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# Federal Probation

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**JUNE 1988**

U.S. Department of Justice  
National Institute of Justice

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# Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME LII

JUNE 1988

NCJRS NUMBER 2

AUG 2 1988

## This Issue in Brief ACQUISITIONS

**Systems Therapy: A Multimodality for Addictions Counseling.**—Chemical dependency is a growing problem which has increased at least tenfold over the past decade. Until recent years the phenomenon was not recognized as a disease, but rather a mental health problem, and current therapies still tend to address mental health aspects rather than the disease of chemical dependency. Alcohol, although a drug, is still considered to cause separate and distinct problems from other drugs. Author John D. Whalen maintains, however, that alcoholism and drug abuse can be treated as one common problem with a set of exhibiting symptomologies. This article describes Systems Therapy, a therapeutic approach developed by the author.

**Assessment of Drug and Alcohol Problems: A Probation Model.**—Authors Billy D. Haddock and Dan Richard Beto highlight the increased emphasis on assessment methods in drug and alcohol treatment programs and describe the assessment model used in a Texas probation department. Major theories of substance abuse and dependence are dis-

cussed as they relate to assessment. The objectives, components, and general functioning of the assessment model are described. A counselor/consultant is used in the assessment process to offer greater diagnostic specificity and make individualized treatment recommendations. According to the authors, the assessment process facilitates a harmonious relationship between probation officers and therapists, thus promoting continuity of care and quality services.

**Drug Offenses and the Probations System: A 17-Year Followup of Probationer Status.**—Authors Gordon A. Martin, Jr. and David C. Lewis provide the current status of 78 of 84 probationers previously studied in 1970. Of the original group, 14.1 percent are deceased and 18 percent have had constant problems with the law. Sixty eight percent have had varying degrees of success, with one-third essentially free of all criminal involvement. The study indicates that younger probationers who used heroin and barbiturates were the population at greatest long-term risk and merit the longest periods of probation

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and most intense supervision. For them, marijuana did not serve as a "gateway" drug, though alcohol may have. The authors note that the original group of probationers was supervised by a probation officer who was a specialist in drug offenders. While his probation load was sizeable, it was manageable. For probation to fulfill its crucial mandate—the authors conclude—more resources must be made available to it, and caseloads must be manageable.

**All-or-Nothing Thinking and Alcoholism: A Cognitive Approach.**—Self-destructive all-or-nothing thinking is both a correlate of alcoholic drinking and a likely area for cognitive intervention. Author Katherine van Wormer contends that it is not the alcoholic's personality but the alcoholic's thinking that is the source of the drinking. Specific cognitive strategies are offered—strategies that should be effective both in recovery from alcoholism as well as in its prevention.

**Lower Court Treatment of Jail and Prison Overcrowding Cases: A Second Look.**—In 1979 and 1981, the United States Supreme Court issued opinions in which it ruled that double-bunking of prison and jail cells designed for single occupancy was not unconstitutional *per se*. It also indicated that lower courts should demonstrate greater restraint in "second guessing" the decisions of correctional administrators. In 1983, *Federal Probation* published an article in which author Jack E. Call concluded that many lower courts were still quite willing to find overcrowded conditions of confinement unconstitutional. In this followup article, Call finds that after 4 more years of lower court decisions in overcrowding cases, this earlier conclusion is still valid.

**Rewarding Convicted Offenders.**—Offenders can be rewarded by deescalating punishments in response to behavior one wishes to encourage. This practice has distinguished origins, has been subjected to a variety of criticisms, but is regaining ascendancy. In his review of the controversy, author Hans Toch suggests that defensible reward systems for offenders can be instituted and can enhance the rationality, humaneness, and effectiveness of corrections.

**Current Perspectives in the Prisoner Self-Help Movement.**—Prison rehabilitation programs are usually designed to correct yesterday's problems in order to build a better tomorrow for criminal offenders. Yet the struggle for personal survival in prison often diverts inmates' attention away from these "official" treatment policies and toward more informal organizations as a means of coping with the

immediate "pains of imprisonment." Prisoner self-help groups promise to bridge the gap between immediate personal survival and official mandates for correctional treatment. Drawing on historical and interview data, author Mark S. Hamm offers a typology that endeavors to explain the promise explicit in prisoner self-help organizations.

**Consequences of the Habitual Offender Act on the Costs of Operating Alabama's Prisons.**—Habitual offender acts have been adopted by 43 states and are under consideration in the legislatures of others. According to authors Robert Sigler and Concetta Culliver, these acts have been adopted with relatively little evaluation of the costs involved in the implementation of this legislation. The data reported here indicate that one area of costs—costs to departments of corrections—will be prohibitive. The authors suggest that the funds needed to implement the habitual offender acts could be better used to develop and test community-based programs designed to divert offenders from a life of crime.

**Evaluating Privatized Correctional Institutions: Obstacles to Effective Assessment.**—Institutional populations in the American correctional system have increased dramatically during the last decade. This increase has produced serious concern about both overcrowding and the economic costs of imprisonment. One proposed solution to the current dilemma involves the engagement of the private sector in the correctional process. Although it is apparent that there are a number of potential benefits to be obtained from private sector participation in the administration of punishment, a variety of potential hazards have also been identified. In this article, author Alexis M. Durham III considers some of the hazards associated with the evaluation of privately operated correctional institutions. The discussion identifies some of these potential obstacles to effective evaluation and concludes that although evaluation impediments may well be surmountable, the costs of dealing with these problems may offset the economic advantages otherwise gained from private sector involvement.

**Negotiating Justice in the Juvenile System: A Comparison of Adult Plea Bargaining and Juvenile Intake.**—Plea bargaining and its concomitant problems have been of little concern to those who study the juvenile justice system. We hear little or nothing of "plea bargaining" for juveniles. However, in this article, author Joyce Dougherty argues that the juvenile system itself is based on the very same system of "negotiated justice" that lies at the

heart of adult plea bargaining. By placing society's interest in "caring for its young" (translated into the doctrine of *parens patriae*) over the individual rights of juveniles, the juvenile justice system has created a situation where the determination of a child's "treatability" has become more important than the

determination of his or her guilt or innocence. The author compares adult plea bargaining and juvenile intake in an effort to illustrate how, despite all theoretically good intentions, the "justice" in the juvenile system is no better than the "negotiated justice" that is the end result of adult plea bargaining.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought, but their publication is not to be taken as an endorsement by the editors or the Federal Probation System of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

# Evaluating Privatized Correctional Institutions: Obstacles to Effective Assessment

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AMERICAN CORRECTIONAL institutions are currently confronting a severe crisis. The number of inmates held in state penal institutions has grown from 196,429 in 1970 to 522,744 at the beginning of 1987 (Bureau of Justice Statistics, 1986; Camp and Camp, 1987: 3). This represents an increase of 156 percent. The number of inmates per 100,000 population has surged from 96 to 216, a more than twofold increase. This nationwide increase in prison population has resulted in extensive institutional overcrowding. On average, state penal systems are operating at 16 percent above rated capacity, while the Federal system is at 46 percent beyond capacity (Camp and Camp, 1987: 21-22). These national averages conceal the special difficulties confronted by particular states. California, for instance, is operating at almost 80 percent above rated capacity (Camp and Camp, 1987: 21). Although more than 122,000 new beds were added to American prisons during the period from 1978 through 1983 (DeWitt, 1986: 2), incarcerated populations continue to outdistance efforts to create new prison space.

One interesting solution to the problems associated with the enormous increase in the number of citizens held in penal institutions is the transfer of correctional responsibilities to the private sector. Following the lead of government in other areas of enterprise (e.g., trash removal, health services, transportation, road maintenance), local and state governments have expressed increasing interest in engagement of the private sector to handle responsibilities ranging from minor tasks such as provision of food and laundry service, to major burdens such as the ownership and operation of penal facilities. Studies conducted by the National Institute of Corrections and the National Institute of Justice in the 1980's reveal that contracts with private industry are already common in a majority of states. The interest in privatization displayed by these major research funding organizations makes clear that there is an increasing national awareness of the potential advantages of private sector initiatives to cope with some of the problems of overburdened state correctional systems.

As might be expected with any "new" innovation,

a critical literature has quickly developed which includes both vigorous defenses and equally energetic denunciations of correctional privatization. It is not the purpose of this article to rehash the many arguments advanced regarding the ethics of private involvement in the administration of punishment, the overall cost advantages of privatization, the likely impact on inmate rights and conditions of confinement, or the host of other issues raised in the literature.<sup>1</sup> The analysis in this article recognizes that the privatization process is already under way, and that it is likely to accelerate in the future. This reality does not, however, eliminate concern regarding the utility of such a transformation of American corrections. The development of a solid understanding of the ultimate value of this transformation will become evident only after a body of experience has accumulated. Of course, such a body of experience will not in itself provide definitive insight into the level of success achieved by correctional privatization. Development of an accurate understanding of the impact of privatization will depend heavily upon the evaluation mechanisms which are developed to assess the performance of the private sector.

Evaluation research is a relatively well-developed field and with proper opportunities can provide valuable insights into the results of the experiment with correctional privatization. There are, however, a number of obstacles associated with privatization which complicate the evaluation process. The mission of this analysis, therefore, is to specify and clarify some of the more important of these obstacles. In view of the serious overcrowding currently existing in institutions for residential confinement, and the urgency of finding remedies for this dilemma, we will be concerned only with problems related to evaluation of privately operated or owned-operated incarcerative institutions.<sup>2</sup> In addition, our discussion will

<sup>1</sup>For sources which do consider these and other privatization issues, see the extensive bibliography entitled "Privatizing Adult Imprisonment in the U.S.: A Bibliography" (Immarigeon, 1987).

<sup>2</sup>Obviously, private sector involvement in ownership and management of incarcerative institutions is only one of a large number of areas where companies may become involved in corrections. The problems considered here do not necessarily pertain to these other kinds of involvement. In addition these additional areas of private involvement may well have special obstacles not considered in our discussion.

be limited to two key areas of the evaluation process: initial evaluation design and sources of evaluation data. Although there are a number of other important stages in the evaluation process (e.g., agenda establishment, data analysis, dissemination of evaluation findings), problems associated with initial evaluation design and sources of data are critical because they will affect the outcomes of other evaluation processes, such as data collection, data analysis, and final presentation of results.

### *Initial Evaluation Design*

We begin our discussion with a consideration of the potential threats to evaluation associated with the initial design stage of the evaluation process. The initial design stage of any program evaluation is perhaps the most important stage in the entire evaluation sequence. The form assumed by subsequent evaluation stages will often be irrevocably determined by the decisions generated in the initial design planning. Both resource commitments and engagement of activities are products of the initial design, and often neither can be easily redirected once program activities and evaluation are under way. We will focus upon five major kinds of potential hazards in the design stage. These include problems associated with anticipating the future, in-process monitoring, the need for expertise, evaluation versus monitoring, and political urgency.

The first potential obstacle to effective evaluation of correctional programs is a problem that represents a hazard to any program evaluation; namely, the fact that evaluation designs are efforts to anticipate the future. The construction of an evaluation strategy relies upon a variety of assumptions about what will occur during the evaluation period (e.g., what resources will be available, the ability of program administrators to operate their facilities in conformity with expectations, the absence of unexpected transformations in the qualitative or quantitative characteristics of the inmate population, etc.). This problem is especially significant for privately operated correctional facilities due to the absence of experience that can be relied upon for the formulation of realistic projections. Because privately operated correctional facilities are charting relatively untested waters, evaluators will be unable to turn to a body of data on previous private institutional experience to assist them in their attempts to anticipate future events. The unavailability of such data will surely render speculative early efforts to anticipate likely contingencies, and early evaluation designs will reflect the speculative nature of the anticipation process.

An example illustrates this dilemma. An evaluation design may anticipate that an institution will continue to receive commitments from the local region, and thus be able to rely upon local information resources to track inmate experience subsequent to release. Changes in court commitment patterns may, however, increase the number of inmates committed from other parts of the state. In this event, local data resources will not be adequate for followup evaluation purposes, and either other information sources may not be available or the funds to access other sources may be unavailable. In either case, the impact of the privately operated facility on post-release success will be difficult to measure. Although this can also occur with state operated facilities, the crucial need for good evaluation data during the initial stages of the experiment with privatization make it vital that such possible hazards be anticipated. Furthermore, if the evaluation design itself is left to private initiative, as has already occurred in a number of states, the lack of experience with the functioning of the various stages of the criminal justice system, such as court commitment practices, may make it difficult for corporation evaluators to adequately anticipate future contingencies.

Associated with the problem of correctly anticipating institutional events and activities is the matter of developing sufficiently sensitive monitoring mechanisms to detect departures from anticipated circumstances. It is unreasonable to expect that even the most carefully constructed evaluated design will be able to accommodate for all the possible shifts in program operation. In view of this, it is imperative that process-oriented monitoring methods are implemented to maintain careful scrutiny of program processes. For instance, a system of frequent accounting of staffing levels can detect shortfalls in staffing that may lead to a diminution in service provision. Apart from the impact of such a staffing shortfall on program activities, it may also compromise the capacity of an evaluation design which assumes certain minimal levels of service provision to produce meaningful evaluation information. If the change in staffing levels is detected relatively quickly, efforts can be made to either restore institutional staff to initial levels or to alter the evaluation design.

Unfortunately, the implementation of backup systems to handle changes in institutional operation and monitoring mechanisms to detect such changes are not without cost. Observation of staffing patterns will require development of staffing data collection instruments, maintenance of staffing records, and of course examination of staffing data at regular intervals. Given what will likely appear to be the more

important immediate tasks of the facility, staff time for such activities will be only reluctantly provided by the private employer. Thus, contracts with private operators will need to require staffing for such activities, or government will have to provide manpower to maintain in-process data on facility operation.

Because the initial design phase of the evaluation process is largely an effort to anticipate the future, the particular methodology adopted on the basis of assumptions about the future will consume a large portion of the time and energy of those engaged in the initial design phase. Decisions will have to be made regarding specification of goals and objectives, development of measures and indicators, need for comparison group data, sources of information that are likely to yield useful data, and a variety of other technical matters. In view of the now well-established evaluation literature, and the numerous unfortunate examples of poorly constructed evaluation designs, the initial design phase should involve the services of trained experts in evaluation research. The experience of many recent privatization projects suggests that the acquisition of such expertise has been a low priority item. For example, a multi-state study jointly conducted by the Council of State Governments and the Urban Institute found little evidence of the participation of evaluation experts in the design of monitoring and evaluation strategies.

We found few explicit, formalized monitoring procedures in existence either for regular or periodic reviews . . . Some basic reporting was required in all cases, but there appeared to be little in the way of a formal system for aggregating and tabulating that data, analyzing it, and acting on the results obtained. (Council of State Governments, 1987: 114)

This condition obtained despite the discovery that "[m]any state correctional agencies have personnel in their research, statistics, or planning units that probably can direct such evaluations" (Council of State Governments, 1987: 129).

The privatization projects of the states examined in the Council of State Governments study are linked by their failure to devise adequate evaluation designs, and to no small extent this failure can be attributed to the lack of interest in procuring the services of evaluation experts. Some of the programs adopted weak evaluation designs, while others neglected evaluation altogether. Given the substantial level of interest in determining whether the private sector can successfully replace government-operated facilities, it is extraordinary that both private and public authorities have devoted so little attention to producing good evaluation designs.

To some extent this may be a function of fiscal

concerns. In view of the fact that a major advantage claimed for private sector correctional management is cost-efficiency, the expense of obtaining competent expertise and setting up sufficiently sophisticated evaluation mechanisms is clearly not an important priority to private companies, at least in the short term. In addition, given the already extant common perception that private industry can do the work of government cheaper, what incentive is there for private companies to expend resources on evaluations that can at best merely confirm popular perceptions and that can at worst cast doubt upon a primary basis of private sector appeal.

Government-stipulated requirements that the costs of evaluation be included in contract proposals may result in the inclusion of budget for monitoring. This should not be confused with budget for outcome evaluation. Although monitoring provides information on program operations as they are being conducted, and is valuable in assuring the integrity of institutional operation, monitoring data often are not adequate for outcome evaluation purposes. The above-noted multistate examination of private operation of prisons and jails expressed concern regarding the absence of program impact evaluation efforts. "We found only one systematic, in-depth evaluation of any of these contracting efforts" (Council of State Governments, 1987: xi). With respect to impact on inmate post-release experience, the Council found that "At none of the sites we examined were attempts made by government to evaluate rehabilitation success." (Council of State Governments, 1987: 115). It is evident that the availability of resources for examining institutional performance does not assure that such funds will be committed to activities beyond conventional process-oriented monitoring. The Council found that "The sole focus on process rather than results appeared to be the general practice, not the exception. (Council of State Governments, 1987: 114). Furthermore, the allocation of resources to monitoring may create the illusion that impact evaluation is a part of the evaluation design when in fact it is not. If such a mistaken impression is not corrected until evaluators attempt impact evaluation at the conclusion of the designated evaluation period, the error will be costly and impact evaluation may be impossible.

The political context within which the initial design phase will occur may also present significant obstacles to effective evaluation design. In most states electing to utilize the private sector for execution of correctional responsibilities, the interest in private enterprise is at least partially a result of severe overcrowding and related inadequate conditions of con-

finement. As previously noted, the number of inmates held in state prisons has increased dramatically in recent years. As of 1987 the state penal systems of 35 states confined inmate populations in excess of their rated capacity (Camp and Camp, 1987: 21). Twenty-eight states were under court order regarding conditions of confinement, and 25 were under court-ordered population limits (Camp and Camp, 1987: 27). The pressures of overcrowding and the costs of confining such large numbers of citizens have generated substantial political pressure to quickly devise and implement solutions. Engagement of the private sector in building, managing, and owning correctional facilities is one form of response to the crisis, and when the decision has been made to adopt this solution there is strong interest in putting it into operation as quickly as possible.

Thus, the practical interests of politicians and criminal justice practitioners dictate limited interest in the lengthy timeframes required to conduct the pre-program analysis required for development of an effective evaluation (Rutman, 1977; Patton, 1982). Even with professional expertise available to formulate the evaluation design, without adequate time to conduct pre-testing and pre-program evaluability studies the final design is likely to contain flaws which may limit severely the capacity of the evaluation to produce useful information.

The final evaluation design issue meriting consideration is the need for high levels of cooperation between evaluators, government, correctional administrators, and private sector administrators and staff. A sophisticated evaluation design that includes all the most modern technical devices for effective evaluation, but which reflects a lack of understanding of real institutional processes, is likely to be unable to provide the kinds of information necessary for both in-process monitoring and impact evaluation. For instance, adoption of a computerized data entry system for collection of daily institutional operation data will only be effective if capable, qualified personnel are available to operate the system. In addition, time demands on staff for execution of tasks given higher priority by institutional administrators may interfere with effective utilization of the computerized system. An evaluation design that utilizes the latest computer technology, but which neglects to accurately project either staff qualifications or available time for database maintenance, will not succeed in generating data that will be of use in evaluating institutional achievement.

The general solution to this problem is cooperation at the evaluation design stage between evaluators and those involved in the operation of the facility.

Collaboration between institutional personnel and evaluation designers can reduce the number of conflicts between formal design and implementation. Unfortunately, privatized correctional facilities represent special challenges. Due to the absence of extensive reliable data on institutional processes associated with private operation of incarcerative facilities, there is a knowledge gap that mere collaboration alone will not be able to overcome. The relative newness of private operation of correctional facilities makes it difficult for administration and staff to provide insight into institutional processes that would be valuable to evaluation designers. This reality suggests that even greater care, caution, and attention to detail will have to be accorded to the initial design phase than would otherwise be necessary. The urgent political context, however, casts doubt upon the likely willingness to exercise such patience by those engaged in transferring public correctional responsibilities to the private sector.

#### *Information Sources in the Privatized Facility*

We now turn our attention to consideration of the information sources likely to represent useful sources of data for monitoring and evaluation purposes. Once the evaluation design has been finalized, various sources of information will provide data that will make possible both effective in-process monitoring and institutional impact evaluation. This section discusses five important information sources: inmates, institutional staff, institutional administration, regularly generated institutional records and specially prepared data reports, and government-employed special observers.

Given that inmates are the recipients of institutional processes, it is reasonable that they should be in a position to provide information useful to an evaluation effort. Inmates experience institutional food and medical care, live in institutionally maintained living quarters, are the objects of discipline and efforts at character reform, and must cope with what are often dangerous circumstances produced by the sometimes aggressive inclinations of other inmates. Evaluators interested in the quality of the institutional care provided to inmates will thus be interested in the information that inmates can supply.

Nonetheless, there are a number of reasons why inmate-supplied data may represent a source of concern. Some of these factors apply in public as well as private facilities. Fear of authoritative reprisal for articulating complaints, for instance, is not likely to be a problem only for private institutions. Other problems, however, seem more closely linked to the private operation of the incarcerative institution. Who

will control access to inmates, government or private company? Control of inmate access may have the effect of regulating the kinds of data that are made available to evaluation data collectors. Even if government retains the right to decide which inmates will be interviewed, will inmate data collection efforts have to be announced or will unannounced interviews be permitted? In his defense of the privately operated prison, Bentham argued for essentially unrestricted public access to the facility. The design

enables the whole establishment to be inspected almost at a view, it would be my study to render it a spectacle, as persons of all classes would, in the way of amusement, be curious to partake of; and that not only on Sundays at the time of Divine service, but on ordinary days at meal times or times of work: providing therefore a system of inspection, universal, free, and gratuitous, the most effectual and permanent securities against abuse. (Bentham, 1969: 200).

Naturally, resolution of this issue is complicated by the need for such unrestricted and unannounced data collection not to interfere with the operation of the facility. The sudden appearance of interviewers in the middle of institutional counts or labor activities could prove disruptive, thus data collection interventions will have to be structured so as to avoid conflicts.

Procurement of information from staff members presents their own difficulties. Employees in a privately operated correctional facility who are asked to give accounts of institutional processes may be reluctant to provide accurate critical information for two reasons. First, without the job security protections afforded by state civil service regulations they may fear that complaints will make their way back to their supervisors and result in threats to their continued employment. Even if evaluation data sources were to be kept anonymous, there will always be special kinds of information which could only be provided by certain employees, thus creating the perception that critical revelations could be traced back to particular employees. Thus, despite the assurances of well-intentioned evaluators, subsequent inquiries into particular institutional conditions will sometimes unavoidably reveal the source of the damaging information. Second, again with regard to the lack of job security, staff may be reluctant to reveal practices which may ultimately threaten the renewal of the company's contract with the state. Violations of the contract may lead to contract termination or non-renewal, either of which may put the employee out of work.

The problem with obtaining complete and accurate data from institutional staff, therefore, hinges on the ability of evaluators to persuade staff members that their own well-being is not threatened by

candid reporting of facility activities and records. However, apprehensions of staff may be solidly grounded; accurate reporting may indeed jeopardize jobs. In view of this, efforts to persuade staff that there are no risks associated with providing information raise clear ethical issues which are unlikely to be overcome easily.

Although administrators may not always represent good information sources on activities taking place "on the line," certain kinds of information will probably only be available from administrators. Unfortunately, the business interests of private program administrators may provide incentives to withhold or distort requested information. The extensive 19th century history of private sector involvement in corrections is replete with examples of such "information management." For instance, the operators of the New York House of Refuge claimed a 70 percent success rate for youth released from the institution. Subsequent scrutiny of a random sample of cases, however, revealed that in fact almost three-quarters of released youth were either voluntarily or involuntarily recommitted (Pisciotta, 1985: 167).

The fourth information source is the document and record file produced by the institution as part of its regular activities. These include staffing reports, inmate disciplinary reports, budgetary documents, escape attempt records, inmate grievance records, and a host of other documents. In facilities whose operations have been taken over by private operators the system of record-keeping will probably have been inherited. Typically, the inherited system will have been designed to address concerns other than those associated with formal privatization evaluation, and will thus likely be unable to provide adequate evaluation data without a considerable investment of time and effort for retooling. New facilities will have the advantage of being able to create their own data management system. In these new institutions close collaboration between evaluators, government, and institutional personnel can make it possible to create an effective data gathering and maintenance system.

For facilities taken over by private contractors and new facilities operated by private enterprise from the outset, maintenance of institutional data will require the expenditure of resources. The costs of maintaining an adequate data collection system can be assumed by the contractor as part of general expenditures, be explicitly separated out from general expenditures in the contract, or be provided by government-employed personnel. Explicit contractual designation of funds for data systems and government retention of record maintenance have the advantage of avoiding the creation of motivation to cut

institutional costs through shortcuts in data management. Permitting the private entrepreneur to bury the costs of institutional data maintenance in general expenditures, however, makes it possible for the private company to divert funds to other tasks that ought to go to such maintenance.

In addition to information compiled in regular institutional records, special reports can be produced to address the needs identified by evaluators during the evaluation period. Although inclusion of such special efforts in the evaluation design provide an important level of flexibility in the evaluation process, they also require irregular commitments of manpower which may be resisted by institutional personnel saddled with the ongoing requirements of keeping up with normal operations. Again, this difficulty can be minimized if provisions are made in the evaluation design and in the originating contract to make needed manpower available.

The fifth and final data source is the government-employed monitor. These observers can be utilized to gather information on institutional operation through either regular daily attendance in privately operated institutions or periodic monitoring visits. Without the concerns for job security experienced by private employees, such monitors will be less likely to be reluctant to note and report practices and activities that appear to violate contractual agreements. Their allegiance will be to government, and the quality of their work will be assessed by government officials, not by private administrators.

Yet even here complications arise. As has been well established in the correctional literature, "outsiders" may ultimately be co-opted by regular institutional personnel (e.g., Sykes, 1958). Although this process of co-optation may actually permit the monitor to observe activities that would otherwise be hidden, the observer's close identification with the facility and its employees may motivate the observer to avoid reporting of the full range of contractual violations.

At the other extreme, government observers may actually become increasingly less likely to gain access to institutional processes as time passes. Government observers may become viewed as simply another management problem for private administrators attempting to secure the perceived success of their operation. This may lead to the establishment of guidelines regarding the timing and character of access to institutional activities, staff, and inmates. Although such guidelines may be officially promulgated in the name of the operational stability, their real purpose may be to condition the kinds of information that government observers will gain access

to and ultimately to influence the nature of monitoring and evaluation reports. Weakly drawn contracts that do not explicitly provide government observers with authority that permits them to gather needed information may severely cripple the effectiveness of such observers.

### *Concluding Observations*

It is evident that correctional privatization will continue to become an increasingly important force in American corrections. The problems that privatization is designed to address, however, are of such a magnitude that only the best possible operationalization of the privatization concept is likely to prove effective. If poorly developed privatization efforts are unsuccessful in solving some of the problems confronting the correctional system, privatization may be discarded as a failed experiment. In fact, the roots of such failure may not be in privatization itself, but rather in the form current efforts have assumed. Furthermore, at the other extreme, unsuccessful private sector involvement in corrections may become entrenched as a result of economic and political interests. Whether rejected as a failed reform, or retained despite failure, privatization will have failed to reach what may be its real potential. Only through exacting monitoring and evaluation can a reasoned assessment of the achievements of privatization be made. Furthermore, only with the information produced by such evaluations can sensible correctional policy be developed. Thus it is crucial that adequate effort be committed to evaluating the initiatives of the private sector.

As has been argued, however, beyond the general hazards of program evaluation, there are a number of potential problems associated with effective evaluation of privatized correctional facilities. Some of these obstacles are the result of pressures presently experienced by the correctional system. Overcrowding creates enormous interest in speedy adoption of private initiatives. Other obstacles, such as staff reluctance to fully cooperate with evaluation data collection, reflect the economic structure characteristic of private enterprise operations.

Although there appear to be some real advantages to private sector involvement in correctional activities, there are hidden costs that have yet to receive adequate attention. Most, though perhaps not all, of the obstacles described in this discussion can probably be overcome with an adequate investment of time and resources. Whether the costs of such investment offset the apparent advantages of private sector efficiency is another matter.

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