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Pretrial Services

Three Strikes and You're Out!: The Political Sentencing Game *Peter J. Benekos*
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MARCH 1995

**U.S. Department of Justice
National Institute of Justice**

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Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME LIX

MARCH 1995

NUMBER 1

This Issue in Brief

Three Strikes and You're Out! The Political Sentencing Game.—Recent sentencing initiatives which mandate life sentences for three-time convicted felons may appeal to the public, but will they address the realities of crime? Authors Peter J. Benekos and Alida V. Merlo focus on the latest spin on sentencing: "three strikes and you're out." Their article reviews the ideological and political context of recent sentencing reforms, examines "get-tough" sentencing legislation in three states, and considers the consequences of increasing sentencing severity.

Electronic Monitoring in the Southern District of Mississippi.—Although many criminal justice agencies now use electronic monitoring as an alternative to prison, some still hesitate to use it in supervising higher risk offenders. Author Darren Gowen explains how the U.S. probation office in the Southern District of Mississippi began its electronic monitoring program with limited expectations but successfully expanded it for use with higher risk offenders. He describes the district's first year of experience with electronic monitoring and discusses the selection criteria, the types of cases, the supervision model, and offender demographics.

Helping Pretrial Services Clients Find Jobs.—Many pretrial services clients lose their jobs because they are involved in criminal matters; many have been either unemployed or underemployed for a long time. Some are released by the court with a condition to seek and maintain employment. Author Jacqueline M. Peoples describes how the U.S. pretrial services office in the Northern District of California addressed the issue of unemployment among its clients by launching a special project to identify employers willing to hire them. She also explains how the district developed an employment resource manual to help clients find jobs or training programs.

Specialist Foster Family Care for Delinquent Youth.—Authors Burt Galaway, Richard W. Nutter, Joe Hudson, and Malcolm Hill contend that the current focus on treatment-oriented or specialist foster family care as a resource for emotionally or psychiatrically impaired children and youths may disguise its

potential to serve delinquent youngsters. They report the results of a survey of 266 specialist foster family care programs in North America and the United Kingdom. Among their findings were that 43 percent of the programs admitted delinquent youths and that the delinquents were as likely to be successful in the programs as were nondelinquent youths.

United States Pretrial Services Supervision.—In June 1994 the Probation and Pretrial Services Division, Administrative Office of the United States

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An Impact Analysis of the Alabama Boot Camp Program

BY JERALD C. BURNS, D.P.A., AND GENNARO F. VITO, PH.D.*

Introduction

ONE OF the newest weapons in the war on crime is shock incarceration. The basic idea behind it is attractive to many: jolt young criminals into reforming through a military regimen of hard work, physical training, and strict adherence to rules and regulations. It is touted as a way to reduce prison crowding and recidivism. It is viewed as a method to save the taxpayers money. At the beginning of 1994, there were 46 boot camps in 31 states. Thirteen states have boot camp programs designed solely for women. These camps can hold 7,500 inmates—an increase of 25 percent in 1 year. Boot camps have captured the imagination of the Clinton administration as well. The proposed crime bill in Congress earmarked \$3 billion for new camps (Goldner, 1994, p. 12).

The purpose of this analysis is to generate some information on the effectiveness of one of the earliest boot camp programs in Alabama. Here, we will make comparisons between the boot camp program and its alternatives: a prison sentence or probation. This impact analysis stresses key program outcomes—especially recidivism rates and the cost of the program.

Program History

Due to the tremendous growth of the Alabama correctional budget (from \$44 million in 1981 to \$141 million in 1987) and continued overcrowding in prison facilities, a Prison Review Task Force was formed by the chief justice of the Alabama Supreme Court. This task force made 12 recommendations. It urged the legislature, the Governor, and other policymakers to give them prompt and professional consideration. One result was the passage of House Bill 33. It amended Alabama's split sentencing statute and authorized the Alabama Department of Corrections to establish a "boot camp" (Prison Task Force, 1988, pp. 14-15).

The Alabama Disciplinary Rehabilitation Unit (DRU) began in September 1988. By statute, this boot camp targets young, first offenders who have committed non-violent crimes. The main program components are: military marching, discipline, physical training, work, classes, and drug and alcohol treatment featuring the "twelve step" program used by Alcoholics Anonymous and Narcotics Anonymous.

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The Alabama program is divided into three, 30-day phases. Phase one is the "Confrontation" phase. It is designed to enable inmates to confront their crimes, rid themselves of excuses or rationalizations, and accept responsibility for their actions. Phase two is the "Self-Discovery" phase. It is structured to offer inmates the opportunity to acquire problem-solving skills, understand errors in thinking, and focuses on the twelve step (or lifeskills) approach. In the third or "Prerelease" phase, inmates should realize the impact of their poor life decisions. Problem-solving is stressed as the key to a future free of criminality.

Like other programs of this rubric, the Alabama Boot Camp Program has a number of interrelated goals. First, there is a rehabilitative aspect. The hope is that exposure to tough, military discipline during a 90-day period of incarceration (coupled with treatment) can break the cycle of crime. Second, it could also reduce prison costs by releasing inmates early, thereby reducing the prison population. Ideally, the program would not "widen the net" and draw persons into prison who were usually sentenced to probation.

Of course, the purpose of an impact evaluation is to explore and determine the possible reasons for success or failure of the boot camp program. Alabama policymakers in the legislature and the Department of Corrections were vitally interested in determining whether to expand or eliminate the boot camp concept. Evaluation results make it possible for them to reach an informed decision.

Previous studies of shock incarceration reported by MacKenzie have examined recidivism rates.¹ For example, MacKenzie and Shaw (1993) traced the recidivism rates of Louisiana boot camp inmates and compared them to similar offenders on probation and parole. They discovered that the inmates from the shock incarceration program had higher rates of technical violations. This finding was related to the level of supervision. Shock incarcerated were more likely to be placed on intensive supervision. One of the attributes of intensive supervision is a consistently higher rate of revocation for technical violations (see Allen et al., 1985; Latessa & Vito, 1988). Yet, in some cases, the Louisiana boot camp group had lower rates of arrest, conviction, and reincarceration for new crimes.

Similarly, a summary of eight boot camp programs by MacKenzie (1994, p. 64) revealed that estimated recidivism rates for boot camp graduates ranged from

23 to 63 percent for rearrests, between 1.3 and 13 percent for new crime revocations, and between 2.1 and 14.5 percent for technical violations. Overall, she reported that boot camp graduates did as well as or slightly better than comparison groups in Texas, Oklahoma, Florida, South Carolina, Louisiana, Illinois, and New York. Again, she noted that the research was unable to untangle the effect of intensive supervision upon recidivism rates. In addition, there was some evidence that boot camps that featured treatment as a program component produced lower recidivism rates (MacKenzie, 1994, p. 60).

In addition, MacKenzie's (1994) eight state study found that boot camps could be designed to reduce prison crowding and save money. Savings in bed space ranged from a low of 24 (Florida) to a high of 1,500 (New York). In their study of the Louisiana program, MacKenzie and Parent (1991, p. 233) estimated that shock incarceration could save the system 3,459 person-months of confinement or 288 beds per year. Of course, the savings generated by boot camps are predicated on their ability to release inmates from prison early. If net-widening occurs, cost savings will not be realized.

Methodology

The program evaluation followed a quasi-experimental design. First, the experimental group consisted of: a) the first 153 boot camp graduates (BCG) and b) the first 50 nongraduates (or boot camp failures—BCF) of the program. Second, two comparison groups were used: 1) offenders placed on probation (N = 123—PG) and 2) offenders released from prison on a split sentence (a period of incarceration followed by probation, N = 49).

The probation group (PG) sample was randomly drawn from the 10 most populous counties in Alabama. This list was then matched with the offenders who entered the boot camp program. The variables used in the matching process were age, sex, and offense, and sentencing county. The incarcerated (IG— or split sentence) group was obtained from the Frank E. Lee Correctional Unit. It consists of young, first offenders who are serving split sentences. These offenders were also matched to the boot camp group on the basis of age, sex, and offense criteria. Thus, both comparison groups were constructed under post-hoc matching process. They were constructed after the boot camp group was selected.

The program period under consideration was from September 1988 to July 1989. All of the samples were drawn from this timeframe. Recidivism was measured in all its forms: rearrest, reconviction, and reincarceration. In addition, revocation of supervision was considered as either a new offense or a technical vio-

lation. Recidivism was considered over a 1-year period.²

Research Findings

"Widening the Net"

A major purpose of the program would be defeated if judges were sentencing offenders to the boot camp program who were good candidates for either probation or a split sentence. This problem, known as net widening, is a common dilemma in correctional programs (Austin & Krisberg, 1982; Morris & Tonry, 1990). If shock incarcerees are persons who would not normally go to prison, they would further contribute to, not reduce, prison crowding.

One way to check for a net widening effect is to compare the attributes of the boot camp offenders to those of the comparison, probation, and split sentence samples. Here, the variables under consideration were: age, race, marital status, occupation, drug use, type of offense, prior record, education, and sentence.

Here, discriminant function analysis was used to analyze the groups.³ One of the goals of discriminant analysis is to classify cases into one of several mutually exclusive groups on the basis of various characteristics. Here, we compare the three groups on background factors and prior record information to determine if the groups differ with regard to some characteristic. Group membership was used as the dependent variable.

The analysis revealed that the groups differed in the following ways:

- The boot camp group had a significantly longer mean sentence in months (37.9 months).
- The incarcerated group was more likely to have black membership, to be older (on average, 22 years old), and to have a prior record and a present drug offense.
- The probation group was more likely to report a personal drug problem, have a higher occupational level, and have a higher mean level of education (10.6 years).

Overall, this comparison reveals that there was no net widening during the first year of the Alabama boot camp program. Persons sentenced to shock incarceration had a longer average sentence than did probationers and split incarcerees. They were young, first-time offenders with no prior drug history or personally identified drug problem. The boot campers fit the description of the target population set by the statute. They were first-time, nonviolent offenders. They were unlike the two groups who were either not sent (probationers) or sent to prison for a brief (split sentence)

period. Therefore, if the boot camp program had not been in operation, they would have been sent to prison.

Recidivism Rates

We compared the rate of technical violations between the three groups. Unlike in Louisiana, there was no significant difference in these rates. The probationers had the highest rate of technical violations (52.4 percent).⁴ Although the boot camp group had the highest rate of new offenses (54.5 percent), the difference in this rate between groups was not statistically significant.⁵

In this study, the reincarceration rates of the three groups were remarkably similar. There was no statistical difference in reincarceration rates between the boot camp graduates and the other two comparison groups. The reincarceration rate for the boot camp graduates was three percentage points lower than that for the probation group (14.4 percent versus 17.4 percent respectively) and four percentage points higher than the rate for the incarcerated group (10.2 percent).⁶

Cost of the Program

To explore if the boot camp program led to reduced costs, the average cost per day for all inmates was obtained. The total cost for the 153 boot camp inmate graduates for the 90-day program was also determined. This cost was measured against the costs if the boot campers had served a "regular sentence" (e.g., the same ratio of sentence being served for that period of time: one-third in 1988-89). The total projected cost for the first 153 graduates was then obtained. This figure was compared to the actual cost per inmate for 90 days to arrive at the projected cost savings.

Using direct costs of prisoner maintenance,⁷ the boot camp program cost per inmate for fiscal year 1989-90 was \$5,461. For all other major institutions in the state, this figure was \$10,554 (White, 1991, p. 113). On this basis, the cost for 153 boot campers is \$835,533. If the individuals in this group had served one-third of their average sentence (12 months), the cost of incarceration is \$1,614,762. Therefore, an average savings of between \$779,229 and \$1,676,880 was generated by the Alabama boot camp program. These figures depend on whether costs are computed via the average daily cost per inmate (which includes capital investment) or by use of direct prisoner maintenance costs.

Reducing Prison Crowding

Here, we attempt to determine if the program led to a savings in bed space.⁸ However, there is a confounding factor in this process of estimation. During a 7-month period (February-August 1988), the department experienced a net loss of prisoners—a rare event that had not occurred since 1986. During this

period, paroles were accelerated (increased from 900 to 1,900) due to pressure exerted by the court-appointed Prison Oversight Committee. Therefore, this reduction in population cannot be attributed to the boot camp. The new prisons at Easterling and Ventress were not yet completed or opened.⁹

The original design for the boot camp called for a capacity of 60 inmates. It eventually doubled in size. When it was moved from Kilby in 1991, the capacity expanded to 180. However, during the Camp Kilby timeframe, a total of 360 inmates could be accommodated for the year.

Once the two new prisons were opened in fiscal year 1990, the prison system population decreased from its projection of 14,848 to 13,541 (T. Gilkerson, personal communication, July 14, 1993). Again, this reduction cannot be attributed to the boot camp. For a period of time, jails were overcrowded with inmates awaiting transfer. Many of these transfers took place in late 1988, thereby decreasing prison accessions from jails in 1989. With a projected boot camp population for the year at 720, the total number of prison man-days saved would be 197,000 (allowing for a 25 percent washout/failure rate in the boot camp). This number would make a significant dent in one facility's population. The boot camp had a yearly capacity of 720 inmates. If it had not been opened, this space would have been unavailable. Another facility would have been necessary to take its place. The average cost for the last three Alabama prisons of this size was \$13.97 million (T. Gilkerson, personal communication, July 14, 1993).

Conclusions

The recidivism rate for the boot campers was not significantly lower than that for the other two groups. They did slightly better than the probationers and slightly worse than the incarcerated group. Additionally, the boot camp group was selected properly (e.g., young, first-time adult offenders). There was no evidence of "net-widening."

No matter which cost analysis approach is used, the boot camp generates an estimated savings of between \$779,229 and \$1,676,880. There is strong evidence that the boot camp program did save money. It significantly reduced the time of incarceration for this group.¹⁰ The attrition rate of the boot camp is approximately 25 percent. Any strategy to reduce the attrition would have the effect of further reducing the costs and the overall prisoner population.

In terms of reducing recidivism, the Alabama boot camp group was not significantly any better than its alternatives. However, the data do indicate certain positive conclusions that can be drawn from the Alabama boot camp experience that argue for its continuation. It can save money and reduce prison crowding.

TABLE 1. TECHNICAL VIOLATION AND NEW CRIME RATES BY GROUP

Rate	GROUPS			Row Total
	Boot Camp Graduates	Incarcerated Group	Probation Group	
Technical Probation Violation	10 (45.5%)	2 (40%)	11 (52.4%)	23 (47.9%)
New Offense	12 (54.5%)	3 (60%)	10 (47.6%)	25 (52.1%)
Column Total N =	22 (45.8%)	5 (10.4%)	21 (43.8%)	48 (100%)

χ^2 (df=2) = .34671, Significance = .48118

TABLE 2. REINCARCERATION RATE BY GROUP

Reincarcerated?	GROUPS			Row Total
	Boot Camp Graduates	Incarcerated Group	Probation Group	
Yes	22 (14.4%)	5 (10.2%)	21 (17.4%)	48 (14.9%)
No	131 (85.6%)	44 (89.8%)	100 (82.6%)	275 (85.1%)
Column Total N =	153 (47.4%)	49 (15.2%)	121 (37.5%)	323 (100%)

χ^2 (df=2) Alpha .05 = 1.46, Significance = .48118
Missing observations = 2

TABLE 3. PROJECTED COST SAVINGS OF BOOT CAMP VERSUS A NORMAL SENTENCE (IN PER-DAY COSTS)

Inmate Costs Per Day	90-Day Costs for First 153 Boot Camp Inmates	Costs if Served Normal Sentence	Projected Savings
\$40	\$550,800	\$2,227,680	\$1,676,880

TABLE 4. PROJECTED COST SAVINGS OF BOOT CAMP USING DIRECT COSTS PRISONER MAINTENANCE

Type of Facility	Direct Cost Per Inmate	Total Costs 153 Boot Camp Inmates
Boot Camp:	\$5,461 (90 days)	\$835,533 (90 days)
Regular Institution:	\$10,554 (1 year)	\$1,614,762 (1 year)
Projected Savings Using Direct Costs:		\$779,229

Boot camps can help reduce the prison population provided there is no net-widening and the criteria are being applied properly.

NOTES

¹There are no universally agreed upon measures for recidivism. A review of the literature on probation and parole performance reported a range of recidivism rates of between 16 to 55 percent (Geerken & Hayes, 1993, pp. 555-556). Most of these studies used rearrest as the primary measure. Of course, rearrest would yield the highest percentage for any definition of recidivism rates.

²This study focuses upon recidivism rates and other program outcomes, rather than attitude changes among boot camp inmates (see MacKenzie & Shaw, 1990). As Ward and Kassebaum (1971, p. 3) stated: "The real 'pay off' of treatment programs cannot be measured in terms of making happier or better adjusted inmates, or parolees who commit fewer or less serious crimes, but . . . in reducing recidivism." We use several definitions of recidivism and also consider the cost of the program—an approach recommended by the American Probation and Parole Association for program evaluation (Boone, 1994).

³Since repeated univariate tests inflate alpha levels and Type I error rates if the independent variables are correlated, discriminant function analysis was used. Discriminant function analysis has been used extensively in drug testing analyses of probationers and parolees (see Vito et al., 1990, 1992, 1993).

⁴This rate is for technical violations only. If the offender committed a new offense, they were not included in this figure. In addition, there was no difference in the level of supervision between the three groups. In particular, the shock incarcerated were not more likely to undergo intensive supervision. Therefore, this recidivism study is free of the entanglements of intensive supervision that has plagued other studies of shock incarceration.

⁵In the first year of operation, none of the program failures were paroled. Therefore, it was not possible to include this group in the recidivism analysis. In general, there were two reasons why inmates did not complete the program. Most of the failures were eliminated in the first 30 days for disciplinary violations. The remainder of the failures were dismissed for medical reasons.

⁶The Louisiana study featured survival analysis. Due to our relatively small sample sizes, we were unable to use this procedure. However, we did examine the average number of days until recidivism for each of the three groups. ANOVA found no significant differences between these average times. Yet, the incarcerated group (Mean = 20.1) was quicker to recidivate than any of the other groups (Boot Camp, Mean = 30.7) (Probationers, Mean = 42.5).

⁷The direct cost of prisoner maintenance includes personnel costs, travel, leases/repairs, maintenance, utilities/communications, supplies, equipment, grants/benefits, technical/administrative support, and total maintenance costs.

⁸This calculation was based upon 120 beds available in the boot camp.

⁹These prisons were opened for a total cost of \$30.5 million (T.Gilkerson, personal communication, July 14, 1993).

¹⁰This conclusion depends upon the capacity of 60 inmates to start a new group in Phase One of the program every 30 days. It assumes that every 30 days a group of 60 (or fewer due to dropouts/failures) would graduate.

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