

A Jail and Prison Overcrowding Project Report

Executive Summary

**An Evaluation of the
Implementation of the
South Carolina Department of Corrections'**

Shock Incarceration Program

147449

U.S. Department of Justice
National Institute of Justice

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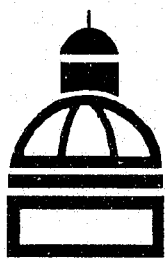
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TO THE MEMBERS OF THE GENERAL ASSEMBLY:

I am pleased to transmit to you the *Evaluation of the South Carolina Department of Corrections' Shock Incarceration Program -- Executive Summary*. As a cost-saving measure, copies of the full report are available only upon request.

Sincerely,

John Drummond
Chairman

/rmp

Enclosures

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EXECUTIVE SUMMARY

BACKGROUND

Shock incarceration programs or boot camp prisons, as they are sometimes called, are prison programs modeled after military boot camps. Offenders in these programs spend a relatively short period of time in prison and are then supervised in the community. During their time in prison, offenders in shock incarceration programs are separated from the other prison inmates and are required to participate in military drill and physical training. Typically, one of the major goals of shock incarceration programs is to reduce prison crowding and correctional costs. This report is primarily concerned with determining if the Shock Incarceration Program in South Carolina is achieving this goal.

The Shock Incarceration Act, §§ 24-13-1310 through 24-13-1340 of the South Carolina Code of Laws, 1976, as amended, was signed into law and became effective on June 25, 1990. The South Carolina Department of Corrections (SCDC) was mandated to implement and operate this program. Section 2 of this Act repealed § 24-21-475, thus abolishing the Shock Probation Program of the South Carolina Department of Probation, Parole, and Pardon Services (SCDPPPS). The Shock Probation Program was authorized in South Carolina by the Omnibus Criminal Justice Improvements Act of 1986. Probably, the most significant aspect of the new legislation is that it allows corrections officials to select offenders, who have already been sentenced to the Department of Corrections, for placement into the program. Under the previous program, the only means by which offenders could enter the program was to be sentenced directly to the program by a judge, at his or her discretion. The new legislation continues to allow judges to sentence offenders directly to the program, if certain conditions are met, and they can prohibit any offender from participating in the program. The purpose of this change was to ensure that the program would reduce prison crowding by diverting young, non-violent offenders, with no previous incarceration experience, from prison. In general, most criminal justice practitioners agree that diverting offenders, *after they have already been sentenced to prison*, into alternative programs (i.e., post-sentence diversion) ensures that the programs will be used as alternatives to incarceration and not to "widen the net" of social control of non-prison bound offenders.

The Shock Incarceration Act also changed the way in which offenders are released from the program. With the previous Shock Probation Program, offenders were sentenced to the program by the court as a condition *precedent* to probation. Offenders had to complete the 90-day shock period before being placed on probation. The Shock Incarceration Act provides that once the offender completes the program successfully, he/she *must* be granted parole release. The Shock Incarceration Act's statutory provision of the *presumption* of parole release for offenders who successfully complete the program is unique among South Carolina's statutory provisions.

The Department of Corrections currently operates a 192-bed shock incarceration unit for males at their Wateree River Correctional Institution, called the Thames Shock Incarceration Unit (TSIU) and a 24-bed shock incarceration unit for females at their Women's Correctional Center, called the Women's Shock Incarceration Unit (WSIU). These are the same facilities that were used for the previous Shock Probation Program which was, in effect, phased-out as the

new Shock Incarceration Program was phased-in. The Women's Shock Incarceration Unit began accepting new program placements on July 24, 1990, while the Thames Shock Incarceration Unit for men did not start receiving new program placements until October 1, 1990. The field operation of the new program, schedules, day-to-day activities, disciplinary standards, and educational programs are essentially unchanged from the previous program. However, greater emphasis is now being placed on education, release preparation and substance abuse programs.

As mandated by Proviso 3.59 of the FY 1990-91 General Appropriation Act passed by the South Carolina General Assembly, this report presents an evaluation of the South Carolina Department of Corrections' implementation of the Shock Incarceration Program. Proviso 3.59 states, in part:

The State Reorganization Commission, under its Jail and Prison Overcrowding Project, shall complete an evaluation of the shock incarceration program established by the Department of Corrections one year after the initiation of the program.

Shock incarceration programs may have either a direct or indirect effect on prison crowding. The most direct effect on crowding would occur if offenders who participate in the program spend less time in prison. That is, if the offenders were given a sentence of shock incarceration *instead* of a traditional prison sentence, and if the shock incarceration reduced the amount of time the offender spent in prison, then the total number of offenders in prison would decrease.

A second way that shock incarceration could have an influence on crowding would be to change offenders so that their criminal activities were reduced or eliminated upon release. This assumes that after offenders complete a shock incarceration program, they will be less inclined to be involved in crime, i.e., they will be rehabilitated. The result would be fewer criminals, fewer convictions and hence, fewer offenders sentenced to prison.

The purpose of this report is to determine if the provisions of the Shock Incarceration Act have been implemented and to what extent the program is achieving one of the primary goals intended for the program by the S. C. General Assembly -- to reduce prison crowding *directly* in a cost-effective manner. Since the program has been in operation only a relatively short period of time, this report will not examine the long-term rehabilitative effects of the program. A follow-up evaluation of this program will examine such areas as parole supervision and recidivism, which require a longer follow-up period.

This report examines the new Shock Incarceration Program (SIP) from inception in July 1990, through October 31, 1991. Specifically, this report discusses the following:

1. The placement process;
2. Characteristics and demographics of offenders who:
 - (a) Were admitted to the program during the evaluation period;
 - (b) Were active in the program on October 31, 1991;
 - (c) Failed to complete the program; and,
 - (d) Successfully completed the program;
3. The program's effectiveness in reducing prison crowding; and,
4. A cost analysis of the program.

THE PLACEMENT PROCESS

As shown in FIGURE 1, on page 5, there are two ways an offender can be placed in the Shock Incarceration Program. The first is for the Department of Corrections to select qualified participants. Offenders received through reception and evaluation centers who meet the eligibility criteria and volunteer to participate are reviewed by a Shock Incarceration Screening Committee. Applicants recommended by the Committee are referred to the Director of the Division of Classification for approval. Before the final decision is made, information received from law enforcement officials and victims is considered. To be eligible for Shock Incarceration, an inmate must:

- Be less than 26 years of age at the time of admission to SCDC;
- Be eligible for parole in two years or less, or if unsentenced, subject to being sentenced to five years or more, or is being revoked from probation;
- Have no violent convictions as defined in Section 16-1-60 or by the Department of Corrections;
- Have no prior incarcerations in an adult state correctional facility or shock probation/ incarceration program;
- Be physically and mentally able to participate; and,
- Not be prohibited because of his or her sentence.

A second way an offender can be placed in the Shock Incarceration Program is through a court referral. Judges can sentence eligible offenders to the Department of Corrections for a period of 15 working days for evaluation in a South Carolina Department of Corrections' reception center. The Department of Corrections, in conjunction with the Department of Probation, Parole and Pardon Services, prepares a presentence evaluation report for the judge and returns the offender to court with a sentencing recommendation. This evaluation report may recommend that the judge sentence the offender to the Shock Incarceration Program or some other sentence including, but not limited to, probation, a regular prison term, or a youthful offender "indeterminate" term. The judge, however, is not bound by this recommendation and may sentence the offender as he deems appropriate. If the judge chooses to sentence the offender to the Shock Incarceration Program, the offender is then transferred immediately to the Department of Corrections. Bedspace in a shock unit is normally available within two weeks of arrival. Judges who do not want to delay sentencing can sentence the offender to incarceration at the Department of Corrections and make a recommendation that the offender be considered for placement into the SIP.

Of the 723 offenders who were admitted to the Shock Incarceration Program between program inception, in June 1990, and October 31, 1991, 65 offenders (9%) were sentenced directly to the program by the courts. On the other hand, 658 (91%) of the 723 offenders who were placed into the program were the result of screening, during intake assessment, of offenders who had been sentenced to the Department of Corrections.

All inmates considered for the Shock Incarceration Program are required to submit a residence plan for approval by the SCDPPPS. The SCDC submits to the SCDPPPS a list of

addresses for inmates participating in the Shock Incarceration Program who are within 60 days of completion of the program. Thirty days prior to completion, the SCDPPPS submits to the SCDC a list of those inmates who do not have an approved residence. If an approved residence is not obtained at the end of the 90-day period, the SCDC determines whether the inmate will be removed from the program or retained in the program *and be given an extension of up to 30 days* to the original 90-day period to allow time to locate an acceptable address.

Inmates who submit an out-of-state residence plan are processed by the SCDPPPS through the Interstate Corrections Compact (ICC). Address information is obtained to begin interstate processing as soon as the Shock Incarceration application is approved. Inmates with an out-of-state address are not paroled from the program until the receiving state has agreed to accept supervision. If acceptance has not been received at the end of the 90 days, the inmate may be extended up to 30 days pending acceptance.

If, at the end of the extension period, an approved residence has not been obtained, the inmate is removed from the Shock Incarceration Unit and assigned to the general inmate population. Shock Incarceration participants who satisfactorily complete the program and maintain good institutional adjustment are paroled when the residence plan is approved by the SCDPPPS.

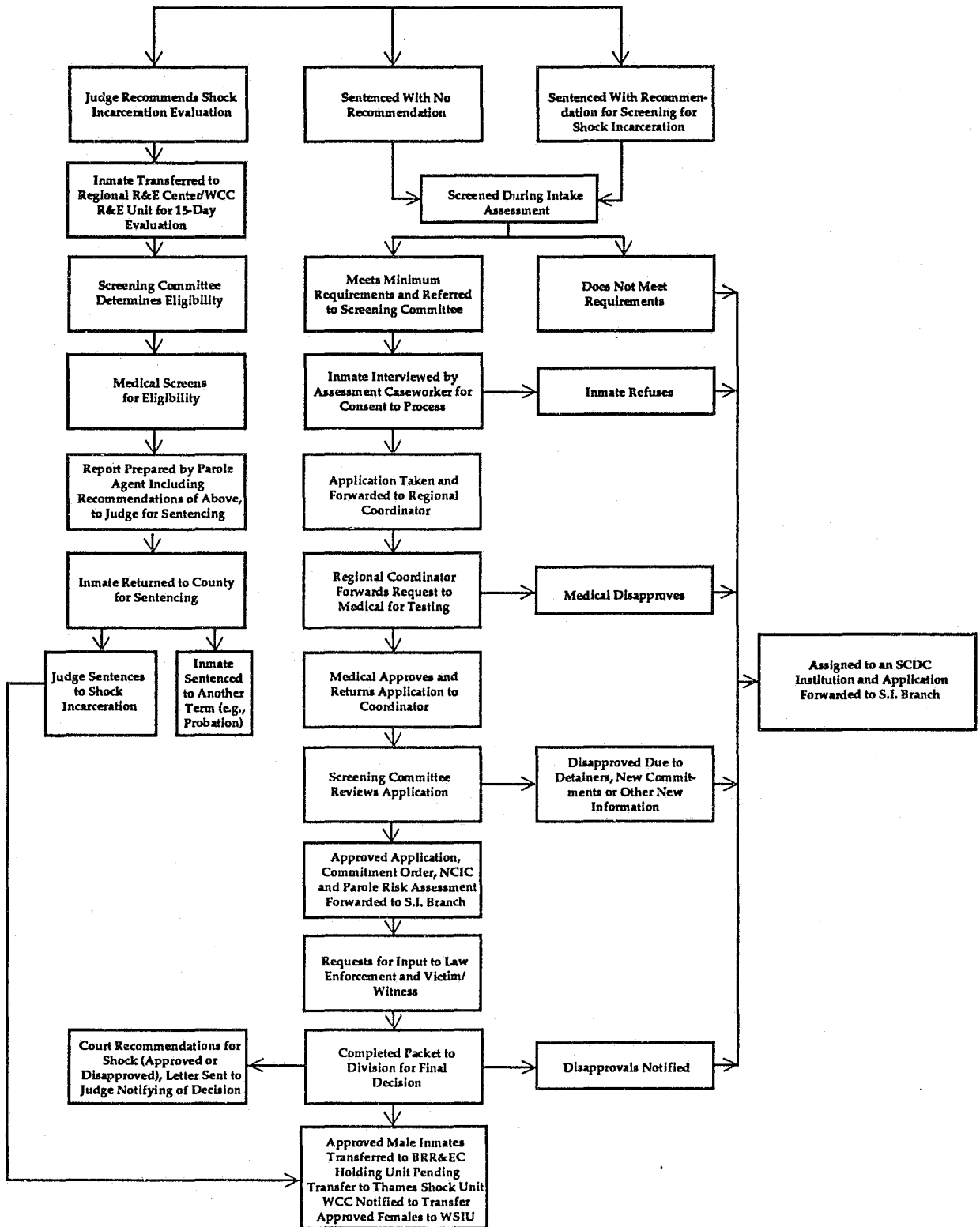
Inmates approved and placed in the Shock Incarceration Program who commit violations of the program rules are reviewed by the Shock Incarceration Unit (SIU) Management Committee to determine appropriate disciplinary measures. In some cases involving minor infractions, the SIU Management Committee may recommend a program extension of up to 30 days to be served at the end of the 90-day term. This extension must be agreed to by the inmate and approved by the Warden of the respective institution and the Chief of the Shock Incarceration Branch. All extensions, whether for purposes of address approval or disciplinary reasons must be approved by the Director of the Division of Classification.

Program violations of a more serious nature may require a recommendation by the SIU Management Committee for removal of the inmate from the Shock Incarceration Program. All inmates recommended for removal by the SIU Management Committee are given a hearing by the Chief of the Shock Incarceration Branch to determine if they will be allowed to continue to participate in the program. Inmates removed from the program or who complete the program and violate parole are returned to the referring Reception and Evaluation Center for assignment to an appropriate SCDC facility.

While in the Shock Incarceration Program, offenders between the ages of 17 and 25 are confined at a South Carolina Department of Corrections facility for, *typically*, 90 days during which time the offender participates in an intensive program of discipline, work, strenuous physical activities and programs. When the offenders successfully complete the program, they are then *automatically* paroled and supervised in the community by the Department of Probation, Parole, and Pardon Services.

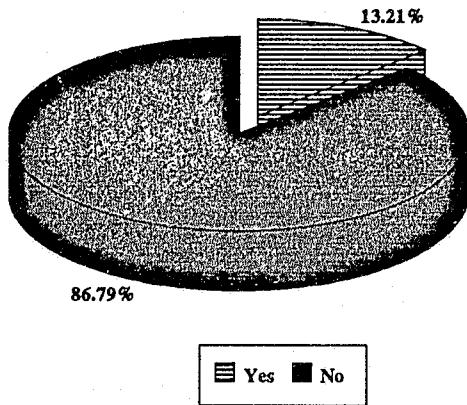
FIGURE 1
Process By Which Offenders Enter
The Shock Incarceration Program

SENTENCING PHASE



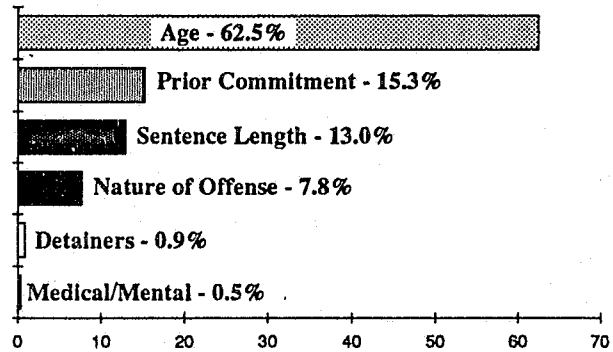
Other observations regarding the placement process are:

- Between the inception of the program in July 1990, and October 31, 1991, 8,542 offenders had been screened for the program. Of this number, 1,131 (13.2%) offenders met initial shock incarceration requirements. These offenders went on to further screening.

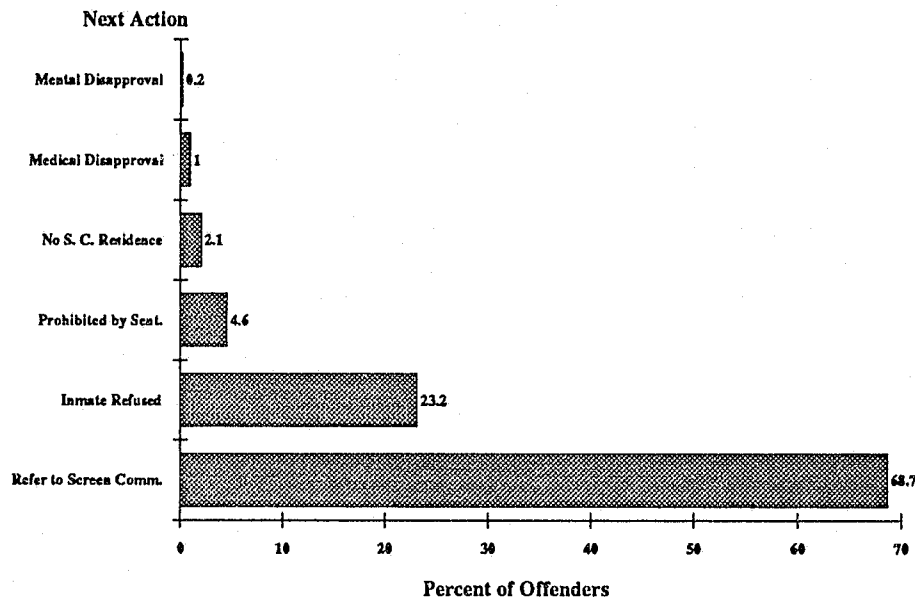


- Of the 7,411 offenders who did not meet the initial shock incarceration requirements, 4,632 (62.5%) offenders were rejected because they were 26 years of age or older at the time of their admission to the Department of Corrections, although they also may have had additional disqualifiers. 1,137 (15.3%) of these 7,411 offenders were rejected because they had been incarcerated previously in a state correctional facility. Thirteen percent (13.0%) were rejected because of their sentence.

Rejection Reasons



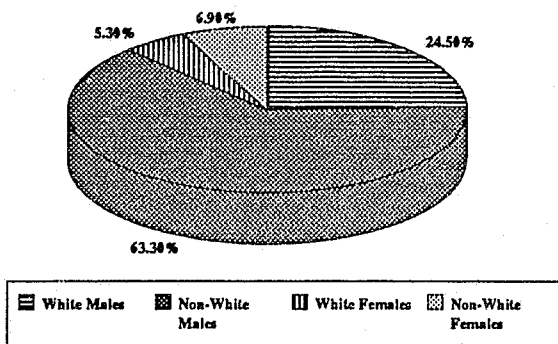
- Additional screening of these 1,131 offenders resulted in 263 (23.2%) being rejected because the offender refused to participate in the program; 52 (4.6%) were prohibited by sentence; 24 (2.1%) had no S. C. residence; and, 15 (1.2%) were rejected because of medical or mental problems. As a result of this additional screening, 777 (68.7%) were referred to the screening committee.



Additional information regarding offenders who were admitted to the Shock Incarceration Program between program inception in July 1990, and October 31, 1991, is presented below.

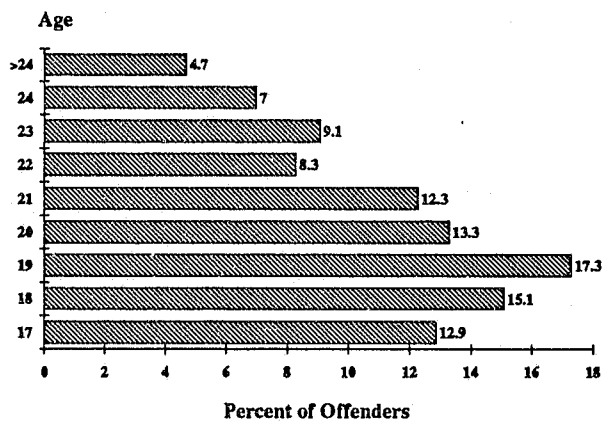
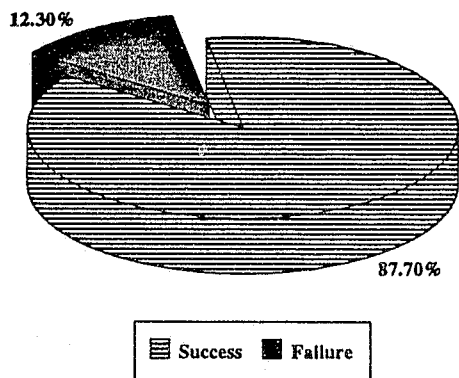
The profile of a typical inmate who was admitted to the Shock Incarceration Program between June 1990, and October 31, 1991, is a non-white male, age 20, who was most likely convicted of drug offenses or larceny and who received a youthful offender sentence (indeterminate 1 to 6 years).

- Of the 723 offenders who were admitted to the program between program inception and October 31, 1991, over 87 percent (87.8%) were males and 12.2 percent were females. Over 60 percent (63.3%) of all offenders admitted to the program were non-white males. About a fourth (24.5%) were white males.

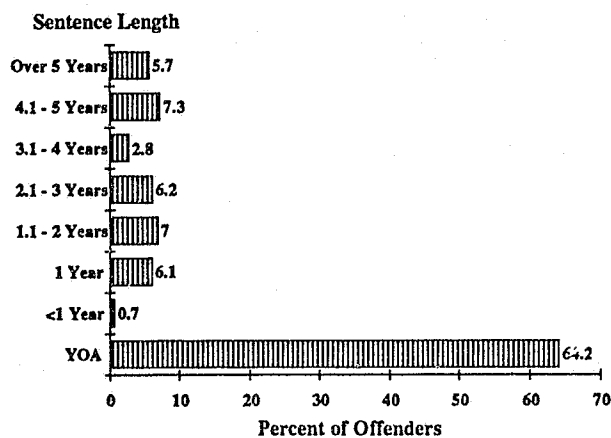


- The average age of the offenders who were admitted to the program, at the time of their admission to the SCDC, was 20 years of age. Non-white females, at an average age of 22, were slightly older than white males, non-white males, or white females, each of which were 20 years of age, on average. Only one offender was found to be older than 25 at the time of her admission to the SCDC. This offender was age 26 years and 1 month at the time of her admission to the SCDC and, therefore, was not eligible for the program. The figure below indicates that admission to the program drops sharply as the age of the offender increases. Only thirty-three (33) 25 year-olds (4.6%) were admitted to the program. This would seem to indicate that as the age of the offender increases, other factors disqualify him or her for consideration for placement into the program.

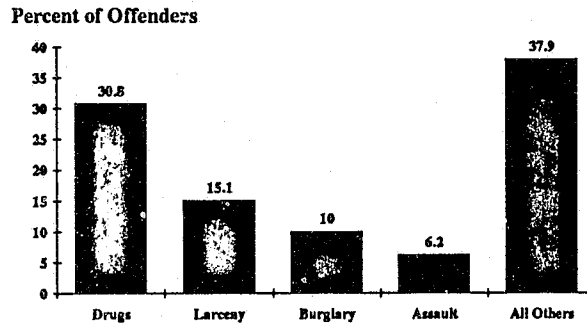
- Of the 723 offenders who were admitted to the program, 477 successfully completed the program, 67 failed to complete the program, and 179 were still participating in the program on October 31, 1991. Excluding these 179 offenders, the successful completion rate is calculated to be 87.7 percent and the failure rate is 12.3 percent. The Success rate was highest among non-white females at 90.2 percent, and lowest among white females at 83.9 percent. White males had a higher failure rate (14.6%) than non-white males (11.4%).



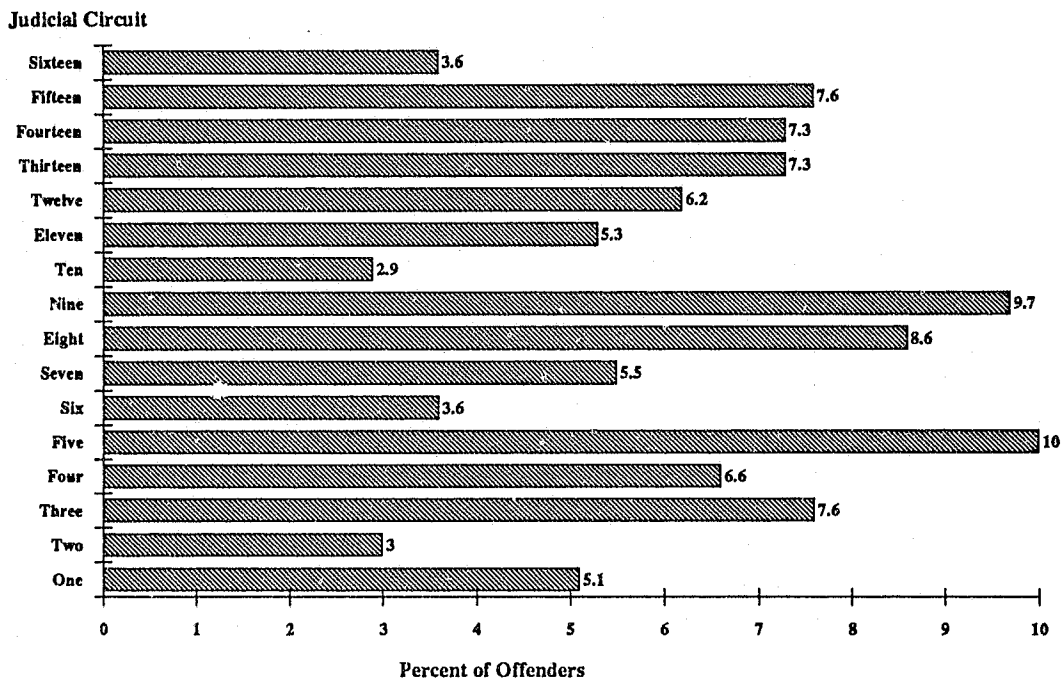
- Nearly two-thirds (64.2%) of the offenders who were admitted to the program between program inception and October 31, 1991, had a Youthful Offender Act (YOA) sentence. A YOA sentence is an indeterminate sentence of from 1 to 6 years. Males received this type of sentence much more frequently than did females. Over sixty-eight percent (68.6%) of the non-white males and 67.2 percent of the white males received YOA sentences, while 47.4 percent of the white females and only 26.0 percent of the non-white females received this type of sentence. Ninety-four (94) or 13 percent of the 723 offenders who were admitted to the program had received a sentence of 5 years or more. The average overall sentence, excluding YOA sentences, was 3 years and 6 months. The overall median sentence was 3 years.



- The most common offenses of offenders who were admitted to the program were drugs (30.8%), larceny (15.1%), and burglary (10.0%). Forty percent (40.0%) of the non-white males had drugs as their most serious offense and it was the most common offense among these offenders. The most common offenses among white males were larceny (24.9%), burglary (18.1%), and drugs (13.0%). The most common offense among females, both white and non-white, was fraud.



- Ten percent (10.0%) of the offenders admitted to the program were committed from the 5th Judicial Circuit.

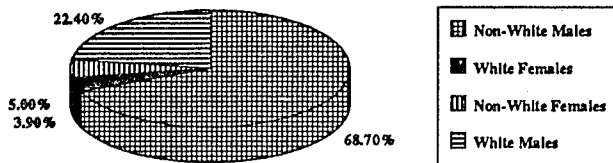


CURRENT PROGRAM PARTICIPANTS

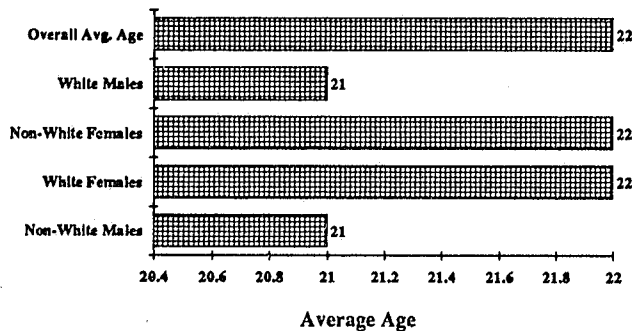
A profile of offenders who were participating in the Shock Incarceration Program on October 31, 1991, is presented below. October 31, 1991 was chosen as a cut-off date for the evaluation. There is no other significance to this date. On this date, 179 offenders were participating in the Shock Incarceration Program. An examination of this particular cohort is important in that it gives the reader an idea of the characteristics of the program participants on any given day.

The profile of a typical inmate participating in the Shock Incarceration Program on October 31, 1991, is a non-white male, age 21, who was convicted of some type of drug offense and who received a youthful offender sentence (indeterminate 1 to 6 years).

- Of the 179 offenders who were active in the program on October 31, 1991, over 91 percent (91.1%) were males and 8.9 percent were females. There were over three times as many non-white males as there were white males in the program on this date. In the Women's Shock Incarceration Unit (WSIU), which has a capacity of 24, there were 16 female offenders participating in the program -- 7 white females and 9 non-white females.

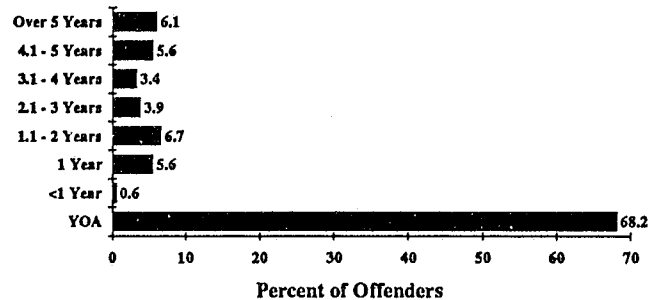


- The average age at the time of admission to the SCDC of all of the offenders who were active in the program on October 31, 1991, was 22 years of age. The average age of males, at 21, was slightly lower than the average age of the females, at 22.

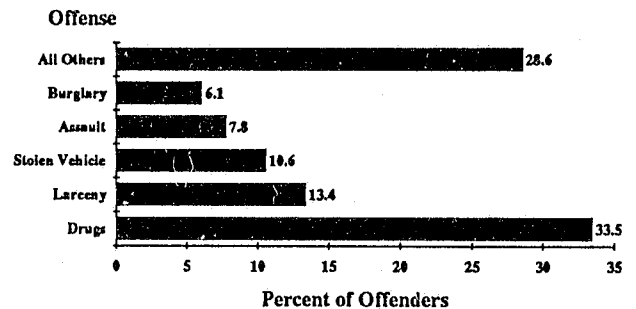


- Almost 70 percent (68.2%) of the offenders who were active in the program on October 31, 1991, had a Youthful Offender Act (YOA) sentence. A YOA sentence is an indeterminate sentence of from 1 to 6 years. Six of the seven white females had a YOA sentence; while only 2 of the 9 non-white female offenders had a YOA sentence. A higher percentage of white males (72.5%) than non-white males (69.1%) had a YOA sentence. Excluding those with the YOA sentence, the average overall sentence received by these offenders was 3 years and 8 months. The overall median sentence was 3 years.

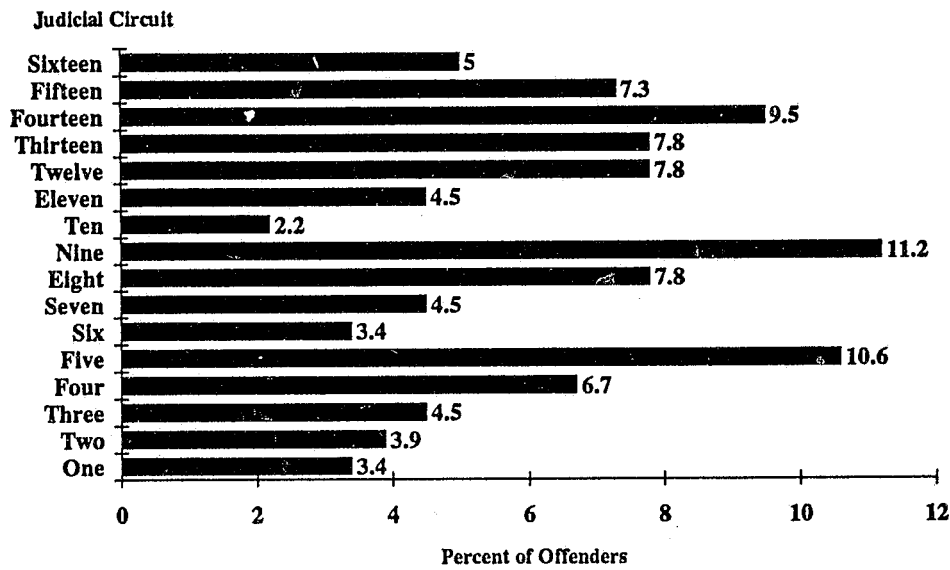
Sentence Length



- The most common offense among this group of offenders was drugs. A third of the offenders in the program on October 31, 1991, were convicted of drugs as their most serious offense. Of the 60 drug offenders in the program on this date, 53 were non-white males, 4 were white males, 2 were white females, and 1 was a non-white female. The most common offense among white males was larceny (30.0%) followed by burglary (17.5%).



• The most common committing judicial circuits were the 9th (11.2%), 5th (10.6%), and 14th (9.5%).



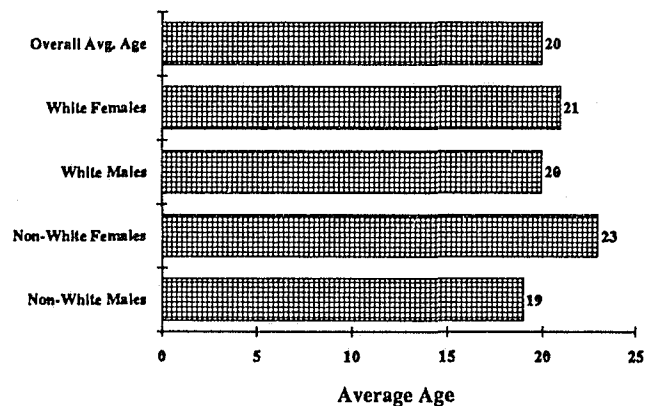
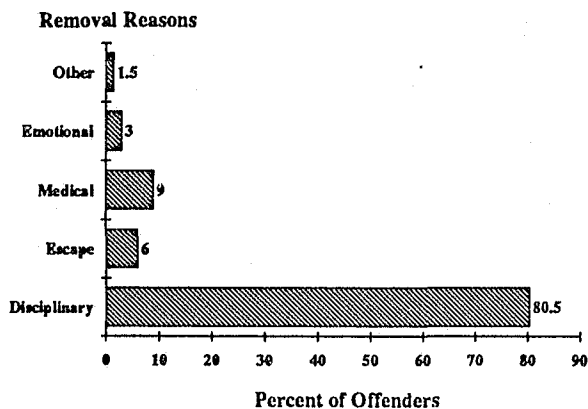
PROGRAM FAILURES

A "failure" is broadly defined as an offender who was admitted to the Shock Incarceration Program but was terminated from the program for any reason, including medical. That is, a failure is an offender who did not successfully complete the program. The program's "failure rate" is defined as the proportion of all offenders who were released from the program who did not successfully complete the program. Offenders who were actively participating in the program on October 31, 1991, were excluded from the calculation of this rate. During the evaluation period, from program inception in July 1990 through October 31, 1991, 723 offenders were admitted to the program, 67 offenders failed to complete the program, 179 offenders were still participating in the program on October 31, 1991, and 477 offenders successfully completed the program. Excluding the 179 offenders participating in the program on October 31, 1991, a total of 544 offenders had been released from the program. The failure rate of the program, therefore, is calculated to be 12.3 percent.

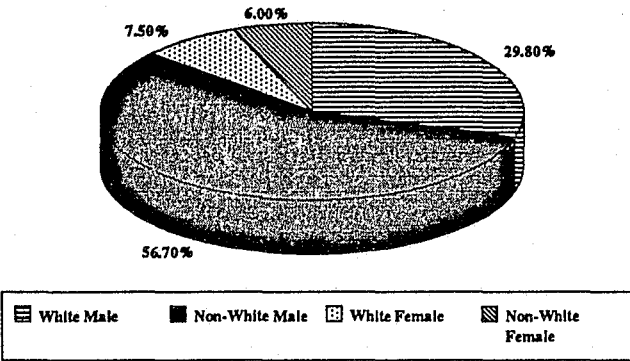
A profile of offenders who failed to complete the Shock Incarceration Program between program inception and October 31, 1991, is presented below.

The profile of a typical inmate who failed to complete the Shock Incarceration Program between June 1990, and October 31, 1991, is a non-white male, age 19, who was most likely convicted of larceny or drug offenses and who received a youthful offender sentence (indeterminate 1 to 6 years). The most likely reason for his failure in the program was failure to adjust to the rules and regulations of the program that resulted in disciplinary action and removal from the program.

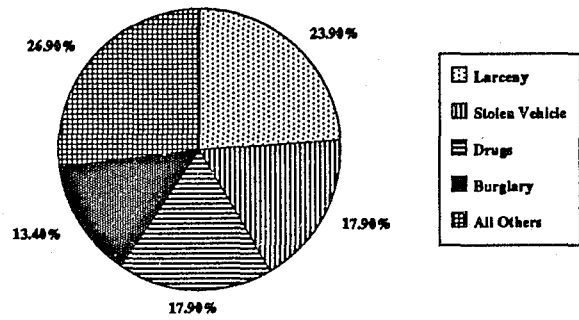
- Of the 67 offenders who did not complete the program between program inception and October 31, 1991, over 86 percent (86.5%) were removed as a result of disciplinary action or because of an escape. Using these figures, a more narrowly-defined failure rate can be calculated to be 10.7 percent.
- The average age at the time of admission to the SCDC of the offenders who failed to complete the program was 20. The average age of non-white males was 19, while the average age of non-white females was 23. The average age of white males and white females was 20 and 21, respectively.



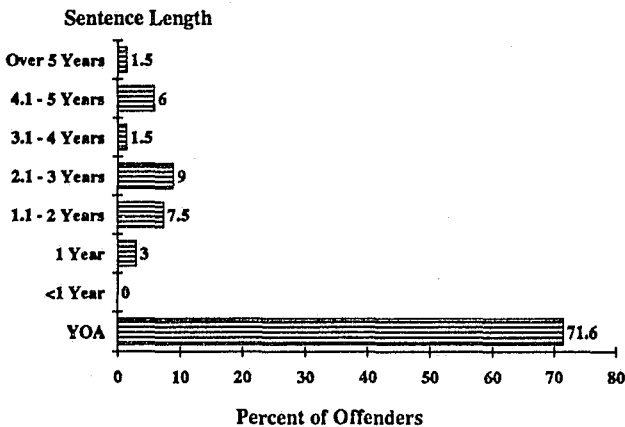
- Of the 67 offenders who did not complete the program, 56.7 percent were non-white males, 29.8 percent were white males, 6 percent were non-white females, and 7.5 percent were white females.



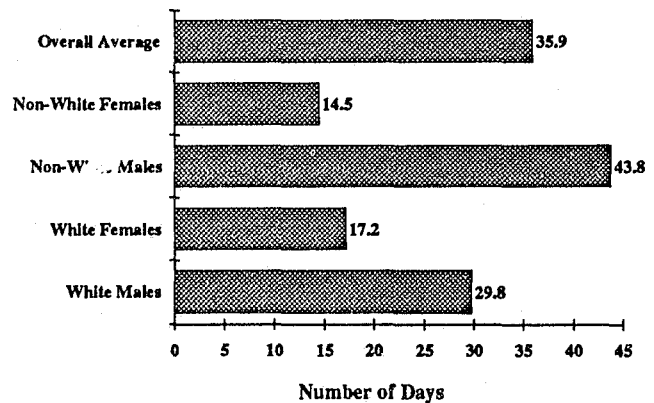
- The most common offenses of offenders who failed to complete the program were larceny (23.9%), drugs (17.9%), and stolen vehicle (17.9%).



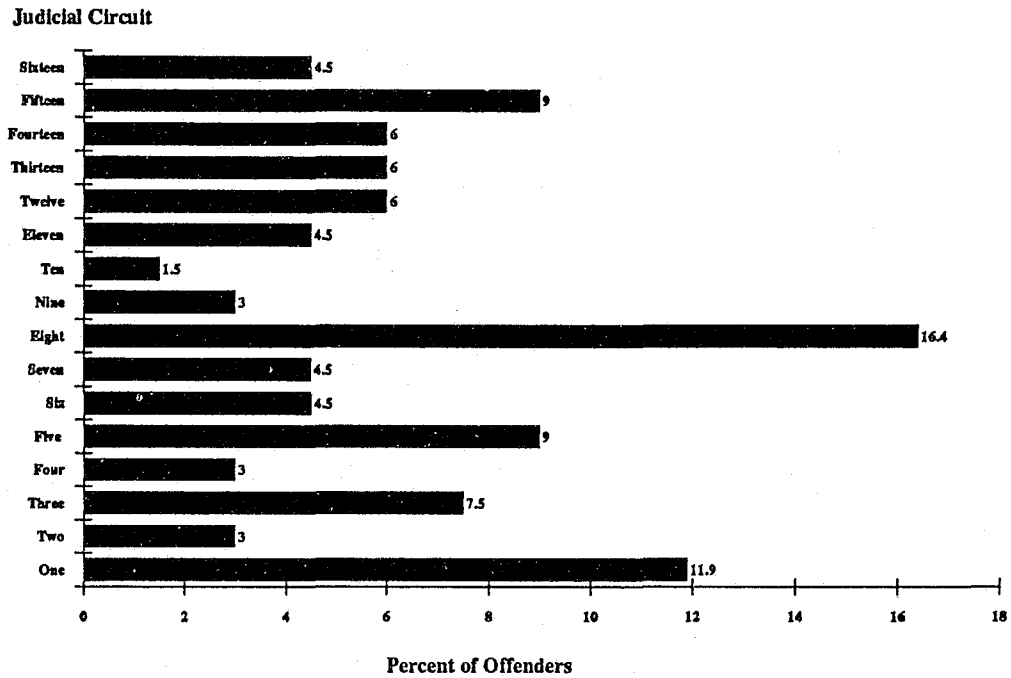
- Over 71 percent (71.6%) of the offenders who failed to complete the program had received a Youthful Offender Act (YOA) sentence. A YOA sentence is an indeterminate sentence of from 1 to 6 years. Over 80 percent (81.5%) of the non-white males had received this type of sentence. Only 1.5 percent of these offenders had received a sentence of over 5 years. Excluding those with the YOA sentence, the average overall sentence received by these offenders was 3 years and 4 months. The median sentence was 2 years and 10 months.



- The average number of days in the program before being removed was almost 36 days (35.9 days). Non-white males stayed in the program the longest, at 43.8 days on average, before removal. Non-white females were in the program the shortest period of time at 14.5 days, on average. In general, males stayed in the program much longer, on average, than did females before being removed. The median number of days in the program, for all program failures, was 26 days.



- Over 16 percent (16.4%) of the offenders who failed to complete the program were from the 8th Judicial Circuit. Almost 12 percent (11.9%) of these offenders were from the 1st Judicial Circuit.

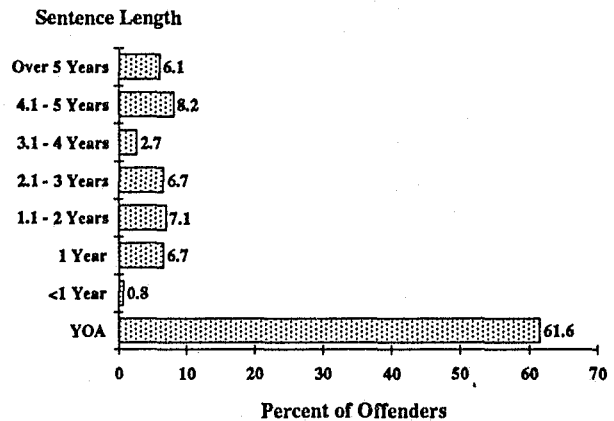
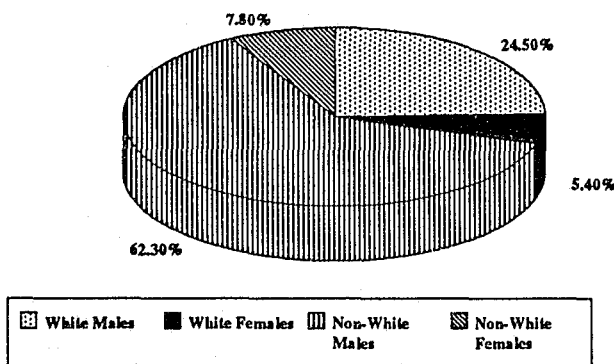


SUCCESSFUL COMPLETIONS

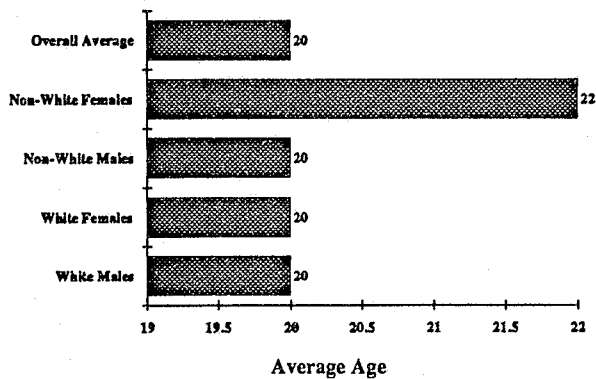
A profile of offenders who successfully completed the Shock Incarceration Program between program inception and October 31, 1991, is presented below. During this period, 723 offenders were admitted to the program, 67 offenders failed to complete the program, 179 offenders were still participating in the program on October 31, 1991, and 477 offenders successfully completed the program. Excluding the 179 offenders participating in the program on October 31, 1991, a total of 544 offenders had been released from the program. The successful completion rate of the program, therefore, is calculated to be 87.7 percent.

The profile of a typical inmate who successfully completed the Shock Incarceration Program between June 1990, and October 31, 1991, is a non-white male, age 20, who was most likely convicted of drug offenses or larceny and who received a youthful offender sentence (indeterminate 1 to 6 years).

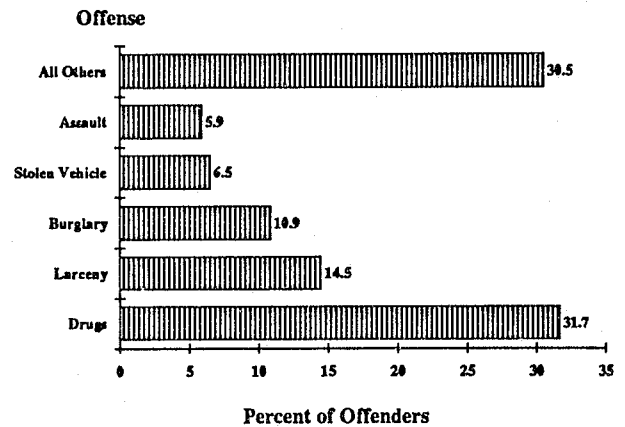
- Of the 477 offenders who successfully completed the Shock Incarceration Program between program inception and October 31, 1991, 62.3 percent were non-white males, 24.5 percent were white males, 7.8 percent were non-white females, and 5.4 percent were white females.
- About 62 percent (61.6%) of those offenders who successfully completed the program had received a Youthful Offender Act (YOA) sentence. A YOA sentence is an indeterminate sentence of 1 to 6 years. Only 6 percent of the offenders received a sentence of over five years. Excluding YOAs, the average overall sentence was 3 years and 6 months. The overall median sentence was 3 years.



• The average age at the time of their admission to the SDC of offenders who successfully completed the program was 20 years. The average age of non-white females, at 22, was higher than any other race/sex group. The other three race/sex groups averaged 20 years of age each. There were more 19 year-olds among the offenders who successfully completed the program than any other single age category.

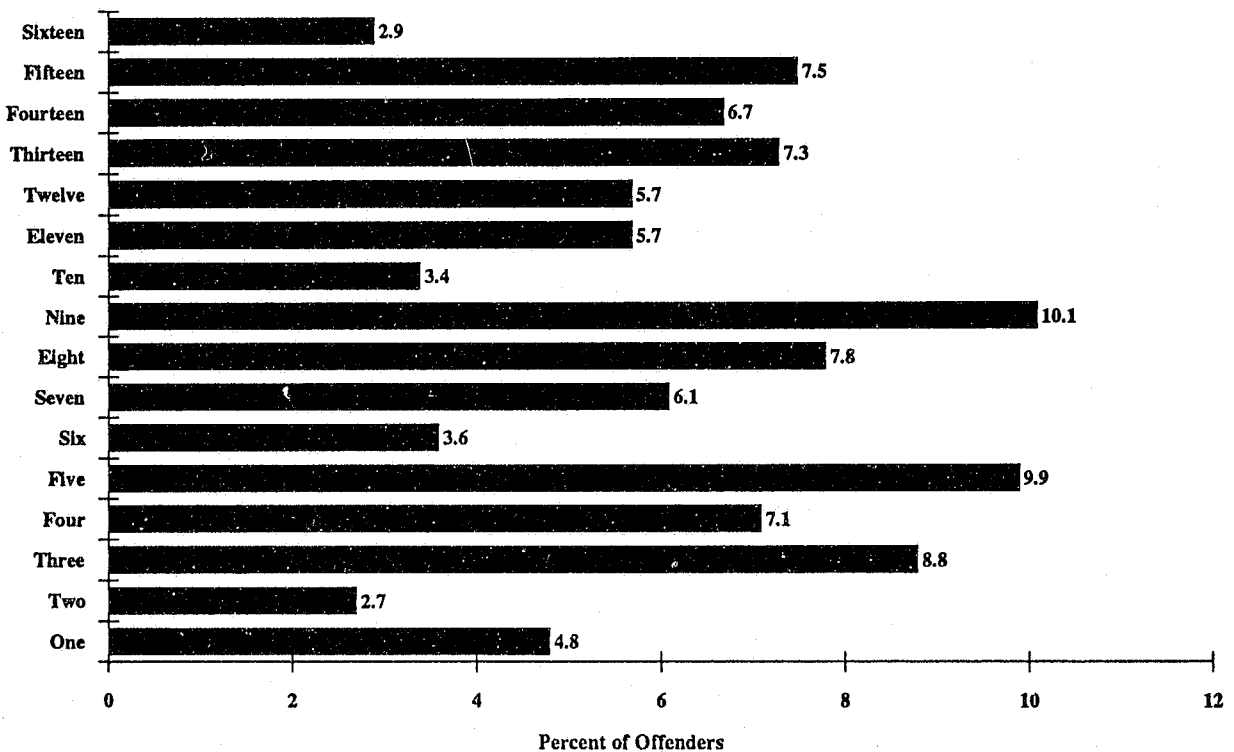


• Overall, the largest single offense group was drugs, (31.7 percent of those offenders who successfully completed the program) followed by larceny and burglary at 14.5 and 10.9 percent, respectively. Drugs was the most common offense among non-whites -- both male and female. Among white males, larceny was the most common offense. Fraud was the most common offense among white females.



• About 10 percent (10.1%) of the offenders who successfully completed the program were from the 9th Judicial Circuit. Almost 10 percent (9.9%) of these offenders were from the 5th Judicial Circuit.

Judicial Circuit



DIVERSION AND COST-EFFECTIVENESS OF THE SHOCK INCARCERATION PROGRAM

The Shock Incarceration Program may be described as an "intermediate sanction" since it falls somewhere between traditional prison incarceration and regular probation. Prison is considered to be the most punitive sanction, with the exception of the Death Penalty, that a judge can impose on an offender, and regular probation or fines, the least punitive. Intermediate sanctions such as shock incarceration, restitution centers, electronic monitoring, home detention, day reporting centers, intensive supervision probation, etc., have three general goals: 1) to reduce prison crowding by giving the judge an alternative to sentencing the offender to prison when regular probation is deemed too lenient; 2) to provide judges with sentencing options that allow them to "tailor the sentence to fit the crime;" and, 3) to rehabilitate or habilitate the offender.

Intermediate punishment programs "widen the net" of social control if participants are selected from the probation-bound population. In those cases, these programs are likely to be more punitive and more intrusive (and more costly) than those the offender would have received in their absence. However, if participants are being selected from an incarceration-bound population, the programs "narrow the net," since they are probably less intrusive (and less costly) than either prison or jail sentences.

The legislative changes that resulted in a "phasing-out" of the Shock Probation Program and the "phasing-in" of the Shock Incarceration Program were intended to ensure that the program was used for prison-bound offenders instead of probation-bound offenders. The shock incarceration legislation does this by: 1) allowing Department of Corrections officials to screen newly-admitted inmates for placement into the program; and, 2) requiring the Department of Corrections to evaluate offenders that the court is considering placing into the program to determine if these offenders are appropriate for the program. Has the program been successful in achieving the legislative goal of diverting prison-bound offenders? Over 91 percent of the shock participants were sentenced to prison and then selected by SCDC for placement into the program. Without question, these placements were true diversions from prison. Nine percent of the program's participants were sentenced to the program by the courts. The offenders who were sentenced to the program by the courts were all recommended for placement into the program by the SCDC Shock Incarceration Screening Committee. This committee evaluated these offenders and determined that, among all of the currently existing sentencing options including probation and prison, the Shock Incarceration Program was the most appropriate sanction. With the exception of a jail or prison term, shock incarceration is the most punitive sentencing sanction currently available to judges in South Carolina. This is a strong indication that the offenders who entered the program in this manner would have received a prison sentence in the absence of the program. If these were less-serious offenders, the Committee would have recommended probation or some sanction less-restrictive than shock incarceration. In other words, the 65 offenders who were sentenced to the program by the courts were most likely prison-bound offenders. It can be concluded, therefore, that the Shock Incarceration Program has been highly successful in achieving the primary goal intended for it by the General Assembly -- to divert appropriate prison-bound offenders.

But has the program, therefore, reduced prison crowding and correctional costs? The program reduces prison crowding in the short-term if, as a result of the program, offenders spend less time incarcerated than they would have in the absence of the program. The program reduces prison crowding in the long-term if it reduces the offenders' likelihood of returning to criminal activity and returning to prison. The long-term effects of the program are beyond the scope of this report due to the long follow-up period needed to determine these effects. A subsequent report will examine this issue in more detail.

In order to answer the short-term question, we need to determine if the program is reducing the program participants' length of incarceration in a cost-effective manner. If the program costs more than regular incarceration, then the reduction in time served resulting from the offenders' participation in the program must compensate for the increased cost of operating the program, if the program is to be cost-effective. Of course, in the short-term, the best situation is for the program to cost less than regular incarceration *and* to reduce the offenders' length of stay. The male shock program will be analyzed separately from the female shock program. The reason for this is that the female shock program has been significantly under-utilized during its entire existence and there has been some question as to whether this program is cost-effective.

The following table (TABLE 1) shows the costs associated with the Thames Shock Incarceration Unit (TSIU) (for males) and the Women's Shock Incarceration Unit (WSIU) for the period of July 1990 through March 1991.

TABLE 1 EXPENDITURES OF THE SHOCK INCARCERATION PROGRAM JULY 1990 THROUGH MARCH 1991			
	Thames Shock Expenditures	Women's Shock Expenditures	Total Shock Expenditures
Personal Service	\$316,571	\$139,328	\$455,899
Benefits	\$73,371	\$32,278	\$105,649
Contractual Service	\$24,851	\$6,292	\$31,143
Supplies	\$143,568	\$45,042	\$188,610
Fixed Charges	\$5,810	\$940	\$6,750
Travel	\$0	\$362	\$362
Equipment	\$0	\$3,999	\$3,999
Case Services	\$12,077	\$1,866	\$13,943
Heat, Power, & Light	\$15,188	\$7,440	\$22,628
Transportation	\$10,073	\$524	\$10,597
Central Office	\$1,631	\$297	\$1,928
Total	\$603,140	\$238,368	\$841,508

During this period, the average number of males in the TSIU was about 77 (76.74) and the average number of females in the WSIU was about 14 (13.8). The average daily cost per male offender in the TSIU, therefore, is \$28.68 [(\$603,140 divided by 76.74) divided by 274 (the number of days in the July 1990 - March 1991 period)]. The corresponding average daily cost per female offender in the WSIU is \$63.04 [(\$238,368 divided by 13.8) divided by 274].

Although these average daily costs were calculated for the July 1990 through March 1991 period, it will be assumed that they are the same for the July 1990 through October 1991 period, which is the period of this evaluation. Also, it will be assumed that, had the shock offenders not entered the program, they would have been incarcerated in SCDC facilities at the Department's FY 1990 - 91 overall average daily cost per offender of \$34.11. Analysis indicates that had the program not been available, shock participants would have been incarcerated, on average, 372 days. Males would have been incarcerated, on average, 375 days, and females, 333 days. The total number of inmate days that shock offenders would have been incarcerated is 176,310. (This figure is obtained by adding together the number of days that each of the shock offenders would have been incarcerated in the absence of the program.) The cost of incarcerating these offenders for this length of time would have cost over \$6 million ($176,310 \times \$34.11 = \$6,013,934.10$).

Shock participants actually were incarcerated an average of 121 days. (Males were incarcerated, on average, 118 days, and females, 137 days.) This figure includes both the time that the offenders spent in the program and the time they spent awaiting entry into the program. As a result of the Shock Incarceration Program, on average, the offenders who participated in the program were incarcerated only one-third as long as they would have been in the absence of the program. The total number of inmate days that the program participants were incarcerated was 57,738. The total cost of the program, therefore, is calculated to be \$1,953,071.12. These calculations are shown in TABLE 2 on the next page.

The cost savings resulting from the program are actually the costs avoided when offenders participate in the program instead of being incarcerated in other SCDC facilities. For both males and females, their length of incarceration is substantially reduced by the program. The cost of housing males in the TSIU is less than other types of prison facilities, while the cost of housing females in the WSIU is substantially higher than other types of facilities, due primarily to the extent of under-utilization experienced in the women's shock facility. The Shock Incarceration Program has resulted in cost avoidance savings totalling over \$4 million (\$4,060,862.98). Both the Thames Shock Incarceration Unit for men and the Women's Shock Incarceration Unit are cost-effective programs that are true alternatives to traditional incarceration and both contribute significantly to reducing prison crowding. At the Women's Shock Incarceration Unit, although its daily cost per offender is very high at \$63.04, the program is cost-effective because it *substantially* reduces the participants' length of incarceration -- by 196 days, on average.

Caveats of the Analysis:

This analysis used the overall average daily cost per offender at the Department of Corrections of \$34.11. Actually, the cost per offender varies from institution to institution and by type of facility. Minimum security facilities are generally cheaper to operate than are medium or maximum security facilities. The Women's Correction Center probably has a higher per inmate cost than other facilities. Reception and evaluation centers probably have costs which are not average. The various cost differences of types of institution was not factored into the analysis because, generally, they were not available. The analysis does not include actual capital construction costs or the possible reduced need for additional prison construction that could be a result of the program, at least to some extent.

**TABLE 2
CALCULATIONS USED IN DETERMINING COST AVOIDANCE SAVINGS
FOR THE FIRST 477 SHOCK INCARCERATION COMPLETIONS**

	Males	Females	Total
Without Program:			
Average time to serve in SCDC:	375 days	333 days	372 days
Total number of inmate days to serve:	155,340	20,970	176,310
Average cost per inmate day:	\$34.11	\$34.11	
Total cost:	\$5,298,647.40 (155,340 x \$34.11)	\$715,286.70 (20,970 x \$34.11)	\$6,013,934.10
With Program:			
Average time served in SCDC:	118 days	137 days	121 days
Total number of inmate days served:	49,090	8,648	57,738
Average cost per inmate day:	\$28.68	\$63.04	
Total cost:	\$1,407,901.20 (49,090 x \$28.68)	\$545,169.92 (8,648 x \$63.04)	\$1,953,071.12
Average number of days saved:	257 days	196 days	248 days
Total number of inmate days saved:	106,250	12,322	118,572
Total cost avoidance:	\$3,890,746.20	\$170,116.78	\$4,060,862.98

FINDINGS AND RECOMMENDATIONS

One of the primary goals of South Carolina's Shock Incarceration Program is the reduction of demand for bedspace as a way of addressing prison crowding issues in the State. In order for this program to be successful in this effort, it requires:

1. A sufficient number of eligible inmates who are recommended for the program;
2. A large enough number of offenders completing the program;
3. A true reduction in the length of time offenders spend in prison; and,
4. Offender participants who are drawn from those who would normally be incarcerated rather than those who would normally be sentenced to probation (or no net widening).

The South Carolina's Shock Incarceration Program has fulfilled all of these requirements:

- During the first sixteen months of the Shock Incarceration Program, 8,542 offenders were screened for possible placement into the program. Of this number, 777 offenders met all of the eligibility criteria and 723 were accepted into the program.
- Of the 723 offenders who were accepted into the program, 91 percent were offenders who had already been sentenced to prison. Only 9 percent were sentenced directly to the program by the courts. However, these 9 percent were evaluated, prior to sentencing, and recommended by the Shock Incarceration Screening Committee for placement into the program. The analysis indicates that the Shock Incarceration Program is being used exclusively as an alternative to traditional incarceration and does not "widen the net of social control."
- Of the 723 offenders who were accepted into the program, 477 offenders successfully completed the program, 67 failed the program, and 179 were active in the program at the end of the evaluation period. The failure rate was determined to be only 12.3 percent.
- Of the 477 offenders who successfully completed the program, their length of incarceration was *substantially* reduced. On average, the Shock Incarceration Program *reduced* these offenders' length of incarceration by 248 days. If the program had not existed, these offenders would have been incarcerated, on average, for 372 days. Instead, these offenders were incarcerated, on average, for 121 days.

- The average daily cost per male offender in the Thames Shock Incarceration Unit was \$28.68 -- less than the \$34.11 overall SCDC average for all inmates. The average daily cost per female offender in the Women's Shock Incarceration Unit was \$63.04, which is much higher than the overall SCDC average. However, because the program reduced these offenders' length of incarceration, both units are cost-effective. Overall, the Shock Incarceration Program resulted in cost avoidance savings of over \$4 million.

Although the Shock Incarceration Program has been successful in terms of reducing prison crowding and avoiding additional costs, there are some issues which should be noted, namely:

- The SCDC has begun, but not completed, the process of promulgating regulations according to the procedures set forth in the Administrative Procedures Act for the Shock Incarceration Program. Section 24-13-1320 of the Shock Incarceration Act requires that this be done.

Recommendation: The SCDC should proceed, without delay, in promulgating regulations, via procedures set forth in the Administrative Procedures Act, for the Shock Incarceration Program.

- SCDC's practice of extending an offender's length of stay in the Shock Incarceration Program by as much as 30 days because of disciplinary and other problems has been beneficial to both the offender and the program. However, this practice is not provided for in the Shock Incarceration Act and has the potential, if the program is operating at maximum capacity, of reducing the availability of the program to otherwise eligible offenders.

Recommendation: The SCDC should promulgate regulations, via procedures set forth in the Administrative Procedures Act, pertaining to its policy and practice of extending an inmate's length of stay in the Shock Incarceration Program. These regulations should indicate the circumstances where extensions are warranted and the procedures to be followed when an inmate is extended in the program.

- The SCDC's practice of requiring participants in the Shock Incarceration Program to provide paroling authorities with an address of the residence where he or she will be living upon his or her release from prison is not provided for in the Shock Incarceration Act.

Recommendation: The SCDC should promulgate regulations, via procedures set forth in the Administrative Procedures Act, pertaining to its policy and practice of requiring an inmate who participates in the Shock Incarceration Program to provide paroling authorities with an address of the residence where he or she will be living upon his or her release from prison.

- Neither the Thames Shock Incarceration Unit for men, nor the Women's Shock Incarceration Unit are fully utilized. The average daily population of the men's unit averaged 77.7 percent of capacity between October 1990 and October 1991. If the low months of October 1990, a phase-in period for the men's unit, and March 1991, when the capacity of the unit doubled, are excluded from the calculation, the average degree of utilization of the men's unit rises to 80.7 percent. The average degree of utilization of the women's shock unit was 61.7 percent. The persistent under-utilization of the Shock Incarceration Program would suggest that the program's eligibility criteria needs to be broadened to increase the pool of eligible offenders.

Recommendation: The program's statutory eligible criteria should be changed so as to increase the number of offenders in the pool of eligible offenders. Expanding the age criteria to include offenders aged 26 to 29 would be the most obvious, if not the most effective, means of enlarging the pool of eligible offenders.

APPENDIX
Agencies' Response



south carolina department of corrections

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TELEPHONE (803) 737 8555
PARKER EVATT, Commissioner

May 26, 1992

Mr. Kenneth D'Vant Long, Director
State Reorganization Commission
P.O. Box 11949
Columbia, South Carolina 29211

Dear Mr. Long:

I have reviewed the draft report entitled, "An Evaluation of the Implementation of the South Carolina Department of Corrections' Shock Incarceration Program" as well as the draft Executive Summary.

The Shock Incarceration Act required the South Carolina Department of Corrections to promulgate regulations pursuant to the Administrative Procedures Act. As of this writing the Notice of Regulations has been published in the STATE REGISTER and the proposed regulations have been submitted for publication. The final Regulations will be submitted to the presiding officers of both houses of the General Assembly after the public hearing scheduled for July 24, 1992.

The South Carolina Department of Corrections concurs with the recommendation to expand the age eligibility to increase the pool of qualified applicants. We are hopeful that the legislative proposal submitted by our agency will be given final approval and ratified this week. Mr. Sterling Beckman is actively working to get the bill on the calendar for review before the close of this legislative session. Approval of this change would ensure that the program operates at capacity to increase the cost benefits, and the possibility of future expansion.

We appreciate your agency's support of the Shock Incarceration Program and the assistance in making the transition from Shock Probation. We also agree with the conclusion of the evaluation that:

Kenneth E'Vant Long
May 26, 1992
Page Two

Both the Thames Shock Incarceration Unit for men and the Women's Shock Incarceration Unit are cost-effective programs that are true alternatives to traditional incarceration and both contribute significantly to reducing prison crowding.

Sincerely,

Parker Evatt
Parker Evatt

PE:csk

cc: Mr. Milton Kimpson
Mr. Larry Batson
Mr. Sterling Beckman
Ms. Sammie Brown
Ms. Karen Martin

State of South Carolina

Department of Probation, Parole, and Pardon Services

HON. RAYMOND J. ROSSI
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District Three

HON. MARION BEASLEY
Chairman, 1985 - 1986
District Four

HON. LEE R. CATHCART
District Five

June 5, 1992

Mr. Kenneth D'Vant Long
Director, State Reorganization Commission
228 Blatt State Office Building
1105 Pendleton Street, PO Box 11949
Columbia, South Carolina 29211

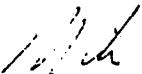
Dear Kenny:

I want to thank you for sending me the draft copy of the Shock Incarceration evaluation. I appreciated the opportunity for input.

The report looks fine to me and I have nothing to add nor any comments.

I hope all is well with you.

Sincerely,


Michael J. Cavanaugh
MJC/lws

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