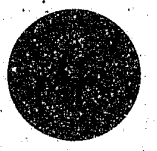


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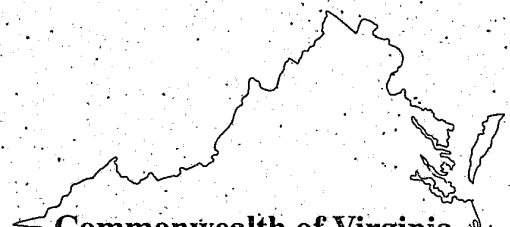
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Commonwealth of Virginia
Criminal Justice Research Center



Evaluation of the Virginia Department of Corrections' Intensive Supervision Program

Executive Summary

Criminal Justice Research Center
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Bruce C. Morris, Director
September, 1994

The mission of the Criminal Justice Research Center is to provide accurate and comprehensive data and research to guide strategic, policy, and budgetary decision-making on criminal justice issues, policies and programs. The Center is responsible for the coordination, collection, statistical analysis and interpretation of system-wide data on crime and criminals in Virginia.

For further information or a complete copy of the Evaluation of the Virginia Department of Corrections Intensive Supervision Program which includes the Department of Corrections' response, data collection instruments, lists of interviewees, methodology and reference list, please contact:

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OVERVIEW

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

Overall, ISP appears to be a valuable program, responding to a number of correctional system needs. Study findings indicate that ISP offenders receive more supervision and treatment than do offenders on standard community supervision, and that 71% of probationers on ISP were estimated diversions from incarceration. Nonetheless, the lack of significant differences between the recidivism rates of ISP and comparable non-ISP offenders, combined with problems related to staffing, training, documentation, and resource allocation, indicate a need for program modification.

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

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

In addition, further examination of the following system-wide criminal justice issues is recommended:

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

STUDY FOCUS AND DESIGN

The Department of Criminal Justice Services' evaluation of the Department of Corrections' Intensive Supervision Program focuses on four specific aspects of program impact: diversion, recidivism, cost, and implementation. Each study phase has been designed to address these issues as described below:

- **Diversion Analysis** - addresses the net-widening issue, determining whether ISP promotes expansion of the correctional system or whether ISP clients are, in fact, appropriately selected offenders who otherwise would have been incarcerated;
- **Recidivism Analysis** - analyzes the extent to which ISP recidivism rates differ from those of offenders receiving standard sanctions;
- **Cost Analysis** - assesses the total costs of ISP as compared to the costs of standard correctional sanctions; and
- **Implementation Analysis** - examines ISP development and execution along with the impact of implementation upon program effectiveness.

This study analyzes a sample of FY92 ISP termination cases and a matched non-ISP comparison group. Cases were selected from four ISP sites: Richmond, Fairfax, Norfolk, and Lynchburg. Case information for both the ISP and comparison groups was collected from offender files maintained at the four Probation and Parole District offices. Additional data was obtained from the DOC automated Pre/Post-Sentence Investigation (PSI), the DOC FY92 ISP termination (ISP2) databases, and from the State Police Central Criminal Records Exchange (CCRE) database. Recidivism analyses are based on data from the ISP/non-ISP samples, and from total FY92 ISP terminations state-wide.

Qualitative information regarding program impact and operation was obtained through semi-structured interviews with the Deputy Director of the DOC Division of Community Corrections (DOC/DCC); DCC Special Programs Manager; DCC Treatment Services Manager; Probation and Parole Regional Managers; program administrators representing each ISP district; ISP officers from study sample sites; selected members of the Virginia judiciary and Virginia Parole Board; and staff of the Virginia General Assembly, Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), and DCJS.

PROGRAM DESCRIPTION

Goals and Philosophy

The primary goal of Virginia's ISP is to serve as an alternative to incarceration, providing public safety and addressing offender needs in a cost-effective and less restrictive manner than prison. In other words, ISP seeks to provide a high level of both surveillance and treatment services to a specifically selected population of high risk and/or high needs offenders - offenders who would be incarcerated if not for the program.

Development and Funding

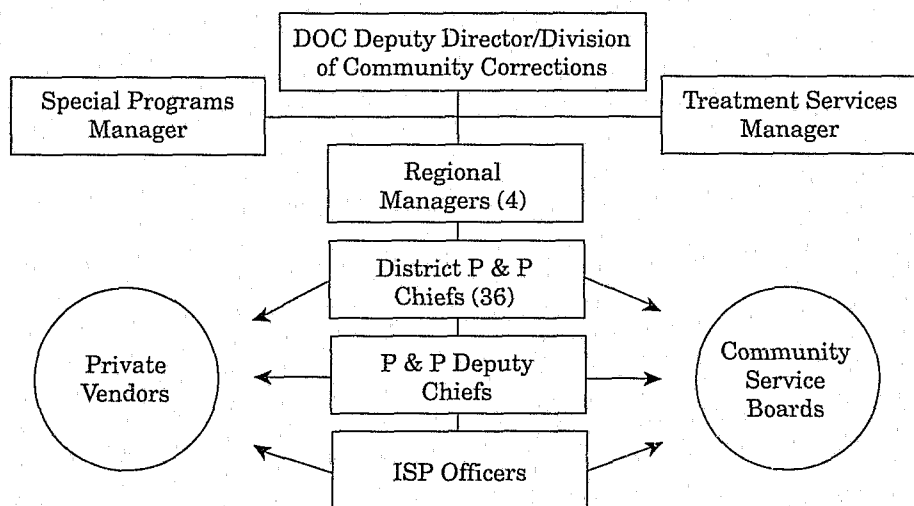
Virginia's ISP was established in 1985 with pilot sites in Norfolk, Newport News, and Lynchburg. In 1987 the program was expanded to include a total of 17 districts. Further expansion occurred in 1988 when two additional districts received separate federal grants to establish ISP programs for drug offenders. In July of 1990, the Virginia DCJS began funding ISP state-wide using federal Anti-Drug Abuse Act (ADAA) monies. Over the past four years, ISP has received a total of \$6,085,906 in combined federal and state funding (\$4,564,433 federal/\$1,521,473 state). As of this fiscal year, ISP will no longer be eligible for federal funding and the state will be required to assume full program costs (approximately \$1.5 million annually).

Administration and Structure

Statewide ISP activities are directed by a Special Programs Manager and a Treatment Services Manager, both located within DOC's Division of Community Corrections. Regional Managers maintain contact with ISP programs through District Chiefs and regional ISP meetings. On the district level, the Chief of Probation and Parole is responsible for ISP operation. Offender treatment and services are provided by the local Community Service Board (CSB) and/or private vendors (Display 1).

Display 1

ISP Organization



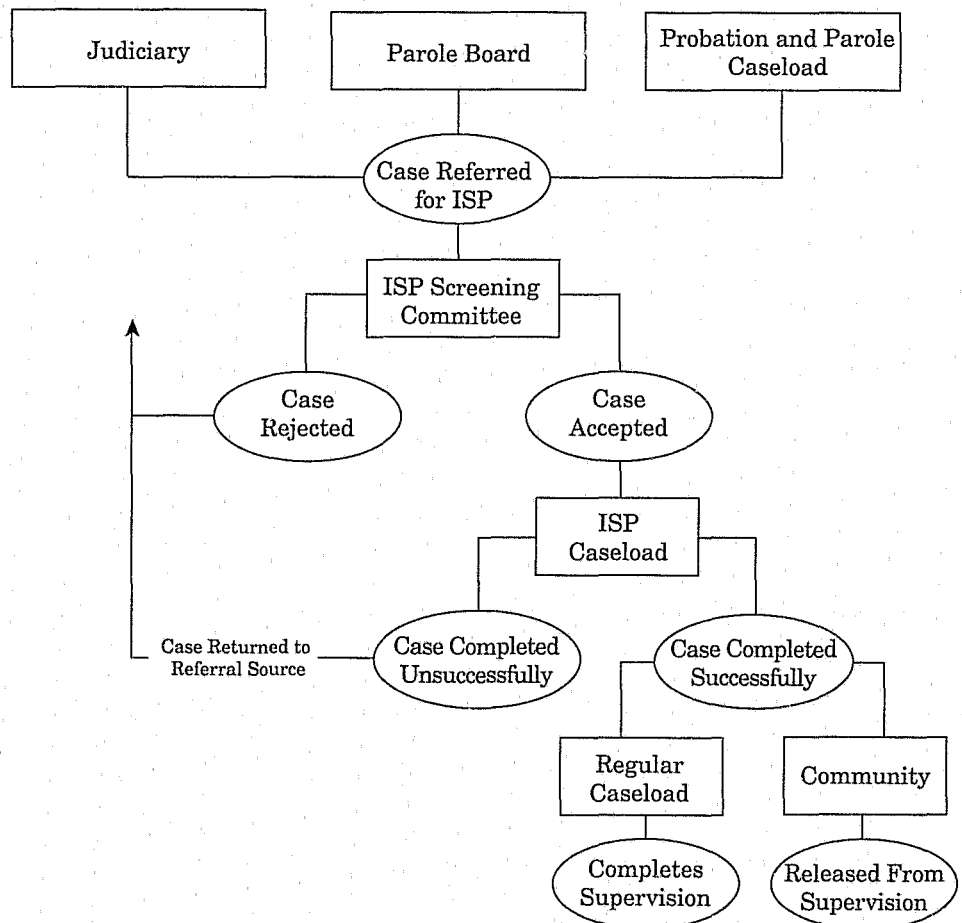
Program Referral and Operation

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

Once an offender is referred to ISP, the case must be screened by the district's screening committee to determine if ISP is an appropriate placement. The committee is responsible for determining ISP client acceptability, continuance and release. Upon successful completion of the ISP program, offenders are either released from supervision or continued on regular supervision. Offenders who are unsuccessful in the ISP program are subject to revocation proceedings and possible incarceration (Display 3).

Display 3

ISP Case Flow



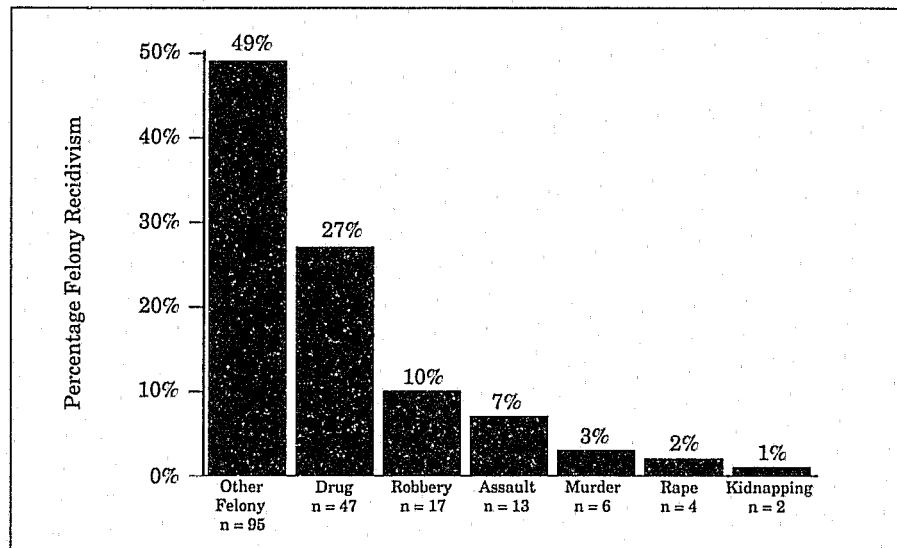
STUDY FINDINGS

Recidivism Analysis

Of the 1,270 offenders who terminated ISP in FY 1992, 417 (32.8%) were re-arrested while on ISP supervision. Felony re-arrests (44%) were nearly as frequent as misdemeanor re-arrests (56%). Of the felony re-offenders, 49% committed a property or other offense, 27% committed a drug offense, and 23% committed a person offense (Display 4).

Display 4

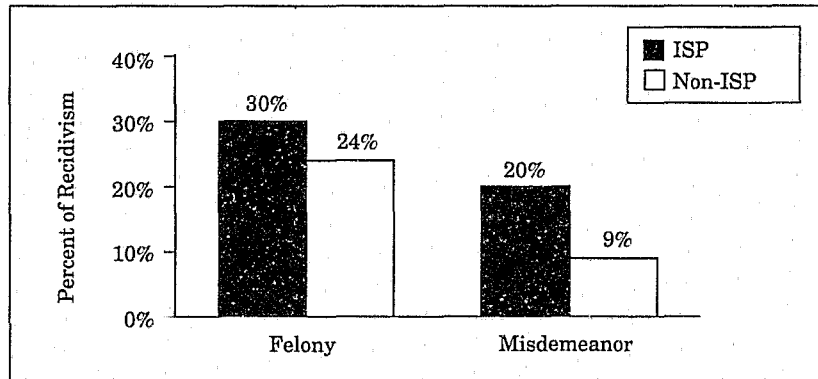
Felony Re-Arrest Rate by Offense Type (FY 92 ISP Terminations)



There is a statistically significant difference between the recidivism of ISP and regular supervision offenders when analyzing all re-arrest (those which occurred after the date supervision began, but not necessarily while the offender was on active supervision). Under these circumstances, ISP offenders are more likely to be re-arrested than regular probationers or parolees (Display 5). No significant differences were found between the two groups when recidivism analyses were confined to the period of active supervision. Re-arrest rates for six and 12 month periods after being placed on active supervision also do not differ between ISP and regular supervision offenders.

Display 5

ISP/Non-ISP Re-Arrest Rates (Sample and Comparison Group)



Previous studies of ISP programs have found that ISP offenders are much more likely to be returned to jail or prison for technical violations of the conditions of their probation or parole than are regular supervision offenders. The results of this analysis show that Virginia's ISP offenders are, in fact, terminated for technical violations at a higher rate (28%) than regular supervision offenders (6%). Unlike the findings of previous studies, however, Virginia data indicates that treatment has no significant impact upon ISP re-arrest rates.

Diversion Analysis

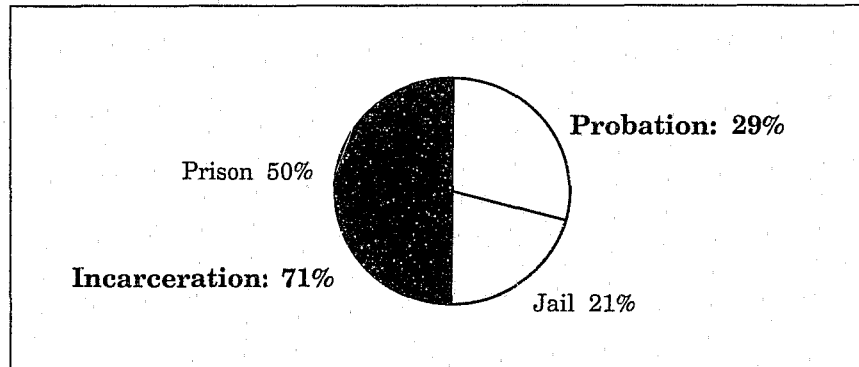
Study findings indicate that relatively few offenders are sentenced directly to ISP by either the judiciary or Parole Board. The majority of offenders referred to ISP originate from existing Probation & Parole officer caseloads. Therefore, Virginia's ISP rarely serves as either a mechanism for early release (parole board referral) or "true" diversion (judicial referral). Instead, bed-savings are realized when probationers and parolees are placed on ISP rather than revoked and returned to prison.

It is not possible, given available data, to determine the total number of probationers and parolees diverted from incarceration by ISP. Based upon historical sentencing practices and examining ISP probationers only, the study estimates that 71% of these offenders would have been incarcerated in the absence of ISP (Display 6). Further analyses show that, if incarcerated, these offenders could have been expected to serve 8,364 months of the total 25,361 months to which they were estimated to have been sentenced. This represents an estimated equivalent of 697 jail/prison beds saved per year by ISP.

STUDY FINDINGS

Display 6

Projected Recommended Sanctions for ISP Probationers



Cost Analysis

Included among the primary goals of the ISP program is reduction of correctional system costs. A comparison of daily sanction costs, as reported in the DOC Management and Information Executive Summary for FY1993, indicates that incarceration is significantly more expensive than community supervision (\$28.48/local jail facility and \$44.37/prison facility vs. \$2.10/regular supervision and \$3.30/intensive supervision). Using DOC's daily costs per offender and taking into account the recidivism rates of ISP offenders, the study estimates an annual savings attributable to ISP of \$6 million.

Implementation Analysis

ISP experienced a rapid increase in popularity during the late 1980s. Despite a lack of empirical evidence proving effectiveness, ISP was widely expanded nation-wide. As a result of this unplanned growth, programs were frequently established prior to the development of viable goals and/or program models. Based on information gathered through interviews and data analysis, it appears that expansion of Virginia's ISP occurred in much the same manner. Further, in the continued absence of clear guiding policy, many of the issues relating to program management and implementation, which were not addressed by administrators during the early stages of development, remain unresolved and continue to undermine program operation and impact.

Program Administration

Although DOC has established broad program guidelines, interviews conducted for this study indicate that ISP staff have received only minimal guidance towards, or training in, appropriate operationalization of goals, management of caseloads, and development of client service networks.

Programs exhibit wide variation in philosophy, procedure, and caseload across the state - apparently due more to differences in management at the local level than of state-wide policy guiding program development, implementation, and operation.

To the extent that ISP standards have been established and can be measured, programs appear to be in compliance. Analyses indicate that higher risk and need offenders are selected for the program, the required number of offender/officer contacts are being made, and offender time under ISP supervision is less than that of regular offenders on community supervision. Nonetheless, DOC staff interviewed for this study report that overall program quality often suffers due to a lack of program standardization in areas such as program staffing, officer training, and availability of safety equipment.

Treatment

The treatment component of Virginia's ISP suffers equally from a lack of standardization. Although study findings indicate that ISP offenders do, in fact, receive more treatment than non-ISP offenders, it is seldom possible to determine the type, appropriateness, or impact of treatment received. DOC currently has no standardized system for recording or collecting essential data relating to client treatment and progress through the program. Without such information it is impossible to determine which components contribute to program success and which must be modified or deleted.

Poor working relationships and communication between ISP officers and service providers at the district level are frequently cited as major obstacles to the provision of appropriate offender services. Although efforts have been made to improve access to offender services through the development and use of district level Memorandums of Agreement, these efforts have reportedly had limited impact upon actual program operation.

Referral Process

Based upon our interviews with ISP staff, it is apparent that the existing method of ISP offender referral and DOC's failure to develop and communicate offender selection criteria to program officers has had a negative impact upon the composition and management of ISP caseloads. Individuals working within the program hold diverse opinions regarding the appropriate goals and target population of ISP. As a result of this confusion, ISP caseloads include a broad range of offenders who exhibit varying levels of need. Unfortunately, the ISP officers interviewed felt that they were not equipped to deal with this level of diversity, nor had they been provided the training or tools necessary for appropriate offender

STUDY FINDINGS

selection. Consequently, offenders are frequently deprived of necessary treatment while valuable ISP resources are inappropriately expended.

Recent studies of ISPs repeatedly stress the importance of using statistically derived risk /needs assessment instruments for client selection. If designed appropriately, these instruments provide a superior means of predicting recidivism, a systematic and objective method of allocating resources, and an effective quality control and performance evaluation management tool. Though some of the information identified as essential to the design of such instruments (offender's substance abuse history, employment status, and level of education) is readily available on existing DOC databases, it has never been analyzed in such a way as to allow for the development of a risk/needs assessment instrument designed specifically for Virginia's offender population.

REPORT RECOMMENDATIONS

Program Implementation and Operation

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

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

REPORT RECOMMENDATIONS

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

Treatment

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

Referral Process

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

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

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

DOC RESPONSE

Staff from the Department of Corrections' Community Corrections section were given an opportunity to review and comment on the findings and recommendations of this study. While in agreement with numerous findings, DOC disagreed with many of those related to officer training and safety, appropriateness of offender selection, system automation, adequacy of service delivery networks, and inter- intra-agency communication. In commenting in report findings, DOC further noted that the agency is currently taking measures to rectify many of the program inadequacies discussed in this report.