

Euphoria on the Rocks: Understanding Crack Addiction *Edward M. Read*

The Costs and Effects of Intensive Supervision for Drug Offenders *Joan Petersilia*
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A Day in the Life of a Federal Probation Officer—Revisited *E. Jane Pierson*
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Personality Types of Probation Officers *Richard D. Sluder*
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When Do Probation and Parole Officers Enjoy the Same Immunity
as Judges? *Mark Jones*
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e Law—Recent Developments in Restitution *David N. Adair, Jr.*

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This Issue in Brief

Euphoria on the Rocks: Understanding Crack Addiction.—A certain mystique surrounds crack cocaine and makes supervision of crack addicts a real challenge for even the most seasoned probation officer. Stressing the importance of knowing the facts about this drug, author Edward M. Read focuses on helping the officer understand the drug itself, the dynamics of addiction to it, and how to assess a person's dependence on it.

The Costs and Effects of Intensive Supervision for Drug Offenders.—Authors Joan Petersilia, Susan Turner, and Elizabeth Piper Deschenes report the results of a randomized field experiment testing the effects of an intensive supervision probation/parole project for drug-involved offenders. Among the findings were that intensive supervision apparently did not affect drug use, did not reduce recidivism, and cost more than routine supervision.

A Day in the Life of a Federal Probation Officer—Revisited.—Six United States probation officers update an article published in *Federal Probation* more than 20 years ago by describing what might come up in a typical workday. The authors—E. Jane Pierson, Thomas L. Densmore, John M. Shevlin, Omar Madruga, Jay F. Meyer, and Terry D. Childers—all of whom serve in specialist positions—offer commentaries about their work that range from philosophical to highly creative.

Personality Types of Probation Officers.—Are there personality characteristics common to probation officers? Authors Richard D. Sluder and Robert A. Shearer address the question, reporting findings from a study of 202 probation officers using the Myers-Briggs Type Indicator (MBTI). The authors discuss the patterns of MBTI personality characteristics among the officers studied, reviewing the strengths and potential weaknesses of the personality types.

When Do Probation and Parole Officers Enjoy the Same Immunity as Judges?—Authors Mark Jones and Rolando V. del Carmen examine the types of defenses a probation or parole officer enjoys in civil liability suits, focusing on the concepts of absolute, quasi-judicial, and qualified immunity. The authors

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The Costs and Effects of Intensive Supervision for Drug Offenders

BY JOAN PETERSILIA, PH.D., SUSAN TURNER, PH.D.,
AND ELIZABETH PIPER DESCHENES, PH.D.*

THE CRIMINAL justice system has been severely taxed by the Nation's drug problems but might provide a unique opportunity to address them. Evidently, most serious offenders use drugs, deal drugs, or both—even if they aren't convicted of drug crimes (Chaiken & Chaiken, 1982). Between 50 and 80 percent of males arrested for any crime test positive for illicit drugs (National Institute of Justice, 1991). And those arrestees who use cocaine and heroin account for a large percentage of the national population that frequently uses these drugs. Thus, the criminal justice system could be an important mechanism for affecting drug use.

Over 1 million people are arrested for violating drug laws every year, and 100,000 get at least a 1-year prison sentence for these violations (Maguire & Flanagan, 1991). Very many more are put on probation, and many of those who go to prison are released early to parole. One way to reduce drug use in this population might be to monitor its members closely when they are on probation or parole. Monitoring could lower drug use if it leads offenders to seek drug treatment and/or the punishment for failing a drug test makes them think twice about using. However, such monitoring would require a much more intensive form of probation and parole than the kind that most probationers and parolees currently get.

In fact, prison crowding has already led most jurisdictions in the country to experiment with intensive supervision programs (ISPs), some focused on drug-using offenders. In these programs, offenders are put under community supervision, but with much closer surveillance and restriction of freedom than they would get on traditional probation or parole. Typically, ISP programs involve small caseloads, frequent contact with the probation officer, strict enforcement of probation/parole conditions, curfew, community service, employment, and random drug testing.

To give ISP a rigorous assessment, the Bureau of Justice Assistance (BJA) asked RAND in 1986 to help design, implement, and evaluate an ISP demonstration project, which ran from 1987 to 1991. Five of the 14 demonstration sites designed and implemented programs specifically for drug offenders. The National Institute of Justice subsequently joined the BJA in sponsoring a RAND evaluation of those programs.

* Drs. Petersilia, Turner, and Deschenes are in the Criminal Justice Program, RAND. Dr. Petersilia is director of the program; Dr. Turner is a senior researcher; and Dr. Deschenes is a consultant to RAND.

Because the drug offenders were randomly assigned to ISPs or control programs (routine probation or parole), the outcomes represent program effects—not offenders' characteristics that might have influenced the sentence they were given. Our results show that ISP offenders were seen more often, submitted more often to urinalysis testing for drugs, received slightly more counseling, and had a higher level of employment than their counterparts on routine probation/parole supervision. With respect to 1-year recidivism outcomes, a higher proportion of ISP offenders had technical violations (primarily for drug use), but there was no difference between the two study groups in new criminal arrests. At the end of the 1-year followup, more ISP offenders had been placed in jail or prison (mostly for technical violations). This policy drove up system costs, which for ISP averaged just under \$8,000 per year, per offender versus about \$5,500 per year, per offender for routine supervision.

These results have proven disappointing to some but have helped initiate a debate about the *nature* of ISP for drug offenders. Specifically, would ISPs of a different nature—particularly those that emphasized drug *treatment*—be more successful? The evaluated programs focused mostly on *surveillance* rather than treatment, and for the minority who got any, the treatment was predominantly group counseling.

This article discusses the results of the demonstration and the implications for the future of ISP in handling drug offenders. A more detailed discussion of the findings and their implications appears in Turner et al., 1992.

Study Design and Participants

The five jurisdictions that tested ISP for drug offenders were Seattle, Washington; Contra Costa County, California; Santa Fe, New Mexico; Des Moines, Iowa; and Winchester, Virginia. Each site was encouraged to tailor its program to the local context, using a general ISP model. Nearly 600 adult drug offenders were randomly assigned to ISP or routine probation/parole and tracked for a year from date of assignment.

Depending on the site, "drug offenders" were defined as those who were convicted of a drug crime, those who were drug-dependent and convicted of any felony, or those who were both drug-dependent and convicted of a drug-related crime. In general, the study sample were serious drug offenders at high risk of recidivism. Most had lengthy criminal records and (in the four

sites that provided information on dependency) more than 96 percent were judged drug-dependent.

Summary of Results

One caveat is essential in considering the outcomes of the demonstration: *The focus of these programs was primarily surveillance—not treatment.* They were intended to provide more intensive supervision than the control programs provided. The implied assumption was that strict supervision deters offenders from committing crimes and that the threatened penalties for failing drug tests would curb offenders' drug use. The BJA demonstration funds were used by sites for probation and parole staff salaries and drug tests. For the most part, they did not provide monies to purchase treatment services. The sites had to rely on existing public programs to get treatment for these drug-involved offenders.

Intensive Supervision Apparently Did Not Affect Drug Use

The ISP programs were more intensive than the control programs in terms of face-to-face contacts, drug testing, the percentage of offenders employed, and the percentage participating in counseling. As shown in figure 1, ISP face-to-face contacts ranged from 2.7 per month in Contra Costa to over 10 per month in Santa Fe, in contrast to routine supervision rates of between .5 per month in Contra Costa and 3.8 in Des Moines. Figure 1 also indicates that all the ISPs administered significantly more drug tests—an average of two per month compared with less than one every 2 months for those on routine supervision. Figure 2 shows that at most sites over 80 percent of the ISP offenders were tested. Nevertheless, neither the more intensive supervision nor the testing *apparently* deterred drug use. Over 70 percent of the ISP and 50 percent of the control offenders tested positive for drugs during the 1-year followup, primarily for cocaine and marijuana. (Such tests were the evaluation's only measure of drug use.)

The system response to dirty drug tests was different within and across sites. At a given site, ISP offenders were generally more likely than the controls to get increased conditions (e.g., electronic monitoring, more severe curfews) or be revoked to custody for failing a drug test and less likely to have the offense "ignored" (i.e., receive only a warning). Across sites, figure 2 suggests how much ISP programs differed in their policies regarding drug tests. To take the extremes, Seattle tested about 58 percent of the ISP offenders while Winchester tested 96 percent. However, Seattle revoked to custody 71 percent of those who failed the tests, but Winchester only 15 percent. Despite these differences, except in Des Moines, ISP offenders were

more likely to get revocation than to be put into treatment for dirty drug tests.

The ISPs fell short of their intentions, generally, when it came to providing treatment. Most of the treatment was outpatient and usually involved only a few hours a week of group counseling (such as Alcoholics Anonymous or Narcotics Anonymous). Figure 3 shows the percentage of ISP offenders who were classified as drug-dependent compared with the percentage who participated in any drug counseling during the 1-year followup. Across all participating sites, fewer than half of those classified as "drug-dependent" received *any* drug counseling during the followup period. Offenders seldom got inpatient residential treatment, primarily because there were simply no treatment slots available to ISP clients. Except in Santa Fe, most did not even get any drug counseling.

ISP Did Not Reduce Recidivism

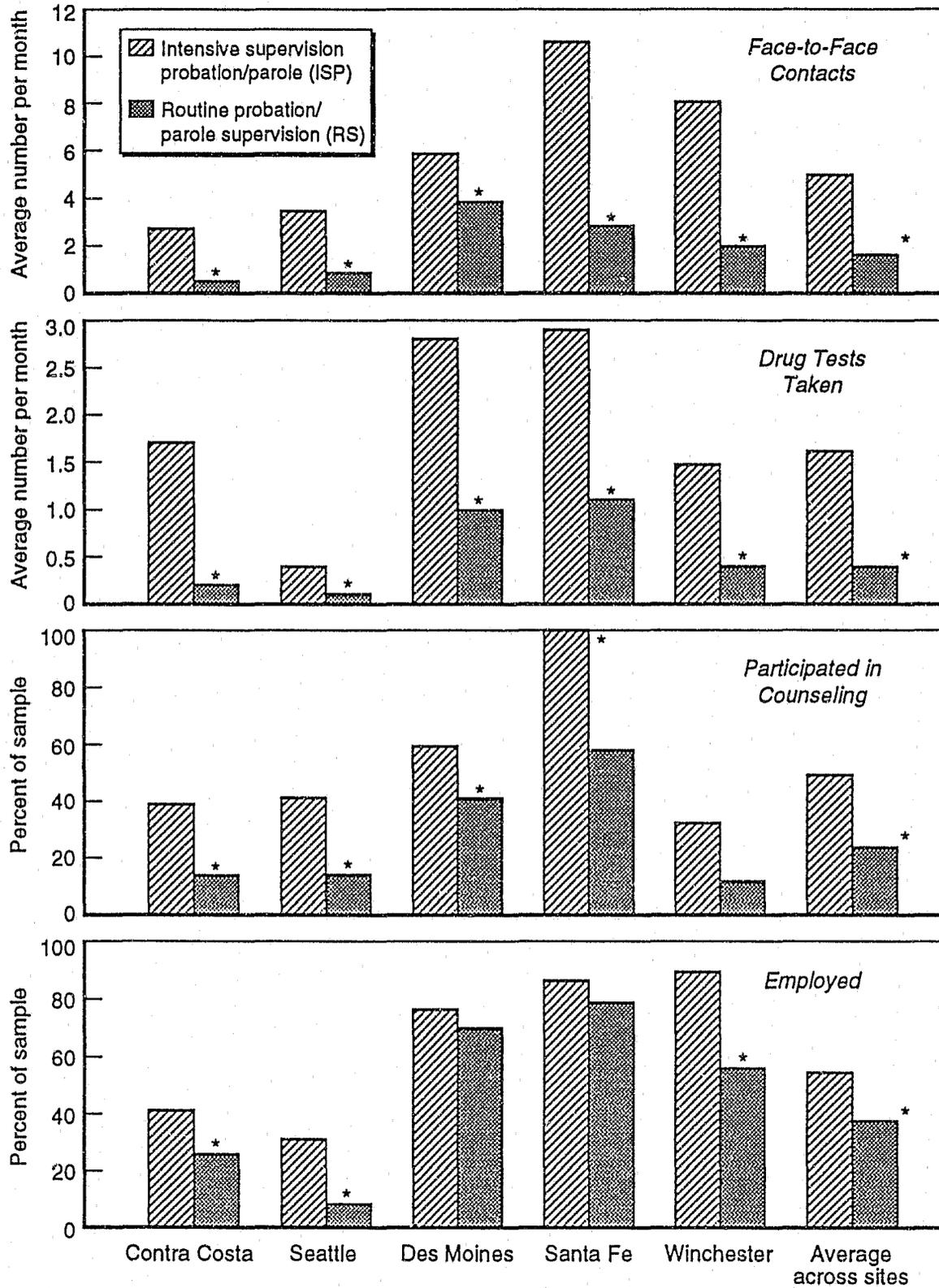
The ISPs were also no more effective than routine probation and parole at affecting criminal behavior—as measured by arrest rates and convictions. By the end of the year, 39 percent of the ISP offenders had been jailed, compared with 28 percent of the controls, and 13 percent had been sent to prison, compared with 10 percent of those under routine supervision. These higher ISP rates are due to their higher rates of technical violations (primarily drug-related) and the system response to those violations, as suggested above. The higher rates of technical violations reflected both the more stringent conditions and intensive supervision of the ISPS.

ISP Costs More

System response to technical violations—especially incarceration—drove up the costs for ISP. Averaged over the five sites, ISP costs came to just under \$8,000 per offender per year; for routine supervision, the bill was about \$5,500 per offender per year. These annual supervision costs are higher than normally reported because the cost estimates included not only the costs of community supervision but also the incarceration costs incurred when offenders were revoked. In fact, nearly two-thirds of the annual costs of both ISP and routine supervision were attributable to the costs of incarcerating recidivists in jail or prison. Over the 1-year followup, ISP offenders spent an average of 73 days, or about 20 percent of their time, in jail or prison (routine supervision cases spent about 15 percent of their time incarcerated).

Implications for Redesigning ISP to Handle Drug Offenders

Did the ISPs fail or succeed? These results suggest that ISPs—like the five evaluated—are no more



Note: * indicates that ISP and routine supervision groups are significantly different, $p < .05$, using t-tests.

FIGURE 1. ISP WAS MORE INTENSIVE THAN THE CONTROL PROGRAMS

effective than routine community supervision at reducing recidivism or curbing drug use, and they cost more. However, the ISPs *were* successful as intermediate sanctions. They did provide the means by which offenders were held more accountable for their crimes, and they may have increased public safety. One public safety argument is that by watching these people more closely program staff can detect criminal behavior more readily and get these people off the streets before they commit more crimes. Another argument is that technical violations signal that offenders are "going bad" so that revoking them to custody prevents crimes.

The results bring both these arguments into question. Concerning the first, the ISP arrest rates were not significantly higher than the rates for the controls. Further, the higher rates may not mean that the ISP clients commit more crime, only that they are more likely to get caught for the crimes they do commit. Given the random assignment, the ISP groups should not have been inherently more likely to commit crimes.

Concerning the second argument, previous ISP analysis in California and Texas found no correlation between having a technical violation and the likelihood that an offender would have an arrest (Petersilia & Turner, 1991; Turner & Petersilia, 1992). In other words, there is no empirical evidence that technical violations are a proxy for criminal activity. The only way to test these arguments would be through offender self-reports. Absent those, the evaluation provides no evidence that these types of ISP control crime more effectively than routine supervision does.

The results raise two broad questions for ISP generally and for ISPs aimed at drug offenders particularly:

- Would making them tougher buy more crime control?
- Would an increased emphasis on rehabilitation—including drug treatment—make ISPs more effective by changing offender behavior?

Under these broad questions, there are a number of subordinate issues that merit attention for the future of ISPS.

Tougher Supervision, Lower Recidivism?

Given the drug dependency and serious records of the ISP clients, one could argue that the programs were not intensive enough. On average, the ISP intervention consisted of about 10 face-to-face contacts and two drug tests, per month per offender. The standard workload formula for a face-to-face contact is 20 minutes. Thus, ISP offenders had personal contact with their probation/parole officers for an average of just over 3 hours a month. Such a mild intervention seems

unlikely to have much effect on offender behavior—especially for a serious drug-dependent clientele.

Clearly, ISPs could be made significantly tougher, and tougher conditions might result in less recidivism. However, the questions remain: How much more confining must they be to have an effect, and could jurisdictions and states afford it? The evaluation results indicate that the more stringent, the more costly—and the more likely to drive up prison populations.

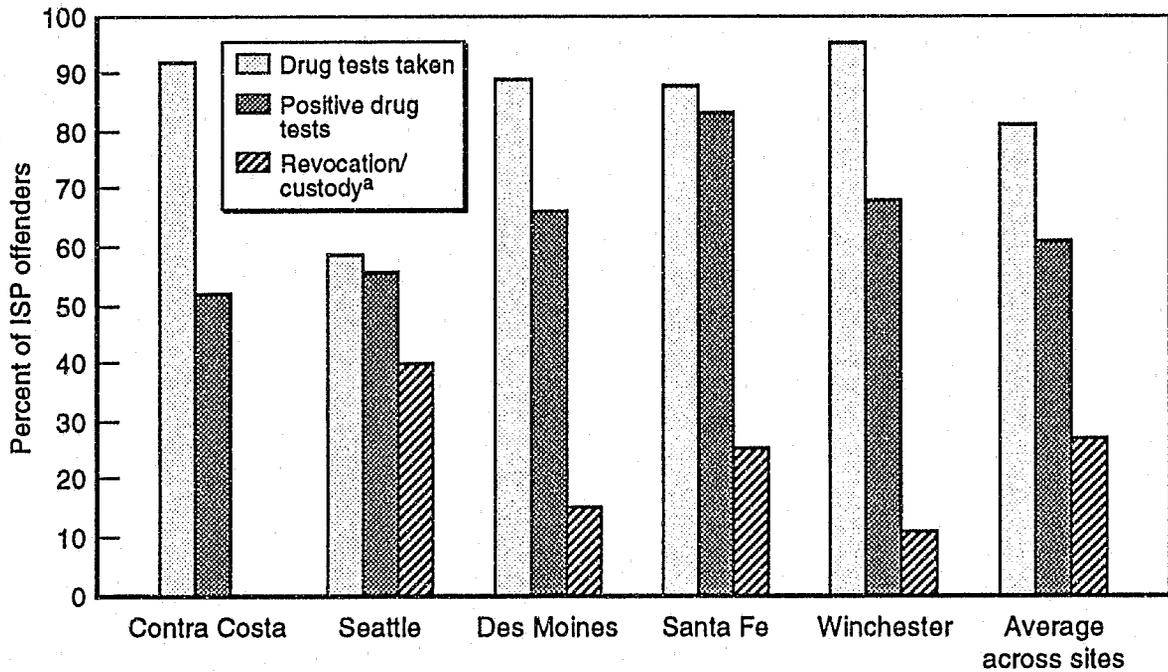
A Stronger Focus on Treatment?

Given the drug-dependency of the offenders, it seems reasonable to conjecture that overall outcomes might have been different if a greater proportion of the sample had participated in drug treatment. An evaluation of intensive probation in California found that programs that combined treatment with strict surveillance reduced recidivism by as much as 15 percent over surveillance-oriented probation alone (Petersilia & Turner, 1991).

ISPs that have strict drug conditions, emphasize surveillance, and revoke to custody immediately for dirty tests are essentially equations for high recidivism rates and increased program costs. Putting drug-involved offenders in ISP, watching them closely, and giving them random drug tests does nothing to address their dependency. Considering what high failure rates even the most highly touted drug treatment programs have, how can ISPs that provide little treatment be expected to control the drug and drug-induced behavior of such people? If jurisdictions could respond to dirty drug tests by putting offenders into treatment rather than revoking them to custody, the behavioral effects might lower recidivism.

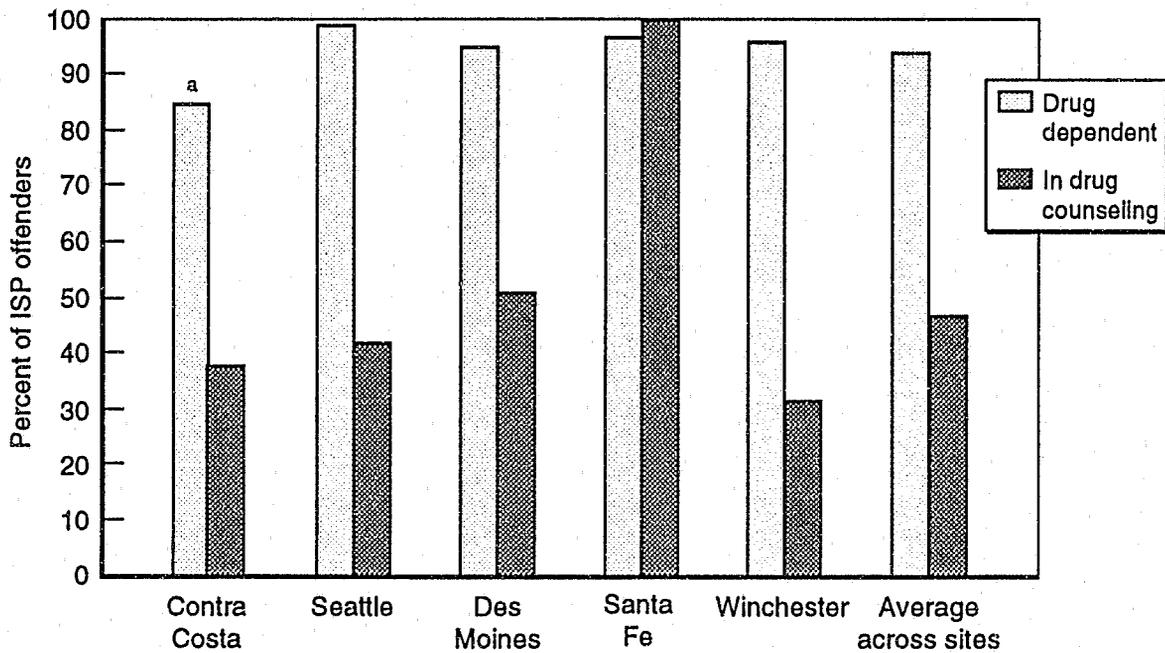
But if ISPs were refocused and jurisdictions could provide treatment slots for those who need them, would the outcomes change? ISP supervisors at some sites claimed that if more treatment had been available for drug offenders and could have been used as a response to dirty drug tests, ISP might have made more of a difference. That claim begs two questions. The first is that treatment makes a difference, that there is a generally effective treatment. The second is that treatment works when people don't choose it themselves.

Future research needs to focus directly on what combinations of various treatments and criminal justice sanctions are most effective. There is a common perception that residential treatment is more effective than simple counseling for drug offenders. Despite interest in matching clients to particular treatments, there has been little direct research on the subject, particularly for publicly funded programs. In fact, a recent Institute of Medicine Study states that the profiles of clients admitted to different kinds of treat-



^aThis information was not collected in Contra Costa.

FIGURE 2. ISPs DIFFERED IN THEIR RESPONSE TO DRUG TESTS



^a Drug dependency unavailable for Contra Costa; for this site we present the percent of ISP offenders with drug treatment needs.

FIGURE 3. AT MOST SITES, FEWER THAN HALF THE OFFENDERS RECEIVED DRUG COUNSELING

ment (e.g., therapeutic communities, outpatient counseling) are quite different (Gerstein & Harwood, 1990). This makes it difficult to draw conclusions about their relative effectiveness for different clientele.

Another issue is how the effectiveness of treatment should be measured for ISPS. In the RAND evaluation (as in most studies), the evaluation focused on officially recorded recidivism measures. In ISPs that emphasized treatment, it would seem more appropriate to use changes in offenders' drug-use patterns. The RAND study did not have sufficient resources to collect that type of data. Future studies should attempt personal interviews with offenders to measure the nature and extent of drug use and crime during and after the program.

Such interviews might also enable research to address the issue of motivation in drug treatment. Can treatment be expected to "work" if offenders are coerced into it? Fewer than one-third of all the offenders in the evaluation had any prior drug treatment. Assuming that any of that number sought treatment, it evidently had not kept them from relapsing by the time they became involved in the demonstration (considering that 96 percent of the participants were drug-dependent). However, it seems more likely that any previous treatment was, at some point, judicially imposed.

Because the demonstrations that were not focused on drug offenders had similar results and because

most serious offenders are drug-involved, research that addresses the issues raised will be crucial to the future course—and viability—of ISP, generally. It will also be critical for understanding what role the criminal justice system could potentially play in addressing the Nation's drug problems.

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