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Reentry Programs for Women Inmates

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A Valuable Police Tool**

by Mark P. Cohen

**Telemarketing Predators:
Finally, We've Got Their Number**

Truth in Sentencing and State Sentencing Practices

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and Corrections**

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At-A-Glance

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Slavery**

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by Marcia R. Chaiken, Barbara Boland, Michael D. Maltz, Susan Martin, and Joseph Tragonski

**The Decline of Intimate
Partner Homicide**

by William Wells and William DeLeon-Granados

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DIRECTOR'S MESSAGE

The notion that one size fits all is a misnomer when it comes to inmate reintegration programs. Reentry programs that were formulated for male inmates have often proven ineffective in dealing with the unique physical, emotional, and social challenges faced by an ever-increasing population of female inmates. New programs have been developed for female offenders, but do they successfully solve these gender issues? Do they really help female inmates succeed postrelease?

These questions are the focus of this issue's cover story. Studies highlighted in the article deal with various female-oriented programs and demonstrate that an individualized approach helps female prisoners to reintegrate into society and avoid reincarceration.

Technologies are changing the face of today's society, and the Department of Justice and NIJ are both committed to providing the latest improvements to law enforcement officers. One such innovation is the Voice Response Translator (VRT). Developed with funding from NIJ, the VRT is a pocket-sized device that allows officers to speak immediately to non-English speaking subjects. This hands-free device, which can be programmed to repeat an officer's commands in a foreign language, enables officers to speak to non-English speaking persons without the aid of a human translator. NIJ is also developing several other technologies through its National Center for Law Enforcement and Corrections Training Center (NLECTC) system. These developments include equipment that detects trace amounts of illicit drugs on inmate mail, a program that enables previously incompatible data systems to communicate with one another, and a crime mapping computer program that helps pinpoint a likely offender's residence based on crime locations and patterns.

Focused studies of particular crimes also go a long way toward preventing victimization and deterring future criminal conduct. For example, understanding what draws a person into the lucrative but fleeting lifestyle of a telemarketing predator sheds light on how these organizations operate and how they ultimately can be detected and prosecuted. And uncovering the uncomfortable truth that modern day slavery is alive and well and thriving in many countries—including our own—is necessary if we are to isolate indicators of such conduct and ultimately eradicate the practice.



Sarah V. Hart
Director, National Institute of Justice



BUILDING
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MEET THE CHALLENGE OF
CRIME AND JUSTICE

National Institute of Justice

Sarah V. Hart
Director

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Reentry Programs for Women Inmates

For years, practitioners in just about every field took research conducted primarily with male subjects and applied the findings to women. Recently, however, researchers have begun to question the applicability of those findings to women—and the answer has been mixed.

One area in which the applicability of gender-neutral data has come under scrutiny is corrections. A recent report of the National Institute of Corrections states that, at the same time that the number of female inmates has been increasing significantly, the criminal justice system has too often—and with difficulty—tried to implement with women inmates “policies and procedures that...[were] designed for male offenders.”¹ This practice may be ineffective because studies show that female inmates must overcome unique social, emotional, and physical challenges that impede their ability to integrate smoothly back into society following a period of incarceration.

Change is now well under way. Inmate rehabilitation programs are being developed specifically for female inmates. Older pro-

grams originally designed for male inmates are being evaluated to see how appropriate they are for incarcerated women.

NIJ studies looked at drug addiction treatment and other rehabilitation programs for female inmates in various jurisdictions. These studies point out the distinct treatment needs of female inmates and examine ways that programs addressing these unique requirements can help women successfully reenter society after incarceration.

The KEY/CREST Programs

The Delaware Criminal Justice Council received a grant from NIJ to evaluate the gender appropriateness of two therapeutic community drug rehabilitation programs: (1) The KEY program at Baylor Women’s Correctional Institute and (2) CREST, a work release program at Sussex Correctional Institute. (See “What Is a Therapeutic Community?” page 4.)

Therapeutic Communities for Women

Prior research has shown that the therapeutic community model, originally designed

for men, can be successful for women if modified. For example, the success of women in therapeutic community programs is increased when the atmosphere is less confrontational and when female counselors are present. Additionally, women bring with them a host of personal issues—such as a history of sexual abuse and problems in maintaining relationships with their children—that must be addressed. These problems are distinct from those usually faced by male drug addicts.

During implementation of the KEY program, researchers observed the need for aftercare to maintain the positive changes in KEY graduates. To meet this need, Delaware obtained funding in 1990 from the National Institute on Drug Abuse to establish the first work-release program (CREST) based on the therapeutic community model. Research since the implementation of KEY and CREST has found that addicts who attend both KEY and CREST have lower recidivism rates than those without KEY or CREST program experience.

Four Failure Factors

The report submitted by the Delaware Criminal Justice Council shows that of the various demographic and social factors affecting a woman who enters the KEY program, four will have the most impact on whether she will succeed. A female inmate is at higher risk of failure if she has any one of these four factors:

- She has a *psychiatric history* (formal diagnosis and/or emotional/psychological difficulties).
- She has *contemplated suicide*.
- She has *attempted suicide*.
- She has *difficulty controlling her temper* or her *behavior is hostile or violent*.

The Council's report demonstrates that the first 5 weeks are critical for a new KEY participant. If she is to fail, she will likely fail during this treatment orientation period. However, if she remains in the program through the 49th week (the midpoint of the treatment cycle), she will likely remain

ABOUT THE STUDIES DISCUSSED IN THIS ARTICLE

This article is based on four studies conducted for NIJ. The names of the study authors and their reports are:

- Garrison, Arthur, *Process Evaluation Assessing the Gender Appropriateness of the KEY/CREST Program*, Final Report to NIJ, grant number 99-RT-VX-K016, April 2002 (NCJ 195788).

The full report and Executive Summary are available from NCJRS (<http://www.ncjrs.org/pdffiles1/nij/grants/195788.pdf>). Garrison is the director of criminal justice planning for the Delaware Criminal Justice Council.

- Prendergast, Michael, Elizabeth Hall, and Jean Wellisch, *Outcome Evaluation of the Forever Free Substance Abuse Treatment Program: One-Year Postrelease Outcomes*, Final Report to NIJ, grant number 99-RT-VX-K003, December 2001 (revised July 2002) (NCJ 199685).

The full report and Executive Summary are available from NCJRS (<http://www.ncjrs.org/pdffiles1/nij/grants/199685.pdf>). Prendergast and Hall are researchers at the University of California—Los Angeles Integrated Substance Abuse Programs, Criminal Justice Research Group. Wellisch is an independent consultant specializing in program evaluation and policy formulation.

- Quina, Kathryn, *Collaborative Development of Individual Discharge Planning for Incarcerated Women*, Final Report to NIJ, grant number 96-CE-VX-0012, December 2000 (NCJ 191202).

The full report is available from NCJRS (<http://www.ncjrs.org/pdffiles1/nij/grants/191202.pdf>) as is the Executive Summary (<http://www.ncjrs.org/pdffiles1/nij/grants/191195.pdf>). Quina is a professor of psychology and women's studies at the University of Rhode Island.

- Zlotnick, Caron, *Treatment of Incarcerated Women With Substance Abuse and Posttraumatic Stress Disorder*, Final Report to NIJ, grant number 99-WT-VX-0004, July 2002 (NCJ 195165).

The full report is available from NCJRS (<http://www.ncjrs.org/pdffiles1/nij/grants/195165.pdf>). Zlotnick is an associate professor in the Department of Psychiatry and Human Behavior at Brown Medical School.

in the program and be successfully discharged from KEY.

Gender-Appropriate Curriculum

The Criminal Justice Council contracted Beth Bonniwell Haslett of the University of Delaware to analyze the curriculum used in KEY and CREST and to assess the two programs. Haslett concluded that the programs

The women generally viewed the programs' strict rules as providing structure and instilling the idea that the world outside had rules that had to be followed.

WHAT IS A THERAPEUTIC COMMUNITY?

One type of treatment program that has gained prominence for treating drug addicts in prison is the therapeutic community model. Therapeutic communities in the prison environment are based on the concept that the addict must be removed from the general population and placed in a separate area in which the negative influences of prison are decreased in order to create an environment that allows for positive behavior change. In a therapeutic community model drug treatment program, drug addiction is often viewed as a symptom, rather than the cause, of dysfunctional behavior in the addict's life.

were gender appropriate, but made two main recommendations:

- The CREST program should be made single-sex, like the KEY program at Baylor. Haslett observed that when women clients were interrupted or challenged by men, they often fell silent, which tended to hinder the therapeutic process.
- KEY and CREST should reassess the hierarchy structures of the programs to be more therapeutic for women. The imposition of strict rules and harsh consequences for breaking those rules may provide needed structures for males in rehabilitation programs, but women do better in an environment where support and encouragement are emphasized.

What Participants Had to Say

When asked, program clients considered the programs gender appropriate overall, but many expressed a wish that the programs have more female-only encounter groups. They also thought there should be more programming to help addicts make peace with their families and maintain contact with their children. Although Haslett recommends that the programs be made single-sex, participants thought that the coed nature of the CREST program was a benefit, providing an opportunity to develop healthy and positive attitudes and behaviors toward the opposite sex. This view was shared by program directors.

A difference of opinion emerged concerning the confrontational aspects of the programs, in which participants can challenge each

other's behavior. Many women, citing histories of family violence, did not like the shouting and verbal sparring that often resulted from these parts of the programs. Some complained that there was more "tearing up" than "building up." Older women tended to be more uncomfortable with confrontation and felt "disrespected" when challenged by younger peers. Many thought more emphasis should be placed on bonding among participants and less on confrontation. (Program directors cited the potential for sexual activity and dependency as the reason that relationship building is limited and controlled in these programs.) The women generally viewed the programs' strict rules as providing structure and instilling the idea that the world outside had rules that had to be followed.

Most participants agreed that the programs offer an addict a way to "straighten up" and that, in the end, the addict has to want to change for the programs to work.

Forever Free

The Forever Free Program is a voluntary, intensive residential treatment program for women inmates with substance abuse problems at the California Institution for Women in Corona, California. The residential program is followed by voluntary community residential treatment during parole. Forever Free began as a 4-month program and has since returned to that duration; at the time of this evaluation, however, it was briefly extended into a 6-month program.

Forever Free stresses relapse prevention and approaches addiction as a disease. It

also teaches offenders to identify symptoms and develop unique skills and strategies for dealing with withdrawal.

Some sessions are devoted to issues especially important to women's recovery, including self-esteem, anger management, assertiveness training, healthy relationships, physical and psychological abuse, post-traumatic stress disorder, codependency, parenting, sex, and health.

The Evaluation

Women participating in the Forever Free Program were compared with women attending Life Plan for Recovery, an 8-week substance abuse education course. This group was chosen for comparison because participants had similar backgrounds and demographics and similar motivation for treatment (voluntary participation in substance abuse education). The women in both groups were about 35 years of age and averaged about 16 prior arrests and 8 prior incarcerations. Most had been incarcerated for a drug offense. In addition, they were poor, ethnically diverse, undereducated, and they worked in low paying jobs.

Effectiveness

The study demonstrates the effectiveness of the Forever Free Program for women offenders both in terms of their involvement in the criminal justice system and in other aspects of their postrelease lives (e.g., employment, relationships with children, and services needed and received). Women in both the treatment and comparison groups were followed up 1 year after release.

Criminal justice measures. Forever Free Program participants reported being rearrested and/or convicted at a significantly lower rate than participants in the comparison group (40 percent versus 60 percent).

Drug use. In contrast to the comparison group, a significantly lower percentage of Forever Free participants reported any drug use since release from custody (51 percent versus 77 percent).

Employment. Two-thirds of Forever Free participants were employed at the time of the followup interview compared to less than half of the comparison group. Participating in residential treatment during parole apparently improved all subjects' chances of being employed.

Psychological functioning. At the 1-year followup, Forever Free participants had significantly better psychological functioning than members of the comparison group.

Treatment motivation and treatment attendance. Postrelease interviews revealed that drugs were a greater problem for the comparison group than for the Forever Free participants. Members of the comparison group also had a greater desire for additional help than the treatment group. However, Forever Free participants felt that they had greater control over their drug-use behaviors.

Relationships with children. In contrast with the comparison group, a larger number of Forever Free women had custody of all of their children postincarceration (48 percent versus 28 percent). Twice as many Forever Free women rated themselves as doing well in their parenting than did members of the comparison group.

Services needed during parole. Women in the comparison group reported greater needs for services than the Forever Free group. These services included transportation, medical treatment, life skills training, and vocational training. The Forever Free group appeared much better able to obtain such services for themselves.

Postrelease Treatment

Another significant finding of the Forever Free study is the importance of treatment after release from custody. For example, women who attended community residential treatment were much more likely to be employed at followup. In light of this evidence, criminal justice system policymakers may consider encouraging community residential aftercare for women participating in prison-based treatment programs for drug abuse.

Forever Free stresses relapse prevention and approaches addiction as a disease. It also teaches offenders to identify symptoms and develop unique skills and strategies for dealing with withdrawal.

The goal is to help clients attain a sense of self-control that will avert dangers in their behavior (e.g., self-inflicted injury), in their relationships (e.g., the risk of HIV infection), and in their thinking (e.g., addiction-related cognitive distortions).

Benefits

This study demonstrates the effectiveness of the Forever Free Program for women. And while most therapeutic community treatment programs last 12 months, the Forever Free Program lasts only 4 months (although it lasted 6 months at the time of this study). The fact that the program was able to demonstrate its effectiveness in a shorter time period than most programs may indicate that other programs could replicate Forever Free's success rate by emulating its curriculum—and save valuable tax dollars in the process.

Seeking Safety

Some incarcerated women receive a dual diagnosis of substance use disorder and posttraumatic stress disorder (PTSD). PTSD can be recognized in women with extensive histories of interpersonal violence. PTSD can compound the effects of substance abuse and increase the chance of criminal recidivism.

Seeking Safety is a cognitive-behavioral treatment developed in 1992 by Lisa Najavits at Harvard Medical School/McLean Hospital. It is designed for people dealing with both substance use disorder and PTSD or other trauma-related symptoms. Seeking Safety is a flexible treatment that can be used for men and women, in group or individual therapy settings, in outpatient or residential treatment facilities. Sessions focus on developing skills designed to combat both substance addiction and PTSD. For example, distraction techniques can be

used to calm the triggers of both drug abuse and PTSD. The goal is to help clients attain a sense of self-control that will avert dangers in their behavior (e.g., self-inflicted injury), in their relationships (e.g., the risk of HIV infection), and in their thinking (e.g., addiction-related cognitive distortions).

The NIJ-funded study evaluated the initial impact of this approach in a group of women inmates in the Discovery Program, a substance abuse program at the Adult Correctional Institute in Rhode Island. There were two pilot studies. One pilot study involved six inmates who received Seeking Safety treatment. The other study involved participants who were randomly assigned either to a control group of 10 women who received treatment as usual or an experimental group of 12 women who received Seeking Safety treatment as an adjunct to treatment as usual.

Researchers conducted assessments pre-treatment, posttreatment during incarceration, and postrelease. Preliminary findings from the group of six women are promising. In particular, these women showed a significant improvement in PTSD symptoms at posttreatment as well as at 6 and 12 weeks postrelease. Three of the six women no longer met the criteria for PTSD 3 months after treatment—a significant finding given that most individuals who receive treatment for PTSD take, on average, 36 months to recover from this disorder.

However, the random assignment study finds no differences between the test and control groups on any of the indices of interest (including PTSD symptoms, drug use, and recidivism). Significant differences between the Seeking Safety treatment group and the treatment-as-usual group were likely difficult to detect due to the small size of the control group and an appreciable attrition rate (30 percent) within the group.

The finding that 33 percent of the women who received Seeking Safety treatment returned to prison 3 months postrelease and that women in the treatment group were more likely than members of the

control group to return to prison (50 percent versus 10 percent) may be explained by the fact that members of the treatment group had a greater severity of drug use than did members of the control group prior to entering prison, putting the treatment group at greater risk for recidivism. These findings also indicate that women who received Seeking Safety treatment may not have successfully transferred skills learned in the program once they left incarceration and reentered the community. Further investigation is needed to determine whether an extension of the Seeking Safety treatment to the postrelease period might improve on the treatment program's effectiveness in reducing recidivism.

The Rhode Island Programs

Another study on the appropriateness of rehabilitation programs for female inmates examined discharge planning offered by the Rhode Island Department of Corrections (RIDOC). RIDOC offers female inmates programs addressing substance abuse, education and job training, life skills training, and emotional and mental health.

The study finds that the programs at RIDOC appear to be successfully matched to the needs of the steadily increasing population of female inmates. Programs are staffed by culturally diverse female role models who participate in both staff and mentoring programs. The programs offer drug treatment and multidimensional strategies for decision-making and skill-building, which are generally recognized as beneficial to women inmates. The programs are well received and well attended—most women inmates (more than 70 percent) participate in at least one type of program.

Overall, the results of the evaluation demonstrate that the RIDOC programs produce some positive changes in incarcerated women, such as increased confidence in life skills and reduced substance use. Women who received counseling in both areas were the most likely to believe they could get and keep a job and avoid subse-

quent substance abuse problems. However, none of the programs was able to reduce recidivism. Problems encountered by the women after release—such as an abusive partner—can overwhelm changes made prior to release. More than one-third of the women left prison with no job, no formal job training, no source of income, and less than a high school education, placing them at a further disadvantage. Moreover, many women who were recidivists were generally ill-equipped to deal with the routine stresses of daily life in the community and required strong social support upon release from prison. Supervised transition settings safe from violent partners, with opportunities to practice skills learned in prison, may be appropriate.

Recognizing the Need for a Different Approach

Though the various treatment programs discussed in this article differ in their details and approaches, all share the premise that the needs of women inmates differ in many respects—physically, emotionally, psychologically, and socially—from those of their male counterparts. The implementation of rehabilitation programs specifically designed with those differences in mind can effectively address the needs of female inmates and identify factors which may impede their ability to succeed postrelease.

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Notes

1. Bloom, Barbara, Barbara Owen, and Stephanie Covington, *Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders*, Washington, DC: U.S. Department of Justice, National Institute of Corrections, June 2003, available at <http://www.nicic.org/pubs/2003/018017.pdf>.



The Voice Response Translator: A Valuable Police Tool

by Mark P. Cohen

About the Author

Mark P. Cohen is a lawyer, editor, TV producer, and filmmaker. This article is adapted in part from “Voice Response Translator (VRT): Support for Prototype Development and Results of Initial Field Testing,” prepared by Naval Air Systems Command Training Systems Division—Orlando. The report is available at <http://www.ncjrs.org/pdffiles1/nij/grants/205570.pdf>.

An Oakland, California, police officer pulls over a motorist for speeding. The officer approaches and asks for the driver’s license and registration. The confused, frightened motorist shakes his head and begins speaking rapidly in Spanish.

A West Palm Beach, Florida, officer receives an anonymous phone tip about a domestic disturbance. The deputy arrives to find no assailant but a badly battered woman and infant. When he asks what happened, the woman responds in Haitian Creole.

Non-English speakers are nothing new to America. But as the number of foreign-born residents in the United States has steadily risen in the past decade, so has the number of people who are not fluent in English. Census data from 2000 showed that one in five U.S. residents speaks a foreign language at home. Only a little more than half of these people (55 percent) also reported speaking English “very well.”¹

This poses a dilemma for law enforcement. Increasingly, American policing requires interaction with speakers of not only Spanish, but Arabic, Hindi, Russian, Swahili, Tagalog, and Vietnamese. It simply is not possible in an emergency for police to wait for an interpreter to assist by phone much less arrive on the scene. As the number of foreign language speakers grows, law enforcement must find cost-effective means to communicate with these residents.

In December 1993, an NIJ advisory council identified instant language translation as an immediate law enforcement technology priority. In this high-tech age, the council reasoned, there must be an economical, technological means to assist officers in communicating with non-English speakers.

Eventually, NIJ identified and tested four devices with the potential to fulfill law enforcement needs. NIJ asked the Naval Air Systems Command (NAVAIR) Training Systems Division in Orlando, Florida, to perform testing on the Voice Response Translator (VRT) from Integrated Wave Technologies (IWT), Inc., the Phraselator from Marine Acoustics, Inc., Ectaco, Inc.'s, Universal Translator, and a Hewlett Packard iPAQ personal digital assistant. (The testing was conducted in 2002 on the most current models of each device available at that time—modifications have been made to each of these devices since then.)

Comparisons of the four units found remarkable similarity, with the largest differences being 1) ruggedness, 2) quality of speakers and microphones, and 3) voice activation for hands free operations. In the comparison, the VRT scored as the top choice for law enforcement use.

Voice-Activated Language Tool for Law Enforcement

The VRT is a one-way translator that allows users to instantly communicate with non-English speakers. Each VRT unit is “trained” by an individual to recognize that person’s short, voice-activated commands (called “trigger phrases”) in English. The English phrase is associated with a computerized audio file of a complete, foreign-language sentence recorded by a fluent speaker of that language. In less than a second, the VRT repeats the command in the desired language. The device can be equipped with either a headset or an adjustable gooseneck microphone and has a bullhorn jack. It can be kept in an officer’s shirt pocket or mounted on a citation book.

Increasingly, American policing requires interaction with speakers of not only Spanish, but Arabic, Hindi, Russian, Swahili, Tagalog, and Vietnamese. It simply is not possible in an emergency for police to wait for an interpreter to assist by phone much less arrive on the scene.

In the examples above, the Oakland officer who pulled over the Spanish-speaking motorist might say the trigger phrase, “Too fast.” The VRT would instantly repeat the phrase in English for verification, and then issue the appropriate full sentence in Spanish. Or the West Palm Beach officer might say, “You in pain?” and the VRT will ask the query in Haitian Creole. The VRT is programmed specifically for such common policing matters as traffic stops, domestic problems, lost children, and medical emergencies.

VRT prototypes have been used by a number of law enforcement agencies, including police departments in Oakland, West Palm Beach, and Nashville, Tennessee. Nashville Police Captain Ken Pence told National Public Radio that the VRT was a welcome innovation in his city, where police encounter some 20 languages on a daily basis.

Building the Prototype

The VRT employs sound analysis technology developed for military and covert operations by the former Soviet Union. When the USSR collapsed, IWT bought the rights to the Soviet research, which formed the basis for the original, desktop version of the VRT. This version, which was intended solely to demonstrate the technology to NIJ, could translate only 25 phrases.

NIJ asked IWT to come back with a device that was readily portable as well as “eyes free and hands free,” a policing necessity in emergencies. The result was the first generation of the VRT. It measured about 6 inches by 6 inches by 4 inches.



A voice response translator manufactured by Integrated Wave Technologies, Inc.

This version was tested by the Oakland Police Department. The field test showed that the unit had promise but that it was still too bulky to fit comfortably in an officer's pocket and, more importantly, it did not consistently recognize officers' voice commands.

So IWT developed its second generation unit. That device was still too big and did not perform adequately in high noise situations.

Navy Joins Testing of Device

In addition to testing prototypes at various law enforcement agencies, NIJ sent the VRT for independent analysis by the U.S. Navy, specifically, NAVAIR. (See "VRT and the U.S. Military.")

Navy civilian psychologists, voice technology engineers, and instructional systems designers conducted two studies of the VRT, one in the lab and the other in the field. NAVAIR tested several generations of the VRT, including IWT's third generation device, which was the smallest yet. The laboratory test, which was conducted in a sound studio, determined that the unit's microphone did not perform as well as off-the-shelf models. NAVAIR swapped the microphone for the field tests.

Test Results

The NAVAIR study found that many officers needed less than one day to become comfortable with the VRT and that the unit performed properly in all programmed languages. According to NAVAIR's Dee Sheppe, the field test found that the VRT "is easy for people to learn how to use. It offers a quick solution that can help an officer on the street when he doesn't have a lot of resources. The small size is an advantage."

The results of the field test were summarized in a December 2003 report. Twenty-seven VRT units were distributed to law enforcement officers for a 3-week period. The VRT was employed most frequently in traffic stops. Spanish was the most frequently used language.

Overall, half of the officers found the VRT to be useful and user friendly and reported that the device enabled them to handle many situations that otherwise would have required a translator. However, the other half of the officers surveyed reported difficulty in operating the VRT and opted not to use it.

NAVAIR attributed dissatisfaction with the device partly to the fact that some officers are simply slow to adapt to new technology. Thomas Franz, the NAVAIR psychologist who led the field test, was not surprised to find a split decision on the VRT. "If you talk to police officers, there's a given percentage who won't use pepper spray. And there are other cops who swear by it. So there's choice there by the individual officer. I get frustrated because people say [the VRT] doesn't work for everybody. It's a tool: some people will like it and some people will not."

VRT AND THE U.S. MILITARY

With its large research and development budget, the Defense Department has overseen the development of numerous technological innovations. In fact, law enforcement often adapts technologies from the military.

The VRT is an exception: NIJ shepherded its development and the military adapted it for use in Iraq and elsewhere, even though the Pentagon had been underwriting development of a similar technology by a different vendor.

In the Naval Air Systems Command's (NAVAIR's) comparison of the VRT, the Defense Department device, and another similar device, the VRT was NAVAIR's choice. "The shortcomings of the VRT (lack of volume control, lack of an auto-off feature, and lack of a PC link) could be easily overcome with a specification for these features included in the production/manufacturing requirements," the report concluded.

The NIJ-NAVAIR collaboration introduced the VRT to the Navy and Coast Guard. NAVAIR funded nautical versions of the instruction booklet and command cards,

and NIJ authorized the use of four translators by the Navy. Programmed with more than 200 commands organized into nine events, the nautically trained VRT was tested on three Navy ships.

The Coast Guard, which frequently encounters foreign speakers in boardings at sea, has purchased some 70 VRT units. The devices were deployed to the Persian Gulf during the Iraq war to warn foreign vessels away from oil rigs.

Likewise, IWT has developed a 34-page "Operating Instructions and Phrase List" for use of the VRT by the Marines. The Marine Corps has purchased 50 units and plans to buy more. Marines who used the VRT in Iraq have suggested the addition of numerous phrases, which have been translated into Iraqi Arabic by the Defense Language Institute and incorporated into the VRT commands.

In 2003, the U.S. Special Operations Command, which coordinates all the military special forces, witnessed a VRT demonstration, liked what it saw, and purchased 100 devices for use in Iraq.

According to NAVAIR's Dee Sheppe, the field test found that the VRT "is easy for people to learn how to use. It offers a quick solution that can help an officer on the street when he doesn't have a lot of resources."

Some of the officers in the test may have been disappointed because they expected the device to work as a two-way translator. The VRT does not translate what a civilian says back to an officer. It can, however, prompt an individual to nod his or her head "yes" or "no," show identification, or direct him or her to write down an answer.

Features of the Device

The VRT can be programmed to translate into any language. And once programmed, an officer can switch among languages by voice command.

The VRT is speaker dependent, so it only works for the particular officer or officers who "trained" it. However, a single device can be trained to recognize the commands of eight different officers.

Technology Has Limitations

The technology measures "peaks"—highs and lows—in an officer's speech pattern. The precise phrases spoken into it initially are what it will look for in the future. So if an officer's inflection or voice pattern is altered by a stressful encounter, the VRT might fail. And some officers find it difficult to say the same thing twice with the same inflection.

An example of a problem that occurred in testing involved a generally soft-spoken motorcycle cop. When asked to role-play a traffic stop, the officer unknowingly assumed a more hard-edged "Robocop" voice. Not surprisingly, this officer was unable to get the device to work at all.

The VRT might also falter when used by an officer with a distinctive ethnic accent.

Thus far, the VRT appears to work in every police situation for which it was designed, from arrests to returning lost children to their homes. As the device becomes more readily available, the list of situations in which it can prove useful is likely to continue to grow.

During testing, a native Hebrew speaker was unable to operate the device using English commands (but the same officer had no problem recording trigger phrases in Hebrew).

Officers also reported that the microphone frequently failed to pick up their voices. The microphone has to be positioned precisely for the unit to work correctly.

Although the VRT generally performed well in noisy environments, it had trouble recognizing commands that began with what linguists term “voiceless speech” sounds, i.e., soft sounds formed without use of the vocal cords. (These include Ch, F, H, K, P, S, Sh, T, Th, and Wh.) Voiceless speech sounds were especially a problem for officers with a sore throat or chest or head cold.

The fix is to alter the trigger phrases so they begin with hard sounds that cause the vocal cords to vibrate. Whereas “P” alone does not work at the start of a command, the blend of “PI” does. Similarly, rather than train their devices to translate “Hello,” the officers are instructed to change the trigger word to “Greetings.”

Making a Better VRT

A number of officers who used the VRT in the field test reported forgetting the precise trigger phrases necessary to operate the unit. This was especially a problem for phrases used in less frequently encountered policing situations. To address this limitation, officers carry color-coded Command Cards

that break trigger phrases into four categories: Black for an event; Blue for paperwork, such as “Car Registration”; Green for conversations; and Red for emergencies. The Command Cards list key phrases within a category sequentially. For example, traffic stop commands begin with “Turn off engine,” “Step out of the vehicle,” “May I have your driver’s license, please,” and so on.

The most frequently mentioned improvement sought by the officers was to include a volume switch. They also noted shortcomings in commands for dealing with certain common situations and suggested the following additions: “Driving under influence,” “Please write date of birth,” the *Miranda* rights, and “Permission weapons search.” Officers also asked for additional phrases related to possible driving under influence encounters.

The NAVAIR report recommended the creation of an instructional video on how to use the device, noting that officers generally did not use the written instructions regarding vocal volume levels or how to hold the device. Another possible improvement would be to incorporate software in the VRT that would enable users to readily add or modify trigger phrases. Currently, the device comes loaded with trigger phrases and changing them requires special training.

Commercialization and Cost

IWT president Tim McCune puts his company’s investment in the VRT at about \$3 million over the last 10 years; NIJ’s Office of Science and Technology contributed another \$1 million. McCune believes the VRT is nearly ready to move from the prototype stage to commercialization. He anticipates that each VRT package will sell for \$3,000. That includes the translator, language modules, megaphone, cables, chargers, training materials, and documentation. However, the price will probably have to fall to around \$1,000 before it is widely procured by domestic law enforcement agencies.

There are numerous other potential markets for the VRT—corrections officers, customs and immigration officials, persons disabled with ailments like cerebral palsy, school personnel—that could expedite commercialization and drive down per-unit costs for law enforcement.

Thus far, the VRT appears to work in every police situation for which it was designed, from arrests to returning lost children to their homes. As the device becomes more readily available, the list of situations in which it can prove useful is likely to continue to grow.

The Next Generation

NCJ 208704

A fourth generation VRT is now in use by a police department in Kentucky. This latest version is 3 inches wide and 5 inches high. Although it consumes less battery power than its predecessors, it has the capacity to store 125 languages and 125,000 trigger phrases (although IWT does not anticipate law enforcement needs to exceed 500 phrases).

The VRT has proven its utility to law enforcement, but NIJ is also aware of its limitations. It is primarily being used, at least initially, for everyday patrolling, including pullovers, driver's license and registration checks, and other relatively low-stress engagements.

For More Information

- Contact Stanley Erickson, Chief of the Research and Technology Development Division, Office of Science and Technology, NIJ, 810 7th Street, N.W., Washington, DC 20531, askost@usdoj.gov.

Notes

1. "Language Use and English-Speaking Ability," *Census 2000 Brief*, U.S. Census Bureau, October 2003. Available online at <http://www.census.gov/prod/2003pubs/c2kbr-29.pdf>.

8th Annual International Crime Mapping Research Conference

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The 8th Annual Crime Mapping Research Conference is organized by NIJ's MAPS program with support from the National Law Enforcement Corrections and Technology Center (NLECTC)—Rocky Mountain and NLECTC—Southeast.

For More Information:

<http://www.ojp.usdoj.gov/nij/maps/savannah2005>



Telemarketing Predators: Finally, We've Got Their Number

Editor's Note

This article is adapted from *Origins, Pursuits, and Careers of Telemarketing Predators*, by Neal Shover and Glenn S. Coffey, Final Report to NIJ, grant number 00-IJ-CX-0028, October 24, 2002 (NCJ 197061), available at <http://www.ncjrs.org/pdffiles1/nij/grants/197061.pdf>. Neal Shover is a professor of sociology at the University of Tennessee–Knoxville. Glenn S. Coffey is an assistant professor of criminal justice at the University of North Florida.

Telemarketing fraud costs U.S. consumers some \$40 billion annually. Millions are victimized,¹ and the financial blow can be devastating. More than half the targets of telemarketing fraud are people aged 50 years or older.² Who are the perpetrators of telemarketing fraud and how can law enforcement stop them?

To find out, researchers interviewed 47 telemarketing offenders convicted of Federal crimes. The group included 22 owners, 8 managers, and 17 sales agents; on average, they had been in telemarketing for 8 years. The researchers also reviewed the offenders' pre-sentence investigation reports to validate the information they gave and to paint a more complete picture of the offenders' lives.

Telemarketing Organization and Routine

Some fraudulent telemarketing organizations consist of only two or three persons who operate in a community for only a few days or weeks before moving on. These "rip and tear" operators, as they are called, depend on the months-long lapse between the time they begin operating and the time law enforcement agencies become aware of and target them. Somewhat larger enterprises, called "boiler rooms," feature extensive telephone banks and large numbers of sales agents. These operations have become less common in recent years, largely because of the law enforcement interest they attract.

Larger telemarketing operations commonly take on the characteristics of formal organizations, with hierarchies, a division of labor, graduated pay, and advancement opportunities.

Fraudulent firms employ sales agents who work from "lead," or "mooch," lists purchased from any of dozens of businesses that compile and sell information on consumer

behavior and preferences. The sales agent generally works from a script that lays out successful sales approaches and responses. Promising contacts are turned over to a “closer,” a more experienced and better-paid sales agent. The hierarchy of the firms and the routine of turning prospects over to more experienced closers explain why victims typically report contact with multiple salespersons.

Characteristics of Typical Telemarketing Predators

Almost all of the offenders interviewed for this study described their parents as conventional and hard working; their family financial circumstances were secure if not comfortable. As with most white-collar offenders, there were no early precursors of trouble in their life histories.

For the most part, the offenders who were interviewed had unremarkable educational careers. When asked how they differed from their siblings or peers, many reported they were aware of an interest in money from an early age. They generally sought ways of earning a good income that did not require hard work and subordination to others. One subject said: “I’ve never been a firm believer [that] you’ve got to work for a company for 30 years and get a retirement, like my dad thinks. I’m all about going out [and] making that million and doing it...very easily. And there are a lot of ways to do it.”

As is typical for other white-collar offenders, the age at which telemarketing predators begin their criminal activity is noticeably higher than for street criminals. Of the 47 subjects in the study, 13 had criminal records—7 for minor offenses (e.g., petty theft and possession of marijuana) and 6 for felonies. Of those with felony records, three were convicted previously of telemarketing offenses. Overall, this level of prior criminality is lower than that of other white-collar criminals. Still, the data show persuasively that some of the subjects appeared to have recurrent trouble with the law as adults.

The class origins of these contemporary criminals are more advantaged than the professional thieves of yesterday, but to a great extent they live their lives in similar fashion.

They spend their earnings on drugs, gambling, fast living, and conspicuous consumption. Nevertheless, wielding class-based presumptions of respectability, they also spend their weekends on the lake, play golf, and have friends over for a barbecue.

The Attractions of the Lifestyle

Overwhelmingly, the subjects said that they got into and persisted at telemarketing for “the money.” Only one reported earning less than \$1,000 weekly, and most said their annual earnings were in the range of \$100,000 to \$250,000. Five said that their annual earnings exceeded \$1 million. The fact that they could make money quickly and do so without incurring restrictive responsibilities added to the attractiveness of the work. They found the flexible hours, short work days, and the actual work appealing because it required neither extensive training nor advanced education.

Asked what he “liked about telemarketing,” one subject’s reply was typical: “Well, obviously, it was the money, and it gave me a career.” Some had previous sales experience before beginning the work, but most did not. Their introduction to telemarketing was both fortuitous and fateful—they either responded to ads in the newspaper or were recruited by acquaintances who boasted about the money they were making. Many were foundering on conventional paths, and telemarketing was a godsend. It came along at a time when they needed to show that they could make something of themselves.

Characteristically, these men and women believed they were outstanding salespersons; they were supremely confident in their ability to sell over the telephone despite resistance from those they contacted. Doing so successfully was a high:

I sold [to] the first person I ever talked to on the phone. And it was just like that first shot of heroin, you know...it was amazing. It was like, “I can’t believe I just did this!” It was incredible. It was never about the money after that...It was about the competition, you know. I wanted to be the best salesman, and I wanted to make the most money that day. And then it became just the sale....

“Most of us are always pursuing more money. We were raised that way...”

— a convicted telemarketing offender

Basically, we set our own hours. It was freedom. The money was fantastic... I had an alcohol problem and had to support a drug habit...with the kind of money we were making [it] seems to go hand in hand."

—a convicted telemarketing offender

Gambling and ostentatious living were commonplace for the offenders in the study. One said that he "would go out to the casinos and drop thousands of dollars a night. That was nothing—to go spend five grand, you know, every weekend. And wake up broke!" But as they aged, offenders had to change their lifestyle somewhat. For older and more experienced criminal telemarketers, the lifestyle centered on home and family and impressing others with signs of their apparent success.

Predators Deny Their Crime

Most of the offenders in the study rejected the labels "criminal" and "crime" as fitting descriptions of them and their activities. They acknowledged culpability grudgingly and employed a range of mitigating explanations and excuses for their offenses. Claims of ignorance figured in a high proportion of them. Some former business owners, for example, said that they set out to maintain a legitimate operation, emulated the operations of their previous employers, and assumed, therefore, that their activities violated no laws. Several said they relied on the advice of attorneys. Others said they were guilty only of expanding their business so rapidly that they could not oversee day-to-day operations adequately. Some said that indulgence in alcohol and illicit drugs caused them to become neglectful of the practices of their business. Most claimed the allure of money caused them to "look the other way."

Both the hierarchy of authority and the division of labor in telemarketing organizations facilitate denial of crime. Sales agents claimed their owners and managers kept them in the dark about the business and its criminal nature. Others felt insulated from responsibility as long as they weren't an owner. Owners and managers were prone to blame rogue sales agents for any fraudulent or deceptive activities.

Telemarketing criminals selectively seize upon aspects of their victims' behavior and point to these as justifications or excuses for their crimes. A recurrent theme is: "I wasn't victimizing customers. I was engaging in a routine sales transaction, no different than a retail establishment selling a shirt that is

marked up 1,000 percent." Even those who admitted their criminal wrongdoing held to this notion. They distinguish their offenses from "common" street crimes:

You don't actually think of it as a crime while you're doing it, because it just happens so easily. It's not like you're putting a gun to somebody, it's not like you're robbing poor people...all you do a lot of the time is just make up or tell stories.

Most of the subjects interviewed for this study said that police attention came as a complete surprise. Nevertheless, several said that when they became aware that their activities were under investigation they were unable or unwilling to terminate them. One likened it to the behavior of drug addicts:

I knew that there's probably a problem out here, but not a big enough problem to stop making the money we were making. So one time the local police came and raided us. They took all of our stuff and everything. [But they] left our database, our leads.... It was the equivalent of leaving a pile of drugs in the corner for a drug addict. Sure, we're gonna take it. You know we're gonna take it.

Most subjects attributed their arrest and prosecution to out-of-control or politically ambitious prosecutors, and they generally believed their punishment was both unwarranted and excessive. They claimed the entire problem more appropriately was a "civil matter" and "should not be in criminal court." Despite the money they made as telemarketers, when arrested few of them had significant fiscal resources.

What Can Be Done to Quell Telemarketing Fraud

Investigating telemarketing fraud can be expensive and time consuming because the fraud can be complex and victims are usually located in multiple jurisdictions. Both cooperative efforts by State and Federal law enforcement and proactive enforcement strategies are required.

Larger criminal telemarketing organizations are giving way to smaller, less permanent operations and are increasingly being oper-

ated from offshore and cross-border locations, thus requiring cooperation across national borders. The Royal Canadian Mounted Police and U.S. law enforcement agencies, for example, are working together to identify, apprehend, and prosecute criminal telemarketers. Joint efforts and task forces have operated in several U.S. cities as offenders have moved their bases of operation to stay ahead of police and prosecutors.

Educational campaigns. Plans for reducing the financial and psychological toll exacted by telemarketing fraud typically feature educational campaigns, calls for increased vigilance by potential victims, and efforts to make it more difficult for offenders to make telephone contact with potential victims (as, for example, through the national "Do Not Call" list). The fact that elderly citizens are among the most common victims of telemarketers has shaped many of these policy responses.

Many proposals for enhanced oversight of telemarketing amount to an admonition to potential victims to "just say no." Advice of this sort ignores the reasons that victims become ensnared in these transactions. A majority do so because fraudulent telemarketers have perfected stratagems that overcome victims' initial resistance, prey on their psychological issues, and induce victims to make purchases. If potential victims were made more aware of these ploys, perhaps they would be better able to distinguish between legitimate and criminal pitches.

Clearer State regulations and licenses. One proposal for controlling criminal telemarketing would require States to develop clearer and more comprehensive regulations about sales transactions, which are often ambiguous and subject to interpretation. Interviews with offenders revealed that they believed they were not conducting anything different from ordinary business.

Another proposal calls for States to tighten their business license requirements as a way of driving the criminal element out of telemarketing. This may prove difficult to do, however, since inevitably it will be argued that the measures are too costly and harm legitimate businesses. The profits from telemarketing fraud probably exceed the costs of new restrictions, and the fraudsters might forego

the regulatory process altogether. A more appropriate measure might be to pass on to the telemarketing industry some of the responsibility and costs for oversight. Proposals to do so might provide the impetus to move the industry and its trade associations to a more proactive stance on controlling fraudulent telemarketing.

Tougher penalties. Sentences imposed on telemarketing fraudsters have been substantial, but the deterrent effect of this remains unclear. Criminal telemarketers interviewed were undeterred by the threat of criminal penalties.

Speedier law enforcement. In the meantime, more effective prosecution of telemarketing fraud is needed. The present method of enforcement requires long periods of surveillance followed by an even longer period of review before legal action is taken. Safeguards are needed to seize the assets of fraudulent operations quickly and efficiently. States might consider appointing a receivership to monitor an operation's financial activities during the ongoing investigative process. This practice has the potential to mitigate the damages of telemarketing fraud while additional policy measures are explored.

In the final analysis, the extent to which telemarketing crime can be reduced by crime-control programs may be limited. Unlike with most victims of street crime, actions by victims of criminal telemarketers contribute to the successful completion of the acts that victimize them. The crimes are difficult to investigate and prosecute. And the potential for enormous profits in telemarketing fraud is a powerful incentive for offenders to continue to engage in this illegal activity.

NCJ 208705

Notes

1. Federal Bureau of Investigation's Economic Crimes Unit Web site, "About the Economic Crimes Unit," http://www.fbi.gov/hq/cid/fc/ec/about/about_tm.htm. Retrieved from the World Wide Web on September 30, 2004.
2. AARP Foundation, *Off the Hook: Reducing Participation in Telemarketing Fraud*, Washington, DC: U.S. Department of Justice, Office of Justice Programs, 2003. Available online at http://research.aarp.org/consume/d17812_fraud.pdf.



Truth in Sentencing and State Sentencing Practices

by Katherine J. Rosich and Kamala Mallik Kane

This article is based on *Influences of Truth-in-Sentencing Reforms on Changes in States' Sentencing Practices and Prison Populations*, by William J. Sabol (Principal Investigator), Katherine J. Rosich, Kamala Mallik Kane, David Kirk, and Glenn Dubin, The Urban Institute, Justice Policy Center. This project was funded by NIJ grant number 98-CE-VX-0006. The full report (NCJ 195161) and Executive Summary (NCJ 195163) are both available from NCJRS.

Starting in the late 1980's, States enacted various reforms to increase punishments for violent offenders and ensure greater certainty in sentencing, including mandatory minimum sentences and truth in sentencing (TIS).

TIS refers to practices designed to reduce the apparent disparity between court-imposed sentences and the time offenders actually serve in prison.

Federal legislation passed in 1994 as part of the Violent Crime Control and Law Enforcement Act ("the Crime Act") and

amended in 1996 aimed to promote reform by providing States with grants to expand their prison capacity if they imposed TIS requirements on violent offenders. The Federal TIS Incentive Grant Program was based on a so-called 85-percent rule, meaning that States were to have or pass laws requiring serious violent offenders to serve at least 85 percent of their imposed sentences in prison.¹ Several grant eligibility criteria were established, allowing States with diverse sentencing structures to qualify, including those with determinate or indeterminate sentencing and those with parole release.

An Urban Institute study sponsored by NIJ examined the effects of this Federal TIS legislation on State TIS reforms and of selected State TIS policies on prison populations. The study focused on two questions:

- Did States incorporate TIS into their laws and, if so, to what extent did the Federal

TIS Incentive Grant Program influence reforms?

Although many States had enacted TIS laws, the study concluded there was limited Federal influence on State TIS policies. State reforms typically pre-dated the Federal legislation or were incremental adjustments to existing practices.

- Did State TIS practices lead to changes in prison populations?

The study found that State TIS practices generally increased the expected length of time to be served, but these increases were rarely the main contributor to increases in prison populations. Changes in crime rates, arrests, and prison admissions were often more influential.

Effects of the Federal TIS Incentive Grant Program on State Reforms

The Federal TIS Incentive Grant Program was implemented during a time when many States were already reforming their sentencing structures, approaches, and practices. State TIS reforms varied widely—for example, the percentage of sentence to be served differed and could be applied to either the minimum or maximum term—and many pre-dated the enactment of the Federal grant program. By the end of the 1990's, regardless of whether they received Federal TIS grants, most States (41, plus the District of Columbia) had implemented some form of TIS activity: 28 States and the District of Columbia had met the eligibility criteria for Federal funding and received grants, while 13 States that had a form of TIS activity did not receive Federal TIS grants. Having systematically reviewed all 50 States' sentencing reform activities before and after the enactment of the Federal TIS Incentive Grant Program in 1994, the researchers concluded that the Federal program, at best, modestly influenced State TIS reforms.

Overall, Federal TIS grants were associated with relatively few State TIS reforms. There was relatively little reform activity after the 1994 enactment of the Federal TIS

grant program, as many States had already adopted some form of TIS by that time. A comparison of States' TIS provisions before and after 1994 found that:

- Most States (30) made no further changes to their TIS laws (including nine States that remained without any TIS laws).
- Seven States made slight changes to the percentage of sentence to be served by violent offenders (for example, from 75 to 85 percent).
- Four States and the District of Columbia increased the percentage of sentence to be served and eliminated parole release for violent offenders.
- Nine States that had no TIS laws before 1994 passed sentencing reforms that included TIS provisions.

Of the 21 States that enacted reforms after 1994, some pursued Federal TIS grant funding and some did not. Analysis of the reform process and reports from State officials revealed that Federal TIS grant funding was a consideration in some but not all of the States that made incremental changes to increase the severity of existing TIS requirements. However, Federal TIS grant funding was rarely the impetus behind major reforms. In the nine States that introduced TIS provisions, the reform process typically began before 1994 and, in all but one, State officials cited it as a minor consideration relative to other goals.

The analysis of reforms in just those jurisdictions that received Federal TIS grants (28 States and the District of Columbia) revealed a similar pattern of limited Federal influence. Nearly half of the States (13) were funded on the basis of preexisting TIS practices. Although Federal TIS grant funding was often cited as influential in the nine States that made incremental changes to their existing TIS laws, among the seven jurisdictions (six States and the District of Columbia) that undertook major reforms, it was reported as a significant consideration in the reform process by only one State.

ABOUT THE STUDY—LEGISLATIVE EFFECTS

The effects of the Federal TIS Incentive Grant Program on State laws were evaluated through an analysis of the Federal legislation along with a systematic examination of the timing and nature of relevant State legislation. Interviews with State and Federal officials were also conducted, and the existing literature was reviewed.

Furthermore, among States that received Federal TIS funding, the average annual grant award of \$7.9 million was relatively modest, equivalent to an average of 1 percent of the States’ annual corrections expenditures.

Effects of State TIS Practices on Prison Populations

The study also examined the effects of the various TIS reforms implemented in the States during the early- to mid-1990’s on their prison populations. A quantitative analysis of population, crime, arrest, and corrections data from seven States focused on whether State TIS reforms led to changes in punishments for violent offenders and, subsequently, to increases in prison populations.

On the question of whether punishments for serious violent offenders increased, the study found that the probability of a prison admission given arrest for serious violent offenses did not necessarily increase. The use of imprisonment increased in four States, but decreased in the other three. However, the severity of punishment—as measured by the expected length of stay²—for those serious violent offenders who were sent to prison increased in all five States that implemented reforms during the study period. Conversely, in the two States that did not implement TIS reforms during the study period, serious violent offenders’ expected length of stay decreased by 2 months.

Prison admissions and expected prison populations (the prison population expected from prison admissions and expected length of stay) increased in most of the States studied. Expected prison populations, for example, increased in six of the seven

States. Some of these changes were influenced by the States’ TIS reforms, but the study found that sentencing decisions (i.e., the decision to imprison and expected length of stay) were only one factor affecting prison populations: changes in a State’s population, crime rates, and arrests were also important. Although States that implemented reforms during the study period could expect longer lengths of stay to contribute to increases in expected prison populations, this change was rarely the main factor behind higher prison populations. In three States, increases in arrests contributed the most to growth in expected prison populations. In another three States, greater prison populations were largely due to increases in their prison admission rates. Only one State’s prison population increase arose primarily from increased expected length of stay.

The study also examined whether States’ TIS reforms influenced changes in the concentration of serious violent offenders in prison. Although the number of serious violent offenders admitted to prison increased in four of the seven States studied, their share of total admissions rose in only three States. Property and drug offense admissions outpaced a rise in violent admissions in the remaining States. Taking into account the expected length of stay for these offenses, which often increased as well, serious violent offenders’ share of the expected prison population increased in only two States, stayed about the same in three States, and decreased in the remaining two States.

The study concluded that State TIS reforms did not uniformly account for changes in prison populations. An analysis of the empirical changes in prison populations relative to the patterns of sentencing reform led to several conclusions about the preliminary effects of TIS in the seven States studied:

- When implemented as part of a larger reform, TIS was associated with large changes in prison admissions and expected populations. However, the changes were more appropriately associated with broader sentencing reforms than with TIS in particular. Although TIS contributed to increases in the expected

length of stay, prison population changes were driven by differentials in the probability of prison admission for violent and nonviolent offenses.

- Violent prison admissions were sometimes outpaced by admissions for property and drug offenses. Only two of the States studied could expect violent offenders to comprise a greater share of their prison populations in the postreform period. In these two, sentencing reforms other than TIS emphasized incarceration for violent offenses while simultaneously encouraging alternate sanctions for other offenses.
- In States that made moderate or incremental reforms to their TIS provisions, sentencing decisions influenced prison populations, but their effects varied. In two States, increases in the prison admission rate had a greater effect on prison population than did changes in the expected length of stay. The reverse was true in another State, where changes in expected length of stay contributed more to prison population growth than did changes in prison admissions.
- In States where TIS did not represent a change from previous practice, changes in the volume and composition of prison populations were more strongly influenced by presentencing factors (such as crime and arrest rates) than by sentencing decisions.

NCJ 208706

For More Information

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ABOUT THE STUDY—POPULATION EFFECTS

The effects of State TIS policies on prison populations were examined through a quantitative analysis of State populations, crimes, arrests, prison admissions, and sentence lengths in seven States: Georgia, Illinois, New Jersey, Ohio, Pennsylvania, Utah, and Washington.

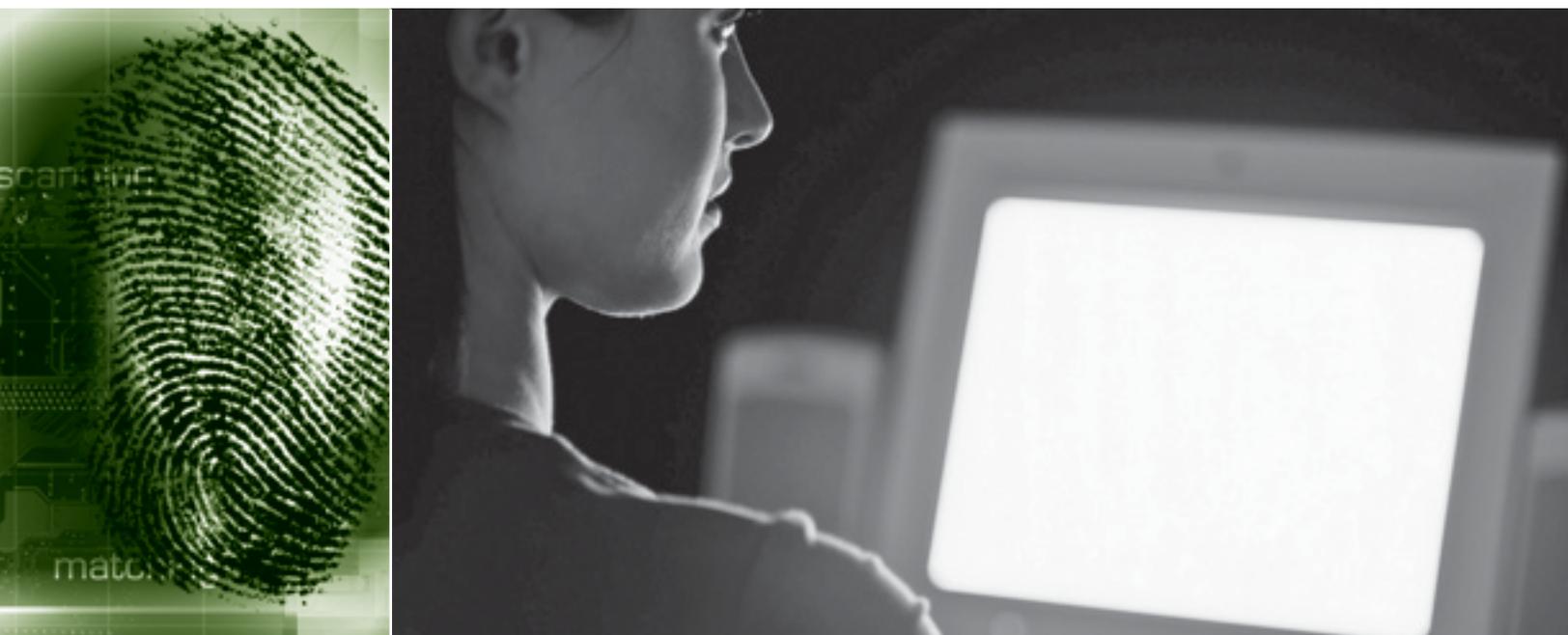
The study used a comparative case study methodology to analyze changes in three outcomes: prison admissions, expected length of stay, and the resulting expected prison populations. Outcomes from a prereform period (1990 or 1991) were compared to outcomes in the postreform period (1996 or 1998). Statistical decomposition methods were used to determine the extent to which differences in expected prison populations were influenced by sentencing reforms. State outcomes were compared to identify possible commonalities in patterns of change.

The seven States were chosen to reflect different models of sentencing and degrees of sentencing reform. Because truth in sentencing is practiced within the context of other sentencing policies, both determinate and indeterminate sentencing States were selected, as were States with and without sentencing guidelines. Two States—New Jersey and Utah—did not implement changes to their TIS practices during the study period, but the rest made changes ranging from incremental adjustments to comprehensive overhauls of the sentencing system.

Although the observations from these seven States are informative, it should be noted that they were chosen to illustrate different approaches to sentencing and are not nationally representative. Further, because the analysis was based on a limited postreform time frame, these findings should be considered preliminary and updated with more recent data to give a fuller picture of the effects of truth in sentencing.

Notes

1. Serious violent offenses were defined as Federal Bureau of Investigation Part 1 violent offenses: murder, rape, robbery, and aggravated assault.
2. The study used the concept of expected length of stay, based on modeled estimates of time to be served under a given sentencing regime, because the actual time served by prisoners admitted in a given year cannot be known until they are all released.



Special Technologies for Law Enforcement and Corrections

by William Falcon

About the Author

William Falcon is a freelance writer and a former writer-editor with the National Institute of Justice.

Detecting minute traces of drugs in or on inmate mail. Overcoming incompatible agency data systems to forge statewide computerized information sharing. Predicting where an offender might reside based on mapping crime scenes. These formidable objectives are being achieved thanks to some unusual technologies now available to law enforcement and corrections agencies.

But the process of identifying and evaluating such technologies, much less developing or adapting them, is usually extremely difficult, at best, for individual agencies to undertake without assistance. Most public safety agencies lack the staff and money to follow all of the new and emerging technologies, to gain access to the evaluations and reports on what works, to engage in long-term

technology training, and to consult with technical experts.

That's why NIJ established the National Law Enforcement and Corrections Technology Center (NLECTC) system—to offer no-cost technology assistance to State and local agencies. (For more information about NLECTC, see “Nationwide Technology Assistance for Public Safety Agencies,” page 27.) This article describes a few of the special technologies¹ being developed in three regional facilities: Border Research and Technology Center (BRTC), NLECTC–Northwest, and NLECTC–Southeast.

Detecting Drug Contraband: Inmate Mail and Vehicles

Trace amounts of illicit drugs on or in inmate mail often reflect highly imaginative methods of concealing the contraband. They include injecting cocaine into the ink of a gel pen,

placing drops of liquefied LSD on the envelope (including its glue) or on stationery where the drug can be absorbed and dried, putting a stamp or sticker over dried drops of methamphetamine, or hiding shreds of marijuana behind an address label. Inmates consume the drugs by eating their mail or use the drugs for “currency” or other purposes.

Confronted with an ongoing struggle to detect drugs hidden in inmate mail, a jail facility in Pima County, Arizona, contacted San Diego, California-based BRTC, whose mission is to strengthen security technology capabilities and awareness along the Nation’s borders. In response, a team from Sandia National Laboratories, which operates BRTC, conducted a 3-day experiment at the jail to determine the feasibility of using available trace drug detection equipment: a hand-portable unit (Hound II system, 24 pounds) developed by Sandia National Laboratories, and a benchtop detector (Barringer IONSCAN 400B, 47 pounds) suitable for use at a fixed location only.²

Both types of equipment performed well in the mailroom setting, finding traces of methamphetamine, LSD, cocaine, and marijuana on and in about 10 percent of incoming inmate mail.³ The units can also detect heroin, PCP, THC, and other drugs at subnanogram levels. To detect trace amounts, the units functioned in swipe mode, that is, the operator swiped the surface of the item with a cloth-like medium and inserted the sample into the detector for analysis and identification.⁴ Analysis time ranged from 4 to 10 seconds. If drugs were present, the detectors identified the substance and automatically alerted the operator. Such detectors could not, however, distinguish between mail contaminated by drugs or merely touched by persons who had handled drugs.

Because Hound II is portable, one unit can be used at multiple locations. For example, mail from inmates’ legal representatives, whether valid or bogus, must be delivered to the addressee without being opened. The Hound II allows officers to sample such “legal” mail after inmates have opened it.

Most public safety agencies lack the staff and money to follow all of the new and emerging technologies, to gain access to the evaluations and reports on what works, to engage in long-term technology training, and to consult with technical experts.

Jail personnel can also carry the unit to locations where inmates might try to smuggle drugs into the jail after returning from work furlough or from meetings with visitors.

The portability feature of Hound II also permits it to be used to detect drugs in vehicles, as demonstrated in field tests. At a checkpoint in Texas, for example, agents of the South Texas Specialized Crimes and Narcotics Task Force use dogs for initial screening of vehicles. After a dog indicates the presence of drugs in a vehicle, it is directed to a secondary inspection area. When Hound II “sniffed” the steering wheel and door handles of one such vehicle, traces of heroin were detected. The main shipment was found in half of a renovated oil pan.

Hound II may also be of use at seaports, where dogs’ performance may be hindered by the extremely hot and dusty conditions in ships’ holds. Detection could be focused on both drugs and explosives, because Hound II’s commercial detector (see note 2) can detect either, depending upon the type of detection module inserted into the unit (about 1 hour is required for a module change). Other sites that could benefit from Hound II include schools, airports, embassies, military bases, and other sensitive facilities. Recently, a State agency contacted BRTC Director Chris Aldridge to ask whether Hound II technology would be of use in verifying cleanup of meth labs.

Sandia National Laboratories reports that Hound II features include ease and speed of operation, high sensitivity, and a low false alarm rate. Training requirements for Hound II are considered minimal. Cost, however, is

CopLink, developed with assistance from an NIJ grant, enables vast quantities of seemingly unrelated data, currently housed and scattered among incompatible agency record management systems, to be organized within and accessed through a single, highly secure Intranet.

not, at approximately \$74,000. A much less expensive, and less weighty, version is under development at Sandia National Laboratories: MicroHound, when commercialized, will have an estimated per-unit cost of between \$5,000 and \$10,000, with a weight of approximately 12 pounds (half the weight of the current Hound II). For more information about both Hound versions, contact BRTC or Sandia National Laboratories, Department 4148, Albuquerque, NM 87185.⁵

Achieving Interoperability and Coping With Harsh Winter Weather

In summer 2002, a member of the advisory council of Anchorage-based NLECTC–Northwest⁶ asked Center Director Bob Griffiths to demonstrate what appeared to be a highly effective law enforcement information-sharing system. The system uses software that enables otherwise incompatible data systems to communicate with one another. Following a successful demonstration, the advisory council listed interoperability as a top priority. In May 2003, the Alaska Association of Chiefs of Police voted to pursue data interoperability throughout the State and asked NLECTC–Northwest for assistance.

Thus, ALEISS—the Alaska Law Enforcement Information-Sharing System—was under way. NLECTC–Northwest facilitated the formation of ALEISS, which at this writing consists of seven agencies, by helping to

prepare a memorandum of understanding detailing privacy, security, and responsibility protocols to govern future use and operation of the system. NLECTC–Northwest also assisted in hardware acquisition, installed it in a secure room at the center, and agreed to maintain the system until ALEISS graduates from interoperability and information-sharing “demonstration” to “operation.”

The heart of ALEISS is CopLink, interoperability software that can be used to create interagency, regional, or multistate data-sharing networks.⁷ CopLink, developed with assistance from an NIJ grant, enables vast quantities of seemingly unrelated data, currently housed and scattered among incompatible agency record management systems, to be organized within and accessed through a single, highly secure Intranet. Each participating agency exercises real-time control over what data are shared, with whom, and when. Data continue to reside with and to be updated at the existing source.

Now deployed in more than 100 jurisdictions nationwide, CopLink creates a detailed audit trail for each search conducted. The trail helps officers justify warrant requests and system administrators identify user practices that violate privacy and other protocols established by participating agencies in accordance with local, State, and Federal laws.

Dubbed “Google™ for law enforcement,” CopLink speeds identification of criminal suspects, relationships, and patterns. Underlying CopLink is the premise that most crimes are committed by people who already appear in police records, perhaps as a gang member or sex offender, perhaps in mug shot archives, prison and arrest records, court citations, pawn shop records, or lists of outstanding motor vehicle violations. CopLink allows an officer to enter a small piece of information—a tattoo, nickname, or letter on a license plate—that the software will use to search the databases of participating agencies and find other potential pieces of the puzzle, perhaps leading to one or more suspects.

Just as ALEISS is the first effort in the Nation to form a statewide interoperable data-sharing system for law enforcement, so also is NLECTC–Northwest’s winter-tire testing project a first. Both activities exemplify the Center’s mission to focus attention on the specialized information and operational technologies needed by law enforcement and corrections agencies operating under the extreme weather conditions and across the vast distances in Alaska and other sections of the country.

The impetus for winter-tire testing came from Center staff. Other agencies quickly saw the value of the project and offered their support. So in February 2004, NLECTC–Northwest tested the pursuit-rated winter tires recommended for use on the Ford Crown Victoria Police Interceptor. The test compared winter tires with the less expensive all-season tire supplied with Police Interceptors. The latter tire is often favored by agencies because of tight budgets. Test participants included the Royal Canadian Mounted Police, Canadian Police Research Centre, Ford Motor Company, U.S. Army Cold Regions Research and Engineering Laboratory, and the Tekne Group. Among test results:

- A set of four matching winter tires, rated for severe snow conditions, work best for winter driving. Every brand of winter tire tested, even the worst, performed significantly better than the all-season tire supplied with the vehicle.
- Winter tires at 50 percent of normal tread depth delivered superior performance in snow compared to the all-season tires supplied with the vehicle.
- A mismatch of tires (e.g., winter tires for rear wheels and all-season for front) can cause unstable vehicle handling and should be avoided.⁸

Another winter-related research project investigated the best method for coating, casting, and photographing evidence in the form of snow impressions, such as those made by shoes and tires. The State of

Alaska Crime Laboratory conducted the research. NLECTC–Northwest helps disseminate the findings.⁹

Crime Mapping: Tracking Offender from Crime Scene to Likely Residence

With its focus on information technology, NLECTC–Southeast has been providing geographic profiling assistance to law enforcement for several years. Such profiling helps agencies understand how an offender traverses an area in search of victims. This involves consideration of a wide range of factors, including the locations of businesses, faith-based organizations, unemployment pockets, and crime scenes.

Feedback from NLECTC–Southeast’s advisory council to Center Director Thomas Sexton indicated that commercially available geographic profiling models were well beyond the reach of law enforcement agencies because of cost and training-time considerations. Software cost was about \$60,000 and training time generally 1 year. The Center worked with the technology provider to streamline its profiling model to lower the cost to about \$6,000 and significantly shorten the training time for crime analysts.

Subsequently, a sheriff’s office in Florida requested assistance from NLECTC–Southeast (based in North Charleston, South Carolina) regarding a component of CrimeStat II, a stand-alone spatial statistics program for the analysis of crime incident locations. Developed by Houston, Texas-based Ned Levine & Associates under grants from NIJ, CrimeStat is free and can be downloaded from the National Archive of Criminal Justice Data.¹⁰

The request from the Florida sheriff’s office pertained to a CrimeStat II component—the journey-to-crime module—which is one aspect of the multifaceted geographic profiling technology.¹¹ The module assists law enforcement agencies in their investigations of serial murder, rape, robbery, arson, and other crimes.

[CrimeStat III] can analyze travel patterns not only for serial offenders but for multiple offenders committing single crimes. According to the program's developers, CrimeStat III will convey a much better understanding of criminal travel activity.

On the basis of the location of incidents committed by the serial offender, the journey-to-crime module makes statistical guesses about where the criminal is likely to reside. Those guesses are based on the travel patterns of a sample of known serial offenders who committed the same type of crime. On the assumption that a distance relationship exists between the residences of serial offenders and where they choose to commit their crimes, the module estimates the distance serial offenders travel to commit crimes and, by implication, the likely location from which they begin their "journey to crime."

CrimeStat III, which was released this year, is characterized as a big leap forward. It can analyze travel patterns not only for serial offenders but for multiple offenders committing single crimes. According to the program's developers, CrimeStat III will convey a much better understanding of criminal travel activity.

NCJ 208707

Notes.

1. Reference in this article to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government, any agency thereof, or any of their contractors or subcontractors.

2. The Hound II is a sample collection and pre-concentration device that works with a commercial chemical detector, the GE IonTrack VaporTracer. The VaporTracer detector is based on ion trap mobility spectrometry. The Barringer IONSCAN 400B (acquired by Smiths Detection) is based on ion mobility spectrometry. Both units detect trace amounts of explosives as well as drugs.
3. Sandia National Laboratories personnel first conducted a survey of the jail's mail room to determine whether existing background drug contamination from previous mail would interfere with use of the drug detector equipment. Results indicated insignificant contamination. Thus, subsequent detection of drugs on or in inmate mail could not be attributed to cross-contamination left by earlier mail. Some outgoing inmate mail also contained drugs.
4. The portable unit also operates in a vapor mode, detecting drug vapors emanating from within an envelope or package.
5. A report, *Contraband Detection in the Pima County Jail Mail Room*, prepared by Sandia National Laboratories' Gary W. Shannon (December 23, 2002), discusses the use of Hound II and Barringer IONSCAN 400B. Available only to corrections and law enforcement agencies, the report may be requested on an agency's official letterhead and addressed to Contraband Detection Report, BRTC, 1010 Second Avenue, Suite 1920, San Diego, CA 92101-4912. Or fax the request to 888-660-BRTC. Inclusion of the requesting agency's email address would be appreciated.
6. NLECTC-Northwest began operations in 2001 in partnership with Chenega Technology Corporation, a technology support company.
7. Prototype work on CopLink began in 1996 at the Artificial Intelligence Laboratory at the University of Arizona in partnership with the Tucson (Arizona) Police Department. The commercial version is available from Tucson-based Knowledge Computing Corporation.
8. After a review of the testing and its results, researchers will finalize their report on test findings, methodology, and other details. The report is scheduled for dissemination at <http://www.justnet.org>.
9. For more information, see Hammer, Lesley, and James Wolfe, "Shoe and Tire Impressions in Snow: Photography and Casting," *Journal of Forensic Identification*, 56(6) (November-December 2003): 647-655.

NATIONWIDE TECHNOLOGY ASSISTANCE FOR PUBLIC SAFETY AGENCIES

Operated by the Office of Science & Technology at NIJ, the National Law Enforcement and Corrections Technology Center (NLECTC) system consists of a national center and several regional centers and offices. They serve as “honest brokers,” offering a wide range of technology assistance to State and local law enforcement and corrections personnel.

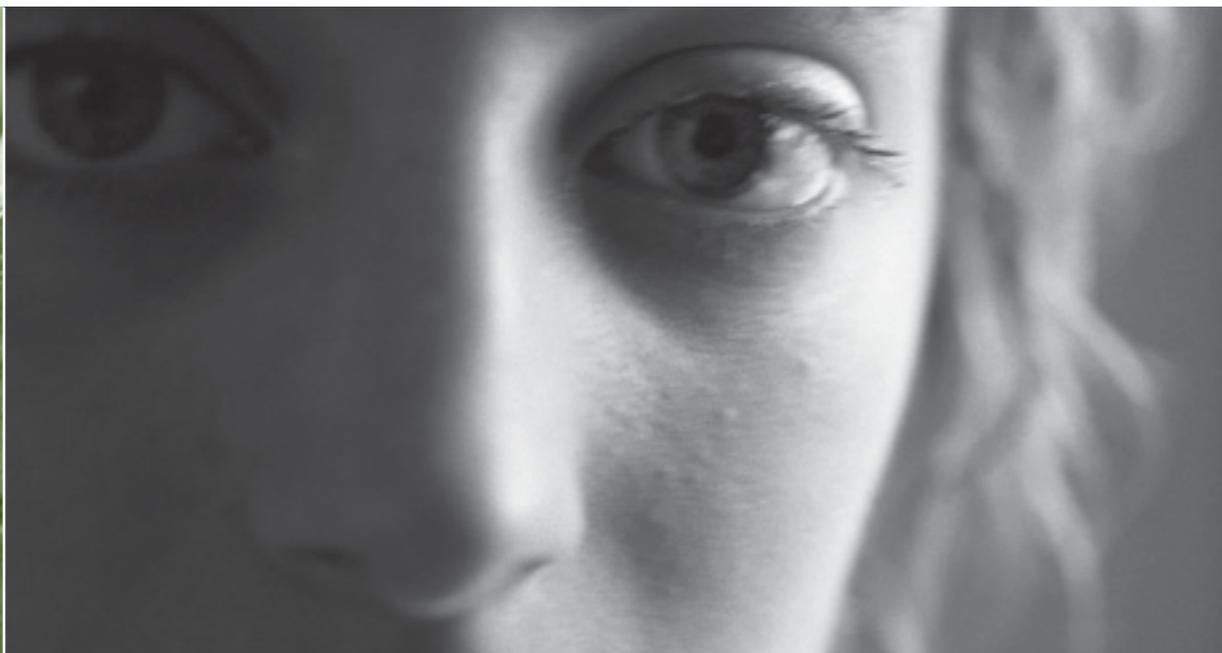
The regional centers and offices partner with technology-oriented organizations and are often co-located with them. Through those partnerships, NLECTC staff access the latest innovations in research and development. The regional facilities form a coordinated network helping agencies identify, test, demonstrate, acquire, adapt, and implement not only new technologies but also new applications of existing technologies. The network also provides scientific and engineering advice and helps innovators and industry develop, manufacture, and distribute new innovative products and technologies applicable to public safety.

NLECTC Points of Contact

- NLECTC–National, 2277 Research Boulevard, Rockville, MD 20850; 800–248–2742; asknlectc@nlectc.org.
- NLECTC–Northeast, 26 Electronic Parkway, Rome, NY 13441–4514; 888–338–0584; nlectc_ne@rl.af.mil.
- NLECTC–Southeast, 5300 International Boulevard, North Charleston, SC 29418; 800–292–4385; nlectc-se@nlectc-se.org.
- NLECTC–Rocky Mountain, 2050 East Iliff Avenue, Denver, CO 80208; 800–416–8086; nlectc@du.edu.
- NLECTC–West, c/o The Aerospace Corporation, 2350 East El Segundo Boulevard, El Segundo, CA 90245–4691; 888–548–1618; nlectc@law-west.org.
- NLECTC–Northwest, 3000 C Street, Suite 304, Anchorage, AK 99503–3975; 866–569–2969; nlectc_nw@ctsc.net.
- Border Research and Technology Center (BRTC), 1010 Second Avenue, Suite 1920, San Diego, CA 92101; 888–656–2782; info@brtc.nlectc.org.
- Rural Law Enforcement Technology Center (RULETC), 101 Bulldog Lane, Hazard, KY 41701; 866–787–2553; ruletc@aol.com.
- Office of Law Enforcement Technology Commercialization (OLETC), 2001 Main Street, Suite 500, Wheeling, WV 26003; 888–306–5382; info@oletc.org.
- Office of Law Enforcement Standards (OLES), 100 Bureau Drive, M/S 8102, Gaithersburg, MD 20899–8102; 301–975–2757; oles@nist.gov.

A wide range of NLECTC information, including links to Web sites of the regional centers and offices, can be found at <http://www.justnet.org>.

10. CrimeStat can be downloaded from <http://www.icpsr.umich.edu/NACJD/crimestat.html>. For additional information on crime mapping and related software, consult NIJ’s MAPS program (Mapping & Analysis for Public Safety) at <http://www.ojp.usdoj.gov/nij/maps>.
11. The sampling and its analysis are part of the process of calibrating the journey-to-crime module to the characteristics of a given community. The Florida sheriff’s office asked NLECTC–Southeast to assist in that task.



At-A-Glance: Recent Research Findings

HOW TO GET AT-A-GLANCE MATERIALS

Materials are available at:

- NIJ's Web site at <http://www.ojp.usdoj.gov/nij>, or
- NCJRS, puborder@ncjrs.org, 800-851-3420, P.O. Box 6000, Rockville, MD 20849-6000, <http://www.ncjrs.org>.

The summaries in this section are based on the following:

RESEARCH IN PROGRESS SEMINARS. At these seminars, scholars discuss their ongoing research and preliminary findings with an audience of researchers and criminal justice professionals. Sixty-minute VHS videotapes of the Research in Progress seminars are available from the National Criminal Justice Reference Service (NCJRS) at 800-851-3420. Videotaped seminars are \$19 (\$24 in Canada and other countries).

NIJ FINAL REPORTS. These final submissions from NIJ grantees typically are available from NCJRS through interlibrary loan. In some cases, photocopies may be obtained for a fee. For information about these reports and possible fees, contact NCJRS.

NIJ PUBLICATIONS. Some of the information here is summarized from recent NIJ publications, which are available from the NIJ Web site or by contacting NCJRS. Refer to the documents' accession (ACN) or NCJ numbers.

Tracking Modern Day Slavery

NIJ Research in Progress Seminar, "Trafficking in Persons in the United States," Kevin Bales, grant number 01-IJ-CX-0027, available on videotape from NCJRS (NCJ 199458).

Most people believe that slavery ended in the United States with the passage of the 13th Amendment—but the importation of people into this country for purposes of forced labor and the sex trade continues in the 21st century. Researcher Kevin Bales has documented the extent of this practice both domestically and worldwide; his findings were presented as part of NIJ's Research in Progress seminar series.

Predictor of Human Development

Bales collects nation-by-nation data on the amount of human trafficking into and out of each country and the percentage of each country's population that can be considered in some way enslaved. These figures were included in a study conducted by Robert B. Smith, currently unpublished, which looked at predictors of "human development" based on the United Nations Human Development Index ("the Index").

The Index gauges the quality of life for residents in a given nation and combines economic well-being with social factors (such as literacy) and health factors (such as longevity). Bales anticipated that the extent of human trafficking and slavery would be a predictor of poor human development.

To Bales' astonishment, the analysis showed that human trafficking and enslavement were not just predictors of a low standard of living—they were by far the strongest predictor. This was true in every region of the world. Extent of democracy, amount of civil conflict, level of national debt, and level of corruption, among other factors, trailed participation in slavery as portents of poor human development.

To Bales' astonishment, the analysis showed that human trafficking and enslavement were not just predictors of a low standard of living—they were by far the strongest predictor. This was true in every region of the world.

Preliminary Data

But what leads to such trafficking? Early statistical analysis by Bales indicates several "push" factors; that is, factors that seem to enable trafficking *from* a given country. Those that appear to be significant are: (1) government corruption, (2) high infant mortality, (3) a very young population, (4) low food production, and (5) conflict and social unrest. Preliminary data are less clear in indicating factors that lead to human trafficking *to* a country.

The Dark Figure

The "dark figure" is a term used by criminologists to represent the difference between reports to authorities of a particular crime and the number of instances of that crime that probably go unreported. Generally, the more petty the crime, the higher the dark figure. Bicycle theft is often cited as an example of a crime with a high dark figure. Some surveys have shown that up to 80 percent of bicycle thefts are never reported to police. The dark figure for murder, on the other hand, is expected to be very low.

According to Bales, human trafficking, a crime of extreme severity for the victims, has the kind of large dark figure normally associated with misdemeanors. In 2001, for example, there were 104 prosecutions for human trafficking in the United States, involving 400–500 identified victims. Approximately 1,000 more victims were identified by social service agencies but never brought to the attention of law enforcement (for reasons such as fear of deportation). That same year, a State Department study

Extensive consciousness raising among the public, including educating citizens about suspicious activities that they should be aware of in their own neighborhoods, may help to lessen the trafficking of people within this country.

estimated that between 45,000 and 50,000 women and children were brought into the United States for illicit purposes.¹

Bales suggests that international development policymakers need to place forced labor higher on their agendas. And more needs to be done to identify this “hidden” crime in the United States. Extensive consciousness raising among the public, including educating citizens about suspicious activities that they should be aware of in their own neighborhoods, may help to lessen the trafficking of people within this country.

NCJ 208708

Prosecutors’ Programs Ease Victims’ Anxieties

Final report submitted to NIJ, State and Local Change and the Violence Against Women Act, Marcia R. Chaiken, Barbara Boland, Michael D. Maltz, Susan Martin, and Joseph Tragonski, grant number 98-WT-VX-K013, available from NCJRS (NCJ 191186).

Solid evidence and the cooperation of witnesses are fundamental to a successful prosecution. In cases involving violence against women, these crucial elements are often difficult to obtain. Researchers investigating State and local responses to the Violence Against Women Act (VAWA) found new approaches implemented by prosecutors in four States (Arizona, Maryland, Massachusetts, and Oregon) that both led to increased punishment of offenders who victimized women and eased the strain of the prosecutorial process for the victims.

New Approaches in Prosecutors’ Offices

Following the passage of VAWA in 1994, several changes were instituted at the four study sites:

- The court attorney in **Maricopa County, Arizona**, formed a Family Violence Bureau to prosecute felony domestic violence, stalking, elder abuse, and child physical abuse.

For more information

- Contact Kevin Bales at the Croft Institute for International Studies, University of Mississippi, 304 Croft Institute, University, MS 38677, 662-915-6533, bales@freetheslaves.net.

Notes

1. Richard, Amy O’Neill, *International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime*, Washington, DC: Central Intelligence Agency, Center for the Study of Intelligence, November 1999 (NCJ 181952).

- The State’s attorney in **Wicomico County, Maryland**, assigned VAWA-funded assistant attorneys to handle domestic violence cases in District Court and then in Circuit Court for felony cases.
- The district attorney of **Essex County, Massachusetts**, increased the number of bilingual domestic violence unit advocates in the office.
- The district attorney’s Domestic Violence Unit in **Multnomah County, Oregon**, which had begun with only one attorney in 1990, was expanded to include six attorneys, a legal intern, and six victims’ advocates.

Greater Interagency Collaboration

One of the major benefits of VAWA cited by practitioners interviewed for this study was a dramatic rise in collaboration and cooperation in addressing domestic violence. In some instances, task forces and interagency programs that had been started prior to passage of VAWA were accelerated and enhanced. In other areas, new ground was broken in bringing together prosecutors, other criminal justice agencies, social service providers, victims’ advocates, and victims.

THE VIOLENCE AGAINST WOMEN ACT

The Violence Against Women Act (VAWA), incorporated in the Violent Crime Control and Law Enforcement Act of 1994, was intended to bolster the ability of law enforcement departments, prosecutors, and private nonprofit victim assistance organizations to enhance services to women victims of violence, to better assure victim safety, and to increase offender accountability. The language of VAWA suggests that these results could be achieved through three mechanisms: (1) strategic leadership by the Federal Government to increase coordination among Federal, State, local, and tribal agencies; (2) Federal funding for policing, prosecution, and victim services; and (3) statutory changes allowing for a more active role on the part of U.S. Attorneys in cases involving violence against women.

After VAWA was enacted, the Federal Government established a national hotline, a Violence Against Women Office, and a national Advisory Council on Violence Against Women. By the end of 2000, grants exceeding \$1 billion had been made to public and private organizations concerned with violence against women.

In the four study sites, collaborative efforts included:

- The Maricopa County attorney's office, together with more than 100 law enforcement, prosecutorial, judicial, victim service, and mental health professionals, led the development of a comprehensive criminal justice protocol for domestic violence that promoted evidence-based prosecutions. The county attorney also began a program with the Maricopa Probation Department to provide special case management for supervising the offenders prosecuted by the Family Violence Bureau. In 1999, the county attorney supported the creation of a Family Advocacy Center in Phoenix, Arizona, with the active participation of both city and county prosecutors. The Center, directed by the Phoenix ombudsman, houses representatives of the police, fire, and human services departments; the municipal court (which can issue protection orders for victims onsite using closed-circuit television); three victims' services agencies; and a sexual assault nurse. It also has offices set aside for the county attorney's staff. The Center includes a state-of-the-art forensic examination room to support successful evidence-based prosecutions.
- In Maryland, the governor created the Family Violence Council (FVC). Co-chaired

Solid evidence and the cooperation of witnesses are fundamental to a successful prosecution. In cases involving violence against women, these crucial elements are often difficult to obtain.

by the lieutenant governor and the attorney general, FVC held hearings around the State, set up local councils, and published *Stop the Violence: A Call to Action*, which identified 20 initiatives to enhance the responsiveness to family violence of all parts of the justice system and community. In 1999, Maryland's State's attorneys, in conjunction with FVC, drafted a Model State's Attorney's Prosecution Policy and Model Domestic Violence Policy.

- The Domestic Violence Unit in Salem, Massachusetts, established by the Essex County district attorney, is housed in an office near the Salem District Court. The purpose of the unit is to put together a team that can foster collaboration and cooperation between criminal justice agencies and victim survivors, resulting in increased convictions rather than dismissals of domestic violence cases. A team includes an assistant district attorney, representatives of the local police departments, a victim/witness advocate

HOW IS COOPERATION ACHIEVED?

To cooperate effectively, prosecutors and victims’ advocates have had to recognize and respect (if not agree with) their different perspectives and goals. Prosecutors in the jurisdictions studied saw enactment of the Violence Against Women Act (VAWA) as an opportunity to increase victim safety and offender accountability. They viewed the victim service provisions, primarily, as services that would ensure the victim’s immediate safety and facilitate the collection of appropriate statements and evidence to secure a conviction. Victims and their advocates looked to the law for more direct short-term aid, such as shelter, and for long-term assistance that would allow the victim to become psychologically, emotionally, socially, and financially independent of the abuser.

From this perspective, prosecutors and advocates often view new programs very differently. For example, prosecutors see deferred sentencing as a way to hold accountable and supervise first-time offenders who would otherwise serve little or no jail time. Conversely, victims’ advocates tend to view deferred sentencing as a slap on the wrist, not a serious deterrent, and see the offender’s freedom as an ongoing threat, keeping the victim from getting on with her life. In the study sites, VAWA helped stimulate initial discussions and ongoing mechanisms for resolving these concerns, often spearheaded by prosecutors.

Above and beyond funding, strategies incorporated in VAWA helped bring about an increase in coordination between prosecutors, including U.S. Attorneys, and staff in other agencies concerned with preventing revictimization and reducing further trauma among women who have survived violence.

The Effect of VAWA

Prior to VAWA, many State, district, and county attorneys recognized the benefits of providing coordination and support services for victims of violence who were needed as witnesses. VAWA funds helped stimulate the allocation of more resources for prosecuting offenders who victimized women and more resources for supporting victims through the harrowing process of bringing those offenders to justice. Above and beyond funding, strategies incorporated in VAWA helped bring about an increase in coordination between prosecutors, including U.S. Attorneys, and staff in other agencies concerned with preventing revictimization and reducing further trauma among women who have survived violence.

NCJ 208709

(bilingual, if necessary) from the district attorney’s office, and a victims’ advocate from a nonprofit organization that helps abused women and children.

- In Multnomah County, domestic violence offenders released under the district attorney’s deferred sentencing program are intensely supervised by specially trained probation officers. Two domestic violence units established by the Portland (Oregon) Police Bureau with VAWA funds and the encouragement of the Multnomah County district attorney include a domestic violence victims’ advocate as part of the law enforcement response team.

For more information

- Contact Marcia Chaiken at LINC, P.O. Box 3262, Ashland, OR 97520, 541-482-9222, LINCmrc@aol.com.
- Download *State and Local Change and the Violence Against Women Act* online at <http://www.ncjrs.org/pdffiles1/nij/grants/191186.pdf>.

WHAT WORKS

According to the study's findings, key steps that district and county attorneys can take are:

- Forming a specialized unit to prosecute offenders who sexually assault or abuse women.
- Assigning to these units attorneys and victim/witness coordinators who have special training and skills in obtaining evidence and prosecuting sexual predators and offenders who batter and abuse their wives or girlfriends.
- Locating attorneys and victim/witness coordinators together in offices shared by shelter-based victim advocates and other criminal justice agency staff, including police and community corrections officers specially trained for dealing with cases involving family violence and sexual assault.
- Creating cross-agency response teams (one advocate/one police or probation officer; one advocate/one prosecutor; one nurse examiner/one advocate/one officer) who train together and meet with a victim at a suitably designed facility immediately after an assault has been reported.
- Developing state-of-the-art forensic examination rooms, offices equipped with closed-circuit telecommunication with courts, comfortable interview rooms, and childcare spaces on secure floors in buildings to which victims can be quickly transported immediately after they report an assault.

The Decline of Intimate Partner Homicide

Final report submitted to NIJ, Analysis of Unexamined Issues in the Intimate Partner Homicide Decline: Race, Quality of Victim Services, Offender Accountability, and System Accountability, William Wells and William DeLeon-Granados, grant number 00-WT-VX-0012, available from NCJRS (NCJ 196666).

Intimate partner homicide rates have been declining since 1976, and researchers have been studying the phenomenon since then to determine what factors are responsible. Two researchers, William Wells at Southern Illinois University–Carbondale and William DeLeon-Granados, then a professor at Indiana University–Bloomington and now a principal with The Criminology and Public Policy Consultancy in San Rafael, California, conducted a study looking at several topics they felt had not been sufficiently examined. (See “The Study,” page 34, for more information about the methodology.)

The report discusses numerous issues playing roles in the decline, including the effects of shelters, gender differences, and racial differences. This is the first study to offer

substantive analysis of Hispanic victims in both urban and rural settings.

The key findings were:

Shelters

- In urban counties, federally funded domestic violence shelter-based organizations were associated with declines in Hispanic female victimization but not in African American or white female victimization. The researchers hypothesize that shelters do not affect rates for white urban females because these women tend to have other resources for help (such as attorneys, legal services, friends, and counselors) and tend not to use shelters, therefore deriving no protective benefit from them. African American women, the researchers suggest, use shelters but may find the protection afforded by them insufficient, since they are often higher risk victims.
- In urban counties, although shelters were not associated with a decline in African American female victimization, the presence of shelters for women did contribute

THE STUDY

The study covered a 13-year period, from 1987 to 2000, and included 58 California counties. The researchers chose California for three reasons: it allowed them to have standardized data for a diverse population, including data from both urban and rural areas; it provided numerous examples of shelter and criminal justice responses; and it experienced a much larger decline in female victimization rates than the average State.

In an effort to better understand any intimate partner homicide rate variations based on ethnicity, gender, place, race, and time, the researchers looked at these characteristics in arrest, conviction, and incarceration records for each county’s domestic violence offenses. Victim services were gauged by the rate of federally funded shelters found in each county per 100,000 women, by race.

The homicide data were given to the researchers by the State of California Department of Justice, Criminal Justice Statistics Center, which included information such as the relationship between victim and offender, county where the homicide took place, weapon used, and victims’ and offenders’ age, race, and gender. In addition, California provided data on the criminal justice system’s response and on the available shelter services.

to a decrease in African American male victimization. This finding, according to the researchers, supports the belief that different motivations drive female-perpetrated and male-perpetrated intimate partner homicide and indicates that female perpetrators tend to resort to homicide as a last resort when they feel they have no other escape from an abusive relationship.

Criminal Justice Interventions

- There was no statistically significant relationship between any criminal justice system response and victimization for either gender or for any racial or ethnic group, a finding that greatly surprised the researchers.
- Where law enforcement intervention increased in domestic abuse situations, women experienced dramatically larger percentage increases in arrest, prosecution, and conviction than men. For example, over the study, arrests for domestic violence of male suspects increased a total of 37 percent while arrests of females increased 446 percent. Convictions for an offense following a domestic violence-related arrest grew

by 131 percent for males, but by 1,207 percent for females between 1987 and 1999.

The researchers conclude that more work is needed to explore the complex relationships among gender, ethnicity, and intimate partner homicide. More analysis of shelter-based services is also warranted, the researchers assert, and they suggest that policymakers facing limited resources may want to direct them toward shelter-based organizations rather than focusing solely on criminal justice system responses.

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