

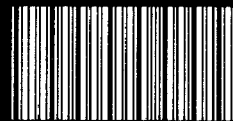
GAO

Report to the Chairman, Subcommittee
on Crime and Criminal Justice,
Committee on the Judiciary, House of
Representatives

June 1993

INTENSIVE PROBATION
SUPERVISION

Crime-Control and
Cost-Saving
Effectiveness



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Program Evaluation and
Methodology Division

B-239626

June 4, 1993

The Honorable Charles E. Schumer
Chairman, Subcommittee on Crime and Criminal Justice
Committee on the Judiciary
House of Representatives

Dear Mr. Chairman:

The number of incarcerated Americans has doubled since 1980 and tripled since 1970, and the United States currently has a higher percentage of its population in prisons and jails than does any other industrialized nation. Independent of opposing ideological views on the benefits of imprisonment, there is consensus that the expanding prison population is making enormous demands on municipal, state, and federal budgets. Every year, tens of billions of dollars are spent on keeping offenders in the jails and prisons of this nation. Not only is the current burden great, but also all projections indicate that the cost of incarcerating offenders will increase in the coming years.

The realization that the nation may not be able to afford to incarcerate ever-increasing numbers of offenders is one of the primary factors that has led to the popularity of a group of programs that are referred to collectively as intermediate sanctions. These programs get their name from the fact that the sanctions they impose on offenders are typically more severe than standard probation and less severe than traditional incarceration. Examples of intermediate sanctions include electronic monitoring (where the offender wears an anklet or bracelet that allows officers to verify that the offender is at a specific location); shock probation (typically, a short-term program for youthful offenders modeled after the "boot camps" of the armed services); and intensive supervision (a program that involves frequent—sometimes daily—contacts between program officers and offenders). The exact nature of the sanctions imposed by these programs varies greatly from jurisdiction to jurisdiction, even within program type.

Intermediate sanction programs have proliferated—all states currently have them—despite the absence of good information on how well they work. Do they actually save money when compared to incarceration? Do they succeed in controlling criminal behavior? Although answers to these questions are critical for identifying the most effective and appropriate

ways to sanction offenders, few answers exist except at the most general level.¹

We undertook a study of an intensive probation supervision (IPS) program in a single state (Arizona) in order to achieve a more specific understanding of the role that these programs—the most prevalent form of intermediate sanctions—could play in future corrections policy.² We focused on Arizona's two largest counties—Maricopa and Pima—which accounted for 80 percent of the offenders in the IPS program statewide. Our study had two specific objectives. One was to evaluate how well the IPS program in Arizona controlled criminal behavior. The other objective was to determine the extent to which the program served as a cost-saving alternative to incarceration.

We have issued individual reports addressed to each of these objectives.³ In this report, we address the implications of the findings of both reports taken in combination. That is, given the understanding we have achieved concerning the extent to which IPS can control crime and save money, what recommendations can be made for the future role of such programs? We turn to this question after briefly reviewing the principal findings from each of the two reports.

IPS and Crime Control

Outcome Comparisons

The central concern of the crime report was with crime commission subsequent to sentencing. In that report, we made two sets of comparisons. The first set focused on subsequent arrests for offenders sentenced to the IPS program and compared them to subsequent arrests for

¹See Intermediate Sanctions: Their Impacts on Prison Crowding, Costs, and Recidivism Are Still Unclear, GAO/PEMD-90-21 (Washington, D.C.: September 7, 1990).

²In this report, we restrict our discussion to intensive supervision for probation, although some intensive supervision programs supervise parolees while others supervise both probationers and parolees. Further, our findings are based on the operations of IPS during the course of our data collection, which extended from 1987 through the end of 1990. Also see our report on another form of intermediate sanction, entitled Prison Boot Camps: Short-Term Prison Costs Reduced, But Long-Term Impact Uncertain, GAO/GGD-93-69 (April 29, 1993).

³See Intensive Probation Supervision: Mixed Effectiveness in Controlling Crime, GAO/PEMD-93-4 (Washington, D.C.: June 1993) and Intensive Probation Supervision: Cost Savings Relative to Incarceration, GAO/PEMD-93-22 (Washington, D.C.: June 1993). Throughout the present report, we refer to the former as the "crime" report and the latter as the "cost" report.

offenders sentenced to standard probation.⁴ Our intent in comparing IPS with probation was to determine how well IPS, both as a discrete program and as a sentence, controlled crime.⁵ By employing arrests among probationers as the standard against which arrests for riskier offenders sentenced to IPS were compared, we showed the extent to which IPS did or did not pose an incremental threat to public safety.⁶

Our second set of analyses compared offenders sentenced to IPS with offenders sentenced to prison during the same time period.⁷ These analyses, which again focused on arrests, addressed the question of which sentence—IPS followed by standard probation, or prison followed by parole—was more effective in controlling crime.

Findings

Using arrests for new crimes as an indicator of crime commission, we found that the percentages of IPS offenders arrested while they were supervised by IPS were below those for offenders sentenced to standard probation in Maricopa County. (See table 1.) In Pima County, equivalent percentages of offenders in both groups were arrested. (See chapter 3 of the crime report.) Given the greater risks presented by the IPS offenders, both of these results are favorable to the IPS program. However, we also observed that the crime control effect of IPS was not a lasting one. Once offenders finished the program and moved to standard probation supervision, they were arrested with increasing frequency. The consequence of this increase was that by the end of our period of observation (late 1990), more than half the offenders originally sentenced to IPS in Maricopa County (and almost half the IPS offenders in Pima

⁴We also examined revocations—that is, revoking the sentence and sending the offender to prison—because such offenders would no longer be available for arrest.

⁵An IPS sentence typically consisted of two components. The offender was initially supervised under the IPS program. Upon successful completion of the program, the offender “graduated” and then served the remainder of the sentence under standard probation supervision.

⁶Our sample of offenders sentenced to probation, IPS, or prison during the summer of 1987 indicated that the two county IPS programs supervised a distinct group of offenders who, on the whole, presented greater risks—that is, were more likely to be arrested for new crimes—than those under standard probation. Thus, our comparison between intensive supervision and standard probation essentially examined whether the IPS program was able to take a group of offenders who were relatively more likely to commit future offenses and maintain their level of arrests for new crimes at or below that of a group (standard probationers) who were less likely to commit new crimes. (For a comparison of offender characteristics, see chapter 2 of the crime report.)

⁷A prison sentence, like an IPS sentence, typically consists of two components. The offender is incarcerated for a portion of the sentence and then conditionally released to serve the remainder of the sentence under parole supervision. Our prison sample was composed of offenders sentenced during the same period—the summer of 1987—and released by March 1990. That is, they were the offenders who were sentenced to shorter prison terms. At the same time, these offenders were also those most likely to be targeted for intermediate sanctions programs. In Maricopa County, the IPS offenders and our sample of offenders sentenced to prison were similar in terms of risk; in Pima County, the IPS offenders were higher in risk than the prison group.

County) were arrested for new crimes. Based on our observations, we concluded that the IPS program was effective in controlling crime but that a sentence to IPS was not.

Table 1: Cumulative Distribution of In-Program Arrests Over Time, Maricopa County^a

Time from sentence	Probation	IPS
0-6 months	15%	13%
7-12 months	29	18
13-18 months	37	23
19-36 months ^b	41	25
Total^c	50	25

^aThere were 82 offenders in the probation sample and 109 offenders in the IPS sample.

^bThe average duration of IPS supervision in Maricopa County was 13.8 months; after 18 months, most offenders had either "graduated" to standard probation or been revoked to prison.

^cThe totals were for the percentages arrested by the end of the period of observation (a maximum of 3.5 years).

We also examined the transitory crime control effect of an IPS sentence—that is, IPS followed by standard probation—compared with the level of crime control achieved by a prison sentence. The latter clearly had the benefit of allowing no new crimes against the public for the entire time that the offender was incarcerated. However, our finding was that during the period following release from prison, when offenders in Arizona were typically under parole supervision, they were frequently arrested for new crimes. Nonetheless, when we looked at the total number of arrests across prison and IPS sentences, the percentage of prison offenders arrested still remained below that for IPS offenders, at least up to the time we cut off our data collection.

For Pima County, this percentage was considerably lower, but for Maricopa County it was nearly the same (that is, the difference was not significant). (See tables 2 and 3.) In fact, 3 years after sentencing, in our Maricopa sample, almost as many offenders sentenced to prison had been arrested for new crimes as had offenders sentenced to IPS, despite the fact that the prison group had been incarcerated for a considerable portion of the time. The implication of this finding is that a prison sentence, even though it clearly guarantees public safety for the period of incarceration, may not necessarily reduce crime commission over the entire sentence period because of the high rate of arrests during the period of parole.

Table 2: Cumulative Distribution of Total-Sentence Arrests Over Time, Pima County^a

Time from sentence	Prison	IPS
0-6 months	0%	16%
7-12 months	1	19
13-18 months	4	26
19-24 months	15	29
25-30 months	22	38
31-36 months	28	43

^aThere were 81 offenders in the prison sample and 99 offenders in the IPS sample.

Table 3: Cumulative Distribution of Total-Sentence Arrests Over Time, Maricopa County^a

Time from sentence	Prison	IPS
0-6 months	1%	14%
7-12 months	9	20
13-18 months	21	28
19-24 months	31	39
25-30 months	40	45
31-36 months	48	54

^aThere were 144 offenders in the prison group and 109 offenders in the IPS group.

In sum, we found that IPS was relatively effective in controlling crime during the period when offenders were under the direct supervision of the program. However, the question of how to translate this period of effectiveness into an option that controls crime over the entire sentencing period, if not beyond, is one our data could not answer, although it clearly deserves further attention. One option would be to extend the period of supervision offered by the program. A second possibility, suggested by our finding that specific offender characteristics were associated with differential likelihoods of success or failure, would be to target the program to a specifically selected group of offenders. In particular, Arizona's IPS program was most effective with those offenders who committed more serious crimes and were least likely to commit new ones.⁸

⁸For example, the likelihood of subsequent arrest was associated with the number of prior arrests in both counties. In addition, in Maricopa County, offenders convicted of the least severe type of felony (class 6) were more likely to be arrested, while in Pima County offenders under the age of 21 were more likely to be arrested. The two counties also differed on offender characteristics that were associated with the likelihood of revocation. For further details, see both the crime and cost reports.

IPS and Cost

Outcome Comparisons

In terms of the cost objective, we compared the direct costs of an IPS sentence with those for a prison sentence.⁹ Estimates of sentence cost were made for different classes of offenders based on the seriousness of their offense.¹⁰ In addition, we made a set of estimates of sentence cost under the assumption that all offenders sentenced to IPS would successfully complete their sentence, and a different set of estimates under the assumption that many of the offenders would “fail” IPS and be sent to prison.¹¹ Finally, estimates were made independently for each of the two counties included in our evaluation.

Findings

Based on our estimation, it was clear that (with only one exception) the cost of sentencing to IPS was lower than that for sentencing to prison. The exception occurred in Maricopa County, where the combination of short prison terms for the least serious offenders and the high probability that IPS offenders would fail and be sent to prison during the course of their sentence, resulted in a somewhat higher estimated cost for an IPS sentence than for a prison sentence. Given the mix of offenders supervised by the program, however, it is likely that both county programs represented cost-saving alternatives to incarceration, at least in terms of direct operating costs.¹² (See table 4.)

⁹We restricted “direct costs” to expenditures reflected in the budgets of the IPS program and the Department of Corrections—that is, we excluded costs that might be absorbed by other agencies, such as county jails and law enforcement agencies. Additionally, we did not estimate the relative cost of reinstating an offender to IPS for probation violation or of revoking that offender to prison.

¹⁰Offense class indicates the severity of the offense, where class 1 is the most severe and class 6 the least. In 1987, only class 4, 5, and 6 offenders were eligible for direct sentencing to IPS. Thus, we estimated costs for class 4, 5, and 6 offenders only.

¹¹In Arizona, offenders who failed—that is, were revoked—were sentenced to the entire presumptive prison term for the initial offense.

¹²In our 1987 samples, class 4 offenders constituted 46 percent of the offenders directly sentenced to IPS in Maricopa County and 58 percent in Pima County. Class 6 offenders constituted 24 and 21 percent of the offenders directly sentenced to IPS in Maricopa and Pima County, respectively.

Table 4: Estimated Per Capita Costs for IPS and Prison^a

	Offense class ^b		
	Class 4	Class 5	Class 6
Maricopa County			
IPS	\$19,082	\$15,301	\$12,412
Prison	23,023	16,922	12,062
Difference	3,941	1,621	-350
Pima County			
IPS	18,349	14,808	12,818
Prison	22,300	16,612	12,889
Difference	3,951	1,804	71

^aThe estimates were made assuming that offenders in the IPS group failed at the rates observed for our samples, and that all offenders in the prison group successfully completed their parole supervision.

^bOffense class indicates the severity of the offense, where class 1 is the most severe and class 6 the least. In 1987, only class 4, 5, and 6 offenders were eligible for direct sentencing to IPS.

Two other findings of note concerning cost should be reported here. First, greater savings are realized from using IPS for offenders convicted of more serious offenses (class 4 offenders) than for those convicted of less serious offenses (class 6 offenders, whose stays in prison were typically short). Second, the conclusion that an IPS sentence saves money compared to a prison sentence does not take into account “indirect” costs—which can be considerable. For example, in cases where offenders were required to spend time in jail as a condition of being sentenced to IPS, the total cost of their sentences—that is, indirect as well as direct—might well have exceeded those for individuals who were directly sentenced to prison.

Conclusions and Implications

Taken in combination, our findings point to a program that has been successful in some ways and less so in others. We found that Arizona’s IPS dampened criminal activity, but only during the period when offenders were directly under IPS control. In addition, although we estimate that sentencing offenders to IPS reduced direct costs, it is also true that additional requirements (such as mandatory jail time) could make total costs for programs such as IPS greater than those for incarceration. What implications do these “mixed” results point to? Before answering this question, it is important to be explicit about what cannot be learned from our study.

First, as already noted, our findings are not necessarily representative of intensive supervision programs generally: they apply only to Arizona's IPS program. Second, whereas one objective of a sentence is to reduce the likelihood that the offender will commit any more crimes, sentences also seek to ensure justice—that is, a system in which the severity of the punishment is in accord with the severity of the crime. In deliberately focusing on the dimensions of cost and crime control, we cannot speak to the IPS program's effect on justice. This is important for two reasons. First, the ultimate success or failure of IPS programs may rest as much with public perceptions of justice as with the ability of these programs to control crime or save money. Second, in targeting these programs to achieve optimal crime-control and cost-saving effects, the ideal of the “just” sentence must also be considered.

Despite these limitations, however, this study brings some new knowledge about the mechanisms and effects of IPS in Arizona. We see two conclusions from the study as having important implications both for the public and for criminal justice policymakers. The first will come as no surprise to those familiar with the present state of our criminal justice system, but requires mention nonetheless. Our findings contribute still another piece of empirical evidence to the larger body of existing data concerning the general ineffectiveness of our current sentencing options for controlling future criminal behavior. Even a prison sentence does little to ensure crime control for some offenders past the point of their release, and may even enhance the likelihood of future crime commission. This conclusion, that no universally effective options exist, is supported by the fact that across all the groups in our study—offenders sentenced to IPS, to prison, or to standard probation—about half of the offenders in Maricopa and a third in Pima County were arrested for a new crime within 3 years of sentencing.

The second conclusion is that, despite mixed results, intensive supervision has a role to play in the near future of corrections policy. The findings from Arizona are not strong enough to recommend a major expansion of intensive supervision programs. At the same time, however, our findings do contribute to a growing body of research that shows that these programs have some merit.¹³ Given the lack of unambiguously successful

¹³See Billie S. Erwin, “Evaluation of Intensive Probation Supervision in Georgia: Final Report,” Georgia Department of Corrections, Atlanta, July 1987; Joan Petersilia and Susan Turner, “Comparing Intensive and Regular Supervision for High Risk Probationers: Early Results from an Experiment in California,” *Crime and Delinquency*, 36:1 (January 1990), 87-111; and Frank S. Pearson, “Final Report of Research on New Jersey's Intensive Supervision Program,” Institute for Criminological Research, Rutgers University, New Brunswick, New Jersey, November 1987.

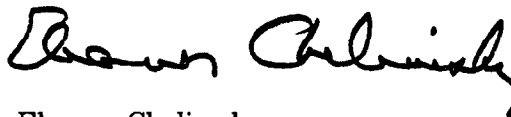
alternatives, any option that controls crime (even on a transitory basis for select groups of offenders), and that simultaneously offers the promise of dollar savings, deserves serious policy attention.

Comments were obtained from IPS officials throughout the course of our data collection. These comments were incorporated in the accompanying reports on crime and cost as we deemed appropriate. Our work was conducted in accordance with generally accepted government auditing standards.

As agreed with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from its date of issue. We will then make copies available to IPS officials, to interested organizations as appropriate, and to others upon request.

If you have any questions or would like additional information, please call me at (202) 512-2900 or Mr. Robert L. York, Director of Program Evaluation in Human Services Areas, at (202) 512-5885. Major contributors to this report are listed in appendix I.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Eleanor Chelimsky". The signature is fluid and cursive, with the first name "Eleanor" being more prominent than the last name "Chelimsky".

Eleanor Chelimsky
Assistant Comptroller General

Major Contributors to This Report

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