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Mental Health and Treatment of Inmates and Probationers

Presents survey data on offenders who were in prison or jail or on probation and who reported prior treatment for a mental or emotional problem. About 10% of prison and jail inmates reported a mental or emotional condition; and 10% said they had stayed overnight in a mental hospital or program. Together, 16% or an estimated 283,800 inmates reported either a mental condition or an overnight stay in a mental hospital, and were identified as mentally ill. The report examines the characteristics of mentally impaired offenders, including sex, age, race, and Hispanic origin; provides data on current offense, criminal history, and substance abuse; and describes their mental health treatment since admission to jail or prison. Findings are based on self-reported data from the 1997 Survey of Inmates in State and Federal Correctional Facilities, the 1996 Survey of Inmates in Local Jails, and the 1995 Survey of Adults on Probation. 7/99 NCJ 174463

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SUNDAY, JULY 11, 1999

BJS
202/307-0784

MORE THAN A QUARTER MILLION PRISON AND JAIL INMATES
ARE IDENTIFIED AS MENTALLY ILL

WASHINGTON, D.C. An estimated 283,800 mentally ill offenders were held in the nation's state and federal prisons and local jails at midyear 1998, according to a special report released today by the Justice Department's Bureau of Justice Statistics (BJS). An additional 547,800 mentally ill people were on probation in the community.

In its first comprehensive report on mental illness in correctional facilities, BJS identified persons with mental or emotional problems based on information from personal interviews with a representative sample of offenders who responded to a series of mental-health-related questions. The interviews were conducted only with offenders sentenced to incarceration or probation and persons held in local jail awaiting trial; people held under civil commitments were excluded. Seven percent of federal inmates and 16 percent of those in state prisons or local jails or on probation said they either had a mental condition or had stayed overnight in a mental hospital, unit or treatment program.

The highest rate of mental illness was among white females in state prisons--29 percent. Almost 40 percent of the white female state prisoners age 24 or younger were identified as mentally ill. Twenty percent of the black females and 22 percent of the Hispanic females in state prison were mentally ill.

Research conducted in the early 1990s found mental illness rates in the U.S. general population among people 15 through 54 years old varied by type of psychiatric condition, gender, age and other demographic characteristics. Based on structured diagnostic interviews, this research determined that an estimated 0.6 percent of males and 0.8 percent of females suffer at some point in their lives from schizophrenia or other psychoses, and 14.7 percent of males and 23.9 percent of females from an affective disorder, such as major depression and mania. Controlling for demographic differences, other studies have found rates of mental illness among incarcerated offenders to be at least double the comparable rates in the general population.

Offenders identified as mentally ill were more likely than other offenders incarcerated or on probation to have committed a violent offense. An estimated 13 percent of the mentally ill State prisoners had committed murder; 12 percent, rape or sexual assault; 13 percent, robbery; and 11 percent, assault. Nearly 1 in 5 violent offenders in prison or jail or on probation were identified as mentally ill.

When compared with other inmates and probationers,

the mentally ill inmates and probationers reported higher rates of prior physical and sexual abuse and higher rates of alcohol and drug abuse by a parent or guardian while they were growing up. Among mentally ill state prisoners, nearly a third of men and three-quarters of the women said they had been physically or sexually abused in the past. More than 40 percent of the mentally ill inmates said their parents had abused alcohol or drugs. More than half said a parent, brother or sister had also been in prison or jail.

Since admission, 61 percent of the mentally ill state and federal prison inmates and 41 percent of the local jail inmates said they had received treatment for a mental condition in the form of counseling, medication or other mental health services. Fifty-six percent of mentally ill probationers had received treatment since beginning their sentences.

State prison inmates with a mental condition were more likely than other state inmates to be incarcerated for a violent offense (53 percent compared to 46 percent). They were also more likely to have been under the influence of alcohol or drugs at the time of their current offense (59 percent vs. 51 percent) and more than twice as likely to have been homeless in the 12 months prior to their arrest (20 percent vs. 9 percent).

More than a third of the mentally ill in state prisons or local jails and a quarter in federal prisons also exhibited signs of alcohol dependence. Nearly half of the mentally ill in state prison said they were binge drinkers; 46 percent reported they had been in physical fights while drinking; and 17 percent had lost a job due to drinking.

More than three-quarters of the mentally ill inmates had been sentenced to prison, jail or probation at least once prior to their current sentence. Half reported three or more prior sentences. The mentally ill inmates were more likely than other prisoners to have a prior sentence for a violent offense.

About 40 percent of mentally ill inmates were unemployed before their arrest, and almost 25 percent of mentally ill state inmates and 20 percent of mentally ill jail inmates reported income from illegal sources.

Fifty-six percent of the mentally ill probationers were employed, compared to 76 percent of other probationers. An estimated 52 percent of the mentally ill probationers and 27 percent of the other probationers said they had received income from government agencies during the past year.

On average, mentally ill inmates were expected to serve 103 months in state prisons before their release, 15 months longer than other inmates. The mentally ill in local jails were expected to serve 9 months prior to release, 2 months fewer than other jail inmates. While incarcerated, the mentally ill are more likely than other inmates to be

involved in fights and to be charged with breaking prison and jail rules. Since admission to prison or jail, more than 6 in 10 mentally ill state inmates and 1 in 4 jail inmates had been charged with rule violations. About 36 percent of mentally ill state prisoners and 19 percent of jail inmates said they had been in a fight since admission.

The special report, "Mental Health and Treatment of Inmates and Probationers" (NCJ-174463), was written by BJS statistician Paula M. Ditton. Single copies may be obtained from the BJS fax-on-demand system by dialing 301/519-5550, listening to the complete menu and selecting document number 162. Or call the BJS Clearinghouse number: 1-800-732-3277. Fax orders for mail delivery to 410/792-4358. The BJS Internet site is:

<http://www.ojp.usdoj.gov/bjs/>

Additional criminal justice materials can be obtained from the Office of Justice Programs homepage at:

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BJS99142

After hours contact: Stu Smith at 301/983-9354

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7/9/99 pm

October 4, 1999
National Reentry Project
DRAFT DISCUSSION PLAN

I. THE ISSUE

- A. Each year, nearly 500,000 individuals leave state prison and return to communities across the nation. Over 4.1 million adult men and women were on probation or parole at the end of 1998 -- 3.4 million adults under Federal/State/Local probation and 700,000 on parole. (There are approximately 1.2 million inmates in federal and state prisons and another 500,000 in local and county jails.) (Probation and Parole in the US, 1998, BJS.)
- B. RESOURCES LACKING TO SUPERVISE REENTRY. About three-quarters of the people under criminal justice supervision aren't behind bars, but rather are on parole or probation. Our prisons hold one-third of all offenders, yet they get about two-thirds of the money spent on corrections. (Mark A. R. Kleiman, UCLA Law Review.)
- C. RECIDIVISM THREAT HIGH. The public safety risks posed by parolees are substantial. According to a recent BJS Prisoners in 1998 report, between 1990 and 1997, there has been a 39% increase in the number of offenders returned to prison for parole violations, as compared to a 4% increase in new court commitments. In addition, parole violators represented about 35% of all admission to state prisons in 1997.
- D. DRUG ABUSE LEADING CONTRIBUTOR TO RECIDIVISM. Probationers and parolees consume approximately half of all hard drugs (i.e. methamphetamine, heroin and cocaine) sold nationwide and criminals on release who use such drugs are far more likely than others to commit new crimes. (Mark A.R. Kleiman, UCLA Law Review.)
- E. MENTAL HEALTH LEADING CONTRIBUTOR TO RECIDIVISM. A 1998 BJS survey has shown that state prison inmates were more likely than other inmates to be incarcerated for a violent offense, to be under the influence of alcohol or drugs at the time of their arrest, and more than twice as likely to be homeless. At midyear 1998, an estimated 283,800 mentally ill offenders were incarcerated in the nation's prisons and jails. The survey indicated that 16% of state prison inmates, 7% of federal inmates and 16% of those in local jails reported either a mental condition or an overnight stay in a mental hospital. About 16%, or an estimated 547,800 probationers, said they had a mental condition or stayed overnight

in a mental hospital at some point in their lifetime as well. Over three-quarters of mentally ill inmates had been sentenced to time in prison or jail or on probation at least once prior to the current sentence.

II. THE RESPONSE: REENTRY PROGRAM GRANTS (Pilots?)

A. GOALS

- (1) IMPROVING PUBLIC SAFETY. The focus on reentry issues in the courts will help reduce recidivism rates of returning prisoners and will encourage a broad-based coalition of community partnerships to support the successful reintegration of those offenders in a manner that best suits communities and the offenders themselves.

B. REENTRY PARTNERSHIP

C. REENTRY COURTS

Deanne -
Can you put
this full article?
maybe we run in
initiative into
court
initiate
LS

EDITORIAL

BY MORTIMER B. ZUCKERMAN/EDITOR-IN-CHIEF



Fighting the war on crime

Along with good cops, we need a better probation system

Americans have had some terrible shocks recently from random shooting deaths, such as the ones in Littleton, Colo., but they generally live their lives and go about their business with less anxiety, because crime has fallen dramatically in the past seven years. Yet this is no time for complacency. We must understand why crime is down so that we can accelerate the trend, and we cannot forget that we are still plagued with more violent crime than any other industrialized country, with a rate that is more than three times as high as it was in 1961. The murder rate, for that matter, is five times higher than it was 100 years ago.

The first question that needs review is: Are we freer of crime because we put more people in prison than any other country, even Communist China? Over the past two decades, the number of inmates in American prisons has more than tripled to upward of 1.8 million. The prison population has increased eightfold in California and Texas.

Building jails is a boom business, and we now spend \$24 billion just to cover the care and feeding of the 1.2 million prisoners who are serving sentences—many of them mandatory—for nonviolent, and not particularly serious, crimes. There is no clear evidence that the vast expenditures on these prisoners have paid off. New York, for example, has enjoyed a much larger percentage drop in homicides than California, despite the fact that California locks up nine times as many people.

Preventive medicine. It is reassuring that violent criminals are off the streets. But there are two serious side effects of crowding prisons with nonviolent offenders. They take space better reserved for hardened criminals, and they often get converted by their prison experiences into social misfits with high rates of recidivism. So the second question is: Would the money to combat crime, now spent primarily on prisons, be better spent on supporting law enforcement and the treatment of drug

There can be no doubt that better policing has had a real impact on crime. The notion is no longer tenable that crime is so connected to root causes—from family breakdown to economic hardship—that cops are powerless to deal with it. The breakthrough was led by Mayor Rudolph Giuliani of New York, a believer in “community policing.” The police were reorganized, retrained, and put on the streets. Precinct commanders and street officers were given the freedom to make decisions and were held accountable for them. The police began to dismantle the infrastructure of crime—illegal guns, drug marts, fencing operations, chop shops—and refused to tolerate even moderate infractions of laws, such as broken windows and graffiti, that suggest disorder and breed fear and crime. Former NYPD Chief William Bratton quoted a cop’s message to the criminal population of New York: “It’s not your street.” New York City has been transformed. Its murder rate has been cut by about 70 percent since

1993, and total felonies have fallen by a half.

Another approach would be to increase investment in probation and parole, on which we spend next to nothing. It’s a way of punishing criminals without paying their room and board. Probation can be an effective procedure for monitoring, controlling, and rehabilitating prisoners and punishing them swiftly if they get out of line. But it won’t work unless we reduce the caseloads per probation officer, increase drug testing, and use electronic location devices to keep closer track of the offenders.

States such as Michigan have found that this kind of intensive supervision has reduced criminal violence faster, more extensively, and at a much lower cost.

We should not stint on the funding we need to preserve the safety of our citizens. We have to keep up the war on crime—on all fronts. But to maintain the rate of decline, we need to re-examine where we put our dollars. Investing in police and probation are the best

We cannot forget we
are plagued with
more violent crime
than any other industrialized country.

GREEN BAY PRESS-GAZETTE

GREEN BAY, WI
TUESDAY 58,000
SEP 7 1999

Community policing is a winner for Broadway

62971 BD
Congratulations to Green Bay police officers Bill Bongle and Steve Scully. Their grassroots efforts on Broadway have won them a national award for excellence in problem-oriented policing.

Their presentation, "Street Sweeping, Broadway Style" was selected from among 75 nominees for the annual award to be presented in November at a police conference in San Diego.

Bongle said community policing was an effort to work with neighborhood

residents to "figure out solutions they can live with" to crime and other problems.

Evidence that the effort pays dividends: Police calls are down 58 percent since 1993 on North Broadway, long one of Green Bay's most troubled areas.

While Bongle and Scully certainly have earned recognition, they have not been working in a vacuum.

Police Chief James Lewis made community policing a priority when he came to Green Bay in 1995. He reorga-

nized the department to make more officers available for street work.

Revitalization action by the city and work by private groups such as On Broadway and neighborhood associations has seen millions of dollars and thousands of hours of investment and effort put into the area that Bongle and Scully patrol.

As anyone who lives near Broadway, does business on the street or visits its businesses knows, the combined effort is paying off.



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Probation and Parole in the United States 1998

Reports on the number of persons on probation and parole at yearend 1998 and compares the totals with yearend 1997 and 1990. It lists the number of parolees and probationers in each State, names the States with the largest and smallest parole and probation populations and the largest and smallest rates of community supervision, and identifies the States with the biggest increases. It also describes the race, sex, and Hispanic makeup of these populations and reports the percentages of parolees and probationers completing community supervision successfully or failing because of a rule violation or a new offense. 8/99. NCJ 178234

This report is one in a series. More recent editions may be available. To view a list of all in the series go to the [publications page](#).

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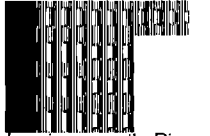
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Page last revised on August 22, 1999

A Prison Paradox

by Bob Kolasky

Thursday, February 04, 1999

Comments: 212 posts



Imprisonment's Piece
of the Crime
Prevention Pie :
Putting people in
prison is just part of
the crime-fighting
picture. Adrian Moore
fills in the blanks.

Leading the
World... Behind Bars :
Barry Holman
chastises the United
States for a dubious
distinction.

Prison Works :
Morgan Reynolds
applauds America's
increased emphasis
on incarceration.



Search



In a perfect country, justice would be meted out consistently and fairly. Those who commit crimes would receive the appropriate punishment -- be it prison time, probation or simply rehabilitation -- and the phrase "let the punishment fit the crime" would be more aphorism than cliché. But, of course, the United States is not perfect.

In fact, America's mechanism for dealing with crime and punishment is rarely consistent. The same act can be a felony in one instance, a misdemeanor in another and almost completely dismissed in a third. (And that is only if the violator is caught.) To further confuse matters, convictions for the same crime result in wildly varying punishments -- 20 years in jail in one instance, five in another, probation in a third. That is just the way the country's judicial system functions. At the heart there are rules guiding police officers, attorneys and judges, but surrounding those rules are dozens of opportunities for human interpretation and intervention.

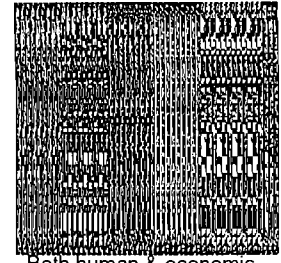
The U.S. prison system is a perfect example. It would make sense that the number of criminals in prison would be a direct correlation to the number of crimes being committed. But that is not the case. As has been oft reported, crime levels have dropped significantly in the last five years. The National Crime and Victimization Survey (NCVS) reports that the violent crime rate has fallen more than 21% since 1993. Meanwhile, the number of men and women in prisons has risen more than 5% annually throughout the 1990s. In other words, fewer crimes are being committed, but more people are being jailed.

To some, that is a paradox; to others, it makes perfect sense. And it is not an overstatement to say the two divergent trends have changed the climate of crime and punishment in the United States.

A "mean season"

"This is a mean season in corrections," says Judith Felner, associate counsel at Human Rights Watch. Coming, as Felner does, from a perspective that America is incarcerating too many people, she means that as a complaint. Others might take it as an endorsement. Life in prisons is mean. How else would you want it?

American prisons are more crowded then ever before, reports the Bureau of Justice. There are more than 1.2 million people incarcerated in federal and state prisons currently (that number goes up to more than 1.8 million if you include those currently being held in jails around the country). That increase is happening for a reason. Tough crime-fighting tactics are currently in vogue, and among them are laws that are tough on criminals. Laws that require mandatory sentencing for drug offenders, three-strikes-and-you're-out for felons, truth-in-sentencing for convicted criminals and the dramatic reduction of parole have contributed to the upsurge of people in prison.



Both human & economic costs to the overcrowding

There are costs, both human and economic, to this penal boom. And they are causing some to seek new answers and others to question whether America's new lock 'em up mentality is sustainable.

Where are all the beds?

Simple math makes it evident that if the amount of prisoners is growing at such a rapid clip, the same thing needs to happen to the number of prisons. "The prison population is growing at a rate of 50,000 people a year," Patrick Langan, a senior statistician at the Bureau of Justice Statistics, says. "What does that mean? Suppose we build a 1,000-person facility every week in the country. We need to do that just to keep up with the incarceration rate." That is not happening, which means that the overcrowding of prisons is becoming a significant problem.

Government numbers show that, on average, prisons are operating about 20% over capacity. That percentage is significantly worse in some states. In California and Virginia, it is more like 75%; in Massachusetts, it is well more than 100%. This means that in many states, prison conditions are abysmal. Prisoners are forced to double bunk; public space is being made into dormitories; plumbing is unsatisfactory.

The government is trying to keep up. At the state level, spending for corrections is growing faster than any other area of major state expenditures, and the Corrections Corporation of America (CCA) predicts that in the coming few years, taxpayers will spend \$10 billion on new prison beds. But still there is a limit to how much Americans will spend on prisons. Langan notes that prison bond votes in recent elections have had mixed success -- a happening he attributes to the fact that although Americans in general seem to be pro-prison, they are not really pro-prison spending.

One answer to this dilemma is to privatize prisons. If the government cannot afford to build and operate them, let private corporations do so, and let them see if they can make money in the process. The CCA is the largest of the private companies in the business -- and is currently the fifth-largest corrections system in the United States. CCA operates 53% of the private prisons in the country. (About 5% of the U.S. prison and jail population is housed in private corrections facilities.)

A study conducted by two Louisiana State University professors found that private prisons operate at a cost of 14% to 16% lower than state-run facilities. A University of Florida study found that inmates released from private prisons were only about half as likely to end up back in prison within 12 months. Meanwhile, the CCA reports a \$462 million profit in 1997. These statistics explain why privatization undoubtedly will be the engine driving the prison-population boom if it is going to continue.

The commoditization of inmates

Many advocates of prisoners' rights are worried about this trend. "No part of the administration of justice should be turned over to private corporations," argues Felner. "It is just too much of a conflict of interest." Writing in *The Nation*, Eric Bates expands on that: "The real danger of privatization is ... the added financial incentives that reward inhumanity. The same economic logic that motivates companies to run prisons more efficiently also encourages them to cut corners at the expense of workers, prisoners and the public."

In a sense, the complaint about private prisons -- that they encourage the treatment of prisoners as a commodity rather than as people -- is echoed in the objections being made about the growth of the prison system as a whole.

"There are alternatives to incarceration that should be explored," says Kara Gotsch, a spokesperson for the American Civil Liberties Union prison project. They include drug treatment programs and education programs, but instead says Gotsch, "there is a real intense desire to punish all criminals, whether violent or not, rather than try to rehabilitate them."

Gotsch and the ACLU advocate sending a much smaller percentage of non-violent criminals to prison as a way of reducing prison population.

Boom on

That change, however, is unlikely to happen soon. Despite the growth in the number of inmates, the drop in the crime rate and the problem of prison overcrowding, public sentiment seems to be squarely in favor of sending more criminals to jail. The aforementioned tough sentencing laws remain popular, and at least while the crime rate continues to drop, penal reform is unlikely.

But what about the prison paradox? Less crime, more prisoners -- how can that be? And can those trends continue? Langan for one sees no reason why not. "The likelihood of a person committing a crime being sent to prison is still very low," he says.

Until that changes, there is no reason to expect that the American prison boom will show any signs of abating.

Bob Kolasky is the managing editor of IntellectualCapital.com. His e-mail address is bob@a2s2.com.

Related Links

For related information on the incarceration debate and prisons in general, see the [IC Interactivist](#), which also shows you how to get involved in the debate.



Is prison overcrowding a problem? What is the solution? Would private prisons alleviate some of the problem? Are they effective?

Below are the last ten comments in chronological order.
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2/8/99 raj

egil: I notice that I didn't respond to your prior restraint question. Sorry. I think that, if someone were restrained because he has a genetic tendency to commit a crime, but has not yet committed a crime, that would be considered prior restraint, essentially punishment based on status. For the 3-strikes issue that you raised, that would probably be considered cumulative punishment for prior acts and not prior restraint. I can't imagine that the issue hasn't come up, but don't know what the courts have said about it. I'm frankly surprised that 3-strikes laws haven't been struck down, but for another reason. If someone serves his punishment for one crime, it seems to me that he shouldn't be punished again for it, which is what 3-strikes essentially does.

2/8/99 raj

El Azul: Your sociological monographs on causes of crime are interesting, but I would still be interesting in knowing what you would do with people who have committed crimes.

2/8/99 Mopmap

El Azul: Your postings about life on the streets and your assumptions about my bigotry are so much crap. No one in their right mind would want the life you think I have no understanding of. What you don't seem to understand is how many affluent people who are irrationally afraid of me would aid and abet you in seeing that I get the type of "education" you describe in the environment that you so accurately describe. And those affluent people would let one of "those people" take my place until they realized that they had traded in their "fears" for their worst nightmare in terms of all that is false, phoney, and stereotypical of their corrupt culture. The name of the game is no longer merely helping people but survival itself because some naive "do-gooders" have realized too late that thy brother's keeper is thy brother's target and victim. And the keeper may have a mother or a wife or a sister or a daughter who have to suffer the additional indignity not only of their loss but of being dispossessed of all that was theirs because the social ethos is that he earned everything, he created everything, he thought of everything.

2/8/99 Mopmap

El Azul (continued), and shall I tell you how what is valuable in our culture is tainted by all of this? I mentioned the Illinois death penalty situation in a previous post. So predictable. The two people who are actually responsible for the death for which Porter was exonerated are now going to plead innocent on the grounds of self-defense. Yeah, sure. If it were truly self-defense they would have come forward 17 years ago and not let Porter and his family suffer all of those years. Now. Would Green have been killed if there were no Green Party? Would Porter have been accused if there had been no "Wasteland" or no Plessy v. Ferguson and the decision putting forward the "fellow-servant" rule exculpating corporations for an EMPLOYEE'S negligence. The only things that occurred after Simon and Jackson killed Green was that Robert Olin Butler wrote A Good Scent from a Strange Mountain. There is a story in there about Mr. Green and a man name Ferguson shot up passengers on the L. I. Railroad. And in current economic terms the head of the government labor union is named Sweeney.

2/8/99 chris mait88@aol.com

I don't consider more prisoners/less crime a paradox. What is disturbing is that most of the people in this forum are integrating civil and criminal laws into one large group, there is nothing criminal about breaking a civil law. The harm in violating civil laws usually results in the loss of assets. If someone is in prison for violating a civil law, then how can he make reparations? (to make a long story short) Keep the non-violent offenders out of jail, this will solve much of the over-crowding problem. Another frightening concept by some in this forum is that all people in prison are guilty of the crime they were charged with. Lighten up, I know the overwhelming majority of inmates belong in there, however, there are some that don't as evidenced by the release of some people due to dna evidence. Why are there so many laws? One reason is because we want them...States rights, separation of powers, the constitution reserves to the states the powers to make laws that are not exclusive to the constitution, this is part of decentralization. Decentralization was implemented so no one part of the government could become all encompassing, i.e. Big Brother. The real paradox is that in our effort to thwart Big Brother, aka Centralized gov't we create too many laws and end up with Big Step Brother.

2/8/99 Larry lbloomer@bellatlantic.net

Isn't it interesting that El Azul gives Mr. Hamilton a list of people to study, and they are all socialists? This from a person who talks about the need for a broad, general education!

2/8/99 Mopmap

Chris, some excellent comments. The 9th and 10th amendments have been overlooked and misunderstood. The ticket on civil rights enforcements has always been to make states live up to their own constitutions regarding civil liberties and due process. Slavery "queered" the entire issue. Hence, the 13th and 14th Amendments. All state constitutions should have incorporated those statements, then in terms of their own municipal and police power responsibilities should have made them realities within their jurisdictions without creating the federal behemoth. The federal strategy should always have been to enforce state laws within their jurisdictions and to be the "honest broker" in matters of civil liberties, due process, and equal protection of the laws.

2/8/99 Barbara D. Henderson bcenter123@aol.com

Prisons should be "self supporting" and NOT be a burden on taxpayers. Prisons are for PUNISHMENT of crimes, not to wipe the noses of those "unfortunate" people who COMMIT the crimes. We've lost sight of the REASON for prisons. According to what I learned in school (abet a long time ago) when a person was convicted of a crime and sentenced to prison he/she lost their "rights". What's wrong with prisoners working. Private prisons is about the only answer - the government will continue to lean over backwards for these people. It's time to start 'PUNISHING' criminals.

2/4/99 Bart DePalma depalmab@bellsouth.net

The premise of the author -- that crime rates must track imprisonment rates -- is cockeyed. If one starts with a population of, lets say, 10 million active criminals, it makes perfect intuitive sense that crime rates would go down if you imprison 5 rather than 2 million of them. Longer sentences mean fewer criminals on the streets to commit crimes and, just maybe, the greater threat of punishment may actually deter some of the non-incarcerated criminals from participating in as many crimes. As a prosecutor, I'm under no illusions that prisons rehabilitate inmates. Incarceration exists to cage dangerous people to protect the rest of us.

2/5/99 Chris browser_33@yahoo.com

So, 1.8 million people in prison out of a population of 270,000,000. That works out to about .7 of 1%. In other words, if you have a room with 1,000 people in it, 6 of them are statistically likely to be criminals. Hmmm, does that make me feel bad? No. Of course crime is down; the people who are/were committing those crimes are sleeping in the pen tonight.

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Summary findings

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- [Characteristics of State prison inmates](#)
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- [Comparing Federal and State prison inmates](#)
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- [Use of alcohol by convicted offenders](#)

For additional information about homicide offenders, see [Homicide Trends in the United States](#).

Lifetime likelihood of going to State or Federal prison

If recent incarceration rates remain unchanged, an estimated 1 of every 20 persons (5.1%) will serve time in a prison during their lifetime.

Lifetime chances of a person going to prison are higher for

- men (9%) than for women (1.1%)
- blacks (16.2%) and Hispanics (9.4%) than for whites (2.5%)

Based on current rates of first incarceration, an estimated 28% of black males will enter State or Federal prison during their lifetime, compared to 16% of Hispanic males and 4.4% of white males.

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Characteristics of State Prison inmates

Women were 5% of the State prison inmates in 1991, up from 4% in 1986.

Sixty-five percent of prison inmates belonged to racial or ethnic minorities in 1991, up from 60% in 1986.

Sixty-eight percent of inmates were under age 35 in 1991, down from 73% in 1986.

About 4% of State prison inmates were not U.S. citizens.

Altogether, 59% of inmates had a high school diploma or its equivalent.

Two-thirds of inmates were employed during the month before they were arrested for their current offense; over half were employed full time.

Among the State prison inmates in 1991:

- fewer than half were sentenced for a violent crime
- a fourth were sentenced for a property crime
- about a fifth were sentenced for a drug crime

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Characteristics of jail inmates

Women were 10% of the local jail inmates in 1996, unchanged from 1989.

Forty-eight percent of jailed women reported having been physically or sexually abused prior to admission; 27% had been raped.

Sixty-three percent of jail inmates belonged to racial or ethnic minorities in 1996, up slightly from 61% in 1989.

Twenty-four percent of jail inmates were between the ages of 35 and 44 in 1996, up from 17% in 1989.

Over a third of all inmates reported some physical or mental disability

About 8% of local jail inmates were not U.S. citizens.

Altogether, 54% of inmates had a high school diploma or its equivalent.

Thirty-six of all inmates were not employed during the month before they were arrested for their current offense -- 20% were looking for work; 16% were not looking.

Among the local jail inmates in 1996:

- a fourth were held for a violent crime
- a fourth were held for a property crime
- about a fifth were held for a drug crime

More than 7 of every 10 jail inmates had prior sentences to probation or incarceration.

A quarter of the jail inmates said they had been treated at some time for a mental or emotional problem.

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Comparing Federal and State prison inmates

In 1991, Federal inmates were more likely than State inmates to be

- women (8% vs. 5%)
- Hispanic (28% vs. 17%)
- age 45 or older (22% vs. 10%)
- with some college education (28% vs. 12%)
- noncitizens (18% vs. 4%)
- employed prior to their arrest (74% vs. 67%)

An estimated 58% of Federal inmates in 1991 and 21% of State inmates were serving a sentence for a drug offense; about 17% of Federal inmates and 47% of State inmates were in prison for a violent offense.

On average, Federal inmates were expected to serve almost 6 ½ years on a sentence of almost 10 ½ years, and State inmates, 5 ½ years on a sentence of 12 ½ years.

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Recidivism

Of the 108,580 persons released from prisons in 11 States in 1983, an estimated 62.5% were rearrested for a felony or serious misdemeanor within 3 years, 46.8% were reconvicted, and 41.4% returned to prison or jail.

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Sex offenders

On a given day in 1994 there were approximately 234,000 offenders convicted of rape or sexual assault under the care, custody, or control of corrections agencies; nearly 60% of these sex offenders are under conditional supervision in the community.

The median age of the victims of imprisoned sexual assaulters was less than 13 years old; the median age of rape victims was about 22 years.

An estimated 24% of those serving time for rape and 19% of those serving time for sexual assault had been on probation or parole at the time of the offense for which they were in State prison in 1991.

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Child victimizers

Offenders who had victimized a child were on average 5 years older than the violent offenders who had committed their crimes against adults. Nearly 25% of child victimizers were age 40 or older, but about 10% of the inmates with adult victims fell in that age range.

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Intimate victimizers

About 4 in 10 inmates serving time in jail for intimate violence had a criminal justice status -- on probation or parole or under a restraining order -- at the time of the violent attack on an intimate.

About 1 in 4 convicted violent offenders confined in local jails had committed their crime against an intimate; about 7% of State prisoners serving time for violence had an intimate victim.

About half of all offenders convicted of intimate violence and confined in a local jail or a State prison had been drinking at the time of the offense. Jail inmates who had been drinking prior to the intimate violence consumed an average amount of ethanol equivalent to 10 beers.

About 8 in 10 inmates serving time in State prison for intimate violence had injured or killed their victim.

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Use of alcohol by convicted offenders

Among the 5.3 million convicted offenders under the jurisdiction of corrections agencies in 1996, nearly 2 million, or about 36%, were estimated to have been drinking at the time of the offense. The vast majority, about 1.5 million, of these alcohol-involved offenders were sentenced to supervision in the community: 1.3 million on probation and more than 200,000 on parole.

Alcohol use at the time of the offense was commonly found among those convicted of public-order crimes, a type of offense most highly represented among those on probation and in jail. Among violent offenders, 41% of probationers, 41 of those in local jails, 38% of those in State prisons, and 20% of those in Federal prisons were estimated to have been drinking when they committed the crime.

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BJS Publications

This list is in order of the most recent publication first. Additional titles are listed on other topical pages and a comprehensive list is contained on the [BJS publications page](#). To see a full abstract of a publication with links to electronic versions of the publication, click on the title below.

Mental Health and Treatment of Inmates and Probationers, 7/99 Presents survey data on offenders who were in prison or jail or on probation and who reported prior treatment for a mental or emotional problem. NCJ 174463

DWI Offenders under Correctional Supervision, 6/99 Provides data on offenders in jail, in prison, or on probation for driving while intoxicated. NCJ 172212

American Indians and Crime, 2/99. Reports the rates and characteristics of violent crimes experienced by American Indians and summarizes data on American Indians in the criminal justice system. NCJ 173386

Homicide Trends in the United States, 1/99. Outlines the primary findings from a new section of the BJS web site about homicide patterns and trends since 1976. NCJ 173956

Profile of Jail Inmates, 1996, 4/98. Presents data about local jail inmates: their

demographic characteristics, offenses, conviction status, criminal histories, sentences, time served, drug and alcohol use and treatment, family background, physical and mental health care, and conditions of confinement. NCJ 164620

Alcohol and Crime, 4/98. Provides an overview of national information on the role of alcohol in violent victimization and its use among those convicted of crimes, including victim perceptions of alcohol use by offenders at the time of the crime. NCJ 168632

Substance Abuse and Treatment of Adults on Probation, 1995, 3/98. Presents data from the 1995 Survey of Adults on Probation concerning probationers' use of alcohol and illegal drugs and substance abuse treatment they received. NCJ 166611

Violence by Intimates, 3/98. Reports findings about violence between people who have an intimate relationship -- spouses, exspouses, boyfriends, girlfriends, and former boyfriends and girlfriends from statistical data maintained by the Bureau of Justice Statistics and the Federal Bureau of Investigation. NCJ 167237

Lifetime Likelihood of Going to State or Federal Prison, 3/97. Describes characteristics of persons admitted to prison for the first time, compares lifetime and one-day prevalence rates, considers changes in admission rates since 1991, and discusses the estimation techniques. NCJ-160092

Sex Offenses and Offenders 2/97. Reports on more than two dozen statistical datasets maintained by the Bureau of Justice Statistics and on data from the Uniform Crime Reporting (UCR) Program of the FBI to provide a comprehensive overview of current knowledge about the incidence and prevalence of violent victimization by sexual assault, the response of the criminal justice system to such crimes, and the characteristics of those who commit sexual assault or rape. NCJ-163392

Child Victimization: Violent Offenders and Their Victims 3/96. This study presents findings on violence against children from two sources: a 1991 nationally representative sample of State prison inmates serving time for violent crimes against children and law enforcement records of nearly 37,000 child murder victims between 1976 and 1994.

Executive Summary: NCJ 158625

Full report: NCJ 153258

Comparing Federal and State Prison Inmates, 1991 10/94. Presents demographic, familial, and criminal justice characteristics of Federal and State prisoners. NCJ 145864

Profile of Inmates in the United States and in England and Wales, 1991 10/94. Compares findings from the 1991 prison inmate survey in England and Wales with data from the BJS surveys of inmates in local jails and in State prisons and the U.S. Bureau of Prisons survey of Federal prisoners. NCJ 145863

Women in Prison 3/94. Examines demographic characteristics, current offenses, criminal histories, and the victims of violent female inmates from the 1991 BJS survey of State prison inmates. NCJ 145321

Survey of State Prison Inmates, 1991 5/93. Presents data about State prison inmates: their background and families, recidivism, gang membership, drug and alcohol use, HIV/AIDS infection, gun use and possession, sentence, time served, and participation in prison programs. NCJ 136949

Recidivism of Prisoners Released in 1983, 4/89. Analyzes criminal records of more than 16,000 men and women, representing the almost 109,000 offenders who were released from prison in 11 States during 1983. NCJ 116261

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Selected statistics

The files available here provide data and statistics that may not be published elsewhere or are provided in a format intended for further analysis rather than viewing. Many of the files are in .wk1 format that is easily useable with most spreadsheet software and some word processors.

- The **number of violent crime arrests** of juveniles (under age 18) and adults (age 18 or older), 1970-97 [Spreadsheet \(9K\)](#)

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Also by BJS staff

Greenfeld, Lawrence A. and Patrick A. Langan. "Characteristics of Middle-aged Prisoners," in Farrington, D.P. and J. Gunn, **Reactions to Crime: The Public, the Police, Courts, and Prisons**, (London: John Wiley and Sons, Ltd.), 1985.

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Related sites

- 
- [National Criminal Justice Reference Service Corrections Page](#)
 - [Gun Crime in the Age Group 18-20](#), a joint report by the Department of Justice and the Department of the Treasury

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[Probation and parole](#)

Summary findings

5.5 million people were on probation, in jail or prison, or on parole at yearend 1996--2.8% of all U.S. adult residents.

State and Federal prison authorities had under their jurisdiction 1,277,866 inmates at midyear 1998: 1,210,034 were physically in their custody.

Local jails held or supervised 664,847 persons awaiting trial or serving a sentence at midyear 1998. About 72,000 of these were persons serving their sentence in the community.

The 3,304 local jails in 1993 held 2.8 inmates for each jail employee. In 1995, the year of the last census of prisons, there were 2.9 inmates per State prison employee.

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BJS Corrections data collections

National Prisoner Statistics (NPS) produces annual and semiannual national and State-level data on the numbers of prisoners in State and Federal prison facilities. Since 1926, the Federal government has published data annually on the prisoner count in each State, the District of Columbia, and the Federal prison system.

NPS-1 questionnaire: [Acrobat file](#) (78K)

National Corrections Reporting Program (NCRP) collects data annually on prison admissions and releases and on parole entries and discharges in participating jurisdictions. Demographic information, conviction offenses, sentence length, minimum time to be served, credited jail time, type of admission, type of release, and time served are collected from individual prisoner records. Annually starting 1983.

Codebooks and Datasets

Selected tables for [1993](#), [1994](#), [1995](#), and [1996](#) are available in spreadsheets.

Data on CD-ROM

Capital Punishment (NPS-8) series yields annual national and State-level data on persons sentenced to death and those executed. Data collected include offender demographic characteristics, prior criminal histories, and criminal justice system status at the time of the capital offense, and time spent on death row. Data are available on executions since 1930 and sentencing since 1973.

Codebooks and Datasets

NPS-8 questionnaire: **Acrobat file** (176K)

Annual Survey of Jails collects intercensal estimates of the number of inmates in the Nation's local jails and data on the relationship between jail populations and capacities. Annually starting 1982; excluding years 1983, 1988, and 1993, in which a complete census of U.S. local jails was conducted.

Codebooks and Datasets

Census of Jails is conducted every 5 years, detailing information on each facility, admissions and releases, court orders, programs that offer alternatives to incarceration, amount charged to hold an inmate for another jurisdiction, use of space and crowding, staffing, health care (including prevalence of HIV/AIDS and tuberculosis), and drug testing policies and practices. The census furnishes the sampling frame for the nationwide survey of jail inmates. 1970, 1972, 1978, 1983, 1988, 1993, 1999.

Codebooks and Datasets

1999 Census of Jails Questionnaires (in Acrobat format):

CJ-3: 1999 Census of Jails (120K) - for jail jurisdictions with one or more jail facilities that share the same staff and budget

CJ-3A: Jurisdiction Data (115K) - for the central data reporter of jail jurisdictions with multiple jail facilities having separate staff and budgets.

CJ-3A Addendum: Facility Data (37K) - for facility-level data on jail facilities listed in Section 1 of form CJ-3A

CJ-3B: Multi-Jurisdiction Facility (121K) - for jail facilities operated by two or more governments through cooperative agreements

CJ-3C: Private Facility (118K) - for jail facilities owned or operated by a private corporation

CJ-3D: In Indian Country (50K) - for jail facilities located in Indian Country

Survey of Inmates in Local Jails (SILJ) is periodically administered to collect data on the personal and family characteristics of jail inmates, past drug and alcohol use, history of physical and sexual abuse, and history of contact with the criminal justice system. The survey relies on personal interviews with a nationally representative sample of almost 6,000 inmates. 1978, 1983, 1989, 1996.

Codebooks and Datasets

1996 questionnaire (Acrobat format - 886K)

Census of State and Federal Correctional Facilities is conducted approximately every 5 years, providing detailed information on the types of inmates housed, facility age and type, security level, court orders, programs, health and safety conditions, confinement space, employment, and operating costs. 1973, 1979, 1984, 1990, 1995.

Codebooks and Datasets

Survey of Inmates in State Correctional Facilities (SISCF) is conducted every 5 years, providing information on individual characteristics of prison inmates, current offenses and sentences, characteristics of victims, criminal histories, family background, gun possession and use, prior drug and alcohol use and treatment, educational programs and other services provided while in prison, as well as other personal characteristics. Data are collected through personal interviews with a nationally representative sample of 14,000 inmates in about 300 State prisons. 1974, 1979, 1986, 1991, 1997.

Codebooks and Datasets

1997 questionnaire (Acrobat format - 560K)

Survey of Inmates in Federal Correctional Facilities (SIFCF) was first conducted in 1991 by a joint effort between BJS and the Federal Bureau of Prisons (BOP). The

survey collects the same information as the SISC and will also be conducted every 5 years. Data were collected through personal interviews with a nationally representative sample of 6,600 inmates in 53 Federal prisons. 1991, 1997.

Codebooks and Datasets

1997 questionnaire (Acrobat format -560K)

National Probation and Parole Reporting Program gathers annual data on state and federal probation and parole counts and movements and the characteristics of persons under the supervision of probation and parole agencies. Published data include admissions and releases by method of entry and discharge. Demographic information, time served and conviction offenses are collected from individual prisoner records. Ongoing since 1979.

Inventory of State and Federal corrections information systems collected basic information on State and Federal offender-based corrections information systems including a description of the capabilities of the information systems for producing data extracts, linking records, and exchanging information electronically. The inventory was conducted by the Urban Institute with sponsorship from BJS, the National Institute of Justice (NIJ), and the Corrections Program Office (CPO), and with assistance from the State-Federal Committee of the Association of State Corrections Administrators (ASCA). 1998.

Inventory of data elements questionnaire: **Acrobat file** (130K)

Survey of Adults on Probation (SAP) obtains for the first time detailed information on the background and characteristics of a national sample of probationers representative of the 2.5 million adults under such supervision in the community. Specific areas of inquiry include criminal history, prior drug and alcohol use, participation in drug and alcohol treatment programs, use of firearms, victim characteristics, the conditions of supervision, and the extent of contact with probation authorities.

Codebooks and Datasets

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Also by BJS staff

Beck, Allen J. and Peter M. Brien, "Trends in the U.S. Correctional Populations: Recent findings from the Bureau of Justice Statistics" **The Dilemmas of Corrections**, 3rd Edition.

Greenfeld, Lawrence A. and Steven D. Dillingham. "An Overview of National Corrections Statistics," **Federal Probation Quarterly**, Washington, D.C.: Administrative Office of the United States Courts, June 1991.

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Related sites

From BJS

- [Criminal Offenders](#)
- [Courts and Sentencing](#)

Other relevant sites

-  [Corrections Page](#) from the National Criminal Justice Reference Service

■ American Correctional Association (ACA)

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Probation and Parole Violators in State Prison, 1991

Using data from the 1991 Survey of State Prison inmates, this BJS Special Report focuses on prisoners whose probation or parole was revoked. About 45% of those in State prison in 1991 were on probation or parole at admission. This report provides details on offenses, types of violations, time served on probation/parole, time expected to serve, guns, alcohol and drug use, and personal characteristics. 8/95 NCJ 149076

[Acrobat file \(133K\)](#) | [ASCII text file \(40K\)](#)[About the source data](#) | [Codebooks & data sets](#)[To order paper version](#)[Help for using BJS products](#)

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Time Served in Prison by Federal Offenders, 1986-97

Describes changes brought about by the Sentencing Reform Act of 1984 in sentences imposed and time served in prison by cohorts of offenders entering and exiting Federal prison between 1986 and 1997. During this period, average prison sentences increased from 39 months to 54 months. The proportion of the sentence to be served by offenders entering Federal prison increased from 58% during 1986 to about 87% during 1997. Overall, time to be served increased from 21 months, on average, for those entering Federal prison during 1986 to 47 months for those entering during 1997. Time to be served for those entering prison increased from 23 to 75 months for weapons offenders, from 30 to 66 months for drug offenders, and from 74 to 83 months for bank robbery offenders. For those released from Federal prison, time served increased from 15 months, on average, during 1986 to 29 months during 1997. 6/99 NCJ 171682

[Acrobat file \(99K\)](#) | [ASCII file \(60K\)](#)

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Prison Statistics

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Summary findings

On December 31, 1998,

- 1,302,019 prisoners were under Federal or State jurisdiction, (includes prisoners in custody and persons under the legal authority of a prison system but who are held outside its facilities)
- the total increased 4.8% from yearend 1997, less than the average annual growth of 6.7% since yearend 1990.
- there were an estimated 461 prison inmates per 100,000 U.S. residents -- up from 292 at yearend 1990.
- the number of women under the jurisdiction of State or Federal prison authorities increased 6.5% during 1998, from 79,268 to 84,427, outpacing the rise in the number of men for the third consecutive year. The number of men grew from 1,162,885 to 1,217,592 an increase of 4.7%.

On December 31, 1998, State prisons were operating at between 13% and 22% above capacity, while Federal prisons were operating at 27% above capacity.

At yearend 1997 there were 3,209 sentenced black male inmates per 100,000 black males in the United States, compared to 1,273 sentenced Hispanic male inmates per 100,000 Hispanic males and 386 white male inmates per 100,000 white males.

Between 1990 and 1997, the increasing number of violent offenders accounted for 50% of the total growth of the State prison population. Less than 20% of the total growth was attributable to the increasing number of drug offenders.

Most serious offense	Percent of sentenced State inmates	
	1990	1997
Total	100%	100%
Violent	46	47
Property	25	22
Drug	22	21
Public-order	7	10

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BJS Publications

This list is in order of the most recent publication first. Additional titles are listed on other topical pages and a comprehensive list is contained on the [BJS publications page](#). To see a full abstract of a publication with links to electronic versions of the publication, click on the title below.

State Prison Expenditures, 8/99. Presents comparative data on the cost of operating the Nation's State prisons. NCJ 172211

Prisoners in 1998, 8/99. Reports the total number of persons in State and Federal prisons at yearend and includes the number of male and female prisoners, the

incarceration rates for States, and data on prison capacities and use of local jails because of prison crowding. NCJ 175687

Prisoners in 1997, 8/98. NCJ 170014

Prisoners in 1996, 6/97. NCJ 164619

For 1995 see **Prison and Jail Inmates, 1995**, 8/96. NCJ 161132

Prisoners in 1994, 8/95. NCJ 151654

Time Served in Prison by Federal Prison by Federal Offenders, 1986-97, 6/99. Describes changes in sentences imposed and time served brought about by the Sentencing Reform Act of 1984 by cohorts of offenders entering and exiting Federal prison between 1986 and 1997. NCJ 171682

HIV in Prisons and Jails, 1996, 7/99. Reports data on the the number of HIV-positive and active AIDS cases among prisoners held in each State and Federal prison system at yearend 1996. This document is Chapter I of **1996-1997 Update: HIV/AIDS, STDs, and TB in Correctional Facilities Series: Issues and Practices**, a joint report from the National Institute of Justice, the Centers for Disease Control and Prevention, and BJS. NCJ 174437

HIV in Prisons and Jails, 1995, 8/97. NCJ 164260

HIV in Prisons, 1994, 3/96. NCJ 158020

HIV in U.S. Prisons and Jails, 1993, 8/95. NCJ 152765

HIV in U.S. Prisons and Jails, 1993, 9/93. NCJ 143292

Mental Health and Treatment of Inmates and Probationers, 7/99 Presents survey data on offenders who were in prison or jail or on probation and who reported prior treatment for a mental or emotional problem. NCJ 174463

DWI Offenders under Correctional Supervision, 6/99 Provides data on offenders in jail, in prison, or on probation for driving while intoxicated. NCJ 172212

Prior Abuse Reported by Inmates and Probationers, 4/99. Describes prior physical and sexual abuse reported by persons in prison, in jail, or on probation. NCJ 172879

Correctional Populations in the United States, 1996, 4/99. Presents data on the growing number of persons in the United States under some form of correctional supervision for 1996 and reports on the Survey of jail inmates, 1996.

Full report NCJ 170013

Executive Summary NCJ 171684

Correctional Populations in the United States, 1995, 5/97. Summarizes the 1995 Census of State and Federal Adult Correction Facilities.

Full report NCJ 163916

Executive Summary NCJ 163917

Correctional Populations in the United States, 1994, 7/96. Includes data on military corrections.

Full report NCJ 160091

Executive Summary NCJ 161559

Correctional Populations in the United States, 1993, 10/95. Includes State-by-State data about local jails.

Full report NCJ 156241

Executive Summary NCJ 156675

Prison and Jail Inmates at Midyear 1998, 3/99. Reports the number of inmates in State and Federal prisons and local jails at midyear 1998, the incarceration rate per 100,000 U.S. residents, the amount and percent of change for the year and for the previous 10 years, and the direction of the trends. NCJ 173414

Prison and Jail Inmates at Midyear 1997, 1/98. NCJ 167247

Prison and Jail Inmates at Midyear 1996, 1/97. NCJ 162843

Prisoners at Midyear 1995: Press release, 12/95. Reports the number of persons in State and Federal prisons on June 30, 1995. NCJ 158021

Assessing the Accuracy of State Prisoner Statistics, 2/99. Compares two series of data on characteristics of State prisoners: State prison records and State court

records. NCJ 173413

American Indians and Crime, 2/99. Reports the rates and characteristics of violent crimes experienced by American Indians and summarizes data on American Indians in the criminal justice system. NCJ 173386

Truth in Sentencing in State Prisons, 1/99. Describes the development and use of truth-in-sentencing (TIS) laws and presents data on the growing number of States that have adopted TIS and the increasing amount of time offenders are serving in State prison. NCJ 170032

Substance Abuse and Treatment, State and Federal Prisoners, 1997, 12/98. Presents data from the 1997 Survey of Inmates in Adult State and Federal Correctional Facilities concerning prisoners' use of alcohol and illegal drugs and the substance abuse treatment they received. NCJ 172871

State and Federal Corrections Information Systems, 10/98. Reports on a recently completed inventory of information systems in State and Federal departments of adult corrections. The inventory establishes a basis for improving the capacity to provide comparable data and to facilitate cross-jurisdictional research. NCJ 170016

Crime and Justice in the United States and England and Wales, 1981-96, 10/98. Presents data that compares crime in the United States and England with respect to crime rates (as measured both by victimization surveys and police statistics), conviction rates, incarceration rates, and length of sentences. NCJ 169284

Census of State and Federal Correctional Facilities, 1995, 8/97. Presents information on facilities, inmates, programs, and staff of State and Federal correctional facilities throughout the Nation. NCJ 166582

Lifetime Likelihood of Going to State or Federal Prison, 3/97. Describes characteristics of persons admitted to prison for the first time, compares lifetime and one-day prevalence rates, considers changes in admission rates since 1991, and discusses the estimation techniques. NCJ 160092

Prison and Jail Inmates, 1995, 8/96. Reports that at the end of 1995, there were almost 1.6 million men and women in the Nation's jails and prisons. NCJ 161132

National Corrections Reporting Program, 1992, 10/94, NCJ 145862 Describes the demographic characteristics, offenses, sentence length, and time served of persons admitted to and released from the Nation's prison and parole systems.

National Corrections Reporting Program, 1991, 2/94. NCJ 145861

Survey of State Prison Inmates, 1991, 5/93. Presents new data about State prison inmates: their background and families, criminal histories, gang membership, drug and alcohol use, HIV/AIDS infection, gun use and possession, sentence, time served, and participation in prison programs. NCJ 136949

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Selected statistics

Prisoners under State or Federal jurisdiction , Federal and State-by-State, 1977-96,

- Prisoners sentenced to more than a year, [Spreadsheet](#) (90K)
- All prisoners, [Spreadsheet](#) (19K)
- Female prisoners, [Spreadsheet](#) (20K)
- Male prisoners, [Spreadsheet](#) (20K)

Prisoners in custody of State or Federal correctional authorities, Federal and State-by-state

- Prisoners in custody, 1987-96, [Spreadsheet](#) (11K)

- Prisoners sentenced to more than a year, 1987-96, [Spreadsheet](#) (83K)
- Female prisoners, 1983, 1988, 1993, [Spreadsheet](#) (5K)
- Male prisoners, 1983, 1988, 1993, [Spreadsheet](#) (5K)
- Prisoners in custody, 1978, 1983, 1988, 1993, [Spreadsheet](#) (6K)

Sentenced prisoners admitted to State or Federal jurisdiction, 1977-1996

- All prisoners, [Spreadsheet](#) (18K)
- Male prisoners, [Spreadsheet](#) (18K)
- Female prisoners, [Spreadsheet](#) (18K)

New court commitments admitted to State or Federal jurisdiction, 1977-96

- All inmates, [Spreadsheet](#) (18K)
- Male inmates, [Spreadsheet](#) (18K)
- Female inmates, [Spreadsheet](#) (18K)

Conditional release violators returned to State or Federal jurisdiction, 1977-96

- All violators, [Spreadsheet](#) (18K)
- Male violators, [Spreadsheet](#) (18K)
- Female violators, [Spreadsheet](#) (18K)

Prison population by offense type, 1980-96, [ASCII text file](#)

Correctional populations, 1980-96, [ASCII text file](#)

Correctional populations by gender, 1986-96, [ASCII text file](#)

Proportion of the population under correctional supervision by gender, 1986-96, [ASCII text file](#)

Correctional populations by race, 1986-96, [ASCII text file](#)

Proportion of the population under correctional supervision by race, 1986-96, [ASCII text file](#)

Time served in State prison, by offense, release type, sex, and race, 3/99

Spreadsheets in a zip archive:

[1993](#) (19K) | [1994](#) (22K) | [1995](#) (22K) | [1996](#) (23K)

Sentence length of State prisoners, by offense, admission type, sex, and race, 3/99

Spreadsheets in a zip archive:

[1993](#) (24K) | [1994](#) (24K) | [1995](#) (26K) | [1996](#) (27K)

Most serious offense of State prisoners, by offense, admission type, age, sex, race, and Hispanic origin, 3/99

Spreadsheets in a zip archive:

[1993](#) (29K) | [1994](#) (29K) | [1995](#) (29K) | [1996](#) (30K)

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Also by BJS staff

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- [The Federal Bureau of Prisons](#)
- ["Changing America: Indicators of Social and Economic Well-Being by Race and Hispanic Origin"](#), a Council of Economic Advisors chartbook from the Government Printing Office

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Summary findings

1996 was the first year State and Federal courts convicted a combined total of over 1 million adults of felonies.

Between 1994 and 1996 the number of felony convictions increased 14% in State courts and 11% in Federal courts.

State courts convicted almost 998,000 adults of a felony in 1996, an average growth of approximately 5% every year since 1988 (667,366).

From 1988 to 1996 the number of felony convictions increased faster than the number of arrests.

Sixty-nine percent of those convicted in 1996 were sentenced to incarceration.

Almost two-thirds of defendants charged with a felony in the 75 most populated counties in May 1992 were released from jail pending disposition of their case.

A third of those who were released were rearrested for a new offense or did not show up for a court date or violated some other condition of their pretrial release.

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BJS Courts and Sentencing data collections

National Judicial Reporting Program (NJRP) conducted every 2 years, surveys a nationwide sample of county felony trial courts in 344 counties, collecting detailed information on demographic characteristics of felons, conviction offenses, type of sentences, sentence lengths, and time from arrest to conviction and sentencing. 1983, 1985, 1986, 1988, 1990, 1992, 1994, 1996

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State Court Processing Statistics (SCPS) (formerly, through 1994, National Pretrial Reporting Program (NPRP)) provides data on the criminal justice processing of persons charged with felonies in 40 jurisdictions representative of the 75 largest counties. These counties account for about half the serious crime nationwide. The program prospectively tracks felony defendants from charging by the prosecutor until disposition of their cases or for a maximum of 12 months. Data are obtained on demographic characteristics, arrest offense, criminal justice status at time of arrest,

prior arrests and convictions, bail and pretrial release, court appearance record, rearrests while on pretrial release, type and outcome of adjudication, and type and length of sentence.

1988, 1990, 1992, 1994, 1996.

Codebooks and Datasets

Federal Justice Statistics Program (FJSP) provides annual data on workload, activities, and outcomes associated with Federal criminal cases. Information is acquired on all aspects of processing in the Federal justice system, including the number of persons investigated, prosecuted, convicted, incarcerated, sentenced to probation, released pretrial, and under parole or other supervision; initial prosecution decisions, referrals to magistrates, court dispositions, sentencing outcomes, sentence length, and time served. The program collects data from the Executive Office of U.S. Attorneys, the Pretrial Services Agency, the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, and the Federal Bureau of Prisons. Ongoing starting 1979.

Federal Justice Statistics Resource Center

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Survey of State Court Organization provides basic descriptive information relating to the Nation's State court systems. Information is collected on trial courts -- the role of grand juries, peremptory jury challenges, jury verdict rules; appellate courts -- case selection, expedited procedures; governance of court systems -- budgets, administration; judges and judicial selection -- number of judges, mandatory judicial education; and processing of criminal cases -- felony definition, mandatory minimum, habitual offender sentencing provisions.

1980, 1987, 1993

Civil Justice Survey of State Courts collects civil caseload data for a one-year period from a sample of counties representative of the nation's 75 largest counties, including case type, outcome, jury awards, type of parties, legal representation, and dates of filing and disposition.

1992

Codebooks and Datasets | Data on CD-ROM

National Survey of Indigent Defense Systems BJS is implementing a national-level data collection program to measure how States and localities provide legal services for indigent criminal defendants, their caseloads, and related costs and policies and practices. BJS has been working closely with the American Bar Association, the National Association of Criminal Defense Lawyers, and the National Legal Aid and Defenders Association and other indigent defense providers to identify important areas for data collection. Data collection is expected to begin in late summer 1998 and continue for an 8 month period. The first report detailing the findings is expected to be released in early 2000.

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- **Courts page** from the National Criminal Justice Reference Service
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Nontechnical users can explore juvenile court data using **Easy Access** to Juvenile Court Statistics 1990-1994, a package of software and data available on the Internet from the Office of Juvenile Justice and Delinquency Prevention.

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Corrections-Based Continuum of Effective Drug Abuse. Treatment

MENU TITLE: Corrections-Based Drug Abuse Treatment
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A Corrections-Based Continuum of Effective Drug Abuse Treatment

A summary of a presentation by Dr. James A.
Inciardi, University of Delaware

Drug-involved offenders who participate in a continuum of drug treatment -- prison-based treatment followed by treatment in a work-release center -- have lower rates of drug use and recidivism than drug-involved offenders who participate in a shorter treatment program, according to the preliminary findings of a study conducted by researchers at the University of Delaware.

The findings indicate that at 18 months after release, drug offenders who received 12-15 months of treatment in prison followed by an additional 6 months of drug treatment and job training were more than twice as likely to be drug-free than offenders who received prison-based treatment alone. Furthermore, offenders who received both forms of treatment were much more likely than offenders who received only prison-based treatment to be arrest-free 18 months after their release (71 percent compared to 48 percent).

Program overview

Prison-based treatment. The State of Delaware, with the support of the Bureau of Justice Assistance, in 1987 established the Key, a prison-based treatment program for drug-involved offenders at a men's maximum security prison. The Key is a therapeutic community, a self-contained treatment environment separated from the drugs and violence often found in prisons. The therapeutic community model is based on the philosophy that drug abuse is a disorder of the whole person and that treatment should therefore focus on building an offender's self-esteem and changing his values and attitudes.

Delaware's Department of Corrections immediately found benefits in the program: the Key was the cleanest, safest, most trouble-free section of the prison. The program now is funded by the State and currently has 140 beds. All participants are volunteers and are eligible if they are within 18 months of their work-release dates or parole eligibility.

Until 1994, Delaware did not have prison-based treatment for drug-involved female offenders. With

funding from the Center for Substance Abuse Treatment, University of Delaware researchers in February 1994 initiated a therapeutic community for women in a 50-bed facility at the Women's Correctional Institution in New Castle, Delaware. The facility, called the WCI Village, now is near full capacity.

Transitional care. Earlier studies of the effectiveness of long-term residential treatment indicated that without aftercare and followup support, offenders were likely to relapse into drug use and crime. The studies, which evaluated the Federal Bureau of Prisons' drug treatment programs in public health service hospitals in Lexington, Kentucky, and Fort Worth, Texas, revealed a 96-percent relapse rate among treatment participants. Based on these and numerous other studies, the researchers at the Key program anticipated that 12-15 months of prison-based treatment would be insufficient.

With the support of the National Institute on Drug Abuse (NIDA), the researchers established the Crest Outreach Center at the Plummer Center, a conventional work-release center in Delaware. Crest is the first therapeutic community work-release center in the United States. After release from the Key program, offenders enter the Crest Center for 6 months of treatment and job training in a therapeutic community setting.

Crest requires participants to stay in the center for the first 3 months of treatment while they learn how to look for a job, prepare resumes, and interview. This approach contrasts with conventional work-release programs where participants immediately begin looking for work during the day and spend only evenings and weekends at the work-release center. Crest admits offenders who have not participated in the Key program and have not received prior treatment, as well as female offenders who may or may not have received prior treatment.

The treatment staff at Crest is a mix of counseling professionals and recovering drug users. The correctional presence at Crest is limited; a correctional officer walks through the facility three times a day to take count, and the Plummer Center broadcasts announcements to Crest on its public address system.

Aftercare. After completion of the transitional treatment program at Crest, participants continue treatment in an outpatient aftercare program for 6 months, returning to Crest once a week for group support meetings. At the end of the 6 months they attend a "marathon encounter weekend" of group therapy.

Research design

Researchers conduct interviews with offenders before they enter the Key program about their past

drug use, sexual activity, and criminal behavior. To determine an offender's progress in treatment, researchers also conduct clinical interviews at the beginning and completion of the Key program. With support from NIDA, researchers in 1992 began conducting followup interviews at 6 and 18 months after completion of the Key program. The researchers also conduct urine and blood tests to check for drug use and exposure to HIV.

The followup interviews involve four groups of offenders: a comparison group, which received no treatment; a Key group, which received only prison-based treatment; a Crest group, which received only treatment at the work-release center; and a Key-Crest group, which received treatment in both the Key and Crest programs.

Initial findings indicate that a longer and more comprehensive continuum of treatment increases the likelihood that an offender will be drug- and arrest-free in the long term:

- o Although after 6 months the Crest group's progress was almost as good as the Key-Crest group's, after another year, its progress had declined in comparison with that of offenders who had received the longer continuum of treatment.
- o Members of the comparison and Key groups were less likely to be drug- and arrest-free at 6 and 18 months after release than the groups of offenders who received longer periods of treatment.
- o At 18 months after release, there was no statistically significant difference between the comparison group and the Key group.

The latter two findings may stem from the Key and comparison groups' participation in a conventional work-release program that gave them more freedom but put them at much greater risk of exposure to drugs and opportunities for criminal activity.

Continuing efforts

The researchers have received funding from NIDA to enhance the aftercare program to include more "booster sessions," or weekend group therapy meetings. Each participant who completes the Crest program will attend weekend booster sessions at 6 and 12 months after leaving the Crest program. Funding from NIDA also will support continued followup studies of the program participants through 2005.

James A. Inciardi, Ph.D., is Director of the Center for Drug and Alcohol Studies at the University of Delaware. Dr. Inciardi presented his research to an audience of researchers and criminal justice professionals as part of NIJ's Research in Progress Seminar Series. A 60-minute VHS videotape, A Corrections-Based Continuum of Effective Drug Abuse Treatment, is available for \$19 (\$24 in Canada and other countries). When ordering, please refer to

NCJ 152692.

Use the order form on the next page to obtain this videotape and any of the other videotapes now available in the series.

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NCJ 152237--Christian Pfeiffer, Ph.D., Director of the Kriminologisches Forschungsinstitut Niedersachsen: Sentencing Policy and Crime Rates in Reunified Germany.

NCJ 152238--Arthur L. Kellerman, M.D., M.P.H., Director of the Center for Injury Control, School of Public Health, and Associate Professor in the Division of Emergency Medicine, School of Medicine, Emory University: Understanding and Preventing Violence: A Public Health Perspective.

NCJ 153270--Adele Harrell, Ph.D., Director, Program on Law and Behavior, The Urban Institute: Intervening with High-Risk Youth: Preliminary Findings from the Children-at-Risk Program.

NCJ 153271--Marvin Wolfgang, Ph.D., Director, Legal Studies and Criminology, University of Pennsylvania: Crime in a Birth Cohort: A Replication in the People's Republic of China.

NCJ 153730--Lawrence W. Sherman, Ph.D., Chief Criminologist, Indianapolis Police Department, Professor of Criminology, University of Maryland: Reducing Gun Violence: Community Policing Against Gun Crime.

NCJ 153272--Cathy Spatz Widom, Ph.D., Professor,
School of Criminal Justice, State University of New
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NCJ 153273--Wesley Skogan, Ph.D., Professor,
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University: Community Policing in Chicago: Fact or
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NCJ 159740--Kim English, Ph.D., Research Director,
Colorado Division of Criminal Justice, Managing
Adult Sex Offenders in Community Settings: A
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In New York City, a Community Court and a New Legal Culture.
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40,757 bytes

In New York City, a "Community Court" and a New
Legal Culture

By David C. Anderson

Highlights

The recently initiated Midtown Community Court, whose jurisdiction sprawls across more than 350 blocks of Manhattan, contains everything it needs inside one building: a courtroom, a social services center, a community service program, and innovative computer support.

The court, housed in the old Magistrate's Court building next to the Midtown North police station, follows a philosophy that differs from most traditional courts in its handling of misdemeanor arraignments. Focusing on low-level offenses that can bring down a community's morale, it holds defendants immediately accountable for their crimes. But the court also addresses issues underlying the problems that led to the offenses by providing social services such as drug treatment. The building itself presents an atypical image: It has clean, light-filled rooms that are secured with glass panels, not steel bars.

In its first 14 months, from October 1993 to December 1994, the Midtown Community Court arraigned 11,959 defendants. Today the court hears about 55 to 60 new cases per day. Court administrators are proud of the 75-percent completion rate for sanctions for community service, which they say exceeds that of other busy urban courts. Another indicator of effectiveness is that about 16 percent of offenders sentenced to community or social services have voluntarily continued with such programs as drug treatment, HIV testing, and employment counseling after completing their sentences.

Community service projects are assigned in conjunction with police officers and with the Times Square Business Improvement District. The police consider the court a new resource for their community policing activities, and the business association provides work for 10 to 20 offenders per week. Many projects involve painting and cleanup tasks to improve the neighborhood and deter crime.

For those who draw a short community service sentence of 1 day's work, it is possible to be arrested, arraigned, and to complete 6 hours of community service in less than 24 hours. The court aims to make accountability swift because delays between conviction and assignments to fulfill community service sentences have allowed many to

avoid their obligations. This efficiency wins the praise of police as well as court administrators, defendants, and residents.

The custom-designed computer software, the high community service compliance rates, and the positive response of defendants to the social service programs may indicate promising strategies. A National Institute of Justice-sponsored evaluation of the court is being conducted.

At 10 a.m., John Megaw's cubicle on the sixth floor is crowded with luggage--tote bags, a plastic sack of kid's clothes, and a black canvas duffel bag the size of a small refrigerator. These are the worldly possessions of Carol, whose daughter Tamika, an energetic 3-year-old, is running around the office as if it were her personal playground.

Megaw shoves his way past the luggage to his desk. If all goes as planned today, Carol and Tamika should be going home. Several days ago, the 20-year-old was again arrested for prostitution, sentenced to 4 days of community service, and put to work in the mail shop down in the basement. There she met Willie Figueroa, the ex-con who runs the shop and doubles as informal counselor to his workers.

Carol trusted Figueroa and confided to him that she was in over her head. She and Tamika had hooked up with some friends and come to New York from Kansas 10 months ago, high on dreams of a fast life and easy money on the streets of Manhattan. Now she had crashed: A pimp took her money, abused her when she complained, then took Tamika and held her hostage when Carol tried to leave. She had finally managed to get Tamika away from him and moved in with a girlfriend. But now she wanted out. The quieter streets of Kansas City and a room at her mother's house never looked better.

Figueroa spoke to Megaw, head of social services for the court, who mobilized his team. They discovered that Carol had an outstanding warrant on a previous arrest, which would have to be pled out. But they believed they could get everything resolved if she promised to leave town. They called her mother and made sure she would be willing to take her daughter back. They then got the Traveler's Aid Society to pay for one-way bus tickets to Kansas City. Today they would take the whole matter before the judge.

A Different Message

It is a long cab ride from New York City's main criminal court building at 100 Centre Street, downtown by City Hall, to the new Midtown Community Court tucked in next to a police precinct station on West 54th Street. The two courts are miles apart in atmosphere and operating philosophy as well.

Downtown, the routine continues to be ruled by the imperative of the calendar; there is an emphasis on

moving cases along that sometimes makes the process feel more like a cattle drive than the deliberate administration of justice. For low-level "quality-of-life" cases--prostitution, shoplifting, subway turnstile jumping--corners are cut so much that the idea of effective sanction, and by extension the law itself, can lose all meaning.

In the Midtown Community Court, the staffing, technology, and architecture combine to proclaim a different message: Take the defendants one by one and hold them immediately accountable with swift, real sanctions. Beyond that, pay attention to who they are and address the issues underlying the charges that brought them in. Above all, keep the emphasis on quality-of-life crimes, those pervasive low-level offenses that undermine a whole community's morale.

Following these principles, the Midtown Community Court arraigned 11,959 cases from the time it first opened in October 1993 through the end of 1994. Most were commonplace misdemeanors. Theft-of-service (turnstile-jumping) cases accounted for 38 percent of the total; unlicensed vending, 17 percent; petty larceny (shoplifting in the area's big department stores), 16 percent; and prostitution, 10 percent. A mix of assaults, minor drug possession cases, and other offenses made up the remaining 19 percent.

So far, the court only handles arraignments; cases going to trial are sent downtown. Of the 76 percent pleading guilty at a community court arraignment between October 1993 and the end of 1994, 68 percent were sentenced to community service. Another 10 percent were referred to items on the court's menu of social services: drug treatment, "health education" lectures for prostitutes and their customers, employment counseling, and youth counseling. Those given a community service sentence frequently may have been required to attend a social service session as well. (Under New York law, a judge may impose a "conditional discharge" sentence upon conviction, obliging an offender to submit to various requirements for up to a year.) Only 7 percent were sentenced to jail.

Disposing of cases in these ways, the court handled somewhat less than its full share of the overall Manhattan misdemeanor arraignment caseload, which totaled 72,848 in 1994. But it did enough to demonstrate the idea's value. The community court experiment has drawn widespread praise from the surrounding neighborhood, police, and even defendants. But skeptics continue to question the extra expense for a "boutique" court in an area that is important to the city's power elite.

The Concept: Community and Quality of Life

The idea for the Midtown Community Court grew out of conversations between Gerald Schoenfeld, chairman of the Shubert theater organization, and Herbert Sturz, a real estate executive who had

served previously as City Planning Commissioner and as Deputy Mayor for Criminal Justice. The two discussed the need for stronger enforcement of crimes that erode the quality of life in the area surrounding Times Square and the Broadway theater district. Schoenfeld offered an empty theater, rent free for 3 years. The idea of putting justice on stage, live, intrigued Sturz. "I said, 'Gerry, give me a theater and I'll get you a court.' "

The court-in-a-theater never opened. Actors Equity objected to the loss of another stage, and real estate owners worried about the potential threat to the block's ambience. By that time, however, Sturz had lined up some powerful players behind the community court idea. They included Robert Keating, then Administrative Judge of the New York City Criminal Court, Lee P. Brown, then New York City Police Commissioner, and Sol Wachtler, then Chief Judge of the State Court of Appeals.

"It was a fortuitous circumstance," Keating recalls. Other criminal justice leaders in the city were publicly discussing the potential value of neighborhood magistrate's courts to deal with low-level offenses--a system that had existed in the city until courts were centralized in 1962--and the police department was aggressively implementing community policing. In the end, the court's planners settled on the old Magistrate's Court Building next to the Midtown North police precinct station.

They raised \$1.4 million from foundations, corporations, and the city to finance renovation of the space. Keating arranged for a court "part"--New York's term for a judge plus court officers and other staff--to move to Midtown. To administer the project, Sturz recruited John Feinblatt, a former Legal Aid attorney who had been serving as deputy director of the city's Victim Services Agency.

The Building: Glass Instead of Bars

The space that opened in October 1993 made some definite statements. Instead of the squalid holding pens that had caused scandals downtown, defendants would await arraignment in clean, bright rooms secured with clear glass panels instead of steel bars. "This is a court that does business differently," Feinblatt explains. "We wanted to communicate that nonverbally."

More important, the court houses under one roof everything it needs to deal with low-level cases. "The courthouse," Feinblatt asserts, "should be more than just a courtroom." At a social services center on the sixth floor, counselors meet with defendants individually and in groups, while administrators of the court's community service program assign jobs in the neighborhood or in the building itself. A computer network fitted with custom-designed software constantly updates the court calendar and offenders' records (see "The Power of Information").

To an extent, the court resembles some of the specialized drug courts being set up in other cities where judges, with the help of caseworkers attached to the court, craft sentences for drug offenders that combine supervision and treatment. But there is a crucial difference: The community court remains generic, handling arraignments and disposing of all sorts of misdemeanors, not just possession or sale of drugs. Such specialization, Feinblatt points out, may arbitrarily limit the court's reach. "The standard case here is a drug addict charged with shoplifting," notes Michelle Sviridoff, the community court's director of research. As a neighborhood institution, the Midtown Community Court stands ready to deal with any low-level offenses committed in the neighborhood.

Area of jurisdiction. The term "community court," however, is in a sense misleading. The court's jurisdiction sprawls across more than 350 blocks of Midtown Manhattan that include several diverse areas: the old West Side residential neighborhoods of Chelsea and Clinton (also known as Hell's Kitchen), where gentrification has recently softened a rough blue-collar tradition; the historically seedy blocks around Times Square; the bustling garment district, home to Macy's and other large department stores; the theater district invaded each night by upscale tourists, suburbanites, and limos full of local glitterati; and the shining office towers that sprang up along Broadway and Seventh Avenue during the 1980's.

Hundreds of thousands of people surge into and out of the area each day for entertainment, shopping, and legitimate work. Thousands of others come from elsewhere to shoplift, panhandle, deal drugs, or work as prostitutes. Even if the community court has no cohesive geographic community, however, it honors the idea of community in two ways: It holds low-level criminals fully accountable for their crimes while helping them deal with their problems, and it helps to control chronic misconduct that poisons the experience of daily life for residents, businesses, and visitors alike.

The Sentencing Process

By 12 noon, Carol and Tamika have settled in the acupuncture room. "I was down to 100 Centre Street three times" on arrests for prostitution, she says. "The first time they gave me 2 days community service."

Did she do it? "No," she giggles. She just ignored the order, and nothing more happened. "I never received a warrant or anything."

At her second appearance downtown, "They let me go because they kept me in there so long" before arraignment--a sentence New York judges call "time served."

After the third appearance, she again ignored her community service assignment. The judge issued a warrant, but the police never followed up.

And how does the community court compare with that? "Every time that I came in here and had to do community service, I did it. There was only one time that I didn't finish up the 2 days, and they gave me a warrant, like, the next day."

Instant accountability. Defendants accustomed to the routine downtown typically are startled by the efficiencies of the Midtown Community Court. When the holding pens at 100 Centre Street are full, offenders may wait hours or days as they are shifted from one precinct house lockup to another, then get sentenced only to time served. Those who are arraigned more promptly can be sentenced to a community service program known for its poor compliance rates.

On West 54th Street, defendants coming before Judge Judy Harris Kluger are arraigned within 18 hours on average, half the downtown figure. When she sentences them to community service or to a social service consultation, they are promptly hustled upstairs to begin the process. For those who draw a short sentence of a single day's work, it is possible to be arrested, arraigned, and to fulfill one's debt to society in less than 24 hours. The idea is to make the accountability swift because delays allow so many to escape it altogether.

Some defendants appreciate the efficiency. When the court was being planned, skeptics worried that most defendants would try to get their cases adjourned to 100 Centre Street by pleading not guilty. There they could count on being sentenced to time served in the lockup or to unsupervised release conditioned on staying out of trouble for a year.

It has turned out, however, that the community court's adjournment rate is 24 percent, comparable to the rate for a similar mix of cases downtown. Many defendants apparently are put off more by the prospect of longer hours in filthy lockups than by actually having to do community service. "This beats going downtown because it's faster," says Edgar, arrested for shoplifting in Macy's, as he spreads paint on a wall at a work-site. "You go in, you see the judge, and you're out by 9 or 10 in the morning."

Defense lawyers' opinions. The success at speeding up the process inspires misgivings on the part of defense lawyers, however. "The defense attorney's best tools are delay and the possibility that things will fall through the cracks," Feinblatt asserts. "In this court, there's no delay, and things don't fall through the cracks."

Tom Tracy, a Legal Aid lawyer who has practiced in the community court since January 1994, has to agree. "Looking at it strictly as an attorney, I would have to say probably I would like it better

downtown," he says. "They get a lot more 'time-served' sentences downtown than they get up here. But as a person, I think this is better. In a lot of ways this helps the client more."

Police support. The efficiency wins the praise of police at the Midtown North precinct station next door. The neighborhood court, says Kevin O'Connor, community affairs officer for the precinct, "makes it easier to make an arrest, especially for pro-stitution." As a result, according to O'Connor, more arrests are made. The officers also find they can get much more information about the outcome of arrests than they can from the court downtown. "On a monthly basis, we get a record of all the dispositions of arrests sent to the court. If an officer is interested in a certain case, he can go into the court building and find out what happened to that person. Sometimes, if there's a warrant, the guy who made the arrest knows where that person is and can go right out and pick her up." In general, O'Connor says, the court leads police officers to believe that "instead of a revolving door on quality-of-life crimes, you can actually do something."

Sanctions as Services

Community service. Offenders sentenced to community service report to a coordinator who assigns them to work crews. (To earn credit for a day, an offender must work a 6-hour shift.) Jobs inside the building, such as collecting trash, mopping floors, and staffing "Times Square Express," an inhouse business that stuffs and mails envelopes, are designed to provide quick sanctions for low-level offenses. The outside crews pay back the community more directly. They weed and water trees, clean sidewalks, scrub graffiti off walls, or do simple maintenance tasks for neighborhood organizations.

Officers pursuing community policing projects consider the court a new resource. O'Connor tells of a recent case where precinct officers sought removal of a sidewalk shack that had become a hangout for drug dealers. The restaurateur who owned the property agreed to tear down the shack but wanted the wall behind it painted a brighter color to make it more visible after dark and thus discourage loitering. The court's community service program supplied the painting crew.

The mail shop. Court managers are particularly proud of the mail shop, which has processed nearly a million pieces since it opened at the end of 1993. The operation has become a major source of publicity for the court since it began stamping its logo on the mail it sends out for nonprofit groups in the area.

To recruit its manager, Willie Figueroa, the court called the Fortune Society, a group that helps find work for offenders coming out of prison. Court administrators thought Figueroa's background as a convicted drug dealer might prove an asset, and

they were right. In addition to taking over management of the small enterprise, Figueroa quickly established rapport with the workers and developed a role for himself as an informal adjunct to the social service team. "I think that my past has a lot to do with me being able to connect with people," he says. "It breaks a lot of barriers."

In addition to the convicts who sit at long tables folding and stuffing papers into envelopes, Figueroa introduces his "volunteer trainees"-- people who served their sentences in the shop, then returned on their own to help out because they like the atmosphere and figure they can pick up some useful skills. "I do this to keep my mind occupied," says Jean, an elderly man who has appeared regularly since he finished a sentence for subway fare evasion in September 1994. He now helps Figueroa parcel out work to the offenders and reassemble packages for mailing.

Work crews. A few blocks away at a residence for senior citizens, Hamadou Seck supervises two men and a woman who are painting a room to be used as a lounge. Ruth, sentenced to a day of work for panhandling, seems to be enjoying herself as she learns how to use the paint roller. "This is a neat idea," she says. "I like to paint."

Seck, a Senegalese who had worked as a court translator before his promotion to work supervisor, says not all his clients are so amiable. "Some resist you; they don't want to work. They try to test you; they play games." When they do, he sends them home, telling them they can come back to work a full shift the next day or go back before the judge. "I make clear to them that they have to comply. Most go home and think about it, then elect to come back the next day."

Social services. The court's sixth-floor social service complex gives the judge options to substitute for or augment community service. The onsite social service staff keeps track of openings for long-term drug treatment, a frequent sentence imposed as a condition of release. Those with lesser drug problems and offenses are commonly sentenced to a few days of 5-hour "treatment-readiness" meetings at the court. The course includes lectures on drug treatment and the health risks of drug abuse, group discussions, a job preparedness workshop, a one-on-one conference with a counselor, and an acupuncture session. Counselors try to identify those who seem good candidates for long-term drug treatment and offer to get them into programs.

Prostitutes and their customers may be sentenced to attend lectures and group discussions that emphasize the health risks of sex for hire. When offenders cut these classes or drop out of drug treatment, the court issues warrants just as if they had failed to complete a community service sentence. Offenders may also voluntarily choose to attend classes for GED preparation and English as a

second language.

Arleen Ramos, the court's resource coordinator, compiles data gathered by prearrestment interviewers and assesses how defendants will handle community service assignments and what social programs they might need. She enters her findings into the computer under "resource coordinator's comments," thus giving the judge information about the client before it gets filtered through opposing attorneys. "Arleen makes the sixth floor and the court feel seamless," Feinblatt explains. "We think you need in a courtroom someone who is not the tool of either defense or prosecution, someone who can make untainted use of information the judge needs."

The Court's Impact

At 4:30 p.m., Megaw huddles in the courtroom with Carol's attorney and the assistant district attorney at the bench while Carol stands at the defense table, Tamika squirming in her arms. Megaw and Carol's lawyer explain the deal: She will plead guilty to the outstanding warrant from downtown if the judge will sentence her to the 4 days of community service she has just completed. Then Megaw will make sure she goes home. The prosecutor agrees, the judge nods, and all return to their places.

Asked how she pleads to the charge of loitering for purposes of prostitution, Carol answers "guilty" in a barely audible voice.

"I understand you have plans to go a different route in life," Judge Kluger says, looking down at her from the bench. "I wish you luck."

The statistics. In the 14 months from October 1993 to December 1994, the Midtown Community Court arraigned 11,959 defendants, and the rate has increased in recent months. Today the court hears about 55 to 60 new cases per day, suggesting an annual total likely to reach 15,000.

Of the new cases, about half are "on-line" arraignments of people arrested and held at the court during the previous 24 hours; the other half are people at liberty who come to court after being issued "desk appearance tickets" by the police. Community court recidivists account for about 12 percent of the total caseload, a figure that has begun to climb.

For the first year the overwhelming majority of cases involved prostitution, shoplifting, subway turnstile jumping, and illegal street vending. In recent months, the court has begun taking low-level drug cases after resolving objections of the District Attorney's office. The prosecutors had insisted on face-to-face interviews with arresting officers downtown for preparation of their written affidavits. Now, by agreement, drug cases stay in the community court, but the officers go downtown

for interviews, and their affidavits are faxed back to West 54th Street. Eventually, the court hopes to spare police officers the trip downtown with a video link to the D.A.'s office.

The shorter time between arrest and arraignment and the small number sentenced to jail after arraignment add up to vindication of a basic operating premise: The Midtown Community Court effectively substitutes community service and social service referrals for days in custody.

In addition, court administrators point with some pride to the 75 percent completion rate (through the end of 1994) for community service. They believe this greatly exceeds levels of completion in most busy urban courts and that it results from the immediacy made possible by housing the court and the program under one roof. Offenders start orientation for community service as soon as the sentence is imposed instead of being told to report the next day, the next week, or the next month. More traditional community service programs typically lose huge numbers in the interim. "The more time between the day people come into court and the day they start work," Feinblatt says, "the more compliance goes down."

Perhaps the most interesting figure, however, is the surprising percentage of offenders sentenced to community service or social service who continue with social service programs voluntarily after completing their sentences. Some 16 percent of offenders sentenced during the court's first 12 months of operation continued on the social service caseload. The most frequent requests are for HIV testing, employment counseling, and help finding substance abuse treatment. About a dozen offenders per month volunteer for long-term drug treatment or case management. "This is the most provocative thing that's happening here," Feinblatt says. "It makes you ask the question, 'What is a courthouse?' What role should it play as an entry point for other social services? What we're actually seeing is that mandated short-term interventions can produce voluntary long-term treatment effects." "The court gave me a chance to help myself," says Thomas, who was arrested for drug possession, sentenced to 4 days of treatment-readiness classes, and eventually placed in a long-term treatment program. "My arrest was God sent. I didn't know how to help myself."

The costs. The court's critics, especially in the office of the Manhattan District Attorney, argue that, for all its cleanliness, competence, and computers, the community court does not do enough work to justify its extra cost.

The community service program, the social services, the new technology, and other expenses add \$1.3 million to the court's annual operating cost, over and above the basic cost of staffing the courtroom. At a rate of 15,000 cases per year, the extra costs for arraignment in the community court come to

about \$87 per case, borne in equal measure by city, Federal, and private funds. Meanwhile, because it is open only 5 days a week rather than every day, the Midtown Community Court contributes less than its share to managing the overall criminal court caseload in Manhattan. Its capacity also remains limited by the fact that, so far, it remains strictly an arraignment court. Any case going to trial has to be sent downtown.

Officials of the Manhattan District Attorney's office also lament that transfer of downtown court staff to West 54th Street limited flexibility with daily shifts in caseloads. As a result, the downtown court had to open two extra courtrooms 2 days per week, incurring an additional expense. Furthermore, during the court's first year, the community court arraigned few people in custody and instead filled its calendar with people reporting for desk appearance tickets. That caused resentment downtown because the main court considers itself heavily burdened by the need to arraign new arrestees in custody.

By the end of 1994, the number of custody arraignments in Midtown Community Court had increased. If the overall caseload has risen to the estimated level of 15,000 arraignments per year, that figure seems adequate enough for 1 of 6 courtrooms handling an overall misdemeanor caseload of about 73,000. Even so, the criticism persists. The critics also object to the idea that Midtown--home to such influential forces as the theater industry and the New York Times--could enjoy the benefits of its own court at the expense of 100 Centre Street. The community court is proving to be too expensive to replicate in neighborhoods all over the city for a modern revival of magistrate's courts.

"We're not opposed to progress," says Barbara Jones, First Assistant District Attorney, "but we'd much rather see the money spent down here." The kind of money being spent on the community court in Midtown, she says, would make it possible to set up a drug court at 100 Centre Street for the benefit of the whole borough. Jones questions developing community courts only in certain areas of the city that can raise the money to operate them.

Feinblatt acknowledges the additional costs but argues that they are likely more than offset by systemic savings. Reducing arrest-to-arraignment time, for example, saves on custody charges that run from \$60 to \$150 per day per prisoner. So may community service sentences that avoid short jail sentences, though the extent to which they actually do so has yet to be established. In the first year, Feinblatt adds, the community service program contributed nearly \$250,000 worth of work for the community, and the mail shop did an additional \$57,000 worth for nonprofit agencies, amounts that are likely to increase in subsequent years as the court handles more cases.

Even so, it may be hard to capture savings spread across other agencies in a way that makes it possible to balance the court system's budget. The National Institute of Justice (NIJ) recently funded an evaluation of the Midtown Community Court along with two other specialized courts (Dade County, Florida's, drug court and domestic violence courts) to assess the effects of innovative courts. Results are expected to be available in 1996.

Meanwhile, Feinblatt says, the court justifies its expense as it demonstrates more effective ways to deal with low-level cases. The computer software that brings more information to the judge's bench, the high compliance rates for community service, and the surprisingly positive response of defendants to the social service center all offer valuable new lessons for court administrators in New York City and across the United States. As for the concerns about elitism, Feinblatt points to plans for a second community court in the Red Hook area of Brooklyn, a neighborhood as impoverished and troubled as any in the city. NIJ is finishing its final evaluation report for Red Hook's proposed Community Justice Center. A building has been found in which to house the center, but the project coordinators need to find the money to renovate it. Whether that effort will be able to count on the kind of business support that made the Midtown Community Court possible remains to be seen. It will, however, have the full cooperation of Brooklyn District Attorney Charles Hynes.

"We can't afford to put these courts all over the city," observes Judge Judith Kaye, the current chief judge of the State Court of Appeals, "but we can put them in some places, and we can restore the feeling of confidence people have that the courts can work for them."

Cleaning up the neighborhoods. Beyond the debates over administration and costs lies the ultimate question of how the court affects its community. Though the answer appears to be positive, it is also nearly impossible to determine with any precision because the court is only one element in a larger dynamic of improvement in the Midtown area. The court's opening coincided with the establishment of the Times Square Business Improvement District (BID), which moved aggressively to clean up the neighborhood.

New York law permits property owners in a city neighborhood to collect supplemental taxes and use the funds to enhance city services like street cleaning, lighting, and security patrols. Gretchen Dykstra, president of the Times Square BID, sits on the community court's advisory committee. Each week, her organization provides work for 10 to 20 offenders sentenced to community service. While she has only praise for the court, she also makes clear the contribution of the BID's own security and sanitation crews for reducing low-level crime and improving the quality of life. To her, and to most

other observers, the BID and the community court enjoy a symbiosis that makes it hard to say which deserves credit for what.

There is no question that the neighborhood has improved in recent years. A BID survey found that between 1993 and 1994 there were declines of more than 25 percent in reports of robbery, grand larceny, and assault. Burglary reports decreased 15 percent, grand larceny against the person 18 percent, and murder 75 percent. While these major felonies are not the business of the community court, its supporters argue that dealing more effectively with minor offenses that erode the quality of life alters an atmosphere that nurtures more serious crime (see "Mediation").

Barbara Feldt, who heads a neighborhood organization called Residents Against Street Prostitution (RASP), says the various enforcement efforts have reduced the nightly population of street prostitutes from about 250 to no more than 10 in a 6-block stretch of the West Side. Police say they have not detected any major displacement to other areas, though many of the prostitutes who once propositioned prospects on the street may now work for "escort" services where customers place orders by telephone.

Feldt recalls how for years her group had railed against the judges who simply waived prostitutes through the downtown court with sentences to time served. A RASP delegation once "went down to 100 Centre Street and saw about 20 of 'our girls' being arraigned," she recounts. "They all beat us back to the block."

With the community court in place, she says, "they do get some kind of punishment instead of time served.... There's a balance here, with the community, the police, the D.A.'s office, and the judge sitting up there. If they took the court away from us now, it would all fall apart."

The court appearance went well enough, but Megaw still is not free to relax. Carol now has to get herself, her daughter, and all that luggage down to the Port Authority terminal, pick up her money from Traveler's Aid, purchase tickets, and board a bus.

He assigns two of his more muscular caseworkers to accompany her, partly to help tote the bags and partly because he fears her pimp might show up and try to abduct her back into the life. "Prostitution is a rough business," Feinblatt observes as he watches the crew assemble in the corridor. Carol makes a last phone call to Willie Figueroa, thanking him for everything and bidding him goodbye, before she hauls Tamika onto the elevator loaded with all her stuff.

Megaw's phone does not ring until 8:45. His men report that they were unable to make the 6 o'clock bus and had to wait for the next one, which did not leave until 8:30. The choice of escorts turns out

to have been prudent: As they waited for the bus, Carol had indeed spotted her pimp, who often spends his evenings in the terminal. He had seen her, too, but after sizing up her companions, he decided to keep his distance.

The Power of Information

The managers who developed the Midtown Community Court saw in it an opportunity to push the potential of new technology. They wired the building for a computer network and loaded it with software specially developed for the court by programmers at the Vera Institute of Justice. The result, updated regularly as the judge, attorneys, and caseworkers consult with programmers to address new problems, has drawn interest from court administrators around the country.

The computers keep track of the calendar and display on large monitors public data about cases coming before the judge. Before arraignment, defendants in custody meet with interviewers from the city's Criminal Justice Agency who quiz them about substance abuse problems, housing, employment prospects, and other matters. "It goes well beyond the normal bail interview," Feinblatt says. The interviewers record the responses on laptop computers, then download the data to the court's main network. Within minutes, the court's social service caseworkers can develop their assessments and recommendations.

The judge on the bench and lawyers in the well can examine a defendant's entire file at the click of a mouse. Facing a defendant with a drug problem, for example, Judge Kluger may call up a screen that displays his troubled history: a number of previous arrests, followed by enrollment for drug treatment, 2 months of favorable reports, then a month of backsliding and return to the street. In another case, the screen display highlights the fact that the defendant has told prearraignment interviewers that she is interested in treatment, a point her lawyer has neglected to mention. "It gives you better information," Judge Kluger agrees. Defense attorneys are far less enthusiastic. They say the computer system is redundant because much of the data it offers continues to be backed up with paper documents. But they acknowledge that the prearraignment interviewers ask more questions and get more information out of the offenders. That, complains defense attorney Michael Wittman, "can be more damaging to the defendant."

Feinblatt, a former defense attorney, understands the issue all too well. "By bringing in computers," he says, "we've made it more a judge-driven court. The judge is the master of information, and information is what makes the court different."

Mediation

In addition to the services it either imposes on sentenced offenders or makes available to them, the court offers one to the whole community: mediation of neighborhood disputes. Cases might involve a noisy auto repair shop, a landlord's decision to rent to an x-rated video dealer, or where to put a dog run in a park. Critics argue that mediation exceeds the scope of a criminal court, but supporters of the concept point out that it can wind up settling criminal as well as civil matters.

One recent case concerned a hot-tempered man who failed to scoop up after his dog near a community garden, then assaulted an elderly neighbor who complained. Instead of pursuing assault charges in the criminal court, all parties agreed to refer the matter to a mediator. The man's sisters came with him to the courthouse and explained that he had chronic problems controlling his temper. Should he fail to scoop again, the sisters said, neighbors should notify them and they would clean up after his dog. That solution proved satisfactory.

Mediation is "one of the things people are most aware of" because of the intense feelings raised by neighborhood disputes, observes David Rotman, a researcher at the National Center for State Courts who has run focus groups on the Midtown Community Court. "It's something people really like."

About This Study

This Program Focus was written by David C. Anderson, a former member of the New York Times editorial board and the former editor of Police Magazine and Corrections Magazine. He is the author of Crimes of Justice: Improving the Police, the Courts, the Prisons and Crime and the Politics of Hysteria: How the Willie Horton Story Changed American Justice.

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U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

National Institute of Justice
Research in Brief

Jeremy Travis, Director
December 1996

Issues and Findings

Discussed in this Brief: Two NIJ-sponsored evaluations of Washington State's work release program, conducted between 1991 and 1994. The first study analyzed a cohort of 2,452 males released from Washington prisons in 1990, nearly 40 percent of whom spent a part of their sentences on work release, to describe how work release operates and how successfully inmates perform in the program. The second compared the recidivism of 218 offenders; approximately half participated in work release and half completed their sentences in prison.

Key issues: In contrast to the national decline of work release as a means of preparing imprisoned offenders for reintegration into the community, Washington has allocated more than one-third of its community corrections budget to work release. The releasees obtain daytime jobs, live in community facilities, and contribute to their room and board. Key issues explored in the studies were corrections costs, the consequences of participants committing infractions while on work release, and recidivism.

Key findings: The results of the evaluation were mostly positive:

- o Nearly a quarter of all prisoners released in Washington made a successful transition to the community through work release.

- o Less than 5 percent of the work releasees committed new crimes while on work release, 99 percent of which were less serious property offenses, such as forgery or theft.

However, with heightened supervision under strict conditions, many work releasees incurred infractions (most for rule violations and drug possession), and a quarter returned to prison. Thus, when one considers the reincarceration time spent by work release "failures," the time under correctional supervision was as long or longer for work release participants as for nonparticipants. And there were no differences in corrections costs between work releasees and inmates completing their full terms in prison.

Other findings indicated:

- o Middle-aged offenders and offenders convicted of property crimes were most likely to participate in work release. Hispanic offenders were less likely to go to work release than white or black offenders.

- o Fifty-six percent of the 965 work releasees in the cohort studied were termed "successful"; they incurred no program infractions or arrests. Another 13.5 percent were "moderately successful"; their infractions were not serious enough to return them to prison. Almost 30 percent were "unsuccessful"; they returned to prison.

- o Older offenders were more successful than younger ones, and whites were more successful than either Hispanics or blacks. Success was also associated with having no prior criminal record.

Target audience: State and local officials and legislators, judges, and researchers and practitioners in community corrections.

Work Release: Recidivism and Corrections Costs in Washington State

by Susan Turner, Ph.D., and Joan Petersilia, Ph.D.

Each year U.S. prisons release more than 400,000 criminal offenders to their communities. Most of those released will not remain crime free, and national statistics show that within 3 years of release, 40 percent will be returned to prison or jail. (1) Experts debate the reasons for such high recidivism rates, but all agree that the lack of adequate job training and work opportunities is a critical factor. Offenders often have few marketable skills and training and, as a result, have a difficult time securing legitimate employment. With no legitimate income, many resort to crime.

Since the early 1920s, corrections officials have attempted to remedy the problem through prison work release programs. Work release programs permit selected prisoners nearing the end of their terms to work in the community, returning to prison facilities or community residential facilities in

nonworking hours. Such programs are designed to prepare inmates to return to the community in a relatively controlled environment, while they are learning how to work productively. Work release also allows inmates to earn income, reimburse the State for part of their confinement costs, build up savings for their eventual full release, and acquire more positive living habits.

During the 1970s prison work release programs expanded considerably, but they have declined in recent years. Although 43 States have existing statutes authorizing work release, only about one-third of U.S. prisons report operating such programs, and fewer than 3 percent of U.S. inmates participate in them.(2)

Despite public disenchantment with work release (see "Reasons for the Decline of Work Release"), the State of Washington has maintained its commitment to the program since initiating it in 1967. The Washington work release program permits selected inmates to serve the final 4 to 6 months of their prison sentences in privately run, community residential facilities, where they are required to be employed, submit to drug testing, and abide by curfews and numerous program rules.

It is not that Washington has been immune to the challenges faced by other States. Washington's prison population has jumped 71 percent since 1980, while the State's general population has grown just 13 percent. Citizens are frustrated with high levels of crime and violence, as is evidenced by their legislature's enactment of the Nation's first "three strikes" law -- in part a reaction to a felon's committing a rape while on parole. Observers have wondered how the program can continue to operate successfully when the emphasis is on punitive policies and politics.

This Research in Brief presents findings from two studies of Washington's work release program, conducted under a National Institute of Justice (NIJ) grant between 1991 and 1994. In sponsoring the studies, NIJ hoped that results might add to the growing body of research on intermediate sanctions and provide guidance to other States that were looking for effective and less costly corrections programs.(3)

Study 1 analyzed a cohort of all males released (n=2,452) from Washington prisons in 1990. Data pertaining to their criminal and social background and their participation and performance in work release were analyzed to describe how work release was implemented in Washington and how well inmates performed in the program. Estimated costs of work release versus prison were based on analysis not only of the cost of the program but on costs incurred if the work release participant was returned to prison for violation of program rules or for committing a crime.

Study 2 evaluated the impact of work release on

recidivism and on corrections costs by comparing a sample of inmates who participated in work release with a comparable sample of inmates who completed their sentences in prison. Investigators collected information about program implementation and recidivism at 6 and 12 months following the inmates' assignment to the study.

Overall, the studies found that the program achieved its most important goal: preparing inmates for final release and facilitating their adjustment to the community. The program did not cost the State more than it would have if the releasees had remained in prison. The public safety risks were nearly nonexistent because almost no work releasee committed new crimes, and when they committed rule violations they were quickly returned to prison.

While in the program these inmates maintained employment, paid room and board, reconnected with their communities, and most remained drug free. Less than 5 percent committed new crimes while on work release, and 99 percent of those crimes were less serious property offenses, such as forgery and petty theft. Moreover, offenders who participated in work release were somewhat less likely to be rearrested, but the results were not statistically significant. One could reasonably conclude from these results that work release in Washington is a program "that works."

How Washington's work release program operates

Washington's work release program, created by legislative action in 1967, gave the State permission to allow inmates to serve sentences in the community for the purpose of work training and experience. In 1970 the first community-based program was established in Seattle under a contract agreement with Pioneer Cooperative, a private, nonprofit corporation (now Pioneer Human Services -- see "A Partnership With Private Industry").

Staffing and costs. The work release program is the responsibility of the Division of Community Corrections within the State Department of Corrections (DOC). Division staff establish guidelines governing the selection of offenders for placement in work release, work with contractors to provide food and shelter in a halfway house arrangement, and supervise the correctional officers who are assigned to work release facilities.

The actual operation of the work release facilities is done on a contractual basis, with contracts renegotiated every 2 years. DOC contracts with providers for the buildings, plus the day-to-day activities, including staff, meals, shelter, inmate sign-in and sign-out procedures, urinalysis, and job checks. Contracts are negotiated on a per bed, per day basis, regardless of whether the bed is actually occupied. In 1992, at the time of the study, the average work release contract costs were between \$32 and \$35 per day, per bed.

DOC contracts with 15 residential work release facilities, which house more than 350 offenders (mostly adult males) on any single day throughout the State. The facilities can handle a range of approximately 15 to more than 100 residents, but most accommodate between 20 and 40 inmates. Small numbers of beds are available to female offenders and mentally ill or developmentally disabled offenders.

In the 1991-1993 biennium, approximately \$115 million of the \$312-million DOC budget was allocated to community corrections. About 38 percent (or \$43 million) of the community corrections budget was for work release.(4) These funds pay primarily for DOC staff to administer the statewide program and monitor participants at the work release centers.

Admission criteria and process. Washington's work release program is governed by the stipulations set forth in the Sentencing Reform Act (SRA) of 1981, which significantly altered the State's criminal sentencing practices as well as the guidelines for work release. The SRA stipulates that an inmate may not enter work release sooner than 6 months prior to discharge. The exact time depends on the length of the offender's original sentence. Inmates generally apply for work release within 12 to 17 months prior to their release date. The application is screened by the correctional counselor, the unit supervisor, and finally by the current DOC facility superintendent.(5)

Inmates can apply for work release only if:

- o They have a minimum security status.
- o They have less than 2 years to serve on their minimum term, including anticipated good time credits.
- o They have not been convicted of rape in the first degree or, if so, are beyond the first 3 years of confinement.
- o They have not been convicted of murder in the first degree or, if so, have the written approval of the Secretary of Corrections.

Inmates who meet these initial screening criteria may be subsequently denied work release by DOC if (1) they have exhibited assaultive behavior while in prison, (2) the offender's victim resides in the area, (3) the offender has made threats to the victim during incarceration, or (4) the offender has two or more prior work release failures during the current commitment.

Once DOC judges an offender eligible for work release, the work release facilities' Community Screening Board, consisting of work release staff and local citizens, must agree to accept the inmate for admission to their local work release center.

In most cases the Community Screening Board accepts DOC's recommendations.

Daily operations. After being accepted for a particular residential facility, inmates receive a set of standard rules. These rules specify that they are to abide by their work plan, remain in the work release facility at all times except those approved for work and other appointments, remain alcohol and drug free, be employed or have resources in order to meet financial needs, report all earnings to DOC community corrections officers (CCOs), and obey all Federal, State, and local laws.

Offenders must obtain gainful employment or training and must pay about \$10 a day for room and board. Participants are ultimately responsible for finding work in the community, although CCOs and staff provide referrals. Residents also pay support to their families and court-ordered restitution. The average length of stay in the work release facility is about 4 months but varies according to the length of the original court-imposed sentence.

The CCOs work at the work release facilities a minimum of 8 hours a day. Their primary role is to provide case management services, which includes providing informal advice and conducting intake interviews. For example, they review each client's progress as well as discuss personal problems, such as substance abuse. CCOs can require offenders to participate in special treatment or may initiate procedures for sending them back to prison. Residents fill out "Offender Schedule Plans" listing place of employment, immediate supervisor, and rate of pay; CCOs check with employers to verify these facts.

Study 1: A statewide analysis of work release

Study 1 was designed to answer the following research questions:

- o What are the characteristics of prisoners placed on work release? How have these characteristics differed from those of the general prison population?
- o How many offenders placed on work release have successfully completed their programs? Why have some not succeeded?
- o What characteristics distinguish those who have been successful from those who have been unsuccessful on work release?
- o What are the costs associated with a prison term that includes a work release sentence compared to those of a prison sentence without work release?

The data for study 1 were supplied by DOC research staff. They identified all male inmates released from prison (to the streets) during calendar year 1990.(6) For each of the 2,452 offenders in this

cohort, background and criminal record information was obtained from DOC's computerized Offender-Based Tracking System (OBTS). OBTS lists the inmate's age, race, prior criminal record, most serious conviction, sentence length imposed, and date admitted and discharged from DOC. It also records transfers to jail, prerelease, and work release and work release application and performance information. To this information was added more detailed data from DOC files on the exact reason for return (e.g., new crime, drug possession) for work releasees who had been returned to custody.

Study 1 findings

The data reveal that almost half (48.8 percent) of the inmates in the 1990 release cohort applied for work release during their prison term, and 39.4 percent were placed in work release facilities at some point during their sentence.

An average of 7.1 months elapsed between the time an inmate was admitted to prison and when he applied for work release. Once the application was submitted, it took just over 3 weeks before a decision was made to accept or reject him for the program. After an additional 56 days, the inmate actually entered a work release facility; this time was used to prepare the inmate for work release and to locate a suitable and available residential placement. These inmates served an average sentence of 15 months. With an average application process of 10 months, the inmates spent approximately 5 months in work release.

Participant characteristics. One would expect work release participants to differ from the general prison population since the law and DOC policies indicate that only certain offenses and offenders (generally the less serious) are eligible. After meeting these legal standards, inmates are free to decide if they want to apply for work release. Incentives to participate include the opportunity to live in the community, be closer to family and friends, and obtain some practical work experience. But some inmates do not plan to be released to a location where a work facility exists, and some inmates judge the requirements and closer supervision of work release too bothersome. They choose instead to serve out their full terms in prison.

Several background characteristics distinguished inmates who did not choose work release from those who did:

- o Younger and older inmates were less likely than middle-aged inmates to go to work release.
- o Hispanics were less likely to go to work release than either whites or blacks.
- o Inmates with no prior criminal record were less likely to go to work release.

o Inmates convicted of property offenses (burglary, theft, and forgery) were the most likely to go to work release.

At least one of these differences may reflect the screening procedures for work releases. For example, policies deny work release to offenders convicted of certain violent offenses -- hence their lower representation in the work release sample. There could be another explanation for the finding that inmates with no prior criminal records were less likely to participate in work release. These lower risk inmates had other program options for decreasing their prison length of stay (such as a "work ethic" camp for nonviolent offenders).

Although Hispanics were disproportionately underrepresented in the work release cohort, this did not appear to result from their having fewer of the characteristics that would have made them eligible. In fact, Hispanics were overrepresented as drug offenders -- which indicates their representation among work releasees should have been much higher than observed. DOC staff suggested one reason for fewer-than-expected Hispanics is that some may have had Immigration and Naturalization Service detainers, making them ineligible for work release.

Who was successful? Each inmate was classified according to performance:

o Successful inmates were those who completed work release without any type of rule infraction or new crimes having been noted in their official corrections record and who returned directly into the community from the work release facility.

o Moderately successful inmates were those who had committed an infraction but one not judged serious enough to remove them permanently from work release.

o Unsuccessful inmates committed some type of infraction, either a rule violation or new criminal conduct, and were returned to prison to serve out the remainder of their term.

Of the 965 work releasees in the cohort, 544 (or 56 percent of participants) were judged successful in work release. If one considers that nearly 40 percent of the original cohort were placed on work release to begin with, and that about two-thirds succeeded, it is clear that almost one out of four inmates in Washington made a successful transition to the community through work release.

An additional 131 inmates (or 13.5 percent of participants) were moderately successful, and 290 inmates (or 30 percent of participants) were judged unsuccessful in work release and were returned to prison to complete their terms.

The most frequent reasons for return to prison from work release were failure to abide by curfews or

absconding from the program, drug possession, and other program rule infractions. New crimes or law violations accounted for a very small percentage (3.6 percent) of those returned. In fact, in the entire cohort of 965 work releasees studied, records indicate that no offender committed a violent felony while in the program: the few crimes committed were thefts and forgeries. These findings suggest that Washington's work release program poses very little risk to the surrounding community.

Predicting success. Variables indicating race, education level, occupation before imprisonment, marital status, employment status at arrest, previous work stability, conviction offense type, prior criminal record, substance abuse dependency, and length of current sentence were each cross-tabulated with the three success-level variables, revealing that:

- o Older offenders were more successful at work release than younger offenders.
- o Whites were more successful than Hispanics and blacks. More than 40 percent of Hispanic and black work releasees were returned to prison compared with 25 percent of white offenders.
- o Offenders with no prior criminal record were more successful than those with a prior record. Almost two-thirds of inmates with no prior record were successful compared with fewer than half the offenders with a prior conviction.
- o Offenders convicted of person crimes (e.g., robbery and assault) were more successful than offenders convicted of property or drug crimes.(7)

Comparing work release costs with prison costs. A recent survey of prison administrators reported that, while they recognized the rehabilitative potential of work release, they were most interested in using work release to reduce prison crowding and associated costs.(8) Community-based facilities are much less expensive to operate than prisons, and so allowing inmates to serve the last several months of their prison sentence in the community can reduce corrections costs. According to national estimates, for example, work release costs about \$34 a day, and prison costs \$54 a day (operational costs only).(9) In addition, inmates who work can be required to help pay for their room and board, support their families, and pay taxes.

Unfortunately, the cost savings accrued through work release and other community-based programs have not been as substantial as proponents had hoped. For example, Minnesota recently implemented an Intensive Supervision Program designed to release prisoners early from prison on the condition that they participate in an enhanced community supervision program. Fewer offenders than expected actually participated in early release, reducing the potential for large cost savings.

Similar results have been seen in New Jersey, Florida, Arizona, Texas, and Oregon.(10)

It is therefore clear that community-based sanctions are not necessarily less expensive than prison. It all depends on how offenders behave in the program and how program administrators choose to punish infractions (particularly drug use). If infractions and rule violations are punished with incarceration, initial cost savings are reduced or eliminated as a result of the additional dollars required to incarcerate program failures. In effect, close surveillance may end up generating many program failures who are eventually returned to prison. In that case, the State incurs the cost of their work release program in addition to eventual reuse of a prison cell. The community-based sanction may actually end up costing more than a single term of incarceration uninterrupted by work release. Previous work release evaluations have not provided a complete accounting of total costs, which at a minimum must include the cost of rehousing unsuccessful work release offenders in jail or prison.

For each of the 2,452 inmates in the work release cohort, files on their movements since coming to prison were available. The data made it possible to record how much time each inmate spent in work release and nonwork release institutions as well as in local jails.

DOC then provided statewide estimates of the daily cost of different sanctions; by combining this information, researchers were able to calculate the average cost of a prison sentence that included work release and one that did not.

When all incarceration time served is taken into account, inmates who participated in work release served, on average, about 4 months less time in a prison or prerelease facility than inmates who did not participate. However, for every 3 days in work release, offenders spend about 1 day back in an institution -- either prison or a prerelease center.

Inmates who participated in work release cost the State about \$4,000 less than inmates who did not. However, the cost comparison does not account for crime and background differences between work releasees and nonwork releasees, which have already been shown to be considerable. It is known that nonwork releasees were, on average, convicted of more serious crimes. As such, one would expect that they would serve longer prison terms and cost the State more as a result. To make credible cost comparisons among sanctions, one must compare offenders who are similar in background characteristics and conviction crimes. Study 2 was designed to do exactly that.

Study 2: The impact of work release on recidivism and on corrections costs

This evaluation of the effects of work release was

designed as an experiment in which eligible offenders were to be randomly assigned to participate or not to participate in work release. In a randomized experiment, one has more confidence that any observed differences result from participating in work release rather than from preexisting background differences.

The experiment was conducted in Seattle, which is Washington's largest city and home to more than 50 percent of the work release offenders. The study had the full cooperation of the Washington DOC, the DOC Community Corrections Division, and the various managers of the six individual work release facilities serving males in Seattle.

Identifying the sample. The study required a fairly large sample size in order to detect the relatively small outcome differences that were expected between experimental and control offenders. Based on prior evaluations, it was estimated that the work release effects (e.g., recidivism reduction) would not be large, with perhaps 10- to 20-percent differences between experimental and controls. Procedures were devised that would yield expected sample sizes of several hundred offenders during the time frame of the study.

Offenders who were deemed eligible for work release by DOC were randomly assigned to either the experimental group (who progressed toward work release using normal procedures) or the control group (who were removed from the work release eligibility list and remained in prison to complete their full prison terms).

To avoid seriously disrupting the flow of inmates into Seattle work release facilities, investigators assigned 1 out of every 10 eligible inmates to the control group and 1 to the experimental group. The remaining 8 eligible offenders did not participate in the study but instead maintained their status on the waiting list and were handled according to normal DOC operating procedures. Based on analysis of available DOC data, these procedures were estimated to yield approximately 200 study offenders a year.

However, the flow of offenders entering the DOC pool of work release "eligibles" was too slow to permit reaching an adequate sample size during the study's assignment period. A year after the random assignment procedures were put in place, only 125 offenders had been assigned to the study. It is unclear why the inmate flow did not meet expectations, but DOC officials suggest it resulted from fewer applications to the program (not from rejecting more applicants).

To increase the study's sample size, researchers supplemented the randomized assignment with offenders who during the study period had been part of the 8 out of every 10 offenders who were not included in the initial randomized assignment procedures. Forty-eight offenders were randomly

selected from this initial pool of work release eligibles and placed in the experimental study group. In addition, DOC identified 45 additional control offenders who for reasons unrelated to eligibility criteria had not actually participated in work release prior to their release from prison, primarily because they had "maxed out" on their sentences before all the administrative procedures had been completed or work release beds had become available. These offenders were used to supplement the control group. Thus, the final sample totaled 218 offenders, of whom 125 had been randomly assigned to the study and an additional 93 had been chosen as a matched comparison group. (11)

Data collection. For each of the 218 study participants, a number of data collection forms were completed by the researchers' onsite staff. The background review captured information about the inmate's demographics (e.g., age, race, education, marital status), prior employment history, drug use information, current offense information, and prior criminal history.

At 6 months and again at 12 months after assignment, a series of other forms were completed that recorded such information as time spent in different institutions and work release centers, contacts made and services received, and the number of days on postdischarge status. Finally, recidivism information was obtained for each offender based on State-level criminal history "rap sheets." The date, nature of arrest, disposition, and sentence were recorded for each offense occurring during the 1-year followup period after study assignment.

Characteristics of the Seattle sample

The Seattle sample closely resembled the statewide sample, which was to be expected since about one-third of Washington's DOC population comes from the Seattle area. The study work release offenders averaged about 30 years of age. About half of the offenders in the sample were white, and 43 percent were black. More than half of the sample were convicted of drug offenses, and 84 percent were classified as dependent on alcohol, with almost three-quarters dependent on cocaine. About two-thirds of the offenders in the sample had never worked or had worked only occasionally (6.2 percent and almost 60 percent, respectively).

One can see that the characteristics of work release participants were not significantly different from those of nonwork release participants, except in three instances: number of prior arrests, occupational history, and type of current offense. This suggests that the randomization and matching strategy used was successful in that it was desired that the two groups be similar in background characteristics so that any observed differences in recidivism could be attributed to participation in work release. (12)

Work release program activities

The investigators sought to learn what actually transpired when offenders were placed in work release. What kinds of jobs did they get, and what types of monitoring activities were imposed? How well did inmates perform, and how long did they stay in the program? To answer those questions, the work release offenders were "followed" into their individual site placements, and information was coded about the kinds of jobs they obtained, how much money they earned, the number of times they were seen by CCOs, how often they were tested for drugs, and the kinds of rehabilitation programs they participated in.

As expected, most of the program's focus was on obtaining a job. In fact, if offenders did not have a job within the first few weeks, they might be returned to the institution. Generally, offenders had one or two jobs during their 3- to 4-month work release stay. Many more interviews were attempted with employers than were actually completed. The analysis of offenders' first jobs showed that most were either in the restaurant or construction industries, with a median pay of \$8 an hour. More than half of the offenders were still working at their first jobs when they left work release (discharged from DOC or placed on postrelease supervision) or when the review of their files was completed.

Work releasees were tested for drugs at the work release facility an average of once a month. The tests revealed very low percentages of drug use. Only 8 percent of work release participants tested positive for drugs, usually for cocaine. On average, work releasees participated in outpatient drug and alcohol counseling sessions (usually Alcoholics Anonymous and Narcotics Anonymous meetings) about once every 2 months. In addition, they had face-to-face meetings with their CCO about once a week.

Recidivism outcomes during 12-month followup

It is generally believed that recidivism rates are the key factor in determining the effectiveness of work release. This study included a 1-year followup period, which began at the point of random assignment. Work releasees were not immediately placed in the community following random assignment, since several weeks often passed between approval for the program and actual transfer to the work release facility. Thus, the 12-month followup included an average of 2 months initial time in an institution, followed by an average of 10 months in the community for work release study offenders. During the followup period, control offenders were "on the street" an average of just under 7 months after being released from prison.

Investigators obtained each offender's State rap sheet and recorded all arrests (felony and

misdemeanor), convictions, and incarcerations occurring during the followup period. Information on infractions during work release and prison was obtained from the DOC OBTS computer and work release folders. Events that occurred while the offender was in prison or on work release were separated from events that occurred afterward (including postdischarge).

The results show significant differences. Infractions (mostly rule violations and drug possession and use) were recorded for 58 percent of work releasees but for only 4.7 percent of nonwork releasees. As a result, about a quarter of all work releasees were returned to prison, compared to 1 percent of nonwork releasees. However, when looking at infractions while offenders were in an institution, one finds that nonwork releasees incurred significantly more infractions during their time in prison. When one adds together infractions during work release and while in prison, work release offenders were twice as likely to incur a violation when compared to nonwork releasees (67.3 percent versus 33.6 percent).

In terms of new crimes, although work releasees were less likely to be arrested during the followup period, the difference was not statistically significant. As in study 1, a very small percentage of work releasees were arrested for new crimes while on work release (less than 3 percent). By the end of the 1-year followup period, which included an average of about 3 months after discharge from DOC, 30 percent of nonwork releasees (controls) had been arrested, compared to 22 percent of work releasees (experimentals). As a result, about 4 percent of both groups were returned to prison for a new crime during the year.

Overall, if one combines all the returns to prison (for either a rule infraction or new crime), one finds that 29.5 percent of work releasees were returned to prison during the 1-year followup, compared to 5.7 percent for nonwork release participants.

The returns to prison were mostly for short stays, however. By the end of the 1-year followup period, 71.4 percent of control offenders and 52.7 percent of experimental offenders had been discharged. Nine percent of work release participants were institutionalized, contrasted with 2.9 percent of controls, a marginally significant difference. These differences suggest that the length of time under correctional supervision may actually have been longer for those participating in work release.

Costs of work release versus prison

Is work release less expensive than serving a complete term in prison? To answer this question, one must determine the relevant period of time for which costs are to be estimated. Since about 26 percent of work releasees were returned to prison

as a result of a work release infraction, the costs of rehousing them in prison needed to be considered in the overall cost calculation.

If one considers only costs before the inmates either leave prison or work release for the first time, one ignores "reprocessing" for offenders who are returned to prison from work release facilities or the community. However, if one wants to include costs following first release, one must make some decision about how far in the future to extend the window for analysis. Not all the study offenders were discharged during the study time period; thus, one cannot estimate costs for the entire sentence served in the institution plus time in the community before discharge for all offenders. The analysis reflects the costs associated with completed sentences for 70 per-cent of controls and 50 percent of experimentals.

Washington corrections officials furnished the daily cost of each of the correctional programs, making it possible to compute the total costs of supervising each inmate during the initial sentence and the followup period. By averaging these cost estimates across inmates in the control and experimental groups, one can compare the costs of a prison term that includes work release to one that does not.

The analysis shows basically no difference in costs between work releasees and inmates completing their full terms in prison. If one considers the costs associated with work release from the time an inmate was admitted to prison until his discharge, the estimated cost would average \$25,883 per inmate. This is in contrast to the estimated \$25,494 it would have cost per inmate, on average, to serve out his time in prison.

The two studies thus produced similar findings regarding the costs of work release. Other findings related to success, failure, and recidivism lead to several conclusions.

Who is successful on work release?

Although work release might not reduce the overall recidivism rates of participants, there may be subgroups for whom the program could produce more successful outcomes. Similar to the analysis in study 1, an attempt was made to identify factors that were related to three recidivism outcomes: any infraction during work release; any arrest during the 1-year followup; and any return to prison (as a result of infraction or arrest) during the 1-year followup. A number of background characteristics of offenders were considered, such as age, race, education, prior employment, drug involvement, and current offense.

It was not possible to find characteristics of offenders, or a profile of an offender, who appeared to do better on work release than in prison. However, a few characteristics were related

to success, regardless of condition. For example, offenders with a prior history of cocaine or crack dependence were more likely to have committed an infraction than others; those whose most serious current offense was for a theft charge were more likely to be rearrested; and white offenders were less likely than others to commit an infraction.

Summary and conclusions

Washington's work release program has been successful on several fronts: nearly a quarter of all prisoners released in Washington under current statutes made a successful transition to the community through work release. While in the program, these inmates maintained employment, reconnected with their local communities, paid for their room and board, and most remained drug free. Given that in most States fewer than 5 percent of prisoners even participate in work release, this is quite an accomplishment.

However, the work release program did not reduce offender recidivism rates or corrections costs. Critics of community corrections often argue that such programs should deliver all of the above services while showing a reduction in recidivism and costs. Such expectations are unrealistic. Prison programs should not assume the goals and functions of other social institutions such as schools and welfare agencies. (13)

Realistic measures of corrections programs' effectiveness should account for daily activities and the constraints under which the programs operate.

Realism, however, does not mean easy to achieve. Most participants in Washington's work release program had lengthy criminal histories, serious substance abuse problems, and possessed limited education and job skills. Yet, when supervised in this work release program, they found jobs, paid rent, and refrained from crime.

Although most corrections evaluations adopt recidivism as their primary outcome measure, few corrections officials believe that what they do chiefly determines recidivism rates. As John J. DiIulio, Jr., recently wrote: "Most justice practitioners understand that they can rarely do for their clients what parents, teachers, friends, neighbors, clergy...or economic opportunities may have failed to do." (14) Adopting more realistic outcome measures may make it more possible to bridge the wide gap between public expectations for the justice system and what most practitioners recognize as the system's actual capability to control crime. By documenting what corrections programs can accomplish, we can move toward integrating programs like work release into a more balanced corrections strategy. Such a strategy would successfully return low-risk inmates to the community, thereby making room to incarcerate the truly violent offenders.

Notes

1. Bureau of Justice Statistics, Correctional Populations in the United States, 1992, Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1995, Table 5.12a.

2. Bureau of Justice Statistics, Census of State and Federal Correctional Facilities, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1990:1.

3. The few previous studies of work release had shown some positive results -- mostly on employment rather than recidivism. These studies relied primarily on quasi-experimental methods that failed to control adequately for preexisting differences between study groups'. Thus, one could not determine whether outcome differences were due to the effect of the intervention (work release) or to characteristics on which work release and comparison groups differed.

4. The work release budget includes the institution's phase referred to as "prerelease," in which inmates prepare for their placement in the community work release facilities, as well as actual placement in the community work release site.

5. The offender can also change his mind about participating in work release during the application process. Of those who were denied work release in 1989 by DOC, 30 percent were offenders being held on detainers, 17 percent were offenders with disciplinary problems, 9 percent had escape infractions, and 17 percent refused to participate in work release.

6. Only male inmates who were sentenced and released under the Sentencing Reform Act (SRA) of 1981 were included in the sample. DOC estimates that about 80 percent of offenders released in 1990 were SRA offenders and 90 percent were male.

7. The recidivism predictors are nearly identical to those identified in a national sample of released prisoners (Beck, Allen, and Bernard Shipley, Recidivism of Prisoners Released in 1983, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1989).

8. Simon, Senator Paul, "Wardens Call for Smarter Sentencing, Alternatives to Incarceration, and Prevention Programs," U.S. Senate Press Release, Washington D.C., December 21, 1994.

9. Maguire, Kathleen, and Ann L. Pastore, eds., Sourcebook of Criminal Justice Statistics 1993, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1994.

10. Clear, Todd, and Anthony Braga, "Community Corrections," in Crime, eds. James Q. Wilson and Joan Petersilia, San Francisco, California: ICS Press, 1995.

11. Comparison of random versus nonrandom cases on a number of background characteristics, including age, race, current offense, length of prison term, multiple measures of prior criminal record, and legal financial obligations revealed no statistically significant differences between the two groups on any measure except the number of prior arrests and the number of prior parole revocations. Of these characteristics, nonrandom offenders had fewer prior arrests and fewer prior parole revocations than randomly assigned offenders.

With any random-assignment protocol, the possibility exists that the actual placement may be inconsistent with the designated assignment. In the current study, several factors affected actual placement after assignment. Although experimental offenders were to be placed in work release facilities soon after the assignment call was made to the researchers, in some instances offenders reached the end of their terms before placement. The potential for changing control offender assignments was more often related to offender dissatisfaction with remaining in prison rather than with being placed in work release. Although potential challenges to control assignments were anticipated by RAND Corporation and DOC staff and measures were taken to deal with them (i.e., reminding offenders that work release is a privilege and not a right), a few control offenders were placed in work release when it appeared their needs outweighed the study assignment. When one examines the actual placements versus those assigned for the entire study sample, 91 percent of controls remained in prison; 86 members of the control group were placed in work release.

The study's main analysis of outcomes considers cases as assigned, not as actually placed (thus one sees infractions during work release for a smaller percentage of control offenders). Although this procedure results in diluted estimates of treatment effects, it is the recommended strategy to ensure unbiased estimates of program impact. See Garner, Joel H., and Christy A. Visher, "Policy Experiments Come of Age," NIJ Reports, Washington D.C.: U.S. Department of Justice, National Institute of Justice, September/October 1988.

12. Of the 25 characteristics on which experimental and control offenders were compared, one would expect at least one comparison to be significant by chance. Nonetheless, the three significant differences found indicated that work releasees might have been slightly less serious offenders than their control group counterparts. To the extent these characteristics are related to recidivism, one would tend to find more positive outcomes for the work releasees. However, the study

found that work releasees were actually more likely to commit infractions. To address the concern of differences in background characteristics on the "any arrest" outcome, a multiple logistic regression analysis was conducted in which "any arrest" was regressed on controls versus experimentals, age, race, high school graduate, employed prior to prison, dependence on cocaine or crack, whether postrelease supervision had been ordered, whether the inmate was referred to the study from a prerelease center or an institution, current offense type, and number of prior arrests. The results -- work releasees were less likely, although not significantly so, to be arrested during the followup period. In other words, when background factors are controlled, conclusions are not changed.

13. Charles Logan, a corrections expert, has written on such matters for the Department of Justice and recommended that realistic goals for prison programs should be fairly narrow, achievable, and measurable within the policies and programs operated by the corrections department. He says that prison programs should be held accountable for keeping prisoners safe, in line (not committing crimes), healthy, and busy, and they should try to do all of this as efficiently as possible and without causing undue suffering. If those outcome measures are adopted (they were recently endorsed by the General Accounting Office), Washington's work release program is certainly successful. See Logan, Charles H., "Criminal Justice Performance Measures for Prisons," Performance Measures for the Criminal Justice System, Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1993.

14. DiIulio, John J., Jr., "Rethinking the Criminal Justice System: Toward a New Paradigm," in Performance Measures for the Criminal Justice System, Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1993:1-2.

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Findings and conclusions of the research reported

here are those of the authors and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

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Reasons for the Decline of Work Release

One reason work release programming has declined pertains to funding. Many work release programs begun in the 1970s were paid for by the Federal Government using funds from the Law Enforcement Assistance Administration. When Federal funding ceased, many programs were discontinued. And as the rehabilitation ideal -- of which work release was very much a part -- started to fade, the public embraced imprisonment as the only sure way to forestall crime. Programs that focused on rehabilitation, job training, and transitional services seemed hopelessly out of touch with the public.

Moreover, a few highly publicized and sensational failures convinced the public that early-release programs, such as work release or furlough, threatened public safety. The most extreme example was Willie Horton, the Massachusetts inmate who absconded and committed serious and violent crimes while on furlough. (Horton was actually on work furlough, not work release, but the two terms are often used interchangeably.) The case became an issue in the 1988 presidential campaign, and the negative publicity helped further erode community support for work release programs.

A Partnership With Private Industry

Washington's work release program has benefited enormously from a particularly close working partnership with private industry, particularly Pioneer Human Services (PHS). PHS has been contracting with DOC to operate work release facilities since its inception nearly 30 years ago. It now operates 4 such facilities, housing about 1,200 work releasees annually (or about one-third of all Washington's work releasees). Over the years PHS has grown to a full-service organization, providing job training at a manufacturing facility it runs, prerelease and postrelease employment in a food service business it founded, housing for offenders with special needs, and electronic monitoring of State and Federal offenders. PHS is

highly regarded nationally and in the State and was recognized by former President Bush in 1992 as one of the Nation's "Points of Light."

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OJJDP

Shay Bilchik, Administrator

July 1999

JUVENILE JUSTICE BULLETIN

Reintegration, Supervised Release, and Intensive Aftercare

David M. Altschuler, Troy L. Armstrong, and Doris Layton MacKenzie

Over the past decade, interest in the issue of aftercare for juvenile offenders has grown tremendously. Jurisdictions have sought new ways to reintegrate youth being released from confinement into their communities while also ensuring public safety, and juvenile justice policymakers and professionals have begun experimenting with aftercare and other reintegration models. In the late 1980's, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) began supporting a long-term, multistage research and development initiative to design an intensive juvenile aftercare model. The final stages (implementation and testing) of the initiative, an experimental evaluation of the Intensive Aftercare Program Model (IAP) using random assignment conducted by the National Council on Crime and Delinquency (NCCD), are well under way.

In "Reintegrative Confinement and Intensive Aftercare," Dr. David M. Altschuler and Dr. Troy L. Armstrong describe the IAP model, distinguish it from other models and programs that

have been implemented and assessed with varying degrees of success, and analyze individual intensive aftercare programs. While other aftercare evaluations have not all been experimental in design, the IAP evaluation uses experimental methodology to gauge the success of the four OJJDP-supported projects currently implementing the IAP model. Following Drs. Altschuler and Armstrong's comparative analysis, Dr. Doris Layton MacKenzie provides a commentary that reviews existing aftercare programs and studies of these programs and reacts to Drs. Altschuler and Armstrong's conclusions. Dr. MacKenzie examines aftercare initiatives, including OJJDP's IAP model, in light of the findings and recommendations of the University of Maryland's report entitled *Preventing Crime: What Works, What Doesn't, What's Promising*, which she coauthored. Together, these analyses present a cutting-edge examination of what has worked in reintegrating juvenile offenders, what has not worked, and why.

From the Administrator

If we are to succeed in our efforts to combat juvenile delinquency and recidivism, it is not sufficient to know what works, or even to implement programs based on that knowledge. We need to ensure that the juvenile justice system conducts comprehensive front-end assessments of court-involved youth, encompasses a system of immediate and intermediate sanctions, and provides both nonsecure and secure community-based programs and facilities.

We must not stop there, however, because the juvenile offenders currently placed in secure confinement will one day return to the community. Hence, aftercare is essential for youth released from residential programs.

This Bulletin describes an intensive juvenile aftercare model developed from a long-term OJJDP research initiative and compares it with other approaches. An analysis of intensive aftercare programs is also offered in light of the publication of the University of Maryland report, *Preventing Crime: What Works, What Doesn't, What's Promising*.

This analysis helps us to understand what works—and what does not—in reintegrating juvenile offenders into their communities. More needs to be determined, but this Bulletin is a first step toward accomplishing that crucial goal.

Shay Bilchik
Administrator