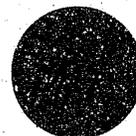




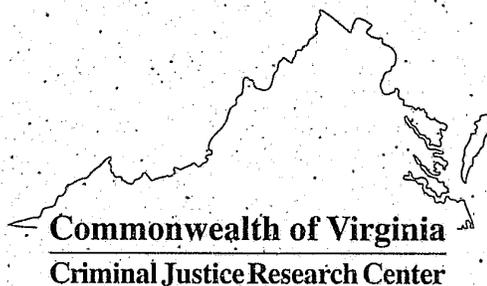
Department of Criminal  
Justice Services



By Order of the  
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Justice Services Program 153677

James R. ...  
September 2012

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# Evaluation of the Virginia Department of Corrections' Intensive Supervision Program

**Criminal Justice Research Center**  
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NCJRS

MAR 31 1995

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Bruce C. Morris, Director  
September, 1994

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## PREFACE

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The Virginia Department of Criminal Justice Services (DCJS) began funding the Department of Corrections' (DOC) Intensive Supervision Program (ISP) in 1991 using a combination of state and federal Anti-Drug Abuse Act (ADAA) monies. Because the state will assume full responsibility for funding ISP beginning in Fiscal Year 1994-1995, DCJS has undertaken this study of Virginia's Intensive Supervision Program as a means of assessing its impact upon allocation of correctional resources, maintenance of public safety, and provision of services to program clients.

Overall, this study found ISP to be a valuable program, responding to a number of correctional system needs. Nonetheless, various improvements are recommended. These relate primarily to refinement of program goals, clarification of its position within the larger correctional system, and future expansion.

Though the program is successful in many respects, improved program management and operation would increase overall effectiveness and efficiency. Specific areas recommended for further study and/or modification include:

- program goals and operation;
- officer staffing patterns;
- client service delivery networks;
- offender assessment instruments and program selection criteria;
- officer training and safety;
- procedures for tracking, recording, and reporting offender treatment; and
- inter- and intra- agency communication regarding offender treatment and program management.

In addition, this report recommends that if the 1994 special session of the Virginia General Assembly establishes a Sentencing Commission, that Commission should address the following issues:

- identification and assessment of all correctional alternatives to incarceration within Virginia,
- assessment of all institutional treatment programs currently available to offenders,
- assessment of current levels of coordination between community and institutional offender treatment programs,
- development of a statistically derived offender risk/need instrument based on Virginia data, and
- oversight of DOC modification of the ISP program.

## STUDY PURPOSE

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### Introduction

The Virginia Department of Corrections (DOC) has steadily increased the use of alternative sanctions as a means of managing rising prison populations and costs over the past decade. Among the most prevalent of these sanctions is the Intensive Supervision Program (ISP). Intensive Supervision Programs have experienced large-scale acceptance and rapid expansion nationwide despite the lack of objective data demonstrating their success. Recognizing that such information will take on increasing significance in the coming year as ISP operating costs are assumed by the state, the Criminal Justice Research Center (CJRC) of the Virginia Department of Criminal Justice Services (DCJS) has undertaken this study of Virginia's Intensive Supervision Program in an effort to assess its impact upon allocation of correctional resources, maintenance of public safety, and provision of services to program participants.

### Previous ISP Evaluation Findings

To date, evaluations of Virginia's Intensive Supervision Program have been confined to internal DOC studies. The DOC's Research and Evaluation Unit has produced a number of descriptive reports which identify the type and number of offenders terminating from the program on an annual basis. However, only limited information exists regarding the actual impact of program implementation upon either the type and amount of treatment received by offenders, or the management and reallocation of correctional resources.

This lack of data regarding program effectiveness is not unique to Virginia. Although it is widely believed that ISP and similar alternative sanctions offer an effective means of protecting the public, providing treatment and reducing prison costs, only a limited number of evaluations nationwide have adequately addressed these issues. Recent evaluations published by the American Probation and Parole Association (APPA), the U.S. General Accounting Office (USGAO), Rand Corporation, and others, point both to the need for improved ISP research and deficiencies of earlier evaluations.

In the 1990 report, Intermediate Sanctions: Their Impacts on Prison Crowding, Costs, and Recidivism Are Still Unclear, the USGAO notes that, despite the popularity of ISP as an alternative to incarceration, very few empirical studies have been conducted in this area. Of these studies, none has been able to support the positive claims of earlier evaluations. The report goes on to criticize the findings of the most frequently-cited ISP evaluations (Georgia, 1987; New Jersey, 1987; Florida, 1987, among others) in terms of both methodology and interpretation, concluding that the impact of ISP programs upon public safety, supervision costs, and prison crowding cannot be determined based upon the studies that have been published to date.

Similar conclusions were reached by the APPA in their recent publication, A New Direction For Intensive Supervision Programs in Probation and Parole (1993). Through its analysis of ISP programs and evaluations

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nationwide, the APPA concluded that evaluations published in the early to mid-1980's which reported favorably on ISP costs and effectiveness were frequently the result of poorly designed and/or implemented studies. Recent evaluations of ISP have benefited from more rigorous methodological designs and improved data. As a result, conclusions are considerably more critical of ISP and its impact.

Recent studies reviewed by the APPA fail to show significant reductions in prison crowding, cost-savings, or reduced recidivism (Baird & Wagner, 1990; Byrne & Kelly, 1989; Petersilia & Turner, 1990,1992). Further, although there is evidence that ISP provides an appropriate intermediate punishment which deters criminal activity while an offender is on supervision, ISP has no apparent impact upon recidivism once supervision is discontinued (Harland & Rosen, 1987; Tonry, 1990).

Some of the most comprehensive analyses of ISP programs have been conducted by Petersilia and Turner of the Rand Corporation. Funded by the National Institute of Justice (NIJ), these researchers have conducted a series of ISP studies of nine states, 14 programs, and nearly 2,000 offenders. A great deal of information regarding ISP implementation and effectiveness has been gathered as part of this project, with some of the more important findings being summarized in the recent report, Evaluating Intensive Supervision Probation/Parole: Results of a Nationwide Experiment, Petersilia & Turner, (1993). These findings include:

- Emphasis on increased offender surveillance often results in increased recidivism due to higher revocation rates for technical violations.
- The most significant decreases in recidivism rates are the result of ISPs which emphasize community service and drug treatment.
- As a result of inadequately developed service delivery systems many offenders never receive services.
- ISPs have failed to alleviate prison overcrowding, either through diverting offenders from incarceration or reducing recidivism.
- Sentencing decision-makers do not feel confident in releasing high-risk offenders to community supervision.
- There have been no significant differences between recidivism rates of ISP offenders and offenders in similar comparison groups.
- ISP is more costly than regular probation and parole supervision.

Though more critical of ISP than earlier evaluations, these recent studies provide necessary insight into program limitations and potential. This improved understanding of what ISP can, and cannot, be expected to

accomplish is essential in the determination of the program's future modification and growth. Based on their findings, Petersilia and Turner encourage policy-makers to develop and evaluate solid empirical evidence regarding the success of ISP program implementation, program accomplishments and system costs prior to investing in or expanding large-scale ISP programs.

The APPA, as part of the study discussed earlier, initiated such research through its analysis of the components and accomplishments of 66 ISP programs nationwide. Through what is probably the most exhaustive analysis of ISP program philosophies, goals, and objectives conducted to date, the APPA has identified the essential elements of effective ISP programs as listed below:

- staff control over ISP placement,
- high risk/need population,
- small caseloads,
- restitution to victims,
- strong treatment component,
- reliable risk/need instrument,
- systematic case review,
- community involvement,
- system of sanctions and rewards,
- objectives-based management,
- sound means of program evaluation, and
- ISP officers as facilitators and advocates.

Many of the programs reviewed have already identified shortcomings and begun seeking means by which to improve and modify programs for maximum effectiveness. The following is a list of efforts currently being considered or implemented by jurisdictions interested in improving the effectiveness of their ISPs:

- **Re-evaluation of ISP client make-up**  
Although originally promoted as a method of dealing with high risk/drug involved offenders, recent research indicates that ISP may be more appropriate for lower risk offenders exhibiting a diversity of treatment and service needs.
- **Development of improved client assessment tools**  
Decision-makers throughout the criminal justice system express a lack of confidence in their ability to assess client risks/needs and, thereby, determine appropriate sanctions. Acknowledging this, many jurisdictions are seeking to develop improved offender assessment instruments to aid in the decision-making process.

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- **Clarification of program goals**  
Many ISPs were originally established with ambiguous and seemingly contradictory goals including increased surveillance and treatment along with decreased recidivism, costs and prison admissions. Currently, programs are shifting towards an emphasis on either increased treatment or increased surveillance, realizing that each approach offers a unique set of advantages and disadvantages.
  - **Improved program implementation**  
In many instances, ISP failure has been directly linked to poor program implementation. Attention is now being focused on the development of appropriate service delivery systems and client need assessments or, for programs emphasizing surveillance, improved officer training and safety.
  - **Identification of appropriate program performance measures**  
Based upon the diversity of goals governing the operation of various ISPs, recidivism rates are no longer viewed as the standard for measurement of program performance. Efforts are being undertaken to develop more appropriate methods by which to determine ISP effectiveness.
  - **Development of a continuum of sentencing alternatives**  
Realizing that ISP cannot be expected to meet the needs of all offenders, system resources and programs must be coordinated so as to allow for maximum utilization of existing programs.

Recent research shows us that ISPs across the nation have had difficulty establishing and operationalizing meaningful program goals. In order to assure that future program growth leads to the most effective use of ISP resources, it is essential that administrators and policy-makers assess the program's current position in, and contributions to, the existing correctional system. This information will provide a basis for program modification and improvement.

## **Evaluation of Virginia's ISP**

Although Virginia has operated some form of ISP since 1985, there has never been a critical evaluation of the program. As demonstrated in the previous section, such program analyses provide useful and often unexpected insight into program impact. Most importantly, study findings serve as useful guides for program development and improvement. With the pressures of increasing prison populations and a limited correctional budget, it is essential that program resources be managed effectively and efficiently. This can only be accomplished through the use of accurate program information. It is the goal of this study to provide such information, allowing administrators the opportunity to expand upon effective program components and change or delete those that are ineffective.

This study of Virginia's ISP program is divided into four separate phases: an implementation analysis, diversionary study, recidivism study, and cost analysis. The implementation analysis examines the extent to which the program has been developed and carried out as planned, as well as its effect upon offender services and public safety. The diversionary study addresses the net-widening issue, determining whether ISP promotes expansion of the correctional system or whether ISP offenders are appropriately selected offenders who otherwise would have been incarcerated. The recidivism study analyzes the extent to which ISP recidivism rates differ from those of offenders receiving standard sanctions and examines factors contributing to these differences. Finally, the cost analysis assesses the total costs of ISP as compared to the costs of standard correctional sanctions.

### **Data Collection and Sampling**

This evaluation incorporates both quantitative and qualitative data from a variety of sources. Quantitative data was obtained from automated criminal justice databases and a supplemental data collection form developed specifically for this study. Qualitative data was obtained primarily from interviews conducted with a number of individuals involved in the operation and use of ISP. These interviews were conducted either in person or by telephone and took place between November, 1992 and September, 1993. Among those interviewed were DOC ISP administrative staff, all Regional Managers, the Chief of Probation & Parole (P&P) or Deputy Chief in charge of ISP from each of the 36 P&P districts operating ISPs at the time of this study, and at least 12 ISP officers (see Appendix A for a complete list of study interviewees).

Quantitative data collection was confined to four ISP sites: Richmond, Norfolk, Lynchburg, and Fairfax. An effort was made to select sites representative of programs throughout the state. Final selection was based upon a variety of factors including: program size, length of time in operation, caseload characteristics, and program model. One ISP program was chosen for study from each of the four DOC probation and parole regions in an effort to reflect differences in regional program management.

The evaluation examined the probation and parole files of a stratified sample composed of FY92 ISP offender terminations and an equivalent matched control group of similar offenders drawn from the DOC automated Pre/Post-Sentence Investigation (PSI) database. The experimental and comparison groups are used in the implementation and recidivism phases of this study. A subset of the FY92 ISP termination database is used in the diversion analyses, while the cost analyses include findings from both study groups.

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A detailed description of the study methodology is provided in Appendix B. A copy of the quantitative ISP data collection instrument is provided in Appendix C and a copy of the survey instrument used for personal and telephone study interviews is included in Appendix D.

The Department of Corrections' Division of Community Corrections was given the opportunity to review a draft of this Report. Their response to the Report's findings and recommendations is included as Appendix F.

## PROGRAM DESCRIPTION

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### **Goals and Philosophy**

In response to growing concern over prison crowding and the increased costs of prison construction, Virginia has developed a variety of alternative sanctions created, in part, to divert offenders from jail or prison. These programs were designed to address specific offender or system needs and include: Pretrial Release Programs, Pretrial Case Management, Alternatives to Prosecution, Public Inebriate Centers, Electronic Monitoring, Community Diversion, Incentive Programs (CDI), Community Service, Boot Camp, Pre-Release, and the Intensive Supervision Program (ISP). Virginia's ISP is managed by the Department of Corrections' Division of Community Corrections and operates in 36 of the 39 P&P districts in the state.

The primary goal of Virginia's ISP as outlined in the 1993 DOC Intensive Supervision Program Guide, is "to offer an alternative to incarceration which provides public safety and addresses offender needs in a cost-effective and less restrictive manner [than prison]." In other words, ISP seeks to provide a high level of both surveillance and treatment services to a specifically selected population of high risk and/or high needs offenders - offenders who would be incarcerated if not for the program. Though, historically, ISP programs have sought to reduce incarcerated populations and improve services by functioning either as an alternative to incarceration for probationers, or a mechanism for early release for parolees, Virginia's ISP serves both purposes.

### **Development and Funding**

Virginia's ISP was established in 1985 with pilot sites in Norfolk, Newport News, and Lynchburg. In 1987, the program was expanded to include a total of 17 districts. Further expansion occurred in 1988 when two additional districts received separate federal grants to establish ISP programs for drug offenders. By 1989, the Virginia Commission on Prison and Jail Overcrowding (COPJO) had recommended that DOC expand ISP to all Probation and Parole Districts in an effort to reduce prison and jail overcrowding.

In July of 1990, the Department of Criminal Justice Services (DCJS) began funding ISP using federal Anti-Drug Abuse Act (ADAA) monies. At this point, the focus of ISP shifted to drug-involved offenders in those districts receiving ADAA funds. During the first three years of ADAA funding, DOC was granted nearly \$4.5 million in state and federal funding and the program was expanded to include 36 of the 39 probation and parole districts in the state. The budget for Fiscal Year 1994 included provisions for further expansion of ISP. The following display lists program expenditures over the past four years by funding source.

Display 1

**INTENSIVE SUPERVISION PROGRAM FUNDING  
(FY1991-FY1994)**

	<b>FEDERAL</b>	<b>STATE</b>	<b>ANNUAL TOTAL</b>
Fiscal Year 1991	\$836,001	\$278,666	\$1,114,667
Fiscal Year 1992	\$1,011,026	\$337,009	\$1,348,035
Fiscal Year 1993	\$1,411,238	\$470,412	\$1,881,650
Fiscal Year 1994	\$1,306,168	\$435,386	\$1,741,554
<b>TOTALS</b>	<b>\$4,564,433</b>	<b>\$1,521,473</b>	<b>\$6,085,906</b>

**Administration**

A Special Programs Manager and a Treatment Services Manager, located in the central office of DOC, oversee statewide ISP activities. The Special Programs Manager is responsible for making all financial decisions regarding the allocation of resources and personnel to the local districts. In addition to ISP, the Special Programs Manager monitors and coordinates activities related to the Boot Camp Incarceration Program, the Home Electronic Monitoring Program (HEM), and the Hearing Officers/Sanctions Program - all of which directly impact ISP. The Treatment Services Manager oversees activities related to drug testing and substance abuse treatment issues associated with ISP and regular supervision. This individual is also responsible for developing, enhancing, and monitoring activities associated with mental health, sex offender, and other special needs programs. The specific supervision requirements of ISP are included in the DOC Intensive Supervision Program Guide.

Regional administrators maintain contact with the ISP program through District Chiefs and regional ISP meetings. On the district level, Chiefs of Probation and Parole are responsible for the operation of ISP. The Chief, or a designated Deputy Chief, is involved in hiring ISP officers, determining how ISP will operate within the district, monitoring compliance of ISP with departmental standards, and establishing contracts with local treatment agencies for services provided to ISP offenders.

**Structure**

Intensive Supervision Programs operate within existing district P&P offices. The number of ISP officers assigned to each district varies according to district size and resources. Once ISP officers are assigned to a district, the Chief is responsible for designing and implementing a program that fits the district's resources and needs and operates under the standards of the ISP Program Guide.

## PROGRAM DESCRIPTION

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Each ISP program is staffed with one or more of the following types of Probation & Parole Officers:

- Senior Intensive Supervision Officer (SrISPO),
- Intensive Supervision Officer (ISPO), and/or
- Surveillance Officer (SO).

In general, ISP officers function much like regular P&P officers, providing surveillance and supervision of offenders. ISP officers, however, supervise a smaller caseload of more difficult offenders and provide more intensive services than would a regular supervision officer. The SrISPO serves as a leader for the ISP team and handles administrative duties such as case assignments and case reviews in addition to supervising cases. The function of the SO is basically to assist the ISP officers with field contacts, thus allowing the ISP officers to concentrate on casework. The maximum caseload for a single ISPO is 24 active cases. In team supervision settings, the maximum for a SrISPO is 20 active cases. The total caseload for the program may be increased by 8 cases for each SO added. In comparison, the average caseload per regular P&P officer as of 1992 was 68.

Virginia operates three distinct types of ISP programs including:

- ISP Team,
- Single ISPO, and
- Single SO.

An ISP team consists of two or more ISP officers working together to provide ISP services. At the time of data collection 13 districts were operating ISP teams across the state. A team can include a variety of staff combinations, ranging from a small team of two in Winchester (1 ISPO, 1 SO), to a large team of six in Richmond (1 SrISPO, 4 ISPOs, 1 SO). During this time frame, 19 districts operated with a single ISPO, responsible for the district's entire ISP caseload. Single SO programs, which were operating in only four of the state's P&P districts, include one SO charged with assisting regular P&P officers in the surveillance of ISP offenders (Display 2).

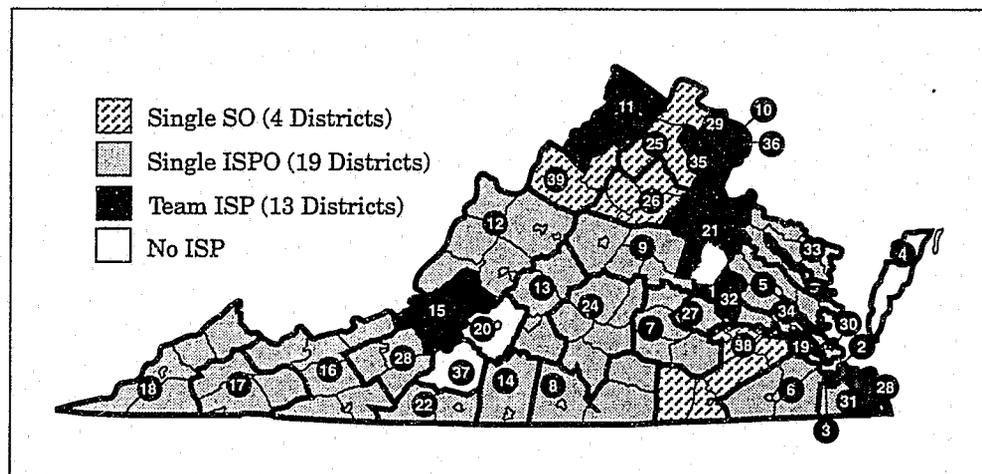
### **Program Referral and Operation**

The Intensive Supervision Program provides for offender assignment from the Circuit Court, Parole Board, or DOC's Probation and Parole Districts. Parole Hearing Examiners or Hearing Officers may refer technical violators to ISP as well. Additionally, Boot Camp graduates are referred to ISP along with offenders assigned directly to Home Electronic Monitoring (HEM).

Once an offender is referred to ISP, the case must be screened by the district's screening committee to determine if ISP is an appropriate placement. The screening committee includes the Chief P&P Officer and/or Deputy Chief P&P Officer and representatives of the ISP program. The committee is

Display 2

## Statewide ISP Staffing



responsible for determining ISP client acceptability, continuance and release. The committee considers the risk/needs score, relevant background information, the offender's motivation and receptivity to the program, and the offender's potential to benefit from the services offered by the program. As a general rule, offenders assigned to ISP should have a risk score of 15 or more based on DOC's Risk/Needs Assessment Instrument (Appendix E).

Virginia's ISP includes two phases of supervision. Each phase lasts a minimum of three months but may be extended. ISP offenders are initially placed in Phase I, moving onto Phase II as they progress through the program. Phases are defined in terms of the number and types of contacts required. The five basic contact types included in the ISP program are listed below:

- personal contacts (PC),
- home contacts (HC),
- employment verifications (EV),
- collateral contacts (CC), and
- record checks (RC).

As discussed earlier, the primary mission of Virginia's Intensive Supervision Program is to provide a higher level of surveillance and accessibility to community resources to better monitor and change the offender's behavior. The high frequency of face-to-face contacts, (with the offender, offender's family, treatment provider, law enforcement officials, employer and/or school authorities and other community contacts), along with the utilization of curfews, weekly record checks, and required participation in employment, vocational training, or educational classes, is designed to ensure public safety and reduce the likelihood of offender recidivism. The difference in frequency

of contacts required for ISP and regular supervision offenders is illustrated in Display 3 in a comparison of the minimum contacts required for the two ISP phases and Level II of regular supervision.

*Display 3*

**ISP/NON ISP REQUIRED CONTACTS**

CONTACT TYPE	PHASE I	PHASE II	LEVEL II* (NON-ISP)
<b>Personal Contact</b>	<i>1 per week</i>	<i>2 per month</i>	1 per month
<b>Home Contact</b>	<i>2 per month</i>	<i>1 per month</i>	1 initially & verify changes
<b>Employ. Verification</b>	<i>1 per month</i>	<i>1 per month</i>	1 initially & verify changes
<b>Collateral Contact</b>	<i>4 per month</i>	<i>4 per month</i>	1 per month
<b>Record Check</b>	<i>1 per week</i>	<i>1 per week</i>	not applicable

\* *Level I is not included in this comparison as Level II is generally the level of initial placement in regular supervision.*

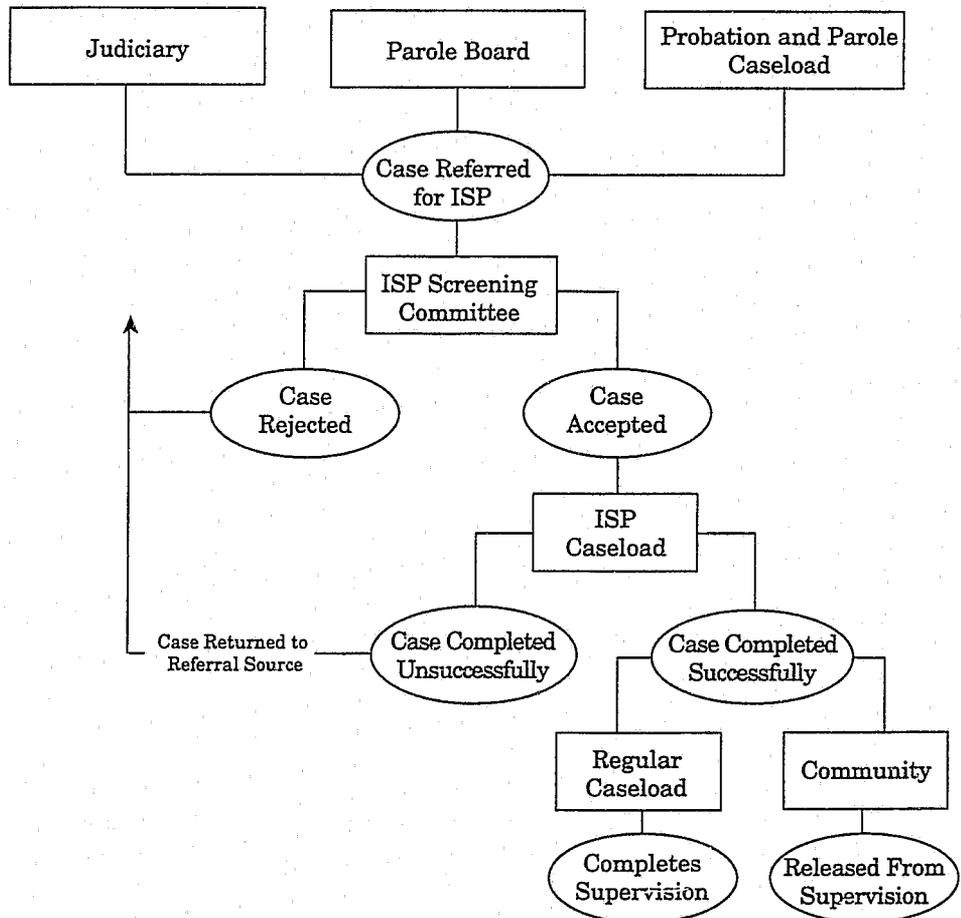
In addition to providing more frequent contacts, DOC has listed the following as standard components of ISP programs:

- around-the-clock accessibility of the ISP officer to the offender via the provision of additional officer/office equipment (including telephone answering machines, telephone credit cards, radio equipped vehicles, and telephone pagers),
- identification of participants to local law enforcement officials,
- availability of emergency services,
- full-time employment and/or job training,
- curfews as needed,
- substance abuse screening as needed,
- active follow-up of monetary sanctions,
- community service follow-up, and
- home electronic monitoring (HEM).

Upon successful completion of the ISP program, offenders are either released from supervision or continued on regular supervision. Offenders who are unsuccessful in the ISP program are subject to revocation proceedings and possible incarceration (Display 4).

Display 4

### ISP Case Flow



## **Implementation: Program Administration**

One of the primary purposes of this study is to determine whether ISP programs have been administered and implemented in keeping with established ISP guidelines. This assessment approaches program implementation from two directions. First, a quantitative analysis of the data collected in the four sample sites was conducted to determine if these ISP programs were in fact serving high risk offenders and meeting the requirements for ISP supervision. Second, qualitative information was collected to determine how well the program has been managed. This information was obtained from a content analysis of ISP administrative documents, personal interviews with personnel involved with ISP, and a telephone survey of all districts with an ISP program. Inclusion of such a wide variety of personnel was important to obtain the most comprehensive and balanced view of ISP management.

### **Quantitative Analysis**

As discussed in the program description of this report, there are set standards to which all ISP programs in Virginia are expected to adhere. Using the data available in offender files, three quantitative aspects of ISP program implementation within the four sample sites were examined: (1) risk scores of ISP and non-ISP offenders, (2) length of time spent in ISP and on regular supervision, and (3) number of personal contacts for ISP and regular supervision.

### **Risk and Need Scores**

According to the 1993 DOC Intensive Supervision Program Guide, ISP's target population consists of high risk offenders, particularly those who score 15 or above on the DOC Risk/Needs Assessment Instrument (RNI). The RNI is used to classify individuals based upon both their level of risk to the community and need for services. Offenders with a RNI score of 15 - 24 are classified as moderately high risk, those with a score of 25 or above are classified high risk. The need score is also determined by the RNI but there are no set standards regarding need scores for ISP assignments. In general, it is assumed that individuals with a high risk score also have high needs.

In order to determine the extent to which ISPs were effectively reaching the target population, both risk and need scores were collected from the case files of a sample of 119 ISP and 90 comparison non-ISP offenders. Display 5 provides the mean risk and need scores for each site and for the entire group.

Display 5

**MEAN RISK/NEED SCORES**

	<u>Risk Score</u>		<u>Need Score</u>	
	ISP	NON-ISP	ISP	NON-ISP
Richmond	26 (n=19)	17 (n=22)	12 (n=19)	10 (n=22)
Norfolk	29 (n=34)	22 (n=27)	29 (n=34)	22 (n=27)
Lynchburg	26 (n=29)	20 (n=18)	20 (n=29)	14 (n=18)
Fairfax	22 (n=37)	15 (n=23)	22 (n=37)	15 (n=23)
<b>Total</b>	<b>25 (n=119)</b>	<b>18 (n=90)</b>	<b>20 (n=119)</b>	<b>14 (n=90)</b>

There was a statistically significant difference ( $p < .0001$ ) between the mean risk and need scores of ISP and non-ISP offenders. The fact that the ISP group exhibited higher risk and need scores than the non-ISP group indicates that ISP is indeed serving a higher risk and greater need offender population (as measured by the RNI) than is regular probation and parole.

**Length of Time Under Supervision**

Each phase of ISP lasts a minimum of three months but can be extended. There are no time requirements for regular supervision levels. Upon the successful completion of ISP, offenders are either placed on regular supervision or discharged from supervision. To determine the length of time spent on both ISP and regular supervision, the average number of weeks was calculated for each phase/level of supervision. Because Level II is the highest level of regular supervision generally employed, Level I figures were not included in the analyses. Display 6 provides a breakdown by district of the average number of offender weeks spent in each ISP phase and total time spent in ISP.

As this chart illustrates, there is a great deal of variation among districts both in terms of time spent in each phase and total time under ISP supervision. The average Fairfax ISP offender spent 33 weeks in Phase I of the program - more than a third more time than offenders at either of the other sites. Norfolk offenders are the most likely to spend an extended period of time in Phase II (30 week average). Overall, Richmond offenders spend the least amount of time in the program (26 weeks), with Fairfax offenders under ISP supervision the longest (40 weeks).

To determine the total length of time under supervision for offenders moving from ISP to regular supervision, the number of weeks spent on ISP were combined with the number of weeks spent on subsequent regular

## Display 6

**AVERAGE NUMBER OF WEEKS  
UNDER ISP SUPERVISION\***

District	Phase I	Phase II	TOTAL
Richmond	9 (n=17)	18 (n=10)	26 (n=19)
Norfolk	19 (n=34)	30 (n=18)	4 (n=34)
Lynchburg	17 (n=25)	22 (n=20)	30 (n=29)
Fairfax	33 (n=39)	26 (n=12)	40 (n=40)
<b>Sample Avg.</b>	<b>23</b>	<b>24</b>	<b>34</b>

\* Variation in sample size is responsible for the apparent incongruity between sub-group and total averages.

supervision. Display 7 illustrates the breakdown, by district, of the average number of offender weeks spent under supervision by both the ISP group and non-ISP comparison group. ISP averages include both time spent on ISP and time spent on subsequent regular supervision.

## Display 7

**AVERAGE TOTAL NUMBER OF WEEKS  
UNDER SUPERVISION**

District	ISP	NON-ISP
Richmond	35	63
Norfolk	42	72
Lynchburg	58	77
Fairfax	47	64
<b>Sample Avg.</b>	<b>46</b>	<b>68</b>

As shown in Display 7, the overall average length of supervision for an ISP offender was 46 weeks as compared to 68 weeks for the non-ISP group. ISP offenders successfully discharged from supervision spent an average of 57 weeks on supervision while non-ISP offenders were supervised for an average of 78 weeks. Based on this information it is clear, regardless of type of discharge, that ISP offenders spend substantially less time under supervision than do regular offenders. However, average length of supervision

varies greatly among ISP programs, ranging from 35 to 58 weeks (23 week range). In contrast, length of supervision for non-ISP offenders ranged from 63 to 77 weeks - a 14 week range.

### Contacts

Frequency and type of supervision contacts are central issues in ISP. Contact information was obtained from the probation officer log notes in each offender's file. Contacts made by the PO or SO on the offender's behalf are recorded in this log according to contact type(s) - personal contact (PC), home contact (HC), employment verification (EV), etc. - and date. Because single contacts are often used to fulfill several contact requirements, it is very difficult to determine the total number of actual contacts made. For example, a call to an employer could be coded several different ways: as a telephone employment contact (TEC) and collateral contact (CC); as a telephone contact (TC), an employment verification (EV), and a CC; as just a TEC; or as a TC and EV. While this coding scheme provides the necessary information for P&P offices regarding compliance with contact requirements, it is not very meaningful for our purposes of determining frequency and type of supervision contacts. Due to the double and triple coding of contacts, it was not possible for us to determine the frequency of each type of contact for the offenders in our study. The only discrete measure of offender contact available was the number of personal contacts in which the PO or SO has a face-to-face meeting with the offender. This information is provided in Display 8 along with minimum contact requirements:

*Display 8*

#### REQUIRED AND ACTUAL PERSONAL CONTACTS

	ISP		NON-ISP
	Phase I	Phase II	Level II
Required Monthly Contacts	4.0	2.0	1.0
Actual Average Monthly Contacts	4.5	2.9	1.2

Based on our analyses, it appears that the required number of personal contacts are being made in both phases of ISP. Although the data suggest that Virginia's ISP meets supervision requirements, there are issues regarding the quality of supervision that require further examination. During our interviews, personnel in numerous districts voiced concern regarding the relative emphasis on contact compliance over case management quality. These concerns mirror the findings of recent ISP studies which

stress the importance of measuring supervision quality along with quantity as a means of determining program success (APPA, 1993; Petersilia, 1993). These studies have identified numerous variables (percentage of fines/court costs paid, community service involvement, continued drug use, etc.), already included on DOC's ISP data collection instrument (ISP-2), as appropriate measures of program quality. Unfortunately, much of this information is either missing or incomplete in the ISP-2 database (court costs paid, 44% missing; supervision fees paid, 87% missing; reason for terminating drug abuse treatment, 100% missing, etc.). Such large amounts of missing data indicate that little emphasis is placed on the completion of data related to measurement of program quality. Consequently, it is impossible to determine whether offender supervision is, in fact, given priority over the provision of services and appropriate case management. In recognition of this problem, DOC plans to work with APPA to improve the quality of data collected on ISP offenders.

### **Qualitative Analysis**

Our interviews with DOC personnel indicate that programs have been complying with basic supervision standards, yet many have done so under difficult circumstances which could affect the quality of supervision contacts. Discussions with ISP personnel, as well as those from other organizations affected by ISP operation, indicate the existence of three major areas of concern: (1) staffing of statewide ISPs, (2) personal safety of ISP officers in the field, and (3) ISP officer training.

### **ISP Staffing**

Virginia's ISP has been expanded from three districts in 1985 to 36 districts in 1993. Officer allocation has been based largely upon district population. Consequently, the majority of district ISPs consist of a single officer with only 13 districts operating ISP teams.

Due to population size and consequent staffing levels, larger districts have been able to develop ISP teams with surveillance and treatment functions separated and performed by appropriate officers. Smaller, generally rural districts, however, are often required to perform ISP functions with a single officer. Though these officers' caseloads are reduced, the demands placed upon rural ISPOs are magnified due to the size of the territory they must cover and the lack of team support. ISP cases involve a great deal of paperwork and are very difficult to manage, thus the technical and consulting support of the SO is very important. In the telephone survey and personal interviews, 18 of the 23 districts operating a single ISPO/SO program, as well as two of the four regional administrators, expressed dissatisfaction with the placement of a single ISPO/SO in a district.

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The telephone survey indicated that the addition of home electronic monitoring (HEM) is a cause of concern in many rural and urban districts. Although opinions vary regarding the value of HEM, there is general agreement that HEM is very time consuming and should not be implemented without adequate staff. Several single ISPO districts expressed concern about the addition of HEM in their district because it places too many demands on the ISPO.

Both urban and rural officers report that there have been instances in the past when increases in overall district caseloads have required them to expand ISP caseloads beyond the recommended limits. In such situations it becomes difficult to make the required minimum contacts and the program suffers as a result, becoming more reflective of a regular, rather than ISP, caseload. These problems have been exacerbated by the proliferation of electronic monitoring. A number of interviewees suggested that both district and overall P&P goals might be better served through placement of regular POs (rather than ISPOs).

### **Officer Safety**

A problem confronted by ISP officers in both urban and rural districts is that of personal safety while on the job. In urban districts, officers frequently make contacts in high crime areas. In rural districts, P&P officers must travel to remote areas to make contacts, often with little or no communication or safety equipment. Though none of the ISP staff interviewed advocate firearm use, they repeatedly cite the following as desirable for improved officer safety:

- Communication equipment including portable telephones, car telephones, and "officer down" alarms;
- Personal protection devices such as mace, body armor, etc.; and,
- Back-up support in the form of a second P&P, or police, officer.

While all POs are faced with this problem, ISP officers are particularly vulnerable because they supervise offenders who are, by definition, higher risk, and they are required to make more frequent offender contacts. One way to assess the risk empirically would be to examine officer assault records. However, this data does not exist, making it impossible to determine the extent to which ISP officers and regular POs are in danger of assaults. Nonetheless, the information obtained through the interviews indicates to us that personal safety is a universal and legitimate concern.

The study interviews conducted revealed a perception on the part of field personnel that DOC administrators have, in the past, been indifferent to the safety concerns of officers. Frustration over what is perceived to be a

lack of concern for officer safety was acknowledged by DOC as early as 1988 in the Report of the Probation and Security Committee. The Ad Hoc DOC committee was charged with "assessing the scope and degree of potential threat, identifying and evaluating precautions currently in place by individual districts or regions, and formulating a set of specific mandatory, essential or important remedial recommendations" (Virginia Department of Corrections [VA DOC], 1988). Based on its findings the committee developed a series of recommended safety measures to be undertaken by DOC in order to improve officer safety. Despite what DOC staff claim are repeated efforts on the part of DOC's Division of Community Corrections to implement these recommendations, requests for funding have consistently been denied at the level of either DOC's administrative management, the office of the Secretary of Public Safety, the Governor, or the General Assembly.

### **Officer Training**

The backgrounds of officers performing ISP staff duties vary substantially across the state. Many districts attempt to hire individuals with treatment backgrounds, law enforcement training, or extensive probation & parole experience. However, our interviews revealed that regardless of background, many ISP officers do not feel sufficiently prepared to recognize or respond effectively to problems arising from the special need offenders on their caseload.

Information obtained from the telephone surveys and field interviews indicates that while ISP caseloads are increasingly comprised of dual diagnosis, sex offender, and other complex cases, access to client assessment and treatment services has improved only marginally and remains inadequate in many areas. In the absence of effective services, officers are frequently forced to manage caseloads of high risk, high need offenders with what they judge to be inadequate and impractical training.

Although DOC administrators contend that the Department offers both personal safety and offender management training, officers maintain that such training is not always adequate or accessible. It is interesting to note that similar concerns were voiced in the 1988 Report of the Probation and Parole Security Committee mentioned earlier. Based on a survey of P&P staff conducted at that time, the Committee developed the following recommendations regarding staff training:

- The Department of Corrections should develop training in the DOC regions and the private sector rather than at the Academy, and

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- [DOC should] implement training for all staff in the following areas:
    - dealing with the difficult or hostile offender,
    - dealing with the contagiously diseased offender,
    - self-defense techniques,
    - dealing with the hostage situation,
    - dealing with the mentally impaired offender,
    - CPR and/or first-aid,
    - dealing with the substance abusive offender, and
    - dealing with the sex offender.

Though officers interviewed report that the Academy now offers more meaningful training opportunities than in the past, the problem of limited access remains. Officers report that it is even more difficult now than in the past for officers to make use of DOC courses, largely due to increased caseloads, but also because too few courses are offered at the regional or district level. All too often, caseload demands make it difficult for an officer to leave his/her district for an extended period of time due to insufficient backup; this is particularly true of ISP officers.

## **Discussion**

Our analyses indicate that ISP is serving high risk offenders and is also adhering to the basic standards of ISP supervision. However, our interviews and telephone surveys with field staff revealed several problems regarding the operation of ISP that decrease the quality of supervision provided by ISP. These problems include insufficient staff in many districts, lack of personal safety equipment and provisions, and lack of practical training for ISP officers. The perception among field staff seems to be that none of these problems are priority concerns to DOC administrators. DOC administrators, however, state that they have done everything possible to develop and improve ISP programs, provide staff training, and pursue funding for officer safety equipment.

**Implementation:  
Treatment**

The provision of effective drug treatment is one of the primary goals of Virginia's ISP. Evaluations of established ISPs indicate that drug treatment is an important component of ISP, since the most significant decreases in recidivism have been found in programs that emphasize community service and drug treatment (Petersilia & Turner, 1993). In order to assess the extent to which Virginia's ISP has reached the goal of providing effective drug treatment, treatment information was gathered through interviews and offender case reviews. Quantitative information regarding frequency and type of substance abuse treatment, mental health treatment, and community services was obtained from the offender files; however, this information was generally both fragmented and incomplete. The personal interviews and telephone survey provided insight into many of the qualitative issues regarding offender access to treatment.

**Quantitative Analysis**

For purposes of this study, substance abuse treatment was defined as individual or group, inpatient or outpatient, and drug or alcohol counseling with a professional counselor. Self-help groups alone, such as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), were not included in this definition of treatment. Offenders referred for substance abuse evaluation who subsequently failed to participate were not included in the treatment study group.

**Need for/Use of Treatment Services**

Statistical analysis shows a statistically significant association ( $p < .005$ ) between being on ISP supervision and receiving treatment, with 49.2% of ISP offenders and 29.9% of non-ISP offenders receiving substance abuse treatment. The available data did not provide a usable measure of offender need for treatment among the two groups. Therefore, need for treatment was determined using two variables from the Risk/Needs Assessment Instrument (RNI) that indicated the level of drug and alcohol use. These two variables were combined to create a substance abuse indicator with the following three categories: no abuse (meaning no interference in functioning caused by alcohol or drug use); occasional abuse (of drugs and/or alcohol); and, frequent abuse (of drugs and/or alcohol). Since scores from the RNI were not available for all cases, the following treatment analyses are based on 107 ISP cases and 79 non-ISP cases.

Display 9

**LEVEL OF SUBSTANCE ABUSE (ISP/NON-ISP)**

Level of Abuse	ISP	NON-ISP
No Abuse	15% (n=16)	30% (n=24)
Occasional Abuse	37% (n=40)	47% (n=37)
Frequent Abuse	48% (n=51)	23% (n=18)
<b>Total</b>	<b>100% (n=107)</b>	<b>100% (n=79)</b>

Pearson chi-square analysis shows a statistically significant association ( $p < .005$ ) between level of abuse and ISP. From the data it appears that ISP offenders have a higher level of substance abuse problems than non-ISP offenders. Almost half (48%) of the ISP offenders are frequent abusers of drugs and/or alcohol, compared to 23% of the non-ISP offenders. Only 15% of the ISP offenders showed no evidence of substance abuse, compared to 30% of the non-ISP offenders.

Based upon this level of need, it is understandable that the ISP group received more treatment than did the non-ISP group. At issue is the degree to which level of need corresponds with treatment within the two groups. Assuming that the substance abuse indicator is an accurate reflection of need, we would expect to see offenders with greater need receiving more treatment, and ISP providing treatment at a greater rate than regular supervision. However, the percentage of offenders with frequent abuse of drugs and/or alcohol who received treatment was similar for both groups, 64% for ISP and 61% for non-ISP. Although it is difficult to draw conclusions based on the analysis of such a limited number of offenders, there are two possible explanations for this finding. Either the RNI does not provide an accurate assessment of the offender's substance abuse problem, or ISP is more likely than regular supervision to provide treatment to less needy offenders, but no more likely than regular supervision to provide treatment to high need offenders.

**Lack of Treatment/Service Documentation**

The problems encountered in attempting to match treatment needs with treatment received are indicative of a larger problem - the lack of documentation of the treatment process. Although institutions routinely assess inmate needs and provide available treatment prior to release, ISP staff claim that documentation of this process rarely follows the offender once

transferred to community supervision. Further, treatment information recorded in P&P case files is generally fragmented, with offender progress reports neither required nor consistently submitted by treatment providers. Because there is no centralized DOC policy regarding either the provision of ISP treatment or the documentation of offender progress while in treatment, each district records this information differently.

More thorough documentation of the treatment process is essential for several reasons. Records of all services received by the offender while on supervision are necessary both to determine whether treatment funds and services are being utilized effectively, and to determine the impact of various treatment modalities. There also must be a method of holding treatment providers accountable to a standard level of service in order to ensure that offenders do not receive inappropriate or duplicative treatment. According to the ISP officers we interviewed and the Treatment Services Manager, it is currently very difficult to determine whether an offender assigned to treatment is actually participating in this treatment and whether an impact is being realized. This is due largely to the lack of accountability required of both Community Service Boards (CSB) and private vendors. According to the Treatment Services Manager, these providers are rarely, if ever, asked to report on offender participation or progress. Further, it is nearly impossible to gather this information from offender files once the case has been closed. Finally, because each district operates independently in procuring and documenting treatment services, neither the DOC Special Programs Manager nor the Treatment Services Manager receive information related to the effectiveness of various treatment services and providers - information essential to appropriate program management.

### **Qualitative Analysis**

Through our personal interviews and telephone survey, we learned that treatment availability differs substantially from district to district. The type of treatment that a offender receives often depends as much upon the relationship of the district office to the CSB, or the availability of funds and private services, as it does upon the offender's specific treatment need. Although certain districts provide services beyond basic mental health and substance abuse treatment (including life skills, parenting skills, vocational training, job placement, anger management, and halfway houses), few districts have access to such a wide variety of community services and treatment options.

### **Utilization of Treatment Resources**

As mentioned previously, Virginia's DOC has no central policy regarding the provision of ISP treatment services. For the most part, district Chiefs and ISP staff are responsible for identifying and procuring available

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treatment services within the community. Offender services are generally provided using a combination of CSB and private vendor services.

According to the information we received from the telephone survey, the extent to which ISP offices are able to access the services of local CSBs varies greatly across the state. This variability results from differences in the quality of local P&P/CSB relationships and differences in program and service availability. While some districts have managed to develop meaningful Memorandums of Agreement (MOA) with local CSBs, delineating the type of services to be received, others have been unable to establish an effective relationship either with, or without, the use of MOAs.

Field personnel interviewed indicate that many CSBs are overwhelmed by the need for public treatment services and simply do not have the resources to provide treatment on demand. Waiting lists are common in these districts and pose considerable problems for individuals who need treatment but cannot afford to obtain it privately. These problems are increased for P&P offenders seeking treatment. Because the majority of offenders have little or no income, they are unable to receive private treatment and are generally referred to CSBs for evaluation and treatment. However, due to their criminal histories, lack of interest in treatment, and need for specialized programs, CSBs are often reluctant to accept them. If the offender is accepted for evaluation, he, like other CSB clients, is often placed on a lengthy waiting list. According to ISP staff, this lack of immediate treatment is particularly detrimental to the progress of recovery for an offender and greatly decreases chances for success on community supervision.

In an effort to reduce the problems associated with obtaining offender treatment through CSBs, some districts have begun to use ISP treatment funds as payment to local CSBs who then place ISP offenders at the top of treatment waiting lists or in some other way improve offender access to treatment. Our interviews and telephone survey revealed that this practice is not entirely supported by either DOC administrators or ISP officers, many of whom question whether ISP offenders should receive priority treatment over regular probation and parole offenders and/or law-abiding citizens. Concern has been expressed over the fact that CSBs have begun charging additional fees for what is a legislatively mandated responsibility.

P&P Chiefs interviewed in the telephone survey stated that they have experienced resistance on the part of CSBs reluctant to treat the potentially dangerous and/or violent ISP offenders which make up an increasingly large proportion of ISP caseloads. More frequently, these caseloads include dual diagnosis offenders - those with mental illness as well as substance abuse problems.

P&P Chiefs report that CSBs lack the financial resources to provide the specialized treatment required by many offenders. This is a particular problem for ISPs attempting to obtain treatment for sex offenders. Due to the

high risk of recidivism, sex offenders are frequently placed on ISP where they present a unique set of challenges to both correctional and mental health professionals. Although it is beyond the scope of this study to explore the theories underlying sex offender treatment, it is important to note that this is a relatively new and controversial area of study. Therefore treatment is not readily available outside of institutional settings, and is only infrequently available through local CSBs. According to DOC and Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) personnel, there are only a few programs currently available in Virginia which provide such treatment and these are generally both private and costly. In theory, offenders who are unable to receive treatment through the CSB can be referred to a private treatment provider. Field personnel, however, report that there are seldom sufficient funds for such referrals.

In addition to the problems already discussed, P&P districts and CSBs suffer from confidentiality misunderstandings, "turf" issues between supervision and treatment staff, and a lack of funding resources. Although DOC and DMHMRSAS have acknowledged that these problems and others need to be resolved in order for this treatment/supervision relationship to work, a great deal remains to be accomplished. The two agencies have begun working with one another in an effort to resolve some of these problems with varying degrees of success. In conjunction with the APPA, DOC administrators have provided training in the development of MOAs to additional P&P offices. However, numerous ISP staff indicated that these efforts have been piecemeal and have had little impact upon the actual working relationship of CSBs and P&P offices.

#### **DOC Efforts to Improve Delivery of Treatment Services**

Acknowledging weaknesses in existing ISP management practices, DOC has requested and received funding for two technical assistance projects aimed at improving ISP and its treatment service delivery. Both are grant funded projects sponsored, in part, by the APPA. The grant, Technical Assistance for Intensive Supervision Programs, involves DOC's Division of Community Corrections and is sponsored jointly by APPA and the Bureau of Justice Assistance (BJA). The grant is designed to focus on the following three issues:

- (1) effective supervision strategies;
- (2) community involvement; and
- (3) targeting an appropriate ISP population.

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Additionally, DOC will work on an APPA/National Association of State Alcohol and Drug Abuse Directors (NASADAD) funded grant entitled, the Coordinated Interagency Drug Training and Technical Assistance Project. Through this grant, DOC seeks to accomplish the following:

- (1) establish adequate memoranda of agreement between all districts and CSBs,
- (2) improve the exchange of information between districts and CSBs,
- (3) reduce waiting list time for drug-involved offenders requiring treatment services,
- (4) develop and maintain ongoing training opportunities and strategies, and
- (5) enhance the ability of probation and parole officers to serve the drug-involved offender population.

## **Discussion**

Our exploration of offender treatment as a component of ISP has raised more questions than can be addressed through this study. Based on our analysis, it appears that ISP offenders do, in fact, receive more treatment than regular probation and parole offenders. However, serious questions remain regarding the appropriateness of services received and the efficiency with which existing resources are utilized. Although DOC administrators state that ISP offender treatment services are adequate and ensured by MOAs at the district level, ISP officers report difficulty in obtaining appropriate services. The lack of available documentation regarding the type and impact of treatment provided makes it impossible to address issues of program efficacy quantitatively. However, field interviews indicate that there is a great deal of confusion among ISP personnel as to the type of offender to be referred for treatment, the type of treatment available for these offenders, and the mechanism by which services are accessed. Although MOAs have been developed and some ISP personnel have been trained in this area, interviews indicate that this has had little impact upon actual service delivery.

**Implementation:  
Referral  
Process**

Like many across the country, Virginia's ISP was developed as a means of reducing rising prison populations while satisfying the desire to "get tough on crime." As such, the concept of ISP appeals to a wide and diverse audience. In practice, however, it has proven difficult to achieve these seemingly conflicting goals through a single program. This problem, endemic to all ISPs, is exacerbated in Virginia where ISP is operated as both a supervision enhancement and early release program. Due to the dual purposes of Virginia's ISP, the program currently operates with three separate offender referral authorities: the Parole Board, the judiciary, and DOC's Probation & Parole Districts. Each refers offenders through a unique system of offender evaluation using a singular set of subjective judgments and standardized assessment instruments. Though there is a screening committee in each district, there are no clearly defined criteria for offender acceptance. Instead, each authority operates independently in determining the type of offender best served by ISP. The following is a brief description of the various methods and rationales employed by each of the three authorities in identifying and assigning ISP offenders.

**The Judiciary**

The judiciary provides the fewest referrals to ISP. Due to time and resource limitations, the only members of the judiciary interviewed for this study were Richmond area Circuit Court Judges. The majority of these judges stated that, due to lack of program familiarity, they were reluctant to make ISP referrals. Instead, assignments are generally made only at the recommendation of the P&P officer completing an offender's Pre-Sentence Investigation (PSI). Interviews with ISP staff throughout the state confirmed that members of the judiciary frequently rely upon the judgment of officers when sentencing offenders to the program.

**The Parole Board**

The Parole Board selects offenders for ISP based upon a review of case history and Parole Board Guidelines scores. Generally, offenders assigned to ISP are either those who have special treatment needs, have been selected for HEM, or are completing an extensive term of incarceration and need life-skills training and assistance.

In the past, parolees were referred to ISP regardless of service availability. This practice frustrated both board members and P&P officers. Although ISP was originally portrayed to the Board as an early release mechanism with specialized offender treatment, members report that DOC has failed to keep them apprised of space and/or service availability. As a result, offenders have often been recommended inappropriately - receiving few, or no, services and filling ISP slots better suited to other offenders. Through discussions with DOC administrators, the Board has revised its referral

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process so that the majority of parolees assigned to ISP come from the officer's existing caseload or are referred with final placement left to the officer's discretion. Though ISP spaces are now filled more efficiently, parolee assignment responsibilities have shifted from Board members to the P&P officers with the exception of HEM assignments.

### **DOC Probation & Parole Districts**

Department of Corrections' Probation and Parole District referrals make up the largest proportion of the ISP caseload. Officers assign offenders to ISP who are at risk of violating regular supervision, require increased structure in supervision, or could benefit from specialized ISP treatment/services. The referral decision is based upon both the offender's Risk/Needs Assessment Instrument (RNI) score and the officer's review of the case.

The offenders in our ISP sample showed significantly higher RNI scores than did our comparison group. While this indicates that ISP is serving a different type of population than is regular supervision, offender selection is not necessarily based upon these scores. Our telephone and personal interviews indicate that DOC personnel have very little confidence in the RNI. Because assignment of RNI scores is highly subjective - open to different interpretations based upon the type/quantity/quality of information provided on the PSI, particular officer completing the form, etc. - the consensus of those interviewed was that the RNI is ineffective in either assessing an offender's risk/need, or determining his appropriateness for ISP supervision. As a result, ISP placement decisions are usually subjective, based on an officer's "gut-feelings", rather than upon any objective assessment of offender characteristics. The higher RNI scores of ISP offenders is, therefore, more reflective of the officer's subjective assessment of offender risk/need than upon the instrument's ability to appropriately select offenders.

### **Discussion**

Proponents of ISP describe the program as one which relieves prison overcrowding by providing the judiciary and Parole Board with a viable alternative to incarceration. In practice, however, ISP referrals are most often made by P&P officers with little input from either the judiciary or Parole Board. Further, in the absence of either a standardized assessment instrument or offender referral criteria, these referrals are made with little or no objective guidance. Originating from the officer's existing caseload, the majority of ISP cases are drawn from a pool of offenders already on community supervision.

Reliance upon the P&P officer for ISP assignment is not necessarily inappropriate. In fact, research suggests that probation and parole personnel may be the best qualified to make the decision regarding ISP placement as they have access to the most pertinent information, including previous

criminal records, pre-sentence investigations, risk/needs assessments, and previous supervision performance (NCCD, 1990). Nonetheless, there are definite repercussions to this method of referral. By its very nature, this form of offender selection ensures that only those already selected for community supervision will be assigned to ISP. Offenders selected for ISP by P&P officers are neither diverted from initial incarceration, nor provided early parole release. This system which, by default, delegates ISP assignment responsibilities to the P&P officer, results in a more homogenous ISP caseload better suited to district resources. Nonetheless, it greatly diminishes both the judiciary's and Parole Board's input into treatment and sanction determination. Because P&P officers have little confidence in the only standardized assessment instrument available to them (RNI), referrals are based upon largely subjective assessments.

Recent studies of ISPs repeatedly stress the importance of statistically derived risk/needs assessment instruments. If designed appropriately, these instruments provide a superior means of predicting recidivism, a systematic and objective method of allocating resources, and an effective quality control and performance evaluation management tool. However, for these benefits to be realized, the risk/needs assessment must be perceived as a useful and efficient tool (APPA, 1993). Although Virginia's ISP officers seem to have little confidence in the RNI currently used by DOC, objective risk/needs assessment instruments are successfully being used in other ISP programs around the country (Andrews, 1982; Andrews & Bonta, 1992). These RNIs are statistically derived based upon the analysis of data specific to the population with which the instrument is to be used. Though information identified as essential to the design of such instruments (offender's substance abuse history, employment status, and level of education) is readily available on existing DOC databases, it has never been analyzed in such a way as to allow for the development of a risk/needs assessment instrument designed specifically for Virginia's offender population.

Based upon our interviews with ISP staff, it is apparent that the existing method of ISP offender referral, and the failure to develop and communicate specific offender selection criteria, has had a negative impact upon the composition and management of ISP caseloads. It is clear that individuals working within this program hold diverse opinions regarding both the goals and target population of ISP. Due to this confusion, ISP officers receive a broad range of offenders who exhibit varying levels of need. Unfortunately, the average ISP officer is not equipped to deal with this level of diversity, nor has he been provided the training or tools necessary for appropriate offender selection. In some instances, though offenders are assigned to ISP in order to receive specialized treatment, such services do not exist in their particular area. In such circumstances, not only is the offender deprived of necessary treatment, but valuable ISP resources are inappropriately expended.

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## **Diversion**

Diversions from prison or jail represent cost savings to the criminal justice system, since placing an offender in an expensive prison bed has been avoided. In order to analyze diversion, this study sought to determine what would have happened to ISP participants had there been no ISP program. In order for a true diversion to have taken place, the offender on ISP would otherwise have to have been sentenced to jail or prison if ISP did not exist. Every day such an offender is on ISP rather than in prison or jail represents a jail or prison bed savings. On the other hand, there may be offenders on ISP supervision who would, if ISP did not exist, be supervised on regular probation or parole. For such offenders, ISP supervision involves increased costs, since supervision on ISP is more expensive than regular supervision. Under these circumstances, no prison or jail beds are saved.

### **Measuring Diversion in ISP**

There are four main sources for referrals for the ISP program:

#### *For probationers:*

- sentenced to ISP by a judge
- "transferred" to ISP from regular probation supervision by P&P

#### *For parolees:*

- paroled with a condition of ISP by the Parole Board
- "transferred" to ISP from regular parole supervision by P&P

### **Sentenced to ISP by a judge**

Offenders sentenced to ISP in lieu of prison or jail represent potential true diversions (actually, true diversions would be sentenced to prison or jail by a judge, and subsequently diverted by another authority, such as the Department of Corrections). If ISP did not exist, these offenders would be sentenced to prison or jail. This could be examined empirically by comparing the characteristics of these offenders to both current prison or jail inmates and probationers. When factors such as the seriousness of the current offense and prior criminal record are compared, offenders should look more similar to prison or jail inmates than to offenders supervised on regular probation.

### **Paroled with a condition of ISP by the Parole Board**

While inmates who are paroled are not strictly "diverted" from prison, such releases can represent bed savings, provided that these inmates would not otherwise have been paroled had ISP not been an available option. That is, if the Parole Board's choice is between releasing an offender to ISP and denying parole, and they choose the former, then a cost and bed-space

saving accrues. If, however, an inmate is released to ISP supervision who would have otherwise been released to regular parole supervision had ISP not been available, then this represents an increased cost to the criminal justice system and no bed savings. This is not to say that releasing an offender to a higher level of supervision is not an appropriate use for ISP. It can be argued that releasing a high-risk offender to ISP rather than regular supervision avoids recidivism and its attendant costs. If inmates paroled to ISP can be shown to be higher risk than those released to regular supervision, this would lend support to this avoidance of recidivism argument. This could be empirically examined, for example, by using the Parole Board's Guidelines to compare the characteristics of ISP offenders to those denied parole and to those released to regular parole supervision. In order to support claims of bed-space savings, the scores of the ISP offenders should more closely resemble those of inmates denied parole than those of inmates paroled to regular supervision.

#### **Transferred from regular probation or parole supervision to ISP**

This method of referral to ISP is the most difficult to examine. The assumption here is that if ISP were not available as a stricter sanction than regular supervision, these offenders would have their probation or parole revoked and be sent to prison or jail. If this assumption is true and the offender does not recidivate or is not technically violated while on ISP, then a diversion from prison is said to have occurred. If it is not true, and the offender would otherwise have remained on regular supervision, then no bed savings has been realized (again, the argument for increased public safety under these circumstances can be made).

This assumption regarding removal of offenders from regular supervision to ISP is, however, virtually impossible to assess empirically. The process by which a probation and parole officer recommends an offender for ISP is subjective and varies from one district to another. Since this decision is largely affected by the offender's behavior while on supervision, comparisons of offender characteristics are of limited use in assessing the soundness of the decision. One method of empirically testing the validity of this decision would be to examine the characteristics and circumstances of offenders who historically had their probation or parole revoked, comparing these to offenders being placed on ISP. If the circumstances of the two groups are similar, then this lends support to the idea that offenders who are being transferred to ISP would otherwise be returned to jail or prison.

#### **Diversion and ISP**

Parolees: As noted previously, assessing true diversions for parolees is difficult. Although one might be able to make use of Parole Guidelines data to compare the characteristics of ISP parolees with those granted regular

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parole and those denied parole, such a study was beyond the scope of the present effort. Therefore, the present study attempted to address this issue qualitatively; that is, through interviews with Parole Board members. The Parole Board Chairman stated that, because public safety is the primary concern of the Board, no offender considered to be a public safety risk to the community is released on regular parole supervision or ISP. Generally, offenders placed on ISP by the parole board are those who have served extended sentences and require close monitoring in order to ensure a smooth transition back into the community.

We have argued previously that for parolees, true diversions occur only if inmates are paroled to ISP who would otherwise not have been released to parole. Comments of the Parole Board members interviewed indicate that, although ISP allows for some diversion, introduction of the program has had little impact upon the type or number of offenders released.

Probationers: In order to empirically determine the extent to which sentences to ISP probation are true diversions from prison or jail, we must have a method for comparing the characteristics of ISP probationers to prison inmates and to regular probationers. Such information is readily available from the Voluntary Sentencing Guidelines used throughout the state. Scored for each of eight felony offense groups, the Sentencing Guidelines provide a recommendation, based on historical sentencing practices, regarding sentencing options for each offender. Based on factors such as the seriousness of the current offense and the extent of prior criminal involvement, the Guidelines make recommendations regarding whether or not the offender should be incarcerated, whether the incarceration should be in prison or in jail, and the length of the sentence to be imposed.

The current application of the Sentencing Guidelines scoring concerns the first decision regarding whether or not the offender should be incarcerated. By calculating the Sentencing Guidelines score of each ISP probationer, we were able to determine the proportion of offenders who would have historically been sentenced to incarceration and the proportion who would have received regular probation.

In order to conduct the analysis described above, all probationers who were released from ISP supervision in FY92 and who were placed on ISP for one of the eight Guidelines offense groups were selected (the Guidelines offense groups are homicide, sexual assault, robbery, assault, burglary, larceny, drug crimes and fraud). These offenders were then matched to the Presentence Investigation Database (PSI) where the required scoring information was obtained. Each offender successfully matched to the PSI database was scored on the Sentencing Guidelines variables for his offense, and the "prison in/out" score was examined for each.

There were a total of 500 offenders who met the criteria outlined above: released from ISP probation in FY92, had committed one of the offenses covered by the Guidelines offenses, and could be matched to the PSI database. The recommended sentences for these 500 ISP probationers are shown below:

Display 10

**PROJECTED RECOMMENDED SANCTIONS  
FOR ISP PROBATIONERS**

Sanction	Percent
<i>Incarceration</i>	<b>71%</b> (n=353)
• Prison	<b>50%</b> (n=250)
• Jail	<b>21%</b> (n=103)
<i>Probation</i>	<b>29%</b> (n=147)
<b>Total</b>	<b>100%</b> (n=500)

Fully 71% of the ISP probationers received recommendations for some incarceration time based on the Sentencing Guidelines scoring. The recommended sentence lengths for these 353 offenders are shown below:

Display 11

**PROJECTED RECOMMENDED SENTENCE LENGTH  
FOR ISP PROBATIONERS**

JAIL:	6 mos or less	<b>15%</b> (n=15)
	6-12 mos	<b>85%</b> (n=88)
	<b>Total</b>	<b>100%</b> (n=103)

PRISON:*	2-4 years	<b>9%</b> (n=47)
	4-6 years	<b>36%</b> (n=89)
	6-8 years	<b>18%</b> (n=45)
	8-10 years	<b>12%</b> (n=31)
	10 + years	<b>15%</b> (n=38)
	<b>Total</b>	<b>100%</b> (n=250)

\* Mean sentence recommendation was 8 years (median = 5.7 years); sentences ranged from 2.1 years to 52.4 years. None of the offenders in this sample received a sentence of between 1 and 2 years.

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In interpreting the recommended sentence lengths summarized above, it should be noted that the Sentencing Guidelines provide only two recommendations for jail sentences: less than 6 months, and 6-12 months. The Guidelines distinguish between these two sentence lengths only for the offense categories of assault, fraud, and larceny. For the remaining offense categories, the recommendation is a jail sentence only (i.e., up to 12 months). For purposes of this analysis, maximum sentence lengths were assumed; that is, 6 or 12 months, depending on the offense category.

For the offense categories of homicide and robbery, the Guidelines do not distinguish between the non-prison sentences of probation and jail incarceration; in these cases, all offenders were assumed to have received jail sentences. In the case of prison sentences, the Guidelines provide a range and a midpoint; the numbers reported above are based on each offender's recommended midpoint.

#### **Time Sentenced and Served**

The 353 ISP probationers who would have received prison or jail terms according to Sentencing Guidelines (SG) would have been sentenced to a total of 25,361 months. In Virginia, however, the effects of discretionary parole, mandatory parole and good time significantly reduce the time actually served by a prison inmate (only good time applies to jail inmates).

An additional analysis was conducted in order to determine the potential time served in prison or jail by these 353 inmates. The analysis utilized "proportion of time served" figures that had previously been developed by the CJRC. These figures are based on all felons released from prison in FY 1992 and represent the average proportion of the imposed sentences served broken out by offense category. For the present analysis, these proportions were applied to the Guidelines sentence lengths for each offense. For example, burglars released in FY 92 served 31.3% of their imposed sentences. This proportion was then applied to each ISP burglar's recommended Guidelines sentence in order to calculate time served for that recommended sentence.

Display 12

**PROJECTED TIME SENTENCED AND SERVED BY ISP PROBATIONERS (TOTAL MONTHS BY OFFENSE)**

Offense		Total Months Sentenced	Total Months Served	% Served
Assault	(n=18)	1,615	591	36.6%
Burglary	(n=59)	5,506	1,723	31.3%
Fraud	(n=30)	1,641	440	26.8%
Homicide	(n=6)	1,204	411	34.1%
Larceny	(n=28)	1,634	490	30.0%
Drugs	(n=78)	5,906	1,364	23.1%
Robbery	(n=15)	2,334	751	32.2%
Sex Offenses	(n=16)	4,375	2,021	46.2%

For Guidelines jail sentences, comparable time-served information was not readily available. In these cases, time-served was calculated as one-half of the Guidelines sentence, based on the fact that jail inmates earn good time at the rate of one day for each day served.

The results of this analysis are shown in display 13.

Display 13

**PROJECTED TIME SENTENCED AND SERVED BY ISP PROBATIONERS (IN TOTAL MONTHS BY SANCTION)**

Sanction		Tot. Mos. Sentenced	Tot. Mos. Served
Prison	(n = 250)	24,215	7,791
Jail	(n = 103)	1,146	573
<b>Total</b>	<b>(n = 353)</b>	<b>25,361</b>	<b>8,364</b>

As Display 13 shows, these 353 ISP probationers would have actually spent an estimated total of 8,364 months (697 years) incarcerated. This represents the equivalent of 697 jail/prison beds saved per year.

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**Discussion**

Given that all of the offenders in the analysis presented above were on probation, the fact that almost 71% of them received Sentencing Guidelines recommendations for jail or prison sentences lends strong support to the notion that ISP offenders are in fact the more serious offenders with more extensive criminal histories. It also suggests, however, that a sizable proportion (29%) of ISP probationers more closely resemble regular probationers than they do prison or jail inmates, and thus could not be considered to be true diversions from incarceration.

As noted previously, offenders may be placed on ISP by probation and parole district staff from regular supervision caseloads. Such placements are presumably made in lieu of returning the offender to the judge for additional sanctions as a result of probation violations. There is, however, no way within the limits of the present analysis to test this assumption. Given that these transfers from regular supervision are based primarily on behavior while on probation and not on such characteristics as seriousness of offense and prior criminal history, the use of the Sentencing Guidelines scoring procedure may be questioned for this group of offenders. Lacking an alternative method, however, the procedure used here is expected to produce the most accurate estimate possible of diversion rates for these offenders.

**Recidivism**

Two different recidivism analyses using two sources of arrest data were conducted in the present study. The first analysis used data from the ISP-2 data collection form, which contains information on criminal activity that occurs while the offender is actively being supervised on ISP. Information collected includes up to two new arrests, along with the dates of the arrests, whether or not the offender was convicted of the offense, and what type of sanction the offender received. This data was analyzed for all offenders who terminated ISP in FY1992.

In order to compare the recidivism rates of ISP offenders and non-ISP offenders, a different data source was required, since recidivism information comparable to that collected on the ISP-2 form was not available for non-ISP offenders. The measure of recidivism used in the current analysis was re-arrest (as opposed to re-conviction or re-incarceration). Recidivism data for this analysis was obtained from the State Police Central Criminal Records Exchange (CCRE). A request for criminal history or "rap sheet" information was made for each of the offenders in the ISP and non-ISP samples from the four selected sites. Specific data elements were extracted from the rap sheets and combined with the other information collected on these offenders.

These data elements were coded only for offenses which occurred after the offender was placed on ISP or regular supervision. Rap sheet information coded included the specific type and date of each offense for which the offender was arrested during the time period after placement on supervision. Disposition information was coded but was rarely available on the rap sheets. Follow-up periods for this recidivism analysis ranged from 12 to 23 months. The average follow-up period was 19 months.

A comparison of the technical violations of non-ISP and ISP offenders was also carried out. This information was obtained from the on-site review of offender files in the case of non-ISP offenders, and from the Department of Corrections' ISP-2 database in the case of those offenders on ISP. Only individuals who were terminated from ISP or regular supervision for technical violations were included in this analysis.

**Recidivism: All ISP Offenders**

Of the 1,270 offenders who were terminated from ISP in FY 1992, 417 (32.8%) were re-arrested while they were on ISP supervision. Of these re-offenders, 18.6% were charged with a person offense, 13% with a drug offense, and the remainder with property or other offenses (Display 14).

Display 14

**ISP OFFENDER RE-ARREST BY OFFENSE TYPE\***

<i>Felony</i>	<i>44% (n=174)</i>
person	11% (n=42)
drug	12% (n=47)
other	22% (n=85)
<i>Misdemeanor</i>	<i>56% (n=218)</i>
person	8% (n=31)
drug	1% (n=4)
other	47% (n=183)
<b>Total</b>	<b>100% (n=392)</b>

\* 25 (6% of total) were re-arrested for an unknown charge

Almost 11% of those re-arrested (or 3.3% of all ISP terminations) were re-arrested for felony person offenses while on ISP supervision. The offenses with which these 42 offenders were charged are shown in Display 15:

Display 15

**FELONY PERSON RE-ARRESTS FOR  
ISP RECIDIVISTS BY OFFENSE**

Robbery	4% (n=17)
Assault	3% (n=13)
Murder	1% (n=6)
Rape	1% (n=4)
Kidnapping	.5% (n= 2)

The sanctions applied were available for 398 of the ISP offenders who were re-arrested on ISP and are as follows:

Display 16

#### ISP OFFENDER RE-ARREST BY SANCTION

Jail	16.6% (n=66)
Prison	18.6% (n=74)
Other *	64.8% (n=258)
Total	100% (n=398)

\* ISP offenders with unknown dispositions including those who were not convicted subsequent to arrest along with other non-incarcerative dispositions.

#### Recidivism: ISP vs. Non-ISP Offenders

Data on re-arrests for ISP and non-ISP offenders from the CCRE rap sheets was analyzed according to three time periods:

- Any Re-arrest: this included any arrest which occurred after the date supervision began, regardless of whether the offender was actually on supervision at the time of the offense;
- Supervision 1 Re-arrest: for ISP offenders, this included any re-arrest that occurred while the offender was actively on ISP supervision; for non-ISP probationers and parolees, this included any offenses that occurred while the offender was actively on regular supervision; and
- Supervision 2 Re-arrest: this differed from the above measure only for those offenders who moved from ISP to regular supervision. For these offenders, recidivism was defined as any arrest that occurred while the offender was on ISP or subsequent regular supervision.

Within each of these three time periods, re-arrests were also examined separately for felony and misdemeanor offenses.

For the three time periods noted above, no attempt was made to equate the lengths of time involved in supervision. The rationale here was to compare the two sanctions (regular probation or parole vs. ISP supervision) as they are actually applied in practice, without artificially controlling the length of supervision. Therefore, any re-arrest during supervision would be counted regardless of how long the offender was on supervision. Since ISP offenders are on (ISP) supervision for less time than non-ISP offenders are on

regular supervision, it can be argued that non-ISP offenders have a greater chance of recidivating (since they have more time to do so). To control for this, two additional time periods were examined:

- Six-month re-arrest: this included any re-arrest which occurred within six months of the time the offender was placed on probation or parole;
- One-year re-arrest: this included any re-arrest which occurred within 12 months of the time the offender was placed on probation or parole.

A total of 215 offenders were included in the recidivism analyses: 118 on ISP and 97 on regular supervision. Of the entire group of 215, 90 (42%) were charged with a new offense sometime during or after ISP or regular supervision (Display 17).

*Display 17*

**RECIDIVISM RATES BY TIME PERIOD, OFFENSE,  
AND SUPERVISION TYPE**

Recidivism Time Period	Offense Type	ISP	NON-ISP
<b>Any Re-arrest</b>		<b>49%</b>	<b>33%*</b>
	felony	30%	24%
	misdemeanor	20%	9% *
<b>Supervision 1 Re-arrest</b>		<b>19%</b>	<b>18%</b>
	felony	14%	11%
	misdemeanor	5%	6%
<b>Supervision 2 Re-arrest</b>		<b>23%</b>	<b>18%</b>
	felony	16%	11%
	misdemeanor	7%	6%

\* indicates statistically significant difference

There was a statistically significant difference between ISP and non-ISP offenders when looking at any re-arrest either during or after supervision, with ISP offenders being more likely to be re-arrested than non-ISP offenders. As can be seen, however, this difference was entirely accounted for by misdemeanor offenses; there was no statistically significant difference between ISP and non-ISP in terms of recidivism for felony offenses. Moreover, when examining only the time periods during which offenders were actively on supervision, there were no differences between ISP and non-ISP offenders in terms of recidivism. In addition, when the length of the follow-up

period was controlled, there were no significant differences between ISP and non-ISP, although at both six months and one year of supervision, a greater proportion of ISP offenders had been re-arrested than non-ISP offenders (Display 18).

Display 18

**RECIDIVISM RATES BY TIME PERIOD, OFFENSE,  
AND SUPERVISION TYPE -CONTROLLING FOR LENGTH OF  
SUPERVISION**

<u>Length of Supervision</u>	<u>ISP</u>	<u>NON-ISP</u>
Six-month Re-arrest	14%	6%
One-year Re-arrest	18%	10%

An additional analysis was conducted to examine the relationship between the referral source and recidivism for ISP and non-ISP offenders. Although information on specific referral source for probationers was not available, we were able to examine the difference between the re-arrest rates of probationers and parolees on ISP versus regular supervision (while on active supervision). The results of this analysis are shown below:

Display 19

**RE-ARREST RATES BY TYPE OF SUPERVISION  
AND REFERRAL**

	<u>ISP</u>	<u>NON-ISP</u>
Probation	23.8%	20.0%
Parole	12.7%	16.4%

For ISP offenders, there was a large (but not statistically significant) difference in recidivism rates between probationers and parolees: 23.8% of all ISP probationers were re-arrested, compared with only 12.7% of parolees. For non-ISP, this difference was much smaller (20% vs. 16.4%).

Previous studies of ISP programs have found that ISP offenders are much more likely to be returned to jail or prison for technical violations of the conditions of their probation or parole than are non-ISP offenders. To test this finding, ISP and non-ISP offenders were compared in terms of their likelihood of committing a technical violation of the conditions of probation or parole. The results of this analysis showed that ISP offenders were

significantly more likely to be terminated from supervision for a technical violation than non-ISP offenders: 28% of ISP offenders were terminated for technical violations, as compared to only 6% of non-ISP offenders.

Previous studies of ISP programs have also found that treatment is an important factor in determining outcomes; offenders who receive treatment are less likely to re-offend than those who do not receive such services. An analysis was conducted to compare the recidivism rates of offenders receiving treatment versus those not receiving treatment. Using any arrest during or after active supervision as the outcome measure, there was no significant difference in the likelihood of being re-arrested between those offenders who received treatment services and those who did not. The relationship between treatment, recidivism, and ISP is shown below:

*Display 20*

**RE-ARREST RATES BY TYPE OF SUPERVISION AND  
LEVEL OF TREATMENT**

	<u>ISP</u>	<u>NON-ISP</u>
Treatment	51.5%	36.7%
No Treatment	45.8%	31.7%

Over half of the ISP offenders who received treatment were re-arrested, compared with about 46% who did not receive treatment. The magnitude of the difference was roughly the same for those on non-ISP.

**Discussion**

The results presented here show no statistically significant differences between ISP and regular supervision in terms of recidivism while the offender was on active supervision. When any re-arrest is considered regardless of supervision, ISP offenders are more likely to be re-arrested for misdemeanor offenses than non-ISP offenders. No differences were observed for felony offenses.

One possible explanation for the greater re-arrest rate for ISP offenders is that, despite the careful matching procedures undertaken, the ISP offenders in our sample may have been higher-risk offenders than those on regular supervision. If this were the case, they would be expected to recidivate at a higher level than non-ISP offenders. This would explain why overall re-arrest rates are higher, but the reason for this difference being due to misdemeanor offenses remains to be determined. In any case, these findings certainly suggest that ISP supervision does not prevent or deter offending which occurs after the offender is terminated from supervision.

The interpretation of these findings depends upon one's assumptions about the expected outcomes of intensive supervision. One argument might be that ISP offenders should have significantly lower recidivism rates than non-ISP offenders while they are on active supervision, since they are subject to increased surveillance and supervision. This was not observed to be the case in the present study.

Another argument can be made that since ISP offenders are higher-risk than non-ISP offenders, we should expect their recidivism rate to be higher, all things being equal. Thus similar rates for ISP and non-ISP offenders speak well for the effectiveness of the ISP program. This similarity of rates, according to this argument, indicates that we can divert offenders from prison or jail and supervise them in the community with no greater risk to public safety than that incurred by the offenders we are currently supervising on regular probation and parole.

The findings regarding the increased number of technical violations for ISP offenders is consistent with other studies of ISP programs, and reflects the increased level of surveillance given to these offenders. Unfortunately, the present study cannot address the outcomes of these technical violations; that is, the extent to which these technical violations resulted in offender incarceration.

Our findings with regard to treatment and recidivism rates are not consistent with those of previous studies, which have generally found associations between treatment and lower rates of recidivism. One possible explanation for this difference relates to the manner in which the treatment variable was measured in the present study. Although information was sought from the sample files on specific types of treatment, number of hours of treatment received, and outcomes of treatment, this information was either unavailable or incomplete. It is possible that with more detailed measures of the treatment received, the relationship between treatment and re-arrest would be made clearer. Another possible explanation for the lack of relationship in the current study is that the treatment received by ISP offenders in the sample districts was ineffective, and therefore had no impact on re-arrest rates. This issue cannot be resolved here; further study would be required in order to clarify the relationship between treatment and recidivism.

While it is important to compare the recidivism rates of ISP and non-ISP offenders, the rates reported for the sample should not be considered to be accurate re-arrest rates. Comparison of re-arrest figures from the rap sheets vs. the ISP-2 forms for ISP offenders on active supervision shows much higher numbers of re-arrests using the latter data source. This difference is seen as being due to the unreliability of the rap sheet data, especially in terms of providing an accurate and up-to-date accounting of arrests. Thus the true re-arrest rate for ISP offenders is better reflected by the data found on the ISP-2 forms.

**Cost** In determining the costs of community supervision programs such as ISP, the following factors must be considered:

- For diversions from prison or jail, the cost of incarceration versus the cost of intensive supervision;
- For offenders who would not have received a prison or jail sentence, the cost of intensive supervision versus regular supervision; and
- For ISP offenders who recidivate and are ultimately incarcerated, the cost of ISP plus incarceration versus the cost of incarceration alone.

### **Diversions From Prison or Jail**

In order for a true diversion to have taken place, the offender on ISP would otherwise have to have been sentenced to jail or prison, or revoked on parole and returned to prison, if ISP did not exist. Every day such an offender is on ISP rather than prison or jail represents a jail or prison bed savings. The daily cost savings for such a diversion may be calculated by subtracting the daily cost of ISP supervision from the daily cost of a jail or prison bed. To get average costs, one can also consider the length of prison or jail sentence versus the length of stay on ISP supervision. In other words, diversion savings is represented by the difference between the daily cost of ISP supervision multiplied by the average number of days on ISP supervision, plus the costs associated with subsequent regular supervision, and the daily cost of a prison or jail bed multiplied by the average expected length of stay of such an inmate in prison or jail.

Regardless of the specifics, it is clear that incarcerating an offender is significantly more expensive than maintaining that offender in the community. Supervising the offender on an intermediate sanctions program such as ISP is clearly more expensive than supervising him on regular probation or parole, although this latter difference is not nearly as great as the difference between ISP and prison. For example, in its recently published Management Information Executive Summary for FY1993, the Department of Corrections cites the following daily costs per offender:

Regular Supervision :	\$ 2.10
Intensive Supervision :	\$ 3.30
Local Jail Facility :	\$ 28.48
Prison Facility :	\$ 44.37

As these figures show, the average daily cost of incarceration in a prison is more than 13 times that of maintaining an offender on ISP. This cost difference is higher than that found in some other states. In studies of ISP programs in California and Texas, for example, the cost of prison incarceration was found to be eight to nine times higher than the cost of ISP.

### **Non-Diversions From Prison or Jail**

As noted previously, not all ISP offenders represent diversions from prison or jail. There are some offenders who would, if ISP did not exist, be supervised on regular probation or parole. For such offenders, ISP supervision involves increased costs since supervision on ISP is more expensive than regular supervision. Under these circumstances, no prison or jail beds are saved and the increased cost may be calculated by taking the difference between the daily cost of ISP supervision multiplied by the length of stay on ISP supervision versus either (a) that same length of stay multiplied by the daily cost of regular supervision, or (b) the average length of stay of an offender on regular supervision multiplied by the daily cost of regular supervision.

Unlike the difference in cost between prison and ISP, the difference between ISP and regular supervision is relatively small. This is due to the fact that ISP does not provide services that are very different than those provided by regular supervision. According to DOC's figures, ISP costs are about 1 1/2 times the cost of regular supervision. This cost difference is smaller than that observed in some other states (in California, it costs about 5 1/2 times more to supervise an offender on ISP than on regular supervision; in Texas, the ISP cost is about double that of regular supervision).

### **Recidivism and Return to Prison**

For an offender supervised on ISP who is subsequently returned to prison, ISP supervision represents an additional cost to the criminal justice system. This is most easily understood by noting that in such a case, a diversion has not taken place, since the offender is ultimately incarcerated. Had we simply imprisoned the offender from the outset, we would have avoided the cost of ISP supervision for that offender. This assumes that the ISP offender who is returned to prison subsequently serves the same amount of time that he would have served had he been incarcerated initially (instead of being placed on ISP).

Recidivism involves a number of additional costs, which are rarely included in cost analyses due to measurement difficulties. If they could be measured, costs associated with recidivism would include (a) costs to the criminal justice system in terms of time spent to apprehend, confine and try the offender; and, (b) costs to society, in terms of property stolen or damaged, victims injured, killed or psychologically traumatized. Technical violations of probation and parole which result in reincarceration have similar costs associated with them.

### Cost Calculations

Our previous analysis showed that in FY 1992 the ISP program resulted in a savings of 7,791 bed-months in prisons and another 573 bed-months in jails. These calculations did not take into account recidivism, however, and subsequent return to prison. As noted previously, offenders who recidivate and return to prison cannot be counted in cost and bed space savings.

Information on recidivism and return to prison was taken from the Department of Corrections' recently completed analysis of offenders terminated from ISP supervision in FY 1992 (VA DOC, 1993b). Their analysis showed that about 39% of ISP offenders were incarcerated in a DOC facility within two years of being terminated from ISP. This incarceration rate varied with the reason for release from ISP; these rates are shown below:

<u>Termination Reason:</u>	<u>Percent Incarcerated:</u>
Regular Supervision/Discharged	12.7%
New Offense or Technical Violation	78.0%
Other	25.1%

These incarceration rate proportions found by DOC were used in the present analysis to reduce the number of prison and jail bed-months saved. So, for example, the number of months saved attributable to regular supervision/discharged termination reasons were reduced by 12.7% to account for the returns to prison in this group. The results of this adjustment are as follows:

<u>Termination Reason:</u>	<u>Net Bed-Months Saved:</u>		
	Prison	Jail	Total
Regular Supervision/Discharged	3,591	199	3,790
New Offense or Technical Violation	483	31	514
Other	1,111	153	1,264
<b>Total</b>	<b>5,185</b>	<b>383</b>	<b>5,568</b>

Using the previously-cited figures published by DOC for daily per offender costs for institutions (\$44.37) and local jail facilities (\$28.48), the estimate of cost avoidance associated with ISP, based on the above estimated bed-month savings, is as follows:

Prison Cost Savings	\$ 7,002,404
Jail Cost Savings	+ \$ 332,007
Total Cost Savings	= \$ 7,334,411
Less ISP Program Cost (FY 1992)	- \$ 1,348,035
<b>Total Cost Savings for ISP</b>	<b>= \$ 5,986,376</b>

Our calculations show a cost savings attributable to ISP of about \$6 million a year. This estimate must be considered a conservative one for the following reasons:

- The cost savings estimate includes operating costs only; construction costs are not included.
- We have not included the costs recovered from ISP offenders in the form of fines, court costs, and restitution.
- A total of 148 ISP probationers could not be included in the estimate of bed space savings due to lack of data. It is not known what proportion of these represent true diversions from prison, thereby increasing the cost savings estimate.
- We have no information on parolees who were not assigned to ISP by the Parole Board, but rather were transferred to ISP from regular parole supervision caseloads. Some proportion of these offenders might have had their parole revoked and been returned to prison had they not been placed on ISP; this proportion would contribute to increasing the cost savings estimate.

On the other hand, we have also not included in our calculations the costs of arresting the 33% of ISP offenders who were charged with new offenses while on ISP, nor the costs of incarcerating the 39% of ISP offenders in prison within two years of being terminated from ISP. Nor have we included in our analysis the cost of medical bills and human suffering of the victims of the 73 offenders who were charged with crimes against persons while on ISP supervision.

## REPORT FINDINGS

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The following findings are based upon the quantitative and qualitative analysis of this study. Findings have been developed for each area of study as follows:

### **Program Implementation and Operation**

- Offenders in the ISP study group have both higher risk and need scores than the non-ISP group.
- Available information indicates that ISP is fulfilling contact and supervision requirements, although current data allows for testing of only a few, limited measures.
- ISP officers do not feel adequately equipped and/or trained to perform their jobs safely and effectively.
- ISP appears to be more effective in districts operating team programs than in districts operating with a single (either SO or ISPO) ISP officer.
- Case documentation is currently insufficient. Existing data collection instruments (for ISP-2 database) provide for the collection of useful and necessary ISP case tracking data. However, the extent of missing data on the resultant database undermines meaningful analysis. Further, data collection efforts should be expanded to include information necessary for program management and a system developed whereby this information is made available to all affected parties on a timely basis.

### **Treatment**

- Offenders in the ISP study group receive higher levels of substance abuse treatment than do offenders in the non-ISP study group.
- There is no meaningful continuum of treatment for the offender moving from the institution to community supervision.
- Current methods of documenting the progress of offender treatment are inadequate and poorly communicated to supervising ISP officers and DOC administrators.
- Existing ISP offender service delivery systems do not appear to be providing services in the most effective manner possible, largely due to an inability on the part of ISP staff to access CSB and private vendor services.

## REPORT FINDINGS

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### Referral Process

- The lack of a clearly defined ISP target population and a standardized method of offender selection has led to a diverse program population.
- ISP officers have neither the training nor resources to appropriately manage the diverse caseloads of ISP.
- The Offender Risk/Needs Assessment Instrument currently used by the Department of Corrections was not designed for the purpose of ISP referral nor based upon an analysis of Virginia offenders. As such, it is of questionable value as a predictor of ISP success.

### Diversion

- Though there is insufficient quantitative data to measure parole diversion, the statements of Parole Board members indicate that the existence of ISP has not dramatically affected either the type or number of offenders released on parole. The majority of offenders released to ISP are those who pose little/no risk but require assistance returning to the community.
- About 71% of all ISP probationers are true diversions from either jail or prison, and thus represent both cost and bed-space savings to the criminal justice system. The remaining 29% of ISP probationers would have received sentences of regular probation, and thus represent additional costs and no bed-space savings to the criminal justice system.

### Recidivism

- Almost one-third of all ISP offenders are re-arrested while on active ISP supervision. Almost 11% of these re-arrests are for felony offenses against the person.
- ISP offenders are no more or less likely to be re-arrested while they are on active supervision than are non-ISP offenders. ISP offenders are more likely to be re-arrested for misdemeanor offenses after being terminated from active supervision, but this may be accounted for by their being "higher-risk" offenders than non-ISP offenders.

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## Costs

- It is significantly less costly to divert an offender from prison or jail and supervise that person on ISP. The figures for Virginia and other states cited in this report suggest that between 8 and 13 offenders can be supervised on ISP for the same cost as keeping one offender incarcerated in prison.
- No cost/bed space savings accrue from offenders who are not "true" diversions from prison.
- As presently operated, and based upon cost figures provided by DOC, ISP supervision is only slightly more expensive than is regular offender supervision (less than \$450 a year).
- Given the relatively small difference in cost between regular and intensive supervision, only a small number of ISP cases must be "true" diversions in order for the program to realize a cost savings. If DOC's figures are accurate, only about one in every 34 ISP offenders must be a "true" prison diversion in order for the program to realize a cost savings.
- For ISP offenders who recidivate and are subsequently returned to prison, the cost of ISP represents an additional cost to the criminal justice system. No cost/bed space savings accrue for such offenders.
- The ISP program saves the Commonwealth an estimated \$6 million per year in prison and jail operating costs by supervising offenders in the community who would otherwise have been incarcerated.

## DISCUSSION OF FINDINGS

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Based on our analysis of Virginia's Intensive Supervision Program, it appears that the Department of Corrections has successfully accomplished a number of its program goals. However, the failure to fully develop and appropriately prioritize these goals, combined with poor communication among the various groups operating and accessing ISP, has severely limited the potentially positive impact of the program.

Recent studies of existing ISPs indicate that program success is largely dependent upon the implementation of sound goals and development of appropriate service networks. Our analysis suggests that Virginia's ISP has fallen short in both respects, failing to establish either comprehensive program goals or effective service delivery networks.

As discussed earlier, DOC's Intensive Supervision Program Guide describes ISP as "an alternative to incarceration which provides public safety and addresses offender needs in a cost-effective and less restrictive manner [than prison]." DOC's application for federal Anti-Drug Abuse grant funds further addresses the need for effective offender treatment by listing "the provision of enhanced drug treatment services" as an important program goal. Though common to many ISPs, the experiences of other states show that these goals are rarely fully achieved, largely because programs fail to develop and implement realistic plans for accomplishment. In analyzing the experiences of the Intermediate Sanctions Project, a program designed to assist in the development and implementation of alternative sanctioning systems, it was found that many, "perhaps most", programs failed to simultaneously save money, alleviate crowding, enhance the punishment or control of offenders, and reduce recidivism as originally promised (McGarry, 1993).

Virginia, it appears, has met with this type of mixed success in its efforts to achieve the goals of ISP. Our analyses show that DOC has, to some extent, diverted offenders from incarceration and enhanced offender treatment through the implementation of ISP. However, recidivism analyses show no significant difference between the re-arrest rates of ISP and non-ISP offenders, bringing into question the efficacy of treatment received. Further, while some offenders are diverted from incarceration by ISP, our analysis shows that 29% of the probation offenders placed in the program would otherwise have received regular community supervision. Though these are not necessarily improper placements, it must be acknowledged that such offenders represent additional system costs.

A recent review of 25 states' experiences implementing intermediate sanctions attributed the failure to completely achieve stated goals to "...the absence of policy to guide the use of such sanctions, and the lack of participation by key decision-makers in the development of either policy or the intended program" (McGarry, 1993). The report goes on to emphasize the importance of taking into account the concerns and interests of all actors

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involved in the sentencing process when developing community based options. It is stated that key actors must acknowledge their own and other agencies' interests, concerns, and goals, while exploring the implication of these interests in the creation of correctional options. In acknowledging the differences among the interests and goals of the various groups involved, it is possible to create correctional options supported and trusted by the people whose decisions guide their use.

Virginia's ISP appears to have suffered from such a failure to involve all affected parties in program development and implementation. Although ISP administrators contend that the program is adequately managed, officers interviewed for our study frequently expressed concern regarding program operation. Repeatedly, ISP staff mentioned their inability to receive the support, in terms of training, equipment, and resources which they deemed necessary for adequate program operation. Also frequently cited as a major obstacle to the provision of adequate services was the administration's failure to develop effective relationships with service providers or seek district input in vendor selection. Although efforts have been made to improve access to services through the development and use of district level MOAs, these steps have reportedly taken place at a level too far removed from actual service delivery to have any real program impact.

In addition to the absence of adequate policy and system-wide input, current ISPs across the country continue to suffer from the poorly substantiated claims of success made by earlier programs. Early ISPs were often touted as "cure-alls" for troubled correctional systems, promising lowered recidivism rates, reduced costs, and reductions in prison populations. These unrealistic expectations contributed greatly to ISP's popularity, however, the resultant rapid expansion often precluded development of a sound program mission, philosophy, or structure. It is noted in the findings of the Intermediate Sanction Project that the push to develop programs and implement ISPs as quickly as possible has often worked against program success. This type of program development actually "...works against what project staff feel is fundamental - a policy driven approach including a systematic examination of a jurisdiction's offender population, its need or possible use for intermediate sanctions and their current availability" (McGarry, 1993).

Further, because early ISP development and expansion was largely driven by the availability of funds rather than a clearly articulated need, programs are often in the position of "trying to be all things to all people" in order to justify their existence. Reviews of recently implemented ISPs show that the development of many programs have been driven more by the desire for additional P&P staff and reduced prison populations than by an interest in providing enhanced offender treatment services. Though reduced prison populations and increased staff levels are certainly appropriate correctional goals, research has shown that the impetus for adopting a new program

often shapes its structure and purpose, with program success much less likely in instances where agencies are merely yielding to external pressure or view the program only as an opportunity to attract extra funds (Byrne, 1990; Petersilia, 1990).

Virginia's ISP appears to have been shaped by many of the influences discussed above. The result, based upon our analysis of available data and interviews, has been the development of a program lacking either uniformity or effective guiding policy. Though many local ISPs excel in their delivery of enhanced services and supervision, others have failed to reach their full potential. Based upon study findings, the following management and operational issues have been identified as requiring further examination and/or modification in order to maximize the program's potential impact statewide:

- The role of ISP within the larger continuum of correctional sanctions must be clearly defined. Such definition should include the identification of specific offender types to be served by the program, and articulation of program purpose and goals.
- Communication between DMHMRSAS, the Parole Board, the judiciary, and DOC regarding the provision of ISP services should be improved and maintained. This should affect all levels of both organizations and involve communication between agency heads, district offices, local CSBs, regional managers, etc.
- A database should be developed supporting the exchange of offender treatment and supervision data between the institutional and community corrections divisions of DOC. This should include coordination of institutional and aftercare services, and creation of automated offender treatment and supervision records. Both private and state treatment providers should be required to complete standardized offender progress reports. This information should be made a part of the automated offender tracking database and be available to both district and DOC central office personnel.
- Probation and Parole District Offices must be adequately equipped to ensure the safety of office personnel. All officers working in the field should be provided with communication equipment linking them either to the district office or local police agency.

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Additionally, the following factors have been identified as contributing to the successful operation of Virginia's ISPs:

- ISP programs appear to have maximum impact when placed in densely populated districts. These districts are more likely to have access to the type and number of treatment resources (both public and private) necessary to support an ISP.
- The team model of ISP management is preferable to a single officer model. The responsibilities of an ISP office are too extensive to be handled by a single individual. This is particularly true in rural districts where officers are required to travel great distances and, therefore, have difficulty completing required contacts while simultaneously responding to offender treatment needs and HEM supervision requirements. The team approach allows officers to specialize, divide workloads, and provide back-up when necessary (providing 24 hr. HEM monitoring, etc.), leading to more efficient and effective case management.
- A number of District Probation and Parole offices have established effective working relationships with either local CSBs or private vendors. Staff involved in this process should be given an active role in training personnel in other districts in order to better replicate these successes. According to those we interviewed, development of MOAs plays only a small part in the development of a successful service delivery system; equally important is the development of effective working relationships.
- ISP management and service delivery is enhanced by the regular interaction of ISP staff across districts. Regions involved in regularly scheduled regional ISP meetings report a better understanding of their role in the program and ability to fulfill it.
- The current ISP caseload size allows officers to fulfill contact requirements while remaining abreast of offender activities. In districts where these caseload limits have been exceeded, program effectiveness has suffered.

As mentioned earlier, the shortcomings of ISP's development and need for program improvement have not gone unnoticed by DOC administrators. In an attempt to restructure ISP programming, DOC is working cooperatively with the APPA on projects designed to improve service delivery and articulate program purpose. These undertakings are reflective of national trends towards the restructuring of ISPs in their emphasis on organizational development and the adaptation of ISP to the specific environment. What present efforts fail to do is involve all essential components of the criminal justice system in program planning and operation.

Research has shown that the restructuring of an alternative sanctioning system such as Virginia's ISP is most successful when directed by a group of policy-makers including not only DOC administrators, but elected officials as well as representatives of agencies involved in, or affected by, the provision of services. In determining how to best modify ISP to meet system goals, this group must educate itself as to system functioning and purpose. All too frequently, decisions affecting the entire criminal justice system are made without knowledge of their true repercussions. In order to understand the impact of program change, policy-makers must understand how sentencing works as well as how cases move through the system. Further, they must be able to identify the system's key decision points, decision options and decision-makers; official and unofficial mechanisms influencing sentencing decisions; characteristics, nature and capacities of sanctions programs; the type of individual involved in the system; and in what numbers these individuals enter and exit each stage. In addition to learning how the system operates, members of this policy group must be committed to the development and maintenance of a data collection system used for monitoring and management purposes. Such a database will provide administrators with the information necessary to determine which aspects of a program are successful and which must be modified. Finally, to be effective this group must assume responsibility for the implementation and outcome of program modifications in order to assure that recommended changes are implemented (McGarry, 1993).

In order to gain system-wide input and achieve meaningful reform in this area a number of states have assigned these duties to Sentencing Commissions charged with the development of statewide sentencing policy matched to a set of correctional policies. These Commissions are able to direct system change while taking into account system resources. The formation of a Sentencing Commission in Virginia which was recommended by the Governor's Commission on Parole Abolition and Sentencing Reform, will be considered September of 1994 during a special session of the General Assembly. Such a Commission would be an appropriate choice for implementing an effective system of alternative sanctions and advising the legislature in all matters related to sentencing.

Study findings show that ISP cannot be viewed as the single solution to all the needs of the community corrections system, but rather as one component of a carefully planned continuum of offender supervision. With three out of every four persons under correctional supervision in the United States currently on some form of community custody - most frequently probation or parole - demand for these services will undoubtedly continue to rise. The continued critical assessment and appropriate modification of Virginia's existing correctional programs will greatly enhance the system's ability to effectively respond to future system and offender needs.

## REPORT RECOMMENDATIONS

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### **Program Implementation and Operation**

The following recommendations are based upon the quantitative and qualitative analysis of this study. Recommendations have been developed for each area of study as follows:

- DOC should establish suitable goals and guiding policy for ISP.
- A basic ISP staffing model should be adopted by DOC. Minimum staffing for an ISP program should consist of an ISPO and one SO.
- DOC should undertake an assessment of the appropriateness of ISP in those districts which are not currently staffed at the basic ISPO-SO level. This assessment should include consideration of factors such as existing community resources and the district office's ability to access these services through viable MOA's.
- Districts which are judged to have appropriate resources to support an ISP program should hire additional staff as applicable to achieve the two-officer ISP model. In those districts deemed unsuitable for ISP programs, ISP positions should be replaced by regular P&P positions.
- Future expansion of ISP should be based on a comprehensive assessment of the availability of district resources and staff ability to access them.
- In order to assure an acceptable level of supervision, ISP compliance requirements should be revised to include the quality as well as quantity of services rendered.
- DOC should complete an assessment and revision of the Department of Correction's non-automated offender records and tracking systems, identifying deficiencies and developing an automated offender database using standardized methods of reporting supervision compliance and offender progress. This system should be capable of providing automated monitoring, management, and offender data at the district, regional, and state levels. Further, this database should allow for the transfer of offender treatment data from DOC's Division of Institutions to the Division of Community Corrections at the time of offender reassignment.
- DOC should complete a training needs assessment, seeking input from officers concerning course content and accessibility.
- DOC should adopt officer safety recommendations made in the 1988 Report of the Probation and Security Committee and allocate sufficient funds for implementation. This should include supplying each ISP office and officer with adequate personal safety and caseload management

equipment including a minimum of one car, portable cellular telephone, and office security system per ISP office; and one sound emitting body duress alarm, and body armor vest per officer.

**Treatment**

- DOC should go forward with plans to improve the existing ISP program with the assistance of the APPA. These efforts should include all organizations involved in the ISP program including DCJS, DMHMRSAS, the judiciary, Parole Board, and local CSBs. This should be viewed as part of a larger undertaking, involving the examination and restructuring of Virginia's existing system of alternative sanctions.
- A standardized system for maintaining comprehensive documentation of ISP offender treatment needs and services should be developed in order to provide information on offender progress and program effectiveness. This system should be one component of a larger database tracking offender treatment and movement through the system and include development of appropriate forms, procedures, policies, etc.
- DOC should establish guidelines for the assessment and treatment of ISP offenders.
- DOC should establish statewide policies regarding the procurement and documentation of offender treatment services.
- DOC administration should improve efforts towards assisting each district in the identification of community treatment providers and development of effective treatment networks. This process should include DMHMRSAS and incorporate the use of local CSBs.

**Referral Process**

- In order to make maximum use of intensive supervision resources, offender selection criteria should be developed and used by all referring bodies.
- DOC should implement a Risk/Need Assessment Instrument that:
  - is objectively developed and empirically based; and,
  - clearly identifies the types of services needed.

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This study of Virginia's ISP indicates that many of the problems associated with program performance are, in fact, indicative of larger systemic issues. In keeping with these findings it is further recommended that, should the special session of the 1994 General Assembly establish a Sentencing Commission, the General Assembly should direct the Commission to consider the larger system issues addressed by this study. Specifically, the General Assembly should consider tasking the Commission with the following responsibilities:

- Identify all alternative forms of correctional sanctions currently operating within the Commonwealth, describing each program's goals and objectives, funding source, staffing patterns, managing body, and target population. This should include an assessment of program impacts and recommendations for program improvements, expansions, and elimination.
- Complete an assessment of existing offender treatment programs. This would include an evaluation of the availability of incarcerative services, community services, and after-care services with an emphasis of the coordination between each service.
- Develop a comprehensive continuum of statewide alternative sanctions, incorporating viable existing programs and implementing needed, but currently unavailable, programs. This continuum of sanctions should include provisions for adequate offender treatment services and a plan for shared financing and management by state and local correctional and mental health agencies.
- Develop a statewide offender risk/need assessment instrument to be used in the appropriate selection of offenders for specific alternative sanctions. This instrument is to be statistically derived based upon analyses of Virginia's criminal justice databases.



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## APPENDIX A: STUDY INTERVIEWEES

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### **Virginia Department of Corrections**

Deputy Director, Division of Community Corrections

Special Programs Manager

Treatment Services Manager

Regional Probation & Parole Manager

- Regions 1,2,3,4

District Probation and Parole Chief and/or Intensive Supervision Officer

- Districts 3,5,6,7,8,9,10,11,12,14,15,16,17,18,19,21,22,23,24,25,26,27,28,  
30,31,32,33,34,35,36,38,39

District Probation and Parole Chief and ISP staff

- Districts 1, 2, 13, 29

### **Virginia Parole Board**

Chairman

Parole Board member

### **Virginia Senate Finance Committee**

Deputy Staff Director

### **Virginia House Appropriations Committee**

Legislative Fiscal Analyst, Public Safety Secretariat

### **Virginia Joint Legislative Audit and Review Commission**

Project Team Leader, Substance Abuse and Sex Offender Treatment  
Services for Parole Eligible Inmates

### **Virginia State Judiciary**

Richmond Circuit Court judges

### **Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Criminal Justice Program Consultant for the Office of Substance Abuse  
Services

### **Virginia Department of Criminal Justice Services**

Substance Abuse Program Analyst

### **National Institute of Corrections**

Project Manager, Community Corrections Division



## APPENDIX B: METHODOLOGY

### Sampling Design

#### *Selection of Sampling Sites*

The Department of Corrections' Special Programs Manager was interviewed at the onset of this study in an effort to obtain background information regarding the development and operation of ISP throughout the state and within each district. This information was used in conjunction with data from the DOC's automated ISP-2 and ISP-3 databases to develop a profile of each of Virginia's ISP programs. Programs that were too small to provide adequate sample groups, were still in the developmental stages, or which had a single SO only, were eliminated from the pool of potential sampling sites. An effort was made to select sites representative of programs throughout the state. Final selection was based upon the statewide ISP profile along with a variety of other factors including: program size, length of time in operation, caseload characteristics, and program model. One ISP program was chosen from each of the four DOC probation and parole regions in an effort to reflect differences in regional program management.

As a result of this process, the following four districts were chosen as sample sites for the study: Richmond, Norfolk, Lynchburg and Fairfax. The following table provides a brief description of the ISP program in each of these districts, at the time of the study:

District	Region	Year Est.	ISP Staff	Treatment
1	Central	1987	1 SrISPO, 3 ISPOs, 1 SO	CSB & vendors
2	Eastern	1985	1 SrISPO, 1 ISPO, 1 SO	CSB
13	Western	1985	1 ISPO	CSB
29	Northern	1987	1 SrISPO, 1 ISPO, 2 SOs	CSB

#### *Development of Sample and Comparison Groups*

Random assignment of offenders to experimental and control groups is generally considered the most effective method of testing assumptions regarding sentence impact. Our study, however, relies upon historical data and previously sentenced offenders, making random assignment to sub-groups impossible. Therefore, a stratified sample and matched equivalent control group was used in selecting this study's sample and comparison groups.

#### Sample Group Selection

Cases selected for the Intensive Supervision sample group were identified using the Department of Corrections' automated Intensive Supervision FY92 termination file (ISP-2). The file includes offender and case management information on all FY92 terminations from DOC's ISP program (n = 1,283). Of the 308 ISP cases terminated from the four sample sites during FY92,

123 provided sufficient data for analysis and were included in the final sample. Of the 205 cases excluded from analysis, the largest proportion of cases were dropped because they could not be matched with information from the Pre/Post Sentence Information (PSI) database (either the PSI had never been completed or there was insufficient matching data). Cases retained for analysis were matched with the PSI database, providing additional offender and offense data necessary for development of an equivalent control group.

#### Comparison Group Selection

Creation of a truly comparable group has proven difficult in many ISP studies, the primary obstacle being the inherent dissimilarity between ISP and standard offenders. Theoretically, intensive supervision programs attempt to target a population of offenders with characteristics different from the "typical" probationer or parolee. These defining characteristics, which differentiate ISP offenders from those who receive standard sanctions, makes development of an appropriately matched comparison group particularly difficult.

Comparison groups used in previous ISP studies have generally been developed and matched through the identification of significant sentencing factors using some form of multivariate analysis (Jones, 1990; Pearson, 1987). In order to increase the accuracy of this process, our study utilizes previously conducted Virginia Sentencing Guidelines research. The Guidelines scoring system was developed through an analysis of all Virginia felony convictions resulting in probation and/or a suspended sentence, a jail term, or a prison term between 1986 and 1990 (n = 86,470). Significant sentencing factors and their weights were determined using three complex statistical procedures (logistic regression, multiple discriminant function analysis, and ordinary least squares multiple regression analysis). Appropriately weighted factors were then translated into a scoring system applicable to felony offenses and reflective of historical sentencing practices in Virginia. As such, Sentencing Guidelines scores provide a quantitative measure of offense and offender characteristics which takes into account the unique characteristics of each case.

The initial stage of this selection process involved the assignment of Sentencing Guidelines scores to each ISP sample case using information from the PSI database. A pool of non-ISP cases, proportionately matched with the ISP group by referral source, (probation/parole), was then drawn from the DOC's PSI and Offender Release databases and assigned appropriate Sentencing Guidelines scores. In the first phase of matching, non-ISP cases were grouped with similar ISP cases by instant offense (offense match), year of sentence (year match), and probation/parole district (district match). Final comparison group selections were made by matching ISP cases with

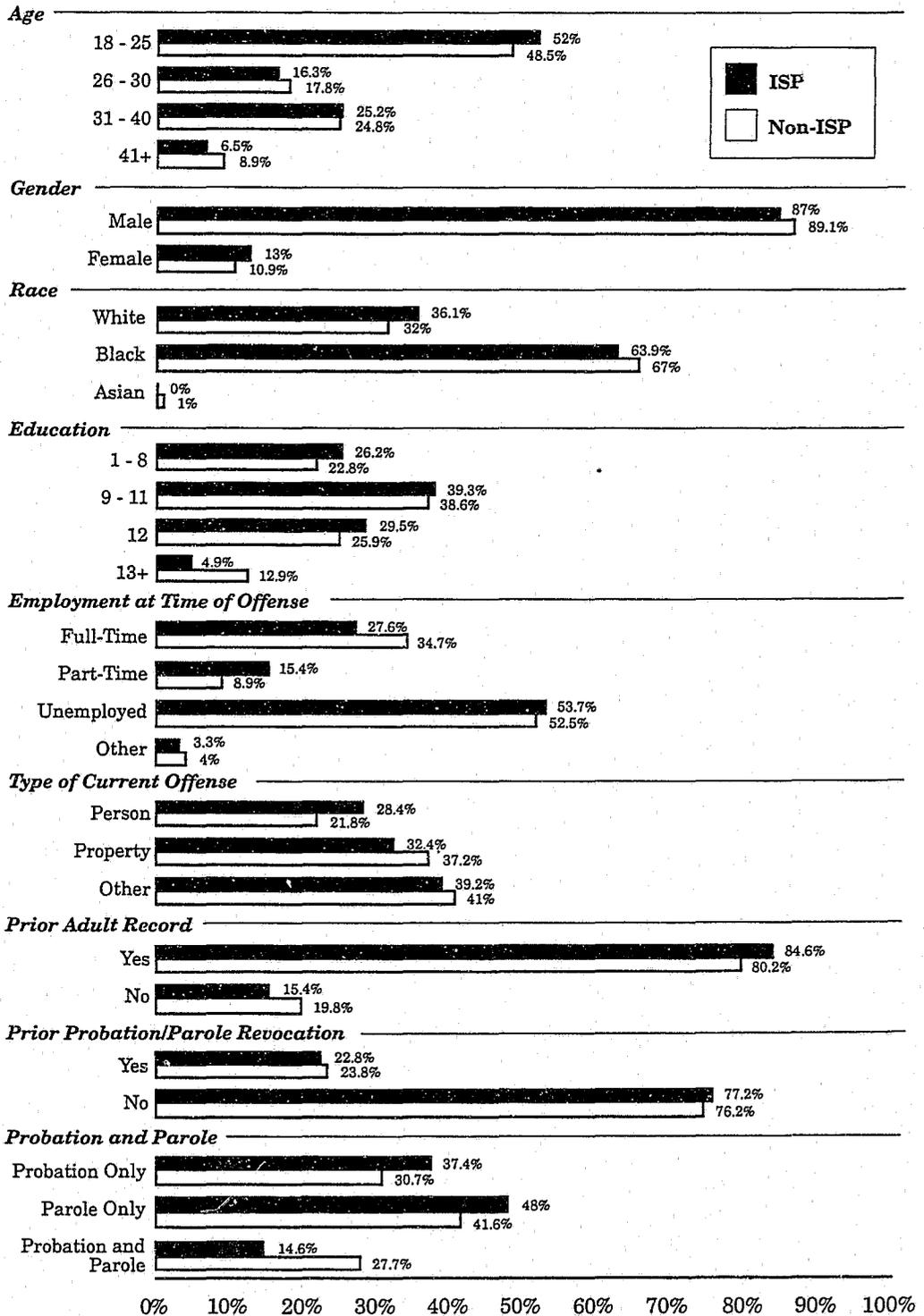
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similar non-ISP cases based upon the Sentencing Guidelines score (score match). Sample ISP cases which did not share an exact score were matched on offense, year, and district, then linked based upon sentencing guideline score component variables (prior record, additional offenses, legal status at time of offense, etc.). If the instant offense was a probation or parole violation, matches were made based upon the original charge. Sample cases not among the eight offenses covered by Sentencing Guidelines were initially matched in the same manner as the others (offense, year, district). Then, as with probation and parole violators, final matches were made using Sentencing Guidelines score component variables. Cases which could not be matched (no similar offenses committed during same year in same district, etc.) were dropped from the analysis. A demographic comparison of sample and non-ISP group characteristics is provided in Display 21.

A total of 123 ISP sample, and 103 non-ISP comparison cases were included in the final analyses. Incomplete case files, district transfers, inability to identify suitable matches, etc. resulted in the loss of 140 cases originally selected for sampling. Cases included in the final analyses are distributed across the sampling sites as follows: Richmond (19 ISP/24 Comparison), Norfolk (34 ISP/29 Comparison), Fairfax (41 ISP/32 Comparison), and Lynchburg (29 ISP/18 Comparison).

Display 21

DEMOGRAPHIC COMPARISON OF  
ISP/NONISP SAMPLE GROUPS



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## **Quatitative Data Collection**

In order to perform the type of analyses required for this study, it was necessary to collect additional data for both our sample and comparison groups. To determine the type of data required and available for this study, the data requirements of each of the four study components (implementation, diversion, recidivism, cost) were assessed. Existing databases were then analyzed and the content of offender files reviewed (both ISP and regular supervision). Whenever possible, pre-existing automated sources of data were identified for use in the study. Unfortunately, the majority of Virginia's criminal justice databases have been designed and maintained independent of one another. Because of this, it is often difficult to make the type of offender specific data links required for a study of this type. Further, the lack of unified data collection and maintenance procedures across criminal justice agencies, has led to severe data quality problems. Consequently, our study relied heavily upon original data collection, combining information from offender case files, rap sheets, and Pre/Post Sentence Investigation forms with available automated data.

### **Development of Data Collection Instrument**

A limited amount of information on offenders terminating from ISP is collected by DOC on the ISP-2 database. Because this study required the collection of additional ISP offender data which had not been previously automated, it was necessary to gather this information directly from offender files using a data collection instrument designed specifically for this purpose. This information, once automated, was merged with ISP-2 data in order to provide a more complete record of offender treatment and progress while in ISP. The instrument developed for the study provided the following offender information: referral source; risk/needs assessment scores; drug involvement; substance abuse and mental health treatment received while on ISP and regular supervision (RS); length of time spent in each phase of ISP and RS (including number of weeks in active and waiver status); number and type of all contact while on ISP; and frequency and type of drug testing while on ISP and RS (see Appendix C).

DOC does not maintain a database comparable to the ISP-2 for offenders assigned to regular probation and parole. Therefore, in order to obtain similar information for our comparison group it was necessary to design a second data collection instrument capable of gathering both the information supplied by the ISP-2 form and that obtained through our supplemental data collection effort. In addition to the information gathered by the ISP instrument, the comparison group instrument included information on the offender's probation and parole status and economic activity while on supervision, both of which were obtained from the ISP-2 data for the ISP group. Economic activity refers to employment status, gross income, and the amount of money owed and paid on fines, court costs, restitution, and supervision fees.

**Data Collection Procedures**

Each of the district Chiefs from the four data collection sites were contacted prior to data collection to inform them of the study and request their assistance. Working with the Chiefs and their staffs, a data collection schedule was established with a period of approximately two weeks at each site. During this time, data was gathered from offender files and interviews were conducted with ISP staff. Prior to the data collection visits, each district was provided with a listing of the offender files to be reviewed (both ISP and comparison group). This allowed probation and parole staff, already familiar with office filing systems, to pull the files and alert study staff to problems with missing materials, etc., prior to the data collection visit.

Although offender files were randomly reviewed prior to development of the data collection instruments, there were sufficient differences in the case documentation practices of sample sites to require modification of the form once collection had begun. Once in the field, it became obvious that offender files did not provide necessary offender treatment information. Specifically, files lacked documentation regarding the type, length, and payment of treatment received. Additionally, the manner in which information such as drug testing details and economic activity were recorded in offender files made collection and automation of these data elements impracticable.

**Qualitative  
Data  
Collection**

**Development of Interview Instruments**

Interviews were conducted with individuals throughout the criminal justice system in an effort to gain insight into the perceived purpose and effectiveness of ISP. Personal interviews were conducted whenever possible, however, time and financial restraints dictated that many individuals be contacted by telephone. An interview instrument was developed for both the personal and telephone interviews. Questions were based on a previously conducted literature review and informal discussions with criminal justice practitioners. The instrument dealt with five aspects of the ISP program: (1) program structure; (2) referral process; (3) treatment services and drug testing; (4) administrative issues; and (5) program goals. The specific questions addressed to each individual were dependent upon his/her association with ISP (see Appendix D).

**Data Collection Process**

Personal interviews with DOC administrators, sample site ISP personnel, and other individuals involved in the ISP program were scheduled throughout the data collection phase of the study. District Chiefs and most of the ISP staff from the four sample sites were interviewed personally during the data collection visits. Interviews were semi-structured in that respondents

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within each group (ISP staff, Parole Board members, etc.) were asked the same series of questions but encouraged to provide additional information if desired.

A telephone survey was conducted of all the districts with ISP programs, excluding sample sites. The Chief of P&P or the Deputy Chief in charge of ISP was interviewed in all but one district, where the ISP officer was interviewed. Additionally, two of the four regional administrators were interviewed over the telephone. As with personal interviews, telephone respondents were encouraged to provide any additional information they deemed appropriate.

In addition to the interviews, a content analysis of ISP administrative documents was conducted to gain a better understanding of the development and operation of ISP. This analysis included a thorough review of ISP grant files maintained by DCJS. These files contain grant applications and awards, quarterly progress reports, financial records, and various memoranda reflecting communication between DOC and DCJS regarding the operation of ISP. Corrections grant administrators at DCJS were contacted to provide more details on the information found in the grant files. In addition, DOC provided ISP caseload reports and some of their own records concerning ISP program development and activity.



# APPENDIX C: DATA COLLECTION INSTRUMENT

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# ISP Data Collection Form

Case #: \_\_\_\_\_

## IDENTIFICATION INFORMATION

Client Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

State ID# (CCRE): \_\_\_\_\_

## REFERRAL SOURCE INFORMATION

- Referral Source: (see ISP Program Guide for definitions)

Sentencing Court \_\_\_\_\_ Parole Board \_\_\_\_\_ Caseload \_\_\_\_\_ Hearing Officer \_\_\_\_\_ Hearing Examiner \_\_\_\_\_

Other: \_\_\_\_\_

- Were any of the following special circumstances involved in the referral? (See ISP Program Guide for more details)

Boot Camp graduate Yes \_\_\_\_\_ No \_\_\_\_\_

Home Electronic Monitoring Yes \_\_\_\_\_ No \_\_\_\_\_

Arrestee Yes \_\_\_\_\_ No \_\_\_\_\_

ISP Special Placement Yes \_\_\_\_\_ No \_\_\_\_\_

Most serious offense: \_\_\_\_\_

Explain:

- Was the client ever placed on a waiting list for ISP? ..... Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain:

- Is there any indication that the screening committee disagreed with the referral? ..... Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain:

- Provide any other information that helps to explain how the client came to be placed in ISP:

- Total # of weeks client spent in the following:

ISP program: Phase I \_\_\_\_\_ Phase II \_\_\_\_\_ Total \_\_\_\_\_

Regular Supervision: Level I \_\_\_\_\_ Level II \_\_\_\_\_ Level III \_\_\_\_\_ Level IV \_\_\_\_\_ Total \_\_\_\_\_

**ISP CONTACT INFORMATION**

Phase #: \_\_\_\_\_ Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

HEM: \_\_\_\_\_ Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

**Type of Contact:**

**TOTALS**

- Personal Contacts (PC) ..... \_\_\_\_\_
- Personal Office Contacts (POC) ..... \_\_\_\_\_
- Personal Home Contacts (PHC) ..... \_\_\_\_\_
- Personal Employment Contacts (PEC) ..... \_\_\_\_\_
- Personal Home Empl Contacts (PHEC) ..... \_\_\_\_\_
- Office Contacts (OC) ..... \_\_\_\_\_
- Home Contacts (HC) ..... \_\_\_\_\_
- Employment Contacts (EC) ..... \_\_\_\_\_
- Telephone Contacts (TC) ..... \_\_\_\_\_
- Telephone Employment Contacts (TEC) ..... \_\_\_\_\_
- Collateral (Community) Contacts (CC) ..... \_\_\_\_\_
- Employment Verification (EV) ..... \_\_\_\_\_
- Record Checks (RC) ..... \_\_\_\_\_

1

Phase #: \_\_\_\_\_ Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

HEM: \_\_\_\_\_ Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

**Type of Contact:**

**TOTALS**

- Personal Contacts (PC) ..... \_\_\_\_\_
- Personal Office Contacts (POC) ..... \_\_\_\_\_
- Personal Home Contacts (PHC) ..... \_\_\_\_\_
- Personal Employment Contacts (PEC) ..... \_\_\_\_\_
- Personal Home Empl Contacts (PHEC) ..... \_\_\_\_\_
- Office Contacts (OC) ..... \_\_\_\_\_
- Home Contacts (HC) ..... \_\_\_\_\_
- Employment Contacts (EC) ..... \_\_\_\_\_
- Telephone Contacts (TC) ..... \_\_\_\_\_
- Telephone Employment Contacts (TEC) ..... \_\_\_\_\_
- Collateral (Community) Contacts (CC) ..... \_\_\_\_\_
- Employment Verification (EV) ..... \_\_\_\_\_
- Record Checks (RC) ..... \_\_\_\_\_

2



**TREATMENT/COMMUNITY SERVICES INFORMATION**

**1** Did the client receive any substance abuse treatment? ..... Yes  No   
*If yes, complete the following*

• **Substance Abuse Treatment:**  
 Dates: \_\_\_\_\_ Treatment Provider: \_\_\_\_\_  
 public \_\_\_ private \_\_\_ inpatient \_\_\_ outpatient \_\_\_ How were these services paid for: \_\_\_\_\_  
 Describe the type(s) of treatment services provided: *Type of therapy (medication)*  
 \_\_\_\_\_  
 Additional Comments:

• **Substance Abuse Treatment:**  
 Dates: \_\_\_\_\_ Treatment Provider: \_\_\_\_\_  
 public \_\_\_ private \_\_\_ inpatient \_\_\_ outpatient \_\_\_ How were these services paid for: \_\_\_\_\_  
 Describe the type(s) of treatment services provided: *Type of therapy (medication)*  
 \_\_\_\_\_  
 Additional Comments:

**2** Did client receive treatment or community services for reasons other than substance abuse? ... Yes  No   
*If yes, complete the following*

• **Treatment/Service:** MH \_\_\_ Tr/Hs \_\_\_ Voc/Ed \_\_\_ Other: \_\_\_\_\_  
 Dates \_\_\_\_\_ Provided By \_\_\_\_\_ Tx/Service Type \_\_\_\_\_  
 Termination Reason: \_\_\_\_\_ Total Cost: \_\_\_\_\_  
 How were the services paid for: \_\_\_\_\_  
 Additional Comments:

**SANCTIONS FOR TECHNICAL VIOLATIONS AND NEW ARRESTS**

**1** Did the client have any technical violations while on ISP? ..... Yes  No   
*If yes, complete the following*

• **Technical Violations:**

Type of Violation	Date	Sanction (type and length)	Outcome
_____	_____	_____	_____
_____	_____	_____	_____

**2** Did the client have any new arrests while on ISP? ..... Yes  No   
*If yes, complete the following*

• **New Arrests:**

Offense (VCC)	Date	Conv?	Sanction (type and length)	Outcome
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

# CLIENT BEHAVIOR FOLLOWING ISP TERMINATION

**1** Is there any information regarding the client's behavior following termination from the ISP program? ... Yes  No   
*If yes, complete the following*

- What is the client's status at the time of data collection?  
 probation \_\_\_ parole \_\_\_ prison \_\_\_ jail \_\_\_ ISP \_\_\_ transferred/new jurisdiction \_\_\_  
 residential treatment \_\_\_ released from state custody \_\_\_ escaped/disappeared \_\_\_  
 unknown \_\_\_ other: \_\_\_\_\_
- Provide a brief summary of what is known about the client following ISP termination: (include - conditions surrounding termination, transfer to another jurisdiction, recidivism, etc.)

**2** Was the client placed on regular probation supervision at the time of ISP termination? ..... Yes  No   
*If yes, complete the following*

- Regular Supervision Contact Information  
 Date regular supervision began: \_\_\_\_\_ Date regular supervision terminated: \_\_\_\_\_  
 Level #: \_\_\_\_\_ Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

TYPE OF CONTACT	TOTALS
Personal Contacts (PC) .....	_____
Personal Office Contacts (POC) .....	_____
Personal Home Contacts (PHC) .....	_____
Personal Employment Contacts (PEC) .....	_____
Personal Home Employment Contacts (PHEC) .....	_____
Office Contacts (OC) .....	_____
Home Contacts (HC) .....	_____
Employment Contacts (EC) .....	_____
Telephone Contacts (TC) .....	_____
Telephone Employment Contacts (TEC) .....	_____
Collateral (Community) Contacts (CC) .....	_____
Employment Verification (EV) .....	_____
Record Checks (RC) .....	_____

**3** Did the client receive any drug testing? ..... Yes  No  Unk   
*If yes, complete the following*

- Was drug testing a condition of probation? ..... Yes \_\_\_\_\_ No \_\_\_\_\_ Unk \_\_\_\_\_  
 Ordered By: \_\_\_\_\_ Freq. of Testing: \_\_\_\_\_ Drug Type(s): \_\_\_\_\_

• Provide as much of the following information about drug testing as possible:

Date	Test Type	+/-	Drug Type(s) +	Sanctions (include length)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**4** Did the client receive any technical violations? ..... Yes  No  Unk   
*If yes, complete the following*

• **Technical Violations:**

Type of Violation	Date	Sanction (type and length)
_____	_____	_____
_____	_____	_____

**5** Did the client receive any new arrests? ..... Yes  No  Unk   
*If yes, complete the following*

• **New Arrests:**

Offense (VCC)	Date	Conv?	Sanction (type and length)
_____	_____	_____	_____
_____	_____	_____	_____

**6** Did the client receive any substance abuse treatment? ..... Yes  No  Unk   
*If yes, complete the following*

• **Substance Abuse Treatment:**

Dates \_\_\_\_\_ Provided By \_\_\_\_\_  
 Public \_\_\_\_\_ Private \_\_\_\_\_ Inpatient \_\_\_\_\_ Outpatient \_\_\_\_\_

Termination Reason: \_\_\_\_\_ Total Cost: \_\_\_\_\_

How were these services paid for: \_\_\_\_\_

Describe the type(s) of treatment services provided:

Type of therapy (medication)

\_\_\_\_\_  
 \_\_\_\_\_

**7** Did the client receive any additional treatment services? ..... Yes  No  Unk   
*If yes, complete the following*

• **Treatment/Service:** MH \_\_\_\_\_ Tr/Hs \_\_\_\_\_ Voc/Ed \_\_\_\_\_ Other: \_\_\_\_\_

Dates \_\_\_\_\_ Provided By \_\_\_\_\_ Tx/Service Type \_\_\_\_\_

Termination Reason: \_\_\_\_\_ Total Cost: \_\_\_\_\_

How were the services paid for: \_\_\_\_\_

Additional Comments:

• Provide any other relevant information regarding the client's behavior after ISP in the space below:



**APPENDIX D: SURVEY/INTERVIEW INSTRUMENT**

---

ISP STUDY  
STATEWIDE PROGRAM SURVEY

DISTRICT: \_\_\_\_\_ CHIEF P&P OFFICER: \_\_\_\_\_

DISTRICT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

I. PROGRAM STRUCTURE

\*\* WE WOULD LIKE TO FIND OUT MORE ABOUT THE ACTUAL STRUCTURE OF THE INDIVIDUAL ISP PROGRAMS. ACCORDING TO OUR RECORDS, YOUR DISTRICT HAS:

PROGRAM MODEL: \_\_\_\_\_ HEM?: \_\_\_\_\_

1. EXPLAIN THIS IN MORE DETAIL:  
(include # officers, exact positions, teams/independent)

TYPE OF CASELOADS - ISP ONLY OR MIXED

2. WHAT KIND OF OFFICERS DO YOU LOOK FOR TO FILL ISPO POSITIONS?

HAVE YOU HAD ANY PROBLEMS FINDING QUALIFIED PEOPLE FOR  
ISP POSITIONS? \_\_\_\_\_

DO ISP OFFICERS RECEIVE ANY SPECIALIZED TRAINING? \_\_\_\_\_

II. REFERRAL PROCESS

\*\* WE KNOW ISP CLIENTS ARE GENERALLY REFERRED FROM EITHER THE EXISTING CASELOAD, COURT, OR PAROLE BOARD AND THEN SCREENED BY THE SCREENING COMMITTEE.

3. PLEASE ESTIMATE THE PERCENTAGE OF CLIENTS REFERRED FROM EACH SOURCE.

COURTS=                      PB=                      CASELOAD=

WHY IS THIS?

4. EXPLAIN THE PROCESS WHEREBY OFFENDERS ARE REFERRED FROM THE:

COURT

PAROLE BOARD

5. DO JUDGES OR THE PAROLE BOARD EVER PLACE CONDITIONS ON ISP PLACEMENTS? (Ex. If client has 1 pos. drug test, he must go back to court)

6. ARE THESE REFERRALS GENERALLY APPROPRIATE? EXPLAIN

DO YOU CONSIDER THIS A MAJOR PROBLEM? \_\_\_\_\_

7. WHO IS ON YOUR DISTRICT'S SCREENING COMMITTEE?

HOW OFTEN DOES THE SCREENING COMMITTEE MEET? \_\_\_\_\_

8. WHAT FACTORS ARE INVOLVED IN THE DECISION TO PLACE SOMEONE ON ISP?

ROLE OF RISK/NEEDS ASSESSMENT? \_\_\_\_\_

WHO COMPLETES THE ASSESSMENT? \_\_\_\_\_

PRIORITY FOR COURT AND PAROLE BOARD REFERRALS? \_\_\_\_\_

WHAT ABOUT PLACEMENT IN HEM?

9. DO YOU HAVE A CLIENT WAITING LIST FOR ISP? \_\_\_\_\_

HOW DO YOU DECIDE WHO IS PLACED ON THE WAITING LIST?

HOW IS THE SUPERVISION OF CLIENTS ON THE WAITING LIST HANDLED?

III. TREATMENT SERVICES/DRUG TESTING

\*\* WE WANT TO FIND OUT MORE ABOUT THE USE OF TREATMENT SERVICES AND DRUG TESTING IN THE ISP PROGRAMS. OUR RECORDS SHOW THAT YOUR DISTRICT OBTAINS SUBSTANCE ABUSE TREATMENT THROUGH:

TREATMENT PROVIDER: \_\_\_\_\_

11. PLEASE ELABORATE ON THIS ARRANGEMENT:

HOW ARE CLIENT TREATMENT NEEDS DETERMINED?

HOW IS TREATMENT PAID FOR?

12. WHAT TYPES OF ADDITIONAL TREATMENT SERVICES ARE PROVIDED TO ISP CLIENTS?

13. ARE THESE TREATMENT SERVICES AVAILABLE TO ALL P&P CLIENTS OR ONLY FOR ISP? WHAT IS THE DIFFERENCE IN TERMS OF TX?

14. WHAT OTHER TYPES OF SERVICE OPTIONS WOULD YOU LIKE TO HAVE AVAILABLE TO CLIENTS?

15. WHAT IS THE ROLE OF DRUG TESTING?

DOES YOUR DISTRICT USE ONTRACK? \_\_\_\_\_

IF NOT, WHAT DO YOU USE? \_\_\_\_\_

WHAT ABOUT ALCOHOL TESTING? \_\_\_\_\_

HOW OFTEN ARE ISP CLIENTS TESTED? \_\_\_\_\_

ESTIMATE HOW MANY DRUG TESTS PER WEEK: \_\_\_\_\_

16. HOW ARE POSITIVE DRUG TESTS HANDLED?

17. IS DRUG TESTING DONE ON NON-ISP CLIENTS? \_\_\_\_\_

IF SO, EXPLAIN:

V. ADMINISTRATION

\*\* NOW, I WOULD LIKE TO ASK A FEW QUESTIONS REGARDING THE ADMINISTRATIVE SIDE OF THE ISP PROGRAM.

18. IF ADDITIONAL ISP FUNDS WERE MADE AVAILABLE, HOW WOULD YOU USE THEM?

19. HOW WOULD YOU ALLOCATE THIS MONEY IF IT WERE AVAILABLE BUT NOT DESIGNATED FOR ISP USE?

20. HAS THE ROLE OF DOC IN THE DEVELOPMENT AND ADMINISTRATION OF ISP BEEN SUFFICIENT?

WHAT ABOUT THE ROLE OF THE REGIONAL OFFICE?

21. HOW COULD DOC ASSIST IN YOUR OPERATION OF ISP?

V. GOALS

22. IN YOUR VIEW, WHAT ARE THE GOALS OF ISP?  
(reduced recidivism, diversion from incarceration, improved public safety, increased client access to services)

ARE THESE GOALS ACCOMPLISHED IN YOUR DISTRICT? \_\_\_\_\_

23. HOW WOULD YOU MEASURE SUCCESS FOR ISP?

24. WHAT TYPE OF DRUG PROBLEM DO YOU HAVE IN YOUR DISTRICT?  
IS DRUG PROBLEM LARGELY CASUAL USE OR ADDICTION?  
DOES THIS VARY BY DRUG OF CHOICE?

25. DO YOU THINK SUBSTANCE ABUSERS ARE AN APPROPRIATE FOCUS  
GROUP FOR ISP? \_\_\_\_\_

WHAT TYPES OF OFFENDERS BENEFIT MOST FROM ISP AND WHY?

25. DO YOU HAVE ANY OTHER SUGGESTIONS OR COMMENTS REGARDING THE  
OPERATION/EFFECTIVENESS OF ISP IN YOUR DISTRICT OR ON THE  
STATE LEVEL?

**APPENDIX E: DOC RISK/NEEDS ASSESSMENT**

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**RISK ASSESSMENT**

Select the appropriate answer and enter the associated weight in the score column. Total all scores to arrive at the risk assessment score.

		SCORE
Number of Address Changes in Last 12 Months: (Prior to incarceration for parolees)	0 None 2 One 3 Two or more	_____
Percentage of Time Employed in Last 12 Months: (Prior to incarceration for parolees)	0 60% or more 1 40% - 59% 2 Under 40% 0 Not applicable	_____
Alcohol Usage Problems: (Prior to incarceration for parolees)	0 No interference with functioning 2 Occasional abuse; some disruption of functioning 4 Frequent abuse; serious disruption; needs treatment	_____
Other Drug Usage Problems: (Prior to incarceration for parolees)	0 No interference with functioning 1 Occasional abuse; some disruption of functioning 2 Frequent abuse; serious disruption; needs treatment	_____
Attitude:	0 Motivated to change; receptive to assistance 3 Dependent or unwilling to accept responsibility 5 Rationalizes behavior; negative; not motivated to change	_____
Age at First Conviction: (or Juvenile Adjudication)	0 24 or older 2 20 - 23 4 19 or younger	_____
Number of Prior Periods of Probation/Parole Supervision: (Adult or Juvenile)	0 None 4 One or more	_____
Number of Prior Probation/Parole Revocations: (Adult or Juvenile)	0 None 4 One or more	_____
No. of Prior Felony Convictions: (or Juvenile Adjudications)	0 None 2 One 4 Two or more	_____
Convictions or Juvenile Adjudications for: (Select applicable and add for score. Do not exceed a total of 5. Include current offense.)	2 Burglary, theft, auto theft, or robbery 3 Worthless checks or forgery	_____
Conviction or Juvenile Adjudication for Assaultive Offense within Last Five Years: (An offense which involves the use of a weapon, physical force or the threat of force)	15 Yes 0 No	_____

Date of Assessment \_\_\_\_\_ Initials \_\_\_\_\_ TOTAL \_\_\_\_\_

**NEEDS ASSESSMENT**

0-14 Minimum Needs  
15-29 Medium Needs  
30-Above Maximum Needs

Select the appropriate answer and enter the associated weight in the score column. Higher numbers indicate more severe problems. Total of scores. If client is to be referred to a community resource or to clinical services, check appropriate referral box.

				REFERRAL	SCORE
<b>ACADEMIC/VOCATIONAL SKILLS</b>					
-1 High school or above skill level	0 Adequate skills; able to handle everyday requirements	+2 Low skill level causing minor adjustment problems	+4 Minimal skill level causing serious adjustment problems	<input type="checkbox"/>	___
<b>EMPLOYMENT</b>					
-1 Satisfactory employment for one year or longer	0 Secure employment; no difficulties reported; or homemaker, student or retired	+3 Unsatisfactory employment; or unemployed but has adequate job skills	+6 Unemployed and virtually unemployable; needs training	<input type="checkbox"/>	___
<b>FINANCIAL MANAGEMENT</b>					
-1 Long-standing pattern of self-sufficiency; e.g., good credit rating	0 No current difficulties	+3 Situational or minor difficulties	+6 Severe difficulties; may include garnishment, bad checks or bankruptcy	<input type="checkbox"/>	___
<b>MARITAL/FAMILY RELATIONSHIPS</b>					
-1 Relationships and support exceptionally strong	0 Relatively stable relationships	+3 Some disorganization or stress but potential for improvement	+6 Major disorganization or stress	<input type="checkbox"/>	___
<b>COMPANIONS</b>					
-1 Good support and influence	0 No adverse relationships	+2 Associations with occasional negative results	+4 Associations almost completely negative	<input type="checkbox"/>	___
<b>EMOTIONAL STABILITY</b>					
-2 Exceptionally well adjusted; accepts responsibility for actions	0 No symptoms of emotional instability; appropriate emotional responses	+4 Symptoms limit but do not prohibit adequate functioning; e.g., excessive anxiety	+7 Symptoms prohibit adequate functioning; e.g., lashes out or retreats into self	<input type="checkbox"/>	___
<b>ALCOHOL USAGE</b>					
	0 No interference with functioning	+3 Occasional abuse; some disruption of functioning	+6 Frequent abuse; serious disruption; needs treatment	<input type="checkbox"/>	___
<b>OTHER DRUG USAGE</b>					
	0 No interference with functioning	+3 Occasional substance abuse; some disruption of functioning	+6 Frequent substance abuse; serious disruption; needs treatment	<input type="checkbox"/>	___
<b>MENTAL ABILITY</b>					
	0 Able to function independently	+3 Some need for assistance; potential for adequate adjustment; mild retardation	+6 Deficiencies severely limit independent functioning; moderate retardation	<input type="checkbox"/>	___
<b>HEALTH</b>					
	0 Sound physical health; seldom ill	+1 Handicap or illness interferes with functioning on a recurring basis	+3 Serious handicap or chronic illness; needs frequent medical care	<input type="checkbox"/>	___
<b>SEXUAL BEHAVIOR</b>					
	0 No apparent dysfunction	+3 Real or perceived situational or minor problems	+6 Real or perceived chronic or severe problems	<input type="checkbox"/>	___
<b>AGENT'S IMPRESSION OF CLIENT'S NEEDS</b>					
-1 Minimum	0 Low	+3 Medium	+6 Maximum		___
				<b>TOTAL</b>	___



**APPENDIX F: DOC RESPONSE**

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VIRGINIA DEPARTMENT OF CORRECTIONS  
DIVISION OF COMMUNITY CORRECTIONS

REVIEW AND RESPONSE TO DEPARTMENT OF CRIMINAL JUSTICE SERVICES  
EVALUATION OF THE DEPARTMENT'S INTENSIVE SUPERVISION PROGRAM

The Virginia Department of Corrections, Division of Community Corrections, (VADOC/DCC) was provided an opportunity to review the final draft of the Intensive Supervision Program (ISP) evaluation prepared by staff at the Department of Criminal Justice Services (DCJS). As a result of the review, VADOC/DCC has prepared this response to the report; specifically in areas where VADOC/DCC considers the report to be an inaccurate reflection of the ISP program.

The VADOC/DCC response will focus primarily on the evaluation's Report Findings, Discussion of Findings, and Report Recommendations.

REPORT FINDINGS:

A.. Program Implementation: The VADOC/DCC agrees that the ISP population is both a high risk and high need group of offenders. We also agree that ISP is fulfilling contact and supervision requirements. It was reported that some Intensive Supervision Officers (ISPOs) did not feel adequately equipped and trained. Unfortunately, past budget constraints have prevented the agency from purchasing safety equipment. The Academy for Staff Development (ASD) has developed new training programs, and presents them on regional basis as well as at the ASD. Also, the Special Programs Manager and Treatment Services Manager have been able to secure and present over 20 separate training seminars on topics such as: domestic violence, victims issues, substance abuse issues, sex offender programming/supervision, and interagency cooperation.

It is agreed that team programs are more effective, but lack of funding has prevented VADOC/DCC from establishing teams in all districts.

The VADOC/DCC acknowledges the importance of meaningful data collection. However, ISPOs are primarily concerned with the supervision of high risk/high need offenders and not data collection. The Department's Research and Evaluation Unit has done an outstanding job in collecting and preparing the data received from ISPOs. To ask field staff to collect more data and research staff to process additional data will only serve to undermine the effectiveness of their work in their respective areas.

- B. Treatment:  
ISP offenders are receiving higher levels of substance abuse treatment as compared to non-ISP offenders. This is due to the program's funding source--1988 Anti Drug Abuse Act--and the availability of funds through the Act. The continuum of treatment from institution to community has been addressed, and recent automation will assist in that area. The Treatment Services Manager has developed a process to ensure proper documentation of the delivery of treatment services. In this process, field staff will receive assessments, monthly progress reports, and discharge summaries; and the administration will receive more detailed invoices outlining services delivered. Finally, statewide contracts have been established with private and not for profit treatment vendors to provide out-patient and residential treatment services; and all districts have Memorandums of Agreement with their respective CSBs.
- C. Referral Process:  
Offender selection is being addressed through training and technical assistance being provided by the American Probation and Parole Association (APPA). There is no set target population for ISP, as the population is highly diverse, primarily consisting of high risk/high need substance abusers. While there are plans to revamp the offender selection process, there are no plans to concentrate on a specific population. ISPOs have training and resources available to them to work with a diverse population (see Program Implementation section). The VADOC/DCC, through the APPA technical assistance, will look at developing a new Risks/Needs Assessment Instrument.
- D. Diversion:  
The statement that the Virginia Parole Board has not utilized ISP as a true diversion instrument is of concern to VADOC/DCC; however, the Parole Board is fully aware that ISP can be used as diversion from continued incarceration for certain offenders. The finding that at least 71% of all ISP probationers are true diversions supports the theory that ISP can be utilized as a true diversion option.
- E. Recidivism:  
ISP offenders are the most difficult to supervise offenders and have a high risk factor. Consequently, they will be re-arrested more frequently than non-ISP offenders.
- F. Cost/Benefit:  
The VADOC/DCC agrees with the findings in the Cost/Benefit section.

### DISCUSSION OF FINDINGS

The VADOC/DCC strongly disagrees with the statement in the first paragraph that "...poor communication among the various groups operating and accessing ISP, has severely limited the potentially positive impact of the program." The field staff, regional staff, and administration have maintained open lines of communication regarding the program. An ISP guide provides guidance on program operations and ISPOs know that the Special Programs Manager is open to all suggested changes for the program. Access to ISP has never been limited and the Courts and Parole Board are fully aware of the program's availability. It must be noted that only 4 judges were interviewed, and they were from the Court in the district with the highest parole caseload. Only two Parole Board members were interviewed, but the Parole Board is fully aware of ISP's availability.

Regarding our "...failing to establish either comprehensive program goals or effective delivery networks," it is noted that the VADOC/DCC followed the goal established in the grant guide. That goal was considered to be an adequate reflection of what an intensive supervision program should achieve. Also, through the APPA technical assistance additional goals will be developed. The statement regarding service delivery networks is wrong. Memorandums of Agreement for the provision of treatment services exist between all CSBs and districts and many have agreements for enhanced services. Contracts have been or will be awarded within two months to private and not for profit treatment providers for out-patient and residential substance abuse services and sex offender assessment and treatment services. These contracts will be statewide contracts. Training has been provided on a regular basis that addresses accessing services.

It is noted that "Virginia's ISP appears to have suffered from such a failure to involve all affected parties in program development and implementation." This is not an accurate statement. Field staff play an important part in the program development and the Courts and Parole Board are well aware of the program. Unfortunately, not all staff will be able to participate on a task force or committee that implements program changes.

Other inaccurate statements in the DISCUSSION OF FINDINGS are in the second (2nd) paragraph, page 60, where it is noted, "...ISP staff mentioned their inability to receive the support, in terms of training, equipment, and resources..." and "...the administration's failure to develop effective relationships with service providers or seek district input in vendor selection," and regarding Memorandums of Agreement (MOAs) "...these steps have reportedly taken place at a level too far removed from actual service delivery to have any real program impact."

Referencing the first statement; the VADOC/DCC has put forth budget requests each year for safety equipment; however, field staff are not always privy to the budget requests. Funds have been provided in fiscal year 1994-95 for safety equipment. The issue of training has already been addressed in this report--training is provided and has improved in content. Resources are readily available and are located across the state. The second statement is inaccurate in that new contracts have been established and the districts were asked to provide input on vendors. The third statement is inaccurate because field staff were participants in three training sessions regarding MOAs. Also, the field staff have been instrumental in providing input into the development of MOAs at the local level. The MOAs have had a positive impact throughout the state in that they have enhanced delivery of treatment services and fostered better working relationships between the affected agencies.

In paragraph 2, page 61, DCJS claims that development of VADOC/DCC's ISP was "...lacking either uniformity or effective guiding policy." This is a general statement and inaccurate. An ISP Guide exists which clearly outlines policy related to the program. As to lacking uniformity, the program does not function in such a manner. The program is uniform in contact requirements, targeting high risk/high need offenders, providing treatment services, having an ISP Guide available statewide, providing electronic monitoring (with a set policy and procedure) in all ISP districts, and the list can go on.

Page 61 begins a listing of management and operational issues requiring "...further examination and/or modification in order to maximize the program's potential impact statewide:..." The issues will be addressed below.

ISP is a sanction, as well as a sentencing and release option. The use of ISP can and should occur at various times in an offenders' supervision: as a case management tool; as a sanction imposed by the Court, Parole Board, Hearing Officer, or Hearing Examiner; imposed at sentencing or release; or as the type of supervision to be used for Boot Camp graduates. As to having "specific offender types", the VADOC/DCC does not have the luxury of picking and choosing types of offenders to receive probation/parole supervision. ISP is set up for high risk/high need offenders. That is a specific enough target population for the program. The VADOC/DCC, with APPA's assistance, will look at the overall offender selection process.

Communication between agencies is improving on an ongoing basis (ie: MOAs). There has always been open communication between field and administrative staff as well as between agency heads. Communication and data collection services between institutions

and districts has been improving and should be enhanced with automation. Treatment service providers will be required to submit monthly progress reports as well as assessments and discharge summaries. These reports will be readily available to district and central office staff.

VADOC/DCC acknowledges the need to adequately equip staff to ensure safety. Funds have now become available to equip staff.

The VADOC/DCC would agree with some of the items identified on page 62 that contribute to successful operation of Virginia's ISP. However, ISP has a great impact in many rural areas, thanks in part to very dedicated staff. Also, team supervision is the preferred model as it is more effective, but lack of funds and FTEs prevented VADOC/DCC from setting up teams in all districts.

REPORT RECOMMENDATIONS:

Regarding the recommendations beginning on page 65, the VADOC/DCC offers the following "bullet by bullet" response:

Program Implementation and Operation:

- o The VADOC/DCC will develop program new goals. Through the technical assistance provided by APPA, a work group made up of field staff will be established to review and redirect the ISP program (as necessary). A guiding policy has always existed. It is important to note that the VADOC/DCC guides ISP, but does not direct how to run a specific district's ISP. Guidance is offered so that the district can best operate an ISP that fits its needs.
- o The VADOC/DCC agrees that teams are the preferred model, but lack of funds and FTEs have prevented this model from being utilized statewide.
- o All districts require ISP in some form.
- o There are no districts deemed unsuitable for ISP. All have enough high risk/high need offenders, as well as access to services, to support ISP in some format.
- o Expansion will occur as funds and FTEs become available and, if available, then resources can be accessed.
- o Through APPA, VADOC/DCC will be experimenting on a pilot basis with objective based case management.
- o Automation is occurring across the VADOC.
- o Training is constantly being addressed and developed.
- o Lack of funding in the past has prevented purchase of equipment and supplies to enhance safety needs.

Treatment:

- o VADOC/DCC will receive the APPA technical assistance and training.
- o Treatment needs and services have been identified and training has been provided on accessing services. Developing

a data base is not a primary concern at this time, but documentation of service delivery will be known to VADOC/DCC through submission of reports by treatment providers.

- o Assessment and treatment is performed at the local level and the VADOC/DCC already provides guidance in accessing such services.
- o Policies regarding procurement and documentation of offender treatment services have been provided.
- o VADOC/DCC administration, on an ongoing basis, is already providing assistance to districts in the identification of community treatment providers and networks.

Referral Process:

- o Offender selection criteria could provide inappropriate limits on providing adequate services. High risk/high need offenders are the target population.
- o A new Risk/Need Assessment Instrument will, in all likelihood, be developed with APPA's assistance.

Finally, the VADOC/DCC would not disagree with the recommendations put forth on page 67 regarding the possible tasks assigned to a Sentencing Commission. However, the VADOC/DCC should be utilized as a valuable resource regarding programmatic issues, treatment issues, types of alternative, and so forth.

The Intensive Supervision Program has proven to be cost effective in providing enhanced supervision to probationers and parolees without jeopardizing public safety. The program has experienced dynamic growth and has responded to that growth as well as to changes in law, policy, technology, and funding.

The VADOC/DCC will continue to be proactive with the ISP program, continually exploring ways to improve, re-direct, and enhance ISP in a positive manner.

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Virginia Department of Corrections  
Division of Community Corrections

