

Alternatives to Incarceration: An Evidence-Based Research Review

A Summary of Findings

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I. Introduction

Controversy surrounds the use of incarceration as a significant response to crime. It is an expensive approach that in too many cases has underperformed on reliable measures of effectiveness. Sometimes, those returned to the community are “worse off” after a period of confinement than when they entered. For county jails, the problem of cost and recidivism are exacerbated by budgetary constraints and various state mandates. Due to the inability of incarceration to satisfy long-term criminal justice objectives and the very high expenditures associated with the sanction, policymakers at various levels of government have sought to identify appropriate alternatives¹ that are better able to address the crime problem in a more cost-effective manner. Perhaps an efficient way to accomplish these goals is to look at science.

The information contained in this summary reflects an extensive and comprehensive review of the quantitative scientific literature.² Evaluations published in academic journals are more highly regarded because they were subject to a comprehensive peer review process that critiqued aspects of the methodology employed and conclusions drawn. While efforts were made to identify and include a variety of studies from an array of scholarly sources, time constraints precluded an exhaustive investigation. One expects that this review reflects the overall state of what is scientifically known regarding several alternatives to incarceration; however, it is quite possible that other studies in less recognized publication outlets were inadvertently omitted. Readers who are familiar with such studies are encouraged to contact the authors in the spirit of advancing scientific knowledge. Indeed, due to the nature of science, this review is very much a “work in progress.”

The purpose of this report is to concisely review the available scientific literature related to several correctional programs that are currently being used as alternatives to incarceration, with special attention to alternatives to jail incarceration. It is hoped that this review will equip criminal justice practitioners and policymakers with the information necessary to make informed decisions about policies and programs in their jurisdictions. Specific attention has been devoted to: (1) reviewing empirical evaluations that employed high quality methodologies; (2) identifying the costs of each program; and, (3) examining whether any programs have been used in a rural county (or with Native American populations). The following overview will briefly outline the highlights of each program investigated. Additionally, programs that have been examined with reference to rural, jail, or Native populations will be in italics throughout this report. More complete information regarding each individual program, including technical details and references to additional sources, can be found in the related Technical Appendix (separate document).

The Nature of Scientific Research and Social Reality

Informed government leaders and sophisticated, thoughtful citizens have long recognized that efforts aimed at diminishing societal problems should be informed by the scientific data on “what works.”³ Science has the advantage of using techniques that are rigorous and objective. Science applied in the social world, however, must take into account the existing mixtures of political and social cultures which add an inordinate degree of complexity to understanding what is really going on. The realities that justice systems confront make the application of science a daunting and challenging endeavor. Perhaps this fact helps to explain why there are many more justice programs in use than have been scrutinized through a scientific lens. Indeed, in this executive summary many well known programs will be identified while others may receive scant, if any, attention at all. What this means is that some “celebrated approaches” have not come under the scientific microscope. These programs may be quite useful, but because they have not been scientifically evaluated, we have no way of really knowing.

We report current social scientific research. These results, however, must be viewed with caution. Because of the nature of investigating human decisions and behaviors, social scientific research is based on probabilities, not certainties. We cannot control the social environment as one may be able to do in the physical sciences. Moreover, scientific research has limitations based on a variety of methodological issues (for example, research designs, measurement instruments, methods of sampling, control groups, statistical tests, and evaluation techniques). Nevertheless, every effort is made to report the best evidentiary efforts of social scientists who have studied issues related to alternatives to incarceration, especially jail confinement. We especially searched for those studies which focused on lowering recidivism, as well as were cost effective. The studies vary in the way they follow the benchmarks of the scientific method. Each has had to meet unique and formidable challenges to scientific testing. In short, they are uneven in quality and in the strength of the scientific evidence supporting their hypotheses or research questions. They were, however, judged to have far exceeded the minimum levels of quality, as measured by indicators of validity and reliability. Science builds on prior work in the expectation that complexities can be mapped, understanding increased, responses implemented and new questions raised. It is within this context of scientific “knowing,” that it would be unreasonable to anticipate that the “panacea” or “magic bullet” to a social problem would be discovered. Science just does not work that way.

For practical purposes, we have rated each approach in terms of the quality of the scientific evidence in support of each.⁴ We have ranked each of the ten approaches as low, moderate, or high in terms of our confidence in the scientific evidence currently available. While all of the studies reviewed have employed a minimal level of scientific standards, and all of the approaches have demonstrated favorable outcomes in specific circumstances, this rating evaluates the overall body of evidence. Approaches were ranked “low” if the scientific rigor employed in the studies was weak and the overall body of evidence was small (only one or two

studies). “Moderate” approaches were characterized by growing evidence (3-5 studies) and “above-average” scientific rigor. Finally, “high” approaches have been finely investigated, including a number of studies that use rigorous scientific methodology (such as experimental designs). *To be clear, our rating does not reflect our assessment as to the viability of any given approach, but rather an assessment of the quality of the research that was reviewed for this summary.* Nevertheless, an approach ranked as low on our scientific scale is still much stronger than programs that have not been scientifically reviewed or for which only anecdotal evidence has been presented. Exhibit I, then, demonstrates the confidence we have in our conclusions and recommendations based on available literature.

Exhibit I. Quality of Evidence Behind Each Approach

Approach	Rating
Community Justice and Restorative Justice	Moderate
Community Service/Work Crews	Low
Day Reporting Centers	Low
Drug Courts	High
Electronic Monitoring	Moderate
Forfeiture Programs	Low
Home Detention	Low
Intensive Supervision Probation	Low
Substance Abuse Treatment	Moderate
Work Release	Low

Note: this is not an assessment of the efficacy of the approach but the quantity and quality of the scientific evidence that is currently available.

II. Overview

Community Justice and Restorative Justice

Restorative justice is an alternative to traditional court processing in that it seeks to involve offenders, victims, and community representatives in the reparation process. Community justice is a broader term that has come to refer to localities that employ a justice model that involves members of the community at various levels (often including restorative type practices). A distinction between the approaches is that restorative justice is case driven (focusing on a specific incident) whereas community justice is place driven (organized around a specific location). As a result, restorative justice tends to be reactive whereas community justice tends to be more proactive (i.e., preventative). Specifically, in restorative initiatives, offenders are held accountable to victims and/or community members, and their supporters; together, an agreement is formulated which ameliorates the harm inflicted. Several approaches that are commonly associated with restorative justice include the following: victim offender mediation-dialog, community reparative boards, family/community group conferencing, and circle

sentencing. Restitution and community service programs are also argued by many to be restorative. One example of a study with a strong methodology found that, after one year, 15.3% of the treatment (restorative justice) group recidivated compared to 37.5% of the control group⁵ (similar offenders who were sentenced to probation). After two years, 27.8% of the treatment group and 54.4% of the control group recidivated. Moreover, after three years, significantly fewer members of the treatment group recidivated (34.7% compared to 66.1%).⁶ In a quantitative review of 22 published and unpublished restorative justice efforts, researchers concluded that “...compared to comparison/control groups that did not participate in a restorative justice program, offenders in the treatment groups were significantly more successful during follow-up periods.”⁷ While the weight of the scientific evidence appears favorable, broad variation in what is considered “restorative practices” results in wide variation in outcomes. Moreover, methodological limitations associated with many studies limit the extent to which they can be generalized to other jurisdictions. Notably, restorative justice activities are voluntary for victims and offenders and therefore may result in different results if applied to a broader population of cases. Despite these caveats, considerable empirical evidence suggests that victims and offenders both emerge from restorative experiences more satisfied than those who participate in traditional processing. Additionally, this approach is consistent with the *Native American* tradition of “compensation for the victim and restoration of harmony for the community.”⁸

After three years, significantly fewer members of the restorative justice group recidivated.

Community Service/Work Crews

Service programs require offenders to work in the community to repair a harm to earn money towards owed restitution or fines. Community service is typically a condition of probation or linked to some other intermediate program; it is rarely used as a stand alone sanction. Restorative justice advocates argue that community service is most effective when linked to a specific community harm. While community service programs are popular, there have been few systematic evaluations to determine whether or not offenders who complete community service are more or less likely to recidivate. One of the few studies that used a strong methodology found that community service was “positively related to reductions in recidivism.”⁹ It is unclear, however, whether offenders actually link their participation in such programs to a harm caused to the community.

One study found that community service was positively related to reductions in recidivism.

Day Reporting Centers

Day Reporting Centers (DRCs) are nonresidential facilities where offenders are supervised and receive services. Typically, offenders check in daily to the DRC, coordinate the day's activities with their supervisor, and participate in a prescribed treatment regimen. Additionally, many DRC clients must adhere to a curfew, submit to random drug tests, complete community service and/or remain employed or in school. Contacts range from 1 to 50 per week, depending on the intensity of the program and the stage at which the offender is involved. Day reporting centers are comparable in cost to traditional probation (one study estimates the cost at \$20 per person per day), and have demonstrated effectiveness at reducing the strain placed on *county jail systems*, especially bed space.¹⁰ Empirical evidence has been mixed, however, in general, DRC participants have recidivated at about the same rate as similarly situated probationers. Researchers have found that DRCs tend to be more effective for older and more educated offenders.¹¹ One study indicated that DRCs "...improved court appearances, reduced participant drug use while in the program, led to a low rearrest rate on new charges, and improved the willingness of participants to receive other treatment services."¹²

One respectable scientific study found the DRC to be an effective way to reduce county jail costs.

Drug Courts

Drug courts are criminal courts that specialize in drug and/or alcohol cases. The primary goal of drug courts is to efficiently administer drug treatment services. By focusing exclusively on drug and alcohol cases, processing becomes streamlined, allowing offenders to participate in necessary substance abuse treatment programs much more quickly than traditional case processing. As a result, the root cause of the criminal behavior, namely the drug addiction, can be addressed. It has been estimated that drug courts cost between \$2,500 and \$4,000 per offender per year to operate,¹³ and one review of 372 drug courts across the United States estimated that drug courts saved an average of 9,980 prison or *jail days* and an average of \$700,000 per court per year.¹⁴ A recent analysis of the costs associated with drug courts found that "...the largest benefactor of outcome savings is law enforcement and corrections."¹⁵ Empirical support for drug courts is relatively extensive and accumulating. For example, an evaluation of the Chester County (PA) drug court found that 5.4% of drug court participant's recidivated compared to 22.1% of a matched comparison group.¹⁶ Notably, several longer-term (24 months) evaluations employing strong methodologies

The largest benefactor of outcome savings is law enforcement and corrections.

also found favorable results. To illustrate, about 66% of drug court participants were rearrested within 24 months compared to over 81% of those who were treated as usual.¹⁷ Also noteworthy is the fact that, as of November 2003, 52 *Tribal* drug courts were fully operational, including one in Wisconsin (Menominee County).

Electronic Monitoring

Electronic monitoring programs require participants to wear devices that either actively or passively monitor their location to ensure that they are where they are required to be (usually at home or work). The three primary goals of electronic monitoring are (1) reintegration; (2) treatment; and, to a lesser extent, (3) punishment and deterrence. Reintegration is achieved because electronic monitoring is a community sanction that allows offenders to remain in (or return to) their community. Treatment is encouraged by ordering offenders to participate in appropriate programming. Finally, punishment is achieved through increased supervision and decreased autonomy while being monitored. Cost of electronic monitoring programs varies from \$5 to \$25 (or more) per offender per day depending on the sophistication of the technology being employed.¹⁸ It is common for offenders to pay at least some of the costs associated with electronic monitoring. While the evidence on recidivism is mixed and clouded by basic weaknesses in the scientific methods used, in general, studies suggest high completion rates among offenders sentenced to electronic monitoring in lieu of incarceration and relatively low rates of recidivism. For example, in an evaluation of the effectiveness of electronic monitoring with house arrest directed toward DUI offenders in a *rural* county in Pennsylvania, researchers concluded that "...house arrest with EM can be an effective alternative to *jail* for many DUI offenders."¹⁹

House arrest with EM can be an effective alternative to jail for many DUI offenders.

Forfeiture Programs

According to the Executive Office for Asset Forfeiture (a bureau within the U.S. Department of the Treasury), "A civil forfeiture is intended to confiscate property used or acquired in violation of the law; a criminal forfeiture is imposed on a wrongdoer as a part of his/her punishment following conviction."²⁰ While there has been some debate as to whether forfeiture violates the Double Jeopardy Clause of the 5th Amendment, recent Supreme Court rulings have upheld its use.²¹ Other related programs involve temporary seizure of property, including the vehicles of repeat alcohol violators. Even though forfeiture programs are widely touted as an effective deterrent to future criminal behavior, very few scientific studies have assessed this claim. No studies have been published in reviewed scientific

journals; however, an evaluation report of the Portland, Oregon, forfeiture program found that individuals who were arrested for DWI and had their vehicle seized took longer to reoffend than individuals who did not have their

Temporary seizure of a vehicle can delay recidivism for DWI offenders.

vehicle seized.²² Intuitively, individuals without a vehicle are anticipated to drive less while intoxicated. Seizure followed by forfeiture, however, was not associated with recidivism reduction above that associated with the seizure. That is, temporarily seizing an offender's vehicle was just as effective as

forfeiting it. Finally, there is some indication that there is a significant administrative burden associated with forfeiture programs and that the value of the property seized often does not cover the costs of administering the program.²³

Home Detention

Home detention programs mandate that the offender remain confined to their home during specified hours. In all of the programs reviewed in the literature, monitoring of this condition was achieved using electronic devices (electronic monitoring). As a result, the cost of home detention is equivalent to that of electronic monitoring. Home detention has proven most effective at reducing involvement in specific offenses (those which are engaged in outside of the home, e.g., DUI, DWI). Alternatively, home detention has not been effective at curtailing home-based offenses such as drug-trafficking or prostitution.

Intensive Supervision Probation

Intensive supervision probation programs (ISPs) provide close monitoring of offenders who are in the community above and beyond the frequency commonly associated with traditional probation. It is difficult to quantify what number of contacts constitutes 'intensive' supervision because individual programs vary widely. A promising variation of ISPs couples increased surveillance with targeted rehabilitative treatment.²⁴ Indeed, studies have demonstrated that increased surveillance by itself may have little impact on recidivism, but that supervision used to ensure participation in appropriate treatment programs can be effective, particularly for higher risk offenders.²⁵ Specifically, one study found that after one year about 32% of high risk ISP offenders who participated in treatment recidivated compared to over 51% of untreated high-risk offenders.²⁶ By definition ISP offenders are a more unpredictable group—that is, in need of enhanced community supervision. As expected, studies of ISPs demonstrate

Intensive supervision used to ensure participation in a community treatment program can be effective at reducing recidivism.

that offenders are more likely to violate conditions of their probation and spend time in *jail* or prison than individuals assigned to traditional supervision. Moreover, ISPs cost more than traditional supervision (one study estimated their cost to be just under \$8,000 per offender per year),²⁷ but if used strictly as an alternative to incarceration can result in cost savings.²⁸

Substance Abuse Treatment

The link between criminal behavior and substance abuse is well-documented.²⁹ A wide variety of treatment modalities are commonly employed to address this serious problem. They range from informal discussions with peers who are recovering from addiction to highly structured, long-term residential therapeutic communities. As expected, the research supports the practice of treating hard-core, high-risk abusers in a more comprehensive structured environment such as a residential therapeutic community³⁰. Researchers have identified the following components as essential in substance abuse treatment approaches: “(a) coordination of criminal justice and treatment, (b) use of legal sanctions as incentives to enter and remain in treatment, (c) matching of offenders to appropriate treatment services, and (d) monitoring of offenders with drug testing and keeping criminal justice officials apprised of the offender’s performance.”³¹

Rigorous scientific evaluations of TASC have demonstrated favorable outcomes and cost effectiveness.

Additionally, the most effective approaches also incorporate a strong aftercare component.³² Evaluations of individual approaches produce mixed findings. For example, there is strong support for therapeutic communities (TCs), Treatment Alternatives to Street Crime (TASC), and cognitive behavioral programming. Methadone maintenance and substance abuse education with social support development emerged as promising, but require more

thorough examination.³³ Of particular interest, community-based residential alternatives to incarceration based on the TC model have demonstrated favorable outcomes, including lower rearrest rates.³⁴ Nevertheless, the extent to which TCs are a cost-saving alternative to *jail* incarceration depends on the availability and cost of such private residential programs in the area. Also noteworthy are rigorous scientific evaluations of TASC which suggest it is effective at reducing drug use and offending, and much less expensive than incarceration.³⁵ Another study estimated the average cost savings of substance abuse treatment generally to be three dollars saved for every dollar spent.³⁶ Conversely, TASC have proven more effective for hard-core drug users and less effective for first-time or recreational users.³⁷ Moreover, it has been noted that twelve-step programs “seem somewhat

promising...but no truly good quality evaluation has been conducted on these programs.”³⁸

Work Release

Work release (known as Huber in Wisconsin) allows selected inmates (generally those nearing the completion of their sentence) to be employed in the community during the day and return to the institution at night. Variations of work release programs involve offenders being released to private community facilities for supervision when not at work. Only one comprehensive study was identified that scientifically evaluated the effectiveness of work release.³⁹ This study found that fewer work release participants (22%) were rearrested within one year compared to offenders assigned to a control group (30%), but the difference was not statistically significant. In addition, while the operational costs of work release were less expensive than incarceration (about \$34 per offender per day), costs were about the same once reprocessing expenses were considered.⁴⁰ Moreover, as presently used, the appropriateness of work release is questionable as an alternative to incarceration.

One study found that fewer work release participants were re-arrested after one year.

III. Recommendations

Independent of whichever alternative program is ultimately implemented, an appropriate treatment component should also be included. By themselves, increased supervision or enhanced enforcement does little to address the core individual causes of criminality. Indeed, in a comprehensive, quantitative review⁴¹ of more than 50,000 subjects, researchers found that including a treatment component to a community-based program resulted in a *10 percent drop in recidivism*.⁴² Specifically, these researchers argue that treatment efforts should (1) target known and amenable risk factors for crime, such as antisocial values, aggressiveness, academic failure, and weak family bonding; (2) focus on behaviors by using strategies that seek to alter negative thinking patterns (cognitive behavioral and social learning techniques⁴³); and, (3) employ well-trained staff who are able to effectively deliver program services to a variety of offenders in a way that matches modes of treatment to the learning styles of offenders.⁴⁴

Combining elements of multiple approaches has also proven valuable. A series of studies, for instance, examined the effectiveness of house arrest with electronic monitoring that was specifically designed to “*divert 30 DUI offenders from the severely overcrowded county jail...*”⁴⁵ Effectiveness was evaluated

Combining elements of multiple approaches has proven valuable.

in terms of rearrest, subsequent drug or alcohol use, and cost compared to *jail*. Using reasonably stringent research methods, these studies found that individuals who were diverted from *jail* were no more likely to be rearrested or to return to drug or alcohol use, and the program saved a significant amount of money due to the “avoidance of *jail* days.”⁴⁶ Other researchers have called for the integration of restorative justice with an appropriate treatment plan.⁴⁷ Evidence has shown that victims and offenders are more satisfied with the justice system when participating in restorative programs, while the literature consistently concludes that suitable treatment programs are the best recidivism-reducing strategy.

It is important to consider the needs of the offender.

Studies have demonstrated that programs need to be matched to the needs and risk levels of the offenders. Intuitively, low risk offenders require few services while high risk offenders require more intensive programming. Indeed, studies have shown that programs which provide intensive services to low risk offenders can actually increase the likelihood of recidivism.⁴⁸ It is important, then, to consider the needs of each offender in order to identify an appropriate program. A comprehensive risk- and needs-assessment must be conducted of all offenders brought into the system.

Implications for Future Research:

One notable gap in the research reviewed was the lack of evaluations that were specific to jail operations. This charge has been leveled by others who note “...a particular need for more research to be done on jail programs, which have distinctive needs different from those of prisons (e.g., clients with shorter durations of stay, the presence of unsentenced prisoners in the facility, etc.)”⁴⁹ While it is clear that the lessons learned from studies of alternatives to incarceration based on prison settings may prove valuable to jail administrators, the scientific community ought to further strengthen our knowledge regarding the efficacy of these programs by evaluating them in a variety of correctional contexts.

More research is needed.

Additionally, the vast majority of all of the evaluations of alternative programs involved offenders in an urban or suburban environment. The extent to which these programs are viable options for rural county administrators faced with unique challenges remains to be clearly seen. For example, is a drug court a feasible approach with a county that handles a relatively small number of offenders? Moreover, rural communities may not have access to specialized community treatment facilities or the critical mass necessary to warrant the development of dedicated community corrections infrastructure (such as day reporting centers). These observations should encourage researchers to: (1) seek to better understand the minimum number of offenders required to make a particular project

worthwhile, and (2) identify and evaluate the alternative to incarceration activities being implemented in rural communities.

Implications for Criminal Justice Management:

As noted above, there is still much to be learned regarding “what works” in alternatives to incarceration programming. Nevertheless, each of the programs reviewed above has demonstrated favorable outcomes in some contexts. Moreover, none of the approaches emerged as damaging or resulting in offenders who were “worse off.” As a result, local criminal justice officials are encouraged to evaluate their current correctional situation in terms of organizational impetus (are key stakeholders behind the initiative?), political culture (will new programs be supported?), and prospective clientele (what type of offenders are being targeted?) to identify the most appropriate program or approach. A common approach being employed by law enforcement agencies around the country to address these questions and identify problems is the utilization of the SARA model.⁵⁰ SARA involves:

- *Scanning* the social environment to identify problems;
- *Analysis* of the problem by collecting data or other relevant information;
- *Response* to the problem by developing and employing remedies; and,
- *Assessment* of the remedies to evaluate whether it worked.

As applied to the management of a county jail, administrators would first identify potential problems (such as jail overcrowding), analyze the problem by collecting

SARA can be used by criminal justice administrators to assess the needs of their community.

data about the types of offenders who are in the jail and targeting a subpopulation of offenders (for example, DWI offenders), respond by providing an appropriate alternative program (home detention with electronic monitoring), and finally comprehensively evaluate the impact of such a program (in terms of how the program is

implemented, outcomes of participants, number of jail beds saved, and the cost of the program compared to jail).

It is unclear the extent to which all of the programs are suitable for a small rural county. It may be advisable to coordinate efforts with adjacent jurisdictions so that resources can be pooled and more offenders can be served. This approach may be less applicable depending on the program. For example, it may be difficult to coordinate a regional drug court that handles offenders from multiple counties because of transportation issues associated with being at court every week. Creative community corrections, however, could solve some of these potential problems. Pooling resources to hire a judge who holds drug court in multiple counties on different days of the week could be an option. While there would be challenges (including logistic issues and budget constraints) the coordination of

resources and efforts within (and even between) counties may be a viable option to consider.

IV. Conclusions

Commonly, interventions are ineffective because they are not theoretically grounded or are not implemented as intended.⁵¹ Moreover, deterrence-based programs that ostensibly seek to “get tough” on crime and criminals have not realized their goals of reductions in crime. In fact, “there is no evidence that punishment-oriented ‘treatment programs’ specifically deter or otherwise reform offenders”.⁵² It is noted that even the supervision-based programs described above have proven effective only when coupled with appropriate treatment.

As noted by others who have reviewed the scientific evidence regarding effective programs and practices: “The most important limitation of science is that the knowledge it produces is always becoming more refined, and therefore no conclusion is permanent.”⁵³ With this in mind, it should be reassuring to readers that several of the approaches reviewed for this summary emerged as promising. While the scientific evidence varied from program to program, the general consensus is that, if implemented as intended with an appropriate population of offenders, all of these programs can be effective alternatives to incarceration.

**All of these
programs can work.**

The main question to consider is that of external validity; specifically, can programs be successfully applied to situations different from where they appeared to be successful? For example, drug courts have amassed a body of empirical support in a variety of environments; however, are drug courts appropriate as an alternative to *jail* for a rural county population? Indeed, the most significant limitation to all of the evidence reported in this summary is that very few programs were evaluated in the specific context in which we are most interested: namely, rural county jail applications. It is hoped, however, that the scientific information accumulated and reviewed for this summary will empower administrators to make informed decisions about the policies, practices, and overall management of their criminal justice system. Whatever changes are implemented, a component on evaluation should be included so that we “know” what we have learned.

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Notes

¹ Gainey, Payne, & O'Toole (2000:734) outline four purposes of alternatives to incarceration: they "(1) keep first-time and less serious offenders away from more serious criminals in jail or prison; (2) allow offenders to maintain family ties and continue to work; (3) punish offenders for their behaviors; and (4) rehabilitate offenders." One common concern regarding alternatives to incarceration is that clients placed on alternative programs may not necessarily have been incarceration-bound. That is, alternative programs increase the likelihood that the net of correctional supervision is widened by including individuals who otherwise may not have received formal supervision. For an alternative program to be effective (particularly cost-effective), then, offenders placed in the programs must have been headed toward incarceration. The net-widening criticism has been leveled against electronic monitoring (Bonta, Wallace-Capretta, & Rooney, 2000; Cullen, Wright, & Applegate, 1996; Mainprize, 1992).

² Reviewers searched using Proquest, SAGE Publications Online Journals, Social Science Citation Index, the programs of the most recent five years of the Annual meetings of the American Society of Criminology, the most recent five years of the Annual meetings of the Academy of Criminal Justice Sciences, bibliography and works cited search (finding articles cited by other studies that are listed in their reference pages), Internet searches using Google (www.google.com), and consultation with colleagues

³ Cullen, F. T. & Gendreau, P. (2000). Assessing correctional rehabilitation: Policy, practice, and prospects. In *Policies, Processes, and Decisions of the Criminal Justice System* (pp.109-76; Vol. 3 – NCJ 182410). Washington DC: U.S. Department of Justice(p113); see also Andrews, D. A. & Hoge, R. D. (1995). *The psychology of criminal conduct and principles of effective prevention and rehabilitation.*

Forum on Corrections Research, 7(1), 34-36; and Sherman, L. J. (1998). *Evidence-based policing.* Washington, D.C.: Police Foundation.

⁴ Sherman, L. W., Gottfredson, D., MacKenzie, D., Eck, J., Reuter, P., & Bushway, S. (1998). *Preventing Crime: What Works, What Doesn't, What's Promising: Research Brief.* Washington, DC: National Institute of Justice.

⁵ Control groups of offenders who are not subject to the program are used in experimental research so that changes that emerge in the behavior of the treatment group can be attributed more confidently to the experimental program. In an ideal experiment, offenders are randomly assigned to either the control or experimental condition, thereby reducing the likelihood that there are systematic differences that may otherwise differentiate the two groups. Alternatively, comparison groups are created in such a way that attempts to match important characteristics of members of both groups.

⁶ Bonta, J., Wallace-Capretta, S., Rooney, J. & McAnoy, K. (2002). An outcome evaluation of a restorative justice alternative to incarceration. *Contemporary Justice Review*, 2002, 5(4), 319-338.

⁷ Latimer, J., Dowden, C., & Muise, D. (2001). *The effectiveness of restorative justice practices: A meta-analysis.* Department of Justice Canada, Ottawa, Ontario (p18).

⁸ Luna-Firebaugh, E. M. (2003). Incarcerating ourselves: Tribal jails and corrections. *The Prison Journal*, 83(1), 51-66 (p51).

⁹ Bonta, J., Wallace-Capretta, S., Rooney, J. & McAnoy, K. (2002). An outcome evaluation of a restorative justice alternative to incarceration. *Contemporary Justice Review*, 2002, 5(4), 319-338.

¹⁰ Jones, R. K. & Lacey, J. H. (1999). Evaluation of a day reporting center for repeat DWI offenders. Washington DC: U.S. Department of Transportation.

¹¹ Marciniak, L. M. (1999). The use of day reporting as an intermediate sanction: A study of offender targeting and program termination. *The Prison Journal*, 79(2), 205-225.; Roy, S. (2004). Factors related to success and recidivism in a day reporting center. *Criminal Justice Studies*, 17(1), 3-17.

¹² McBride, D. & VanderWaal, C. (1997). Day reporting centers as an alternative for drug using offenders. *Journal of Drug Issues*, 27(2), 379-397.

¹³ National Association of Drug Court Professionals (www.nacdcp.org); Leader-Telegram article (Eau Claire, WI, 10/9/04).

¹⁴ Drug Court Clearinghouse (2001). Summary information on all drug court programs and detailed information on adult drug courts. Office of Justice Programs Drug Court Clearinghouse and Technical Assistance Project. Washington, DC: American University.

¹⁵ Carey, S. M. & Finigan, M. W. (2004). A detailed cost analysis in a mature drug court setting. *Journal of Contemporary Criminal Justice*, 20(3), 315-338 (p355).

¹⁶ Brewster, M. P. (2001). An evaluation of the Chester (PA) drug court program. *Journal of Drug Issues*, 31(1), 177-206.

¹⁷ Gottfredson, D. C., Najaka, S. S., & Kearley, B. (2003). Effectiveness of drug treatment courts: Evidence from a randomized trial. *Criminology and Public Policy*, 2(2), 171-196.

¹⁸Active GPS monitoring systems can cost as much as \$40 per offender per day. National Law Enforcement Corrections Technology Center (<http://nlectc.org/txtfiles/ElecMonasc.html>).

¹⁹ Courtright, K., Berg, B. L., & Mutchnick, R. J. (1997). Effects of house arrest with electronic monitoring on DUI offenders. *Journal of Offender Rehabilitation*, 24, 35-51 (p35).

²⁰ The Executive Office for Asset Forfeiture, U.S. Department of the Treasury, <http://www.treas.gov/offices/enforcement/teof/about-forfeiture.shtml>

²¹ *United States v. Ursery*, 518 U.S. 267 (1996).

²² Crosby, I. B. (1996). Portland's Asset Forfeiture Program: The Effectiveness of Vehicle Seizure in Reducing Rearrest Among "Problem" Drunk Drivers. A joint project by Reed College Public Policy Workshop

and the City of Portland Bureau of Police Asset Forfeiture Unit.

²³ Dieringer Research Group (2001). Evaluation of Alternatives to Incarceration for Repeat Drunken Driving. Milwaukee, WI: Dieringer Research Group.

²⁴ Intensive rehabilitation services are described in Bonta, J., Wallace-Capretta, S., Rooney, J. (2000). A quasi-experimental evaluation of an intensive rehabilitation program. *Criminal Justice and Behavior*, 27(3), 312-329 and Gendreau, P., Cullen, F. T., & Bonta, J. (1994). Intensive rehabilitation supervision: The next generation of community corrections. *Federal Probation*, 58, 72-78.

²⁵ Bonta, J., Wallace-Capretta, S., Rooney, J. (2000). A quasi-experimental evaluation of an intensive rehabilitation program. *Criminal Justice and Behavior*, 27(3), 312-329.

²⁶ *Ibid.*

²⁷ Turner, S., Petersilia, J., & Deschenes, E. P. (1992). Evaluating intensive supervision probation/parole (ISP) for drug offenders. *Crime & Delinquency*, 38(4), 539-556.

²⁸ Due to the nature of intensive supervision programs (intensive surveillance), many rule violations or minor crimes are often identified. If participants are sanctioned using incarceration, costs of intensive supervision may be as much as incarceration – especially because ISP sentences can be much longer than terms of incarceration.

²⁹ Anglin, M. D., Longshore, D., & Turner, S. (1999). Treatment alternatives to street crime: An evaluation of five programs. *Criminal Justice and Behavior*, 26(2), 168-195 (p169).

³⁰ ONDCP (2001). Drug treatment in the criminal justice system. Fact Sheet. Washington DC: Office of National Drug Control Policy; Pearson, F. S. & Lipton, D. S. (1999). A meta-analytic review of the effectiveness of corrections-based treatments for drug abuse. *The Prison Journal*, 79(4), 384-410; Prendergast, M. L., Hall, E. A., Wexler, H. K., Melnick, G., & Cao, Y. (2004). Amity prison-based therapeutic community: 5-year outcomes. *Prison Journal*, 84(1), 36-60.

³¹ Anglin, M. D., Longshore, D., & Turner, S. (1999). Treatment alternatives to street crime: An evaluation of five programs. *Criminal Justice and Behavior*, 26(2), 168-195 (p191).

³² Burdon, W. M., Messina, N., & Prendergast, M. L. (2004). The California Treatment Expansion Initiative: Aftercare Participation, Recidivism, and Predictors of Outcomes. *Prison Journal*, 84(1), 61-80.; ONDCP (2001). Drug treatment in the criminal

justice system. Fact Sheet. Washington DC: Office of National Drug Control Policy; Prendergast, M. L., Hall, E. A., Wexler, H. K., Melnick, G., & Cao, Y. (2004). Amity prison-based therapeutic community: 5-year outcomes. *Prison Journal*, 84(1), 36-60.

³³ Pearson, F. S. & Lipton, D. S. (1999). A meta-analytic review of the effectiveness of corrections-based treatments for drug abuse. *The Prison Journal*, 79(4), 384-410.; Taxman, F. (1999). Unraveling “what works” for offenders in substance abuse treatment services. *National Drug Court Institute Review*, II(2), 93-134.

³⁴ Knight, K. & Hiller, M. L. (1997). Community-based substance abuse treatment: A 1-year outcome evaluation of the Dallas County Judicial Treatment Center, 61(2), 61-69.

³⁵ Anglin, M. D., Longshore, D., & Turner, S. (1999). Treatment alternatives to street crime: An evaluation of five programs. *Criminal Justice and Behavior*, 26(2), 168-195.

³⁶ ONDCP (2001). Drug treatment in the criminal justice system. Fact Sheet. Washington DC: Office of National Drug Control Policy (p4).

³⁷ Anglin, M. D., Longshore, D., & Turner, S. (1999). Treatment alternatives to street crime: An evaluation of five programs. *Criminal Justice and Behavior*, 26(2), 168-195.

³⁸ Taxman, F. (1999). Unraveling “what works” for offenders in substance abuse treatment services. *National Drug Court Institute Review*, II(2), 93-134 (p112).

³⁹ Turner, S. & Petersilia, J. (1996). Work release: Recidivism and corrections costs in Washington State. *Research in Brief*. Washington, DC: National Institute of Justice.

⁴⁰ Reprocessing costs include expenses associated with incarceration for rule infractions.

⁴¹ Such a comprehensive review is called a Meta-analysis. Meta-analysis is a statistical technique that quantitatively combines the results of many studies on a particular subject.

⁴² Cullen, F. T. & Gendreau, P. (2000). Assessing correctional rehabilitation: Policy, practice, and prospects. In *Policies, Processes, and Decisions of the Criminal Justice System* (pp.109-76; Vol. 3 – NCJ 182410). Washington DC: U.S. Department of Justice.

⁴³ Effective strategies include modeling, graduated practice, role playing, reinforcement, extinction, resource provision, concrete verbal suggestion, and cognitive restructuring.

⁴⁴ Andrews, D.A. & Bonta, J. (1998). *The Psychology of Criminal Conduct* (2nd ed). Cincinnati: Anderson Publishing Company; Andrews, D.A., Bonta, J. & Hoge, R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*, 17, 19-52; Antonowicz, D. H. & Ross, R. R. (1994). Essential components of successful rehabilitation programs for offenders. *International Journal of Offender and Comparative Criminology*, 38(2), 97-104. Multi-systemic therapy is an example of a proven treatment program that has received considerable scholarly attention. See Borduin, C. M., Cone, L. T., Mann, B. J., Henggeler, S. W., Fucci, B. R., Blaske, D. M., & Williams, R. A. (1995). Multisystemic treatment of serious juvenile offenders: Long-term prevention of criminality and violence. *Journal of Consulting and Clinical Psychology*, 63: 569-578. In short, “findings from recent randomized clinical trials of multi-systemic therapy...support the view that treatment of serious antisocial behavior can be effective when the multidetermined nature of antisocial behavior is addressed with ecological validity” (Henggeler, S. W. (1996:140). Treatment of violent juvenile offenders—We have the knowledge: Comment on Gorman-Smith et al. (1996). *Journal of Family Psychology*, 10(2): 137-141.)

⁴⁵ Courtright, K., Berg, B. L., & Mutchnick, R. J. (1997a). Effects of house arrest with electronic monitoring on DUI offenders. *Journal of Offender Rehabilitation*, 24, 35-51. Courtright, K., Berg, B. L., & Mutchnick, R. J. (1997b); The cost effectiveness of using house arrest with electronic monitoring for drunk drivers. *Federal Probation*, 61(3), 19-22; Courtright, K., Berg, B. L., & Mutchnick, R. J. (2000). Rehabilitation in the new machine? Exploring drug and alcohol use and variables related to success among DUI offenders under electronic monitoring—some preliminary outcome results. *International Journal of Offender Therapy and Comparative Criminology*, 44(3), 293-311.

⁴⁶ *Ibid.* (1997b:21).

⁴⁷ Latimer, J., Dowden, C., & Muise, D. (2001). The effectiveness of restorative justice practices: A meta-analysis. Department of Justice Canada, Ottawa, Ontario (p18).

⁴⁸ Andrews, D.A., Bonta, J. & Hoge, R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*, 17, 19-52; Bonta, J., Wallace-Capretta, S., Rooney, J. (2000). A quasi-experimental evaluation of an intensive rehabilitation program. *Criminal Justice and Behavior*, 27(3), 312-329.

⁴⁹ Pearson, F. S. & Lipton, D. S. (1999). A meta-analytic review of the effectiveness of corrections-based treatments for drug abuse. *The Prison Journal*, 79(4), 384-410.

⁵⁰ Eck, J. E., & Spelman, W. (1987). Problem solving: Problem-oriented policing in Newport News. Washington, DC: U.S. Department of Justice, National Institute of Justice, Police Executive Research Forum.

⁵¹ Cullen, F. T. & Gendreau, P. (2000). Assessing correctional rehabilitation: Policy, practice, and prospects. In Policies, Processes, and Decisions of the Criminal Justice System (pp.109-76; Vol. 3 – NCJ 182410). Washington DC: U.S. Department of Justice (p129).

⁵² *Ibid.*

⁵³ Sherman, L. J. (1998). Evidence-based policing. Washington, D.C.: Police Foundation (p3).