

156789

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

~~Justice Education Center, Inc.~~

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

## ALTERNATIVES TO INCARCERATION

### Phase II: Sentencing Evaluation

#### Section II

#### Full Report

NCJRS

OCT 18 1995

ACQUISITIONS

Prepared by:

The Justice Education Center, Inc.

Research staff:

Directed by Eleanor Lyon, Ph.D.  
Research and Planning Services  
The Village for Families & Children, Inc.

August 1994

## ACKNOWLEDGMENTS

The Justice Education Center, Inc. applauds the efforts of the Connecticut General Assembly, the Judicial Branch for its continued commitment to the creation and expansion of an effective graduated system of meaningful punishments within Connecticut's criminal justice system.

The Justice Education Center, Inc. also appreciates the Department of Correction for its recognition of the importance of evaluation and financial support for the present effort. The Center further appreciates the collaboration with the Judicial Branch's Office of Adult Probation -- particularly Director Robert Bosco and Deputy Directors Terrence Borjeson and Michael Santese -- and the Department of Correction's Research and Management Information Systems' Director Charles Miller and his staff - analysts Patricia O'Hagan and Andrew Shook. Their participation in study design, data collection, and analysis strengthened the research immeasurably.

In addition, The Center gratefully acknowledges the efforts of the state agencies and their divisions in providing access to other necessary data. In particular, staff of Offices of Adult Probation throughout the state, and Thomas Carr, Thomas Kaput and Janice Prybison in the Hartford office were helpful throughout the process. Appreciation is also due to Court Operations' Frank Goetz and to Judicial Information Systems' Ursula Morrissey, and to the Office of Public Safety, especially James Zelle. In addition, The Center wishes to thank the Judicial Branch's Office of Alternative Sanctions and its Director, William H. Carbone, James Greene, and John Brooks for their contributions throughout this study.

Further, The Center wishes to extend its deepest gratitude to Dr. Eleanor Lyon, Research Associate at the Village for Families & Children, Inc., for directing this study with such diligence under contract with The Center. The substantial assistance of Dianna Aprea, part of Research and Planning Services' staff, was invaluable. In addition, thanks are due to the following research aides who worked on the study: Brenda Woznicki, Rebecca Pawlak, Susan Graham-Handley, Michael Prinzbach, Donaicis Alers, Tamara Weidt, and Richard Edwards.

The Center also wishes to extend its deepest appreciation to Janet Shute, writing consultant, whose contributions to the editing of the reports was invaluable. In addition, our gratitude is extended to Jennifer Cook who diligently worked on the revisions of the texts and provided the final reports.

Without the cooperation of these individuals and agencies this study would not have been possible.

The evaluation of these data and the conclusions drawn in this study benefited from review by many individuals throughout the criminal justice system. They are, however, the sole responsibility of The Justice Education Center, Inc., and do not represent the views of the State of Connecticut or any of its agencies.

In closing, The Justice Education Center, Inc. sincerely hopes that the information in this report will be a valuable tool for the Judicial Branch and the Department of Correction in promoting and developing a wider range of viable sentencing options.

# TABLE OF CONTENTS

	<u>Page</u>
<b>I. Significance of the Study</b> .....	4
<b>II. Background</b> .....	6
A. Introduction .....	7
1. History .....	7
2. Research Completed .....	7
B. The Study .....	8
1. Purpose of This Study .....	8
2. Findings from Phase I .....	8
3. Goals of Phase II .....	9
C. Study Methodology .....	10
1. Description of Research Samples .....	10
2. Framework of Sentencing Options .....	11
3. Format of Study Results .....	11
<b>III. The Alternative Sentence Samples</b> .....	13
A. Description of Samples .....	14
B. Summary of Findings .....	16
1. Demographic Characteristics .....	16
2. Criminal Justice Characteristics .....	16
3. Violations and New Arrests .....	16
C. Findings in Detail .....	17
1. Demographic Characteristics .....	17
2. Criminal Justice Characteristics .....	20
3. Violations and New Arrests .....	32
4. Interviews with AIP Clients .....	42
D. Programming Implications .....	47
<b>IV. The Incarceration Samples</b> .....	49
A. Description of Samples .....	50
B. Summary of Findings .....	51
1. Demographic Characteristics .....	51
2. Criminal Justice Characteristics .....	51
3. New Arrests .....	52
C. Findings in Detail .....	53
1. Demographic Characteristics .....	53
2. Criminal Justice Characteristics .....	55
3. Summary Comparison of AIP and DOC Comparison Samples .....	62
4. New Arrests .....	63
D. Implications .....	67
<b>Appendices</b>	
I. Methodology	
II. Characteristics of Sentenced Offenders	
III. Follow-up Interview	
<b>References</b>	

**I. SIGNIFICANCE OF THE STUDY**

## STATE

This study is the first comprehensive, statewide evaluation of Connecticut's alternative to incarceration programs, providing information to the Judicial Branch about the outcomes of pretrial and sentenced clients. While the results from the first year of this multi-year longitudinal study are not yet conclusive, they are highly suggestive and provide an argument for expanded use of carefully supervised sentences to community-based alternative to incarceration programs. In the second and subsequent years, more complete recidivism data and data on the Department of Correction's community supervision program and community-based services, for example, will be provided in depth.

The study has been conducted in two phases:

**Phase I: Pretrial Defendants** Phase I was completed in August, 1993. It provided an evaluation of pretrial alternative to incarceration programs, comparing defendants in the community on conditional release with a comparison group of defendants without conditions as part of their release status.

● **Findings determined that defendants released with conditions posed less risk to the community of new arrests and failures to appear in court than defendants who were ordered to post bond without additional conditions.**

**Phase II: Sentenced Offenders** Phase II provides an evaluation of offenders sentenced to alternative to incarceration programs, compared to similar offenders sentenced to incarceration, and those receiving sentences that combine incarceration with community programming. This multi-year longitudinal study will continue as offender behavior is monitored for additional years.

● **Initial results provided in this report indicate that offenders sentenced to community programs in most instances pose less risk to public safety as measured by new arrests than a comparison sample of offenders who were released after having been incarcerated. In addition, those categories of offenders who are typically the source of greatest concern to the public and to policy-makers -- those convicted of drug or violent crimes -- are doing better in the first year than other types of offenders under community supervision.**

## NATIONAL

While this study was designed to inform Connecticut's criminal justice program and policy planning efforts, it has national significance as well. Other states have studied intensive supervision probation by evaluating offenders who were sentenced to intensive supervised probation compared with regular probationers. While this study shares some concerns and issues that have been prominent in these evaluations, the focus of this project is different.

This is the first known statewide study to look at programs that have been explicitly designed and operated in the context of a statute that provides for alternatives to incarceration. This project is unique in its evaluation of alternative to incarceration clients and comparison groups of defendants and offenders who were actually incarcerated.

## II. BACKGROUND

## A. INTRODUCTION

### 1. History

In 1990, the Connecticut General Assembly passed Public Act 90-213. The Act established the Office of Alternative Sanctions (OAS) within the State's Judicial Branch to create and expand a statewide continuum of programs to augment the alternatives to incarceration available to the criminal justice system. Since that time, the number of pretrial and sentenced clients served annually by alternative programs has more than doubled, from under 2700 to over 5400; programs have become available in all courts in the state; and the types of program elements and the referral sources have diversified.

### 2. Research Completed

This development and expansion effort has been aided at each step by research sponsored by The Justice Education Center, Inc. The Center supported two studies that provided the foundation for the current research<sup>1</sup>:

- A 1991 **Offender Profile Study** that identified pools of pretrial and sentenced men and women who could be considered for community-based alternatives to incarceration; and
- A 1992 **Court Disposition Study** that analyzed the primary considerations used by the State's courts to determine who among a sample of convicted offenders would be incarcerated pretrial and after sentencing. This study also helped to identify characteristics of people who could be considered for community supervision programs.

---

<sup>1</sup> **1. Offender Profile Study: A Comparison of Criminal Justice Clients in Prison and in the Community. 1991.** Based on a "snapshot" comparison of 1609 sentenced and accused offenders at one moment in 1990, this research enabled OAS to project the numbers of incarcerated offenders who could be considered for intermediate sanctions instead of occupying a prison bed on a given day. The study identified types and categories of defendants, then incarcerated, who might safely have received community-based sanctions, e.g., large pools of non-violent offenders with short arrest histories. Special populations, underserved by current programming, were identified: women, Latinos, 16- and 17-year old youth, and substance abusers.

**2. Court Disposition Study: Criminal Offenders in Connecticut's Courts in 1991.** Data collected on a random sample of 3131 offenders with criminal cases disposed in Connecticut's courts during 1991 substantially extended the findings of the Offender Profile Study, enabling the Office of Alternative Sanctions to: project population flow and sentencing patterns to facilitate OAS's planning and development of community-based sanction programs; identify criteria for targeting appropriate offenders for intermediate sanctions; and develop a data base for longitudinal studies of outcomes and program effectiveness in future years.

## B. THE STUDY

### 1. Purpose of This Study

This study is the first comprehensive, statewide evaluation of Connecticut's alternative to incarceration programs, providing information to the Judicial Branch about the outcomes of pretrial and sentenced clients<sup>2</sup>. The study has been conducted in two phases:

**Phase I:** Phase I was completed in August, 1993. It provided an evaluation of pretrial alternative to incarceration programs, comparing defendants in the community on conditional release with a comparison group of defendants without conditions as part of their release status.

**Phase II:** Phase II provides an evaluation of offenders sentenced to alternative to incarceration programs, compared to similar offenders sentenced to incarceration, and those receiving sentences that combine incarceration with community programming. This longitudinal study will continue as offender behavior is monitored for additional years. Initial results are provided in this report.

### 2. Findings from Phase I: Evaluation of Pretrial Alternative to Incarceration Programs

The evaluation was based on two sample groups of criminal defendants. The first sample was composed of 785 defendants (9% of the total) who were given conditional release at arraignment between March 1, 1991 and February 29, 1992. The second sample was drawn randomly from defendants who were arraigned during the same time period, but did not have any conditions as part of their release status.

Findings of particular interest from this evaluation included:

- \* Defendants released with conditions posed less risk to the community of new arrests and failures to appear in court than defendants who were ordered to post bond without additional conditions.
- \* Regardless of the form of release, over 80% of the defendants were not charged with any illegal behavior during the pretrial period.
- \* Defendants charged with different types of crime tended to engage in different forms of pretrial misconduct.
  - Drug defendants were more likely to have new arrests, but not failure to appear.

---

<sup>2</sup> While this study was designed to inform Connecticut's criminal justice program and policy planning efforts, it has national significance as well. Other states have studied intensive supervision probation by evaluating offenders who were sentenced to intensive supervised probation compared with regular probationers (for example, Byrne and Taxman, 1994; Clear and Hardyman, 1990; Petersilia and Turner, 1990; Turner *et al*, 1992) and have expressed some concerns. However, this is the first known statewide study to look at programs that have been explicitly designed and operated in the context of a statute that provides for alternatives to incarceration. This project is unique in its evaluation of alternative to incarceration clients statewide who are compared with defendants and offenders who were actually incarcerated.

- Defendants charged with crimes against persons were more likely to have failures to appear, but not to have new arrests.
- \* Defendants supervised by different pretrial programs had different profiles. Those in the Alternative Incarceration Centers were the youngest and faced the highest rate of drug charges, except the drug-specific programs. Those supervised by Bail Commissioners were older, had longer criminal careers, and a history of more convictions.
- \* AIC programs had particularly high success rates with substance abuse offenders, compared to other programs which supervised large numbers. Bail contract programs also exhibited success with defendants facing serious charges.
- \* Chronic and petty misdemeanor offenders were found to be responsible for many of the failures to appear and arrests for new crimes. The number of prior convictions was a more powerful predictor of failure to appear and new arrests than the number of felony convictions or the seriousness of the immediate charges. In addition, most of the new arrests were for misdemeanors.
- \* Substantial short-term jail bed and cost savings have been accomplished by pretrial Alternative to Incarceration Programs.

These findings helped to guide the design of the present study.

### **3. Goals of Phase II: Evaluation of Sentencing Alternatives to Incarceration**

This evaluation of sentencing alternatives was conducted to achieve the following goals:

- \* To learn which categories of offenders commit new offenses or program violations, and what those offenses or violations are.
- \* To describe the demographic and criminal justice characteristics of offenders who were sentenced to an alternative program, and to compare these characteristics among offenders sentenced to different types of alternatives.
- \* To investigate differences in rates of new arrest, conviction, and program violation or violation of probation among offenders sentenced to different types of alternatives, and similar offenders who received sentences which involved incarceration.
- \* To learn which types of conditions, and for which categories of offenders, are associated with the lowest rates of post-sentencing violations or new arrests or convictions.
- \* To learn more about offenders' reactions to their sentencing experience, and their suggestions for improving sentencing effectiveness.
- \* To provide a basis for estimating the incarceration bed-days saved by the correctional system through the use of sentencing alternatives.

## C. STUDY METHODOLOGY

### 1. Description of Research Samples

To conduct this study of sentencing alternatives, several separate offender-based samples were drawn for comparative purposes. The goal was to include the range of sentences available for moderately serious offenders: excluding those convicted of the most serious and least serious crimes. The primary sampling aim was to allow appropriate comparisons to be made between offenders given "alternative" sentences and those sentenced to incarceration.

#### **Sample 1: Offenders sentenced under the Alternate Incarceration Program statute (Public Act 89-383).**

The first sample has 652 offenders: all of those who were sentenced for criminal behavior under the Alternate Incarceration Program (AIP) statute and who began serving their AIP term during calendar year 1992. The sample is based on all such offenders identifiable through the Office of Adult Probation's computerized Information System.

#### **Sample 2: DOC comparison group.**

The second sample contains 582 offenders sentenced to incarceration during 1992, randomly selected by Department of Correction (DOC) researchers within proportional parameters established to match the AIP sample on sex and severity of the most serious charge at conviction.

#### **Sample 3: Offenders sentenced to an Alternative to Incarceration Center (AIC) without a formal AIP assessment.**

This sample has 116 offenders: 52 identified by the Office of Adult Probation's computerized Information System, and 64 identified by AIC staff as having started the program during 1992 as sentenced offenders without an AIP referral.<sup>3</sup> However, 404 of the offenders sentenced under the AIP statute had an AIC as a condition, as did 2 others, so analysis is possible for 523 offenders who experienced an AIC as part of their sentence.

#### **Sample 4: Offenders sentenced to Hartford's Day Incarceration Center (DIC) without a formal AIP assessment.**

This sample has 52 offenders, identified by the program. However, 33 additional DIC clients were sentenced after an AIP assessment or AIC experience, so data were obtained for 85 DIC clients in total.

---

<sup>3</sup> This constitutes 67% of the "Direct sentence AIC" clients reported to the Office of Alternative Sanctions as added during 1992, the sample year.

**Sample 5: Offenders in Hartford's Intensive Supervision Drug Unit (ISDU).**

This sample has 130 offenders, identified by the program's computer. However, 36 additional ISDU clients were sentenced after an AIP assessment, so data were obtained for 166 ISDU clients in total.

**Sample 6: DOC transitional supervision group.**

This sample consists of 211 offenders sentenced to incarceration and eligible for the new transitional supervision program effective July 1, 1993. The sample was randomly selected by DOC researchers from their Management Information System.

**Sample 7: Offenders given "split" sentences.**

This sample consists of 236 criminal offenders sentenced in 1992 to serve one year or less of incarceration, followed by probation. This sample was randomly selected from a list generated from the Office of Adult Probation's Information System.

**2. Framework of Sentencing Options**

The seven samples cover most of the broad programmatic sanctioning options available in Connecticut for people who have been found guilty of moderately serious criminal offenses. "Moderately serious offenses" are defined here as those that are eligible for a prison or jail sentence under Connecticut's criminal statutes, but do not have mandatory prison sentences associated with the first conviction for the offense.<sup>4</sup> The term also includes relatively minor present charges which follow a substantial history of criminal violations.

**3. Format of Study Results**

Information on the offenders in the four "alternative" samples and the three incarceration samples included personal and criminal justice characteristics which were obtained from multiple sources, as described in Appendix I. In this first year, data on the community and program experiences of offenders in the alternative samples are more comprehensive and complete. Data collection in the second year will focus much more on the community and program experiences of offenders in the incarceration samples, as more are released. The results of this study are reported in two primary sections:

---

<sup>4</sup> Convictions for some offenses, such as homicide and first degree sexual assault, require a sentence to incarceration under state statutes. Others have mandatory prison sentences associated with the second or third conviction for the offense, such as some drug charges.

## **1. Alternative Sentence Samples**

- \* The characteristics and outcomes of the AIP sample are discussed, and compared with those for offenders who received "direct" sentences to three alternatives.
- \* Brief comparisons are made among the AIP sample, all offenders who were sentenced to an AIC (whether directly from the bench or after an AIP assessment), all who were sentenced to a DIC, and all who were adjudicated to Hartford's Intensive Supervision Drug Unit.

## **2. Incarceration Samples**

- \* The characteristics and outcomes of the DOC "comparison" sample are discussed, and compared with the AIP sample.
- \* The characteristics of the "transitional supervision" sample are discussed briefly. Since many of the offenders in this sample were sentenced in 1993, it is too soon to have enough post-release outcome data to report.
- \* The characteristics and outcomes of the "split sentence" sample are discussed and compared briefly.

### **III. THE ALTERNATIVE SENTENCE SAMPLES**

## A. DESCRIPTION OF SAMPLES

The four "alternative" samples are defined primarily by the way the sentencing occurs. Table 1 shows the total number in each of the four alternative samples.

**TABLE 1**  
**The "Alternative" Samples**

Type of Sentence	Number
Alternate Incarceration Program	652
Direct: Alternative to Incarceration Center	116
Direct: Day Incarceration Center	52
Intensive Supervision Drug Unit	130

**Alternate Incarceration Program (AIP)** sentences occur when the prosecutor indicates that the defendant can expect a sentence to incarceration, and agrees with defense counsel to have an assessment conducted by a Probation Officer. The judge in the case makes a referral to the Office of Adult Probation, which investigates the defendant for suitability for an AIP sentence. The investigating officer develops an AIP plan, specifying the conditions which should be part of the sentence, or advises the court that the defendant is inappropriate. After the assessment is provided to the court, the judge determines the sentence. AIP sentences also involve suspended periods of incarceration.

AIP sentences generally include specific conditions which must be met; these are formally supervised by a Probation Officer assigned to the case. Among the most common conditions are a period of extra supervision at an Alternative to Incarceration Center (AIC), drug evaluation or treatment, and community service. Supervision at a Day Incarceration Center (DIC), intensive supervision, electronic monitoring, and orders not to contact particular people are among the other conditions.

**Direct Alternative to Incarceration Center** sentences occur when a judge sentences a defendant to a period of probation and includes a period at an AIC as a condition. This sentence can (and does) occur without a prior assessment by a Probation Officer.

AIC programs are operated by private non-profit agencies in 17 sites across the state. They are designed as community-based alternatives to jail or prison, and accept clients for periods up to six

months. AICs are open a minimum of six days each week. Staff assess client needs; monitor conditions set by the court; arrange for drug evaluation and urinalysis; and offer education and treatment services both in-house and by referral.

**Direct Day Incarceration Center** sentences occur when a judge sentences a defendant to a period of probation and includes a period at a DIC as a condition. This sentence, too, can occur without a prior assessment by a Probation Officer.

There are currently two DIC programs operated by private non-profit agencies: one in Hartford and one in Bridgeport. In 1992, the Hartford DIC was the only one. The DICs are designed as community-based alternatives to jail or prison for somewhat more serious offenders than those intended for AICs. The DICs accept clients generally for periods up to four months. These centers are open seven days a week. Clients report to the DIC during the day and most are on electronic monitoring (a few are in transitional housing) at night, so they are under supervision 24 hours per day. DIC staff assess client needs; monitor court conditions; arrange for drug evaluation and urinalysis; have two teachers who offer GED and pre-GED classes; and offer other education, job-related, and treatment services both in-house and by referral.

**Intensive Supervision Drug Unit** sentences occur after an assessment determines that an offender is "drug dependent". This means that the client uses drugs regularly, and his/her drug use was related to the present criminal behavior.

Hartford's specialized unit was the first in the state, and began as the result of a grant in 1989. The unit operated under the concept of "zero tolerance". Clients are under close surveillance by probation officers who are expected to average four face-to-face contacts per month. At least two of these contacts occur as "field visits" to the client's home or neighborhood. Urine testing is expected to occur at every contact, and "dirty" urines have consequences. Many of these clients begin their sentence with up to 28 days of residential treatment. Through regular contacts, probation officers in the ISDU try to teach accountability.

The Unit has accepted all cases referred under the drug treatment statute, Public Act 89-390. Under this statute, pretrial or sentenced drug users can be ordered into treatment programs after an assessment by staff from the state agency with jurisdiction over these cases.<sup>5</sup> Involvement in this program is by statute an alternative to incarceration.

---

<sup>5</sup> In 1992, the period included in the study sample, the agency was the Connecticut Alcohol and Drug Abuse Commission (CADAC). Currently this function is part of the Department of Public Health and Addiction Services (DPHAS).

## **B. SUMMARY OF FINDINGS**

### **1. Demographic Characteristics**

Demographic characteristics of the AIP sample are presented as part of the table in Appendix II, along with comparative data for those who were given the three other alternative sentences. In general, AIP clients are young, single males, with less than a high school education who are members of racial/ethnic minority groups. Comparison with the three other alternative sentence groups shows that the direct DIC and AIC clients are youngest, and those in the ISDU are significantly older and more likely to be married and have children. The two Hartford-based programs (DIC and ISDU) have higher proportions of racial/ethnic minority clients.

### **2. Criminal Justice Characteristics**

Most of the AIP clients are convicted of felony drug or violent crimes. Many have prior convictions, including felony convictions, and prior probation sentences, although this is the first arrest of record for many others. The AIP clients are convicted of more serious crimes than those who received the other alternative sentences, but have fewer prior convictions and shorter criminal histories than the direct AIC and ISDU clients. DIC clients are the youngest and have the shortest criminal histories, while ISDU clients are oldest and have the longest histories.

Clients in all alternative programs have drug and alcohol problems at substantial rates; this is most true of ISDU clients and least true of the youngest, the DIC clients. Drug and alcohol problems also distinguish among types of crime and the clients who have committed them. Caucasians are most likely to have alcohol problems and commit violent crimes, while African-Americans and Latinos are more likely to have drug problems and be convicted of drug offenses. Drug and alcohol problems are reflected in probation conditions: drug treatment and monitoring are among the most common, along with employment and education or training.

### **3. Violations and New Arrests**

Records show that 31% of AIC clients have no program violations of any kind, including the most minor. Less than a third of the clients in any of the programs have formal probation violations recorded. Less than a quarter of AIP clients and 27% of the entire group of AIC clients have been arrested again a year after their sentence began. In general, the younger the client, the more likely he/she is to have been arrested again within a year. This holds true across programs, and remains a strong predictor even when such other factors as the type and severity of charges at conviction and criminal history are controlled.

## C. FINDINGS IN DETAIL

### 1. Demographic Characteristics

**Sex.** Eighty-three percent of the AIP clients are male. While higher percentages of the DIC clients sentenced directly from the bench and the ISDU clients are male (89% and 88%, respectively), these differences among alternative sentences are not significant statistically.

**Race/ethnicity.** Sixty-two percent of the AIP clients sentenced in 1992 are racial/ethnic minorities, and 38% are Caucasian. There are significant differences in the distribution of race/ethnicity among offenders who received the alternative sentences sampled, as shown in Table 2. While AIC clients sentenced from the bench are more likely than the others to be Caucasian, this pattern is primarily a result of the fact that half of the AIC clients sentenced from the bench come from three courts; in two of those courts, a majority of the alternative populations are Caucasian, and, on

**TABLE 2**  
**Race/Ethnicity by Type of Alternative Sentence**  
(In Percent)

Race/Ethnicity	AIP	Direct AIC	Direct DIC	ISDU
Caucasian	38	58	6	25
African American	37	29	56	41
Latino	25	13	39	34
Other	*	--	--	1
TOTAL (N)	100% (652)	100% (113)	101% (52)	101% (130)

average, direct sentencing is as common as sentencing through the P.A. 89-383 statute. In contrast, the two programs based in Hartford are more prominently composed of racial/ethnic minorities, a reflection, in part, of the residential and criminal defendant population in the Hartford area.

**Age.** AIP clients are young: 36% are under age 21, and 15% are age 17 or younger. Further, these younger AIP clients are disproportionately racial/ethnic minorities: 41% of the African Americans and 43% of the Latinos are under age 21, compared to 27% of the Caucasians.

AIP clients also differ significantly in age from clients who received the other three alternative sentences, as shown in Figure 1. Directly sentenced DIC clients are the youngest: 35% are age 17 or younger, and over two-thirds are under 21, while 40% of the "direct sentence" AIC clients are under 21. Since late teens and early twenties are the ages when arrests are often concentrated, these young offenders make reasonable candidates for non-incarcerative programs that have high levels of supervision coupled with remedial and treatment services.

# Age by Type of Alternative Sentence

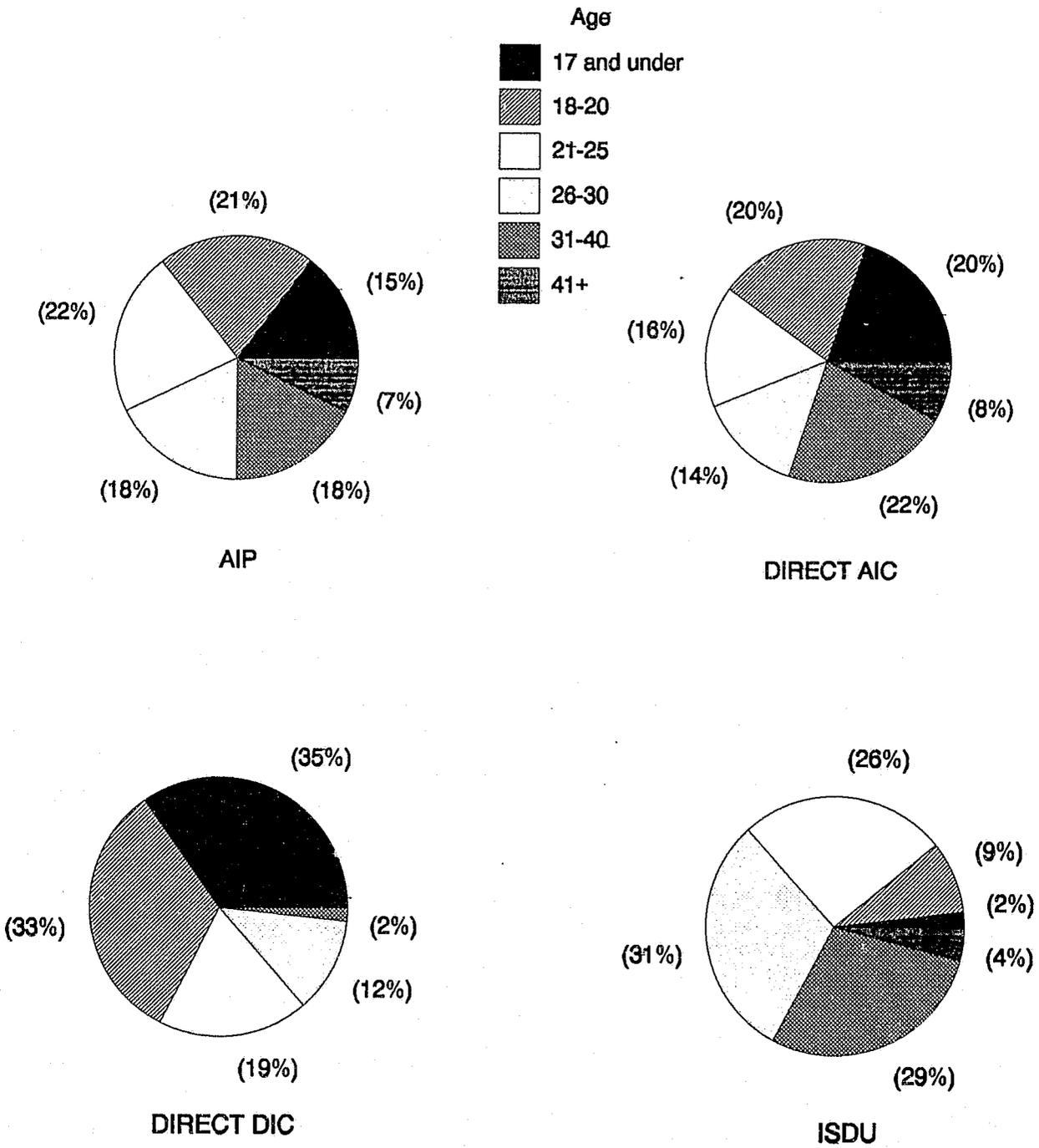


Figure 1

The ISDU clients, in contrast, are significantly older than the others: 57% are in their 20s, and an additional 29% are in their 30s. This age difference results from the reason for their entry into the program: they are seen as people with established drug dependency, without which they might not be involved in criminal activity. Many have had multiple years of drug use before ISDU involvement (but commonly little experience of drug treatment, according to program staff).

**Education.** A majority of offenders in all of the alternative samples have educational deficits. 59% of the AIP clients, for example, have less than a high school education. At that rate, they have the highest percentage of high school graduates of the four alternative sentence groups, although the differences among groups are not significant statistically. Nonetheless, 81% of the DIC clients have not received a high school diploma, compared to 65% of the "direct" AIC and 60% of the ISDU clients.

Among AIP clients, educational deficits are significantly higher among Latinos: nearly 26% have finished 8th grade or less, and 82% have not graduated from high school. In contrast, 8% of the Caucasian and African American clients have 8 years of schooling or less. Further, this is not a solely a product of age, as shown in Table 3. Certainly, most of the clients who are age 17 or under would not ordinarily be expected to have graduated from high school, in any case. Table 3 shows the attained educational levels of AIP clients age 18 or older by their race/ethnicity. While the profile of education levels for Caucasians and African Americans is essentially the same, Latino clients still reveal deficits in formal education: 78% have not finished high school.

**TABLE 3**  
**Education by Race/Ethnicity: AIP Clients Age 18 and Older**  
(In Percent)

Education Level	Caucasian	African Amer	Latino
Up to 8th Grade	8	8	24
9th - 11th Grade	35	39	54
High School Grad	47	46	21
Some College	8	8	2
College Grad	2	--	--
TOTAL % (N)	100% (210)	101% (187)	101% (127)

**Living Circumstances.** AIP clients tend to be single and a majority report having no dependent children. 77% have never been married, and 53% have no dependents.<sup>6</sup> Offenders sentenced directly to an AIC or DIC are slightly more likely to be single (81% and 84%, respectively) and not to have dependent children (57% and 54%). ISDU clients, in contrast, are significantly more likely to be currently or previously married (35%), and to have dependent children (64%). Since they are older, ISDU clients are more likely to have started families of their own.

This pattern is consistent, too, with available information about employment.<sup>7</sup> Offenders sentenced to the ISDU are most likely to be employed at intake (48%), compared to 46% of AIP, 44% of direct AIC, and just 34% of direct DIC clients.

As studies find consistently, gender is another factor which affects an offender's family situation. Female AIP clients are significantly less likely than the men to be single (65%, compared to 79% of the men). They are also substantially more likely to have dependent children: 72% have at least one dependent child, compared to 42% of the men. Again, age contributes to this difference: just 26% of the women in the AIP are under age 21, compared to 39% of the men.

## 2. Criminal Justice Characteristics of Offenders in the "Alternative" Samples

**Charge Seriousness.** AIP clients are convicted of significantly more serious crimes than offenders who receive other "alternative" sentences, as shown in Table 4. Ninety percent of them are convicted of felonies; ISDU clients are next most serious, with 84% felony convictions. Offenders sentenced directly to the Day Incarceration Center are also serious: 10% are convicted of a Class A or B felony. Fewer DIC clients are convicted of Unclassified felonies (primarily drug offenses, but also illegal weapons crimes) than is true of those sentenced to AIP or ISDU. The offenders sentenced directly to AIC are more likely than the others to be convicted of Class A misdemeanors. These are most commonly assault, threatening, or middle range larceny crimes; they are potentially punishable by as much as a year of incarceration. Offense severity has commonly been related to further criminal behavior in past studies.

---

<sup>6</sup> While data on living circumstances are not complete, marital status is available for 94% of AIP clients, and 91% have information on number of dependents.

<sup>7</sup> Employment data are available for 93% of AIP clients, but just 63% of direct AIC, 73% of direct DIC, and 62% of ISDU clients.

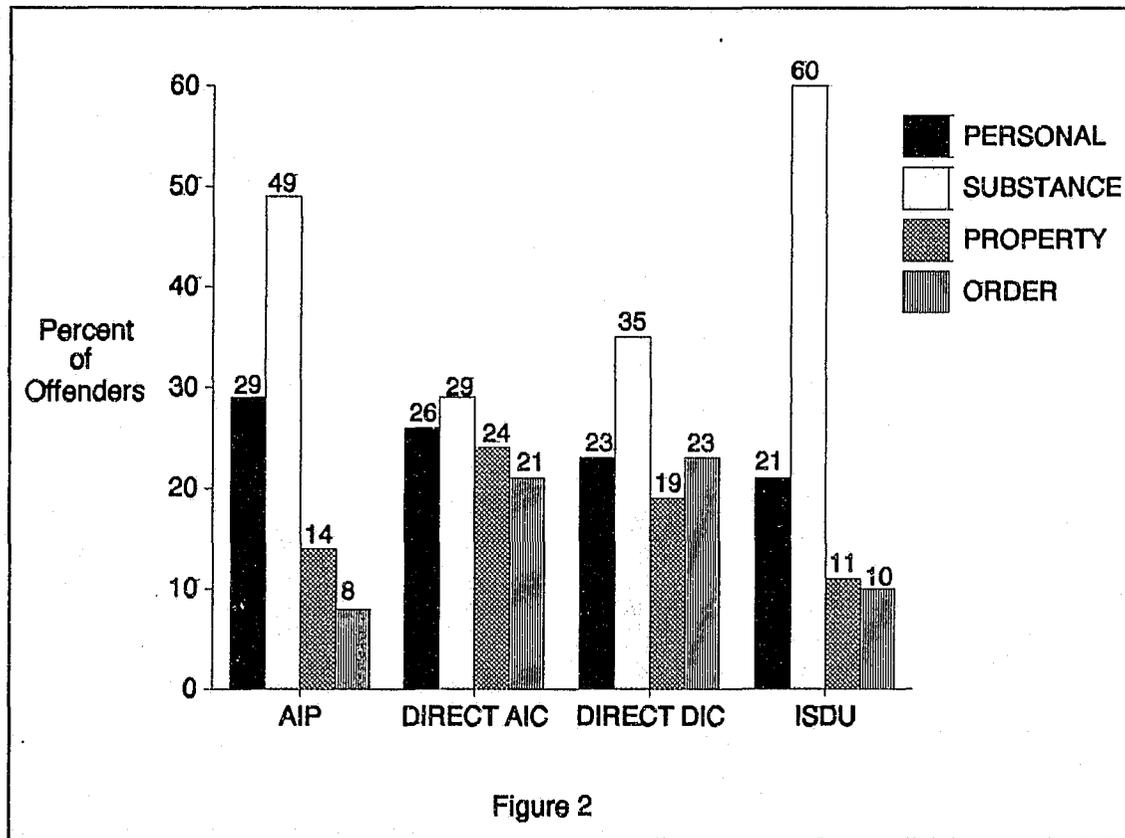
**TABLE 4**  
**Severity of Most Serious Charge by Type of Sentence**  
(In Percent)

Charge at Conviction	AIP	Direct AIC	Direct DIC	ISDU
A Felony	*	--	4	--
B Felony	4	3	6	2
C Felony	8	9	12	5
D Felony	20	22	17	17
Unclassified Felony	58	33	39	60
Unclassified Misdemeanor	1	5	17	2
A Misdemeanor	7	21	6	10
B Misdemeanor	1	3	--	2
C Misdemeanor	1	5	--	3
D Misd., Infraction	--	1	--	--
TOTAL % (N)	100% (652)	101% (115)	101% (52)	101% (130)

Among AIP clients, African Americans and Latinos are significantly more likely to have been convicted of a felony (92% and 94%, respectively, compared to 88% of Caucasians), while more Caucasians (9%) are convicted of Class A misdemeanors (primarily violent crimes). Unlike past studies, there is no statistically significant difference in the severity of crimes between the men and women who received these "alternative" sentences.

**Charge Type.** AIP clients have also been convicted primarily of what are commonly regarded as the most serious types<sup>8</sup> of crime, as shown in Figure 2. 78% are convicted of a personal or drug related offense. ISDU clients are convicted in these categories at slightly higher rates, because of the preponderance of drug charges. The directly sentenced AIC and DIC clients, in contrast, have been convicted of a broader range of crimes. Their relatively high rates of public order convictions are partly due to violations of probation which led the court to try closer monitoring in response, and partly due to convictions for illegal possession of weapons.

### Most Serious Charge Type by Sentence



<sup>8</sup> Crimes against persons are generally considered violent crimes. They include sexual assault, robbery, assault, kidnapping, risk of injury to a minor, burglary, threatening, and others. Substance crimes are primarily drug sales and possession, although selling alcohol to a minor, use of paraphernalia, "operating a drug factory", and others are also found occasionally. In recent years, drug possession or sales near a school has been an important category of "substance" crime. Property crimes include larcenies, "use of a motor vehicle without permission, forgery, bad checks, credit card fraud, arson, trespassing, and others. Public order offenses include failure to appear in court, violation of probation, prostitution, unlawful possession (not use) of weapons, disorderly conduct, and breach of peace.

AIP clients age 17 or younger are less likely than their older counterparts to have been convicted of drug crimes or crimes of violence. There are also significant distinctions by race/ ethnicity: 42% of Caucasians are convicted of a violent crime (compared to 22% of African Americans and 20% of Latinos), and 35% are convicted of a drug offense (compared to 58% of African Americans and Latinos). Again, unlike past studies, there are no differences between men and women AIP clients in the type of charge at conviction.

**Over all, 49% of the AIP clients are convicted of felony drug charges.** Over half (51%) of the Class A misdemeanants are convicted of violent crimes, while 30% are convicted of crimes against the public order.

**Codefendants.** AIP clients are significantly more likely than the others to have codefendants in their cases. 35% are convicted of a crime in an incident in which there is at least one other person similarly charged with criminal activity. In many cases, but certainly not all, this means "gang" activity. ISDU clients are the least likely to have codefendants: just 23% do. Even if having at least one codefendant does not mean "gang"-related crime, it is likely to be an indication of friends or acquaintances who also engage in illegal behavior. Criminal associates has been an important predictive factor in several recent studies.<sup>9</sup>

Further analysis shows that Latino AIP clients are more likely than Caucasians or African Americans to have co-defendants in their cases: 42% have at least one, compared to 35% of Caucasians and 30% of African Americans. Clients convicted of drug charges are also most likely to have codefendants: 38%, compared to 34% of violent, 31% of public order, and 29% of property offenders.

**Previous Criminal Convictions.** Over half (55%) of the AIP clients have not been convicted of a crime in the past,<sup>10</sup> although 13% have records of six prior convictions or more. In general, the less serious the present crime, the more likely the client is to have a record of previous convictions. Similarly, clients convicted of personal and property crimes are more likely than the others to have prior convictions (half of those with personal crimes and 52% of property crimes, compared to 40% of drug offenders).

Clients given other "alternative" sentences are more likely than those sentenced under the 89-383 statute to have prior convictions. Seventy-five percent of the direct AIC and ISDU clients have "priors", but just 56% of the DIC clients do.

---

<sup>9</sup> For example, it is an important dimension in the Level of Supervision Inventory (LSI) developed by researchers in Ottawa, Ontario, and validated for several correctional populations in recent years. See Andrews, Bonta, and Hoge, 1990; Bonta and Motiuk, 1992; and Shields and Simourd, 1991 for examples.

<sup>10</sup> This statement can be somewhat misleading. For example, when a person is adjudicated as a "youthful offender", as were many of the youngest AIP clients in this study, the official record is expunged after a successful period of supervision. Similarly, adult first offenders (and again, there are some in this sample) may be granted "accelerated rehabilitation" under the supervision of the Office of Adult Probation. When the term and conditions have been met successfully, the charges are "dismissed", and the official record is erased. This also occurs with some first drug offenders, some of whom are in this study.

Data on prior felony convictions reveals the same pattern, as seen in Table 5. Clients sentenced through the AIP statute and directly to the DIC are least likely to have prior felony convictions (28% and 35%, respectively, have prior felonies), while ISDU clients are most likely (61% do). ISDU clients have primarily been convicted of drug offenses in the past.

Prior felony convictions contribute to some misdemeanants' sentences to these alternative programs. For example, the AIP clients whose present offense is an Unclassified or B misdemeanor are the most likely to have past felony convictions. There are no differences in prior felonies by sex or race/ethnicity. Prior felony convictions apparently influenced direct AIC sentences, as well, since 55% of these clients have felony histories.

**TABLE 5**  
**Prior Felony Convictions by Type of Sentence**  
(In Percent)

# Felony Convictions	AIP	Direct AIC	Direct DIC	ISDU
None	72	45	65	39
One	12	37	23	20
Two-Three	10	11	10	20
Four-Five	3	2	2	13
Six or More	3	5	--	9
TOTAL % (N)	100% (652)	100% (115)	101% (52)	101% (128)

**Previous Probation Experience.** Information about prior probation experience is consistent with data on past convictions. AIP clients are least likely to have been sentenced to a probation term before (36%), followed by DIC (50%), ISDU (61%), and direct sentence AIC clients (62%). It follows that AIP clients are also least likely to have histories of formal violation of probation charges (just 6% do, compared to a range of 17% to 21% for the other three groups). The AIP clients also have the lowest rates of probation violation charges.<sup>11</sup> Just 17% of those who have been sentenced to probation have violation histories, compared to 28% for the AIC clients, 34% for ISDU clients, and 38% of those sentenced directly to the DIC.

**Criminal "Career".** Past studies have commonly found that the length of time an offender has been

<sup>11</sup> The rate is based on the number of clients who received probation sentences in the past: the percentage who were arrested and charged with violation of probation.

involved in criminal activity is associated with likely future crime--until age begins to interfere. For a majority of AIP clients (51%), the present sentence was based on their first recorded arrest.<sup>12</sup> The present sentence was the first one for 41% of the direct sentence AIC clients and 42% of the direct DIC clients, but just 34% of the ISDU offenders.

Looking at the other end of the "career" measure, a third of AIP clients have "careers" of over two years, and 21% are at least five years from their first arrest and conviction. This pattern is similar to the directly sentenced AIC clients, 23% of whom have "careers" of five years or longer. ISDU clients are older, and have been involved with crime for a longer period: 29% for over 5 years. The DIC clients, most of whom are still quite young, also have the shortest criminal careers: just 12% have over five years since their first formal arrest and conviction.

**Drug and Alcohol Problems.** Identifiable drug and alcohol problems have also been found in the past to be related to criminal behavior.<sup>13</sup> Nearly four-fifths (78%) of the AIP clients have been identified as having drug problems, and rates are elevated for the other groups, as well.<sup>14</sup> 75% of the AIC clients and 63% of the DIC clients have drug problems, as do, of course, all of the ISDU clients. Similarly, alcohol problems are highest among the ISDU clients (80% have problems), lowest among the DIC clients (31%), and in the middle range for offenders with AIP (61%) and AIC (69%) sentences.

Among AIP clients, there are no significant differences in drug problems by gender or race/ethnicity, but Caucasians are substantially more likely than African Americans or Latinos to have alcohol problems. Three quarters of them do, compared with 51% and 53% for African Americans and Latinos, respectively. In addition, drug and alcohol problems are most commonly identified for clients between the ages of 21 and 40, with the greatest concentration among those in their 30's. Eighty-six percent of the clients in their 30's have drug problems and 76% have trouble with alcohol. The lowest rates of problems are found among the youngest and oldest age groups. This helps to account for the lower rates of problems among the DIC clients.

Finally, there are differences in rates of drug and alcohol problems by type and severity of crime at conviction. Drug offenders are most likely to have drug problems (88.5% do), followed in order by property (72%), personal (67%), and public order offenders (62%). As in past studies,<sup>15</sup> alcohol

---

<sup>12</sup> Again, this information can be misleading because arrests are eliminated from a criminal record if the defendant is not found "guilty". In addition to adjudication as youthful offenders, accelerated rehabilitation, and drug program, which can lead to formal "dismissal" of the charges, prosecutors may decide to "nolle" a case. In this instance the charges are erased from the record if the prosecutor does not reopen them within 13 months. And, of course, a person may be arrested and found "not guilty". All of these arrest situations are erased from the formal record and therefore are not counted in the "criminal career".

<sup>13</sup> Certainly, the consumption of most drugs related to "drug problems" involves illegal behavior in itself, since a person must ordinarily "possess" a drug before it can be consumed.

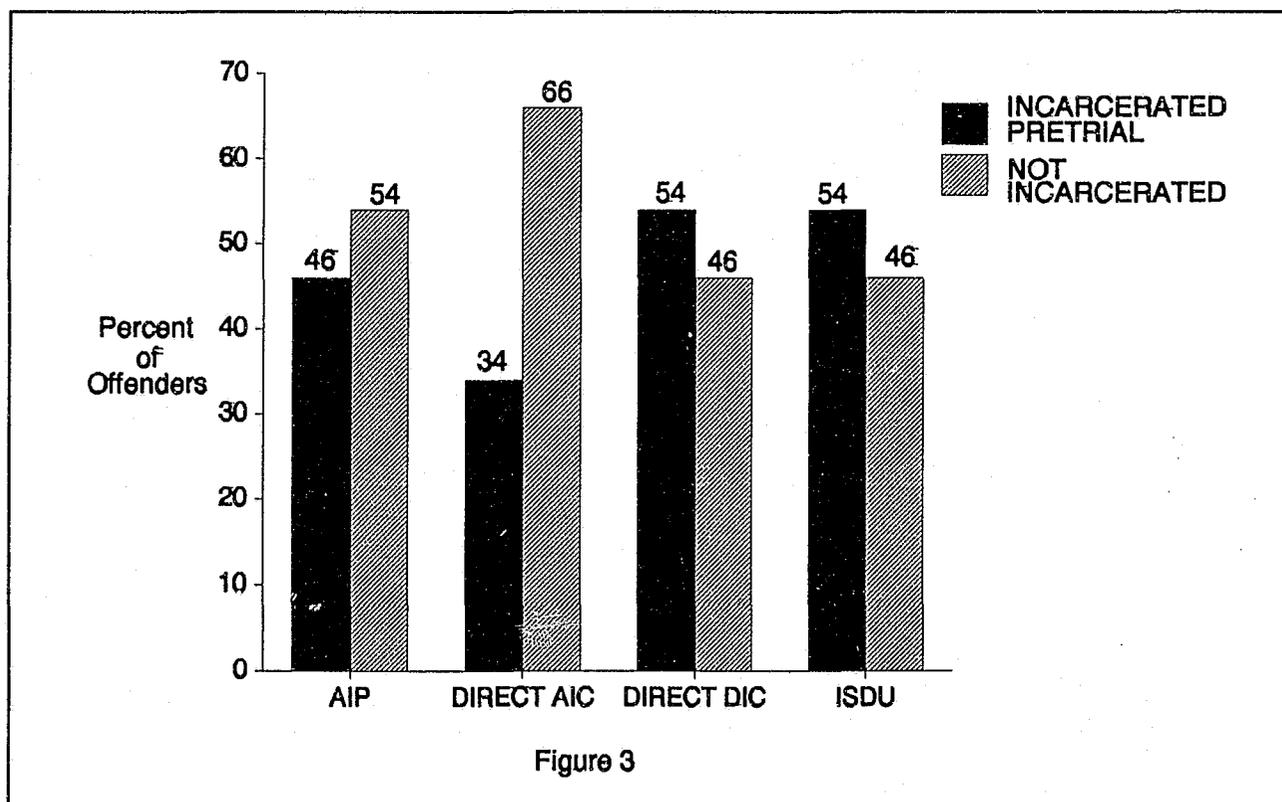
<sup>14</sup> Although the percentages reported here may be low, they are based on information from several sources, including the pre-sentence investigation reports prepared by probation officers, private non-profit community agency assessments, probation intake records, and court-ordered drug treatment conditions.

<sup>15</sup> See, for example, **Alternatives to Incarceration, Phase I: Pretrial Evaluation.**

problems are distributed differently. AIP clients convicted of personal crimes have the highest rates of alcohol problems (67%), followed by property (61%), substance (59%), and public order offenders (47%). As past studies have also shown, the seemingly less serious Class A Misdemeanor violent crimes (such as assault 3, threatening, and harassment) are associated more with alcohol than drug problems: 72% of A Misdemeanants have identified alcohol problems, while less than 60% have drug problems.

**Pretrial Incarceration.** Less than half (46%) of the AIP clients were incarcerated during the pretrial period,<sup>16</sup> as were even fewer (34%) of the direct AIC clients, as seen in Figure 3. In contrast, 54% of both the DIC and ISDU clients were confined for at least a portion of their pretrial time. Past studies have found consistently that pretrial incarceration is related to sentencing and other criminal justice experience.<sup>17</sup>

### Pretrial Incarceration by Type Alternate Sentence



<sup>16</sup> It is important to note that "incarceration during the pretrial period" can occur for a variety of reasons, and they are not distinguished here. If a person was admitted to a DOC facility during the time between arrest for the study incident and its disposition, then he/she was coded as incarcerated, and the complete amount of time was calculated. It is possible, then, that the incarceration during this time was related to a different offense.

<sup>17</sup> See, for example, **Court Disposition Study: Criminal Offenders in Connecticut's Courts in 1991.**

In general, offenders in these samples were not imprisoned pretrial for extensive periods of time. 20% of the AIP clients were incarcerated for a week or less, as were 14% of AIC, 11% of DIC, and 8% of ISDU clients. The ISDU clients were incarcerated the longest: 28% were confined for over 3 months, compared to 7% of AIP, 6% of AIC, and 4% of the DIC clients. In some cases, clients in programs designed as alternatives to incarceration have already experienced months of confinement prior to their sentence.

**Sentence Length.** AIP clients are sentenced to significantly longer periods of probation than those who received the other alternative sentences, as shown in Table 6. In fact, 86% are sentenced to two years or more. Notably, however, a higher proportion of ISDU clients are sentenced to the longest periods of probation supervision: 30% got over three years, compared to 21% of AIP clients.

**TABLE 6**  
**Length of Probation Sentence by Type of Alternative**  
(In Percent)

Length of Probation	AIP	Direct AIC	Direct DIC	ISDU
Up to 6 Months	*	2%	--	--
7 - 12 Months	1%	11	2%	4%
13 - 18 Months	1	5	--	14
19 - 24 Months	12	16	40	9
2 - 3 Years	65	56	47	43
3 - 5 years	21	10	12	30
Over 5 Years	*	--	--	--
TOTAL (N)	100% (641)	100% (102)	101% (43)	100% (113)

**Sentence Conditions.** In general, offenders who are sentenced to one of the "alternative" programs are ultimately responsible to a Probation Officer who monitors their behavior and supervises their compliance with court-ordered conditions. In some cases the conditions simply require that they comply with the regulations of the particular program, such as an AIC.<sup>18</sup> In other cases, there is a list of specific conditions identified. It is possible for an individual to have many specific conditions attached to his/her probation sentence; AIP clients have as many as 22 conditions listed. Table 7 clearly shows the variation in number of formal probation conditions.

<sup>18</sup> In these cases, if the offender is sentenced directly to a program from the bench, the program may not be listed within the probation system as a formal "condition" of probation.

**TABLE 7**  
**Number of Probation Conditions by Type of "Alternative" Sentence**  
(In Percent)

Number of Conditions	AIP	Direct AIC	Direct DIC	ISDU
None	--	7	27	15
One	1	10	17	9
Two	1	5	10	6
Three - Five	21	41	17	29
Six - Ten	57	33	21	26
Eleven or More	20	5	8	16
TOTAL % (N)	100% (652)	101% (116)	100% (52)	101% (130)

AIP clients clearly have significantly more conditions than those in the other groups: 77% of them have six or more. This comparison could be somewhat misleading, since many requirements and restrictions are involved automatically in participation in the other alternatives. DIC clients, for example, must be under electronic surveillance at all times they are away from the center. For AIP clients, electronic monitoring would be a special condition.

Nonetheless, these variations do not account for all of the differences in numbers of conditions across types of sentences. The differences are also a result of the way the groups are sentenced. AIP clients have undergone a pre-sentence assessment by a Probation Officer who has recommended a set of court-ordered conditions individually tailored to their risks and needs. For the others the conditions are more likely to be set by the program.

One of the most common types of conditions involves drug-related interventions. The most common of these include drug evaluation, urinalysis, treatment, alcohol evaluation and treatment, "no use/possession" of drugs, attendance at Narcotics or Alcohol Anonymous meetings, "drug team", and "substance abuse monitoring".

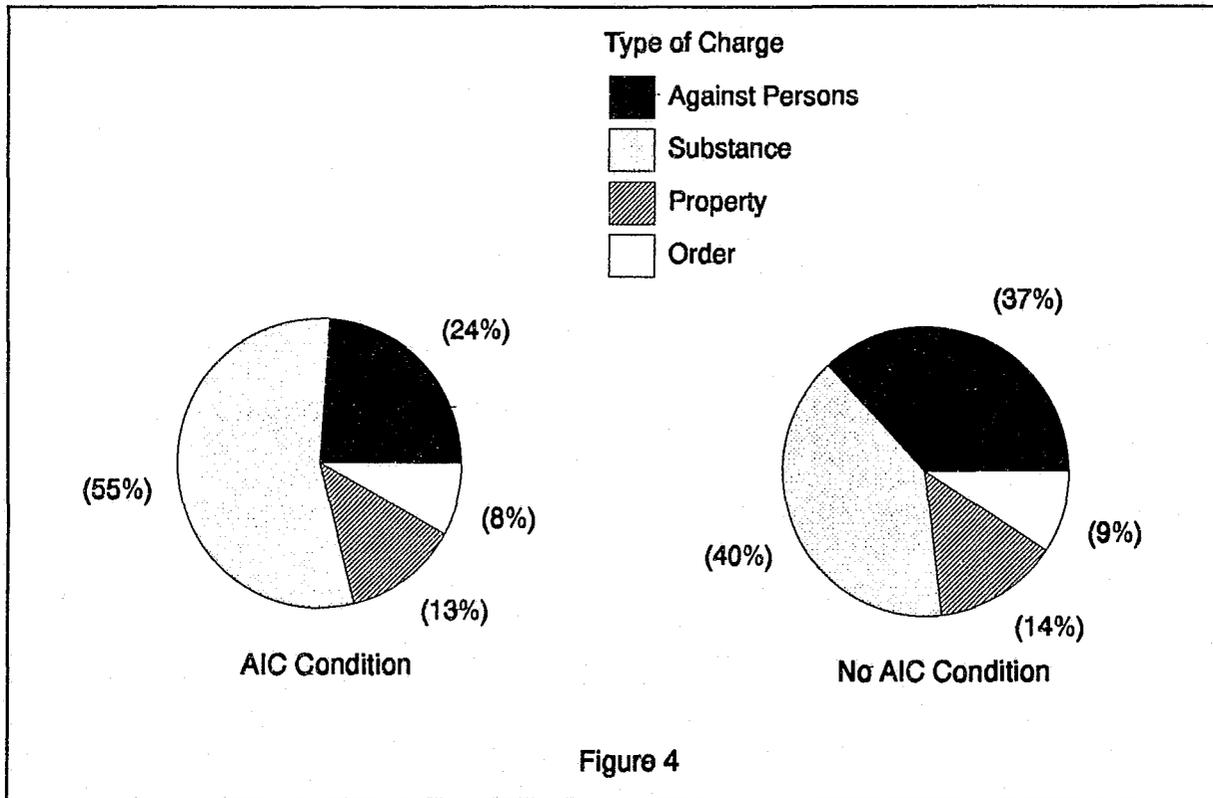
AIP and ISDU clients are significantly more likely than the others to have at least some formal drug conditions attached to their sentences (80% of AIP clients have drug conditions, and the ISDU program in itself involves drug conditions), and people supervised through the ISDU are most likely to have four or more. 23% of the AIP and 42% of the ISDU clients have four or more drug-related conditions as part of their sentence, compared to 19% of the direct AIC and DIC clients.

AIP clients who are age 17 or younger are the least likely to have drug conditions. However, clients who have been convicted of personal or drug crimes are significantly more likely to have drug conditions as part of their sentences. 88% of the drug offenders and 74% of those convicted of

personal crimes have at least some drug conditions, compared to 70% of those convicted of property crimes and 68% of public order offenders.

Perhaps the most important distinction for offenders sentenced under the AIP statute is whether or not time under AIC supervision is included among the conditions. **A majority (62%) of the AIP clients have an AIC as one of their conditions.** There are several statistically significant differences between AIP clients who have an AIC condition and those who do not. Those who are ordered to report to an AIC are less likely to be age 17 or younger, and more likely to be convicted of a felony (93% vs. 87%). AIP clients convicted of Unclassified or Class C felonies are most likely to have AIC as a condition. Clients with AIC conditions are more likely to have multiple conditions to monitor. 81% of those whose sentence included time at an AIC have six or more conditions, compared to 70% of those whose sentence do not include an AIC. In addition, the AIP clients with an AIC condition are also more likely to have been convicted of a drug crime, and less likely to have been convicted of a crime against persons, as seen in Figure 4. Notably, however, prior convictions do not distinguish the two groups. Indeed, the AIC clients have somewhat fewer prior felony convictions, although the difference is not significant statistically. These differences underscore the fact that the AICs have been used substantially as places where drug offenders in particular can receive extra community supervision and coordinated treatment programming.<sup>19</sup>

### People Sentenced Under AIP Statute: A Comparison of Charge Type by AIC as a Condition



<sup>19</sup> These data are compatible with the patterns found in the pretrial study, where the AICs and Bail Contract programs were used especially for people accused of drug crimes.

However, there are also differences among AIC clients associated with the way they came to the program. Those who are sentenced to AIC directly differ from those who are sentenced through the statute. **Offenders sentenced to an AIC directly are different from those who are sentenced to an AIC as a 383 condition in the following ways.** Those sentenced under the statute:

- \* are convicted of more serious crimes (93% are convicted of a felony, compared to 65% of the direct AICs);
- \* are more likely to be convicted of a personal or drug crime (78% compared to 56%);
- \* are more likely to be African American or Latino (62% compared to 41%);
- \* have fewer prior convictions (44% of those sentenced through the statute have prior convictions, compared to 74% of the direct AICs); and
- \* have more probation conditions attached to their sentences (79% have six or more, compared to 39% of the direct AICs).

Because of these differences in condition, Table 8 shows the distribution of probation conditions across program types. That is, all AIC clients are included in the "all AIC" column, whether they are sentenced under the AIP statute or not, as are the DIC and ISDU clients.<sup>20</sup> It is clear that employment and/or education or training are the two most common conditions (apart from those related to drug interventions). A period of "intensive probation", in which more frequent monitoring and more face-to-face contacts occur, is also common, particularly for AIP clients. Finally, the table shows that community service and restitution are also frequent conditions, and "no contact" orders are part of over 10% of these sentences.

---

<sup>20</sup> These categories are not discrete, that is, an individual could be included in more than one. For example, someone sentenced to an AIC through the 383 statute would be included in both the "all AIP" and "all AIC" figures. Therefore, differences cannot be assessed for their statistical significance, except where this overlap cannot occur. Differences among the specific programs (all AIC, all DIC, and all ISDU) are statistically significant for restitution, employment, education/training, and mental health treatment.

**TABLE 8**  
**Probation Conditions by Type of Program**  
 (Percent with Condition)

Condition of Probation	All AIP	AIP w/o AIC	All AIC	All DIC	All IDSU
Drug Condition	80%	77%	78%	48%	100%
Education/Training	56	44	54	48	28
Employment	60	56	54	27	34
Intensive Probation	26	27	17	13	15
Community Service	15	14	14	20	20
Restitution	16	20	15	11	6
No Contact	12	11	12	9	12
Residential Program	10	13	7	4	4
Stay Away	5	6	4	2	2
Mental Health Tx	7	8	8	2	4
Halfway House	3	5	2	1	1

**Program Services and Interventions.**<sup>21</sup> Records obtained from the AICs demonstrate extensive rates of personal contacts noted and described, although these records no doubt undercount services of all types. 81% of those with records available have over 21 personal contacts with program staff noted. Perhaps more important, 53% of the clients have at least some counseling sessions noted in their records; property offenders are least likely to have evidence of counseling. Over 69% of the AIC clients have attendance at group sessions noted in their records. Groups vary from one AIC to another, but issues addressed include: anger management, drug issues, diversity issues, parenting and/or relationship issues, job readiness, and others. Finally, 91% of the records

<sup>21</sup> Efforts were made to obtain data on program services for all three types of program: AIC, DIC, and IDSU. However, it was more possible to get the information from the AICs and DIC because they are community-based programs with a separate physical location and record-keeping requirements as part of their contracts. Detailed records were obtained for half of the AIC clients and all of the DIC clients. The IDSU is a unit within the Office of Adult Probation. Officers in the program may receive compliance or termination reports from the treatment facilities and hospital where inpatient treatment is provided, but these records were much more difficult to obtain systematically. For example, 51% of the files contained data on length of treatment, and 49% had data on length of inpatient treatment, but just 18% recorded length of outpatient treatment. Therefore, the AIC and DIC records are summarized here in more detail. Efforts to obtain the missing data will continue in the next year.

indicate that at least one urinalysis had been done, 77% reported at least two, and 21% documented eleven or more. Records also indicate that 83% of the AIC clients remained in the program for at least three months.

Records obtained from the DIC also show extensive client contacts. 85% of clients have 21 or more in-person contacts recorded, and 23% have indications of counseling sessions. 94% have attended at least one group session. Drug offenders are most likely to participate in groups, while those convicted of a violent crime are least likely. Again, 91% of these clients had had at least one urinalysis. Records indicate that 57% of the clients have stayed in the program over 3 months.

The primary interventions noted in the ISDU probation records are drug treatment. Pre-sentence assessment records (available for 40% of the clients) show that an inpatient bed was immediately available in 79% of these cases. ISDU records also indicate that 60% of the clients received at least a month of inpatient treatment; 30% received two months or more.

### 3. Violations and New Arrests

**Program Violations.** The AICs and DIC each have their own sets of program violations, established as part of internal monitoring. These range from failure to telephone the program when scheduled, to "dirty" urines, to new arrests. These violations become formal when they lead to reporting and action as official violations of probation outside of the program. These unofficial violations can provide useful indications of program behavior and of program staff monitoring. For that reason, they are reported here briefly.

**AIC Violations.** Based on available records for AIC clients, 69% have at least one violation of some kind. The most common are failure to report and dirty urines. It is notable that **there is no indication of any kind of program violation for 31% of the AIC clients.** Rates of violation are similar for personal, drug, and property offenders: between 71% and 73% are recorded as having at least one; in contrast, just 52% of clients convicted of public order crimes have any program violations noted in the record.

Perhaps more important, clients differed significantly by type of crime in the timing of their first violation. Drug offenders violated much more quickly than the others: 21% have at least one violation recorded within their first week at the AIC, and 41% have at least one violation recorded within a month. In contrast, 7% of personal crime and 6% of public order clients have violated within a week and 11% and 13%, respectively, have recorded violations within a month. Property offenders have the slowest violation start of all (none violated within a week), but more than catch up, so that 29% have at least one violation on record by the end of a month. This suggests that extra vigilance and support, and firm communication of expectations, might prove worthwhile for drug offenders, in particular. Alternatively, the rate differences could be a result of current extra scrutiny directed toward drug offenders.

In any case, the majority of drug offenders who ultimately commit program violations have already violated for the first time by the end of the first month, as shown in Table 9. The others are much slower to do so, although 42% of the property offenders who will eventually have any violations noted in their records have already been recorded as having violated within a month of coming to the program.

**TABLE 9**  
**Timing of AIC Violations for Those Who Violate**  
**by Type of Crime at Conviction**  
(In Percent)

Type of Crime	Within One Week	Within One Month
Personal	10%	16%
Substance	28	57
Property	--	42
Public Order	13	25

DIC Violations. Records for DIC clients show much more widespread violations of some kind. **92% of DIC clients have at least one program violation noted in their record.** This is not surprising, since they are supervised so much more closely, and, again, violations of specific program rules are included and are common. Although differences by type of crime in over all rates of violation are not significant, again there are differences in timing. In dramatic contrast to the AIC, DIC property offenders are the quickest to have at least one violation recorded: 67% have at least one within a week, compared to 53% of substance offenders, half of public order, and 19% of clients convicted of a crime against persons.

**"Unofficial" Violations of Probation.** Violations of probation were recorded for this study in two ways, from two sources. The first was "unofficial"--violations noted in probation records as part of monitoring notes. Although probation officers act formally on most of these, there are times when an officer's judgment and experience lead him/her to respond less formally, with warnings and further dialog with the client. These "unofficial" violations are summarized here.

First, rates of violation differ by type of sentence.<sup>22</sup> Just 55% of AIP clients have violations, compared to 57% of ISDU, 64% of DIC, and 69% of AIC clients. Again, timing also differs by sentence type for those who violate: 79% of the DIC clients with any violations have committed their first one within the first month of probation, compared to 40% of the AIP clients, 28% of the ISDU, and 24% of the direct sentence AIC clients.

The type of violation is perhaps more important. For each type of sentence the most common first and second violations noted in the records are drug-related: dirty urines or

<sup>22</sup> Again, these violations came from officers' files. Files could not be obtained for every case, for various reasons, such as interoffice transfers. Data from probation officers' files were obtained for 94% of the AIP clients, 67% of the direct AIC clients, 85% of the DIC clients, and 75% of the ISDU clients. Every effort will be made to complete these data in the study's second year, although there is no reason to suspect that the missing data distort the over all patterns reported here.

intoxication. Reporting failures are generally next most common, with some variation due to program differences. DIC clients, for example, are more likely than others to have violations related to their electronic monitoring, as seen in Table 10.

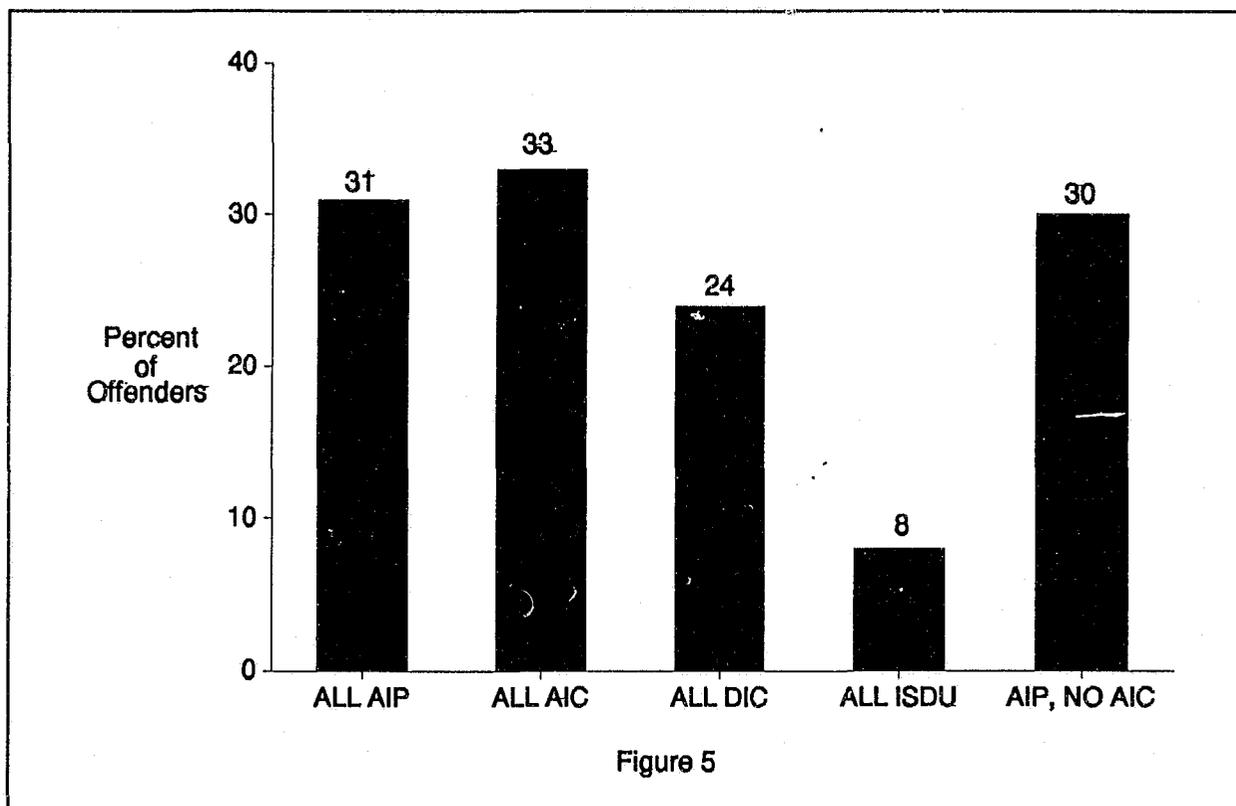
**TABLE 10**  
**"Unofficial" Violations of Probation<sup>23</sup>**  
 (in percent)

First Violation		Second Violation	
<b>AIP CLIENTS</b>			
1. Drug use	27%	1. Drug use	29%
2. Failure to report AIC	16	2. Failure to report AIC	15
3. Failure to report Probation	13	3. Failure to report Probation	14
4. New arrest	13	4. New arrest	8
<b>AIC CLIENTS</b>			
1. Drug use	32%	1. Drug use	22%
2. Failure to report Probation	17	2. Failure to report AIC	22
3. Terminate from program	13	3. Failure to report Probation	15
4. New arrest	11	4. Terminate from program	10
<b>DIC CLIENTS</b>			
1. Drug use	43%	1. Drug use	31%
2. Electronic monitoring violation	11	2. Electronic monitoring violation	19
		3. Curfew violation	15
		4. Failure to report Probation	12
<b>ISDU CLIENTS</b>			
1. Drug use	49%	1. Drug use	55%
2. Failure to report drug program	13	2. Failure to report Probation	14
3. Failure to report Probation	7	3. New arrest	8
4. New arrest	7		

<sup>23</sup> Only the most common violations, those recorded for 5% or more of violating clients, are included here.

**Formal Violations of Probation.** Official Violations of Probation were obtained from the records maintained in the Office of Adult Probation's Information System. In that system, each formal violation is recorded, along with the "date detected", the category of violation, the action taken, and the outcome. Figure 5 shows the differences in rates of formal probation violations among the types of sentence and program.<sup>24</sup>

### Percent with At Least One Probation Violation by Type of Program or Sentence



For each type of program, the most common category of probation violation is "deliberate noncompliance"<sup>25</sup> with court-ordered conditions or probation regulations. Among clients with any violations, deliberate non-compliance is the most common type for DIC clients (95%), and least

<sup>24</sup> Again, the comparisons are among different types of sentence or program. In some cases a single individual could appear in more than one group, as would be the case for someone sentenced to an AIC as part of an AIP sentence.

<sup>25</sup> "Deliberate noncompliance" involves flagrant lack of cooperation with the Probation Officer--most commonly a refusal to carry out special court-ordered conditions of his/her sentence. It could also involve repeated refusal to cooperate with the Probation Officer. More minor or less frequent lack of cooperation carries the more minor violation label "agency/PO".

frequent for ISDU clients (79%). 88% of violating AIP and 82% of the AIC clients also have violations in this category. "New felonies" are second most common, comprising 10% of AIC violations, 7% of those for ISDU clients, and 5% for both AIP and DIC clients. Notably, none of the DIC clients have violation actions recorded as taken because they "absconded" (disappeared without contact), compared to 3% of AIC and AIP, and 7% of ISDU clients. The remaining violation categories (new misdemeanor, "involuntary non-compliance") are applied to yet smaller percentages of clients; the only exception is that 7% of ISDU clients have violation actions initiated at "agency/PO" discretion.

Further analysis sheds some light on these official probation violations for AIP clients. First, women are somewhat less likely to have any violations and when they do, these violations are committed later in their sentence than those by men. They are also more likely than men to have violations in the "deliberate non-compliance" category (97% of all their violations, while 87% of male violations are deliberate non-compliance, 6% are new felonies and 3% involve absconding).

Analysis also shows that Caucasians are less likely to have formal probation violations (23%, compared to 36% for African Americans and 38% of Latinos), but are more concentrated among the more serious violations and are more likely to have arrest warrants filed in response (95%, compared to 86% for African Americans and 83% for Latinos).

Age is also significantly related to formal probation violations, as shown in Table 11. AIP clients age 17 or younger are the most likely to have formal violations, followed by those age 26 - 30, and those age 18 - 20. The youngest clients are also most likely to have violations due to new felonies. Along with the clients over age 40, however, the youngest group have no absconders; clients age

**TABLE 11**  
**Violation of Probation Types and Actions by Age of AIP Client**  
(In Percent)

Age of AIP Client	% With Violation	% New Felony	% Delib. Non-Compl	% Absconder	% With Warrant
Up to 17	45%	9%	87%	--	82%
18 - 20	30	7	88	--	79
21 - 25	29	2	88	5%	98
26 - 30	33	5	82	11	90
31 - 40	27	3	97	--	90
41 - 60	17	--	100	--	86

26-30 abscond at the highest rates (11% of violators).<sup>26</sup>

Finally, the type and severity of the most serious charge at conviction are significantly related to formal violations of probation. AIP clients convicted of property and public order crimes are most likely to have violations one to two years into their probation sentences. 40% of public order offenders, and 37% of property offenders, but 30% of those who are convicted of a drug crime and 28% of violent offenders have at least one formal probation violation action taken against them. In addition, the likelihood of violation is inversely related to the seriousness of the client's charge at conviction. That is, the more serious the offense, the less likely the client is to violate. 23% of Class B felons violated, compared to 28% of unclassified felons, 31% of C felons, 35% of D felons, and 46.5% of A misdemeanants.

Notably, the timing of probation violations also differ significantly from one type of sentence to another. Of those who committed a violation that resulted in formal action, 40% of the AIP clients violated within the first month of their sentence. Although this is a smaller percentage than found for violators who were sentenced to the DIC (79%), it is higher than the percentage found for violators among direct sentence AIC (24%) or ISDU (27.5%) clients. It is possible that having more conditions to monitor contributes to more intense scrutiny and more rapid identification of people who will pose problems<sup>27</sup>. Indeed, 95% of the DIC clients who would ultimately commit formal violations had been identified within 3 months,<sup>28</sup> compared to 65% of AIP, 63% of ISDU, and 50% of direct sentence AIC clients.

**New Arrests<sup>29</sup>**. Data on the percentages of clients who were arrested during the first year following the beginning of their probation sentence are shown in Figure 6. AIP clients have the lowest rate, at 24%, followed closely by the complete group of AIC clients, with 27%.

---

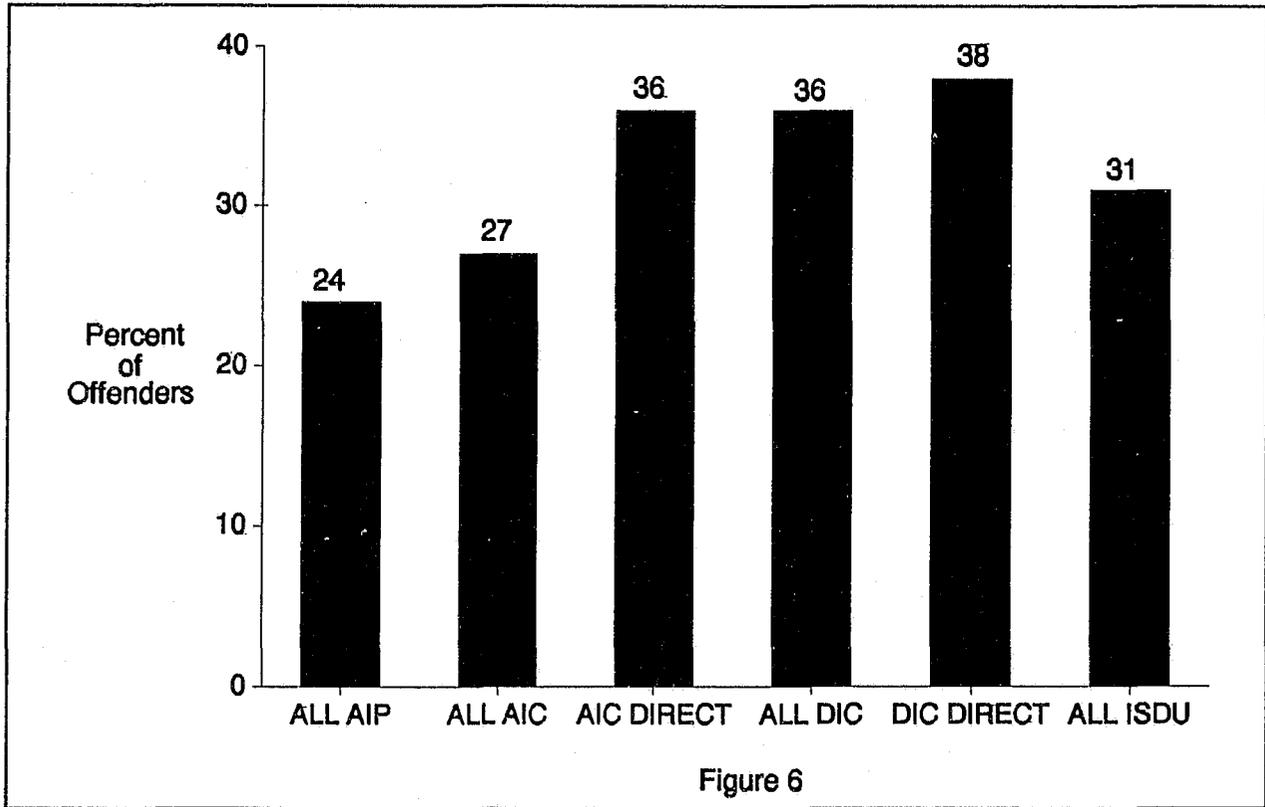
<sup>26</sup> Information on the final outcome of these violation actions is not included here because a high percentage of them were still in process in mid-April, 1994, when final data for this first report were collected. These data, along with information on subsequent violations, will be included in the second year report.

<sup>27</sup> Possible "over"-identification of technical violations has been a concern raised in evaluation of intensive supervision programs. This will be investigated more closely in future reports. See, for example, Petersilia and Turner, 1990; Turner *et al*, 1992.

<sup>28</sup> This earlier identification also results from the fact that the normal length of stay in the DIC is 4 months, instead of 6 or longer.

<sup>29</sup> In subsequent reports, the court disposition of these arrests will be significant to the analysis. At this stage, most of the cases were still pending at the end of April, 1994, so the data are not reported here.

## Percent with New Arrests in First Year by Type of Sentence or Program



Although differences among all groups that can be compared statistically<sup>30</sup> are significant, it is striking that AIC and DIC program participants who were sentenced directly from the bench are substantially more likely to be arrested again during the first year than the entire group of program clients. This is a reflection of the fact that those who were sentenced directly are significantly more likely than those who are sentenced as part of an AIP to be arrested again within a year. For example, 25% of AIC clients sentenced through AIP are arrested again, compared to 36% of those who are sentenced to AIC directly. The magnitude of the difference is maintained when only clients convicted of felonies are compared (24% of AIC clients through AIP, compared to 36% of direct AIC clients).

Again it is possible that the lower rates of new arrests found at this stage of the study for clients sentenced through the AIP are partly a result of the time spent by probation officers on individual assessments and identification of risks and needs prior to sentencing. Court-ordered conditions of probation may be followed more precisely or more extensively than those imposed by the individual programs.

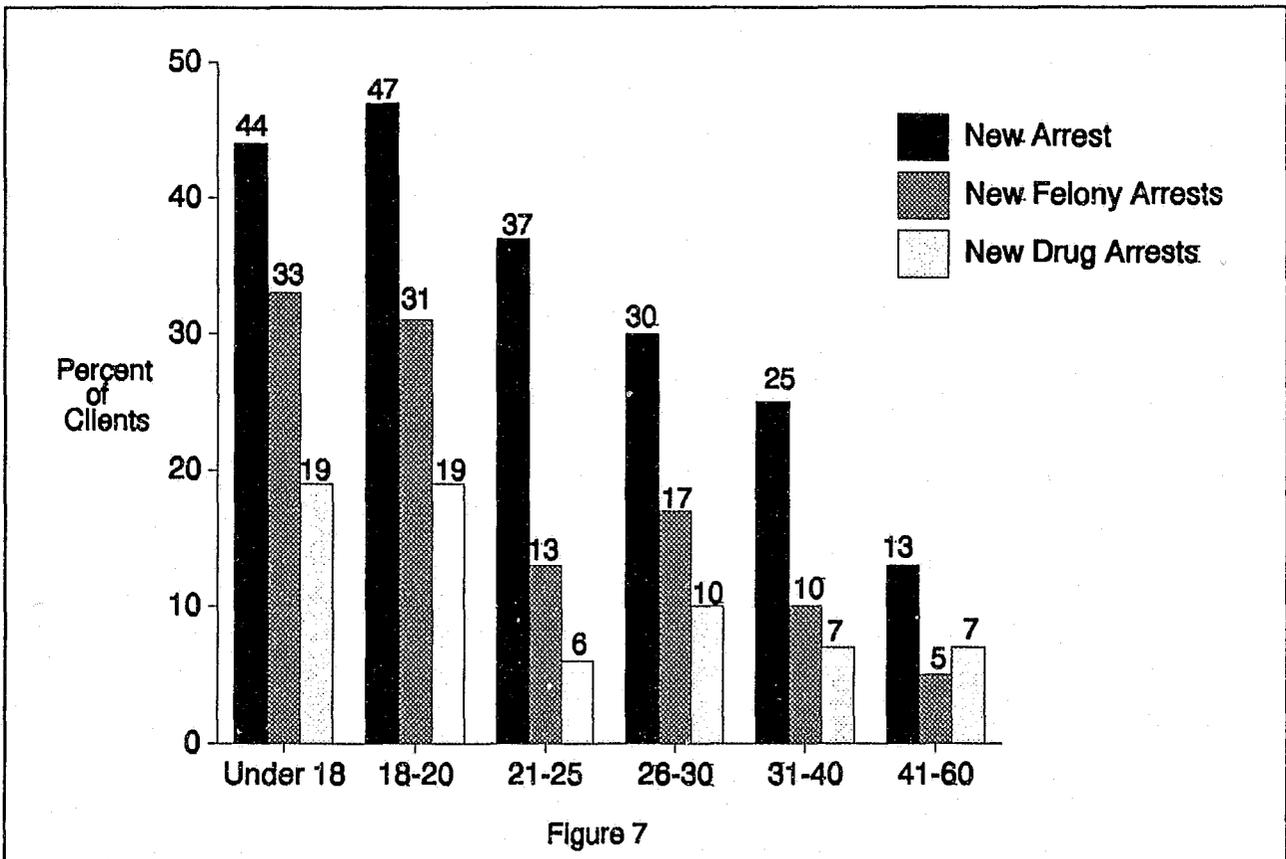
<sup>30</sup> Only groups that do not have overlapping membership can be compared for statistical purposes. So, for example, AIP clients cannot be compared with all AIC clients, since a majority of each group is also a member of the other group.

Figure 6 shows clearly that the DIC clients are more likely than the others to have new arrests. This is primarily attributable to the youth of DIC clients. Younger clients are more likely to be arrested in the year following their sentence than the older ones, and 68% of the direct sentence DIC clients are under age 21. In fact, 60% of the direct DIC clients under 21 are arrested again within a year, compared to 13% of those age 21 - 25 and 50% of those age 26 - 30.

Several factors are significantly related to new arrests, and to the type of new arrests, among AIP clients. Among them are the following:

- \* Gender: Women are significantly less likely than men to be arrested again within a year (15% compared to 25%). Data collected through mid-April, 1994 shows the same pattern continuing. 27% of the women and 37% of the men are arrested again, and the women are less likely to be arrested on felony charges (12% compared to 21%).
- \* Age: The youngest clients are significantly more likely to be arrested again within a year. 31% of those under age 21 are arrested again, compared to 23% of those age 21 - 25, and declining percentages of the older age groups. The same pattern continues with data collected over a longer period. The younger clients are also more likely to be arrested on felony charges over time, as shown in Figure 7.

### Age of AIP Clients by New Arrests



- \* Race/Ethnicity: African American and Latino clients are more likely to be arrested again within a year: 28% and 26%, respectively, compared to 18% of Caucasians.
- \* Type of Crime at Conviction: Clients convicted of public order crimes are significantly more likely to be arrested again within a year. 36% of them are, compared to 32% of property offenders, 22% of drug offenders, and 19% of those convicted of a crime against persons.

Again, data covering a longer period reveal the same pattern: 55% of public order offenders, 41% of property offenders, 33% of drug offenders and 30% of those convicted of a violent crime. Over time, public order offenders are also significantly more likely to be arrested on felony charges: 40% are, compared to 24% of property offenders, 18% of the violent offenders, and 16% of those originally convicted of drug offenses. Finally, public order offenders are significantly more likely to be arrested on personal ("violent") charges: 30% are, compared to 14% of original personal crime offenders, 11% of property offenders, and 8% of those originally convicted of drug crimes.

Many of the patterns in new arrests just summarized for all AIP clients are found in analyses of the whole AIC population, as well. In summary, men are more likely to be arrested again over time (40% vs. 27%), and to be arrested on drug charges (12% compared to 2%). The youngest AIC clients are more likely to be arrested again (52% of those age 17 or younger); and to be arrested on felony charges (36%). Again, **AIC public order offenders are significantly more likely to be arrested again over time (51%, compared to drug offenders, who have the lowest rate at 31%).** Property and public order offenders are more likely to be arrested on felony charges (29% and 28%, respectively, compared to 20% of personal crime offenders and 14% of drug offenders).

The whole population of ISDU clients has some patterns which differ from clients in the other programs, which is partly a reflection of demographic differences and partly attributable to differences in criminal history, among other factors. For example, the youngest clients have the highest rates of new arrests (57% for those age 17 or younger and 73% for those 18 - 20). The new arrest rates are lower for clients in their 20s (36% for 21 - 25, 28% for 26 - 30), but rise again for clients in their 30s (new arrest rates of 45%). The rates for the youngest groups may be partly a result of their small numbers: just 22 (13%) of total program clients are under age 21. Notably, however, this small group of young ISDU clients also has significantly higher rates of new arrests for felonies (67% of those 18 - 20) and for drug charges (47% of clients age 18 - 20).

**Of all the ISDU clients, those originally convicted of drug charges are the least likely to be arrested again (34%, compared to 62% of public order offenders), and they are unlikely to be arrested for a violent crime (7%, compared to 6% of property offenders, 13% of public order, and 30% of those whose original conviction was for a crime of violence).**

**Predictors of New Arrest for AIP Clients.** When several factors<sup>31</sup> are examined at once in an effort to understand new arrests within the first year for the AIP clients as a whole, **the client's age is the single strongest predictor.** However, it is an inverse relationship. That is, the **younger the client, the more likely he/she is to be arrested again within a year.** In addition, charge severity, conviction for a violent crime (inverse)<sup>32</sup>, number of days of pretrial incarceration, and male gender (in that order) are all significantly related to new arrests, even when the other factors were controlled statistically. All together, these factors combined are able to predict accurately new arrests in the first year 76% of the time. Predictions are more accurate for those who were not arrested than for those who are, however.

A separate analysis, using some different factors, is able to increase predictive accuracy a bit.<sup>33</sup> Again, young age is the single strongest predictor, followed in order by conviction for a violent crime, the Office of Adult Probation's risk score, charge severity, and number of days of pretrial incarceration. With this combination of factors, male gender is not quite significant statistically.<sup>34</sup> These factors together are able to predict new arrests with accuracy 77% of the time, and are more accurate in predicting actual new arrests.

**Predictors of New Arrest for AIC Clients.** Several factors examined at once,<sup>35</sup> purely for the AIC clients, find just three to be significant statistically: young age, number of prior convictions, and Latino ethnicity (in that order). That is, when all of the other factors are controlled, these three are each significant predictors of new arrests. Young age is by far the strongest of the three. All of the factors together are able to predict new arrests with accuracy 74% of the time.

---

<sup>31</sup> Drawing from patterns found in past studies, the factors considered were the client's age, sex, race/ethnicity, length of probation sentence, history of prior convictions, number of days incarcerated pretrial, the type and severity of the charge at conviction, and the total number of conditions attached to the sentence.

<sup>32</sup> Again, the inverse relationship means that people convicted of crimes against persons were less likely than the others to be arrested again, even when all the other listed factors were controlled statistically.

<sup>33</sup> This analysis replaced history of convictions with the Office of Adult Probation's risk score. However, the risk measure was not available for 8% of the AIP clients, so the results are not as generalizable to the AIP population as a whole. This was a good opportunity to use the risk measure, however, so the results are reported here.

<sup>34</sup>  $P < .06$ .

<sup>35</sup> The variables were the client's age, sex, race/ethnicity, length of probation sentence, history of prior convictions, number of days incarcerated pretrial, the type and severity of the charge at conviction, and the total number of conditions attached to the sentence.

**Predictors of New Arrest for ISDU Clients.** When multiple factors are examined at once<sup>36</sup>, purely for the ISDU clients, just two are significant statistically: the length of the probation sentence (inverse) and history of felony convictions. That is, the longer the sentence to probation, the less likely the client is to be arrested again within a year. The number of codefendants in the case approach significance ( $p < .10$ ), surprisingly, as an inverse relationship. The group of factors all together is able to predict new arrests with accuracy 79% of the time.<sup>37</sup>

#### 4. CLOSE-UP: Interviews with AIP Clients.<sup>38</sup>

At the time of the interview, 65% of the responding AIP clients reported that they were working: 64% of them full-time. Most (63%) of those who are working had held their job for less than a year; 15 percent had been steadily employed between one and two years, and the remaining 22% had been working for over two years (and as long as 18 years, in one case). The jobs they held ranged from odd jobs to professional work in computers and retail management; the majority are service work or semi-skilled labor (such as bakery, home health aide, construction, or assembly work).

42% of respondents were involved in school or a training program: 13% in GED classes, and 12% in college classes. Most of the rest cited trade school or training programs for specific jobs, such as word processing, cosmetology, and computer programming classes.

The respondents reported close connections with their families: 82% said they saw family members at least weekly, while 63% saw their family daily or lived with them. In addition, 82% of the AIP clients who were interviewed found their families to be helpful to them. When they were asked to explain, most mentioned such types of support as "being there and listening to me"; providing moral support; helping to keep them out of trouble; providing financial help or a place to stay when needed. Several mentioned family help in recovery from drug or alcohol problems, and in finding a job. Others distinguished among family members; several commented as follows: "Those that are straight have been helpful; those that are not have been detrimental." When they were asked if any family members are involved in criminal activity, however, just 6% acknowledged that there are.

---

<sup>36</sup> The factors included were age, type and severity of charge at conviction, history of felony convictions, number of days incarcerated pretrial, the number of codefendants in the case, and the length of the probation sentence. It is important to remember that the smaller the number of cases, the less likely it is that observed differences will be significant statistically.

<sup>37</sup> Results of multivariate analysis for DIC clients are not reported here because no factors were significant predictors of new arrest. This is largely a result of small sample size.

<sup>38</sup> Interviews were completed by telephone with 83 AIP and 23 other clients. Since no effort was made to contact clients who were identified as Youthful Offenders, and 223 letters in English and Spanish were mailed soliciting contact due to inaccurate telephone information, this represents a response rate of 23% for the AIP sample. Analysis comparing the respondents with non-respondents found that, while Caucasians were overrepresented among respondents, there were no significant differences by type or severity of crime, or other variables associated with race/ethnicity in the sample. Nonetheless, interview responses should be considered suggestive rather than purely representative; the most mobile population (i.e., those not reached for an interview) is likely to differ from the more residentially stable group. A copy of the interview is in Appendix 3; interviewers were trained to probe in the open-ended questions. Follow-up interviews with DOC clients will be pursued and reported in the second year.

The clients were also asked if they are currently involved in a "close/intimate relationship" with anyone. 54% said they are involved, and a third of those are living with their partner. 45% of the clients had been involved in this relationship for a year or less, while 41% had been in the same relationship for 3 or more years.

**ALTERNATIVE INCARCERATION CENTER.** Two-thirds of the AIP clients said they had been sent to an AIC as part of their sentence. 86% of those who took part in an AIC said the experience had been "somewhat" or "very helpful". The most common response to a question about the ways the AIC had been helpful to them involved "supportive staff". As one said, "The staff was great...I was always learning things there, just like school." And another: "I have a very strong bond with my counselor. We are still friends to this day." And: "I aced this program. It kept me out of trouble. I could talk to the counselors." Further: "They had a lot of programs. They helped me to do resumes and to get a job. All the people working there are very supportive." Finally: "They are supportive. I learned to stay clean. It helped me to learn how to live with a criminal record" (e.g. find a job, other survival strategies).

**Counseling.** Others mentioned the counseling programs. "It had good group counseling for drug addiction..." "Family counseling once a week was very helpful, and the one-to-one counseling was good, too." And: "The program had good counseling. Also, I graduated from high school in the AIC, and community service helped to show me how I can help society."

**Motivation.** Another common type of response involved awareness that the AIC was an alternative to prison, and was motivating in that sense, as in the following:

"I made the AIC work. The other alternative was incarceration, so a big motivator was to stay out of jail. I have to stay away from the environment where the trouble all began."

Another respondent put a similar idea in a different way: "[The AIC] made me go to school or stay there. I didn't want to stay there all the time so I got a job and went to school."

**Suggestions for AIC.** The clients were asked how the AIC could have been more helpful to them. Although some respondents had no suggestions and others replied that the program was good and should simply continue as it was, others had suggestions.

**Tailored to the individual.** One type of response included the other clients' attitudes, as in the following:

"[Counselors] have to be more sensitized to people's problems. It's difficult because some people only take AIC because they are sentenced to it; some people don't take it seriously. And it needs to focus more on rehabilitation."

**Program enhancement.** Most of the suggestions related to program enhancement. Clients suggested more training and more individual tailoring of interventions. "[There should be] more employment training, more programs, and temporary shelter--someplace free from alcohol and drugs." "[They] need to address individual needs, not stick everyone in the same group."

Finally, several clients acknowledged that AIC experience can depend on what the individual brings to it: "Behavior modification was used. It was OK, but you need to help yourself. It's up to the individual." And "I considered it difficult at first to deal with, but it was a humbling experience. It made me remind myself about my offense."

**INTENSIVE SUPERVISION.** 29% reported that they had been on intensive supervision. 79% of them said the experience had been somewhat or very helpful. When they were asked what had been helpful, the majority replied that it had helped them to stay out of trouble. Several stated that it had helped them to stop using drugs and alcohol. "When I was arrested for selling drugs, going on intensive supervision was very helpful because it kept me busy. Another observed, "I was feeling depressed and I received counseling at Intensive Supervision, and I got my feelings back."

Just 7% of respondents offered suggestions for making intensive supervision more helpful, but they are worth noting. One commented as follows:

"There was an age difference. I am 43 and most of the clients are kids walking around with beepers in the Probation Office. It would have been more comfortable to go to an area with people my age; they need to match age groups."

Another made the following suggestion about drug treatment:

"They need to really assess individuals for drug treatment programs. I needed a long-term treatment program and was placed in short-term. I only was able to enter a long-term program after I was violated."

Finally, one client made the following perceptive observation:

"It kept me out of trouble, but it couldn't control my environment. There needs to be some kind of focus on the person's environment outside of the program."

**DAY INCARCERATION CENTER.** Just 11% of respondents said they had gone to the Day Incarceration Center as part of their sentence; only one of them said it had not been helpful. Most of them said that DIC participation had helped with their drug problems. "I got a lot out of it! It kept me clean, and I know what I have to do now." Another provided powerful testimony: "I was a daily drinker for 29 years. I realized here that I was an alcoholic and went to AA classes. It changed my life."

Clearly, individual experience varied. The person who did not find the DIC helpful said: "They need organized activities and programs. All we did is sit and watch TV, and 10 minutes before it was time to go they would ask us a few questions."

**ELECTRONIC MONITORING.** 17% of respondents had experienced electronic monitoring as part of their sentence. 75% of them said it was somewhat or very helpful. Responses were remarkably consistent about the benefits: it kept them out of trouble, even when they didn't like the experience. Some of the fullest responses in the interview are provided on this subject. The following are illustrative:

"At first it was really hard to stay home. I was paranoid about going out of bounds. I had to ask my roommate to do my laundry and get my mail. A couple of times the system registered me as out of bounds while I was not. I had to have my friends who are with me during those times write letters to prove I was in bounds. These technical difficulties are a real hassle."

"It did not prevent me from coming into contact with drugs. I had plenty of opportunities to buy drugs if I wanted to. It did keep me off the streets, and it was a good program."

"It sucked. I felt really stuck. The time schedule was too tight and I couldn't leave the house, but it kept me out of trouble."

**PROBATION.** The AIP clients were also asked about the most helpful thing their **Probation Officer** had done. Only 7% had no answer. The most common response (53%) was that their PO was supportive or a good listener. For example: "He has really supported me in my AA program, and has noticed the difference in me." "Helped me keep my freedom. I feel like I can confide in my PO, who has helped me deal with the loss of my girlfriend." "He is straight with me; I like the way he talks. He is someone I can relate to and tells me what I should and shouldn't do." "She encourages me to finish up my community service, and gives me good tips about jobs."

Others specifically noted help with their drug problems. "[The PO] sent me to the Liberation Center, which kept me off drugs." "He was tough and always wanted urine tests, but this was good." Others especially appreciated their PO's flexibility about scheduling. Finally, one said that being violated had been helpful.

"My PO was most helpful by violating me because it gave me a chance to see that I needed help. The urine tests are a good idea."

Clearly, there is no formula which makes probation officers' interventions helpful. A combination of flexibility and understanding, coupled with the knowledge of when limits must be enforced appear to provide the most help--for those who say they find probation helpful.

Clients were asked what was the **most difficult part of being on probation**. The most frequent response was loss of freedom: being unable to leave the country and having to keep regular appointments. They also commonly replied that maintaining their job and keeping regular appointments was often hard to do. Many found transportation to the probation office difficult to arrange. Several observed that it was hard to find a job as a convicted felon. And some complained that probation officers check up on them unannounced.

"I have no life to live because they intrude. I don't like people popping up at my door on the weekends. They should trust me, instead of not trusting or putting the person in prison."

Finally, some found that social embarrassment or having to face their offense was the most difficult part. "The most difficult part is owning up to what I did." And, "There aren't really any problems, except that probation makes me remember where I screwed up."

The AIP clients were also asked to describe **the biggest problem they had to deal with in the past 6 months**. The main categories of responses were the death of people close to them, family conflicts, depression, staying off of drugs or alcohol, and finding a job or financial problems. Others simply found being on probation to be their biggest problem. One woman, for example, had been convicted on narcotics charges and wanted to work in a nursing home. Her PO said she couldn't do that because there would be drugs at the home. The client maintained that this was a job she really wanted. She felt frustrated and "ready to give up".

The final question asked clients if they could think of **anything that could make probation more helpful**. The most common responses related to job training or educational programs, and help finding jobs. Another frequent type of response related to increased access to individual counseling and drug treatment by experienced people. The final response category was increased flexibility about reporting. Some would prefer to be able to call in instead of appearing in person, but more commonly clients advocated for the ability to meet their PO before or after work, so they wouldn't feel that their jobs could be threatened.

## **D. PROGRAMMING IMPLICATIONS**

The findings just reported have several possible implications for programming within alternative programs:

### **1. Youth**

Special consideration clearly needs to be given to the youthful population. Across programs, offenders under age 21, and often especially age 17 or younger, are found to have the highest rates of violations and new arrests. No matter how violations are defined - - informally; through official proceedings within probation; or by arrests on new charges -- the youngest clients have the highest rates of misbehavior. Much current thinking suggests<sup>39</sup> that a combination of education, training, and meaningful incentives (such as options for real jobs with the potential for independent support) coupled with swift and certain responses to violations, holds promise. But the incentives are as important as the social control factors. The educational data suggest that school programs, GED classes, and English as a Second Language (to help rectify the educational deficits seen particularly among Latino youth) could be a useful start.

### **2. Drug Offenders**

The relatively lower rates of recidivism documented so far among drug offenders suggests that the programming for this population has been reasonably effective. Treatment options could still be expanded, to provide more response to individual patterns and needs, as suggested in some of the client interviews.

### **3. Property and Public Order Offenders**

The relatively higher rates of recidivism seen to date among property and public order offenders suggests that these populations, too, need monitoring and supervision attention. Since the number of prior convictions is a consistent predictor of new arrests, public order and property offenders with priors could be targeted for greater supervision; electronic monitoring appears to have potential as a deterrent. Alternately, more careful assessment could identify aspects of intervention more suitable to this population. This group of offenders will be investigated particularly carefully during the next years of this project to aid in this process.

### **4. Latinos**

Special programming considerations for Latinos in AICs, identified in previous research reports, remains warranted. The higher rates of recidivism seen for Latinos in AICs is not a product of drug or gang involvement, nor of younger age or other individual factors identifiable in this study. Instead, program changes may be needed. Educational support could help, but should be supplemented with additional culturally sensitive programming. Continued efforts to recruit Latino staff members for AICs are also important.

---

<sup>39</sup> See, for example, Sullivan, 1989; Currie, 1985.

## 5. Women

Women have been performing well in the alternative community-based programs. Given that they comprise almost 20% of the study population, and given that they have more reported family responsibilities than men, it remains essential to design additional programming that is sensitive to their unique child care and service needs. It is possible that specialized attention will yield even more productive results for women and their extended families.

## 6. Pretrial Incarceration

The **Phase I Pretrial Evaluation study** revealed that people who are supervised carefully in the community do at least as well as those who are not afforded that supervision: those who are ordered to post bond and either remain incarcerated or are released without supervision. This study suggests that remaining in the community during the pretrial period is correlated with better success in the community as a sentenced person; and that those who are incarcerated pretrial are more likely to be arrested in the first year after release. Efforts to identify and expand the use of pretrial alternatives to incarceration should be continued.

#### **IV. THE INCARCERATION SAMPLES**

## A. DESCRIPTION OF SAMPLES

The three samples of offenders sentenced to incarceration were developed with two primary separate considerations in mind: data from additional sentencing options for moderately serious offenders, and a good comparison sample for the AIP clients.

**Comparison sample.** The first sample, the "comparison" sample, was designed to match the AIP sample as much as possible within technical limitations.

**Transitional supervision sample.** The "transitional supervision" sample was generated because this is a new policy under which offenders sentenced to incarceration for two years or less may be considered for release to community supervision sooner than those who are sentenced to over two years<sup>40</sup>. Since this new program offers community supervision to offenders still under DOC authority, its clients are another good sample of sentencing options which include community programming.

**Split sentence sample.** The "split" sentence sample was also important to consider: past studies have shown that sentences split between incarceration and probation have often been used for more serious offenders. In addition, split sentences often have longer periods of both incarceration and probation. This sample was drawn randomly from offenders who had a year or less to serve before probation began. Table 12 shows the total numbers in each of the incarceration samples.

---

**TABLE 12**  
**The Incarceration Samples**

<b>Incarceration Sample</b>	<b>Number</b>
DOC Comparison	582
Transitional Supervision	211
"Split" Sentence	236

---

<sup>40</sup> The "transitional supervision" clients who are sentenced for two years or less can be considered for release after serving half of their sentence, minus "good time"; others must serve half of their sentence without "good time" reductions.

## **B. SUMMARY OF FINDINGS**

### **1. Demographic Characteristics**

Information about the DOC comparison sample, relative to the other incarceration samples and the alternatives, is provided in Appendix II. In general, the offenders in the incarceration samples are young, racial/ethnic minority males who have not graduated from high school. They are primarily single, have no dependent children, and a strong likelihood of drug and/or alcohol problems. In most of these ways, they are quite similar to the offenders in the alternative samples, with a few exceptions. Those who are given "split" sentences are more likely to be Caucasian than most of the other groups, and the incarcerated populations are older than the "alternative" offenders, with the exception of the ISDU clients. "Split" sentence offenders are also more likely to have graduated from high school than any of the other groups.

### **2. Criminal Justice Characteristics**

Most of the DOC comparison sample are convicted of felony drug or violent crimes. Most have prior convictions, including felony convictions, and most have also been sentenced to probation in the past. Most also have official records of criminal activity going back at least two years. Most also were incarcerated during the pretrial period.

Offenders in the comparison sample are convicted of more serious crimes than the other incarceration samples, but are matched nearly exactly on this dimension with the AIP sample.<sup>41</sup> The DOC comparison sample is also much more prominently composed of offenders convicted of drug and violent crimes than the other incarceration samples, and is again more similar to the AIP and other alternative samples in this way. The comparison group is more likely than the AIP to have prior convictions, previous involvement with probation, and pretrial incarceration experience.

---

<sup>41</sup> Again, this was by design. The DOC comparison group was created to be similar to the AIP sample with regard to charge severity and gender. It is not, therefore, representative of the incarcerated population as a whole.

### 3. New Arrests<sup>42</sup>

General comparisons, and most comparisons aimed at specific sub-populations, found that the DOC comparison group offenders are less likely to be arrested again within a year of their release from incarceration than those who received split sentences. Analyses that examined several factors at once found that, for the DOC sample, as for the AIP clients, young age and number of prior convictions are significant predictors even when the other factors are controlled. However, in every comparison, the **AIP clients have significantly lower rates of new arrest within a year<sup>43</sup> than either incarceration sample.**

---

<sup>42</sup> Recidivism data are reported only for the DOC comparison and the split sentence samples. The transitional supervision group, having been sentenced later, had not been released long enough in sufficient numbers at the point of final data collection to yield meaningful analysis. It is also important to note that, because of the timing of their release, recidivism data are also available for only 51% of the comparison group. However, those who were released sooner, in general, should be those who were considered less "serious" at the time of sentencing, and therefore have potentially lower recidivism rates than those yet to be included in the analysis, so this should not affect the direction of the findings. In addition, data were obtained for 295 offenders in the comparison sample: a large enough group to warrant analysis at this stage.

<sup>43</sup> For the AIP sample, again, recidivism was measured from the point at which they were sentenced. For each group, the comparison is marked by the point in their sentence at which they had an opportunity to commit and/or be arrested for new crimes.

## C. FINDINGS IN DETAIL

### 1. Demographic Characteristics

**Sex.** 84% of the offenders in the DOC comparison sample are male. They are very similar in this regard to both other incarceration samples, and to the AIP population.

**Race/ethnicity.** 72% of the offenders in the DOC comparison group are racial/ethnic minorities, and 29% are Caucasian, as shown in Table 13. This is a significantly higher percentage of racial/ethnic minorities than is found in either of the other two incarceration samples, or in the AIP sample. The "split" sentence sample departs most strongly from the other groups, with over half (55%) Caucasians.

TABLE 13  
Race/Ethnicity by Type of Incarceration Sample and AIP  
(In Percent)

Race/Ethnicity	DOC Compare	Transitional	Split Sentence	AIP Sample
Caucasian	29	37	55	38
African American	46	39	31	37
Latino	25	23	14	25
Other	1	1	1	*
TOTAL % (N)	101% (582)	100% (211)	101% (236)	100% (652)

**Age.** While 18% of the DOC comparison sample is under age 21, this does not distinguish them from the other incarceration samples, as seen in Table 13. Instead, offenders in the DOC comparison sample are concentrated in their 20s: 51% are between 21 and 30, compared to 39% of the transitional sample and 42% of those who received split sentences. The comparison group has a lower percentage of offenders over 30, then: 31% compared to 44% for the transitional and 40% of the split sentence groups. All of the incarceration samples are significantly older than the AIP sample, 36% of whom are under age 21, and 25% of whom are over 30.

The youngest offenders in the DOC comparison sample are disproportionately African American males. 96% of those age 17 or younger are male, as are 89% of the 18 - 20 year-olds, and 90% of those age 21 - 25. The females are concentrated in the older age groups. Similarly, 70% of those age 17 or younger are African American, as are 54% of those age 18 - 20. This is a significant

concentration of African Americans in the youngest age groups, since just 46% of this comparison sample over all is composed of African Americans.

**TABLE 14**  
**Age by Type of Incarceration Sample and AIP**  
(In Percent)

Age	DOC Compare	Transitional	Split Sentence	AIP Sample
17 & Under	4	4	6	15
18 - 20	14	13	14	21
21 - 25	26	21	19	22
26 - 30	25	18	23	18
31 - 40	24	37	31	18
41 - 60	7	7	8	6
61 & Over	*	--	1	1
TOTAL % (N)	100% (582)	100% (211)	102% (236)	101% (652)

**Education.** 59% of the DOC comparison sample have not graduated from high school, along with 56% of the transitional sample. These two are quite similar to the "alternative" samples (except for the younger DIC clients) in this educational measure. The "split" sample differs from all of the others, however: just over half (51%) of them have at least a high school diploma.

None of the offenders age 17 or younger in the DOC comparison sample have a high school diploma. It is striking that 77% of those who are 18 to 20 have not completed high school, either. There are also significant differences in reported educational achievement by race/ethnicity, as there are for the AIP clients. 55% of the Caucasians and 43% of the African Americans<sup>44</sup> have finished high school, compared to 23% of the Latinos.

<sup>44</sup> When the comparison is made only among those age 18 or older, the significant difference between Caucasians and African Americans disappears: this difference is a product of the greater proportion of African Americans among those 17 and younger.

**Living Circumstances.** The incarcerated samples are even more likely than the alternative sentence clients to be single, but they are similar in their reported lack of dependent children. 86% of the comparison and transitional samples report being single, along with 85% of the "splits". Only the much younger direct sentenced DIC clients reach those rates among the alternative sentence clients. 77% of the AIP sample is reported as single, and 14% are separated, widowed, or divorced. The proportion of offenders who claim to have no dependent children in the incarcerated samples range from 56% to 59%; the rate is 53% among AIP clients.

Women in the DOC comparison sample are significantly more likely than men to claim dependent children, as is true for the women in the AIP sample, and is consistently found in criminal justice research. 60% of the women have children, compared to 37% of the men. Further, the women claim more children: 72% of the women who have any children have two or more of them, compared to half of the men.

## 2. Criminal Justice Characteristics

**Charge Seriousness.** Offenders in the DOC comparison sample are convicted of significantly more serious crimes than those in the other two incarceration samples, but match the AIP clients very closely, as shown in Table 15.<sup>45</sup> 90% are convicted of felonies, compared to 47% of the transitional and 64% of the split sample. Differences in unclassified felonies<sup>46</sup> and A misdemeanors account for most of the variation among samples: 58% of the comparison (and 58% of the AIP) are convicted of unclassified felonies, compared to 23% of each of the other two incarceration samples. In addition, 7% of the AIP and DOC comparison samples are convicted of Class A misdemeanors, contrasted with 28% of both the transitional and split samples.

Among offenders in the DOC comparison sample, race/ethnicity significantly differentiates charge severity at conviction. Latinos are more likely to be convicted of Unclassified felonies (74%) than either African Americans or Caucasians (59% and 43%, respectively), while Caucasians are most likely to have been convicted of a Class D felony (31%, compared to 17% of African Americans and 10% of Latinos). These differences in charge severity are significantly related to the type of crime at conviction, as well, as discussed below.

Notably, there are no significant differences in severity of crime at conviction by sex or age. That is, the men and women in the comparison sample are convicted of crimes that have about the same seriousness, as are offenders across the different age groups, although more of the youngest have been convicted of serious felonies.

---

<sup>45</sup> Again, the DOC comparison sample was drawn to match the AIP sample on sex and severity of the most serious charge at conviction.

<sup>46</sup> The most common unclassified felonies are drug sales and possession and illegal possession of a weapon.

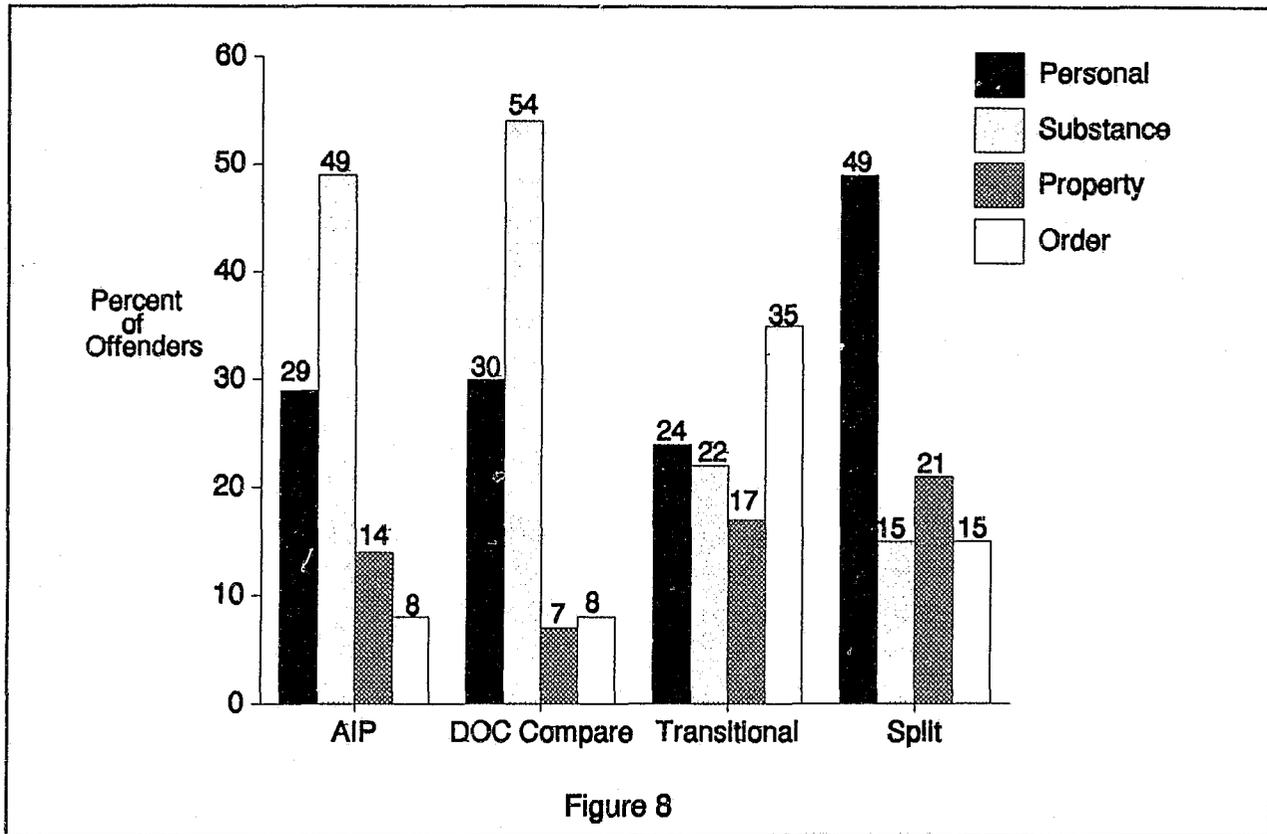
**TABLE 15**  
**Severity of Most Serious Charge by Type of Incarceration and AIP**  
(In Percent)

Charge Severity at Conviction	DOC Compare	Transitional	Split Sentence	AIP Sample
A Felony	--	1	--	--
B Felony	6	1	3	4
C Felony	7	7	7	8
D Felony	19	15	31	20
Unclassified Felony	58	23	23	58
Unclass. Misdemeanor	2	14	2	1
A Misdemeanor	7	28	28	7
B Misdemeanor	1	5	3	1
C Misdemeanor	1	5	5	1
D Misd., Infraction	1	2	*	--
TOTAL % (N)	101% (582)	100% (211)	102% (236)	100% (652)

**Charge Type.** The DOC comparison group has also been convicted of what are usually considered the more serious types of crimes, as shown in Figure 8. 84% are convicted of a violent or drug crime, compared to 46% of the offenders in the transitional and 64% of those in the split sentence sample. In this regard, again, the comparison group is most similar to the AIP sample.

Female offenders in the DOC comparison group are significantly less likely to have been convicted of a violent crime (21% are, compared to 32% of the men), and more likely to have been convicted of a property or public order offense. Men and women are equivalently likely to be convicted of drug crimes.

## Charge Type by Type of Sentence



Significant differences are also found by race/ethnicity: Caucasians are more likely to be convicted of a violent crime (42%, compared to 29% of African Americans and 19% of Latinos), and less likely to have been convicted of a drug offense (38%, compared to 55% of African Americans and 71% of Latinos).

The type of crime is also significantly related to its severity. First, **53% of the entire sample is convicted of a felony drug charge.** The majority of the other felonies are violent crimes: 78% of the B felonies, 70% of the C felonies, and 50% of the D felonies are crimes "against persons." Crimes against persons are the most frequent type of A misdemeanor, as well, while public order crimes are close behind at 40%.

**Previous Criminal Convictions.** 29% of the offenders in the DOC comparison sample have no record of prior criminal convictions, compared to 18% of the transitional sample and 35% of those with split sentences. Although this is significantly lower than the 55% of AIP clients with no previous convictions, the "no priors" rates for the incarcerated samples are higher than one might predict.

The relative frequency of prior convictions for felonies follows the same pattern: 44% of the offenders in the DOC comparison sample have no prior felony convictions, compared to 37% of those in the transitional and 61% of those in the split sentence sample. As measured by previous convictions, offenders in the split sentence sample appear to be the least serious.

Women are significantly less likely than men to have a prior record (64% have previous convictions, compared to 72% of the men), but there are no differences in rates of prior felonies. While the relationship between age and previous convictions is significant, as one would expect (the younger the offender the less likely he/she is to have a record, including felonies), there is not a significant relationship between previous convictions and race/ethnicity. This holds true even when the type of crime at conviction is controlled statistically.

There is also a significant relationship between prior convictions and the severity of the present charges at conviction. The less serious the charges, the more likely the offender is to have prior convictions, as is true for the AIP clients. For example, 84% of those convicted of A misdemeanors have prior convictions (and 60% have prior felony convictions), compared to 62% and 45%, respectively, for those convicted of C felonies.

Finally, while the relationship is not a strong one, offenders convicted of public order crimes are significantly less likely to have had previous felony convictions: 52% of public order offenders do, followed by drug offenders (53%) and violent offenders (60%). Those convicted of property crimes are most likely to have felony priors (66%).

**Criminal "Career".** For 27% of the offenders in the DOC comparison sample, the present incident is their first arrest on record, but 34% have criminal "careers" which have lasted at least 5 years. The split sentence sample is somewhat more polarized in experience, with 29% convicted for the first time and 40% having 5 or more years of official criminal experience. However, the offenders in the transitional sample are the most experienced of those sentenced to incarceration: just 15% have been convicted for the first time and 51% have careers of 5 years or more. All together, they have been involved with crime significantly longer than the AIP clients. 51% of the AIP clients have been convicted for the first time; and just 21% have a history of 5 years or more.

**Drug and Alcohol Problems.** 82% of the offenders in the DOC comparison sample have been identified by correctional staff as having drug or alcohol problems.<sup>47</sup> This is a higher rate of problems than identified for the transitional sample (at 76%), and for the AIP clients (at 78%), but the difference is not substantial. Not surprisingly, offenders in the comparison sample who are convicted of drug crimes have a significantly higher rate (89%) of identified drug problems than the others (who ranged between 73% and 75%).

**Pretrial Incarceration.** Over three quarters (76%) of the offenders in the DOC comparison sample were incarcerated for at least part of the pretrial period. This is a significantly higher rate of pretrial incarceration than either the transitional or split sentence samples, and greatly higher than the 46% of AIP clients who were incarcerated pretrial. In addition, the comparison sample experienced longer periods of confinement than any of the other samples, as shown in Table 16. 26% were incarcerated for over 3 months before being sentenced for the offense that is part of this study,

---

<sup>47</sup> Correctional facility records about inmates stored on computer do not distinguish between drug and alcohol problems, so the same percentage is reported here for both. If patterns found through other criminal justice sources hold for these populations, then the percentage who have drug problems is higher than the percentage who have alcohol problems.

compared to 9% of the transitional sample, 10% of the split sentence sample, and 7% of the AIP clients.

**TABLE 16**  
**Length of Pretrial Incarceration by Type of Sentence**  
(In Percent)

Length of Pretrial Incarceration	DOC Compare	Transitional	Split Sentence	AIP Sample
None	24	35	32	54
Release Same Day	2	*	3	7
Up to 1 Week	8	6	11	13
1 - 2 Weeks	6	8	9	6
2 Weeks - 1 Mo.	12	16	14	5
1 - 3 Months	22	26	21	10
3 - 6 Months	17	8	8	5
6 Mo. - 1 Year	6	1	2	2
Over 1 Year	3	--	--	*
TOTAL % (N)	100% (580)	100% (211)	100% (236)	102% (652)

The number of days spent incarcerated during the pretrial period were significantly related to the type of crime at conviction (public order offenders were least likely to be incarcerated, followed in order by those convicted of personal crimes, drug crimes, and property crimes). Pretrial incarceration is also significantly associated with crime severity. Both of these patterns are consistent with past studies.

**Sentence Length.** The offenders in the DOC comparison sample were also sentenced to significantly longer periods of confinement than those in the other two incarceration samples, as shown in Table 17. This makes sense, since the other two samples were created within parameters established by the length of their sentence. Nonetheless, it is striking that the sentences for offenders in the comparison sample are so much longer than the others. Close to half (46%) have sentences over two years, yet they have fewer priors and shorter "careers" than the offenders in the transitional sample. This is added evidence of the primary importance attached to the severity (and type) of charges in determining sentencing, as found in the **Court Disposition Study and Alternatives to Incarceration: Pretrial Evaluation**.

**TABLE 17**  
**Length of Incarceration by Type of Sentence**  
(In Percent)

Length of Sentence to Incarceration	DOC Compare	Transitional	Split Sentence
Up to 3 Months	6	15	28
3 - 6 Months	4	21	25
6 - 12 Months	18	31	47
12 - 18 Months	9	14	--
18 - 24 Months	16	19	--
2 - 3 Years	21	--	--
3 - 5 Years	17	--	--
Over 5 Years	8	--	--
TOTAL % (N)	99% (580)	100% (211)	100% (233)

**DOC "Special Management".**<sup>48</sup> Special management issues are identified for 23% of the inmates in the DOC comparison sample. Most of the offenders have just one; only 5% have two or more. The most common issue recorded is gang membership: just over 12% of the sample as a whole, and 51% of the inmates with any special management issues are identified as gang members.<sup>49</sup> A third of those with issues are identified for reasons related to "narcotics", 23% have medical issues, and 6% are "flagged" for administrative purposes.

<sup>48</sup> When inmates are processed and assessed as they begin to serve their sentence, staff identify any special characteristics which may be relevant for the safety and security of the inmate, other inmates, or the facility. Examples include special medical conditions, such as diabetes or epilepsy; histories of escape, assaults or other disciplinary problems; and gang membership.

<sup>49</sup> Of course, being identified by DOC staff is an imperfect measure of gang affiliation. It is based primarily on inmates' claims to membership during the intake process. DOC staff have observed, however, that in the last year or so, membership has been more commonly claimed with pride than in the past. It is possible that some of the claims are more prison survival strategy than accurate indications of association. Of course, others must choose to hide their connections with gangs. So these data must be viewed with some caution.

Identified gang membership among the DOC comparison sample is significantly associated with several factors, including the following:

- \* Gender: Just 5% of the women are identified as gang members, compared to 14% of the men.
- \* Age: In general, the younger the inmate, the more likely he/she is to be identified as a gang member: 35% of those 17 or younger are identified as gang members; 15% of those 18 - 20, 18% of those 21 - 25; and 10% of those 26 - 30.
- \* Race/ethnicity: Latinos are more likely to be identified as gang members (26% compared to 9% of African Americans and 8% of Caucasians).
- \* Crime severity: All of the identified gang members are convicted of a felony. They comprise 31% of all those convicted of a Class B felony.

**Inmate Risk Factors.** During the classification process following admission, DOC inmates are assigned several scores related to the violence involved in their offense, their history of violence, and the over all "risk" they pose.<sup>50</sup> As a group, nearly two-thirds of the offenders in the DOC comparison sample were rated in one of the two lower over all risk categories during the initial classification process. While just 56% of those age 18 - 20 were rated in one of these lower risk categories, this difference is not significant statistically.

The primary significant differences in these initial measures are related to race/ethnicity and the type of crime for which the inmate has been sentenced. In particular, significantly fewer Latinos have the more serious violence scores associated with their offense at conviction: 9% have one of the higher violence scores, compared to 20% of African Americans and 22% of Caucasians.

Differences are most pronounced by type of crime at conviction. Inmates convicted of crimes against persons have significantly higher ratings of violence associated with the present offense, violent history, and over all risk at intake. In fact, nearly 60% are rated in one of the three highest general risk categories at intake, compared to 41% of property offenders, 27% of those convicted of a public order crime, and 22% of drug offenders. The violent and property offenders remain substantially ahead of the others when just the two most serious risk scores are examined: 24% of violent, 17% of property, but just 5% of drug and public order offenders are given one of the two highest risk classifications.

---

<sup>50</sup> Over all risk is based on the two violence-related scores and such factors as previous escape attempts, length of the current sentence, and additional pending charges.

**Disciplinary Actions.** Nearly half (47%) of the offenders in the DOC comparison sample have had a formal disciplinary action recorded during their incarceration.<sup>51</sup> In order of frequency, inmates are processed for the following internal offenses most frequently:

- \* Disobeying a direct order (18%)
- \* Program violations (13%)
- \* Contraband (10%)
- \* Threatening (9%)
- \* Assault (7%)
- \* Fighting (5%)
- \* Insulting language or behavior (5%)
- \* Causing a disruption (5%)

Notably, 36% of those who have a formal disciplinary action taken against them are charged within the first three months of their prison/jail sentence.

### 3. Summary Comparison of AIP and DOC Comparison Samples

Although the differences between the two primary samples by gender and severity of crime at conviction are minimal and not significant statistically, analysis has shown several significant differences which are important considerations in recidivism and therefore important to review before comparing rates of new arrests for the two samples. The major significant differences are largely related to age; they include the following:

- \* Age. The AIP sample is younger than the DOC comparison, with 36% under 21, compared to 18%. Young age is the most powerful predictor of new arrests for most of the alternative samples.
- \* Type of Crime. Fewer AIP clients are convicted of drug crimes (49% vs. 54%) and more are convicted of property crimes (14% compared to 7%).
- \* Length of "Career". 51% of AIP clients are convicted of their first recorded offense, compared to 27% of the DOC sample. 13% of AIP offenders have records over ten years, compared to 19% of the DOC sample.
- \* Number of Prior Convictions. 55% of AIP clients have no priors, compared to 29% of the DOC comparison.
- \* Number of Felony Convictions. 72% of the AIP sample have no prior felony convictions, compared to 44% of the DOC sample.
- \* Pretrial Incarceration. The DOC sample was more likely to be incarcerated pretrial: 76% were, compared to 46% of the AIP sample.

---

<sup>51</sup> Since nearly half of this sample was still incarcerated at the time these data were collected, this figure is likely to be low. The distribution of types of offenses is more useful at this stage of the study, but is still only suggestive. Of course, as more offenders in this sample are released on the conviction that brought them into the study sample, these figures will be more meaningful and important. The report for the second year will include a fuller analysis of the offenses and the disciplinary actions taken (including time added to the sentence). It will also provide these data for the other two incarcerated samples.

#### 4. New Arrests<sup>52</sup>

70% of the released offenders in the DOC comparison sample were not arrested again in the first year following their release. In contrast, 62% of the offenders in the split sentence sample, but 76% of the AIP clients and 73% of the full group of AIC clients remained free of new arrests for a year, as shown in Figure 9.<sup>53</sup>

**Number of Arrests in First Year After Sentence or Release by Type of Sentence**

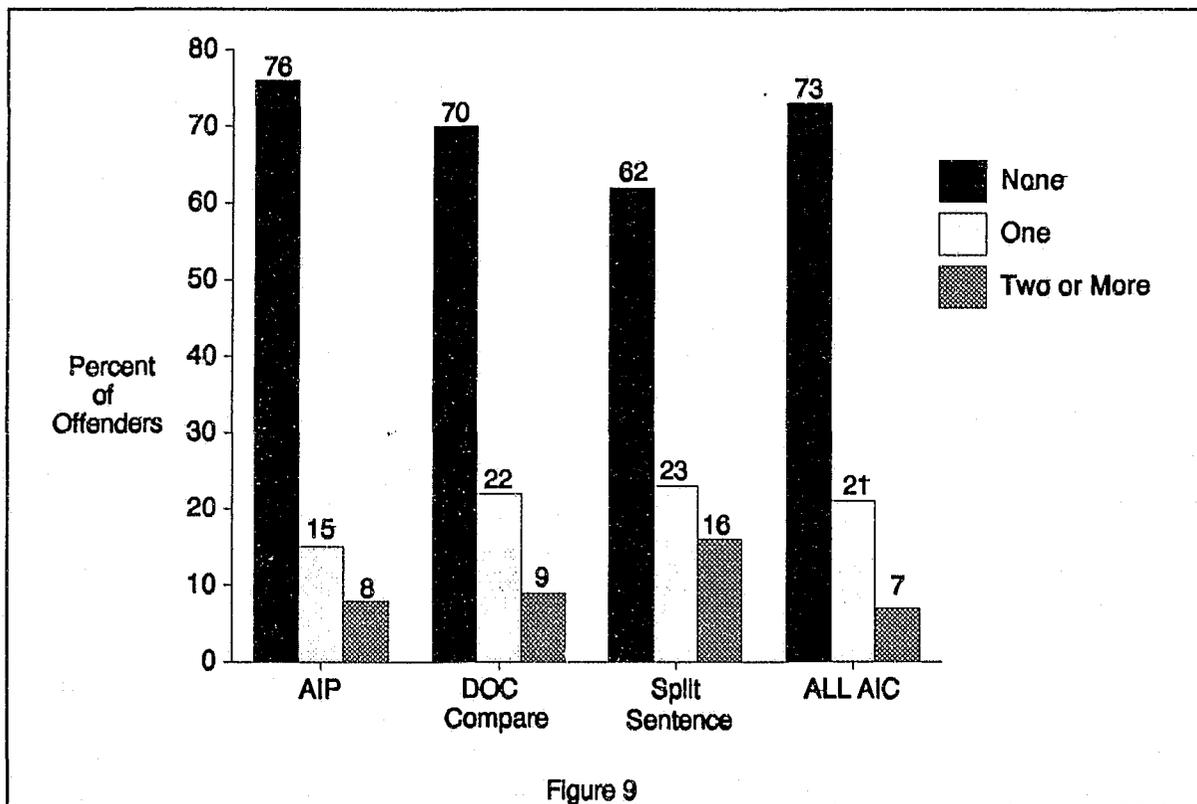


Figure 9

<sup>52</sup> Data on new arrests in the first year following release from a DOC facility can only be provided for offenders who had been released for at least a year by mid-April, when the data were collected. In fact, data were not collected for the full year for anyone who had not been released by mid-March, because there is sometimes delay in entering arrest data. For this reason, new arrest data are not provided for the transitional sample.

Since just 51% of the DOC comparison sample and 92% of the split sentence sample had been released long enough, these preliminary results do not yet provide the complete comparison. However, those who were not released were serving longer sentences than the others, had been convicted of more serious crimes, and therefore, based on what is known about recidivism, would be unlikely to have lower rates of new arrests than those already released. More definitive analyses will be provided in the second year report, along with data for the transitional sample. In addition, data on the court's disposition of the new arrests will be included.

<sup>53</sup> It is important to remember that all of these comparisons are based on opportunity: following release for the incarcerated, and following start of the sentence for the alternative samples.

Several factors are significantly related to new arrests among the DOC comparison sample. Notably, the offender's gender and race/ethnicity are not among them. Age is not significant, either, partly because there are relatively few younger offenders in the sample. Those age 17 or younger are most likely to be arrested again (54% are), followed by those age 18 - 20 (36%). Among the significant general relationships are the following:

- \* Severity of Crime at Conviction: Although the general relationship between severity and new arrests is not significant statistically, the Class A misdemeanants are substantially more likely than the others to be arrested again: 62% are, and the next closest group of sufficient size to report are those convicted of unclassified felonies, with 31%.
- \* Number of prior convictions: 19% of those with no previous convictions are arrested again within 12 months, compared to 30% of those with 2 - 3 priors and 45% of those with 11 - 20 prior convictions. This is not a perfect linear relationship, however. The offenders who are most likely to be arrested again are those who had 4 - 5 previous convictions; 54% of them are arrested again within 12 months.

Although identified gang membership is not significantly related to new arrests ( $p < .15$ ), 42% are arrested again within a year, compared to 29% of the others in the sample.

For offenders age 18 or older who were convicted of a felony, the DOC's risk score prior to release has a strong relationship to new arrests: 80% of those with low scores were not arrested, compared to just 39% of those with higher scores. Prior convictions are also related to recidivism for this group: 86% of those with no priors remained without new arrests for a year, as did 79% of those with no prior felony convictions.

**Predictors of New Arrests for the Comparison Sample.** When several factors<sup>54</sup> were examined at once, **the Department of Correction's latest over all risk score is by far the most powerful predictor of at least one new arrest in the first year following release.** The number of prior convictions is the second best predictor, followed by the offender's age (an inverse relationship). All of the factors considered together are able to predict new arrests with accuracy 77% of the time.

**Predictors of New Arrests for the Split Sentence Sample.** When multiple factors are examined at once,<sup>55</sup> **the offender's young age is the most powerful predictor.** Number of prior convictions and fewer years of education (in that order) are also significant predictors, even when the other factors were controlled. All together, these variables are able to predict new arrests with accuracy 67% of the time.

---

<sup>54</sup> The factors considered were the offender's age, race/ethnicity, type and severity of charge at conviction, number of days incarcerated pretrial, length of sentence to incarceration, number of years of education, number of prior convictions, and the DOC's over all risk score--the most recent score prior to release.

<sup>55</sup> The factors included were age, race/ethnicity, type and severity of charge at conviction, number of days incarcerated pretrial, number of prior convictions, years of education, and the length of sentence to incarceration.

**Further Comparisons of New Arrests.** Since significant differences were found between the AIP sample and the DOC comparison sample, further analyses were conducted to compare rates of new arrests that controlled for factors found to be associated with higher arrests. **In each comparison, however, AIP clients are less likely to be arrested again within a year,** as shown in Table 18. For example, severity of the charge at conviction was commonly associated with arrests. While the AIP and DOC samples did not differ significantly on this dimension, it could relate to still other factors differently within each sample. When only offenders convicted of felonies are selected, 77% of the AIP sample remain without arrests for a year, as do 70.5% of the DOC sample (and 62% of those with split sentences).

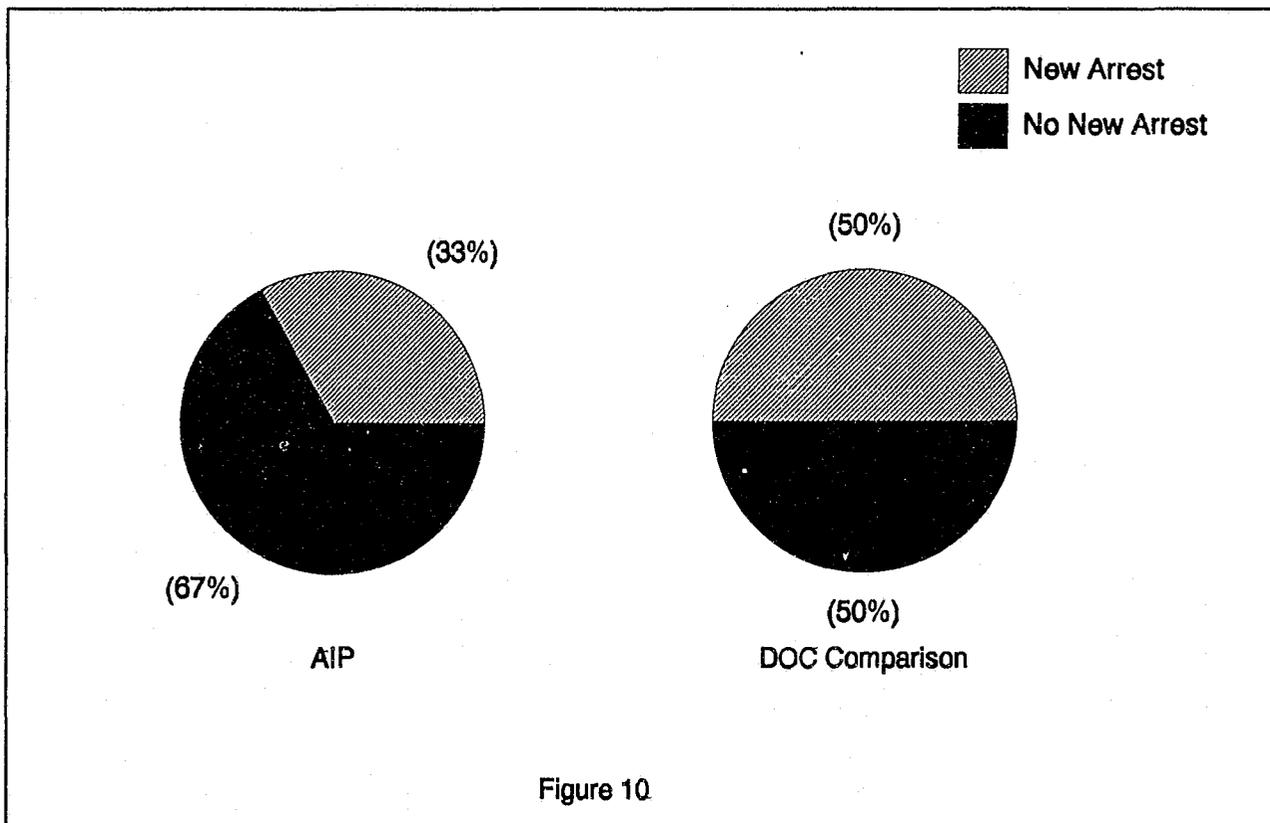
**TABLE 18**  
**Percentage Without Arrest by Offender Characteristics**  
**and Type of Sentence<sup>56</sup>**  
(In Percent)

% With No New Arrests	AIP	DOC	Split Sentence
General Comparison	76.4%	69.5%	62.4%
Offenders Convicted of a Felony	77	70.5	62
Felons Under 21, History of Convictions	67	56.5	54
Felons Under 21, History of Felony Convictions	67	50	57
Convicted of Felony Drug Offense, History of Felonies	80	65	67
Convicted of Felony Drug Offense, Felony History, 18 or Older	79	64	67
Convicted of Felony, Felony History, 18 or Older	78	67	53

<sup>56</sup> It is important to remember that all of these comparisons are based on opportunity: following release for the incarcerated, and following start of the sentence for the alternative samples. Again, similar data for the DOC' transitional supervision sample will be included in next year's report.

Young age is also associated with higher rates of arrest, as are prior convictions. When offenders who were convicted of felonies, had prior convictions and were under age 21<sup>57</sup> are compared, 67% of the AIP clients, 56.5% of the DOC comparison sample, and 54% of the split sentence sample remain without arrests for a year. Similar differences are found when felons under 21 with a history of felony convictions are compared, as shown in Figure 10. (The comparable percentage for those in the split sentence sample is 57%).

### Recidivism Rates for Felons Under 21 & History of Felonies



When the highest risk youth are eliminated, and those age 18 or older who were convicted of a felony and had histories of felony convictions are compared, again AIP clients have lower rates of new arrest within a year: 78% remain without arrest, compared to 67% of the DOC and 53% of the split sentence samples. When only those 18 and older who were convicted of felony drug charges, and had felony histories are compared, substantial differences remain: 79% of the AIP sample are arrest-free in the first year, compared to 64% of the DOC and 67% of the split sentence samples. These differences are altered only slightly when the offenders under 18 are included: 80% of the AIP, 65% of the DOC, and 67% of the split sentence samples remain without arrests during the first full year they have an opportunity for illegal behavior.

<sup>57</sup> Under age 21 was chosen in order to have a large enough number of DOC offenders to include meaningfully in the comparison.

## D. IMPLICATIONS

These initial results of a multi-year longitudinal study of sentencing alternatives, while not yet conclusive, are at least highly suggestive and very promising for the use of carefully supervised sentences to community programs. They suggest that judges have generally made appropriate sentencing distinctions in utilizing the array of sanctioning options available to them. **AIP and AIC clients have lower rates of new arrests within a year than either of the incarcerated samples,** and the DIC and ISDU clients do equivalently as well as those who were incarcerated.

### 1. Program Success

At this stage of the study, findings at least show a basis for continuing with the alternative sentencing programming, with confidence. It is particularly intriguing that the offenders who are typically the source of greatest concern to the public and to policy-makers--drug offenders and those convicted of violent crimes--are doing better than others under community supervision. This is at least in part a result of the individualized assessment of risks and needs performed prior to sentencing by probation staff; it is also, perhaps, attributable to the extra programming and supervision they have been given.

### 2. Rate of New Arrests

The high rates of recidivism for those convicted of public order crimes is also notable. These are partly offenders who have been convicted of violation of probation, and partly those convicted of illegal possession of weapons. These offenses could be used as indicators of potentially greater risk, and additional interventions could be developed for them. It is clear that additional programming is warranted. Since they are not as likely as drug offenders to violate immediately, it would be important to maintain a careful monitoring schedule. An additional year's data will provide additional guidance on these issues.

### 3. Youth

The primary cautionary note lies with the relatively higher rates of recidivism for the youngest offenders. While a high proportion of crime has always been committed by the young, the differences are sufficiently strong that they could indicate cohort differences, as well. That is, it is possible that today's criminally-involved youth are even more likely to engage in frequent and serious criminal behavior than in past decades. This possibility warrants ongoing attention and policy and programming consideration. It also argues for greater focus on community prevention investments and greater attention to programming in juvenile facilities.

#### 4. Costs

The findings from this study suggest that offenders sentenced to carefully supervised community programs in most instances pose less risk to public safety as measured by new arrests than matched samples of offenders who are released after having been incarcerated<sup>58</sup>; and the alternative sentencing programs are substantially less expensive.

The partnership between Probation and contracted private programs appears to have been effective for both safety and costs. The private programs range in cost from \$5,000 per year for an AIC, through \$9,000 for the DIC. Assuming that an offender averages 6 months in an AIC and 4 months in a DIC, and costs the Office of Adult Probation an annual average of \$3,650 for more careful supervision than is accorded a general probation client<sup>59</sup>, the annual costs average \$6,150 for a client with an AIC condition and \$8,000 for one who has a DIC condition. The cost of incarcerating an individual for a year is in excess of \$25,000<sup>60</sup>.

---

<sup>58</sup> It is important to remember that all of these comparisons are based on opportunity: following release for the incarcerated, and following start of the sentence for the alternative samples.

<sup>59</sup> This cost estimate was provided by the Office of Adult Probation.

<sup>60</sup> Cost differences, while substantial, are actually not this great, since such costs as those associated with formal violations and treatment programming have not been reflected here. (For example, although up to a third of those who received an "alternative" sentence also produced internal Probation costs associated with formal violation processing, formal internal disciplinary actions were required for 47% of the DOC clients, as well.) More refined cost comparisons will be provided in next year's report.

## **APPENDICES**

**APPENDIX I**  
**Methodology**

## METHODOLOGY

The research questions and design for Phase II of the evaluation of alternatives to incarceration were developed in consultation with key criminal justice policy-makers from throughout the system, as they were for Phase I. Staff from the Office of Adult Probation and the private sector programs were involved most particularly. The key goals of the research were to determine the longer-term public safety of community-based sentencing options, to provide comparative data which could be used to help with planning related to community supervision options for sentenced criminal justice clients, and to identify which types and conditions of supervision were most effective with which defendants. The samples were drawn in accordance with these aims.

General criteria for inclusion in the study were, first, that the individual was adjudicated such that program participation began in 1992. Second, this is an offender-based study, not one based on cases. That is, as much as it is possible to determine, an individual appears in only one of the samples. If someone appeared in more than one sample, they were deleted from one. No one was deleted from the group sentenced under the Alternate Incarceration Program (AIP) statute. The Day Incarceration Center (DIC) sample was next most likely to be retained intact, followed by those sentenced directly to an Alternative to Incarceration Center, and those in the Intensive Supervision Drug Unit (ISDU) program. In all, less than ten people were deleted for these reasons.

### The Samples

People who were sentenced under the Alternate Incarceration Program statute constituted the primary group of interest. They were obtained from computerized records maintained by Connecticut's Judicial Information Systems (JIS): the list included every person sentenced under the statute during calendar year 1992. All are part of this study. The listing prepared by JIS also provided the following information about each person: name, Office of Adult Probation state and client numbers, date of birth, sex, race/ ethnicity, docket number, arrest date, sentence date, most serious charge at conviction, court-ordered conditions associated with the sentence, and drug or alcohol problems identified at probation intake.

The largest sample of incarcerated offenders (referred to as "the DOC comparison sample") was developed by the Research and Management Information System staff at the Department of Correction (DOC). Early frequencies and cross tabular analyses of the AIP sample were provided to DOC researchers. Specifically, they were asked to sample separately for men and women, such that 83% of the sample was male and 17% female. The target sample size of 600 was closely approximated, with a final total of 582.

Within each group, researchers were given the proportion of the sample which should have a particular type and severity of charge as the most serious one at conviction, and asked to obtain it randomly from inmates sentenced in 1992. Unfortunately, technical limitations permitted only a match on sex and severity, although the final variance from the AIP sample on charge type was not great. In any case, results from the **Court Disposition Study** showed that charge severity was a much greater determinant of sentencing which distinguished incarceration from probation than was charge type or other available criminal justice variables.

The clients sentenced directly to an Alternative Incarceration Center were identified in several ways. First, JIS was able to find 52 people who had AIC as a condition and were not sentenced under the statute. Second, two lists of names of active clients provided annually to the Office of Alternative Sanctions each March by the AICs (the lists of clients active in March, 1992 and March, 1993) were obtained. Their disposition dates were checked through the AICs, and those who were not sentenced in 1992 were deleted. (1992 and 1993 were the only applicable years because AIC clients are sentenced to the program for just six months.) In a small number of cases, people who remained after this process were sentenced later in 1992 under the statute, so they were eliminated from the "direct sentence" list. Finally, probation officers were asked to identify anyone on their caseload who was sentenced directly to an AIC in 1992. In total, these efforts yielded the 116 people included in the study sample.

The clients sentenced directly to Hartford's Day Incarceration Center (DIC) were obtained from the 1992 intakes maintained by the program on personal computer. The program provided clients' names and dates of birth. The remaining data were obtained from other sources, including a manual review of client program files.

ISDU clients, too, were obtained from the computerized list maintained by the Hartford program. They had one list of all ISDU clients admitted since the program's inception. All of those who were listed as admitted under the drug statute or the AIP statute in 1992 were identified manually, and then the few who appeared in other samples were eliminated. The final result was 130, with the addition of 36 who were in the program and sentenced under the AIP statute.

The remaining samples were largely generated by computer. The transitional supervision (TS) sample was generated by DOC researchers from people who were incarcerated, eligible for, and released to the program between late July 1993 and February, 1994 (when the sample list was provided to the study researchers). The target sample size of 200 was surpassed, with 211.

Finally, the "split" sentence sample was provided by JIS. Researchers provided a list and selected data for all people who were given split sentences in 1992, in which the incarceration portion of their sentence was a year or less. The aim was to provide another sample which might closely approximate the AIP sample. People who are considered among the most serious offenders are often given split sentences in which both the incarceration and probation portions last several years. By specifying a shorter period of incarceration, the more moderate offender was targeted. After eliminating everyone on the list who was not convicted of a criminal charge, about two-thirds of the rest were selected randomly for inclusion in the sample.

## **Data Sources**

Once the samples were drawn, data for each offender was collected as available from the Probation Risk Assessment completed at intake, from pre-sentence investigation reports contained in officers' files, arrest histories obtained through access to the Office of Public Safety's computer records, admission and release information maintained by the Department of Correction, DOC risk data, intake data, disciplinary history and current violations; and violation actions maintained by the Office of Adult Probation's computer information system (APOLIS).

In addition, data were collected manually when possible from Probation Officer's case files, and from the files maintained by each AIC and the DIC in the state. A few files which had not been found by the end of data collection for this report because they were closed or transferred or for

other reasons will be pursued in the next year. Data on informal violations, services provided, and detailed individual assessments were drawn from these records.

Finally, follow-up data were collected through telephone interviews with program clients. Flyers were distributed to probation officers for dissemination before attempts were made to contact clients. Flyers were written in English and Spanish. They stated that independent researchers would contact them to talk about their probation experiences. The flyers emphasized that interviews were voluntary, and would remain confidential.

106 total interviews were completed with clients from the "alternative" programs. Although there were a combined total of 950 clients in the programs, the completion rate surpasses 11%. First, none of the youthful offenders were approached, because they are protected by statute. Second, 223 could not be reached because the telephone was no longer in service, was inaccurate, or was not listed in the records. Letters were mailed in English and Spanish to these clients, soliciting their participation. Not too surprisingly, only one client responded. Outright refusals to participate in the interview were rare: less than 10 people refused.

Under the circumstances, the 23% response rate for AIP clients (based on clients actually reached by telephone or letter) was reasonable. Further, analysis which compared the respondents with the non-respondents found that, while Caucasians were over-represented among those interviewed, there were no significant differences by type or severity of crime or other factors associated with race/ethnicity in the sample. Nonetheless, the interview responses are reported for their qualitative value, and not considered purely representative.

In sum, the samples developed for this study and the data collected are unique for their comprehensiveness and the comparisons they make possible. As additional data are collected in coming years they will provide the basis for a valuable contribution to criminal justice policy and planning.

**APPENDIX II**  
**Characteristics of Sentenced Offenders**

# Characteristics of Sentenced Offenders

(In Percent)

	<u>AIP</u>	<u>Direct AIC</u>	<u>ISDU</u>	<u>Direct DIC</u>	<u>DOC Compare</u>	<u>DOC Transi- tional</u>	<u>"Split"</u>
<u>Sex</u>							
Male	83	79	88	89	84	86	85
Female	17	21	12	12	17	14	14
TOTAL % (N)	100 (652)	100 (116)	100 (130)	101 <sup>61</sup> (52)	101 <sup>1</sup> (582)	100 (211)	99 <sup>1</sup> (236)
<u>Race/Ethnicity</u> <sup>62</sup>							
Caucasian	38	58	25	6	29	37	55
African-American	37	29	41	56	46	39	31
Latino	25	13	34	39	25	23	14
Other	*	-	1	-	1	1	1
TOTAL % (N)	100 (652)	100 (113)	101 <sup>1</sup> (130)	101 <sup>1</sup> (52)	101 <sup>1</sup> (582)	100 (211)	101 <sup>1</sup> (236)
<u>Age</u> <sup>2</sup>							
17 & under	15	20	2	35	4	4	6
18-20	21	20	9	33	14	13	14
21-25	22	16	26	19	26	21	19
26-30	18	14	31	12	25	18	23
31-40	18	22	29	2	24	37	31
41-60	6	6	4	-	7	7	8
61 & over	1	2	-	-	*	-	1
TOTAL % (N)	101 <sup>1</sup> (652)	100 (116)	101 <sup>1</sup> (130)	101 <sup>1</sup> (52)	100 (582)	100 (211)	102 <sup>1</sup> (236)

<sup>61</sup> Here and throughout this table percentages may not total 100 due to rounding.

<sup>62</sup> Differences by sentence statistically significant at  $p < .0001$ .

## Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	DOC <u>Compare</u>	DOC <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Education</u>							
Up to 8th Grade	12	6	9	20	10	10	8
9th - 11th	47	59	51	61	49	46	41
High school grad	35	28	26	20	34	37	42
Some college	5	7	13	-	7	7	8
College grad	1	1	1	-	1	1	1
Post-college	*	-	-	-	*	-	*
TOTAL %	100	101	100	101	101	101	100
(N)	(620)	(91)	(86)	(51)	(573)	(204)	(229)
<u>Marital Status<sup>1</sup></u>							
Single	77	81	65	84	86	86	85
Married	9	6	17	12	14	14	15
Separated	4	2	7	4	-	-	-
Widowed	1	-	-	-	-	-	-
Divorced	9	11	10	-	-	-	-
TOTAL %	100	100	99	100	100	100	100
(N)	(611)	(64)	(81)	(26)	(546)	(205)	(226)

<sup>1</sup> Differences by sentence statistically significant at  $p < .0001$ .

# Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	<u>DOC</u> <u>Compare</u>	<u>DOC</u> <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Number of Dependents<sup>1</sup></u>							
None	53	57	36	54	59	56	58
One	22	25	15	25	18	19	18
Two-three	15	10	22	4	14	15	14
Four-five	9	8	24	17	8	9	9
Six or more	1	-	4	-	1	1	1
TOTAL % (N)	100 (593)	100 (61)	101 (76)	100 (24)	100 (578)	100 (206)	100 (231)
<u>Known Drug Problems<sup>2</sup></u>							
Yes	78	75	100	63	82	76	NA
No	22	25	-	37	18	24	
TOTAL % (N)	100 (651)	100 (97)	100 (98)	100 (52)	100 (491)	100 (207)	
<u>Known Alcohol Problems<sup>2</sup></u>							
Yes	61	69	80	31	82	76	NA
No	39	31	20	69	18	24	
TOTAL % (N)	100 (651)	100 (96)	100 (98)	100 (52)	100 (491)	100 (207)	

<sup>1</sup> Differences by sentence statistically significant at p<.001.

<sup>2</sup> Differences by sentence statistically significant at p<.0001.

## Characteristics of Sentenced Offenders

(Continued; In Percent)

Seriousness of Most Serious Charge at <u>Conviction</u> <sup>1</sup>	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	DOC <u>Compare</u>	DOC Transi- <u>tional</u>	<u>"Split"</u>
A Felony	-	-	-	4	-	1	-
B Felony	4	3	2	6	6	1	3
C Felony	8	8	5	12	7	7	7
D Felony	20	22	17	17	19	15	31
Uncl. Felony	58	33	60	39	58	23	23
Uncl. Misdemeanor	1	5	2	17	2	14	2
A Misdemeanor	7	21	10	6	7	28	28
B Misdemeanor	1	3	2	-	1	5	3
C Misdemeanor	1	5	3	-	1	5	5
D Misdemeanor	-	-	-	-	-	-	-
Infraction	-	1	-	-	1	2	*
<b>TOTAL %</b>	<b>100</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>100</b>	<b>102</b>
(N)	(652)	(115)	(130)	(52)	(582)	(211)	(236)

<sup>1</sup> Differences by sentence statistically significant at p<.0001.

## Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	DOC <u>Compare</u>	DOC <u>Transi- tional</u>	<u>"Split"</u>
<u>Type of Most Serious Charge at Conviction<sup>1</sup></u>							
Personal	29	26	21	23	30	24	49
Substance	49	29	60	35	54	22	15
Property	14	24	11	19	7	17	21
Order	8	21	10	23	8	35	15
Other	-	-	-	-	-	1	-
TOTAL % (N)	100 (652)	100 (115)	102 (130)	100 (52)	99 (582)	99 (211)	100 (236)
<u>Number of Prior Convictions<sup>1</sup></u>							
None	55	25	25	44	29	18	35
One	12	26	23	29	15	8	10
Two-three	14	26	12	10	17	18	15
Four-five	8	9	8	6	13	15	9
Six-ten	9	5	20	12	14	22	12
Eleven-twenty	3	8	10	-	10	16	14
Twenty-one or more	1	1	2	-	3	3	5
TOTAL % (N)	102 (652)	100 (115)	100 (128)	101 (52)	101 (580)	100 (211)	100 (235)

<sup>1</sup> Differences by sentence statistically significant at  $p < .0001$ .

## Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	DOC <u>Compare</u>	DOC <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Number of Prior Felony Convictions<sup>1</sup></u>							
None	72	45	39	65	44	37	61
One	12	37	20	23	23	24	17
Two-three	10	11	20	10	20	24	12
Four-five	3	2	13	2	6	9	6
Six-ten	2	4	8	-	5	6	4
Eleven-twenty	1	1	1	-	1	1	-
TOTAL % (N)	100 (652)	100 (115)	101 (128)	100 (52)	99 (580)	101 (211)	100 (235)
<u>Number of Prior Probation Sentences<sup>1</sup></u>							
None	64	38	39	50	40	27	43
One	13	27	21	27	22	17	20
Two-three	15	26	27	21	26	32	20
Four-five	4	4	9	2	8	16	11
Six-ten	3	4	4	-	4	8	5
Eleven-twenty	-	1	-	-	-	-	1
TOTAL % (N)	99 (652)	100 (115)	100 (128)	100 (52)	100 (580)	100 (211)	100 (235)

<sup>1</sup> Differences by sentence statistically significant at p<.0001.

## Characteristics of Sentenced Offenders (In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	<u>DOC</u> <u>Compare</u>	<u>DOC</u> <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Number of Prior Violations of Probation<sup>1</sup></u>							
None	94	82	80	81	81	75	80
One	4	12	13	19	13	18	13
Two-three	2	5	6	-	6	8	5
Four-five	-	-	1	-	-	-	1
Six-ten	-	-	1	-	-	-	1
TOTAL % (N)	100 (652)	99 (115)	101 (128)	100 (52)	100 (580)	101 (211)	100 (235)
<u>Time Since First Recorded Arrest<sup>1</sup></u>							
This is first	51	41	34	42	27	15	29
Less than 1 year	11	16	17	27	11	11	13
One-two years	5	7	5	6	10	6	8
Two-five years	12	14	16	14	18	16	10
Five-ten years	8	8	16	10	15	21	17
Ten or more years	13	15	13	2	19	30	23
TOTAL % (N)	100 (652)	101 (115)	101 (128)	101 (52)	100 (580)	99 (211)	100 (235)

<sup>1</sup> Differences by sentence statistically significant at  $p < .0001$ .

## Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	<u>Direct AIC</u>	<u>ISDU</u>	<u>Direct DIC</u>	<u>DOC Compare</u>	<u>DOC Transi- tional</u>	<u>"Split"</u>
<u>Incarcerated During Pretrial Period<sup>1</sup></u>							
Yes	46	34	54	54	76	65	68
No	54	66	46	46	24	35	32
TOTAL % (N)	100 (652)	100 (116)	100 (130)	100 (52)	100 (582)	100 (211)	100 (236)
<u>Length of Pretrial Incarceration<sup>1</sup></u>							
None	54	66	46	46	24	35	32
Released same day	7	4	4	1	2	*	3
1 day-1 week	13	10	4	10	8	6	11
1-2 weeks	6	6	5	10	6	8	9
2 weeks-1 month	5	3	-	18	12	16	14
1 month-3 months	10	6	14	10	22	26	21
3 months-6 months	5	3	26	2	17	8	8
6 months-1 year	2	3	2	2	6	1	2
Greater than 1 year	*	-	-	-	3	-	-
TOTAL % (N)	102 (652)	101 (116)	101 (128)	99 (51)	100 (580)	100 (211)	100 (236)

<sup>1</sup> Differences by sentence statistically significant at p<.0001.

## Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	<u>DOC</u> <u>Compare</u>	<u>DOC</u> <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Number of Arrests</u> <u>in First Six Months<sup>1</sup></u>							
None	89	86	84	84	83	NA	79
One	8	13	13	12	14		17
Two or more	2	1	3	4	4		5
TOTAL % (N)	99 (648)	100 (97)	100 (122)	100 (50)	101 (295)		101 (218)
<u>Number of Arrests</u> <u>in Second Six Months</u>							
None	83	78	80	71	81	NA	78
One	11	19	14	18	14		14
Two or more	5	3	7	10	5		9
TOTAL % (N)	99 (622)	100 (96)	101 (117)	99 (49)	100 (234)		101 (210)

<sup>1</sup> Differences among sentences statistically significant at  $p < .05$ .

# Characteristics of Sentenced Offenders

(Continued; In Percent)

	<u>AIP</u>	Direct <u>AIC</u>	<u>ISDU</u>	Direct <u>DIC</u>	<u>DOC</u> <u>Compare</u>	DOC <u>Transi-</u> <u>tional</u>	<u>"Split"</u>
<u>Number of Arrests</u> <u>in First Year</u> <sup>1</sup>							
None	76	64	68	62	70	NA	62
One	15	32	21	18	22		23
Two	4	3	7	16	7		9
Three	3	1	2	2	2		4
Four-Six	1	-	2	2	-		2
Seven-Ten	*	-	1	-	-		1
TOTAL %	99	100	101	100	101		101
(N)	(648)	(97)	(122)	(50)	(295)		(218)

<sup>1</sup> Differences among sentences statistically significant at  $p < .002$ .

**APPENDIX III**  
**Follow-up Interview**

# CRIMINAL SENTENCING ALTERNATIVES EVALUATION

## Follow-up Interview

Date Conducted \_\_\_\_\_ Conducted by \_\_\_\_\_

Respondent ID \_\_\_\_\_ Voluntary/Confidential \_\_\_\_\_

- (WORK)  
(JOBTYPE)
1. Have you been working during the past six months?  
0 = No [GO TO # 4]  
1 = Yes: What have you been doing? \_\_\_\_\_  
\_\_\_\_\_
- (WORKTIME)
2. Is that full-time or part-time? 0 = not working  
1 = Full-time 2 = Part-time
- (JOBLENTH)
3. How long have you had this job? (Number of months)  
[Leave blank if not working]
- (SCHOOL)
4. Have you been going to school or attending training  
during the past six months? 0 = No [GO TO # 6] 1 = Yes (school)  
2 = Yes (training) 3 = Yes (both)
- (SCHLTYPE)
5. What kind of training/schooling is that? (Ask only if not volunteered  
in response to #4) 1 = GED 2 = College classes 3 = Specific  
job skill training (write in) 4 = Job search training 5 = Other (write  
in)  
\_\_\_\_\_
- (FAMILY)
6. How often do you see members of your family?  
0 = Never [GO TO # 9] 7 = Lives with family 6 = Daily  
5 = Several times/week 4 = Weekly 3 = 2 to 3 times/month  
2 = Monthly 1 = Less than once a month
- (FAMHELP)
7. Has your family been helpful to you? 0 = No  
1 = Yes (Who in family? How so?): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (FAMCRIME)
8. Have any of the family members you see most often  
been convicted of a crime in the past year? 0 = No 1 = Yes

(PARTNER)

9. Do you have a close/intimate relationship with anyone right now?  
0 = No [GO TO # 11] If Yes: Do you live with that person? 1 = Together 2 = Live apart

(PTNRTIME)

10. How long have you been involved in that relationship?  
(Number of months)

(GANG)

11. Do you consider yourself to be a member of a gang?  
0 = No 1 = Yes

(AIC)

12. As part of your current **sentence**, did you go to an Alternative to Incarceration Center (AIC)? 0 = No [GO TO # 14] 1 = Yes

(AICHELP)

13. How helpful to you was it to go there?  
1 = Not all helpful 2 = Not very helpful 3 = Somewhat helpful  
4 = It was very helpful [Ask them to explain how it was helpful/not] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(AICMORE)

14. How could the AIC have been more helpful to you?  
\_\_\_\_\_  
\_\_\_\_\_

(INTENSUP)

15. As part of your sentence, were you placed on Intensive Supervision?  
0 = No [GO TO # 17] 1 = Yes

(ISUPHELP)

16. How helpful was Intensive Supervision to you?  
1 = Not at all 2 = Not very 3 = Somewhat 4 = Very  
[Please explain] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(ISUPMORE)

17. How could it have been more helpful to you? \_\_\_\_\_  
\_\_\_\_\_

(DAYINCAR)

18. As part of your sentence, did you go to a Day Incarceration Center?  
0 = No [GO TO # 20] 1 = Yes

(DYINHELP)

19. How helpful was the Day Incarceration Center to you?  
1 = Not at all 2 = Not very 3 = Somewhat 4 = Very  
[Please explain] \_\_\_\_\_

(DYINMORE)

20. How could the DIC have been more helpful to you?  
\_\_\_\_\_

(ELECTMON)

21. Were you put on electronic monitoring?  
0 = No [GO TO # 22] 1 = Yes

(EMONHELP)

22. How helpful was the monitoring to you?  
1 = Not at all 2 = Not very 3 = Somewhat 4 = Very helpful  
[Please explain] \_\_\_\_\_

(POHELP)

23. What is the most helpful thing your probation officer has done for you?  
\_\_\_\_\_  
\_\_\_\_\_

(PROBDIFF)

24. What is the most difficult part of being on probation?  
\_\_\_\_\_  
\_\_\_\_\_

(BIGPROBL)

25. What is the biggest problem you've had to deal with in the last six months?  
\_\_\_\_\_  
\_\_\_\_\_

(PROBMORE)

26. What could be done to make your time on probation more helpful to you? [PROBE: Treatment? Services? Counseling?]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THANK YOU VERY MUCH!!

## REFERENCES

## References

- Andrews, D.A., James Bonta, and R.D. Hoge. 1990. Classification for Effective Rehabilitation: Rediscovering Psychology. Criminal Justice and Behavior, 17:19-52.
- Bonta, James, and Laurence L. Motiuk. 1992. Inmate Classification. Journal of Criminal Justice, 20:343-353.
- Byrne, James, Arthur Lurigio, and Joan Petersilia, eds. 1992. Smart Sentencing. Newbury Park, CA: Sage.
- Byrne, James, and Faye Taxman. 1994. Crime Control Policy and Community Corrections Practice: Assessing the Impact of Gender, Race, and Class. Evaluation and Program Planning 17:227-233.
- Clear, Todd, and Patricia Hardyman. 1990. The New Intensive Supervision Movement. Crime & Delinquency, 36:42-60.
- Currie, Elliott. 1985. Confronting Crime: An American Challenge. New York: Pantheon.
- Petersilia, Joan, and Susan Turner. 1990. Comparing Intensive and Regular Supervision for High-Risk Probationers: Early Results from an Experiment in California. Crime & Delinquency, 36:87-111.
- Shields, Ian, and David Simourd. 1991. Predicting Predatory Behavior in a Population of Incarcerated Young Offenders. Criminal Justice and Behavior, 18:180-194.
- Sullivan, Mercer. 1989. "Getting Paid": Youth, Crime, and Work in the Inner City. Ithaca: Cornell University Press.
- Turner, Susan, Joan Petersilia, and Elizabeth P. Deschenes. 1992. Evaluating Intensive Supervision Probation/Parole (ISP) for Drug Offenders. Crime & Delinquency, 38:539-556.