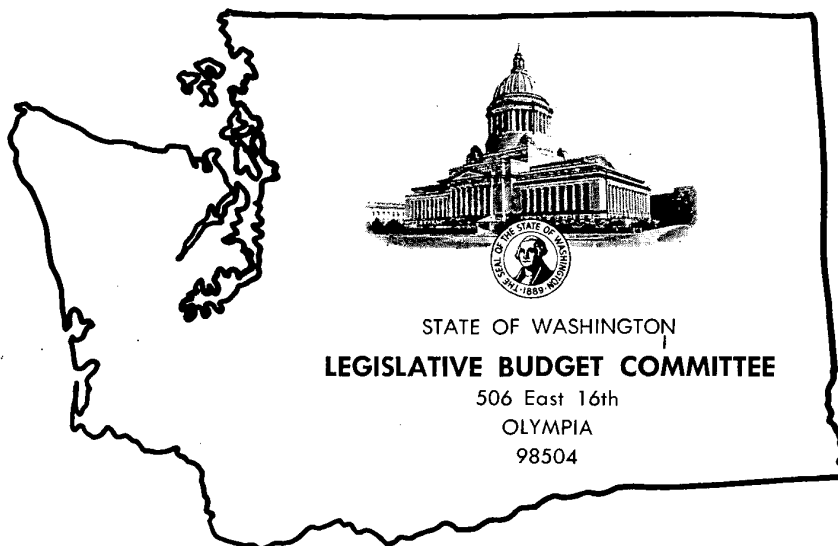


CR sent
1-18-83



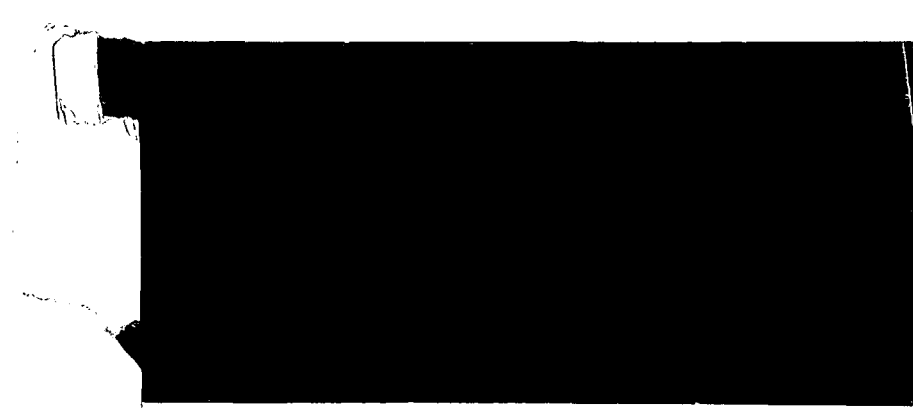
PERFORMANCE AUDIT

91798



A Report to the
WASHINGTON STATE LEGISLATURE

2



U.S. Department of Justice
National Institute of Justice

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

Washington State Legislature

to the National Criminal Justice Reference Service (NCJRS).

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

PERFORMANCE AUDIT

THE TREATMENT ALTERNATIVES TO STREET CRIME PROGRAMS IN PIERCE AND SNOHOMISH COUNTIES

REPORT NO. 83-2

JANUARY 8, 1983

REPRESENTATIVES

Rep. Otto Amen, Chairman
Rep. Wayne Ehlers
Rep. Irv Greengo
Rep. Gary A. Nelson
Rep. Helen Sommers
~~Rep. Alan Thompson~~, Secretary
Rep. Frank J. Warnke, Ass't Secretary
Rep. Bob Williams

State of Washington Legislative Budget Committee

SENATORS

Sen. George W. Clarke, Vice Chairman
Sen. George Fleming
Sen. Jeannette Hayner
Sen. James A. McDermott
Sen. A. L. Rasmussen
Sen. Ruthe Ridder
Sen. George W. Scott
Sen. Hal Zimmerman



FOREWORD

This performance audit of the Treatment Alternatives to Street Crime (TASC) programs in Pierce and Snohomish Counties was conducted by the Legislative Budget Committee under legislative authority set forth in RCW 44.28.085 and .086.

Initially, this audit was to include a review of all three TASC programs operating within the State. However, the Clark County TASC program was closed for a period of approximately 20 months, and did not resume operations until November 22, 1982. Therefore, a review of the Clark County TASC program was not included within this audit.

The intent of this performance audit is to provide the Legislature, its members and appropriate standing committees with information for use in making future legislative determinations concerning the TASC programs. The audit entailed an assessment of the two programs' efficiency and effectiveness. Particular emphasis was placed on assessing the cost effectiveness of the TASC programs in their capacity as an alternative to State incarceration.

Appreciation is extended to all those individuals who assisted this effort through sharing their opinions and comments.

This audit was conducted by Robert Krell, Management Auditor, on the staff of the Legislative Budget Committee, during a time frame from August through December, 1982.

DONALD F. PETERSEN
Legislative Auditor

Report approved and distribution
authorized by the Legislative
Budget Committee on January 8, 1983.

REPRESENTATIVE OTTO AMEN
Chairman

TABLE OF CONTENTS

<u>SECTION</u>		<u>Page</u>
	<u>SCOPE AND OBJECTIVES</u>	1
	<u>SUMMARY</u>	2
I	<u>BACKGROUND</u>	4
	A. <u>HISTORY OF THE TASC PROGRAM NATIONWIDE</u>	4
	B. <u>THE TASC PROGRAM IN WASHINGTON</u>	5
	C. <u>PROGRAM EXPENDITURES</u>	5
II	<u>PROGRAM OPERATIONS AND CHARACTERISTICS</u>	7
	A. <u>INTRODUCTION</u>	7
	B. <u>FINDINGS</u>	7
	C. <u>EVALUATION AND CONCLUSIONS</u>	14
III	<u>PROGRAM EFFICIENCY</u>	15
	A. <u>INTRODUCTION</u>	15
	B. <u>FINDINGS</u>	15
	C. <u>EVALUATION AND CONCLUSIONS</u>	17
	D. <u>RECOMMENDATIONS</u>	17
IV	<u>ADMINISTRATIVE PLACEMENT</u>	19
	A. <u>INTRODUCTION</u>	19
	B. <u>FINDINGS</u>	19
	C. <u>EVALUATION AND CONCLUSIONS</u>	23
	D. <u>RECOMMENDATION</u>	23
V	<u>PROGRAM COSTS AND WORKLOAD</u>	24
	A. <u>INTRODUCTION</u>	24
	B. <u>FINDINGS</u>	24

NCJRS

OCT 28 1983

ACQUISITIONS

TABLE OF CONTENTS

<u>SECTION</u>		<u>Page</u>
V	<u>PROGRAM COSTS AND WORDLOAD (continued)</u>	
	C. <u>EVALUATIONS AND CONCLUSIONS</u>	26
VI	<u>ATTITUDES TOWARDS AND BENEFITS OF PROGRAM</u>	27
	A. <u>INTRODUCTION</u>	27
	B. <u>FINDINGS</u>	27
	C. <u>EVALUATION AND CONCLUSIONS</u>	29
	D. <u>RECOMMENDATIONS</u>	30
VII	<u>RECIDIVISM</u>	31
	A. <u>INTRODUCTION</u>	31
	B. <u>FINDINGS</u>	31
	C. <u>EVALUATION AND CONCLUSIONS</u>	33
	D. <u>RECOMMENDATION</u>	33
VIII	<u>TASC AS AN ALTERNATIVE TO STATE INCARCERATION</u>	34
	A. <u>INTRODUCTION</u>	34
	B. <u>FINDINGS</u>	35
	C. <u>EVALUATION AND CONCLUSIONS</u>	49
IX	<u>POTENTIAL STATE INCARCERATION AVOIDANCE THROUGH PROGRAM EXPANSION</u>	51
	A. <u>INTRODUCTION</u>	51
	B. <u>FINDINGS</u>	51
	C. <u>EVALUATIONS AND CONCLUSIONS</u>	52
X	<u>IMPACT OF THE SENTENCING REFORM ACT OF 1981</u>	53
	A. <u>INTRODUCTION</u>	53
	B. <u>FINDINGS</u>	53
	C. <u>EVALUATION AND CONCLUSIONS</u>	55
	D. <u>RECOMMENDATION</u>	55

TABLE OF CONTENTS

<u>SECTION</u>		<u>Page</u>
XI	<u>FINAL CONCLUSIONS AND RECOMMENDATIONS</u>	57
APPENDIX I	<u>SUMMARY OF RECOMMENDATIONS</u>	58
APPENDIX II	<u>SUMMARY OF PROPOSED LEGISLATION</u>	61
APPENDIX III	<u>FISCAL IMPACT</u>	62
APPENDIX IV	<u>SPECIFIC RESPONSES TO AUDIT OBJECTIVES</u>	64
APPENDIX V	<u>AGENCY COMMENTS</u>	66
<u>TABLES AND FIGURES</u>		
	<u>TABLE 1</u> - FY 1982 EXPENDITURES	6
	<u>TABLE 2</u> - TYPE OF DRUG USAGE	9
	<u>TABLE 3</u> - LEGAL STATUS AT TIME OF PROGRAM ENTRY	10
	<u>TABLE 4</u> - INITIAL REFERRAL SOURCE	11
	<u>TABLE 5</u> - ARREST CHARGES OF TASC CLIENTS BY CRIME CATEGORY	12
	<u>TABLE 6</u> - TYPE OF CLIENT TERMINATION	13
	<u>TABLE 7</u> - COSTS PER CLIENT	24
	<u>TABLE 8</u> - TASC STAFFING LEVELS	25
	<u>TABLE 9A</u> - INDIVIDUAL CASE ANALYSIS METHOD - SNOHOMISH COUNTY TASC	37
	<u>TABLE 9B</u> - INDIVIDUAL CASE ANALYSIS METHOD - PIERCE COUNTY TASC	38
	<u>TABLE 10A</u> - JDI METHOD - SNOHOMISH COUNTY TASC	39
	<u>TABLE 10B</u> - JDI METHOD - PIERCE COUNTY TASC	40
	<u>TABLE 11</u> - COST SAVINGS INCURRED THROUGH STATE INCARCERATION AVOIDANCE	42
	<u>TABLE 12</u> - TREATMENT COSTS BY TYPE OF PLACEMENT	45
	<u>TABLE 13</u> - TREATMENT COSTS OF SNOHOMISH AND PIERCE COUNTY TASC PROGRAMS	46

TABLE OF CONTENTS

<u>SECTION</u>	<u>Page</u>
<u>TABLES AND FIGURES</u> (continued)	
<u>TABLE 14</u> - RANGE OF INCARCERATION AVOIDANCE POTENTIAL THROUGH PROGRAM EXPANSION	52
<u>FIGURE 1</u> - RANGE OF COST SAVINGS FROM STATE INCARCERATION AVOIDANCE ATTRIBUTABLE TO TASC PROGRAMS	48

SCOPE AND OBJECTIVES

SCOPE:

The scope of this audit has entailed an assessment of the efficiency and effectiveness of the Treatment Alternatives to Street Crime (TASC) programs operating in Pierce and Snohomish Counties. Particular emphasis has been directed towards assessing the cost effectiveness of the TASC program in its capacity as an alternative to incarceration.

OBJECTIVES:

1. To identify the proportion of TASC clients who are also clients of the Department of Corrections, as well as vice-versa.
2. To assess the effectiveness of the TASC program, specifically in terms of:
 - a. Successfully providing an alternative to incarceration;
 - b. Reducing the recidivism rate of clients; and
 - c. Cost avoidance.
3. To assess the operational and administrative efficiency of the TASC program, including:
 - a. Basic operating procedures;
 - b. An analysis of the feasibility and/or consequences of placing TASC within the Department of Social and Health Services, the Office of the Administrator for the Courts or other State agency; and
 - c. The development of cost estimates for the Department of Corrections to provide TASC services directly in the event TASC were eliminated.
4. To determine whether the TASC program should be retained as is, modified, expanded or eliminated.

NOTE: Initially, this audit was to include an assessment of the TASC programs in Pierce, Snohomish and Clark Counties. However, the Clark County program was closed at the end of March 1981, and did not resume operations until November 22, 1982. Therefore, this audit was directed only at the TASC programs in Pierce and Snohomish Counties.

SUMMARY

BACKGROUND

The TASC program model was developed in the early 1970's as a response for dealing with chronic crime problems presented by individuals involved in heavy drug usage. While the program was originally aimed at heroin addicts, it has evolved over the years to include all types of substance abuse, including alcohol. Generally, the TASC program model involves three separate functions: identification of substance abusers who come in contact with the criminal justice system, diagnosis of the individual's substance abuse problem and recommendation for treatment, and monitoring of the individuals for continued drug usage - usually through urinalysis.

All three TASC programs in Washington State (including the Clark County program which this audit did not examine) began operations under Federal funding. Currently, all three programs are totally State funded and operate under contract to the Department of Corrections.

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

In reviewing the operations of the two programs, the auditor noted certain improvements which should be made. These include such things as developing definitive program eligibility requirements, working agreements with treatment agencies and improved, formal communication with criminal justice agencies, as well as improvements in the maintenance and standardization of client statistics. The auditor noted a complete lack of monitoring of the program by the Department of Corrections, as well as the absence of an evaluation component to measure the program's effectiveness. The auditor also concluded that contractual responsibility for administering the TASC programs should be transferred from the Department of Corrections to the Office of the Administrator for the Courts.

In conducting the review, it was apparent that the TASC programs were widely and strongly supported by criminal justice operatives within the counties in which they operate. In areas which the auditor did not quantitatively review, TASC was seen as providing numerous services of great value; including the monitoring of clients on pre-trial release status who, if not for TASC, would remain jailed (in the Pierce County program), the provision of impartial and professional diagnostic services on which judges could base better informed sentencing decisions, and monitoring and supervisory assistance to the State's probation and parole officers.

A central issue which this audit was not able to address within the available time was TASC's impact on recidivism. As this is a most critical element, it has been recommended that the LBC staff further analyze the program's effectiveness in this area and present their findings in a supplementary report.

The area which this audit concentrated on most was the TASC program's effectiveness as an alternative to State incarceration. While the total percentage of TASC clients avoiding State incarceration is relatively small (from 5% to 13%), the net result is positive. The auditor's calculations showed that as a result of the TASC programs, and at what is assumed to be an absolute minimum, a total of 31 individuals avoided State incarceration (representing 58 man-years of incarceration). A more likely figure of incarceration avoidance, however, is a total of 64 incarcerations avoided, representing 127 man-years of incarceration. At this higher level, and using the most likely incarceration cost figures, a total of just under \$2,000,000 in incarceration costs were avoided during FY 1982. The costs of the TASC programs during this period were approximately \$358,000. Including the estimated costs of a treatment, that figure increases to just under \$810,000; still more than a 2 to 1 ratio.

The auditor also concluded that an "expanded" TASC program could have a significant impact on reducing the number of commitments to State correctional institutions. It was projected that if TASC programs had existed in the State's six largest counties during FY 1982, and if they had all operated at the same level of "effectiveness" as the two existing programs, anywhere from a minimum of 102 up to 203 total incarcerations could have been avoided.

Based on this, the auditor has concluded that the Snohomish and Pierce County TASC programs are cost-effective programs. This conclusion is somewhat tempered, however, by the impact which the implementation of the Sentencing Reform Act could have on the operations of these two programs. Given the Act's apparent limitations on the imposition of treatment oriented sentences, the cost-effectiveness of the TASC programs resulting from their status as an alternative to incarceration could well be negated. Therefore the auditor has recommended that the Sentencing Reform Act of 1981 be amended so as to provide greater latitude for the imposition of rehabilitative treatment oriented sentences.

If the Sentencing Reform Act is so amended, this audit recommends that the State give serious consideration to expanding the TASC program into other localities within the State. Whether or not the Act is amended, the primary recommendation of this audit is that the TASC programs in Pierce and Snohomish Counties be continued at least through June 30, 1984.

I. BACKGROUND

A. HISTORY OF THE TASC PROGRAM NATIONWIDE

The TASC program model was developed as a response for dealing with chronic crime problems presented by individuals involved in heavy drug usage. Initially conceived by the Federal Special Action Office for Drug Abuse Prevention, responsibility for implementing the program was delegated in 1972 to the Law Enforcement Assistance Administration (where it eventually became one of LEAA's few "model" projects). Its essential purpose was to break the "arrest-release-rearrest" cycle experienced by many drug-dependent individuals. While the program was originally aimed at heroin addicts with "hard core" criminal backgrounds, TASC evolved over the years to include all types of substance abuse, including alcohol.

Generally, the TASC model involves the performance of three separate functions:

- ° identifying substance abusers who come in contact with the criminal justice system;
- ° diagnosing the individual's substance abuse problem and treatment needs, and recommending appropriate treatment; and
- ° monitoring the performance of TASC clients in treatment and in continued drug usage (usually through urinalysis) and returning violators of program conditions to the criminal justice system for appropriate action.

Over the years, the TASC model has evolved in such a way as to allow great flexibility in determining how and when these functions should be carried out. Essentially an individual may enter TASC at any point in the criminal justice process. For example, TASC participation may be a condition of pre-trial release, deferred prosecution, deferred or suspended sentencing (as a condition of probation), or as a condition of parole. Program eligibility requirements are determined at the local level.

Among the benefits which TASC proponents say the program can provide, are:

- ° Better information on which to base pretrial release, diversion, or sentencing decisions.
- ° Better utilization of jails by expediting supervised pretrial release of appropriate alcohol/drug related offenders.

- ° A broader range of sentencing alternatives is provided for the court.
- ° More effective use of community resources in response to alcohol/drug related crime.
- ° Promotion of harmony between criminal justice and treatment agencies by emphasizing common interests rather than differences.
- ° Reduced recidivism among treated offenders, resulting in lower court, prosecutor, and probation caseloads.

Nationwide, there are seven states which have statewide TASC programs: Arizona, Florida, Illinois, Michigan, New Jersey, Oklahoma and Pennsylvania. In addition, there are at least 30 other local TASC programs located in 18 states and Puerto Rico.

B. THE TASC PROGRAM IN WASHINGTON

All three TASC programs in the State began operations under LEAA funding. The first TASC program began in Pierce County in November, 1976. While the program was initially administered by the City of Tacoma, it is now housed within the Pierce County Alliance - a non-profit corporation. The second project began on July 1, 1977 in Clark County. This program operates under the Clark County Department of Community Corrections. The last TASC program began operations on October 1, 1978 in Snohomish County. This program operates under the Snohomish County Drug Abuse Council; a non-profit drug and alcohol treatment agency. All programs are now funded by, and operate under contract to, the Department of Corrections.

In the Spring of 1979, a grant application for a statewide TASC program was prepared by the DSHS Bureau of Alcohol and Substance Abuse for submission to LEAA. The 18 month grant request was for \$554,674, or 46% of the total estimated budget. If approved, the program would have been administered by the Bureau of Alcohol and Substance Abuse, and would have provided for local TASC programs in nine local jurisdictions. In addition to the three existing TASC sites, programs would have been located in King County, Spokane County, Yakima County, Benton-Franklin Counties, Chelan-Okanogan Counties and in Kitsap County. From conversations with various individuals, it is the auditor's understanding that the LEAA had strongly encouraged the State to apply for the grant, and had in fact essentially assured the State that the request would be approved. However, just prior to the actual submission of the request, funding which was thought to have been secured for the State match portion was withdrawn.

C. PROGRAM EXPENDITURES

The Table on the next page depicts the FY 1982 expenditures for the Snohomish and Pierce County TASC programs as reported by those programs.

TABLE I
FY 1982 EXPENDITURES

<u>Snohomish County TASC</u>		<u>Pierce County TASC</u>	
Salaries	\$ 88,561.91	Salaries	\$149,083.33
Benefits	14,459.26	Benefits	23,316.79
Office Supplies	1,537.35	Office/Operating	
Operating Supplies*	20,933.59	Supplies	2,051.62
Repair and Maintenance		Urinalysis/Prof.	
Supply	731.87	Services	6,724.40
Professional Services	480.00		
Communications	3,531.36	Communications	9,359.35
Transportation	675.32	Travel/(Training)	3,138.05
Advertising	603.29	Advertising	---
Printing	710.45	Printing/Copying	4,873.49
Insurance	789.05	Insurance	1,282.46
Rental	5,874.41	Facilities	13,058.53
Utilities	1,072.07		
Repair/Maintenance	1,691.26		
Miscellaneous	211.99		
Machinery/Equipment	3,210.89	Equipment	---
TOTAL	\$145,074.07	TOTAL	\$212,888.02

According to the Directors of both programs, the figures above represent only those funds received from the Department of Corrections. The Snohomish County program reported an additional \$9,172.05 in revenue from client fees during FY 1982. For the time period from July 1, 1981 through October 31, 1982, the Pierce County program reported receiving an additional \$8,436.75 in client fees. Program costs are examined in greater detail in a separate section beginning on page 24.

* Includes \$19,983.69 for urinalysis costs.

II. PROGRAM OPERATIONS AND CHARACTERISTICS

A. INTRODUCTION

As noted in the preceding section, while certain elements are common to all TASC programs, the TASC model allows for great flexibility in the manner in which these elements are implemented. This flexibility is reflected in the differences in method of operation, or emphasis, between the Snohomish and Pierce County TASC programs. The information below summarizes the processes which are common to both programs, as well as the differences in operation between the two programs. Data pertaining to both program and client characteristics is also presented (unless noted otherwise, all data is for FY 1982).

B. FINDINGS

1. General Processes: As noted in the Background Section, the three elements which are basically common to all TASC programs are identification of the substance abusing offender, diagnosis and recommendation for treatment, and monitoring of the client. In the Pierce County program, identification of the substance abusing offender is primarily a "pro-active" function. A case manager is assigned to screen all felony arrestees booked into the Pierce County Jail. After reviewing the daily arrest sheets, the case manager then briefly interviews those arrestees in the jail. This "interview" essentially consists of asking the offender if he or she thinks they have a drug or alcohol problem, explaining the TASC program and then finding out if the offender would like to participate in the program. If the offender would like to participate, the case manager then usually attends arraignment court with the offender and seeks to have the offender released on their personal recognizance to TASC. The Snohomish County program does not have this type of a function. There, as well as for the balance of Pierce County offenders, potential clients are referred to the program from various sources (which are detailed later).

Once an individual has been referred to the program, a diagnostic evaluation is conducted. In Snohomish County, this evaluation is conducted during two separate interview sessions, usually lasting from one to two hours each. In Pierce County, the evaluation is usually based on one interview lasting approximately 2 1/2 hours. During these interviews, the Case Managers seek to find out information pertaining to the offender's substance abuse problems (in terms of type and intensity of abuse, both currently and historically), past

criminal involvement, level of family and community support, existence of substance abuse among family members, etc. Once the interviews are completed, the Case Manager assess the propriety of, and/or the offender's amenability to treatment. If treatment is deemed advisable, a specific treatment plan is developed. The results of this process, including recommendations for treatment, if any, are then communicated to the original referral source; whether it be the court, the offender's attorney, the pre-sentence investigator, the probation officer (post-sentence), etc. Neither the court nor probation/parole officer, however, is obligated in any way to accept TASC's recommendations. In FY 1982, the Pierce County program conducted evaluations of 98 individuals who did not enter the program. The Snohomish County program conducted 76 evaluations on individuals who did not enter the program. Reasons for non-entry into the program might include: a finding that the offender was too "dangerous" for program participation, a conclusion that the offender did not really have a substance abuse problem, disagreement with the recommendations by the court or probation officer, etc.

The monitoring function may be accomplished either through urinalysis or through personal contact, or a combination of both. (If an offender enters a residential treatment facility, contact may be by telephone and may be with the offender's counselors rather than the offender himself.) Depending on the offender's "contract" with the TASC program, urine samples may be required either once or twice a week, usually for a period of from two to six months. All urine samples must be "staff observed". In-person contact without the urinalysis requirement, may also be required on a weekly basis. Progress reports are submitted regularly to the appropriate criminal justice agency. Violations of the conditions of program participation - through continued drug or alcohol usage, refusal to participate in treatment or to leave urine samples - are reported immediately to the appropriate authorities (usually the court or prosecuting attorney for pre-trial clients or the probation officer for post-sentence clients).

2. Program Eligibility/Client Characteristics: Eligibility requirements for both programs are relatively vague; both contractually and operationally. For example, in Pierce County TASC's contract with the Department of Corrections (DOC Contract #CSD-025) it is stated that: "TASC shall conduct alcohol or drug intake evaluations on all individuals referred by Criminal Justice sources ..." (emphasis added). Later in the same section it is stated that "... appropriate misdemeanor and juvenile offenders may be served as long as the primary work of this contract is not affected." Operationally, and as a general rule, the Pierce County program will not accept an individual accused or convicted of a violent crime - for example, homicide, sex crimes, first degree assault, arson or kidnapping.

In the Snohomish County TASC contract with DOC (DOC Contract # CSD-023), it is stated that: "... Initial eligibility requires the individual to be involved in a current or past substance abusing lifestyle and an adult felony offender under the jurisdiction of the State Division of Adult Corrections". However, preceding that statement, an objective for the TASC program is listed as being to "... conduct ... evaluations on individuals from the criminal justice system including misdemeanor and juvenile offenders ...". The Snohomish County TASC program states their eligibility requirements as follows: "Any persons needing or wanting to change their substance abuse patterns is eligible for services." However, the program also lists four "target populations" listed in order of priority: 1) criminal justice clients with direct DOC involvement; 2) clients with criminal justice system involvement other than DOC, including ... district court, county work release, municipal court, etc.; 3) clients with no criminal justice system involvement but who are involved in some other State agency such as the Department of Vocational Rehabilitation; and 4) clients with neither criminal justice nor other State agency involvement.

Various client characteristic statistics were not readily available from the Snohomish County program. However, the Pierce County program did have this data available for all clients entering the program during FY 1982. Eighty-seven percent of all clients were male. The average age (mean) was 26; the median age was 24. One-half of all clients had less than twelve years of education. Only 29% of all clients were employed at the time of program entry. Per client, the average number of previous arrests for all crimes was 4.39, the average number of convictions was 2.32 and the average number of incarcerations (including jail) was .89. The average number of prior treatment attempts per client was .67.

The Pierce County program reported on statistics pertaining to client's drug usage at the time of entry into the program. By drug group, Table 2 depicts clients primary drug use.

TABLE 2

TYPE OF DRUG USAGE

<u>Drug</u>	<u>Clients Listing This Drug As Their Primary Drug</u>
Heroin	6.3%
Other Opiates/Synthetics	4.3%
Alcohol	53.6%
Barbituates	1.7%
Amphetamines	2.3%
Other Sedatives/Hypnotics	.7%
Cocaine	3.0%
Marijuana/Hashish	24.5%
Hallucinogenics	1.3%
Tranquilizers	0.3%
PCP	2.0%

3. Program Entry: The two TASC programs differ markedly in respect to the point at which the majority of clients enter the program. Pierce County TASC strongly emphasizes pre-trial intervention. Clients are identified and enter the program prior to trial. Frequently the individual will still be in the program at the time of trial. Often then, a condition of sentence will be continued participation in the program. In Snohomish County, most clients enter the program post-sentence; frequently as a condition of probation. These differences are reflected in Table 3, Legal Status at Time of Program Entry.

TABLE 3

LEGAL STATUS AT TIME OF PROGRAM ENTRY*

	<u>Snohomish TASC</u>	<u>Pierce TASC</u>
Pre-Trial	4.2%	41.5%
Pre-Sentence**	11.0%	23.1%
Probation***	59.7%	19.2%
Parole ⁺	12.7%	9.2%
None	12.4%	0.8%
Unknown	--	6.2%

* Snohomish data based on 283 program admissions; data provided by program. Pierce County data based on auditor's review of 130 cases opened during FY 1982.

** Includes deferred prosecution.

*** Includes State and county probation, pre-probation revocations and intensive probation.

+ Includes intensive parole and pre-parole revocation.

The table below depicts the referral source for clients. For both Pierce and Snohomish Counties, data was provided by the programs themselves.

TABLE 4
INITIAL REFERRAL SOURCE

	<u>Snohomish County</u>	<u>Pierce County</u>
State Probation/Parole*	49.5%	14.2%
Formal Court Order**	--	50.7%
Prosecutor	1.1%	0.3%
Attorney	4.6%	13.6%
County Jail	10.6%	--
Juvenile Court	9.5%	--
Social/Community/Treatment Agencies	9.5%	0.3%
County/Local Jurisdiction***	12.4%	1.0%
TASC	--	0.7%
Relative/Friend	1.4%	1.0%
Self	0.7%	16.6%
Other	0.7%	1.7%

* Includes work release.

** For Pierce County, refers to the Court's release of an arrestee on their personnel recognazance to the TASC program.

*** Includes county work release, county probation, District courts.

Table 5 depicts the arrest charges of clients immediately preceding entry into the programs. If an individual was on probation or parole prior to entering the program, the charge which resulted in that status was tabulated. The data was taken from the auditor's review of client files. Snohomish County data is for 86 cases opened and closed during FY 1982. Pierce County data is for 130 cases opened (but not necessarily closed) during FY 1982).

TABLE 5

ARREST CHARGES OF TASC CLIENTS BY CRIME CATEGORY

	<u>Snohomish County</u>	<u>Pierce County</u>
Person Crimes	10.3%	15.4%
Person and Property Crimes	1.1%	1.5%
Property Crimes	16.1%	35.4%
Property and Drug Crimes	3.4%	4.6%
Drug Crimes	17.2%	12.3%
Other Crimes	2.3%	2.3%
Misdemeanor/Traffic	13.8%	6.2%
None	5.7%	14.6%*
Unknown	29.9%	7.7%

* In tabulating the data, some cases may have inadvertently been placed in this category if there had been no "new" arrest charges; i.e., if the individual was already on probation or parole prior to TASC entry.

4. Treatment: It is important to note that TASC is not a treatment program itself. TASC attempts to be a "bridge" between the criminal justice system and the treatment system. It might be best described as a treatment "broker". However, not all TASC clients are placed in treatment. Some may be placed strictly in a monitoring program (urinalysis and in-person contact).

According to program supplied data, 52% of all Snohomish County TASC clients during FY 1982 were placed on urinalysis monitoring only. Just under 40% of all clients were placed in outpatient treatment programs, and the remaining 8% were placed in residential programs. According to Pierce County data, no clients were placed on urinalysis monitoring only. Sixty-two percent of all clients were placed in outpatient programs, 36% in residential programs and the remaining 2% received multiple placements.

5. Program Client Terminations: The table below depicts the type of termination from the program of TASC clients. The data for Pierce County was provided by the program. (These statistics were compared against those gathered by the auditor in his review of case files. The statistics reported by the program are very similar to those obtained by the auditor.) The data for Snohomish County was collected by the auditor based on a review of 87 cases opened and closed during FY 1982. The term "neutral" termination refers to a termination from the program for reasons beyond the control of the program. Examples would be because the client was imprisoned for the original arrest charge(s), the client left the area with the approval of his or her probation officer, etc. Unsuccessful terminations usually occur as a result of a refusal to enter or continue treatment, missed appointments, or continued drug usage.

TABLE 6

TYPE OF CLIENT TERMINATION

	<u>Snohomish County</u>	<u>Pierce County</u>
Successful Termination	24.1%	38.8%
Neutral Termination	19.5%	26.6%
Unsuccessful Termination	48.3%	34.6%
Unknown	8.0%	--

The Snohomish County Program also reported the following termination statistics for 168 clients. The auditor did not attempt to verify these statistics:

No drug use at termination	90	53.6%
Marijuana use only at termination	67	39.9%
Other drug use at termination	9	5.4%
Re-arrested while in program	2	1.2%

C. EVALUATION AND CONCLUSIONS

There are two primary differences between the two programs. First, and most obvious, the Pierce County program strongly emphasizes pre-trial involvement, whereas the Snohomish County program is more post-sentence oriented. Secondly, the Pierce County program emphasizes treatment for its clients far more than the Snohomish County program does. Data provided by the Tacoma program indicated all of its clients were placed in treatment whereas less than half of the Snohomish County clients were.

The auditor believes that low program success rates may be a major cause for concern; particularly in the Snohomish County program. Indeed, less than one-quarter of its clients successfully completed the program. This appears to be an extremely low figure, especially in light of the fact that over half of the clients were only on urinalysis monitoring. However, the auditor is unable to explain the reason or reasons for these low success rates.

III. PROGRAM EFFICIENCY

A. INTRODUCTION

This audit did not focus extensively on the day-to-day operations of the two TASC programs; concentrating instead on various outcome or effectiveness issues. However, in conducting the review certain issues pertaining to the program's efficiency were noted, including monitoring and/or evaluation activities, general policies and procedures, record keeping, etc. This information is highlighted below.

B. FINDINGS

Both programs operate under contract to the Department of Corrections (DOC). However, in reviewing the contracts themselves, and in some cases in reviewing both parties adherence to those contracts, certain "problems" were noted.

As discussed previously on page 8, program eligibility requirements are not explicitly defined in either contract. Program objectives pertaining to TASC's effectiveness are not expressly included in the Pierce County contract. (Under the contract's statement of work, two "objective-like" statements are included; however, these statements are essentially buried amidst other activities which the program is directed to perform.) The Snohomish County contract does include eight separate objectives. However, only two of the eight are directed at "outcome measures". Yet these two objectives (pertaining to drug usage and recidivism) are only directed to the time period during which the client is a participant in the program. Thus, no objectives exist which seek to measure any lasting or post-program impact which the program might have on client behavior.

In the Snohomish County contract, certain "directives" are included which have not been performed by the program. Examples include:

- To ensure appropriate Treatment Agreement Contracts have been obtained for all treatment referral sources utilized by the TASC program. (The stated purpose of this directive is to develop clear standard operating procedures between the programs by outlining goals and expectations.)

- To develop a mechanism to assess the impact of TASC beyond the client's termination date in the program.
- To develop a questionnaire to follow-up former TASC clients at intervals of six months, one year, and eighteen months to determine whether they have been able to main a substance free life-style.

A requirement is also included in the Pierce County contract that among records to be kept by the program are "... letters of working agreement with appropriate treatment and criminal justice agencies ...". No such letters or agreements exist.

No evaluation plan, or provision for an evaluation plan, is included in the Pierce County contract. The only reference to evaluation therein is under a section entitled "Record-keeping Requirements". There it is stated that "Records shall be kept sufficient to assure that performance on all standards described herein can be validated." The Snohomish County contract does include a separate section entitled "Evaluation and Monitoring". There it is stated that "DAC (Division of Adult Corrections) shall have an evaluation plan that measures progress toward specific objectives. Such evaluation plan shall, at a minimum, address the quality of services provided to clients." However, no such evaluation plan exists.

Within the same section noted immediately above (Snohomish County contract), it is stated that "All facilities receiving DAC funds through this contract will be monitored through routine site visits by DAC personnel ...". According to the Director of DOC's Division of Community Services, except for the reporting of basic client statistics, no monitoring of the TASC programs occurs whatsoever.

Pursuant to Pierce County's contract, Pierce County TASC has a comprehensive policies and procedures manual which outlines program operations. This requirement is not included in the Snohomish County contract, and Snohomish County TASC has no such manual.

In conducting this audit, the auditor spent a considerable amount of time reviewing client files. Generally, the quality of these files in the Pierce County program was good. Information pertaining to such things as the client's criminal justice involvement (including point of entry into program, referral source, criminal history and sentencing) substance abuse problems and progress in and termination from the program was relatively comprehensive and accessible. This was not the case, however, in the Snohomish County program. Frequently, the auditor was unable to determine "basic" information, for example, arrest charges, criminal history, legal status, etc. While a "summary sheet" was included in most files, this sheet was frequently filled out only in part, if at all.

C. EVALUATIONS AND CONCLUSIONS

Operationally, both TASC programs are extremely independent. There exists no monitoring function to ensure program compliance with contractual conditions. No evaluation component is in place to measure the program's effectiveness or outcomes. The auditor believes these facts indicate a serious lack of program accountability.

The auditor further believes that the absence of both definitive eligibility requirements and relevant program objectives may lead to confusion as to the program's ultimate purpose or sense of direction. This is especially true for those not immediately associated with the program; e.g., criminal justice agencies, treatment agencies, "decision-makers", etc. Similarly, the absence of formalized working agreements which outline program objectives, requirements, procedures and expectations - with treatment and criminal justice agencies, could lead to the inefficient or inappropriate use of program resources.

The auditor believes that the development of formalized policies and procedures would also result in greater efficiency within the Snohomish County TASC program. In addition to promoting the inner-consistency of program operations, it would also be invaluable for new employees.

Client records within the Snohomish County program are inadequate at present. The frequent absence of pertinent client data hinders the conduct of evaluations or audits such as the current effort. To further aid evaluative efforts, the nature of data collected as well as the format in which such data is presented or summarized should be standardized amongst the TASC programs.

D. RECOMMENDATIONS

In the event that the TASC programs continue operations after the 1981-83 biennium, it is recommended that:

1. An on-going monitoring function to ensure program compliance with contractual conditions be established and carried out by the State agency to which the TASC programs contract.
2. An evaluation component designed to measure TASC's effectiveness or program outcomes be developed and implemented. Such evaluation should be based on formalized, quantifiable objectives which address, at a minimum, the issues of client recidivism and substance abuse; both during and after program participation.

3. Specific program eligibility requirements be developed and contractually stated.
4. All TASC programs develop and adopt formal operating policies and procedures.
5. All TASC programs develop and execute working agreements with those treatment agencies in which TASC clients are placed. Such agreements should include, at a minimum, a listing of program requirements, objectives, procedures and TASC's expectations of the treatment agency.
6. All TASC programs should formally communicate, in writing, their objectives, procedures and requirements to all criminal justice agencies within their service area.
7. All TASC programs work cooperatively, and in conjunction with the contracting State agency to develop a standardized format for the collection and presentation (or summarization) of client data relevant to the measurement of program objectives; including such data elements as current arrest charges, criminal history, legal status at program entry, referral source, substance use and program termination.

IV. ADMINISTRATIVE PLACEMENT

A. INTRODUCTION

A primary reason for requesting this audit was the fact that on two separate occasions during the last two years, the Department of Corrections' Division of Community Services recommended elimination of the TASC programs. As a result, one of the issues which the Legislative Budget Committee (LBC) was asked to address in its review was:

If [the TASC] program is primarily a drug/alcohol program, would it be managed more appropriately by the Bureau of Alcohol and Substance Abuse in the Department of Social and Health Services?

Through discussions with various individuals, this issue was "expanded" to the following audit objective:

To assess the feasibility and/or consequences of placing TASC within the Department of Social and Health Services, the Office of the Administrator for the Courts or other State agency.

B. FINDINGS

During this review, the auditor held numerous conversations with the Director and various other officials of the Department of Corrections' Division of Community Services. These individuals expressed the view that if the TASC programs are continued, their preference would be that the program not be continued under their Division. (They did stress, however, that if the Legislature determined otherwise, i.e., that the program should be continued and should continue within DOC, they would certainly abide by that decision.) A number of reasons were cited for their preference.

Perhaps the primary reason cited by these officials was problems with jurisdictional authority. Many TASC clients, especially in the Pierce County program which emphasizes pre-trial involvement, enter the program prior to the time that they are convicted of the crime for which they have been arrested. The individuals whom the auditor spoke with held that the DOC had no jurisdiction over these individuals until such time as they were convicted and remanded by the court to DOC. This perception appears to be backed up by statutory language contained in the Corrections Reform Act

of 1981. The first sentence of the section addressing legislative intent (RCW 72.09.010) reads: "*It is the intent of the legislature to establish a comprehensive system of corrections for convicted law violators*" (Emphasis added.)

A second problem cited was that the TASC programs only dealt with a small percentage of DOC clients. This view was based both on the fact that TASC operated in only three of the State's 39 counties, and the perception that it was true even in those counties in which TASC did operate. The auditor attempted to compute figures which would address this issue. Figures on the number of DOC clients (including probationers and parolees, excluding work releasees) within each county during FY 1982 were obtained from the directors of the Regional Probation and Parole Offices. Figures on the number of TASC clients who were also DOC clients were obtained from the auditor's review of a sample number of TASC client files (See page 35 for a further explanation of the sample procedure.) TASC clients were considered to be DOC clients as well if they were referred to TASC by DOC, or if they were an adult, had been arrested on a felony level crime and the arrest charges were not known to have been dropped or reduced to a misdemeanor (some juveniles who were 17 years old and had been charged with a serious crime such as first degree robbery were also included). These clients were considered as DOC clients even if they were not actually DOC clients at the time of program entry; it was assumed that they became DOC clients during program participation. By county, the following figures were obtained:

Snohomish County: 139 of Snohomish County's 207 total clients were also DOC clients - 67.1%. These 139 clients represented 12.2% of the 1,138 probationers and parolees within Snohomish County during FY 1982.

Pierce County: 248 of Pierce County's 302 total clients were also DOC clients - 82.1%. These 248 clients represented 10.0% of the 2,484 probationers and parolees within Pierce County during FY 1982.

A final reason cited by DOC officials for favoring elimination (or transfer) of the program was that there own "people" could perform those TASC services needed by DOC more efficiently and effectively. In fact, the Division of Community Services is currently proposing that funding be obtained in order to purchase urine testing equipment and to employ one new officer in each region to perform evaluation and diagnosis activities, as well as to develop treatment recommendations for substance abusing offenders. In conducting the audit, numerous individuals in the criminal justice

field were questioned regarding their perception of the advisability or possibility of having probation and parole officers assume the activities now performed by TASC. (These individuals were not asked specifically about the Division of Community Services' proposal mentioned above.) While some individuals indicated that such an arrangement might be workable, the vast majority of those questioned stated that it was not.

The reasons offered for stating that such a situation was not workable ranged from the philosophical to the practical. Many individuals stated that having the probation and parole officers assume existing TASC functions would contradict the basic purpose of the TASC program - that of serving in the role of an independent, impartial party which stands mid-way between the criminal justice and treatment systems. If such a situation were to occur, it was stated that substance abusing offenders would be far less likely to admit their substance abuse problems, sensing that it would only result in increasing the severity of their punishment. Critics of the idea also pointed out the fact that most probation officers totally lack the expertise needed to perform diagnostic and evaluative services related to the substance abusing offenders. Finally, it was stated that if such an idea were implemented, the basic TASC services would get "lost in the shuffle." It was noted that the average caseload of a probation officer statewide was approximately 80; whereas the caseload of a TASC case manager is approximately 25. It was stated that the level of monitoring and supervision now existing under TASC could not possibly continue if such supervision was carried out by probation officers.

The auditor reviewed the basic administrative structures of the TASC program in the seven states which have statewide TASC programs. In three of these states, the TASC program is either housed within, or contracts to, an agency similar to Washington's Bureau of Alcohol and Substance Abuse (DSHS). In two states, TASC is housed within a Department of Corrections. In one state, TASC is housed within the equivalent of our Office of the Administrator for the Courts, and in the remaining state, TASC is within the equivalent of our Planning and Community Affairs Agency. In five of the seven states, the state "portion" of the TASC program consists of a "TASC Coordinating Office", usually consisting of two or three State employees. Local programs are then operated on a contractual basis. In Oklahoma, all employees, both at the state and local level, are "state employees." The Illinois program is entirely independent insofar as none of its employees are state employees. The entire program operates under contract to the Illinois Commission on Dangerous Drugs.

Officials within three Washington State agencies were interviewed by the auditor to determine the feasibility of placing TASC within their agency. These agencies were the Bureau of Alcohol and

Substance Abuse (BASA), in the Department of Social and Health Services (DSHS), the Office of the Administrator for the Courts (AFC) and the Planning and Community Affairs Agency (PCAA).

The individual within BASA whom the auditor spoke with stated that it would be feasible for that agency to administer the TASC programs. It was pointed out that in the grant application that was prepared for submission (but not submitted) to LEAA for a State TASC program in 1979, BASA was designated as the administering agency. Further, BASA historically has funded various "criminal justice" projects such as drug treatment programs within the State's prisons. The auditor also noted that in the Drug Abuse Prevention Plan for FY 1980, which was prepared by BASA, criminal justice clients were designated as a "special emphasis" client group. The director of BASA's drug program did mention, however, that in his opinion, TASC was more appropriately located within the Department of Corrections. This was based on his belief that TASC was predominately a corrections oriented program. Additionally, it was noted that placing the TASC program within BASA could conceivably hamper TASC's effectiveness. This was said to be possible because some criminal justice officials might perceive such a move as an alignment of TASC with the treatment community thereby compromising its current position as an independent and impartial third party.

The Office of the Administrator for the Courts was contacted in regards to this issue because of the fact that numerous TASC functions directly impact or benefit the courts. Among these functions are the supervision of individuals released to the program on pre-trial, personal recognizance release, the preparation of treatment oriented sentencing recommendations (as well as assisting probation officers in the preparation of the formalized pre-sentence investigation report) and the supervision and monitoring of probationers. While the Acting Administrator stated that he was not all that familiar with the TASC program at present, he did not have "any problem" with the concept of taking on the TASC programs. He added that doing so could in fact fit into their plans for working more closely with various probation-related functions.

The final agency contacted in regards to this issue was the Planning and Community Affairs Agency. However, in a conversation with the Director of PCAA, the view was expressed that the TASC program did not fit in well with other programs administered by the agency. As such, the Director was not receptive to the idea of placing TASC under PCAA.

C. EVALUATION AND CONCLUSIONS

Based on an analysis of the foregoing, the auditor has concluded that of the agencies examined, the TASC programs would be most appropriately placed within the Office of the Administrator for the Courts.

Unlike the Department of Corrections, the courts have jurisdiction over most every phase of a TASC client's criminal justice involvement while in the program; from the pre-trial, personal recognizance release decision, up to the decision to incarcerate the offender in a State correctional facility. In addition, while the large majority of TASC clients are also DOC clients (or will "become" DOC clients), it is recognized that these individuals represent only a small proportion of DOC's total caseload within each jurisdiction. It might also be noted that for reasons outlined in the findings section, the auditor does not believe that assumption of the TASC functions by probation and parole officers is a viable option (this speaks only to the assumption of the entire range of current TASC functions).

The placement of TASC into the Bureau of Alcohol and Substance Abuse could prove to be a satisfactory arrangement. However, in the auditor's opinion, TASC is not predominantly a drug/alcohol program. Additionally, the auditor concurs with statements made by the director of BASA's drug program. For TASC to be effective, it is imperative that its impartiality not be open to question. If TASC were placed within BASA, such could occur.

Because of a lack of jurisdictional problems, and because of the assumed impartiality of the courts as well as the benefits the TASC programs provide to the courts, the auditor believes that the TASC programs would be most efficiently and effectively administered by the Office of the Administrator for the Courts.

D. RECOMMENDATION

RECOMMENDATION 8

If the TASC programs are continued, it is recommended that responsibility for their administration be transferred from the Department of Corrections to the Office of the Administrator for the Courts.

V. PROGRAM COSTS AND WORKLOAD

A. INTRODUCTION

The information below briefly reviews the costs of the two TASC programs on a per-client basis. Staffing levels are also reviewed. Additionally, the costs associated with urinalysis monitoring in the Snohomish County program is discussed.

B. FINDINGS

1. Per-Client Costs:

Table 7, below, depicts the FY 1982 expenditures for the two TASC programs, the number of client admissions as reported by the programs and the resultant cost per client for each program.

Table 7

Costs Per Client

	<u>Snohomish County TASC</u>	<u>Pierce County TASC</u>
FY 82 Expenditures	\$145,074.07	\$212,888.02
FY 82 Clients	207	302
Cost Per Client	\$700.84	\$704.93

It should be noted that many individuals who are evaluated and diagnosed by the program do not enter the program. During FY 1982, the Snohomish program evaluated 76 individuals who ended up not entering the program and the Pierce County program evaluated 98 such individuals. If these numbers were added to the number of clients above, the cost per client figures would decrease to \$512.63 and \$532.22 respectively.

The auditor attempted to compare these per-client costs with the per-client costs for both regular probation and the intensive supervision program (both probation and parole). However, the Department of Corrections computes such costs in a slightly different manner; specifically dividing total expenditures by the average number of clients in the program at any one time. Therefore, the auditor re-computed TASC's per-client cost figures to conform with that method. For both TASC programs, the number of clients in the program at any one time is the average for the last six months of FY 1982. That average number, for both programs, was 113 clients. By dividing total expenditures by that number, the resultant cost figures were \$1,283.84 in the Snohomish program and \$1,883.96 in the Pierce County program. This compares to a per-client cost of \$609.55 for regular probation, and \$2,197.58 for the intensive supervision program (figures provided by the Department of Corrections).

2. Staffing:

By position title, Table 8 below depicts the staffing pattern for both programs.

Table 8

TASC Staffing Levels

<u>Position</u>	<u>Snohomish TASC FTE's</u>	<u>Pierce TASC FTE's</u>
Director	.50	1.00
Case-Managers (including supervisor)	3.20	4.75
Secretary/Receptionist	1.50	1.00
Bookkeeper/Accountant	.50	.50
Planner	-	.25
TOTAL FTE'S.....	5.70	7.50
"Administrative" Sub-Total (Excluding Case-Managers)	2.5 (43.8%)	2.75 (36.7%)

NOTE: The Snohomish County TASC program, along with its "parent" organization, the Drug Abuse Council, operates two separate offices, one in Everett (main office) and one in Lynnwood.

By dividing the number of clients at any one time (113 for both programs-average for January through June 1982) by the number of case managers (including supervisors), the average caseload is obtained. This works out to 35.3 in the Snohomish County program and 23.8 in the Pierce County program.

In Snohomish County, TASC case managers evaluated and diagnosed a total of 219 individuals. This includes 76 individuals who did not enter the program (not all clients admitted into the program were evaluated, however, particularly those who were placed on urinalysis monitoring only). This works out to 68.4 evaluations per case manager. Assuming there are 237 working days per year (allowing for 11 holidays and 12 vacation days) each case manager would have conducted one evaluation every 3.5 working days. In the Pierce County program, these figures work out to 84.2 evaluations per case manager, with each case manager conducting one evaluation every 2.8 days.

3. Urinalysis Testing:

Note: Data regarding the costs associated with urine testing were not obtained from the Pierce County program prior to this writing.

According to data supplied by the Snohomish County program, 3,605 urinalyses (UA's) were performed in FY 1982. A total of 191 clients were on a UA monitoring program (either by itself or in connection with a treatment placement). This averages out to 18.9 UA's per client. The total cost for these UA's was listed by the program as \$19,983.69 or an average of \$5.54 per UA. It might be noted that the UA costs represent 13.8% of the program's expenditures during FY 1982.

Additional data supplied by the program shows that the vast majority (93%) of UA's were sent out to a laboratory for analysis, with the remainder being done in-house (the program owns a portable E.M.I.T. System-used for urine testing). The cost of materials for tests performed in-house is \$3.00 per drug tested for. The laboratory utilized by Snohomish County (located in Seattle) charges \$6.00 per "full-screen" (a total of eleven drugs).

C. EVALUATIONS AND CONCLUSIONS

The per-client costs for the two TASC programs appear to be reasonable, especially in comparison with the per client costs of probation and the intensive supervision program operated by the Department of Corrections. While the TASC costs are substantially higher than the costs of regular probation, it must be remembered that the average active caseload of a probation officer is approximately 80, compared with a caseload of 35 in the Snohomish County program and 24 in the Pierce County program. The TASC caseload figures, while somewhat higher, more closely approximate the caseloads of officers in the intensive supervision program. In terms of the level of supervision and monitoring provided to TASC clients, the auditor believes that the costs of the TASC program are more fairly compared to the costs of the intensive supervision project rather than the costs of regular probation.

The "administrative" costs of the programs appear to be somewhat high; especially in the Snohomish County program. However, this is somewhat mitigated by the fact that the program operates two separate offices.

VI. ATTITUDES TOWARDS AND BENEFITS OF PROGRAM

A. INTRODUCTION

In conducting the audit, the auditor interviewed numerous criminal justice officials within the two TASC counties regarding their views of the TASC program. The information below summarizes the results of those interviews in the context of the benefits the TASC program was seen as providing. It should be noted that because of Pierce County's closer proximity to Olympia, and the desire to interview individuals in-person, a proportionately greater number of Pierce County officials were contacted.

B. FINDINGS

1. Pre-Trial Release: As has been mentioned previously in this report; the Pierce County TASC program emphasizes pre-trial intervention. Over half of its clientele entered the program as a court imposed condition of pre-trial release; either through personal recognizance release or through a reduction in the amount of bail required for release.

Numerous individuals whom the auditor spoke with were highly praiseworthy of TASC's involvement in this area. A number of judges, for example, pointed to the fact that without the urinalysis monitoring provided by TASC, many more individuals would remain jailed pending trial. A Pierce County Deputy Prosecutor stated that this monitoring function was an excellent way to keep both judges and the prosecutor's office informed as to an individual's progress while on pre-trial release status. The then-Director of the Office of Assigned Council stated that in his opinion, a judge who now releases 50% of arrestees on pre-trial release with TASC, would probably release only 35% of arrestees without TASC. According to reports received from his employees, the Pierce County Under-sheriff stated that TASC is responsible for getting 7 to 10 people released from jail each day on pre-trial release. Every individual whom the auditor spoke with regarding this issue expressed the opinion that the Pierce County TASC program provides a valuable service in the pre-trial release area.

The auditor did not attempt to quantify the extent of Pierce County TASC's effectiveness in this area. However, the following statistics, provided by the Washington State Jail Commission, were noted. From January through June, 1982, the proportion of total inmates in the Pierce County Jail who were on pre-conviction status (based upon daily average population) was 65%. This was the highest percentage of pre-conviction inmates recorded by any local jail in the State. The State average was 41%. During the same time period, the "average length of stay" for pre-conviction inmates was 9 days in the Pierce County Jail. Statewide, the average length of stay was 8 days.

2. Diagnostic/Evaluative Information at Time of Sentencing: This was another area in which the majority of individuals whom the auditor spoke with had high praise for the TASC program. The then-Director of the Pierce County Office of Assigned Council stated that his office would not have the manpower or expertise to perform such diagnostic evaluations, nor would they have the funds to contract for such evaluations. Without TASC, he stated a lot of work would just not get done. A Pierce County Superior Court judge stated that he could not possibly know about the various treatment programs, both in terms of orientation as well as quality. He stated that he relied heavily on TASC to fill this void. A number of individuals credited the TASC program's integrity and impartiality in this area as a major reason for its effectiveness. As one judge stated, "TASC never solicits business."

Another Pierce County judge stated that the sentencing decision was much easier if the offender had entered the program at the time of initial arraignment. He said the chance to observe an individual's "progress" while in the program for a couple of months dramatically increased the odds that he would make the "right sentencing decision." It was for this reason that a Snohomish County Superior Court judge stated that he wished the Snohomish County TASC program would implement its own pre-trial program. This sentiment was also expressed by the Director of the Snohomish County Public Defender Association.

3. TASC as an Alternative to State or Local Incarceration: (Note: the issue of State incarceration avoidance is addressed in greater detail in a separate section of this audit.) Four of the five Pierce County Superior Court Judges whom the auditor interviewed, as well as the one Snohomish County judge, stated that they felt TASC did serve as an alternative to State incarceration. (The remaining Pierce County judge did not comment on the issue.) The "intensity" of this perception differed substantially, however; from one judge who stated that he personally would sentence two to three times as many offenders to prison if not for TASC, to another who stated that it would be rare for TASC to make a difference, however, acknowledging that it has occurred.

Perceptions regarding this issue differed among other individuals whom the auditor spoke with. One Pierce County Deputy Prosecutor stated flatly that TASC did not keep people out of the State institutions. However, another Deputy stated that it had a substantial impact in this area. The Regional Director of the State Office of Adult Probation and Parole (Region V) stated that he doubted that TASC made a difference in whether an offender was sent to prison in more than ten cases per year. The Supervisor of the Everett Probation and Parole Office also felt that TASC did not really serve as an alternative to State incarceration. The Director of the Office of Assigned Council stated that he felt TASC could make a great difference in "borderline" cases.

Many people felt that TASC had a greater impact on keeping people out of jail. One judge stated, for example, that TASC can make a big difference in setting the terms of probation, i.e., jail versus treatment. Once again, the auditor did not attempt to quantify TASC's effectiveness in this area.

4. Post-Sentence Monitoring/Supervision: The auditor spoke with a number of individuals connected with Probation and Parole; including supervisors and line personnel. The general reaction to TASC was positive. This was both in regards to their diagnostic activities as well as their monitoring activities. Regarding the former, one supervisor stated that because his officers did not have the expertise in dealing with substance abusers, those individuals could "con" his officers into thinking they had a drug problem when in fact they didn't. The line officers whom the auditor spoke with stated that the TASC urinalysis monitoring program was very helpful to them. They also noted that the TASC personnel were extremely prompt in reporting to them any violations on the part of the client.

C. EVALUATION AND CONCLUSIONS

In the auditor's opinion, the TASC programs have a remarkable level of support among the criminal justice community in their respective jurisdictions. In fact, the auditor did not encounter a single individual who did not favor the programs. As important, this support crossed "jurisdictional" lines; from the prosecutorial function to the public defense function.

The greatest level of support seemed to center around Pierce County TASC's pre-trial intervention function. This is consistent with national evaluations which have shown that the sum of benefits resulting from a TASC program increase the earlier that TASC intervention occurs. In the National Evaluation Program evaluation of the TASC program (Phase II Report - 1979) it was recommended that:

"... TASC increase the use of pre-trial release in projects which have credible, respected mechanisms in operation. Second, that TASC projects which do not operate pre-trial release programs, seriously pursue the possibility ..."

The auditor concludes that the Snohomish County TASC program should pursue the possibility of implementing such a function.

Among the benefits received by the State from the TASC programs are assistance in the probation and parole function (inclusive of the assistance provided by TASC in the preparation of pre-sentence investigation reports) and a possible reduction in the number of offenders committed to the State's penal institutions. Certainly, however, a number of the benefits which the programs are seen as providing relate directly to the local jurisdictions. These include services provided to the local prosecutor and public defense offices, as well as helping to alleviate the burdens of overcrowding in the local jails. Unfortunately, it is difficult (and the auditor has not attempted) to determine precisely which jurisdiction(s) receives what proportion of the program's benefits. It might be reasonable, however, to provide for the local jurisdictions to fund some portion of the programs costs as a condition for continued State funding.

D. RECOMMENDATIONS

If the TASC programs are continued, it is recommended that:

9. The Snohomish County TASC program, in consultation with local criminal justice agencies, determine the desirability and feasibility of implementing a formalized pre-trial intervention component similar to that of the Pierce County TASC program.
10. The State give consideration to providing for the local jurisdictions to fund some portion of the TASC program's operating costs as a condition of continued State funding.

VII. RECIDIVISM

A. INTRODUCTION

In the initial request for this audit, the Legislative Budget Committee was asked to examine TASC's "recidivism rate or demonstrated outcome". It was hoped that this could be accomplished by reviewing and, if need be, "massaging" data previously generated in the Arthur Young and Company evaluations. A suggested audit objective which was not approved by the LBC was to:

Reexamine TASC cost-effectiveness by designing and executing new studies of diversion and recidivism impacts. (emphasis added)

The primary reason for not approving this objective was that staff estimated that a minimum of twelve man-months would be required to complete such studies. It might also be noted that neither TASC program has any mechanism in place for tracking or following up on clients. As a result, no new data has been collected relevant to TASC's impact on recidivism. Instead, the auditor has limited his analysis to a review of the previous Arthur Young evaluations as well as various TASC evaluations from other jurisdictions.

It should be noted, however, that evaluating something like the TASC program's impact on recidivism is an extremely difficult endeavor. The "perfect" evaluation might be conducted by comparing the recidivism rate of TASC clients who had been selected for program participation at random from an "eligibility pool", to the recidivism rate of those individuals who had randomly not been selected from that same eligibility pool. Obviously, however, selecting clients in this fashion would raise serious legal questions concerning both equal protection under the law, and equal access to public services.

B. FINDINGS

The issue of recidivism was not quantitatively addressed in the Arthur Young evaluation of the Snohomish County TASC program. While it was addressed in the Pierce County TASC evaluation, the measurement used was a "pre-post" comparison rather than a control group, or "inter-group" comparison. Among the findings of this process was that 78.1% of all TASC clients (except those in the urine monitoring only program) were "arrest free" during the 12 months preceding entry into the program*, 82.7% of all clients were arrest free while in the program and 85.9% of all clients were arrest free during the 12 month period after completion of the program. While these figures are

* The auditor is puzzled by this figure since entry into the program - whether pre-trial or as a condition of sentence - is currently precipitated by an arrest in the vast majority of cases.

interesting, the auditor does not believe they are particularly insightful. If any criminal sanction - whether it be TASC, some other "alternative" program, or incarceration - is to have a positive affect on recidivism, it would be reasonable to expect that that affect would be most pronounced immediately following imposition of the sanction.

The auditor reviewed two evaluations of TASC programs from the State of Arizona. The first, A Performance Audit of the Pima and Maricopa County Treatment Alternatives to Street Crime Programs (August 1980), was conducted by the Arizona Office of the Auditor General. A primary conclusion of this study was that:

"... there was no significant difference in recidivism between Maricopa County TASC clients and a comparable non-TASC group and that Pima County TASC clients had a higher rate of recidivism than a comparable non-TASC group" (emphasis added)

Unfortunately, in this study there appears to be a serious question as to whether the "comparable non-TASC group" was actually comparable. While all individuals in the non-TASC group met TASC eligibility criteria, they were selected from a list of individuals (kept by the TASC programs) who, for "unknown reasons (had) declined to participate in the program." As noted in comments made by the auditee, and included in the document, the fact that these individuals declined participation in the program, may have meant that they were inherently different from those who did enter the program. For example, the individuals may have felt that they didn't need treatment, they may not have had the necessary time because of work or school commitments, or they may have had other "support systems" in the community which lessened their need for TASC. All of these reasons could impact recidivistic behavior.

The second Arizona evaluation which the auditor reviewed was Treatment Alternatives to Street Crime: An Independent Evaluation of Arizona's TASC program (November 1981), conducted by Behavioral Health Consultants of Arizona, Inc. This evaluation compared the recidivism rate of TASC clients to the recidivism rate of a group of Maricopa County jail inmates who had been screened for possible placement into a manpower training program, and who also met TASC eligibility requirements. The recidivism rate for the TASC group was listed as 10%, and for the non-TASC group, 52%. Based on these findings, the report concluded that:

"... TASC provided a [more?] positive outcome (reduction of recidivism) by virtue of its impact on clients, than does an alternate method of treating the substance abusing offender; that of incarceration."

In going over that report's data, however, the auditor noticed that there was a drastic difference in the ages of the TASC and non-TASC group; only 37% of the TASC clients were under the age of 25, while 75% of the non-TASC group were. The auditor believes that a widely held assumption is that age and the maturation process have a substantial effect on criminal activity. If this assumption is correct, the above findings are seriously open to question.

The auditor also reviewed the Phase I and Phase II editions of the National Evaluation Program Evaluation of Treatment Alternatives to Street Crime (National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, United States Department of Justice). These national studies, however, were "process evaluations" only; that is, they examined only the programs process, structure and organization, and not its demonstrated outcomes.

Finally, in a memorandum prepared by the National TASC Program Coordinator, three separate TASC evaluations were noted. While the auditor did not have access to the reports themselves, and as such can not comment on their validity, their results pertaining to the issue of recidivism are included below for the benefit of the reader.

- ° Of TASC clients who successfully completed the Sonoma County (California) TASC program, 91% had no subsequent arrests.
- ° Data from the Escambia County, Florida TASC program shows a recidivism rate of 10.6% for clients successfully terminated, 27.5% for clients terminated "neutrally", 43.2% for clients terminated unsuccessfully and 64.3% for a sample control group.
- ° The Oklahoma City TASC program found a recidivism rate of 18.8% for all TASC clients compared to 37% for a control group.

C. EVALUATION AND CONCLUSIONS

The issue of recidivism is undoubtedly a critical one is considering the merits of the TASC program. Indeed, it might be said that the very purpose of the TASC program is to break the cause and effect relationship of alcohol and substance abuse and crime. Unfortunately, time was not available to conduct new studies of TASC's impact on recidivism. Other evaluations reviewed by the auditor were, at best, inconclusive. Therefore, no conclusions can be drawn as to the effectiveness of the TASC programs insofar as recidivism is concerned.

D. RECOMMENDATION

RECOMMENDATION 11

It is recommended that the LBC staff further examine and analyze the effectiveness of the TASC programs insofar as recidivism is concerned and present their findings in a supplementary report to this audit.

VIII. TASC AS AN ALTERNATIVE TO STATE INCARCERATION

A. INTRODUCTION

As a condition of LEAA funding, evaluations were previously conducted on the two TASC programs. Both evaluations, dated 1979, were conducted by Arthur Young and Company. The general conclusion of both evaluations was that the programs were extremely effective; particularly insofar as their cost effectiveness was concerned. One reason why this audit was requested, however, was that some people questioned the methodology used in those previous evaluations.

When the Legislative Budget Committee approved the undertaking of this audit, one of the primary objectives was to:

"Review existing TASC cost-effectiveness studies to identify possible problems, (and to) develop revised statements of TASC's cost-effectiveness based on refinements of existing study assumptions or methods."

In reviewing the previous evaluations, the auditor concurred with the assessment that the methodology was flawed. For example, the sole criterion on which was based the determination of who would or would not have gone to prison if not for TASC, was the number of the offenders previous convictions. It was assumed that every client who had had at least two previous convictions would have gone to prison. (For those with less than two previous convictions, a formula based on Pierce County "incarceration averages" was devised and then applied to compute the number who would have gone to prison.) At best, the auditor believes that this was a fallacious assumption. In addition, however, based upon a comparison of new client data to the old client data, the auditor strongly suspects that this assumption was based on all previous convictions; not just felony convictions. Given the way the two TASC programs collect data on past criminal history, such "crimes" as "minor in possession", "DWI" and in some cases "speeding", could have been considered previous convictions. If so, the assumption used in the previous evaluations was ludicrous.

Given this fact, the auditor concluded that a determination of TASC's effectiveness as an alternative to incarceration could not be achieved simply by "refining" previous data or study methods. As a result, a substantial amount of new client data was collected by the auditor and new methods of computation were developed. These methods are explained in the pages which follow.

Determining who would, or would have not gone to prison if circumstances had been different, is an inexact proposition at best. Numerous factors come into play; including the "sentencing posture" of local judges (i.e., strict versus lenient), the capacity of local or State facilities, the availability of alternative resources, plea bargaining, etc. The information which was available to the auditor was primarily that contained in client files. While this information was extremely valuable, it may not have included or reflected all pertinent considerations. For example, information on an offender's criminal history was obtained from client files, which included only that information given by the offender. Thus, it can not be sure how accurate such information is. In addition, information on crimes may not have reflected certain prosecutorial charging decisions, or the effects of plea bargaining. Given the time and amount of resources available, it was not possible to control for all factors, or to verify all available data. While the auditor has no reason to believe that the data is overly imprecise, these considerations should be kept in mind.

B. FINDINGS

1. Effectiveness in Avoiding State Incarceration

Given the nature of the sentencing process, it is perhaps impossible to definitively assess "what might have happened" under different circumstances. The auditor can make no such claim in the information that follows. However, in order to reduce the chance of error, two separate methods were utilized in an attempt to assess TASC's effectiveness as an alternative to State incarceration. The first was a primarily subjective method which was based on a review of client files. The second encompassed a more objective approach, and was based on the statewide average rate of incarceration. These two methods are described in greater detail below.

Individual Case Analysis Method: A sample number of client files from both TASC programs were reviewed by the auditor. The sample included those clients who entered the program during FY 1982, and who completed the program prior to the auditor's review and whose last name began with the letters "A" through "M". The information collected during this review included such things as: client's current crime and past criminal history, legal status upon entry into the program, referral source, sentencing information (if available) and type of termination from the program (i.e., successful or unsuccessful). The procedure for determining which clients avoided incarceration through their participation in TASC was done through a process of elimination based on certain criteria, or variables. Examples of these "eliminating" variables include: the client was incarcerated after program entry; the client's current charge was not a felony; the client was a juvenile, the client was terminated unsuccessfully from the program, and the client had no previous adult felony convictions. (This last variable may be among the most "controversial"; its validity being somewhat open to

question. The auditor determined, however, that in assessing the likelihood of imprisonment, demarcation lines had to be drawn "somewhere"; the subjectivity of their placement notwithstanding.) Tables 9 A and 9 B on pages 37 and 38, detail these variables in full.

Judicial Decision to Imprison (JDI) Method: Once an offender has been convicted of a felony, a Superior Court judge must decide whether to sentence the offender to prison (JDI), or to place the person on probation (JDP). The JDI is expressed as a percentage figure. For example, if the JDI for property crimes is 21.3, this means that 21.3% of all offenders convicted of a property crime were sentenced to prison by the Superior Court. In information compiled by the Office of Financial Management, the JDI is broken down between males and females for the crime categories of: Murder 1, Murder 2, Manslaughter, Sex Crimes, Robbery, Assault, Property Crimes, Drug Crimes and Other. The figures used by the auditor were the male JDI, for the year 1981. The JDI figures - by appropriate crime category - were then applied against those TASC clients who in the Individual Case Analysis method, were listed as either "incarceration possibly avoided" or "Incarceration not avoided because client had no previous adult felony convictions."

The tables which follow on the next few pages portray the results of these two methods. Included on the tables, are figures which pertain to the average length of stay (imprisonment) for the various crime categories. This information was obtained from the Department of Corrections, Division of Management and Budget Information Systems and is for the period of April-June, 1982. When combined with the figures pertaining to the number of incarcerations avoided, this information provides the total number of months or years of incarceration which is estimated to have been avoided as a result of the TASC programs.

TABLE 9-A

INDIVIDUAL CASE ANALYSIS METHOD - SNOHOMISH COUNTY TASC

86	Total Cases in Sample		The data below breaks down, by crime category, the 10 cases which the auditor determined were possibly avoided:	
1	Case "on hold" (client must re-enter program)			
85	Cases for Analysis (41.06% of 207 total cases)			
75	88.2%	Incarcerations* which the auditor determined were <u>not</u> avoided:		
	9	10.6%	Because client was incarcerated* after entry into TASC	
	8	9.4%	Because client was referred from District or Municipal Court	
	8	9.4%	Because client was referred from Juvenile Court	
	12	14.1%	Because client had no criminal justice status or TASC not required by criminal justice authorities	
	30	35.3%	Because client was terminated unsuccessfully from program**	
	8	9.4%	Because client had no previous adult felony convictions	
10	11.8%	Incarcerations* which the auditor determined were possibly avoided.		
11.8% of 207 total cases equals 24.43 total incarcerations possibly avoided.				
* Refers to <u>State</u> incarcerations only.				
** Does not include some clients who were terminated unsuccessfully from program for only very minor "attendance" reasons.				

Crime Category	No. of Cases	Average Length of Stay (Months)*	Months of State Incarceration Avoided
Robbery	3	32.10	96.30
Assault (Third)	1	23.44	23.44
Property (Forgery)	1	20.31	20.31
Property (Theft)	1	23.98	23.98
Drug	4	18.28	57.12
			(73.12 minus 16 months known to have been served by two clients in this category)
Total	10		221.15
Average length of stay per incarceration (avoided) = 221.15 ÷ 10 = 22.11 months.			
24.43 total incarcerations possibly avoided x 22.11 months average length of stay per incarceration = 540.15 months of incarceration possibly avoided, or 45.01 years of incarcerations possibly avoided.			
* "Mean" average length of stay for the quarter of April - June, 1982. Obtained from Department of Corrections, Division of Management and Budget Information Systems.			

TABLE 9-B

INDIVIDUAL CASE ANALYSIS METHOD - PIERCE COUNTY TASC

86 Total Cases in Sample
 1 Insufficient Information for Analysis
 1 Case "on hold" (client must re-enter program)
 84 Cases for Analysis (27.8% of 302 total cases)

73 86.9% Incarcerations* which the auditor determined were not avoided:

14	16.7%	Because client <u>was</u> incarcerated* after entry into TASC
7	8.3%	Because current arrest charge not a felony
2	2.4%	Because arrest charges were dropped
1	1.2%	Because client was referred from Juvenile Court
1	1.2%	Because client entered program as a result of violation of county probation.
4	4.8%	Because client had no criminal justice status or TASC not required by criminal justice authorities
23	27.4%	Because client was terminated unsuccessfully from program
21	25.0%	Because client had no prior adult felony convictions

11 13.1% Incarcerations which the auditor determined were possibly avoided**

13.1% of 302 total cases equals 39.56 total incarcerations possibly avoided.

* Refers to State incarcerations only.

** Five clients were placed in this category, even though they had had no previous adult felony convictions: two because of the seriousness of the crime (First Degree Robbery); two because of a very extensive juvenile record; and one because of a letter in the clients file from a judge who indicated prison was likely if not for TASC.

The data below breaks down, by crime category, the 11 cases which the auditor determined were possibly avoided:

Crime Category	No. of Cases	Average Length of Stay (Months)*	Months of State Incarceration Avoided
Robbery	3	32.10	96.30
Assault (Second)	1	38.91	38.91
Property (Burglary)	3	23.06**	69.18
Drug	3	18.28	50.84
			(54.84 minus 4 months known to have been served by one client)
Other	1	17.10	17.10
Total	11		272.33

Average length of stay per incarceration (avoided) =
 $272.33 \div 11 = 24.76$ months.

39.56 total incarcerations possibly avoided x 24.76 months average length of stay per incarceration = 979.51 months of incarceration possibly avoided, or 81.63 years of incarceration possibly avoided.

* "Mean" average length of stay for the quarter of April-June, 1982. Obtained from Department of Corrections, Division of Management and Budget Information Systems.

** Computed for Burglary, Second Degree.

TABLE 10-A

JDI METHOD - SNOHOMISH COUNTY TASC

Crime Category	No. of Cases From Sample	JDI ¹	Incarcerations Avoided	Average Length of Stay ²	Months of Incarcerations Avoided
Robbery	3	x 52.2% =	1.57	x 32.10 mo. ³ =	50.40
Assault	1	x 33.4% =	.33	x 23.44 mo. ⁴ =	7.74
Property	2	x 21.3% =	.43	x 23.06 mo. ⁵ =	9.92
Property	1	x 21.3% =	.21	x 20.31 mo. ⁶ =	4.27
Property	1	x 21.3% =	.21	x 23.98 mo. =	5.04
Drug	10	x 9.4% =	.94	x 18.23 mo. =	17.14
Totals			3.69		94.51

- ° Average length of stay per incarcerations (avoided) = $94.51 \div 3.69 = 25.61$ months.
- ° 3.69 incarcerations avoided equals 4.34% of 85 cases reviewed ($3.69 \div 85$).
4.34% of 207 total clients = 8.98 total incarcerations avoided.
- ° 8.98 incarcerations avoided x 25.61 months average length of stay = 229.98 months of incarceration avoided or 19.16 years of incarceration avoided.

¹ "Judicial Decision to Incarcerate" - stated as percentage sentenced to Prison. Based on 1981 figures for "males". Obtained from Office of Financial Management, Division of Forecasting and Estimation.

² "Mean" average length of stay, for the quarter of April-June, 1982. Obtained from Department of Corrections, Division of Management and Budget Information Systems.

³ Computed, from above data, for "Assault, Other".

⁴ Computed for "Burglary, Second".

⁵ Computed for "Forgery".

⁶ Computed for "Theft".

TABLE 10-B
JDI METHOD - PIERCE COUNTY TASC

<u>Crime Category</u>	<u>No. of Cases From Sample</u>	<u>JDI¹</u>	<u>Incarcerations Avoided</u>	<u>Average Length of Stay²</u>	<u>Months of Incarceration Avoided</u>
Robbery	3	52.2%	1.57	32.10 Mo.	50.40
Assault	2	33.4%	.67	38.91 Mo. ³	26.07
Property	7	21.3%	1.49	23.06 Mo. ⁴	34.36
Property	2	21.3%	.43	23.98 Mo. ⁵	10.31
Property	2	21.3%	.43	22.06 Mo. ⁶	9.49
Drug	15	9.4%	1.41	18.23 Mo.	25.70
Other	1	7.2%	.07	17.10 Mo.	1.20
Totals			6.07		157.53

- ° Average length of stay per incarceration (avoided) = $157.53 \div 6.07 = 25.95$ Months.
- ° 6.07 incarcerations avoided equals 7.23% of 84 cases reviewed ($6.07 \div 84$)
7.23% of 302 total clients = 21.83 incarcerations avoided.
- ° 21.83 incarcerations avoided x 25.95 months average length of stay = 566.49 months of incarceration avoided or 47.21 years of incarceration avoided.

- 1 "Judicial Decision to Incarcerate" - stated as percentage sentenced to prison. Based on 1981 figures for "males". Obtained from Office of Financial Management, Division of Forecasting and Estimation.
- 2 "Mean" average length of stay, for the quarter of April-June 1982. Obtained from Department of Corrections, Division of Management and Budget Information Systems.
- 3 Computed, from above data, for "Assault, Second".
- 4 Computed for "Burglary, Second".
- 5 Computed for "Theft".
- 6 Computed for "Property, Other".

In summary, the preceding tables show the following. Based on the JDI method of determining incarceration avoidance, the Snohomish County TASC program caused 8.98 incarcerations, and 19.16 years of incarceration to be avoided during FY 1982. Based on the Individual Case Analysis method, these figures increase to 24.43 incarcerations and 45.01 years of incarceration being avoided. For the Pierce County TASC program, the figures are 21.83 incarcerations and 47.21 years of incarceration being avoided via the JDI method, and 39.56 incarcerations and 81.63 years of incarceration avoided via the Individual Case Analysis method.

2. State Incarceration Costs Avoided

In calculating the dollar amount of cost savings incurred as a result of avoided State incarcerations, two vastly different figures have been used.

The first is the Department of Correction's "per diem" rate. This has been used by the Department in budgeting for housing additional inmates due to overcrowding in the 1981-83 biennium. In calculating the figure, DOC divided the projected FY 1982 expenditures for direct variable costs by the projected inmate days for FY 1982. The direct variable costs included were: gate monies; supplies for reception and placement, classification and counseling, records and identification, laundry and food services; medical expenses; hospitalization; dental expenses; inmate mail; water; clothing; dry goods and personal care items, and food purchases. No indirect costs were included. The "per diem" figure arrived at was \$7 per day, or \$2,555 per year.

The second figure was the "average cost per inmate per year". The figure was calculated by the Department for the twelve State correctional facilities for FY 1982. This figure equals \$15,193 per inmate per year.

Table 11, portrays the range of cost saving through State incarceration avoidance which can be attributed to the two TASC programs. The table includes figures for both methods of computing the years of incarceration avoided (J.D.I. and Individual Case Analysis), as well as both figures for determining the dollar amount of incarceration costs per year (per diem rate and average cost per inmate per year).

TABLE 11

COST SAVINGS INCURRED THROUGH STATE INCARCERATION AVOIDANCE

Program	Method of Computing Incarcerations Avoided	Years of Incarceration Avoided	Cost Savings Through Incarceration Avoidance	
			"Per Diem" Figure	Average Cost Per Inmate Per Year
Snohomish County TASC	J.D.I.	19.16	<u>(\$2,555/Yr.)</u> \$48,953.80	<u>(\$15,193/Yr.)</u> \$291,097.88
	Individual Case Analysis	45.01	\$115,000.55	\$683,836.93
Pierce County TASC	J.D.I.	47.21	\$120,621.55	\$717,261.53
	Individual Case Analysis	81.63	\$208,564.65	\$1,240,204.50

As can be seen, the range of cost savings resulting from State incarceration avoidance varies considerably depending on which figures are used - both cost figures as well as incarceration avoidance figures. For the Snohomish County TASC program, the estimated cost savings range from a low of just under \$50,000 to a high of over \$680,000. For the Pierce County program, the figures are higher, but the range is just as substantial; from a low of \$120,000 to a high of \$1,200,000.

3. Net Cost Avoidance

When analyzing the costs associated with imprisonment versus the costs associated with participation in the TASC programs, numerous factors come into play. Some costs are obvious; the cost of imprisonment and the actual costs of the TASC programs and related treatment. Other costs, however, are more indirect. Examples of these include probation and parole supervision, work release, public assistance benefits, treatment in the institution, etc. Additionally, the incurring of one cost through one option may preclude the incurring of another cost through the other option. For example, if one individual is required to enter TASC as a condition of probation, the costs incurred include both the cost of the TASC program and the cost of probation. By avoiding imprisonment, however, the costs of imprisonment as well as the cost of parole have been eliminated. Some costs may be common to both options. For example, work release may be required for a TASC client who is on probation, but it may also be required of a parolee. However, as was mentioned when addressing the issue of incarceration avoidance per se, it is perhaps impossible to definitively assess what would have happened had circumstances been different. As a result, in the cost comparison information below, the auditor has made one major assumption. That assumption is that the various indirect, or extraneous costs associated with both imprisonment and participation in the TASC program, essentially cancel each other out. Therefore, the information below is based only on the costs of imprisonment, versus the costs of the TASC programs as well as treatment.

Costs of the TASC Programs: As reported by the two TASC programs, their expenditures for FY 1982 were as follows:

Snohomish County TASC	\$145,074.07
Pierce County TASC	\$212,888.02

Treatment Costs: No new data pertaining to the cost of treatment was collected by the auditor. Instead, treatment cost data, for 1979, contained in the two previous Arthur Young evaluations was updated to reflect inflationary increases. (In a conversation with the auditor, the Director of the Bureau of Alcohol and Substance Abuse Drug Program, stated that there was no reason to believe that treatment costs per se would not have generally kept pace with the inflation rate.) These cost figures were then applied against current (FY 82) client placement data provided by the two programs. Tables 12 and 13, on the following pages, detail these calculations. The inflation rate, or "Implicit Price Deflator for Personal Consumption Expenditures", was obtained from the Economic and Revenue Forecast for Washington State, September 1982, prepared by the Office of Financial Management.

TABLE 12

TREATMENT COSTS BY TYPE OF PLACEMENT

	1978 Cost Per Client by Type of Treatment Placement*	x 1979-1980 Inflation Rate (9.8%)+	x 1980-81 Inflation Rate (9.7%)+	x 1981-82 Inflation Rate (7.2%)+
Snohomish County				
Outpatient	485.96	533.58	585.34	627.48
Residential**	1,679.18	1,843.74	2,022.58	2,168.21
Urinanalysis Only	(COSTS FOR URINANALYSIS ARE INCLUDED IN TASC EXPENDITURES)			
Multiple Placement	1,042.16	1,144.29	1,255.29	1,345.67
Pierce County				
Outpatient	541.00	594.02	651.64	698.56
Residential**	1,536.86	1,687.47	1,851.15	1,984.43
Urinanalysis Only	(COSTS FOR URINANALYSIS ARE INCLUDED IN TASC EXPENDITURES)			
Multiple Placement	2,734.00	2,452.93	2,690.86	2,884.60

* Tacoma TASC, Final Evaluation Report (January 1979), and Snohomish TASC Evaluation 1979, Arthur Young and Co.

** "Short-term" and "long-term" placements have been averaged to provide one residential placement figure.

+ Rate of Implicit Price Deflator for Personal Consumption Expenditures: Economic and Revenue Forecast for Washington State, September, 1982; Office of Financial Management.

TABLE 13

TREATMENT COSTS OF SNOHOMISH AND PIERCE COUNTY TASC PROGRAMS

	<u>Cost Per Placement</u>	<u>Number Of Placements*</u>	<u>Total Costs</u>
Snohomish County			
Outpatient	\$ 627.48	82	\$ 51,453.36
Residential	2,168.21	17**	36,859.57
Urinalysis Only	---	108	---
Multiple	1,345.67	0	---
TOTAL		207	\$ 88,312.93
Pierce County			
Outpatient	\$ 698.56	187	\$130,630.72
Residential	1,984.43	110	218,287.30
Urinalysis Only	---	---	---
Multiple	2,884.60	5	14,423.00
TOTAL		302	\$363,341.02

* Data provided by TASC programs.

** Includes categories of "Inpatient" and "Residential".

The total cost of the TASC program for FY 82 is then computed by adding treatment costs and program expenditures:

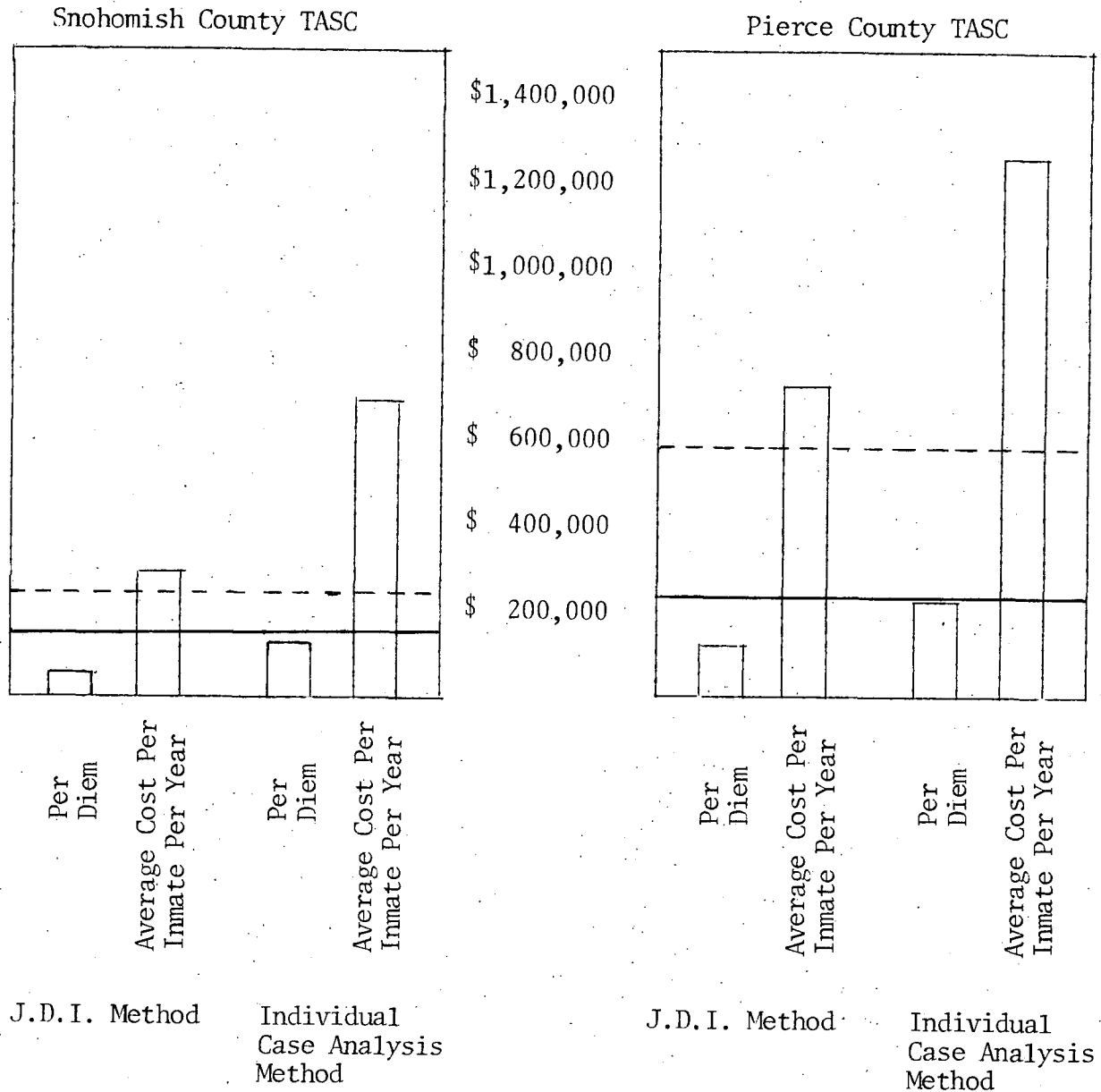
	<u>Snohomish County</u>	<u>Pierce County</u>
TASC Expenditures	\$145,074.07	\$212,888.02
Treatment Costs	88,312.93	363,341.02
TOTAL COSTS	\$233,387.00	\$576,229.04

It must be borne in mind that not all treatment costs are paid for by the State. Unfortunately, the auditor does not have reliable figures which detail what proportion of treatment costs are paid for by the State, what proportion is paid for (or subsidized) by the Federal Government or what proportion is paid for by the clients themselves. (Many programs, especially outpatient programs, charge fees based on the clients ability to pay.)

Figure 1 on the following page depicts the range of incarceration cost savings attributable to the TASC program, in comparison with the total costs of the TASC programs.

FIGURE 1

RANGE OF COST SAVINGS FROM STATE INCARCERATION AVOIDANCE
ATTRIBUTABLE TO TASC PROGRAMS



Note: The solid horizontal line represents the actual costs of the TASC programs. The broken horizontal line represents the estimated costs of the TASC programs plus treatment.

C. EVALUATION AND CONCLUSIONS

The initial Arthur Young evaluations of the two TASC programs concluded that they were extremely effective in being an alternative to State incarceration. Given the high cost of State incarceration, it was concluded that the programs were extremely cost effective as well. Based on the information presented in the Findings section, however, the auditor believes that those initial evaluations vastly overestimated TASC's effectiveness in this area. Indeed, the figures contained in those evaluations showed that 52.8% of all clients in both TASC programs avoided State incarceration. The auditor's figures on the percentage of clients avoiding State incarceration ranged, depending on the method used, from 4.3% to 11.8% in the Snohomish County program and from 7.2% to 13.1% in the Pierce County program. Despite these much lower figures, however, the annual cost of State incarceration remains high. In addition, the average length of incarceration appears to have increased; the auditor's figures for length of stay roughly averages 24 months per incarceration, whereas the figures used in the previous evaluations was 18 months. As a result, the auditor also concludes that the TASC programs may be a cost effective alternative to State incarceration (though not as much so as the previous evaluators concluded).

The information contained in the Findings section admittedly does not provide completely definitive answers to the questions it attempts to address. Many assumptions have been employed. While the auditor believes in the relative validity of those assumptions, it is recognized that they are assumptions nonetheless. As such, they are open to question. Because of the almost theoretical nature of projecting who would or would not have been incarcerated in the absence of TASC, the auditor has employed two distinct methods of projection. Because two vastly different incarceration cost figures existed, both were used for computational purposes. While these processes preclude the attainment of a single, definitive answer, the auditor believes the range of answers they do provide more accurately represents the actual effectiveness of the two programs. Further, the auditor believes that a more specific point within the range of answers can be estimated.

Regarding the two methods for projecting how many individuals avoided State incarceration as a result of TASC, the auditor believes that the Individual Case Analysis method is probably the more accurate indicator. (This is the method which produced the "more impressive" results.) While it is a more subjective method, it is based on a review of client files, which included such information as the client's criminal history, case notes, court orders, and correspondence from judges, probation officers, attorneys, etc. Essentially this information allowed the auditor to get a "feel" for the individual client; to better estimate his or her likelihood of imprisonment. The JDI method of projecting incarceration avoidance is totally objective, being based only on statewide averages. It does not take into consideration whether the offender had no previous convictions or ten previous convictions or whether the offender was 18 years old or 40 years old. More importantly, in its objectivity, it does not take into consideration the considerable support the TASC programs have garnered among criminal justice officials in the two counties. The auditor believes the results gained from this method should be considered as "too low".

A greater disparity existed in the two figures used by the auditor to determine the costs of State incarceration. Here again, the auditor believes that the higher figure - the average cost per inmate per year - is more accurate. The "per diem" rate (\$7/day - \$2,555/year) would be valid if it was used to compute the additional cost for housing one or two, or even five or ten, additional inmates. In such an event, it is assumed that no additional staff would have to be hired. The indirect costs associated with housing these few additional inmates could be absorbed by the system. However, based on the Individual Case Analysis method, approximately 64 individuals avoided incarceration as a result of the TASC programs. The auditor believes that this number of additional inmates would have more than a negligible cost impact on the system; to the point where the higher figure becomes more reasonable.

If the highest possible figures are used, the data shows that:

- ° The Snohomish County program avoided costs of \$683,836.93, while only expending (including the cost of treatment) \$233,387.00.
- ° The Pierce County program avoided costs of \$1,240,204.50, while expending (including treatment) \$576,229.04.

(This is portrayed in the furthest right column of the two tables in Figure 1 on page 48.) These figures may be somewhat high. Again, it is difficult to tell with certainty. It must be remembered, however, that the "costs avoided" figure represents only the State incarceration costs avoided. It does not take into consideration other costs which may also be avoided, such as jail incarcerations costs. (A separate section, beginning on page 27 is devoted to this issue.) Based on the likely net value of State incarceration costs avoided, the auditor believes that the two TASC programs have operated as cost effective alternatives to State incarceration.

IX. POTENTIAL STATE INCARCERATION AVOIDANCE THROUGH PROGRAM EXPANSION

A. INTRODUCTION

The auditor attempted to project what impact TASC could have on State incarceration avoidance if the program were expanded. The method was a relatively simplistic one which was based on the number of commitments to State correctional institutions by county during FY 1982 (commitment data provided by the Department of Corrections). While this method does provide a general statement as to the potential TASC has for reducing the number of State incarcerations, it is important to note its limitations. This method is predicated upon only one variable; the commitment rate by county. As such, it does not take into consideration such important variables as the "type" or extent of drug/alcohol related crimes in the various counties, the availability of treatment facilities within the counties, or the general "political persuasion" of the principals in the counties insofar as that persuasion may affect sentencing practices.

B. FINDINGS

The exact procedure utilized was as follows. In the preceding section it was determined, using the JDI method of determining incarceration avoidance, that the two TASC programs caused a total of 30.81 incarcerations to be avoided during FY 1982. According to data from the Department of Corrections, there were a total of 478 commitments to State correctional institutions from Pierce and Snohomish Counties during FY 1982. Thus, it could be assumed that had the two TASC programs not existed, a total of 508.81 commitments would have been posted by the two counties (478 actual commitments plus 30.81 incarcerations avoided by TASC). Therefore, based on the JDI method, the existence of TASC caused 6.05% of all potential incarcerations to be avoided ($30.81 \div 508.81$).

This same method was used to calculate the percentage of potential incarcerations avoided via the Individual Case Analysis method of determining incarceration avoidance. Through that method, the total number of incarcerations avoided by the two programs was 63.99. Performing the same calculations results in a figure of 11.81% of both counties' commitments being avoided.

These two figures - 6.05% and 11.81% - were then used to determine the range of impact the TASC programs could have had in FY 1982 if such programs had existed in other counties. Table 14 depicts the extent of this potential impact in incarceration avoidance for a total of six counties: Pierce and Snohomish, King, Spokane, Yakima and Clark*. The selection of these other counties was based on population only, and only for the purpose of illustration. In no way is it intended as a recommendation for actual expansion in the event the TASC programs should be expanded.

* A very limited TASC program resumed operations in Clark County on November 22, 1982. As used in these calculations, however, the figures for Clark County would depict a higher level of operation than that which currently exists.

TABLE 14

RANGE OF INCARCERATION AVOIDANCE POTENTIAL THROUGH PROGRAM EXPANSION

	<u>Pierce and Snohomish</u>	<u>King</u>	<u>Spokane</u>	<u>Yakima</u>	<u>Clark</u>	<u>TOTAL</u>
Number of Commitments to State Correctional Institutions during FY 1982	---	712	121	166	180	---
Incarcerations Which Could Have Been Avoided (JDI Method - 6.05%)	30.81	43.08	7.32	10.04	10.89	102.14
Incarcerations Which Could Have Been Avoided (Individual Case Analysis Method - 11.81%)	63.99	84.09	14.29	19.60	21.26	203.23

As can be seen in Table 14, using the JDI method of determining incarceration avoidance it was projected that 102.14 incarcerations could have been avoided during FY 1982 if TASC has operated in all six counties. If this figure is multiplied by the projected average length of stay for these offenders (25.85 months as computed in the preceding section), a figure of 2,640.32 months, or 220.03 years of possible incarceration avoidance is obtained.

Via the Individual Case Analysis method of determining incarceration avoidance, and using the average length of stay figures projected for those offenders (23.75 months) a total of 4,826.71 months, or 402.22 years of possible incarceration avoidance is obtained.

It must be remembered that these figures include the figures for the two programs already operating. As such, the projected number of "new" incarcerations which could have been avoided ranged from 71.33 to 139.24.

C. EVALUATIONS AND CONCLUSIONS

The auditor again wishes to stress the relative simplicity of the method employed to obtain the preceding projections. However, the results obtained would strongly indicate that the potential exists for an expanded TASC program to have a significant impact on reducing the number of commitments to State correctional institutions.

X. IMPACT OF THE SENTENCING REFORM ACT OF 1981

A. INTRODUCTION

In 1981, the Legislature passed House Bill No. 440 - the Sentencing Reform Act of 1981. This Act, which takes effect on July 1, 1984, provides for a totally new method of sentencing felony offenders within the State. A number of the Act's provisions could directly impact the operations of the TASC programs. These provisions are detailed below.

B. FINDINGS

One of the Act's primary provisions is that for offenders convicted of a felony crime committed after July 1, 1984, a determinate sentence must be imposed within a pre-established sentence range. That sentence range must be based both on the severity of the offense as well as the offender's past criminal history. Incorporated into these ranges, which will state the duration of sentence, must be five separate sanctions provided for by the Act: total confinement, partial confinement, community supervision (similar to probation), community service and fines. Initial responsibility for the development of recommendations pertaining to the sentence ranges lies with the Sentencing Guidelines Commission. Once that Commission has formulated its recommendations, it must submit them to the Legislature which must then enact laws either approving or modifying those recommendations. As of this writing (December, 1982) the Guideline Commission has not yet finalized its recommendations; either with respect to the length of sentence or to how all five sanctions will be incorporated into those sanctions.

There are three exceptions to the requirement that sentence be imposed within the sentence guidelines. The first is for offenders convicted of either murder, assault or rape in the first degree. The second is for cases in which the court finds (in writing) that imposition of a sentence within the range would result either in excessive punishment for the offender or in an unacceptable threat being posed to the community. The third exception is for first-time felony offenders convicted of a non-violent crime.

A related provision of the Act which would have a profound impact on the TASC program relates to treatment oriented sentences. The Act appears to significantly limit the imposition of such sentences. As an example, while the Act make very clear that under a sentence of community supervision certain conditions can be imposed, "... orders directing an offender affirmatively to participate in rehabilitative programs..." are prohibited (RCW 9.94A.030(5)). The

only exception to this is for first time, felony offenders convicted of a non-violent crime. Some residential drug or alcohol treatment programs conceivably would qualify under the Act as total or partial confinement. However, what might be problematic is that under the Act, a "determinate" sentence must be imposed; that is, one which states "with exactitude" the duration of the sentence. While it is unknown how much of a problem this could present, it will differ significantly from the way most "treatment sentences" currently are imposed. Now, most offenders who are sentenced to treatment are required to enroll in and complete a program of treatment regardless of the amount of time it takes. Given the requirement of determinacy, this type of sentence would appear to be prohibited.

In order to help gauge the impact of these provisions on the TASC programs, the auditor calculated the actual number of TASC clients in the Tacoma program who still would have been eligible if the Sentencing Reform Act had already been in effect (based on the auditor's review of a sample number of Pierce County TASC client files). It is important to note that for the purpose of these calculations, it was assumed that TASC would be considered a "treatment program"; even though over half of the TASC clients in the Snohomish County program were on urinalysis monitoring only. None of the clients in the Pierce County program were on urinalysis only.

Of the 87 clients in the auditor's sample who entered and completed the Pierce County TASC program during FY 1982, only 55.2% would still have been eligible under the Act. These were individuals whose arrest charge was either a misdemeanor, or a non-violent felony, but who had had no prior felony convictions. Eight percent of all clients had had no prior felony convictions, however, their current crime was classified as a violent offense. A total of 32.2% of all clients would have been ineligible because they had had at least one prior adult felony conviction. The "eligibility" of the remaining 4.6% was unknown. More important, however, of the eleven clients who the auditor determined had avoided State incarceration as a result of TASC participation (see Section VIII) only one would still have been eligible for TASC under the Act. Seven of the 11 would have been ineligible because of prior adult felony convictions, and three would have been ineligible because their current crime was a violent offense as defined by the Act.

The above assumes participation based upon a sentence of community supervision. At this point in time, it is unknown how, or if, a treatment sentence under the sanctions of either total or partial confinement could be imposed.

One final provision of the Act could also impact the TASC programs. Mandatory parole, for individuals convicted of crimes committed after July 1, 1984, is eliminated. Approximately 13% of Snohomish County clients, and 9% of Pierce County clients were on parole status at the time of program entry during 1982. It can be assumed, however, that

individuals convicted of, and incarcerated for, crimes committed prior to July 1, 1984, will continue to be released on parole throughout the rest of the decade.

C. EVALUATIONS AND CONCLUSIONS

It would appear that the Sentencing Reform Act could have a very significant impact on the operations of the TASC programs. For example, given the Act's seeming prohibition against treatment sentences (under community supervision) for all but first-time felony offenders convicted of a non-violent offense, it would appear that TASC could only provide its "full range" of services to such offenders; i.e., evaluation/diagnosis, preparation of treatment recommendations and monitoring/supervision. It is assumed that TASC's monitoring function (through unrinalysis) would not be considered as "treatment". It might also be noted that preliminary figures compiled by the Sentencing Guidelines Commission show that in 1981, 52% of all convicted felony offenders statewide fit into the first-offender, non-violent crime category.

Additionally, it would not appear that the Sentencing Reform Act would have any impact on Pierce County's monitoring function for individuals who have been released by the Court to the program as a condition of pre-trial, personal recognizance release.

Some individuals have suggested that offenders could continue to be sentenced to TASC on "exceptional sentences", i.e., the provision whereby the judge can set sentence outside the guidelines if it found that a guideline sentence would result in either excessive punishment for the offender or an unacceptable threat to the community. While the auditor acknowledges that this is conceivable, it would seem unlikely. The two "allowable" criteria, excessive punishment or unacceptable threat, appear to be quite explicit. A finding that an offender was in need of rehabilitative treatment would not appear to be compatible with either criteria.

Because the sentence ranges provided for in the Act have not yet been formulated, it is impossible to project what the Act's total impact will be. As a result, it is conceivable that TASC could fulfill an important role in areas not explored by the auditor. For example, one result of the implementation of the Sentencing Reform Act could be that a disproportionately larger number of individuals would be sentenced to serve time in local jails. If so, this could exacerbate problems in jail overcrowding. In that event TASC could be seen as an important local resource to which first time offenders would be sentenced, thereby alleviating jail overcrowding problems. Certainly this is speculation, but it is made necessary by the uncertainty resulting from the impending implementation of the Sentencing Reform Act. Such issues should, however, be kept in mind when considering the future of the TASC programs.

If, as stated above, 52% of all convicted felony offenders fit into the first-time, non-violent crime category, there will continue to be a role to play for the TASC programs. However, the importance of that role may be diminished. A major conclusion of this audit has been that the TASC programs appear to be a cost-effective alternative to State incarceration. Further, it was projected that if conditions remained the same, an "expanded" TASC program could have an even more significant impact on reducing the number of commitments to State correctional institutions. However, under the Sentencing Reform Act, with its apparent limitations on treatment oriented sentences, the substance of these conclusions is negated.

D. RECOMMENDATION

RECOMMENDATION 12

It is recommended that the Sentencing Reform Act of 1981 be amended so as to provide greater latitude for the imposition of rehabilitative treatment oriented sentences.

XI. FINAL CONCLUSIONS AND RECOMMENDATION

In reviewing the operations of the two programs, the auditor noted certain improvements which could, or should, be made. These include such things as developing definitive program eligibility requirements, working agreements with treatment agencies and improved, formal communication with criminal justice agencies, as well as improvements in the maintenance and standardization of client statistics. The auditor noted a complete lack of monitoring of the program by the Department of Corrections, as well as the absence of an evaluation component to measure the program's effectiveness. The auditor also concluded that contractual responsibility for administering the TASC programs should be transferred from the Department of Corrections to the Office of the Administrator for the Courts.

In conducting the review, it was apparent that the TASC programs were widely and strongly supported by criminal justice operatives within the counties in which they operate. In areas which the auditor did not quantitatively review, TASC was seen as providing numerous services of great value; including the monitoring of clients on pre-trial release status who, if not for TASC, would remain jailed (in the Pierce County program), the provision of impartial and professional diagnostic services on which judges could base better informed sentencing decisions, and monitoring and supervisory assistance to the State's probation and parole officers.

A central issue which this audit was not able to address was TASC's impact on recidivism. As this is a most critical element, plans for addressing it should be developed if the programs are continued.

The area which this audit concentrated on most was the TASC program's effectiveness as an alternative to State incarceration. While the total percentage of TASC clients avoiding State incarceration is relatively small (from 5% to 13%), the net result is positive. The auditor's projections showed that as a result of the TASC programs, and at what is assumed to be an absolute minimum, a total of 31 individuals avoided State incarceration (representing 58 man-years of incarceration). A more likely figure of incarceration avoidance, however, is a total of 64 incarcerations avoided, representing 127 man-years of incarceration. At this higher level, and using the most likely incarceration cost figures, a total of just under \$2,000,000 in incarceration costs were avoided during FY 1982. The costs of the TASC programs during this period were approximately \$358,000. Including the projected costs of treatment, that figures increases to just under \$810,000; still more than a 2 to 1 ratio.

The auditor also concluded that an "expanded" TASC program could have a significant impact on reducing the number of commitments to State correctional institutions. It was projected that if TASC programs had existed in the State's six largest counties during FY 1982, and if they had all operated at the same level of "effectiveness" as the two existing programs, anywhere from a minimum of 102 up to 203 total incarcerations could have been avoided.

Based on this, the auditor has concluded that the Snohomish and Pierce County TASC programs are cost-effective programs which should be continued. This conclusion is somewhat tempered, however, by the impact which the implementation of the Sentencing Reform Act could have on the operations of these two programs. Given the Sentencing Reform Act's substantial limitations on treatment oriented sentences, the cost-effectiveness of the TASC programs resulting from their status as an alternative to incarceration could well be negated.

RECOMMENDATION 13

If the Sentencing Reform Act of 1981 is amended so as to provide for greater latitude in the imposition of treatment oriented sentences, it is recommended that the State give serious consideration to expanding the TASC program into other localities within the State.

RECOMMENDATION 14

Whether or not the Sentencing Reform Act of 1981 is so amended, it is recommended that the TASC programs in Pierce and Snohomish Counties be continued at least through June 30, 1984.

APPENDIX I

SUMMARY OF RECOMMENDATIONS

RECOMMENDATIONS 1 THROUGH 10

In the event that the TASC programs continue after the 1981-83 biennium, it is recommended that:

1. An on-going monitoring function to ensure program compliance with contractual conditions be established and carried out by the State agency to which the TASC programs contract.
2. An evaluation component designed to measure TASC's effectiveness or program outcomes be developed and implemented. Such evaluation should be based on formalized, quantifiable objectives which address, at a minimum, the issues of client recidivism and substance abuse; both during and after program participation.
3. Specific program eligibility requirements be developed and contractually stated.
4. All TASC programs develop and adopt formal operating policies and procedures.
5. All TASC programs develop and execute working agreements with those treatment agencies in which TASC clients are placed. Such agreements should include, at a minimum, a listing of program requirements, objectives, procedures and TASC's expectations of the treatment agency.
6. All TASC programs should formally communicate, in writing, their objectives, procedures and requirements to all criminal justice agencies within their service area.
7. All TASC programs work cooperatively, and in conjunction with the contracting State agency to develop a standardized format for the collection and presentation (or summarization) of client data relevant to the measurement of program objectives; including such data elements as current arrest charges, criminal history, legal status at program entry, referral source, substance use and program termination.
8. Responsibility for their administration be transferred from the Department of Corrections to the Office of the Administrator for the Courts.
9. The Snohomish County TASC program, in consultation with local criminal justice agencies, determine the desirability and feasibility of implementing a formalized pre-trial intervention component similar to that of the Pierce County TASC program.
10. The State give consideration to providing for the local jurisdictions to fund some portion of the TASC program's operating costs as a condition of continued State funding.

RECOMMENDATION 11

It is recommended that the LBC staff further examine and analyze the effectiveness of the TASC programs insofar as recidivism is concerned and present their findings in a supplementary report to this audit.

RECOMMENDATION 12

It is recommended that the Sentencing Reform Act of 1981 be amended so as to provide greater latitude for the imposition of rehabilitative treatment oriented sentences.

RECOMMENDATION 13

If the Sentencing Reform Act of 1981 is amended so as to provide for greater latitude in the imposition of treatment oriented sentences, it is recommended that the State give serious consideration to expanding the TASC program into other localities within the State.

RECOMMENDATION 14

Whether or not the Sentencing Reform Act of 1981 is so amended, it is recommended that the TASC programs in Pierce and Snohomish Counties be continued at least through June 30, 1984.

APPENDIX II

SUMMARY OF PROPOSED LEGISLATION

Recommendation 12 of the audit is that the Sentencing Reform Act of 1981 (Chapter 9.94A RCW) be amended so as to provide greater latitude for the imposition of rehabilitative treatment oriented sentences. Draft legislation to accomplish this has been developed.

Recommendation 14 of the audit is that the TASC programs in Pierce and Snohomish Counties continue at least through June 30, 1984. Program continuation would require the inclusion of appropriate language within the appropriation bill.

APPENDIX III

FISCAL IMPACT

The total combined expenditures of the Pierce and Snohomish County TASC programs in FY 1982 was \$357,962.09. Implementation of the recommendations within this audit, with the exception of Recommendation 13, should not appreciably increase that amount. This audit estimated that as a result of the operation of the two TASC programs during FY 1982, as much as \$1,924,000 in State incarceration costs may have been avoided.

Recommendation 13 states that if the Sentencing Reform Act of 1981 is amended so as to provide greater latitude for the imposition of treatment oriented sentences, the State should seriously consider expanding the TASC programs into other localities within the State. If more TASC programs were created, additional expenditures would be required. However, if those programs operated at a similar level of effectiveness as the two existing programs relative to incarceration avoidance, additional cost savings should also be realized.

Based on FY 1982 client and cost figures for the Pierce and Snohomish County TASC programs, the projections below provide a general estimate of the potential costs and cost avoidances which could result from an expanded TASC program. For purposes of illustration only, the projections are for four new TASC programs in King, Spokane, Clark* and Yakima Counties (the four other largest counties of the State). These projections are based only on the experiences of the TASC programs in Pierce and Snohomish Counties. Not taken into consideration are such important variables as the extent of drug or alcohol related crime problems in the various counties or the existence or availability of alternative community programs or treatment resources.

In FY 1982, the number of clients served by the Pierce and Snohomish TASC programs combined was 509, or 0.059% of the 1981 population of those two counties according to the Office of Financial Management. By applying that percentage figure against the combined 1981 population of the four additional counties, it can be estimated that those four "new" TASC programs would serve approximately 1,200 clients (once fully operational).

In FY 1982, the average cost per client for the Pierce and Snohomish programs was \$703.26 (TASC expenditures only). If the anticipated inflationary increase of 5.4% in FY 1983 and 5.6% in FY 1984 is factored in, that figure increases to \$782.14. By multiplying the projected number of clients by the projected cost per client, it can be estimated that the amount of new expenditures necessary to fund four new programs at this level of operation would be approximately \$940,000.

* A limited TASC program resumed operations in Clark County on November 22, 1982. As used in these projections, however, the figures for Clark County would depict a level of operation equal to that of the Pierce and Snohomish County TASC programs.

It was previously projected in this audit that if TASC programs had existed in these four counties during FY 1982, an additional 139 individuals could have avoided State incarceration. Using the average length of stay per incarceration (avoided) of 1.98 years (as was computed for clients in the Pierce and Snohomish programs), it can be estimated that a total of 275.22 man years of incarceration could be avoided. For FY 1982, the Department of Corrections estimated that the average cost per inmate per year in Washington's correctional facilities was \$15,193. When adjusted for inflation, that figure rises to \$16,910. If this is multiplied by the estimated number of man years of incarceration which could be avoided, a figure of approximately \$4,650,000 in incarceration costs avoided is obtained.

APPENDIX IV

SPECIFIC RESPONSES TO AUDIT OBJECTIVES

1. *To identify the proportion of TASC clients who are also clients of the Department of Corrections, as well as vice-versa.*

From the auditor's review of a sample number of TASC client files, the following figures were obtained. Snohomish County: 67.1% of TASC clients were also DOC clients. These clients represented 12.2% of the total number of probationers and parolees within Snohomish County during FY 1982. Pierce County: 82.1% of TASC clients were also DOC clients. These clients represented 10.0% of the total number of probationers and parolees within Pierce County during FY 1982. (See page 20.)

2. *To assess the effectiveness of the TASC program, specifically in terms of:*

- a. *Successfully providing an alternative to incarceration;*

The auditor utilized two separate methods for determining TASC's effectiveness in this area. By one method, it was determined that 4.3% of all Snohomish County TASC clients avoided State incarceration during FY 1982, and 7.2% of all Pierce County TASC clients avoided State incarceration. By the other method, it was determined that 11.8% of all Snohomish County TASC clients, and 13.1% of all Pierce County TASC clients avoided State incarceration during FY 1982. The auditor believes that the second of the two methods was the more accurate. (See pages 34 through 41.)

- b. *Reducing the recidivism rate of clients; and*

The auditor was unable to determine TASC's effectiveness in this area. (See pages 31 through 33.)

- c. *Cost avoidance.*

Using the higher figure of incarceration avoidance, and factoring in the projected average length of stay as well as the costs of incarceration, the auditor determined that just under \$2,000,000 in incarceration costs were avoided during FY 1982. The costs of the two TASC programs during this period were approximately \$358,000. Including the estimated costs of treatment, that figure increased to just under \$810,000; still more than a 2 to 1 ratio. (See pages 41 through 48)

3. *To assess the operational and administrative efficiency of the TASC program, including:*

a. *Basic operating procedures;*

The auditor noted certain improvements which could, or should be made. These include such things as developing definitive program eligibility requirements, working agreements with treatment agencies and improved formal communication with criminal justice agencies, as well as improvement in the maintenance and standardization of client statistics. The auditor also noted a complete lack of monitoring of the program by the Department of Corrections, as well as the absence of an evaluation component for measuring program effectiveness. (See pages 15 through 18.)

b. *An analysis of the feasibility and/or consequences of placing TASC within the Department of Social and Health Services, the Office of the Administrator for the Courts and other State agency; and*

The auditor concluded that contractual responsibility for administering the TASC programs should be transferred from the Department of Corrections to the Office of the Administrator for the Courts. (See pages 19 through 23)

c. *The development of cost estimates for the Department of Corrections to provide TASC services directly in the event TASC were eliminated.*

The auditor did not address this objective directly because it was concluded that assumption of the entire range of TASC's services by the State's probation and parole officers was not a viable option. (See pages 21 and 23)

It might be noted that the Department of Corrections has proposed the formation of a substance abuse unit which would provide certain TASC-like functions; specifically substance abuse evaluations for certain DOC clients as well as urinalysis monitoring. The Department has projected that it would cost approximately \$262,000 to establish such a function. This money would provide for six Parole/Probation Officer III's (one per each region to conduct drug evaluations), the purchase of 20 portable EMIT systems at \$3,000 each (a urine testing device) and the conducting of 8,000 urine tests per year - or an average of four tests per client. The purchase of the Emit Drug Detection System would be a one-time only expense. Not included in the above figure is the expense of training for the new officers.

4. *To determine whether the TASC program should be retained as is, modified, expanded or eliminated.*

The auditor has recommended that the TASC programs in Pierce and Snohomish Counties be continued at least through June 30, 1984.

APPENDIX V

AGENCY COMMENTS

Snohomish County TASC

Response to Preliminary LBC Draft Recommendations

RECEIVED
JAN - 5 1983
LEGISLATIVE
BUDGET COMM.

<u>Recommendation</u>	<u>Position</u>	<u>Comments</u>
1. An on-going monitoring function to ensure program compliance with contractual conditions be established and carried out by the State agency to which the TASC programs contract with.	Concur	
2. An evaluation component designed to measure TASC's effectiveness or program outcomes be developed and implemented. Such evaluation should be based on formalized, quantifiable objectives which address, at a minimum, the issues of client recidivism and substance abuse; both during and after program participation.	Partially Concur	Conducting such an evaluation is time consuming. If the program would be expected to do it, we would request that our annual budget be increased by \$25,000 to hire a full-time evaluator or, alternatively, by \$12,500 to hire half-time statistician and by another \$12,500 to pay our portion of an outside independent evaluation of the Snohomish, Pierce, & Clark County programs.
3. Specific program eligibility requirements be developed and contractually stated.	Concur	
4. All TASC programs develop and adopt formal operating policies & procedures.	Concur	
5. All TASC programs develop and execute working agreements with those treatment agencies in which TASC clients are placed. Such agreements should include, at a minimum, a listing of program requirements, objectives, procedures and TASC's expectations of the treatment agency.	Concur	
6. All TASC programs should formally communicate, in writing, their objectives, procedures and requirements to all criminal justice agencies within their service area.	Concur	

RecommendationPositionComments

7. All TASC programs work cooperatively, and in conjunction with the contracting State agency to develop a standardized format for the collection and presentation (or summarization) of client data relevant to the measurement of program objectives; including such data elements as current arrest charges, criminal history, legal status at program entry, referral source; substance use and program termination.

Partially Concur

Caseloads of current staff are full with no time available for additional statistical work. We would like an additional \$12,500 in annual funding to hire a half-time statistician.

8. Responsibility for their administration be transferred from the Department of Corrections to the Office of the Administrator for the Courts.

Concur

9. The Snohomish County TASC program, in consultation with local criminal justice agencies, determine the desirability and feasibility of implementing a formalized pre-trial intervention component similar to that of the Pierce County TASC program.

Partially Concur

Since caseloads of staff are full, we would need 1 1/2 additional staff positions (\$30,000 per year) to be able to carry out this additional function.

10. The State give consideration to providing for the local jurisdictions to fund some portion of the TASC program's operating costs as a condition of continued State funding.

Do Not Concur

The majority of TASC's immediate cost savings is in terms of reduction of incarceration. Shortage of revenue at the local level may impair program functioning & unnecessarily reduce state incarceration savings.

11. It is recommended that the TASC programs in Pierce & Snohomish Counties be continued at least through June 30, 1984.

Do Not Concur

We recommend that all three current TASC programs be refunded for the entire biennium. We also recommend that expansion to King, Spokane, and Yakima counties be given serious consideration.

TACOMA TASC RESPONSE TO THE PERFORMANCE AUDIT
CONDUCTED BY THE LEGISLATIVE BUDGET COMMITTEE

RECOMMENDATION (1)	POSITION (2)	COMMENTS (3)
1	concur	
2	concur	
3	concur	
4	concur	
5	concur	
6	concur	
7	concur	
8	do not concur	

Tacoma TASC is a "corrections program", and therefore belongs in the Department of Corrections.

TASC programs are designed to provide a solution to DOC's most serious problem - overcrowded prisons. Despite DOC's protests during the past year that TASC serves few DOC clients, the Auditor has reported 82.1% of Tacoma TASC clients are also DOC clients. Thus, the clients Tacoma TASC divert from prison are clearly DOC clients, and the corresponding costs savings to State clearly accrues to DOC. The auditor reports that during FY 82 Tacoma TASC saved \$1,204,204 in incarceration costs.

Additionally, much of TASC's effectiveness is derived from it's recognition as a corrections program, helped in part by it's affiliation with DOC. This affiliation has been instrumental in helping establish TASC's creditability with local Criminal Justice System members.

9

not applicable to Tacoma TASC

RECOMMENDATION (1)

POSITION (2)

COMMENTS (3)

10

do not concur

The recommendation the State require local jurisdictions to fund some portion of the TASC program operating costs is another example of the State's desire to abrogate its responsibilities and transfer these obligations to financially strapped cities and counties.

As pointed out in response #8, TASC programs are designed to provide a cost saving alternative to the State through DOC clients who face possible imprisonment. This audit provides proof that TASC does save the State money. Certainly, TASC also provides benefits to local jurisdictions while serving DOC, but these benefits are secondary to the real purpose of TASC.

The primary basis for the auditor's recommendation appears to be that Tacoma TASC relieves overcrowded conditions at the Pierce County Jail, and provides diagnostic/evaluation services which benefit the local Prosecutor's Office and Office of Assigned Counsel. Both of these benefits result from Tacoma TASC's pre-trial intervention component.

However, the purpose of pre-trial intervention is to increase the likelihood of the client's success in the TASC program. (As the auditor points out, this activity is "consistent with national evaluations which have shown that the sum of benefits resulting from a TASC program increase the earlier TASC intervention occurs." In fact, so supportive is the auditor of pre-trial intervention that he recommends Snohomish County TASC implement a similar component.) True, pre-trial intervention sees clients before they "officially" become DOC clients, and also

RECOMMENDATION (1)

POSITION(2)

COMMENTS(3)

11

partially concur

provide benefits for the County- particularly relieving jail overcrowding, but its primary purpose is to intervene quickly and increase the likelihood of successful diversion.

TASC programs should be funded through June 30, 1985, and possibly expanded.

The auditor tempers his recommendation for full TASC funding, and his finding that an expanded TASC "could have a significant impact on reducing the number of commitments to the State correctional institutions," through his interpretation of the Sentencing Reform Act.

First, the recommended sentencing guidelines as proposed by the Sentencing Reform Committee have not been approved by the Legislature. And given the opposition currently surfacing by both DOC and the Governor's Office, it is doubtful they will be approved without being significantly altered.

Second, TASC's conversations with Roseanne Parks, of the Sentencing Guidelines Commission, and local judges indicate TASC will have a significant role to play under the new guidelines. Ms. Parks outlined a number of situations under the proposed guidelines in which referral to TASC for treatment would be both proper and beneficial.

Finally, TASC believes it will require at least two years before the effects of the guidelines are fully realized. Any amendments offered during this period could clearly increase TASC's role. The flexibility afforded TASC as a small, non-profit agency would create an ideal situation for it to respond quickly and efficiently to any necessary changes in direction. However, TASC requires full biennial funding to be available to respond to these changes.

FACTS ABOUT THE LEGISLATIVE BUDGET COMMITTEE

The Legislative Budget Committee, a statutory joint committee of the Legislature, is composed of eight Senators and eight Representatives equally divided between the two major political parties. It serves as a general purpose oversight arm of the Legislature. The Committee staff, headed by the Legislative Auditor, undertakes studies, surveys and performance audits concerning: (1) economy, efficiency and effectiveness of State programs and agency operations; (2) whether appropriations have been expended in accordance with legislative intent; (3) general fund revenue trends; and (4) other specific oversight duties assigned by the Legislature. Assistance may also be provided to standing committees of the Legislature and to individual legislators in areas of Committee staff expertise. The Committee staff also conducts program and fiscal reviews of State agencies, programs or statutes for termination under the Washington Sunset Act.

The regular performance audits undertaken by the Committee staff include reviews of program goals and objectives of State agencies to determine how faithfully State agencies are conforming with legislative intent. These audits are intended to provide, for legislative review, objective analyses of the economy, efficiency and effectiveness of State agency and State program management.

The Legislative Budget Committee staff also monitors and reports on the use of consultants by State agencies and maintains a central control file of personal services contracts for legislative and public use. Spending from unanticipated Federal, State or local revenues by State agencies is also monitored by the Committee staff. A regular report of such spending is provided to the Committee staff. A regular report of such spending is provided to the Committee and other interested parties.

During periods when the Legislature is not in session, the Committee is responsible for review and approval of proposed changes in the executive budget format as well as maximum subsistence mileage allowances for State employees.

Other oversight responsibilities assigned by the Legislature concern educational clinics, salary survey plans, fiscal notes, Washington Public Power Supply System and confidential motor vehicle plate use by public entities.

The Committee meets on a monthly basis during the interim period between legislative sessions, or more often when circumstances indicate the desirability or necessity of additional meetings. The Committee reports directly to the Legislature, making recommendations for legislative consideration and action.

