and Michigan to be among their sites. Considering the potential conflicts of two NIC projects in the same state, it was decided to substitute Florida and Iowa in seminars #2 and #3, respectively. Centrally located training facilities were selected in each region, and the recruitment process was started early in January.

Recruitment

Participant selection followed a multi-stage process which began with the assessment of each state's socio-political climate and ended with the identification of those actors with the greatest potential for creating change.

The first step in this sequence of events was the identification of a key contact person who was familiar with the political structure in the state in question, and who could recognize the most influential actors in that structure. In some cases, this contact person was a staff member of NIC's Overcrowding Project, who had already made a similar state assessment during

the technical assistance application process. State-specific identification of key persons proved to be critical, because the roles of these persons were found to vary considerably among our states.

Based upon the suggestions of this key contact person a list of key decision-makers was developed. At this point, initial, personalized invitations, with an agenda and program description enclosed, were mailed to each decision-maker. This mailing was followed by the contact (by letter or phone) of each participant by an influential person from the participant's state such as the governor's chief of staff. Project staff followed this contact with a telephoned invitation, and at this point a final list of participants was developed. By the time of the last seminar, the program's reputation appeared to have spread and demand for participant slots had grown to such a point that prospective participants needed to be advised that openings were limited, and that participants accepting late would not be able to secure space in the program. From beginning to end, the recruitment process required approximately 4-6 weeks of intensive effort for each program.

The participant selection process was central to the success of the seminars; one comment consistently received from participants complemented the caliber of attendees. The use of a space-limited, personalized and multi-faceted recruitment process, intensively applied over a very short period of time, was the best mechanism for insuring high quality participants. In this type of process, one noted a mobile effect: as persons learned of other

colleagues who planned to attend, they became encouraged to similarly accept the invitation.

Results were quite positive. In virtually every state, most key agencies--the Chief Executive's Office, the Department of Corrections, the judiciary, the Attorney Generals' Office, budget, planning and private criminal justice agencies were represented. Sometimes, however, a core concentration of persons from single areas--such as the legislature--was desired depending upon the political climate in some states. In other cases, representatives from a wide variety of interests were impossible to obtain, given the circumstances which governed their capacity to attend, such as the timing of sudden meetings. The distribution of agencies represented, by seminar, is presented in Table 1.

Table 1: Agencies Represented in KDM Seminars, by Seminar and State

Agency	#1			#2			Seminar #3			#4				#5			All Seminars TOTAL
	NJ	CT	DE	NC	VA	FL	IN	IO	KE	AL	MS	TN	GA	MO	KA	OK	
OFFICE OF THE CHIEF EXECUTIVE																	
Legal Counsel		1			2							1		1			5
Other Staff							1			1					1		3
DEPARTMENT OF CORRECTIONS																	
Commissioner		1	1							1	1	1				1	6
Bureau Chief/Deputy Director			2		2	1	1	1			2		1	1	1	1	13
Other Staff									1					1	1		3
LEGISLATURE																	
House		1	1		1	1	4	1	4	2	1	1	1	4	2	2	1
Senate	1					1	2	2			3				3		27
Analysts	1	1				1	1	1					2				12
BUDGET AGENCY																	8
Comptroller			1														1
Other Staff							1							1			2
OFFICE OF ATTORNEY GENERAL																	
Attorney General		1	1														2
Other Staff					1		1	1					2	1			6

cont'd

Table 1: Cont'd

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	Seminar																	
Agency	#1			#2			#3			#4			#5			All Seminars		
	NJ	CT	DE	NC	VA	FL	IN	IO	KE	AL	MS	TN	GA	MO	KA	OK	TOTAL	
OFFICE OF DISTRICT ATTORNEY																		
District Attorney				1								1			1		3	
JUDICIARY	1	1		1	1	1		2		4		1	1	1		1	15	
STATE/COUNTY PLANNING AGENCY																		
Director			1										1				2	
Other Staff			1		1				1			1	1				5	
PAROLE BOARD																		
Chairperson				1		1											2	
Other Members					1					1			1				3	
STATE OFFICE OF THE COURT																		
Director	1						1										2	
Other Staff	1																1	
TASK FORCE/ADV. COMMISSION	3			1			1						1				6	
OTHER PUBLIC AGENCIES				1						2				1		2	6	
PRIVATE CRIMINAL JUSTICE AGENCIES	1	1	1	1	1		3						1	1			10	
Total	8	7	10	11	7	8	12	12	7	7	8	8	13	10	9	6	143	

Chapter V Evaluation Results

Upon termination of the final program task, participants were asked to complete an evaluation measuring their reactions to the quality and content of the Seminar. Participants were asked to rate each of the program's segments with respect to

- 1) the degree to which the purpose of the session was achieved;
- 2) the usefulness of the subject matter presented; 3) the quality of the speaker's presentation of the subject matter; and 4) the usefulness of the group task in better understanding of the session's issues. Participants were asked, also, to rate the general quality of handouts and written materials. Scales ranged from 1 to 5, with 1 defined as "not useful"; 3 as "moderately useful"; and 5 as "very useful." In addition, the evaluations included two open-ended inquiries, requesting the participants' opinion on the most important aspects of the program, and asking them to indicate any changes which they would like to see implemented in future training. A copy of the evaluation used in the program is appended to the end of this report.

Results

With the exception of the Cherry Hill Seminar, respondents were limited to the number of participants who remained at the program through its completion. For the Cherry Hill Seminar,

evaluations were mailed to participants who departed early. In all cases, completed evaluations were obtained from at least three quarters of participants. Quantitative results are provided in Table 1. The number of participants responding to evaluation inquiries within seminars tends to vary; this is because not all participants could be present for each session.

Scores

Each of the seminars was rated relatively high in most respects, with most scores falling between 4 and 5. The mean scores of the Cherry Hill Seminar evaluations tend to be lower overall than are the mean scores of other seminars, which may be attributed to the fact that this was the pilot program. Atlanta ratings for the orientation session are lower than those for orientation sessions at other seminars; this may be because the Atlanta program started earlier and ran longer than the other programs. Scores for the "politics of incarceration costs" segment of the Indianapolis seminar are lower than most other scores for that seminar; however, the scheduled speaker was not able to be present and was replaced by another member of the faculty who was not deeply experienced with these issues. Scores for the "costs of incarceration" task tend to be lower than the scores of other tasks; lower scores may be attributed to the somewhat complex and quantitative nature of that particular exercise. An attempt has been made here to explain aberrant scores; in most respects, it appears that the seminars were

Evaluation Results

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Program Area	SEMINAR									
	Cherry Hill		Raleigh		Indianapolis		Atlanta		Kansas City	
ORIENTATION	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)
Degree to Which Session Achieved Objectives	4.35	(20)	4.70	(10)	4.15	(23)	3.75	(12)	4.57	(21)
Usefulness of Material Presented	4.0	(20)	5.00	(10)	4.29	(24)	3.58	(12)	4.71	(21)
Quality of Speaker's Presentation	4.35	(20)	4.80	(10)	4.46	(24)	4.67	(12)	4.43	(21)
Usefulness of Task in Clarifying Key Issues	3.95	(20)	4.30	(10)	4.81	(24)	3.55	(11)	4.52	(21)
PRISON POPULATIONS										
Degree to Which Session Achieved Objectives	3.95	(20)	4.38	(13)	4.40	(24)	4.33	(12)	4.52	(21)
Usefulness of Material Presented	4.00	(20)	4.46	(13)	4.37	(23)	4.17	(12)	4.71	(21)
Quality of Speaker's Presentation	4.25	(20)	4.62	(13)	4.21	(24)	4.17	(12)	4.62	(21)
Usefulness of Task in Clarifying Key Issues	4.15	(20)	4.85	(13)	4.24	(23)	4.17	(12)	4.67	(21)
COSTS OF INCARCERATION										
Degree to Which Session Achieved Objectives	4.15	(20)	4.85	(13)	4.24	(23)	4.17	(12)	4.67	(21)
Usefulness of Material Presented	4.00	(20)	4.85	(13)	4.35	(23)	4.00	(12)	4.62	(21)
Quality of Speaker's Presentation	3.95	(20)	4.92	(13)	4.35	(23)	4.08	(12)	4.67	(21)
Usefulness of Task in Clarifying Key Issues	3.30	(20)	3.85	(13)	3.87	(23)	2.92	(12)	4.43	(21)
CRIME CONTROL IMPACT OF INCARCERATION										
Degree to Which Session Achieved Objectives	3.75	(20)	4.23	(13)	4.18	(22)	3.85	(13)	4.14	(21)
Usefulness of Material Presented	3.90	(20)	3.85	(13)	4.27	(22)	3.92	(12)	4.27	(21)
Quality of Speaker's Presentation	3.80	(20)	4.54	(13)	4.36	(22)	4.23	(13)	4.52	(21)

Program Area	Cherry Hill		Raleigh		Indianapolis		Atlanta		Kansas City	
	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)	\bar{X}	(N)
PUNISHMENT POLICY OPTIONS										
Degree to Which Session Achieved Objectives	3.35	(20)	4.50	(12)	4.04	(25)	3.70	(10)	4.40	(20)
Usefulness of Material Presented	3.95	(20)	4.75	(12)	4.08	(25)	3.90	(10)	4.65	(20)
Quality of Speaker's Presentation	3.40	(20)	4.58	(12)	4.46	(24)	4.20	(10)	4.65	(20)
POLITICS OF INCARCERATION COSTS										
Degree to Which Session Achieved Objectives	4.00	(18)	4.54	(13)	3.74	(19)	4.00	(14)	4.48	(21)
Usefulness of Material Presented	4.00	(18)	4.85	(13)	3.53	(19)	3.71	(14)	4.48	(21)
Quality of Speaker's Presentation	4.33	(18)	4.85	(13)	4.05	(19)	4.14	(14)	4.48	(21)
Usefulness of Task in Clarifying Key Issues	4.00	(18)	4.08	(13)	4.00	(19)	3.57	(14)	3.90	(21)
STATE ASSESSMENT TASK										
Degree to Which Session Achieved Objectives	4.24	(17)	4.46	(13)	4.00	(24)	4.00	(11)	4.35	(20)
Quality of Speaker's Presentation	N/A		N/A		4.04	(25)	4.09	(11)	4.40	(20)
Usefulness of Session to Participant in role as key decision-maker	N/A		N/A		4.21	(24)			4.55	(20)
General Quality of Handouts; written materials	4.59	(17)	4.85	(13)	4.36	(25)	4.75	(12)	4.86	(21)

considered very useful and meaningful to the persons who evaluated them.

Comments

Remarks by participants tended to focus upon similar aspects of the program's format and content. Most participants who responded to the "important aspects" inquiry of the evaluation pointed to the capacity of the program to encourage group interaction. Some participants regarded the overall exchange of ideas as beneficial, but others were more specific:

- Discussion with other participants - 10
- Interaction with other states - 18
- Interaction within states - 14
- Exchange with other types of professionals - 12
- Getting people who could make a difference, together - 2
- Getting a chance to talk to people in same situation - 2
- The opportunity for legislators to discuss and analyze criminal justice issues in a politically diffused arena - 1
- The opportunity to meet others with a different perspective on the problem - 1

Still another body of remarks pointed to the quality and/or importance of the program's faculty, format and materials:

- Quality of presentations - 4
- Format - 2
- Materials - 5
- Information - 4
- Quality of faculty - 1
- Group tasks - 8
- Receiving new information - 4
- Practical examples - 1
- Good pace - 1
- Variety of activities - 1
- Opportunity to think about the problem - 1
- Combination of lecture and tasks - 2
- Appropriate combination of people - 4

- Making us think of fragmented ideas as a whole - 3
- Data which clarified problem - 1
- Attention to promoting follow-through after conference - 1
- Effective use of statistics - 1

A third body of remarks pointed to the importance of various program segments:

- Costs information - 6
- State assessment - 4
- Options information (for addressing solution) - 6
- Political realities - 1
- Crime control - 1

Comments regarding suggested changes represented less agreement. Most of these remarks concerned changes in program format and content:

- Restructure group tasks - 1
- More emphasis on planning - 1
- Less emphasis on statistics - 2
- More emphasis on solution - 5
- Don't overrepresent roles - 2
- More time for participant reaction - 1
- Opportunity to get literature pre-meeting - 1
- More and better emphasis on crime control - 1
- Revise or eliminate punishment policy options - 1
- Less lecture - 1
- Less emphasis on 'no prison construction' - 2*
- Allow participants to mingle freely at dinner - 1
- More data on rehabilitation - 1
- More participants - 1
- Hold meeting in state not represented - 2
- Hand out materials in beginning with table of contents - 1
- Hand out materials sooner - 2
- Shorter sessions - 3
- More opportunity for discussion - 2
- Less segregation of faculty and participants - 1
- Have each person introduce themselves to all - 1
- Don't hold in state capitol - 2
- More breaks - 1
- Reduce task time - 2
- Increase fact time - 1
- Have more correctional professionals - 1
- Change cost exercise--took too much time - 1
- Tasks too ambiguous - 1
- Shorter presentations - 1

* On some days participants were required to eat only with representatives of their own state.

More state time - 5
 More interaction with other states - 1
 Let states use current data in costs task - 1
 More interaction within states - 1
 Send 'tests' to participants before seminar - 1
 Appoint group leader before seminar - 1
 Better audio-visual aids - 1
 Material had been covered before - 3
 Closer control of group tasks - 1
 Let media share seminar - 1
 Don't use politics questionnaire - 1
 More time for group discussion - 1
 More group exercises - 1
 More emphasis on understanding statistics - 1
 Change final lecture--too simplistic - 1
 More free time - 1
 Conduct one program for each state - 1

A small group of participants emphasized that changes should be made in the temporal placement of the seminar:

Too long - 1
 Hold at a different time so more legislators can come - 1
 Shorter first day - 1 (This by the way, was not Atlanta)
 Don't start on Sunday - 2

Finally, some participants indicated that no changes should be made:

No changes - 12

The diversity of this latter group of comments and the numbers which they represent preclude further generalizations on this issue.

Summary

From the numerical scores and written comments, it is apparent that the program was quite well received by an audience that can be expected to be fairly critical. Despite the complex and potentially volatile material being presented, the participants were positive in their assessment of the meaningfulness of the material and skills of faculty. Suggestions for change are

largely ideosyncratic, while valued aspects of the program conform to the major objectives of the seminar.

Chapter VI
Results of the Key Decision-Makers Seminars

Follow-up telephone contact with numerous program participants was made during the month of July, a period 2-5 months following individual seminars. The selection of survey respondents centered around persons who were judged by program staff to be in key positions to best note the impact of the seminars in their states. In many cases these participants had served as the spokesperson for the program's final group task, or back-home plan. A wide variety of results was noted, and at least some impact was noted in each state. Outcomes, listed here by category, are recorded below.

Development of New Avenues for Problem Solution

Following the Raleigh seminar, legislation introduced in the Florida House of Representatives by two participants of that meeting established both a task force to examine the problem and the creation of a community based sentencing advisory council.

House Bill 37-H called for the creation of the "Corrections Overcrowding Task Force", composed of 11 members, including the governor, the State Attorney General, the Chief Justice, the secretary of the Department of Corrections, the chairman of the Parole Commission, three senators and three representatives. One senator and three representatives who participated in the Raleigh seminar are among the latter group. Original groundwork for the

Task Force was laid at that seminar during the state assessment task.

House-Bill 39-H, which created a local advisory board for circuit judges in two pilot circuits, has the capacity to recommend offenders in those jurisdictions for community programs. Both pieces of legislation, copies of which are appended to the end of this report, passed through the House successfully.¹

Attendance by a number of key officials from Missouri at the Kansas City seminar, including one state legislator and the Attorney General's representative to the Corrections Committee of the Governor's Crime Commission, has led to the consideration of more constructive ways to spend the corrections share of a recently passed \$6 billion public purpose bond. Participants interviewed pointed out that prior to the seminar a new maximum security prison had been one of the proposals kicked around as a potential solution to that state's overcrowding problem. Now participants state that there is a greater probability that these funds will not be used for this purpose.² One representative from Missouri³ has indicated that the funds will more likely be directed toward the construction of a new classification unit to encourage the placement of offenders into alternative programs.

The Missouri Coalition for Alternatives to Incarceration (MOCAI) is currently working with members of that state's legislative research staff and representatives of probation and parole to write legislation which would establish and subsidize

a local penalty program in lieu of incarceration in that state. One representative of MOCAI⁴ who participated in the Key Decision-Makers Program attributes inception of this idea to the training.

The creation of a new 55 member committee to review Georgia's overcrowding crisis followed participation by that state's representatives at the Atlanta seminar. The committee is divided into four substructures, each which will attend to one of these subject areas: enforcement, prosecution and adjudication; correctional services, citizens' involvement; and policy analysis. The committees, whose members have been selected from a wide range of public and private agencies and groups, will look at their respective topic with the objective of determining what key decision-makers in that area need to do to contribute to the problem's solution, and what resources they need to accomplish a contribution. Each subcommittee will meet two to four times, and it is expected that an interim report will be produced in December.⁵

A legislative budget analyst and participant from Kentucky⁶ has recommended to the legislature that reclassification of that state's inmate population can lead to a better use of corrections resources. Two other participants from Kentucky who serve on a Task Force on Jail Overcrowding now support options as community treatment centers, citations in lieu of arrest, and special programs for alcoholic offenders. One of these members⁷ has indicated that these recommendations are the direct outcome of participation in the training program.

The director of the Delaware Criminal Justice Planning Section⁸ has indicated that bail-reform legislation has been passed in that state. Impetus for the legislation is credited to communication with Connecticut participants at the Cherry Hill seminar, who have similar legislation in their state.

Upon their participation in the first Key Decision-Makers seminar in Cherry Hill, representatives of the Connecticut legislature and the director of a private criminal justice agency co-authored two pieces of legislation aimed at reducing demand for prison space in that state. House Bill 5925 called for the establishment of combination of measures--restitution, mediation, and community service--which would primarily have directed class C and D felons away from incarcerative sanctions. This bill did not make it through the General Assembly. One version of this bill that did pass, however, established mediation projects in numerous mechanisms. Both versions of this bill, and an excerpt from a state newspaper chronicling its outcome, are included in the appendix at the end of this report.⁹

Improved Relationship Between Public and Private Criminal Justice Agencies.

The invitation to attend the Key Decision-Makers Seminar afforded one Virginia-based private criminal justice agency a legitimacy never before experienced, claims a representative of that agency who participated in the training. The chance to meet and work with state agency representatives in a reputable setting accelerated and enhanced the ability of the two agencies to work

with each other.¹⁰

The executive director of a Missouri based private agency (MOCAI)¹¹ noted, also, that inclusion in the program lent her agency a new credibility with public officials. She noted, particularly, that the program convinced public officials of the validity of the kinds of information MOCAI has stressed in the past, however unsuccessfully. Now, she finds, public officials who attended the program are much easier to work with.

Refinement of Ongoing Projects

A representative of the North Carolina Office of the Public Defender¹² communicated seminar information to more influential parties in her state, and upon doing so was able to secure their commitment to support the recommendations of the North Carolina Citizen's Commission on Alternatives to Incarceration.

A group of policy-makers from Mississippi has proceeded with a plan to hold public meetings concerning corrections issues. The meetings, in which representatives of the Department of Corrections and legislature participate, had been in the "pre-planning" stages prior to the seminar but was definitized during the state assessment group task.¹³

An Increased Awareness of Issues Involved in the Problem

A representative of the North Carolina Office of the Public Defender¹⁴ notes that members of the Governor's Crime Commission who were present at the Raleigh seminar are now more responsive to

planning for solutions to the problem, and are cooperating with her office in designing strategies for the education of both the Crime Commission and the Public.

A representative of the Kansas Office of the Governor¹⁵ attributes his greater awareness of the definition of the problem to his attendance at the Kansas City Seminar. Following the training, the participant composed a memo to the Governor requesting that he appoint a Task Force members of different disciplines to address the problem. He states that when he approached the governor, he had all his arguments in hand--solely due to his seminar attendance. He has also discussed the issue with several legislators.

The director of Delaware's Criminal Justice Planning Section¹⁶ notes that his state's Comptroller General--also a program participant--seems to exhibit a greater understanding of the problems faced by corrections agencies. While he has no way of knowing for sure, he believes the fact that halfway houses have been funded for the first time in Delaware is linked to the Comptroller's new receptivity upon attending the seminar in Cherry Hill.

An Oklahoma legislator¹⁷ who is currently working on revisions of that state's criminal justice code has requested an interim study of the criminal justice system. Although the study had been in the planning stages prior to the Kansas City seminar, the representative's attendance helped him to refine the focus of his study.

A co-chairman of the New Jersey Governor's Transition Team (corrections committee)¹⁸ claims that his participation in the

Cherry Hill seminar helped him to make better recommendations during his Task Force service. Now, he states he is able to converse intelligently with both legislators and public in such issues as mandatory sentencing and new construction. He is aware now that popularly endorsed, easy "solutions" are not the answer to what he learned was a much more complicated issue.

A representative of the Virginia-based Offender Aid and Restoration organization¹⁹ was able to refine the focus of a project-in-progress aimed at structuring sentencing and encouraging alternatives. Moreover, the participation, and increased awareness, of two state legislators has made his work relationship with them a much more productive one.

Ongoing Dissemination of Program Materials

A legislative analyst from Florida²⁰ duplicated and circulated entire copies of program materials to the Florida Attorney General, the staff of the Senate and the Governor's staff.

A circuit judge from Alabama²¹ plans to distribute program materials at the next meeting of the Alabama Circuit Judges Association, an influential group of which he is chairman.

Mississippi officials have duplicated and distributed copies of the program materials to members of that state's Board of Corrections.²²

Program materials have been distributed to and are in use by the National Institute of Corrections Overcrowding Project staff. An overview of research performed during the preparatory

stages of the Key Decision-Makers program will be published by The Prison Journal in its 1982 Spring-Summer issue. Papers produced by project staff for the training manual more or less represent an original synthesis of the problem of incarceration costs.

Creation of a Working Network of Mutual Assistance Interaction

Numerous respondents²³ noted that their participation in the seminar allowed them to meet other professionals in the problem context, and that their association with these parties had continued through the present. Persons represented in these relationships encompassed both participants and staff alike.

Recognition of Additional Information Needs

A number of states are in the initial stages of planning additional training solely for their area officials. Iowa has petitioned the National Institute of Corrections toward this end.²⁴ Officials in Florida are seeking program lecturers to address that state's Overcrowding Task Force.²⁵ Mississippi officials have contacted Gail Funke, a member of the training program faculty, to develop more factual cost statements than those which had been in use and to look at the economic long-range implications of their proposals for additional correctional facilities.²⁶

- [1] Conversation with Liz Barnes Abernathy, Legislative Analyst, Florida House of Representatives.
- [2] Conversation with Lucia Erikson, Executive Director, Missouri Coalition for Alternatives to Incarceration; and Duncan Kinchloe, Missouri Office of the Attorney General.
- [3] Conversation with Joe Holt, Missouri State Representative.
- [4] Conversation with Lucia Erikson, supra note 2.
- [5] Conversation with Bill Kelly, Georgia Criminal Justice Coordinating Council.
- [6] Conversation with Barri Christian, Budget Analyst, Kentucky Legislative Research Commission.
- [7] Conversation with Mike Bewley, Louisville-Jefferson County Criminal Justice Commission (Kentucky).
- [8] Conversation with Tom Quinn, Director, Delaware Criminal Justice Planning Section.
- [9] Conversation with Sherri Haller, Director, Criminal Justice Education Center (Connecticut).
- [10] Conversation with Jim Nolan, Offender Aid and Restoration (Virginia).
- [11] Conversation with Lucia Erikson, supra note 2.
- [12] Conversation with Mary Ann Tally, Public Defender's Office (North Carolina).
- [13] Conversation with John Hennigan, Chief of Staff, Mississippi Governor's Office.
- [14] Conversation with Mary Ann Tally, supra note 12.
- [15] Conversation with Bert Cantwell, Kansas Office of the Governor.
- [16] Conversation with Tom Quinn, supra note 8.
- [17] Conversation with Oklahoma State Representative Don McCorkle.
- [18] Conversation with Louis Nickolopoulos, Somerset County Sheriff and Co-Chairman, Governor Kean Transition Team.
- [19] Conversation with Jim Nolan, supra note 10.
- [20] Conversation with Liz Barnes Abernathy, supra note 1.

- [21] Conversation with the Honorable Joseph Colquitt, Judge, 6th Judicial Circuit (Alabama).
- [22] Conversation with Morris Thigpen, Commissioner, Mississippi Board of Corrections.
- [23] Conversation with Liz Barnes Abernathy, supra note 1; Conversation with Mark Umbriet, Executive Director, Prisoner and Community Together (Indiana); Conversation with Mary Ann Tally, supra note 12.
- [24] Conversation with Stefanie Barth, Recruitment Coordinator (this project) and Director, Technical Assistance, National Council on Crime and Delinquency.
- [25] Conversation with Liz Barnes Abernathy, supra note 1.
- [26] Conversation with Morris Thigpen, supra note 22.

Chapter VII Implications for Future Seminars

The Key Decision-Maker Seminars permit a number of observations to be drawn which deserve review by other groups wishing to pursue similar efforts in the future.

One of the most noteworthy aspects of this program--and probably one of its greatest strengths--was its capacity for getting persons together who need to work with each other, but who otherwise would not have had the chance to do so. The combinations of persons being referred to here include that of the academic community with the community of policy-makers, and of policy-makers with each other.

It is much too rare that members of the academic research community are provided with a forum in which they can share this knowledge with those very persons who are most able to act on the basis of their work. The experience accumulated during the Key Decision-Maker program indicated not only that the community of practitioners has an appreciation for shared information, but also that the material could be presented in a manner that made it both palatable and understandable to persons who most need to use it.

Assigned group tasks provided an opportunity for representatives of diverse backgrounds to meet and commence professional working relationships which are integral to the creation of

solutions demanding the interaction of the agencies and concerns which they represent. Evaluations of program components indicated that participants recognized their need to work cooperatively with other professionals upon receiving a chance to do so. Moreover, the initial contacts provided by the seminar led to the creation of relationships which persisted beyond the completion of the training. Finally, the interaction provided by the seminar instilled an energy in its participants which encouraged them to continue working on the problem even after they had returned to their home states. In this respect, it is suggested that some form of follow-up technical assistance could be a beneficial addition to future programs creating similar kinds of energy.

Favorable response to materials during the program and the continued dissemination of program documents by key decision-makers upon return to their home state indicates that assumptions concerning the needs of policy-makers for relevant and recent research in a convenient and accessible vehicle such as the training manual, were, in fact, appropriate. Future programs should continue to emphasize the availability of similar materials, although the high costs associated with this program's handouts demand exploration of other design and duplication alternatives in order to minimize costs.

Similar types of training could benefit from a longer time frame from which seminar dates can be selected. In some cases during the present key decision-maker training, such as in the

case of Alabama, training followed the close of the legislative session or fell too far away (and sometimes, was separated by an election) from the start of the next. Since materials preparation consumed one-half of the period allocated for the program, staff had only six months in which to conduct all five seminars. In the future, selection from a period of up to one year can assure that training closely precedes the start of the legislative session in all cases.

One final suggestion regarding future efforts involves the consideration of other groups as subjects for training. Additional parties deserve consideration only if any increase in their understanding of the problem can lead to more constructive efforts toward its solution. Surely one of most advantageous aspects of the present program was that it removed key decision-makers from a political context in which the uninformed pressure of the media is omnipresent; indeed, the program demonstrated, at least, that policy-makers can think creatively about corrections when removed from that context. It is believed that upon return to their home states such creative thinking can be hampered when other key groups in the problem context have not been similarly enlightened.

In general, however, the seminars must be seen as a successful experiment. It is possible to use innovative program designs to bridge the gap between policy-maker and research, between corrections officials and political decision-makers. Programs much as these should be expanded and continued.

Evaluation:
SEMINARS FOR KEY
DECISION-MAKERS

Orientation:

The purpose of the orientation was to provide participants with a background on the problem of incarceration costs during fiscal restraint.

1. Degree to which purpose of session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Usefulness of subject matter presented:

1	2	3	4	5
Not useful		Moderately useful		Very useful

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

4. Usefulness of the "group exercise" to better understand the session's issues:

1	2	3	4	5
Not useful		Moderately useful		Very useful

Session 1: Prison Populations and Incarceration Policy

The purpose of this session was to explore current knowledge concerning prison populations, with special emphasis on the relationship between policy-making and changes in populations.

1. Degree to which purpose of session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Usefulness of subject matter presented:

1	2	3	4	5
Not useful		Moderately useful		Very useful

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

4. Usefulness of the "group exercise" to better understand the session's issues:

1	2	3	4	5
Not useful		Moderately useful		Very useful

Session 2: Costs of Incarceration Policy

The purpose of this session was to present the various types of costs of incarcerating offenders, with special emphasis on long-term implications of incarceration.

Please rate this session on the following:

1. Degree to which the purpose of the session was achieved:

1	2	3	4	5
Very little		Some-what		Completely

2. Quality of subject matter presented:

1	2	3	4	5
Poor		Fair		Excellent

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

4. Usefulness of group task in clarifying incarceration costs:

1	2	3	4	5
Not useful		Some-what Useful		Very Useful

Other comments:

Session 3: Crime Control Impact of Incarceration

The purpose of this session was to present the most recent current information about the effectiveness of incarceration at controlling or reducing the number of crimes being committed.

1. Degree to which purpose of session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Usefulness of subject matter presented:

1	2	3	4	5
Not useful		Moderately useful		Very useful

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

CONTINUED

1 OF 2

Session 4: Punishment Policy Options

The purpose of this session was to present an array of punishment policy options now being used which might prove helpful and controlling or reducing incarceration costs.

1. Degree to which purpose of session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Usefulness of subject matter presented:

1	2	3	4	5
Not useful		Moderately useful		Very useful

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

Session 5: Political Aspects of Incarceration Policy

The purpose of this session was to explore the political context within which incarceration policies are established with special attention to the politics of controlling incarceration costs.

1. Degree to which purpose of session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Usefulness of subject matter presented:

1	2	3	4	5
Not useful		Moderately		Very useful

3. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

4. Usefulness of the "group exercise" to better understand the session's issues:

1	2	3	4	5
Not useful		Moderately useful		Very useful

Session 6: State Assessment Task

The purpose of this session was to provide an opportunity for participants to explore the current status of incarceration policy and fiscal restraint in their states. Emphasis was placed on developing strategies for controlling incarceration costs.

1. Degree to which the purpose of this session was achieved:

1	2	3	4	5
Very little		Some-what		Completely achieved

2. Quality of speaker's presentation of subject matter:

1	2	3	4	5
Poor		Fair		Excellent

Please rate the general usefulness of this session to you in your role as a key decision-maker

1	2	3	4	5
Not useful		Moderately useful		Very useful

comments:

Rate the general quality of handouts and written materials

1	2	3	4	5
Poor		Fair		Excellent

comments:

Rate the program's accommodations

1	2	3	4	5
Poor		Fair		Excellent

What were the most important aspects of this program, in your opinion?
comments:

What changes do you suggest in this program the next time it will be run?

comments:

Appendix B

TRAINING PROGRAM-GENERATED
LEGISLATION
AND RELATED MATERIAL

An act relating to corrections; creating s. 944.927, Florida Statutes, the Local Offender Advisory Council Act; providing legislative intent with respect to establishment of optional pilot community programs within the 1st and 8th judicial circuits to provide sentencing alternatives for certain nonviolent offenders; providing for local offender advisory councils in participating counties and cities and specifying duties thereof; providing for assistance by the Department of Corrections; providing procedure for withdrawal from the program; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 944.927, Florida Statutes, is created to read:

944.927 Local Offender Advisory Council Act.--

(1) It is the intent of the Legislature that cities and counties or combinations thereof within the 1st and 8th judicial circuit have the option to develop, establish and maintain as pilot projects community programs to provide the judicial system with sentencing alternatives for certain nonviolent offenders who may require less than institutional custody but more than probation supervision. It is further intended that such programs provide increased opportunities for offenders to make restitution to victims of crime through financial reimbursement or community service, while promoting

efficiency and economy in the delivery of correctional services.

(2) In the event that cities or counties or combinations thereof within the 1st and 8th judicial circuits elect to develop, establish and maintain such community programs, they shall provide support to a local offender advisory council composed of members appointed by the county or city governing body; if a combination thereof, an equal number of members shall be appointed by each participating governing body. Each council shall also include in its membership two persons appointed by the chief judge of the circuit serving the jurisdiction or jurisdictions participating on the committee, and one person appointed by the appropriate regional office of the Department of Corrections. Such councils shall be responsible for:

(a) Identifying and developing community services and programs for use by the courts in diverting offenders from state correctional institutions.

(b) Providing a mechanism whereby all offenders with needs for services will be linked to appropriate agencies and individuals.

(c) Upon referral to the council by the circuit court, determining if an appropriate behavioral contract can be developed with an offender in a community program as an alternative to incarceration, and providing findings and recommendations to the referring judge.

(3) The Department of Corrections is authorized to assist a county or city, or combination thereof, to develop and to enter into contracts to establish, pursuant to the provisions of this section, community programs to provide the judicial system with sentencing alternatives for those

offenders sentenced to incarceration but who may require less supervision than that provided in a state correctional institution. The department in consultation with members of the judiciary is further authorized and directed to prescribe standards for the development, operation and evaluation of programs and services authorized by this section.

(4) Any participating cities or counties or combinations thereof may, at the beginning of any fiscal year, by ordinance or resolution of its governing authority, notify the department of its intention to terminate the local offender advisory council. The department shall notify the Governor and the appropriate substantive and appropriations committees of the Legislature of any such termination, which shall be effective 60 days following notice to the department.

(5) Any participating cities or counties or combinations thereof creating such boards may make recommendations to the department with regard to future adoption of fiscal incentives to encourage further development of existing programs.

Section 2. This act shall take effect upon becoming a law.

An act relating to corrections; creating s. 944.021, Florida Statutes; creating a corrections overcrowding task force to make recommendations with respect to prison overcrowding; providing for appointment and responsibilities; providing for a report to the Governor and Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 944.021, Florida Statutes, is created to read:

944.021 Corrections overcrowding task force.--

(1) There is created a corrections overcrowding task force which shall be composed of 11 members, to include three Representatives appointed by the Speaker of the House of Representatives, three Senators appointed by the President of the Senate, and the following individuals or their designees: The Attorney General, the Secretary of Corrections, the chairperson of the Parole and Probation Commission, the Chief Justice of the Supreme Court and the Governor.

(2) Members of the task force shall meet on a monthly basis for a period of 8 months beginning in July 1982. A majority of members shall constitute a quorum. A final report with specific recommendations shall be submitted to the Governor and Legislature no later than February 15, 1983, and shall include consideration of the following:

- (a) Gain time.
- (b) Siting of correctional facilities.

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(c) Youthful Offender Act.

(d) Local monitoring of county jail populations, corrections plans, alternative community services programs, and restitution.

(e) Judicial use of local offender advisory councils.

(f) Pre-trial intervention programs.

(g) Corporal punishment/excessive use of force.

(h) Inmate data and confidentiality.

(i) Probation revocation.

(j) Population projections, and

(k) Parole and Probation Commission operations.

The task force shall also provide a prospectus for the development of a 10-year plan for corrections with emphasis on establishing population targets in order to decrease the state incarceration rate.

(3) Members of the task force shall serve without compensation, but shall be entitled to be reimbursed for per diem and travel expenses as provided by s. 112.061.

(4) Necessary staff support for the task force shall be provided by the Department of Legal Affairs.

Section 2. The provisions of this act shall expire on April 1, 1983.

Section 3. This act shall take effect July 1, 1982.

2
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Bill Analysis



FLORIDA HOUSE OF REPRESENTATIVES

RALPH H. HABEN, JR., Speaker/BARRY KUTUN, Speaker pro tempore
COMMITTEE ON CORRECTIONS, PROBATION & PAROLE

James G. Ward
Chairman

Ray Liberti
Vice Chairman

BILL NO: HB 39 (SPECIAL SESSION)
SPONSORS: Rep. Wards and Rep. Mills
SUBJECT: Local Offender Advisory Council Act

I. ISSUE STATEMENT

A. Current Situation

In 1981 the State of Virginia passed an act similar to this one. Among its provisions is a section which allows judges to refer individual felony offenders to community corrections resources boards for consideration for community programs in lieu of incarceration in correctional institutions. Any such referrals are to be made following conviction, but prior to commitment to a state correctional facility.

B. Issue Being Addressed-

Although pre-trial intervention programs operate in 18 of Florida's 20 judicial circuits, there is no mechanism like the one described above. By providing two circuits, the 1st and the 8th, with the option to create (as department projects) local offender advisory councils whose primary function is to seek alternatives to incarceration, more offenders may be diverted from the state correctional institutions.

(Note: As pointed out in House floor debate, local governments statewide may create community corrections resources boards. The effect of the bill is simply to give direction as to the sort of pilot program that might be created, and to provide for Department of Corrections assistance and standards.)

C. Probable Effect of Proposed Change

During the first year of implementation, Virginia initiated ten local councils, and a total of 48 felons were successfully diverted by eight of the ten projects. Two terminations were reported. The program was not as active as anticipated (the projected number of referrals for the first year was 93); however, it was successful enough that Virginia is not considering expanding the program to include misdemeanants.

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DO NOT REMOVE FROM FILE

HB 39 (SPECIAL SESSION)

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Because the concept presented in this bill is new to Florida, it is not known what effect enactment of the bill would have in terms of diverting offenders from state correctional institutions in the two circuits where pilot projects are authorized. There is some concern that the judiciary might refer offenders who are otherwise destined for traditional probation to the councils, rather than limiting referrals to felony offenders who are facing incarceration (the purpose for which the bill is intended). This has reportedly not been a problem in Virginia.

II. FISCAL IMPACT

A. State

The Department of Corrections is authorized to assist local governments and is directed to prescribe standards for the development, operation and evaluation of programs and services authorized by this section. The cost of this service to the Department has not been calculated, but it is anticipated that the Department may be able to provide such assistance within existing resources.

B. Local

Local governments which appoint local offender advisory councils would be required to support such councils. It is anticipated that persons appointed to the committees will serve on a volunteer basis; however, staff support and equipment would require a monetary commitment.

NOTE: In Virginia, state money is appropriated to local boards through grants from the Department of Corrections. For the first year of implementation the Virginia Assembly appropriated funds to the Department of Corrections to provide grants to local boards in an amount sufficient to allow for some residential and halfway house care, in addition to other less intensive (and expensive) programs. A typical board is staffed with a director and an administrative assistant.

III. COMMENTS

The concept presented in this bill emphasizes the need for more community involvement in coping with felony offenders, and takes into consideration the possibility that some non-violent felons might be punished more cheaply and efficiently in community rather than state programs. It also provides for more community assistance to the judiciary.

In Virginia interested counties or cities participating in the program set their own criteria for accepting or rejecting an offender according to community standards. A board's recommendation to the referring judge is restricted to indicating either willingness or unwillingness to accept the person; a board is not asked to recommend a specific incarcerative sentence in lieu of accepting the person for a community program. A detailed recommendation is made only in cases when a board decides to recommend community diversion.

In Virginia offenders who have participated thus far have been convicted of the following offenses:

Larceny: 13 (offenders)
Burglary: 7
Dangerous drugs/sale of cocaine: 7
Forgery: 5
Fraud: 4
Unauthorized use of vehicle: 3
Stolen vehicle: 2
Carry concealed weapon: 1
Forge & utter, larceny: 1
Gambling: 1
Incest with minor: 1
Break and enter: 1
Possession of burglary tools: 1
Embezzlement: 1

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Bill Analysis

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FINAL BILL ANALYSIS



FLORIDA HOUSE OF REPRESENTATIVES

RALPH H. HABEN, JR., Speaker/BARRY KUTUN, Speaker pro tempore
COMMITTEE ON CORRECTIONS, PROBATION & PAROLE

June 22, 1982

James G. Ward
Chairman
Ray Liberti
Vice Chairman

BILL NO: HB 37 (SPECIAL SESSION)
SPONSORS: Rep. Ward and Rep. Mills
SUBJECT: Corrections Overcrowding Task Force

I. ISSUE STATEMENT

A. Current Situation

Over the years there have been numerous task forces and committees whose purpose has been to examine various facets of the criminal justice system. The Governor's Advisory Committee on Corrections and the Governor's Task Force on Criminal Justice System Reform are two of these which are currently in operation (the latter is to present its final report in the near future).

B. Issue Being Addressed

Florida is once again facing a corrections overcrowding situation of major proportions. Even if the current crisis can be managed satisfactorily, the problem of overcrowding is likely to be a continuing one.

C. Probable Effect of Proposed Change

The Corrections Overcrowding Task Force created by this bill is required to address numerous issues in order to provide recommendations concerning overcrowding in correctional facilities in a report to the Legislature and Governor due by February 15, 1982.

The committee is also required to recommend a prospectus for a ten-year plan for corrections with emphasis on providing population targets in order to reduce the state's incarceration rate.

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II. FISCAL IMPACT

A. State

Some funds would be necessary to provide for the eight monthly meetings required by the bill. Staff support for the committee is to be provided by the Department of Legal Affairs. It is expected that expenses will be covered by the existing resources of the offices and agencies involved. There is no specific appropriation for the task force. Should the goal of reducing the incarceration rate in correctional institutions be met, the savings to the state could be substantial (depending on the population target adopted).

B. Local

None

III. COMMENTS

The Department of Corrections supports the idea of appointing an advisory task force, but is concerned that without a specific appropriations providing for staff, the task force's work would be impeded. The Department also suggests that consideration be given to the possibility of providing funding in an amount sufficient to contract with qualified consultants.

The idea of reducing the incarceration rate in state correctional populations is not untried. Michigan is one state with an overcrowding emergency powers act which authorizes the early release of specially selected "nondangerous" inmates.

PREPARED BY:

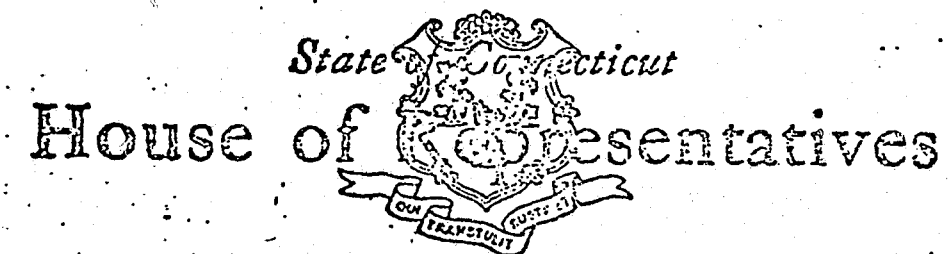
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Major James W. Reese

File No. 754

Substitute House Bill No. 5925



House of Representatives, April 23, 1982.
The Committee on Appropriations reported through Representative Wright of the 77th District, Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING RESTITUTION, COMMUNITY SERVICE, MEDIATION AND SUPERVISORY RELEASE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) As used in sections 1 to 9,
2 inclusive, of this act:

3 (1) "Community service" means the placement
4 of offenders in unpaid positions with nonprofit or
5 tax-supported agencies for the performance of a
6 specified number of hours of work or service
7 within a given period of time.

8 (2) "Community service plan" shall consist of
9 an agreement between the court and the offender
10 and shall specify (1) the number of required
11 community service hours, (2) the type of agency
12 for placement, (3) the period of time in which the
13 community service will be completed, (4) the
14 tentative schedule, (5) the job title and a brief
15 description of the responsibilities, (6)
16 conditions and sanctions for failure to fulfill
17 the plan, and (7) the supervisor of the plan.

18 (3) "Mediation" means the process where two
19 or more persons to a dispute agree to meet with an
20 impartial third party to work toward a resolution
21 of the dispute which is satisfactory to all

22 parties in accordance with principles of mediation
23 commonly used in labor management disputes.

24 (4) "Mediation plan" shall consist of an
25 agreement between the persons to a dispute for the
26 resolution of that dispute and may specify (1) the
27 amount of money to be paid or nature of services
28 to be rendered by a party, (2) the manner in which
29 such sums or services are to be provided, and (3)
30 the time within which the plan will be
31 accomplished.

32 (5) "Restitution" means the restoration by an
33 offender of a victim's losses through either
34 payment of money or provision of services to the
35 victim or, with the concurrence of the victim, to
36 a third party.

37 (6) "Restitution plan" shall consist of a
38 written agreement between the victim of a crime or
39 a third party and the offender and shall specify
40 (1) the amount of the restitution, (2) whether the
41 restitution will be in the form of cash or
42 services, (3) the payment schedule, (4) whether
43 the payments are to be made directly to the victim
44 or to a third party, (5) ancillary obligations or
45 rights of the offender, (6) conditions and
46 sanctions for failure to fulfill the plan, and (7)
47 the supervisor of the plan.

48 Sec. 2. (NEW) The purpose of sections 1 to
49 11, inclusive, of this act is to reconcile the
50 losses of victims of crime, assist in the
51 reduction of prison overcrowding and speed court
52 processing through the use of restitution,
53 community service, mediation and supervisory
54 release.

55 Sec. 3. Section 53a-28 of the general
56 statutes is repealed and the following is
57 substituted in lieu thereof:

58 (a) Except as provided in chapter 359, to the
59 extent that such chapter is inconsistent herewith,
60 every person convicted of an offense shall be
61 sentenced in accordance with this title.

62 (b) Except as provided in sections 53a-45,
63 53a-46a, 53a-54b and 53a-92, when a person is
64 convicted of an offense, the court shall impose
65 one of the following sentences: (1) A term of
66 imprisonment; or (2) a sentence authorized by
67 sections 18-65a or 18-73 or (3) a fine; or (4) a
68 term of imprisonment and a fine; or (5) a term of
69 imprisonment, with the execution of such sentence

70 of imprisonment suspended, entirely or after a
71 period set by the court, and a period of probation
72 or a period of conditional discharge; or (6) a
73 term of imprisonment, with the execution of such
74 sentence of imprisonment suspended, entirely or
75 after a period set by the court, and a fine and a
76 period of probation, or a period of conditional
77 discharge; or (7) a fine and a sentence authorized
78 by section 18-65 or 18-73; or (8) a sentence of
79 unconditional discharge; OR (9) A TERM OF
80 IMPRISONMENT, WITH THE EXECUTION OF SUCH SENTENCE
81 OF IMPRISONMENT SUSPENDED, ENTIRELY OR AFTER A
82 PERIOD SET BY THE COURT, AND AN ORDER OF
83 RESTITUTION OR A PERIOD OF COMMUNITY SERVICE.

84 (c) A sentence to a period of probation or
85 conditional discharge in accordance with sections
86 53a-29 to 53a-34, inclusive, OR A SENTENCE WITH AN
87 ORDER OF RESTITUTION OR A PERIOD OF COMMUNITY
88 SERVICE IN ACCORDANCE WITH SECTION 4 OF THIS ACT,
89 shall be deemed a revocable disposition, in that
90 such sentence shall be tentative to the extent
91 that it may be altered or revoked in accordance
92 with said sections but for all other purposes it
93 shall be deemed to be a final judgment of
94 conviction.

95 Sec. 4. (NEW) (a) The court may sentence a
96 person to make restitution or perform community
97 service upon conviction of a class C or D felony
98 or a class A misdemeanor, if the court is of the
99 opinion that (1) such conviction and the past
100 criminal history of the defendant would have
101 ordinarily resulted in the imposition of a term of
102 imprisonment, or (2) such a sentence is
103 appropriate to meet the requirements of justice.
104 A defendant may be sentenced to a period of
105 community service if he is sentenced to pay a fine
106 and is unable to pay the fine at the time of
107 sentencing or in accordance with terms set by the
108 court.

109 (b) The court in sentencing a person to make
110 restitution or perform community service shall fix
111 the terms and conditions of such sentence. In the
112 judicial districts of Hartford-New Britain,
113 Waterbury, Stamford-Norwalk and Litchfield, the
114 court, at the time of sentencing, shall review the
115 restitution plan or community service plan
116 prepared by the organization administering
117 sentences of restitution or community service in

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that judicial district pursuant to section 7 of this act and shall, upon approval, sentence such person in accordance with such plan.

(c) When imposing a sentence of restitution or community service the court may order that the defendant make restitution of the fruits of his offense or make restitution, in an amount he can afford to pay or provide in a suitable manner, for the loss or damage caused by such offense and the court may fix the amount of such restitution and the manner of performance. No sentence of community service and no terms or conditions of a restitution or community service plan shall be imposed without the consent of the defendant.

(d) At any time during the period of restitution or community service, after hearing and for good cause shown, the court may modify or enlarge the terms or conditions and extend the period, provided the original period with any extensions shall not exceed the length of the suspended term of imprisonment. The court shall cause a copy of any order modifying or enlarging the conditions to be delivered to the defendant and the organization, if any, administering such restitution or community service.

(e) The court or sentencing judge may at any time during the period of restitution or community service, after hearing and for good cause shown, terminate the restitution or community service.

(f) At any time during the period of restitution or community service, the court or any judge thereof may issue a warrant for the arrest of a defendant for violation of any of the conditions of the restitution or community service, or may issue a notice to appear to answer to a charge of such violation, which notice shall be personally served upon the defendant. Any such warrant shall authorize any police officer named therein to return the defendant to the custody of the court or to any suitable detention facility designated by the court. A written statement setting forth the alleged violation shall be presented to the defendant and to the official in charge of any correctional center or other place of detention of the defendant by the arresting officer. Provisions regarding release on bail of persons charged with a crime shall be applicable to any defendant arrested under the provisions of

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5

this section. Upon an arrest by warrant as herein provided, the court shall cause the defendant to be brought before it without unnecessary delay for a hearing on the violation charges. At such hearing the defendant shall be informed of the manner in which he is alleged to have violated the sentence of restitution or community service, shall be advised by the court that he has the right to retain counsel and, if indigent, shall be entitled to the services of a public defender, and shall have the right to cross-examine witnesses and to present evidence in his own behalf.

(g) If such violation is established, the court may continue or revoke the sentence of restitution or community service or modify or enlarge the conditions, and, if such sentence is revoked, require the defendant to serve the sentence imposed or impose any lesser sentence. No such revocation shall be ordered, except upon consideration of the whole record and unless such violation is established by reliable and probative evidence.

(h) Nothing in this section shall preclude a court from sentencing a person to a sentence of restitution or community service upon conviction of any crime in an appropriate case.

Sec. 5. (NEW) (a) In the judicial districts of Hartford-New Britain, Waterbury, Stamford-Norwalk and Litchfield, the court may refer a criminal prosecution to mediation or for resolution by restitution in appropriate cases where the victim and the defendant consent to such referral.

(b) If a case is referred to mediation or for resolution by restitution, the prosecuting authority shall enter a nolle prosequi and the prosecution shall be terminated and the defendant released from custody.

(c) If mediation is unsuccessful or the person fails to comply with the terms of the mediation or restitution plan, a new prosecution may be initiated within thirteen months.

Sec. 6. (NEW) The state's attorney for the judicial districts of Hartford-New Britain, Waterbury, Stamford-Norwalk and Litchfield shall hire a case manager who shall review all criminal cases filed in the judicial district to determine which cases are appropriate for disposition by the

214 imposition of a sentence of restitution or
215 community service or a referral to mediation or
216 for resolution by restitution. In all cases
217 deemed appropriate for such disposition, the case
218 manager shall notify the organization which
219 administers sentences of restitution and community
220 service for that judicial district, which
221 organization shall inquire of any victim or
222 victims of the crime to determine whether such
223 disposition will be acceptable to them. The
224 state's attorney shall convey his findings and
225 recommendations concerning the disposition of a
226 case to the court having jurisdiction of such
227 case.

228 Sec. 7. (NEW) (a) There shall be provided in
229 the judicial districts of Hartford-New Britain,
230 Waterbury, Stamford-Norwalk and Litchfield through
231 the office of the chief court administrator and
232 the Connecticut justice commission suitable
233 services to administer all sentences of
234 restitution or community service imposed under
235 section 4 of this act, and mediation services and
236 restitution services for all cases referred to
237 mediation or for resolution by restitution under
238 section 5 of this act. The predominant method by
239 which such services shall be developed,
240 implemented, and administered shall be through
241 grants or purchase of service contracts to or with
242 private, nonprofit organizations or with local
243 units of government to be administered by the
244 Connecticut justice commission. The Connecticut
245 justice commission may solicit and accept for use
246 any gift of money or property made by will or
247 otherwise and any grant of money, services or
248 property made by will or otherwise and any grant
249 of money, services or property from the federal
250 government, private organizations and foundations,
251 in accordance with the purposes of this section.
252 The Connecticut justice commission, in making
253 expenditures for the purposes of this section,
254 shall give priority to programs in operation
255 before the effective date of this act.

256 (b) Any organization administering sentences
257 of restitution or community service shall prepare
258 and file with the court a copy of all restitution
259 or community service plans, and shall notify the
260 court when such a plan is successfully completed.
261 In any case in which financial restitution is

262 ordered it shall be the responsibility of the
263 defendant to make payment to the victim or third
264 party through the organization or any other agent
265 designated by the Connecticut justice commission.

266 (c) Any such organization which becomes aware
267 that a defendant has failed to comply with a
268 restitution or community service plan shall
269 prepare a written statement outlining the
270 noncompliance and shall immediately notify the
271 state's attorney for that judicial district. The
272 state's attorney shall file a motion with the
273 court requesting that a hearing be held without
274 unnecessary delay to determine whether the
275 sentence of restitution or community service
276 should be revoked in accordance with subsections
277 (f) and (g) of section 4 of this act.

278 (d) Any organization providing mediation
279 services to or administering restitution plans
280 for persons for whom mediation or restitution is
281 ordered in lieu of a criminal prosecution under
282 section 5 of this act shall notify the state's
283 attorney in each case in which a mediation or
284 restitution plan is reached, and shall immediately
285 notify the state's attorney of any case in which a
286 person fails to comply with the terms of his
287 mediation or restitution plan.

288 Sec. 8. (NEW) Nothing in this act shall
289 prohibit or otherwise limit the office of adult
290 probation from carrying out its duties and
291 responsibilities pursuant to sections 54-103a to
292 54-108, inclusive, of the general statutes.

293 Sec. 9. (NEW) The chief court administrator
294 shall serve as chairman of an advisory committee
295 consisting of the chief court administrator, the
296 chief state's attorney, the chief public defender,
297 the state's attorneys for the judicial districts
298 of Hartford-New Britain, Waterbury, Stamford-
299 Norwalk and Litchfield, one member of the
300 Connecticut Bar Association appointed by the
301 president of the association, and one member of an
302 organization advocating the rights of crime
303 victims appointed by the chairman of the criminal
304 injuries compensation board. Not later than
305 ninety days after the effective date of this act,
306 the committee shall develop guidelines to
307 determine the suitability of restitution,
308 community service or referral to mediation in
309 criminal cases. The committee shall establish

310 appropriate ranges of restitution according to
311 victim loss, and ranges of community service hours
312 according to the severity of the offense. The
313 chief court administrator may request staff and
314 technical assistance through any organizations or
315 consultants deemed appropriate.

316 Sec. 10. (NEW) The Connecticut justice
317 commission shall (1) secure an independent
318 evaluation of the services provided under sections
319 1 to 11, inclusive, of this act, including a
320 specific evaluation of their impact on the
321 reduction of prison overcrowding and speeding
322 court processing, which evaluation shall be
323 submitted to the governor and the general assembly
324 not later than February 8, 1984, and (2) establish
325 a mechanism to monitor on a regular basis all
326 services provided under sections 1 to 10,
327 inclusive, of this act, research and gather
328 relevant statistical data concerning the impact of
329 those services in achieving the purposes of this
330 act.

331 Sec. 11. Subsection (e) of section 18-100 of
332 the general statutes is repealed and the following
333 is substituted in lieu thereof:

334 (e) If the commissioner of correction deems
335 that the purposes of this section may thus be more
336 effectively carried out, he may transfer any
337 person from one correctional institution to
338 another or to any public or private, nonprofit
339 half-way house, group home or mental health
340 facility, OR TO AN APPROVED COMMUNITY RESIDENCE
341 with the concurrence of the superintendent or
342 person in charge of the facility to which said
343 person is being transferred. Any inmate so
344 transferred shall remain under the jurisdiction of
345 said commissioner. ANY INMATE TRANSFERRED TO AN
346 APPROVED COMMUNITY RESIDENCE SHALL ALSO BE SUBJECT
347 TO SPECIFICALLY PRESCRIBED SUPERVISION BY
348 PERSONNEL OF THE DEPARTMENT OF CORRECTIONS UNTIL
349 HIS DEFINITE OR INDETERMINATE SENTENCE IS
350 COMPLETED.

351 Sec. 12. Subsection (a) of section 54-63d of
352 the general statutes, as amended by section 4 of
353 public act 81-437, is repealed and the following
354 is substituted in lieu thereof:

355 (a) Upon notification by a police officer
356 pursuant to section 54-63c that an arrested person
357 has not posted bail, a bail commissioner shall

358 promptly conduct an interview and investigation as
359 specified in subdivisions (1) and (2) of
360 subsection (a) of section 54-63b and, based upon
361 criteria established pursuant to subdivision (2)
362 of subsection (c) of section 54-63b, he shall
363 promptly order release of such person on the first
364 of the following conditions of release found
365 sufficient to provide reasonable assurance of his
366 appearance in court: (1) Upon his execution of a
367 written promise to appear; (2) UPON HIS EXECUTION
368 OF A WRITTEN PROMISE TO APPEAR ON CONDITION HE
369 REMAIN UNDER THE SUPERVISION OF THE BAIL
370 COMMISSION; (3) upon his execution of a bond
371 without surety in no greater amount than
372 necessary; [(3)] (4) upon his execution of a bond
373 with surety in no greater amount than necessary.
374 If the person is unable to meet financial
375 conditions of release ordered by the bail
376 commissioner, he shall so inform the court in a
377 report prepared pursuant to subdivision (4) of
378 subsection (a) of section 54-63b. If the bail
379 commissioner determines that conditions of release
380 other than financial OR SUPERVISORY are necessary
381 to provide reasonable assurance of the appearance
382 of such person in court, he shall provide, in lieu
383 of ordering the release of such person, a
384 recommendation regarding the terms and conditions
385 of release in the report.

386 Sec. 13. (NEW) (a) The Connecticut justice
387 commission shall conduct a study of the impact of
388 sentencing defendants to a period of restitution
389 or community service, as authorized by section 4
390 of this act, and of referring defendants and their
391 victims to mediation or resolving their dispute by
392 restitution, as authorized by section 5 of this
393 act, upon the administration of criminal justice
394 in Connecticut. Such study shall examine, for the
395 judicial districts of Hartford-New Britain,
396 Waterbury, Stamford-Norwalk and Litchfield, the
397 number of defendants sentenced to make restitution
398 or perform community service, the number of
399 criminal prosecutions disposed of by mediation or
400 restitution, the nature and amount of restitution
401 made by defendants, the nature of community
402 service performed by defendants, the organizations
403 administering the sentences of restitution or
404 community service or mediating disputes, the costs
405 involved in administering such sentences, and any

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406 other matters which the commission deems relevant
407 in connection therewith.

408 (b) The commission shall report its findings
409 and recommendations to the joint standing
410 committee of the general assembly having
411 cognizance of matters relating to criminal
412 procedure not later than March 15, 1983, and shall
413 file a subsequent report with said committee not
414 later than February 8, 1984.

415 Sec. 14. The sum of fifty thousand dollars
416 is appropriated to the Connecticut justice
417 commission, for the fiscal year ending June 30,
418 1983, from the sum appropriated to the finance
419 advisory committee under section 1 of substitute
420 house bill 5094 of the current session, for 1982
421 acts without appropriations, for the purposes of
422 this act.

423 Sec. 15. The sum of forty thousand dollars
424 is appropriated to the division of criminal
425 justice, for the fiscal year ending June 30, 1983,
426 from the sum appropriated to the finance advisory
427 committee under section 1 of substitute house bill
428 5094 of the current session, for 1982 acts without
429 appropriations, for the purposes of this act.

430 Committee Vote: Yea 40 Nay 1

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11

FISCAL IMPACT STATEMENT

STATE FISCAL IMPACT Yes, see belowMUNICIPAL FISCAL IMPACT NoneSTATE AGENCY(S) AFFECTED Criminal Justice Division, Connecticut Justice Comm.

	Judicial Dept.		FULL OPERATION	
	CURRENT FY	1982-83	1983-84	FY
STATE COST (or savings)		\$90,000	\$190,000	
STATE REVENUE (or loss)				
NET STATE COST (or savings)				
MUNICIPAL FISCAL IMPACT				

EXPLANATION OF ESTIMATES:

This bill would result in costs to the General Fund, but these costs could be offset by savings in the future. The costs result from the bill's requirements to establish case managers in four judicial districts to review cases, and provide funds to pay for the development of restitution, mediation, or community service plans for persons referred for such services. Annually, these costs are estimated at \$190,000, with \$85,000 for the Division of Criminal Justice for the case managers and \$105,000 for the Connecticut Justice Commission for the services and administrative expenses. For 1982-83, the bill would cost \$40,000 for the Division of Criminal Justice and \$50,000 for the Connecticut Justice Commission. The bill appropriates these amounts from the account, FAC - Acts Without Appropriations in SHB 5094, the 1982-83 Appropriations Act.

Some minimal costs to the Judicial Department would result from the bill, based on the requirement to establish an advisory committee, but these costs could be absorbed.

The savings from the bill could result from decreased costs due to processing cases through more economical means and reduced population in correctional institutions. For example, if the program resulted in referring 50 individuals to restitution, mediation, or community service who otherwise would have been incarcerated for 12 months, savings to the Department of Corrections would be \$500,000 using current per capita costs. The exact level of savings would depend on the number of cases actually referred for restitution, mediation, or community service. This cannot be determined at this time, so an accurate estimate of savings from the bill is not possible.

The provisions of the bill allowing the Commission of Corrections to transfer persons to an approved community residence would result in no costs, and could result in savings depending on the number of persons transferred and the length of time such persons would have been incarcerated.

Description of the Provisions within H.B. 5925 (section by section)

Section 1. This section provides all of the definitions to undertake a comprehensive program of community service, restitution, and mediation. The definitions were developed with the assistance of national as well as state experts and program administrators in the field and reflect a thorough explanation of the differences between the options of community service and restitution, and mediation as an alternative to traditional court processing. Definitions are also provided for the type of information needed within any restitution, community service or mediation plan ordered by the judge.

Section 2. This section defines the purpose of the legislation:

- regaining victim losses
- reducing prison overcrowding
- speeding court processing.

Section 3. This section clearly established the use of restitution and community service penalties as post-conviction options allowing a portion or entire term of imprisonment to be suspended and the penalties of restitution or community service ordered.

Section 4. This section emphasizes the use of restitution and community service penalties in Class C or D felonies and A misdemeanors in lieu of a portion or full term of imprisonment. Although this is the primary purpose of the legislation, this section also makes it clear that these penalties can be used in any other cases deemed appropriate by the court.

The proposed amendments to this section clarify that these penalties are available in all judicial districts not just the four pilot districts cited in the bill.

This section also provides provision for the re-arrest and confinement of any person sentenced to restitution or community service who fails to comply with the conditions of his/her restitution or community service plan.

Section 5. This section formalizes the ability of the court to refer a criminal prosecution to mediation processing where the victim and defendant consent. It also outlines the process to be followed by the prosecutor of entering a nolle prosequi and if the mediation is unsuccessful or the person is not in compliance, that a new prosecution can be initiated within 13 months.

Section 6. This section grants authority to the states attorney in each pilot judicial district to hire a case manager to review all criminal cases for the possible use of restitution or community service penalties or mediation processing.

This section also describes the process by which the case manager and community organization responsible for administering the sentences shall contact the victim(s) of the crime to determine whether such dispositions would be acceptable to them. The states attorney will then convey his finding and recommendations to the court having jurisdiction.

Section 7. This section specifies that the sentences of restitution and community service or mediation agreements be developed, implemented and administered through purchase of service contracts with private, non-profit organizations or local units of government through the Connecticut Justice Commission. It allows the Commission to accept private funds to assist the state in funding this program.

This section describes in detail the obligations of any organization administering these penalties of notifying the states attorney in all cases, whether the persons are or are not in compliance with their plans. It further specifies that in cases where non-compliance occurs that a hearing be held immediately to determine further action.

Section 8. This section makes it clear that the Office of Adult Probation can continue its restitution and community service work in the pretrial and probation cases which would be earmarked for their caseloads.

Section 9. This section outlines the development of a committee, to be chaired by the Chief Court Administrator, to ensure that guidelines to determine the suitability of restitution and community service penalties or referral to mediation be developed. It also requests the committee to consider what the appropriate ranges of community service hours should be commensurate with the convicted offense.

Section 10. This section specifies the Connecticut Justice Commission to secure an independent evaluation of the services in the bill, whether the purposes of the legislation are being met and to report to the Governor and the General Assembly no later than February 1984. It also specifies that the Justice Commission establish a mechanism to regularly monitor the program.

Section 11. This section allows the Department of Correction to place screened inmates at an approved community residence under supervision. (No cost to this section, in that the supervision can be absorbed through parole officers already on line.)

Section 12. This section prior to the file copy was eliminated from the bill.

Section 13. This provision is a no cost provision allowing bail commissioners to develop conditions in order that a person charged with an offense be released on a conditional appearance from a police station.

Section 14. This section authorized the Connecticut Justice Commission to conduct a study of the impact of sentencing convicted persons to restitution and community service and the impact of referring defendants and their victims to mediation. This report will be presented to the joint standing committee no later than March 1983.

Section 15. Fifty thousand dollars is appropriated in this section to the Connecticut Justice Commission and forty thousand dollars to the Division of Criminal Justice to enter into purchase of service contracts and hire the case managers.

Substitute House Bill No. 5925

PUBLIC ACT NO. 82-383

AN ACT CONCERNING A PILOT PROGRAM OF MEDIATION FOR CRIMINAL CASES, SUPERVISORY RELEASE AND PROGRAMS FOR PRETRIAL OFFENDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (a) There shall be established in the geographical area of the superior court for the towns of Berlin, New Britain, Newington, Rocky Hill and Wethersfield and the geographical area of the superior court for the towns of Bethlehem, Middlebury, Naugatuck, Prospect, Southbury, Watertown, Wolcott, Woodbury and Waterbury a pilot program of mediation wherein the court may refer a criminal prosecution to mediation for resolution. For the purposes of this section, "mediation" means the process where two or more persons to a dispute agree to meet with an impartial third party to work toward a resolution of the dispute which is satisfactory to all parties in accordance with principles of mediation commonly used in labor management disputes.

(b) If mediation is successful, the prosecuting authority, upon recommendation of the family relations or mediation officer, shall enter a nolle prosequi and the prosecution shall be terminated and the defendant released from custody.

(c) If mediation is unsuccessful or the defendant fails to comply with the terms of any mediation agreement, the family relations or mediation officer shall notify the prosecuting authority and prosecution of the defendant may be initiated.

(d) There shall be established in the family relations division of the superior court in the two geographical areas enumerated in subsection (a) a mediation unit to provide mediation services in cases referred by the court to mediation.

Sec. 2. Subsection (e) of section 18-100 of the general statutes is repealed and the following is substituted in lieu thereof:

(e) If the commissioner of correction deems that the purposes of this section may thus be more effectively carried out, he may transfer any person from one correctional institution to another or to any public or private, nonprofit half-way house, group home or mental health facility, OR TO AN APPROVED COMMUNITY RESIDENCE with the concurrence of the superintendent or

Substitute House Bill No. 5925

person in charge of the facility to which said person is being transferred. Any inmate so transferred shall remain under the jurisdiction of said commissioner. ANY INMATE TRANSFERRED TO AN APPROVED COMMUNITY RESIDENCE SHALL ALSO BE SUBJECT TO SPECIFICALLY PRESCRIBED SUPERVISION BY PERSONNEL OF THE DEPARTMENT OF CORRECTION UNTIL HIS DEFINITE OR INDETERMINATE SENTENCE IS COMPLETED.

Sec. 3. Subsection (a) of section 54-63d of the general statutes, as amended by section 4 of public act 81-437, is repealed and the following is substituted in lieu thereof:

(a) Upon notification by a police officer pursuant to section 54-63c that an arrested person has not posted bail, a bail commissioner shall promptly conduct an interview and investigation as specified in subdivisions (1) and (2) of subsection (a) of section 54-63b and, based upon criteria established pursuant to subdivision (2) of subsection (c) of section 54-63b, he shall promptly order release of such person on the first of the following conditions of release found sufficient to provide reasonable assurance of his appearance in court: (1) Upon his execution of a written promise to appear; (2) upon his execution of a bond without surety in no greater amount than necessary; (3) upon his execution of a bond with surety in no greater amount than necessary. If the person is unable to meet financial conditions of release ordered by the bail commissioner, he shall so inform the court in a report prepared pursuant to subdivision (4) of subsection (a) of section 54-63b. If the bail commissioner determines that conditions of release other than financial are necessary to provide reasonable assurance of the appearance of such person in court, he shall provide, in lieu of ordering the release of such person, a recommendation TO THE COURT regarding the terms and conditions of release, WHICH MAY INCLUDE A TERM OF SUPERVISION, in the report.

Sec. 4. Section 18-101h of the general statutes is repealed and the following is substituted in lieu thereof:

As used in this part:

(a) "Department" means the department of correction.

(b) "Commissioner" means the commissioner of correction.

Substitute House Bill No. 5925

(c) "Community-based service programs" means residential or nonresidential programs provided by private, nonprofit community or locally based organizations, STATE AGENCIES or units of local government including the public-private resource expansion project, which offer housing, transportation, employment and counseling services to incarcerated, paroled or discharged offenders, victims of crime, persons charged with a crime, persons diverted from the criminal process and families of offenders.

(d) "Residential programs" means those offered in "halfway houses," providing twenty-four hour care, supervision, and supportive services to pretrial, incarcerated, paroled or discharged offenders.

(e) "Nonresidential programs" means those programs providing daytime or episodic community correction services to pretrial, incarcerated, paroled or discharged offenders and their families, or victims of crime AND PROGRAMS INVOLVING RESTITUTION OR COMMUNITY SERVICE TO PRETRIAL OFFENDERS. FOR THE PURPOSES OF THIS SUBSECTION, "COMMUNITY SERVICE" MEANS THE PLACEMENT OF OFFENDERS IN UNPAID POSITIONS WITH NONPROFIT OR TAX-SUPPORTED AGENCIES FOR THE PERFORMANCE OF A SPECIFIED NUMBER OF HOURS OF WORK OR SERVICE WITHIN A GIVEN PERIOD OF TIME, AND "RESTITUTION" MEANS THE RESTORATION BY AN OFFENDER OF A VICTIM'S LOSSES THROUGH EITHER PAYMENT OF MONEY OR PROVISION OF SERVICES TO THE VICTIM OR, WITH THE CONCURRENCE OF THE VICTIM, TO A THIRD PARTY.

Sec. 5. Subsection (a) of section 18-101i of the general statutes is repealed and the following is substituted in lieu thereof:

(a) To establish and develop noninstitutional, community-based service programs, the commissioner shall award grants or purchase of service contracts in accordance with the plan developed under subsection (b) to private, nonprofit organizations, [and] STATE AGENCIES OR units of local government; provided such grants shall not be subject to the formula funding requirements of section 18-101k. Such grants or contracts shall be the predominant method by which the department develops, implements and operates community correction programs. In addition, the commissioner may administer community-based service programs under the direct control of the department.

Substitute House Bill No. 5925

Sec. 6. The sum of seventy thousand dollars is appropriated to the judicial department, for the fiscal year ending June 30, 1983, from the sum appropriated to the finance advisory committee under section 1 of special act 82-10, for 1982 acts without appropriations, for the purposes of section 1 of this act.

Sec. 7. This act shall take effect July 1, 1982, except that sections 1, 2, 3 and 6 shall take effect October 1, 1982.

Certified as correct by

Legislative Commissioner.

Clerk of the Senate.

Clerk of the House.

Approved _____, 1982

Governor.

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Copyright Act of 1976 (17 U.S.C.): "PRISON OFFICIALS STYMIED
IN EFFORT TO EAST CROWDING", from the Hartford Courant, Wednesday,
May 19, 1982, Author, Fern Shen

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