Prisons, Probation and Parole in America: How Punishment Changes Behavior
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Introduction

As the U.S. prison system approaches meltdown, probation and parole continue to grow in importance and the effect of prisons to punish and rehabilitate are constantly evaluated and discussed.

This FreeBook provides students and practitioners with a clear introduction to two important topics facing those working in corrections in America today.

We consider how prisoners cope with the deprivations of prison such as loss of freedom and the impact of victimization.

We also look at what happens when the prisoner leaves prison and undertakes probation and parole. What works? What do we know about program effectiveness? What harm is done when we fail to develop effective programs? Effective measure requires an evidence-based framework for discussing research and practice on community corrections and this is provided.

If you are working or studying in this field, this FreeBook provides important context and a trusted source of interesting facts and figures that will help you to evaluate and strengthen these crucial programs.

This FreeBook features contributions from some of the world's foremost experts on correctional programming.

**Edward J. Latessa** is a Professor and Director of the School of Criminal Justice at the University of Cincinnati, and he and his staff have assessed more than 600 correctional programs throughout the United States.

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If you would like to find out more about this topic watch our free video on Does Punishment change Behavior?
Prisons and Prison Life
Chapter 1. Prisons and Prison Life

Introduction

This chapter examines how prisoners cope with the deprivations of prison such as loss of freedom, loss of possessions, and security. We will look at long-term inmates and supermax prisons. We will review what is known about victimization in prison, including sexual victimization and victimization by guards. We will also examine consensual sexual relationships in prison.

The Prison Population

At the end of 2010, there were 1,605,127 prisoners under federal or state jurisdiction, which represents a slight decrease (0.6%) from the number in 2009. In addition, prison releases (708,677) exceeded prison admissions (703,798) during 2010. This is the first time that releases from prison have exceeded admissions since the Bureau of Justice Statistics began tracking such data in 1977 (Guerino et al., 2010). The prison population was 93% male and 7% female. Of state prisoners, it is estimated that 35% were white, 38% black, 21% Hispanic or Latino, 4% “other,” and 3% of two or more races (Guerino et al., 2010).

In 2010, more than one-half (53%) of prisoners in state prisons were incarcerated for a violent offense (murder, manslaughter, rape, other sexual assault, robbery, assault, or other violent crime) (Guerino et al., 2010). One-fifth (19%) were in prison for a property offense (burglary, larceny, motor vehicle theft, fraud, or other property offense), 18% were in for a drug offense, and 9% were in for public order or other offenses (Guerino et al., 2010).

In 2010, members of the largest group (51%) of federal prisoners were in prison for a drug offense, and fewer than 10% of federal prisoners were incarcerated for a violent offense. These figures represent a major change compared to 1985, when 28% of federal prisoners were in prison for a violent offense and only 34% were incarcerated for a drug offense (Sabol et al., 2007).

As the prison population was increasing, the crime rate was decreasing. For example, in 2010, total violent crime was 13.2% lower than in 2006, and 2006 total violent crime was 13.4% lower than in 2001 (Uniform Crime Reports, 2010a). In addition, 2010 property crimes showed a 9.3% decrease from 2006 (Uniform Crime Reports, 2010b). In 2000, there were 1,391,261 people incarcerated in state and federal correctional facilities and the prison population increased steadily each year until 2009, with 1,613,740 behind bars. This figure represents a 16% increase in the number of admissions to state and federal correctional facilities. Some criminologists argue that
this crime drop was at least partially the result of putting more offenders in prison (e.g., Levitt, 2004; Roman, 2011). In other words, some claim a deterrent and incapacitative impact of putting more offenders in prison. Others, however, argue that the crime drop was due to other factors.

Are We Imprisoning the Wrong Offenders?

A number of prison critics argue that prisons contain too many offenders who do not need to be incarcerated. These critics argue that we are using too many scarce prison beds for either property offenders or drug offenders (Pratt, 2009). Austin and Irwin (2001), for example, did an ethnographic study of 154 males sentenced to prison in Washington, Nevada, and Illinois. Their interviews with these male offenders led them to conclude that a little more than one-half of the persons being admitted to prison are actually being admitted for petty crimes. These are “crimes with no aggravating features—that is, no significant amount of money, no injury, or any other feature that would cause ordinary citizens to view the crime as particularly serious” (Austin & Irwin, 2001, p. 26). Austin and Irwin (2001) also argue that some crimes generally considered “serious” may not be as serious as they appear. They note a particular robber, for example, who robbed convenience stores with a BB gun tucked in his belt. He showed the gun in his belt to the clerk but did not take it out of his belt or point it at the clerk.

Austin and Irwin (2001) are probably correct that not every criminal labeled “dangerous” by offense type is as dangerous or threatening as the name of the offense implies. It seems, however, that these critics may have gone a bit too far. Even if a robber uses only a BB gun and keeps it tucked in his belt, that scenario is filled with the potential for violence. Surely some convenience store clerks would interpret a gun—real, BB, or even toy—as threatening. One possible response is for the clerk to pull a gun from under the counter and shoot the robber. Thus, to dismiss such a robbery situation as not serious or violent is potentially misleading.

It is also noteworthy that approximately 11% of the offenders admitted to state prisons each year were convicted of burglary (Austin & Irwin, 2001). Although prison critics may label burglary as a “property” crime, many average citizens regard this crime as more serious than other property crimes such as shoplifting. Burglary involves trespass into one’s personal space (one’s home) and also involves a very real potential for violence. Either the burglar or the victim may have a weapon at hand and resort to using it. Indicating the seriousness with which some people regard burglary is the criminal law allowance in at least one state of deadly force against burglary. Moreover, many burglars are looking for guns (Wright & Decker, 1994). Clearly, there is some probability that stolen guns will be fenced or otherwise transferred to other criminals engaged
directly in violent crime. Therefore, while Austin and Irwin (2001) may be correct that some “violent” crimes are not as threatening as claimed, it is also correct that some crimes labeled “property” or “nonviolent” crimes may be more threatening than claimed.

Much stronger is the evidence that U.S. prisons, especially federal prisons, house more drug offenders than necessary. Changes in federal sentencing policies have resulted in a dramatic increase in the percentage of federal prisoners convicted of drug crimes. When the costs of incarceration continue to increase, it is imperative to question the wisdom of incarcerating such a high percentage of drug offenders (Pratt, 2009).

Race in Prison

A troubling trend in the criminal justice system is the differential incarceration rates for whites, blacks, and Hispanics/Latinos. For males, whites have an incarceration rate of 678 per 100,000 in the population, but blacks have a rate of more than 4347 per 100,000 in the population, and Hispanics/Latinos have a rate of more than 1775 per 100,000 in the population. For females, we see a similar pattern in the disproportionate number of minorities under state and federal correctional authority. To be more precise, white females have an incarceration rate of 91 per 100,000 while black females have a rate of 260 per 100,000. The rate of Hispanic/Latino females is 133 per 100,000 (Glaze, 2011).

One of the basic issues concerning race in prison is the perception that the criminal justice system discriminates unfairly in law enforcement and sentencing, resulting in the disproportionate number of blacks in prison. One writer argues that the “war on crime” is simply a disguise for a war on his race:

"It's respectable to tar and feather criminals, to advocate locking them up and throwing away the key. It's not racist to be against crime, even though the archetypical criminal in the media and the public imagination almost always wears "Willie" Horton's [a black criminal's] face. Gradually, "urban" and "ghetto" have become code words for terrible places where only blacks reside. Prison is rapidly being re-classified in the same segregated fashion (Wideman, 1995, p. 503).

Criminologists debate the extent to which race unfairly enters in as a factor in arrest, prosecution, and sentencing decisions. Many African-American prisoners conclude that racism is a prominent factor and, as a result, come to prison with resentment. That resentment affects their daily interactions with both prisoners and guards. Prison officials must deal with this issue every day."
**Women in Prison**

Women still represent only a small percentage—approximately 7%—of the prison population, but their numbers have been increasing (Guerino et al., 2010). In 1980, women made up 4.1% of the prison population and in 1990 made up 5.7% (Beck et al., 2000). The many important differences between women's and men's prisons are addressed fully in Chapter 8. Here we simply note a few important points about women in prison.

First, there are fewer women's prisons than men's prisons. There may be only one or two women's prisons in a state, and because of this, women prisoners may have to serve their sentences at greater distances from their homes than males who have more prisons available to them. This may make it difficult for women prisoners to have visitors as frequently as they would like.

Because women are typically less violent and aggressive than men, their prisons provide more of a sense of security than men's prisons, and female prisoners can be less fearful of assaults than male prisoners. However, women's prisons can include minor violence and sexual abuse of prisoners by guards and they may be more nitpicking in rule enforcement (Bottoms, 1999). Society still has somewhat of a double standard for behavior. Women are expected to be more obedient and docile than men. What might pass in a men's prison as normal behavior might be cited as a rule violation in a women's prison. Guards will cite women for improper language or jostling, behaviors ignored by guards in male prisons.

Women's prisons may look more appealing than men's prisons. The cells or dormitory areas often look less like stark cellblocks than men's. However, also stemming from societal notions about appropriate gender roles, educational and vocational programs in women's prisons are often more limited. Cosmetology and food service might be the main vocational training programs in a women's prison, whereas such options as auto mechanics and television repair might be available for male prisoners. Part of the problem with women's prisons is that the smaller number of prisoners means that less money is allocated for women's prisons, including training programs, than for men's prisons.

As we can see, there is a mixture of elements that makes women's prisons better than men's prisons in some respects and worse in others. They have less serious violence and probably look better to the uninformed eye, but they can also be rather harsh in terms of strict rule enforcement based on societal expectations of gender-appropriate behavior. A woman prisoner may not fear a physical assault but she may well fear a guard citing her for a rule violation for what many would consider relatively harmless language or behavior. Few programs exist for the myriad of problems facing women,
such as unemployment or underemployment, drug addiction, unresolved issues relating to childhood sexual and physical abuse, and difficulties associated with being a mother in prison.

**Prison Security Classifications**

Individuals who are convicted of felonies usually serve their time in federal or state correctional facilities. Once a person has been convicted of a crime, he or she will be transferred from county jail to a prison classification center. For example, the Morgan County Correctional Complex is the reception and classification center for prisoners in East Tennessee (see Figure 7.1 of the old classification center). Inmates may be classified and assigned to the following custody levels: minimum, medium, and maximum, although custody classifications vary across the United States.

- **Minimum-security** prisons house inmates who are first-time offenders or have committed low class felonies (usually nonviolent) and present a low risk of escape. Minimum-security persons are often allowed to work as trustees or in the community.

- **Medium-security** prisons house inmates with more serious felony charges; these inmates may be eligible for placement at a work camp but must remain inside a secured perimeter. Prisoners housed at **maximum-security** facilities usually represent the most serious felony offenders, including those convicted of armed robbery, rape, and murder. Maximum-security prisons also house inmates under the sentence of death.

Inmates classified to maximum-security prisons are not allowed to be assigned to work

**FIGURE 7.1.** Brushy Mountain Correctional Complex served as the reception and classification center for East Tennessee inmates until it closed in June 2009. The 116-year-old facility was the oldest operating prison in Tennessee. James Earl Ray, the assassin of Dr. Martin Luther King Jr., was once housed at this prison. Credit: Photo taken by Kimberly D. Dodson
camps or community work crews. Because of their maximum-security status, their movements are severely restricted by correctional staff.

A recent development in prisons is the supermax (or maxi-maxi or administrative segregation) facility. Intended for the “worst of the worst” offenders, these prisons are designed for prisoners who have broken the rules in a regular prison (perhaps by assaulting other prisoners or guards). These prisons are designed to maximize security and surveillance. Guard booths are constructed so that visual and auditory monitoring of every cell is easy. Prisoners may be fed through a slot in the door, forbidden to speak with other prisoners or to have pictures of family members in their cells, or kept in their cells 23 hours a day and allowed out only into an exercise “cage” where they have a few square yards to walk. Two examples of supermax prisons are Pelican Bay in California and the federal penitentiary at Marion, Illinois. One estimate put the number of prisoners in these facilities at approximately 25,000 inmates (Pizzaro & Narag, 2008).

One disturbing element of supermax prisons is the sensory deprivation experienced by prisoners. This deprivation was considered so severe in Indiana that it sparked an inquiry from Amnesty International, a class action lawsuit by the Indiana Civil Liberties Union, and a 37-day hunger protest from the prisoners (Larson, 1993). Psychological research indicates that sensory deprivation leads to increased symptoms of psychological trauma and disturbance. Nine of 10 supermax prisoners reported anxiety compared to 4.5 persons out of 10 in the general population. According to one report, 84% of supermax prisoners reported lethargy and 77% reported depression compared to 17 and 23.5%, respectively, for populations outside prison (Haney, 2003). In Colorado, testing revealed that prisons with administrative segregation had a disproportionately high rate of prisoners with mental health needs and more prisoners with personality disorders (O'Keefe, 2008). However, some inmates do actually volunteer for supermax confinement due to fear of injury, a desire to be alone rather than share a cell, or as a way to get out of a work assignment (Pizzaro & Narag, 2008).

Another problem is that inmates may not receive appropriate mental health services. In Pelican Bay, for example, in 1990, one master's degree-level psychologist was responsible for the care of 3500 prisoners. Prisoners needing psychiatric treatment were literally bussed to another prison (Vacaville) and back if they needed more than the counselor could provide at Pelican Bay (Spector, 1994).

Prison officials argue that prisoners in supermax facilities have proven how difficult they are to manage in a traditional prison and that their rule violations in traditional settings justify the drastic measures in the supermax prisons. However, there is little empirical evidence proving that supermax prisons are effective. A study of the opening of supermax prisons in three states did not find any reduction in the levels of inmate-on-inmate violence in those jurisdictions (Pizzaro & Narag, 2008). In addition,
some correctional officers report greater job dissatisfaction where no interaction is allowed with inmates.

**Prison Adjustment**

Some people claim that prisons today are too easy or comfortable for prisoners. Such objections often follow stories of prisoners being able to watch cable television, attend a concert, or participate in a sports event (such as a baseball game against a team from another prison). In one presidential campaign, for instance, candidate and magazine publisher Malcomb “Steve” Forbes criticized a Connecticut women’s prison for being “plush” because it had “airy courtyards,” a shuffleboard court, and oak bunk beds (instead of less expensive metal frame beds) (Forbes, 1994).

Others contend that prison is too harsh. Some of these critics point to prisons in other countries where sentences are much shorter in length and where housing units resemble college dormitories more than the cell bars and prison walls that many have in mind when they think of a “prison.”

Both types of charges may ignore prison reality. Prison life involves many discomforts and problems that the “too soft” critics often forget or do not consider. However, the “too harsh” critics may not be aware of the adjustments prisoners create to make their lives as comfortable as possible.

**Deprivations of Prison Life**

Gresham Sykes (1958) provides a useful starting point in discussing prison conditions with a list of deprivations that all prisoners experience. The first such deprivation is the **deprivation of liberty**. Prisoners are deprived of their liberty or freedom. They are locked up and confined. Such confinement may be total: 24-hour lockup in solitary confinement or in a new supermaximum facility. Alternatively, it may be minimal: a federal prisoner may be in a prison camp that has dormitories rather than cells and a painted white line rather than a wall or a fence around the institution. In either case, however, the prisoner is expected to stay within a certain area and may not travel about as a free citizen.

One aspect of confinement that many people forget is that confinement often translates into few visitors. If a prisoner is locked up even 100 miles from home, distance alone may make visits by relatives quite difficult. The prisoner’s family may simply not have transportation to the prison.

A second deprivation is **deprivation of goods and services**. Prisoners are limited in their
access to possessions and services. One aspect of this deprivation that is ignored by many critics is that Americans define themselves to a great extent by their possessions. Most are concerned about their clothes, cars, residences, and other personal items. Americans live in a materialistic society and tend to value having increasingly more and better-quality possessions (e.g., one may be proud of having a late-model car or designer blue jeans or a particular brand of shoes rather than a $15 pair of shoes from a discount store). Prisoners are issued a uniform with no permission for individualizing differences and are allowed only certain things—a few books, magazines, and pictures for their cells. Even necessities may be in short supply. One prison in Hutchinson, Kansas, for example, allows inmates only four rolls of toilet paper per month (Associated Press, 2007).

A third deprivation is deprivation of autonomy. Free persons can make all sorts of everyday choices—when to get up, when to go to bed, when to eat, what to eat, when to schedule activities, and when to take some time to relax. Prisoners are regimented. They are told when to get up, when to eat, when to work, when to recreate, and when to go to bed. Their choices are minimal. Sykes contends that part of this regimentation is intended to treat prisoners like children. Adults choose; children are directed. As a result, the message to prisoners is that they are like children who need to be told what to do and when to do it.

A fourth deprivation is deprivation of heterosexual contact and expression—at least legitimate heterosexual contact. Adults on the outside can engage in sexual activity essentially when and where they choose. Except in rare circumstances, prisoners are forbidden heterosexual contact, let alone intercourse. Prisons are usually same-gender facilities with little or no opposite-sex presence. One exception is conjugal visitation, such as an overnight visitation program at San Quentin in California for prisoners who are legally married. For a discussion of coed prisons, see Box 7.1.

A fifth deprivation is deprivation of security. Prisons are not always safe places. Many of the offenders are violent; some are disturbed. Many prisoners note that the worst thing about prison is the company they are forced to keep. For example, a study of three Ohio prisons showed that about 25% of the inmates studied were victimized by either assault or theft during the 6 months prior to their interviews. Adding robbery, simple assault, and property damage to the definition of victimization increased the victimization percentage to almost one-half (48%) (Wooldredge, 1998). Official statistics showed that in 1997 there were 4095 inmate assaults on other inmates—1860 in New York, 1499 in Texas, and 394 in Ohio (U.S. Department of Justice, 1998).

Outside of prison, given adequate resources, one can avoid living in a violent section of a city or town. Prisoners, though, must live in their assigned cells, and their neighbors
BOX 7.1 COED PRISONS

One suggestion to improve prisons is to offer more coed facilities that house women and men in the same institution. Some of these facilities allow regular contact between the sexes while others allow almost no contact. It is thought that being able to interact with members of the opposite sex may reduce violence and homosexual behavior between inmates and may assist with reintegration into the community. Another advantage might be to improve access to programs for women, which are often more available in male facilities. However, coed prisons have been criticized on many grounds. For example, labor assignments are often distributed along traditional gender roles. Women tend to be assigned to cleaning jobs while men are given landscaping duties. Women with a history of sexual or domestic victimization might also find it more traumatic to live in a correctional environment with men. Finally, there is little evidence that homosexual behavior has decreased in coed facilities (Potter, 2004).

What do you think? Should we attempt to have more coed prisons? Is the debate over coed prisons similar to the debate over single-gender colleges versus coed colleges? How so?

may be undesirable (Figure 7.2).

Guenther (1978) has added to Sykes’s (1958) list of deprivations. One additional pain involves visits, even visits by spouses. Guenther (1978) notes that fellow prisoners or guards can be very callous about such visits, using the occasion to suggest to a prisoner that his wife is free and can be seeing a lover while the prisoner is counting the years until release. Related to this, letters to prisoners from family members are not always pleasant and uplifting. Letters can remind a prisoner of problems back home when he or she has no way to help resolve those problems due to being miles away and unable to intervene. A letter can even include negative comments such as a son expressing anger at his father for things his father (the prisoner) did or failed to do (Figure 7.3).

Still another problem in prison life is holiday time such as Thanksgiving and Christmas. Guenther (1978) notes that prisoners tend to watch television during the holiday season just like the rest of us. Programs and commercials remind the prisoner that he or she is locked up during a time of year when most people are busy planning parties and family gatherings that celebrate the occasion. In plain terms, the prisoner is exposed to a media barrage of images of family togetherness while he or she might experience only a few holiday cards or some canned turkey on Thanksgiving and Christmas. Time passes slowly in prison, and this sense is exacerbated during holidays.

Most prisoners experience these problems or deprivations. This makes it difficult to say that prisons are “country clubs” and are too soft. Even if a prisoner has access to some amenities that might seem luxurious, such as a jogging track or a tennis court, the
**FIGURE 7.2** The weapons pictured here, mostly prison-made shanks, were recovered by correctional officers at Eastern State Penitentiary. Inmates often fashion shanks out of whatever material is available, including eating utensils, toothbrushes, and razor blades. Credit: Photo taken by Kimberly D. Dodson

**FIGURE 7.3** Correctional staff may subject inmates to noncontact visitation if the inmates pose a safety or security risk or have violated institutional rules. Advances in technology allow inmates to visit with friends and family via video without inmates ever leaving their housing units. Credit: Picture taken by Kimberly D. Dodson
deprivations of freedom, autonomy, possessions, heterosexual sex, and security are constant reminders that one is being punished for a crime. One prisoner remarked, for example, that even though the dining hall at her federal prison looked more like a popular restaurant chain than a prison cafeteria, it only covered up the repressive atmosphere that was very much the daily reality (Parker-Jimenez, 1997).

However, some writers contend that prisons are not as negative as others claim. In a study of the federal prison at Lompoc, California, anthropologist Mark Fleisher (1989) notes that many inmates do not see prison as very intimidating or unpleasant:

Lompoc inmates claim that doing time isn’t punishment. They hasten to add that when they’re released to the street the high risk of returning to federal or state prison by committing new crimes will not prevent them from doing so. For these high-risk criminals, crime is a way of life and going to prison isn’t a burden. . . . Many inmates say, too, that daily life in Lompoc, and in other prisons where they have done time, is easier, less frustrating, and more secure than life on the street. For many of them, in fact, prison has become their preferred lifestyle (p. 131).

One problem with this assessment is that it may be out of date. Recent changes in prisons (e.g., cutbacks in opportunities for education) have made the prison experience more negative (Austin & Irwin, 2001). The assessment also ignores the negative environments that many prisoners come from and return to after release. A major reason some prisoners say prison is not so bad is that their home environments are problematic. Therefore, their assessment of the prison environment is made in reference to the environment in which they were living, not in comparison to a desirable home environment. If these prisoners had grown up in more positive environments, they probably would not rate prison so highly. More importantly, if they had grown up in more positive surroundings, they might not have become criminals.

One danger in labeling prisons as “not that bad” or as “comfortable” is that such labels can make it easier to build more prisons and to send more offenders to prison. If prison is not so terrible, then there will be less reluctance on the part of prosecutors and judges to send offenders to prison. Perhaps the most accurate way to assess prison environments is to note that they are varied. Some are negative with high rates of victimization. Some, especially federal minimum-security facilities, are probably not that different from many college environments. Some prisons may be “luxurious” or even be places where heroin or other drugs are available to prisoners, but such prisons are often deviant cases in which the administration has lost control of the facility (Carroll, 1998). Many more are in between the extremes.

One of the most detailed and rigorous studies of a prison environment concluded that prison is often a place where not much happens. Prisoners endure the prison
environment and come out roughly the same persons they were when they entered. To emphasize this point, the study authors called prison “the deep freeze” (Zamble & Porporino, 1988). The good news about the “deep freeze” nature of prisons is that most prisoners do not come out worse than they entered. The bad news is that most prisoners had either inadequate or maladaptive coping skills when they entered prison. Instead of improving those skills, prison has little or no impact: offenders come out with the same inadequate or maladaptive skills. This is a major reason for the discouraging recidivism statistics. The released prisoner is no better prepared to avoid crime on release than he or she was on the day he or she entered the facility.

Another prison expert notes that prisoners often try to find niches in prison (Toch, 1977). Niches are places or situations that provide something that a particular prisoner may be seeking. For example, a prisoner who believes he is weak might seek confinement in a segregated cell block with 24-hour lockdown so that he feels safe. He wants security and does not want to defend himself against assaults. Other prisoners, though, need more social interaction and would hate such total confinement.

For example, The New Yorker magazine once printed a New York state prisoner’s diary that shows how the prisoner created such a niche for himself (Sheehan, 1977). This prisoner preferred privacy and security and took steps to achieve those goals as much as possible. He managed to get coffee and donuts and other food supplies from a friend in the kitchen so he could eat in his cell instead of in the cafeteria. He managed to get a job with another inmate in the clothing office for inmates being released or going to court. In addition to their official chores, their responsibilities apparently centered on making themselves coffee, listening to the radio, and chatting about everyday topics. At night, he would either go to a Jaycees (Junior Chamber of Commerce) meeting or work on art (glass pictures) in his cell, as well as fixing himself an evening meal or snack. In this fashion, he was able to avoid most other inmates and achieve relative privacy and security in an unsafe world.

Carroll (1998) offers a more systematic account. He notes that on a typical morning in Rhode Island’s largest prison, about 400 inmates out of approximately 700 are working and that about 150 are in educational or therapy programs. Many of these programs are run by private vendors who contract with the state to provide the programs. Minimum-security inmates may be working outside the prison in either public or nonprofit agencies. Rhode Island allows these agencies to purchase inmate labor at $3.00 per hour. Maximum-security inmates are most likely to be idle, as they cannot go outside the prison to work, and security issues may prevent them from going to work or programs inside the prison.

In recent years, some states have tried to make prison even more painful. In response to criticisms that prisons are too soft, many prisons have opted to curtail amenities. Thus,
some prisons have cut back on such amenities as exercise equipment and cable television. One concern in response is that some helpful amenities, such as college courses, are being eliminated. To discontinue college courses is to take away a major chance for the inmate to improve himself or herself. This lessens the chances of success once released from prison. Another legitimate concern is that amenities reduce the frustration in prison and lessen the odds of violence and riots in prison. A female prisoner noted that exercise equipment helped her to both “pass the time” and relieve stress (Parker-Jimenez, 1997). This is important for staff and inmate safety. If “frills” reduce the chances of injury to staff and inmates, they may well be worth the price of some critics calling the prison too soft.

**Spiritual Adjustment in Prison**

If **spiritual adjustment** is mentioned in connection with prison life, this usually refers to the provision of chaplains and official religious services. Traditional religious services and chaplains are helpful for prisoners as they attempt to adjust to the pains of imprisonment and try to change their lives while inside in preparation for release. A relatively recent development is faith-based programming and even some faith-based prisons, including two in Florida.

**Faith-based prison initiatives** are based on the premise that religion can be a powerful force for change. The hope is that offering faith-based programs to prisoners will help them reorient their lives to positive values and goals. Recall that, as noted in Chapter 2, America’s prisons were founded by religious people such as the Quakers who wanted to reform criminals with religion.

Research is being conducted on the effectiveness of contemporary faith-based programs. One problem with the research is that prisoners who volunteer for such programs are motivated individuals, so any evaluation of a program must take into account the positive motivation of such prisoners and distinguish any effect of the program from the effect of having motivated subjects. A related point is that faith-based programs need to be compared to nonreligious programs that are high-quality programs. Because a great deal of effort appears to be going into faith-based programs, it would be unfair to compare them to mediocre or less substantial nonreligious programs (Box 7.2).

Some critics worry that faith-based initiatives may divert resources from traditional, nonfaith-based programs such as educational and vocational programs. These critics caution that many prisoners have significant problems that need to be addressed. There is even concern that some states want to reduce the number of state-paid chaplains and replace them with faith-based volunteers (O’Connor et al., 2006).
BOX 7.2 DOES IT WORK?

Faith-Based Prison Programs

Determining the effectiveness of faith-based prison programs is quite complex. It is difficult to conduct rigorous examinations of this topic because of methodological limitations, including small sample sizes, inability to assign participants randomly, and difficulty measuring concepts such as the faith component of faith-based programs. In addition, those inmates who volunteer for faith-based programs often have a lower recidivism risk than those who do not participate, which means that these individuals might be more successful after release even without the faith-based intervention. Despite the difficulties, a few researchers have tried to assess their effectiveness. Faith-based programs have been found to decrease prisoner misconduct, especially serious forms of misconduct (Camp et al., 2006; O’Connor & Perreyclear, 2002). Dodson and colleagues (2011) conducted an evidence-based assessment of the effectiveness of faith-based prison programs (for specifics on conducting evidence-based research, see Sherman et al., and 2002). Their study included an examination of three faith-based studies (e.g., Johnson, 2002; Johnson et al., 1997; Young et al., 1995). Dodson and colleagues (2011) concluded that faith-based prison programs do “work” to reduce recidivism in both the short-term (Johnson et al., 1997) and long-term (Johnson et al., 1997; Young et al., 1995). Results should be tempered by the fact that the study was based on an assessment of a small number of studies. However, initial results suggest that faith-based prison programs may help lower recidivism.

Another issue is providing access to all religions, not just Christianity. Perhaps more important than providing access to all religions, however, is providing access to the spiritual in whatever guise the prisoner may pursue it. Jean Harris, notorious for killing Dr. Herman Tarnower (the creator of the “Scarsdale Diet”), served 12 years in New York’s Bedford Hills Correctional Facility for women. She found meaning by reading Viktor Frankl’s account of his suffering in a Nazi concentration camp and was inspired by his decision during the Holocaust that “he, and not they, would decide how he would react to what they did to him” (Anderson, 1995, p. 14). Such a simple thing as reading helped Harris come to grips with her life behind bars. Just as prisons need to offer education and vocational training programs, there should be opportunities for prisoners to do what they can to make their lives as meaningful as possible, despite the fact of their incarceration.

Some prisons offer life skills programs such as moral reconciliation therapy, a cognitive-behavioral treatment for offenders intended to raise moral reasoning (Finn, 1998). Offering such programs is one possible approach. For many inmates, however, it may not be a particular program that awakens in them the desire to find deeper
meaning in their lives—it may simply be a guard or prison counselor who takes an interest in them and shows by his or her actions that there can be meaning in the inmate's life. To paraphrase one prison authority, the example of one guard or counselor who shows by example that he or she is in touch with a deeper dimension of life and that he or she cares for the prisoners encountered every day may be worth more than any life skills program costing hundreds of thousands of dollars (Lozoff & Braswell, 1989).

**Prison Argot and the Sexual Hierarchy**

Prison researchers who have studied prisoners and prison life have found that inmates use a specialized language or slang—what is known as **prison argot**. Argot serves several functions in prison: (1) the need to be different and unique, (2) alleviation of feelings of rejection and refusal, (3) facilitation of social interactions and relationships, (4) declaration of belonging to a subculture or status quo, (5) a tool of social identification leading to a sense of belonging to a group, and (6) secrecy (Einat & Einat, 2000, pp. 310–311).

Prison argot is tied directly to the hierarchy of sexual roles in male prisons. Studies conducted by Sykes (1958), Sagarin (1976), and Donaldson (1993) found that inmates who engage in homosexuality in prison can be divided into three primary groups. The first group consists of inmates who "play an active, aggressive role in homosexual relations" (Castle et al., 2002, p. 16). These inmates have been labeled "wolves," "voluntary aggressors," and "daddies" and are at the top of the prison sexual hierarchy.

The second group, identified as "punks" or "jailhouse turnouts," play a more submissive role in the prison sexual hierarchy (Castle et al., 2002). Punks often engage in homosexual behavior because they have been coerced by other inmates. These inmates are often smaller in stature, first-time offenders who are inexperienced, and viewed by other inmates as weak and unable to defend themselves.

Wilbert Rideau (2010), a former inmate at Angola Prison, described a ritual where the prison sexual hierarchy played out. Seasoned inmates lined up along a railing to observe the “fresh fish” (new inmates) coming into the prison. The wolves would size up the fish and enslave the weaker ones. The “enslavement process was called ‘turning out,’ the brutal rape symbolically stripping the inmate of his manhood and redefining his role as female” (Rideau, 2010, p. 77). “Slaves” served as sexual outlets and servants to their owners. Owners could loan their slaves out but most utilized them for their own personal needs. The slaves went by a variety of names, including “gal-boy, whore, old lady, and wife” (Rideau, 2010, p. 77).
The third group in the prison sexual hierarchy is known as “fags,” “effeminate,” or “queens” (Castle et al., 2002). Fags engage in homosexual behavior because they are born that way (Donaldson, 1993; Kirkham, 1971; Sagarin, 1976; Sykes, 1958). Fags adopt the same roles in prison that they would in the free world. These inmates tend to have exaggerated feminine mannerisms, wear make-up, and dress in feminine ways. Other inmates see fags as playing a more “natural” role, and most inmates do not view fags as a threat to their masculinity (Castle et al., 2002). The majority of inmates describe fags as having “pussies” not “assholes,” and fags wear “blouses” not “shirts,” and they were deemed to hold more status in the prison sexual hierarchy than punks (Donaldson, 1993; Kirkham, 1971; Sagarin, 1976; Sykes, 1958).

In recent years, the sexual victimization of inmates has received increased attention from the media, researchers, and advocates who have worked to end sexual assault in prison. The next section discusses inmate-on-inmate and staff-on-inmate sexual victimization and what is being done to reduce and/or eliminate it.

Sexual Victimization

Scientific studies of sexual victimization have been hindered because of the sensitive nature of the subject. Men, especially, are not very forthcoming about their sexual victimization in prison. Many men would rather lie or say nothing about a victimization experience in confinement.

In an early study of sexual victimization in New York, Lockwood (1980) found that 28% of male inmates had been targets of sexual aggression at least once while in custody. Only one inmate, however, stated that he had been sexually assaulted. In a study of 330 federal male inmates, Nacci and Kane (1983) reported that only one inmate had been “raped” (sodomized) in a federal prison. They also examined whether inmates were “targeted” or forced (or someone had attempted to force them) into performing sexual acts against their will. Findings showed that only 2% of the respondents had been targets of sexual aggression in a federal prison, but that 9% had been targets in either a federal or a state prison taken together (Nacci & Kane, 1983). In line with Lockwood’s study, however, 29% of inmates reported having been “propositioned” for sex (Nacci & Kane, 1983). In still another study of 101 prisoners in Delaware, again only one inmate reported having been raped during his lifetime incarceration history, but five inmates reported that others had attempted to rape them in prison. Respondents reported that they thought the incidence of rape had decreased in prison because of greater guard vigilance and because of fear of contracting HIV/AIDS (Saum et al., 1995).

The seriousness of the problem was highlighted by the Prison Rape Elimination Act, enacted in 2003. This act has prompted a federally sponsored investigation into the
issue, including the first national survey of prison inmates concerning sexual victimization. This survey found that 2.1% of prisoners reported an incident involving another inmate, 2.9% reported an incident involving staff, and 0.5% reported having been sexually victimized by both other inmates and staff. While the overall prevalence of sexual victimization was approximately 4.5%, some prisons had rates as high as 13 to 15% (Beck & Harrison, 2007).

According to the most recent inmate survey, 4.4% of prison inmates and 3.1% of jail inmates reported one or more incidents of sexual victimization by another inmate or by a staff member in the previous year. Approximately 1% of both prison and jail inmates reported nonconsensual sexual acts by other inmates, and approximately 1% reported abusive sexual contacts only. Heterosexual inmates were much less likely to report victimization than bisexual, homosexual, or other sexual orientation inmates. Specifically, about 11% of bisexual, homosexual, or other sexual orientation inmates reported inmate-on-inmate sexual victimization compared to only 1.3% of heterosexual prison inmates (Beck et al., 2010).

Explore on the Web

For the most up-to-date statistics on sexual victimization in prison, go to www.ojp.usdoj.gov/bjs and find the Bureau of Justice Statistics publications related to the Prison Rape Elimination Act.

Prior research has indicated a number of correlates of male victimization. Specifically, victimization is related to the following characteristics: young, small size, physically weak, white, homosexual, first offender, having so-called “feminine characteristics” such as hair or voice tone, lack of assertiveness or aggression, shyness, lacking “street smarts,” or a record that includes a sexual offense against a minor (Human Rights Watch, 2001).

Based on the sensitive nature of this topic and the difficulty of conducting research about it, we will never have a completely accurate picture of the extent of sexual victimization in prison. It is clear, however, that some victimization does occur and that prison authorities need to take steps to prevent as much victimization as possible.

Staff-on-Inmate Victimization

Victimization by correctional staff is a serious concern for prison administrators. Unfortunately, stories of staff-on-inmate abuse have become more prevalent. For example, Jerome Washington, a prisoner in the state of New York recounted stories about several guard actions against prisoners that could be considered forms of
victimization. For example, on one New Year’s Eve night, a 21-year-old prisoner was gang-raped in the bathhouse while a guard smoked a cigarette and “took his time responding to the screams that [were] soon gagged away with a bar of prison soap” (Washington, 1994, p. 72). On one occasion, a prisoner befriended a pigeon, and a guard responded by killing the bird and cutting out the head, heart, wings, and legs. When the prisoner complained to the guard captain, the captain threatened the prisoner with 30 days in “the hole” (solitary confinement) for violating the rule against pets. Still another prisoner was allegedly beaten to death. When the prison doctor refused to sign the death certificate, a prison official had to drive 25 miles to find a doctor who would sign a death certificate attesting that the prisoner had hanged himself. These stories, although not proven true, suggest that guards do engage in behaviors that range from insensitive to inhumane and that on some occasions they escape accountability for such actions.

As noted earlier, sexual victimization can occur as a result of staff misconduct. Beck and colleagues (2010) found that staff sexual misconduct was more prevalent than inmate-on-inmate sexual victimization. Similarly, Rathbone’s (2006) research on women prisoners in Massachusetts found that guards frequently victimized women prisoners or pressured them into so-called consensual sex.

It is difficult to obtain accurate data. Guard victimization of prisoners is criminal, and guards are reluctant to divulge such information. Prisoners, especially women prisoners, may be so afraid and powerless that they are reluctant to report any victimization. It is safe to conclude that victimization occurs at some times in some prisons. The complete extent of such victimization will never be known exactly.

**Gangs**

Scholars debate whether new inmates enter the prison and begin to conform to the prison culture or whether those incoming inmates import a particular culture from the outside (Irwin & Cressey, 1962). Whichever it is, part of the cultural environment centers on gang activity, which poses a significant threat to the safety of both inmates and correctional staff. A 1999 survey of 133 adult state correctional facilities indicated that approximately 16% of inmates in minimum-security facilities, 24% of those in medium-security facilities, and 33% of those in maximum-security facilities were affiliated with a gang. In one-sixth of the facilities, correctional staff members surveyed had been assaulted by gang members; they had been threatened by gang members in nearly one-half. This level of involvement persists, despite the fact that 66% of the facilities have disciplinary rules prohibiting gang recruitment (Beck et al., 2000).

Traditionally, prison gangs were an extension of street gangs because many of the gang
members ended up serving time together. To provide group cohesion, gangs such as the Crips and Bloods continued their street gang activities within the prison, such as establishing and protecting turf, recruitment, violence, and drug dealing. Some gangs, such as the Mexican Mafia and the Black Guerilla Family, originated within the prison environment, when prisoners from the same racial and/or ethnic background joined together for support.

Gang members provide support and protection for each other. Because these groups are organized along racial and ethnic lines, the integrated prison environment is particularly subject to gang tension and conflict. Sometimes gang tensions escalate into incidents of significant violence. For example, in 2008, a gang riot broke out at the federal correctional institute in Three Rivers, Texas. Two rival gangs were involved in the riot, including a group of U.S.-born inmates of Mexican descent known as the Chicanos and inmates who are Mexican nationals known as Paisas. When the violence was over, one inmate was dead and 22 others were injured (Contreras et al., 2008).

Many inmates request protective custody to avoid becoming caught in the middle of gang violence. However, others seek out membership in a gang as a way of protecting themselves during their incarceration.

**Conclusion**

This chapter has looked at prisoners and prison life. We have seen that some criticize prison life for being too soft while others argue that it is too harsh. The current trend is to remove some of the amenities of prison life and return prisons to more Spartan circumstances. Many of the circumstances that prisoners cope with while incarcerated were discussed, including the deprivations of prison, spiritual adjustment, prison argot and sexual roles, and gangs. Prison victimization was also discussed, including both sexual assaults and victimization of prisoners by guards.

Often those who criticize prisons for being too soft neglect to consider the problems of prison adjustment. The issues covered in this chapter show that prison life is difficult in many ways and can have long-term effects on prisoners. Those effects continue in other areas, especially on the release experience.

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What Works in Probation and Parole
How could “nothing works” prevail and punishment be promoted when, at a minimum, the research evidence suggested that at least some programs appeared to be working for some offenders under some circumstances? The evidence was not consistent with the myths of sociological criminology.—D.A. Andrews and James Bonta

THE IMPORTANCE OF EVALUATING CORRECTIONAL PROGRAMS

The importance of evaluating correctional programs has never been more pronounced, especially given the current economic crisis. With vast sums of money being spent on corrections, the public is demanding programs that work. The critical questions considered in this chapter are as follows. What works? What do we know about program effectiveness? What harm is done when we fail to develop effective programs? Moreover, this chapter provides an evidence-based framework for discussing research and practice on community corrections throughout this book.

One of the most important areas of contemporary concern for corrections officials is the design and operation of effective correctional intervention programs. This is particularly relevant, as there is consistent evidence that the public supports rehabilitation programs for offenders (Pew, 2012). Survey research also reveals strong support for public protection as an important goal of corrections (Applegate et al., 1997). As a result, disagreements are not uncommon about what the best methods are to achieve these goals. On one side are advocates for more punitive policies, such as an increased use of incarceration, “punishing smarter” strategies (e.g., boot camps), or simply increasing control and monitoring of offenders. The limits of these approaches have been outlined and debated by others (Currie, 1985; Bennett et al., 1996; Petersilia & Cullen, 2014).

As Cullen and Applegate (1998) imply, the most disheartening aspect of these “get-tough” policies is their dismissal of the importance of programming designed to rehabilitate offenders. Cullen and Applegate further question whether this rejection of rehabilitation is sound public policy. As many states have found, simply locking up offenders and “throwing away the key” has proven to be a very expensive approach to crime control. This approach is also very limited, as the vast majority of offenders will one day return to society. Many will return at best unchanged, and at worst with many more problems and intensified needs for service (Petersilia, 1992). For those advocating incapacitation, one must also ask: What should be done with offenders while they are incarcerated? Some scholars, such as Cullen and Applegate, do not believe that incapacitation and rehabilitation are mutually exclusive. Furthermore, because the vast majority of offenders are supervised in the community at differing degrees of intensity,
it is even more important that we develop programs that work toward reducing recidivism.

**What Does the Research Tell Us?**

Many of the “intermediate sanctions” that have been developed over the past years are but a few examples of “programs” that often fail to live up to their expectations, particularly in terms of reductions in recidivism (Fulton et al., 1997; Latessa et al., 1997; Petersilia, 1997). While programs such as boot camps, Scared Straight, and other “punishing smarter” programs have been popular, there is little evidence that they will lead to reductions in recidivism. Figure 5.1 shows some of the results from various studies. Unfortunately, evidence seems to indicate that in some cases, punishing smarter programs actually lead to increases in recidivism rates. One of the main problems with such approaches is that they only send a message about what the offender should not do; these approaches do not teach them the skills that they need to address high-risk situations in the future.

In a study funded by the National Institute of Justice, Sherman and colleagues (1998) summarized what does not work in reducing recidivism:

- correctional boot camps using traditional military basic training;
- drug prevention classes focused on fear and other emotional appeals, including self-esteem, such as DARE;
- school-based leisure-time enrichment programs;
- “Scared Straight” programs in which juvenile offenders visit adult prisons;
- shock probation, shock parole, and split sentences adding time to probation or parole;
- home detention with electronic monitoring;
- intensive supervision;
- rehabilitation programs using vague, unstructured counseling;
- residential programs for juvenile offenders using challenging experiences in rural settings.

Despite the punitive movement, increasing evidence shows that correctional treatment can be effective in reducing recidivism among offenders (Andrews et al., 1990; Cullen & Gendreau, 1989; Gendreau & Andrews, 1990; Latessa & Lowenkamp, 2006; Redondo et al., 1999; Van Voorhis, 1987). Nonetheless, some scholars remain unconvinced (Antonowicz & Ross, 1994; Lab & Whitehead, 1988; Logan & Gae, 1993; Farabee, 2005). The debate surrounding treatment effective- ness has been ongoing since Martinson’s proclamation that “nothing works,” with many still clinging to this mantra, despite evidence to the contrary. Primary among the reasons for disbelief in the
potential effectiveness of correctional programming is the failure to measure outcome by looking at effects by risk level of the offender and the lack of quality programs.

Gendreau (1996) examined hundreds of correctional and rehabilitation programs that attempt to intervene with offenders. His results indicated that 64 percent of the offender rehabilitation studies (that had control groups) reported reductions in favor of the treatment group; in fact, the average reduction in recidivism was 10 percent. Others have subsequently conducted similar studies (Lipsey & Wilson, 1997) and have come to the same conclusion: rehabilitation can be effective in reducing recidivism. For example, Figure 5.2 is based on a meta-analysis (or quantitative review of the literature) conducted by Lipsey (1999). Results showed the expected recidivism rates when various programming characteristics are factored into probation.

Gendreau and Paparozzi (1995) also found that when rehabilitation programs incorporated at least some of the eight principles of effective intervention, those programs reduced recidivism in the range of 25 to 70 percent, with the average about 50 percent. Some principles of effective intervention are as follows:

1. Programs should have intensive services that are cognitive-behavioral in nature, that occupy 40 to 70 percent of the offender’s time in a program, and that are from 3 to 9 months in duration. Cognitive-behavioral programs incorporate elements of cognitive theories, behavioral theories, and social learning theories (see Spiegler & Guevreumont, 2009).
2. Programs should target the criminogenic needs of high-risk offenders, such as antisocial attitudes, peer associations, personal and emotional factors (e.g., aggression, deficits in self-control), substance abuse, family and marital problems, and education/employment deficits.
3. Programs should incorporate responsivity among offender, therapist, and program. Simply said, treatment programs should be delivered in a manner that allows the offender to learn new pro-social skills and address potential barriers.
4. Program contingencies and behavioral strategies are enforced in a firm but fair manner; positive reinforcers outnumber punishers by at least 4:1.
5. Staff should relate to offenders in interpersonally sensitive and constructive ways and are trained and supervised accordingly. Treatment is systematically delivered by competent therapists and case managers.
6. Program structure and activities disrupt the delinquency network by placing offenders in situations (with people and in places) where pro-social activities predominate.
7. Provide relapse prevention in the community by such tactics as planning and rehearsing alternative pro-social responses, anticipating problem situations, training significant others (family and friends) to provide reinforcement for pro-social behavior, and establishing a system for booster sessions.
8. A high level of advocacy and brokerage as long as the community agency offers appropriate services.

In a study of the effects of using behavioral reinforcement, Widahl and his colleagues (2011) examined the effects of increasing rewards for probationers. Completion rates increased dramatically as the ratio of rewards to punishers grew. At 4:1 the completion

![Figure 5.2: Expected Recidivism with Various Intervention Characteristics for Noninstitutionalized Juvenile Offenders.](image)

rates were over 70 percent. Figure 5.3 shows the increases in completion rates, and Table 5.1 shows the list of rewards and punishments used by the probation department.

Another new exciting line of research focused on these principles is around the dosage of treatment required to reduce recidivism. While many have argued that higher-risk offenders should receive “intensive” services, until recently the question of what constitutes intensive programming has remained undefined. Sperber et al. (2013) examined the effects of increasing the hours of cognitive behavioral treatment that
adult male felons received in a community-based facility. Figure 5.4 shows that increasing the dosage of treatment for moderate-risk offenders results in a modest reduction in recidivism; however, when dosage was increased for high-risk offenders, the reductions were more substantial. This research clearly indicates that we cannot continue to have “one-size-fits-all” programs for offenders.

![Figure 5.4 Recidivism Rates by Intensive and Risk Level.](image)

Gendreau (1996) has also listed those interventions that have not been found to be effective in reducing recidivism:

- talking cures;
- nondirective, relationship-oriented therapy;
- traditional medical model approaches;
- intensive services directed to low-risk offenders;
- intensive services oriented to noncriminogenic needs (or factors unrelated to future criminal behavior).

One example of a program that was not effective in reducing recidivism is found in Box 5.1. In a review of substance abuse treatment, Lightfoot (1999) identified effective and ineffective types of treatment. Interestingly, the types of effective and ineffective treatment models for substance abusers mirror findings from studies of other offender types. Taxman (2000) made similar conclusions after reviewing the research on substance abuse treatment. Her findings are summarized in Table 5.2.

Despite the stereotypical belief that nothing works, many studies show that substance abuse treatment can be effective in reducing recidivism rates. The research on substance abuse treatment can be summarized as follows:

- There is no “magic bullet”—no one treatment approach works with everyone.
- In general, treatment is superior to no treatment.
Box 5.1
Acupuncture Treatment for Drug-dependent Offenders

Acupuncture is defined as “the Chinese medical art of inserting fine needles into the skin to relieve pain or disability” (Wensel, 1990, p. 5). A number of advocates claim that acupuncture can be an effective remedy for drug addiction (Smith et al., 1982, 1984). In 1992, Latessa and Moon published results from a study they conducted on an outpatient drug treatment program for felony probationers. Program participants were divided randomly into three groups: an experimental group, which received acupuncture on a regular basis; a control group, which did not receive acupuncture; and a placebo group, which received an acupuncture-like simulation. They concluded that “With regard to outcome there is no evidence that acupuncture had any appreciable effect on program completion, arrests, convictions, or probation outcome” (1992, p. 330).


Table 5.2  Review of Drug Treatment Effectiveness by Taxman (2000)

<table>
<thead>
<tr>
<th>What treatment types were successful at reducing recidivism?</th>
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</thead>
<tbody>
<tr>
<td>■ Directive counseling</td>
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<tr>
<td>■ Behavior modification</td>
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<tr>
<td>■ Therapeutic community</td>
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<tr>
<td>■ Moral reasoning</td>
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<tr>
<td>■ Social competency cognitive behavior models</td>
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<tr>
<td>■ Emotional skill development</td>
</tr>
<tr>
<td>■ Cognitive skills</td>
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<tr>
<td>■ Behavioral skills</td>
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<tr>
<td>What treatment types showed no clear evidence of effectiveness of reduced recidivism?</td>
</tr>
<tr>
<td>■ Nondirective counseling</td>
</tr>
<tr>
<td>■ Reality therapy</td>
</tr>
<tr>
<td>■ Psychosocial education</td>
</tr>
<tr>
<td>■ 12-step or other self-help groups</td>
</tr>
<tr>
<td>■ Psychoanalytical</td>
</tr>
</tbody>
</table>


- Drug addiction is a chronic relapsing condition. Applying short-term, education-based treatment services will not reduce it effectively. Treatment should be at least 100 hours of direct service over a period of three to four months; however, intensive treatment programs lasting more than one year might begin to see diminishing results.
- Traditional models used by substance abuse programs, such as drug/alcohol
education and 12-step programs, have not been found to be as effective as cognitive-behavioral models.

- Aftercare services increase treatment effectiveness.
- Criminality is a significant factor that independently affects a treatment outcome.

It appears from these summaries that the most effective approaches are based on cognitive–behavioral, social learning approaches, and skill-building techniques rather than talk therapy and self-help approaches.

**PAROLE EFFECTIVENESS**

What is actually known about the effectiveness of probation and parole, and other community correctional alternatives, and what should be future research priorities? The next section summarizes what is generally concluded about selected topic areas of interest in parole effectiveness. This discussion of topic areas is basically organized along the general flow of criminal justice decision points as they relate to parole; however, most of the findings also pertain to probation, particularly those on supervision and innovative programs.

**Institutional Factors**

Several aspects of the institutional experience are thought to be related to parole and its effectiveness, such as length of time incarcerated, prison behavior, institutional programs, and parole conditions imposed as conditions of release.

**Time Served**

Early research that examined the effects of the amount of time served in prison on parole has generally concluded that the shorter the amount of time served, the greater the likelihood of successful parole (Eichman, 1965; Gottfredson et al., 1977).

Similarly, Smith et al. (2002) conducted a meta-analysis of the prison literature. Results included a total of 27 studies comparing community-based offenders (e.g., probationers) to inmates, as well as 23 studies comparing prisoners who served longer sentences with prisoners who served shorter sentences. Results indicated that offenders who were imprisoned had recidivism rates approximately 7 percent higher than community-based offenders, and inmates who served longer sentences had a recidivism rate that was 3 percent higher than inmates with shorter sentences. Figure 5.5 shows these results.
Most researchers, however, have concluded that longer prison terms have an adverse effect on a parolee’s chances of success, implying that the negative aspects of prisonization seem to intensify with time. For example, in his study of shock probationers, Vito (1978) concluded that even a short period of incarceration has a negative impact. The question that remains unanswered by this research is: Are there any characteristics of inmates who have served more time that are also associated with an unfavorable parole outcome?

### Prison Programs

Does participation in prison programs have an effect on recidivism? Existing research on the effectiveness of institutional programs and prison behavior has been limited in its scope. Most such programs are analyzed in relation to institutional adjustment, disciplinary problems, and impact of program participation on the parole-granting process. The few evaluations that included a parole period usually show little if any positive effects with regard to recidivism. A study by Smith and Gendreau (2007), however, examined the relationship between program participation and recidivism in a Canadian sample of 5,469 federal offenders. Results indicated that programs targeting criminogenic needs reduced postrelease recidivism by 9 percent for moderate-risk offenders and 11 percent for high-risk offenders. German correctional researchers evaluated the effectiveness of social therapy programs across eight prisons, and the results were remarkably similar (Egg et al., 2000). The overall average reduction in recidivism for what is generally described as moderate- to high-risk adult incarcerates
was 12 percent.

Most research that has examined prison behavior has not found a relationship between prison behavior and success on parole (Morris, 1978; von Hirsch & Hanrahan, 1979). However, a study by Gottfredson et al. (1982) found that there is some relation between institutional infractions and infractions while on parole, after controlling for prior record. French and Gendreau (2006) also examined the relationship between participation in prison-based programs and misconducts/postrelease recidivism using meta-analytic techniques. Prison-based programs targeting criminogenic needs reduced misconducts by 26 percent and reduced postrelease recidivism by 14 percent (French & Gendreau, 2006). Overall, however, there has not been a great deal of attention given to the relationship among institutional programs, prison behavior, and subsequent success or failure on parole.

**Work and Education Programs**

Two areas that have received some attention are work and education programs for offenders. Although the literature on education programs over the years has found mixed results, evidence does seem to suggest that educational programs can affect inmate behavior and recidivism positively (Ayers et al., 1980; Eskridge & Newbold, 1994; Linden & Perry, 1982; Roberts & Cheek, 1994; Wilson et al., 2000; Aos et al., 2006; Davis et al., 2013). For example, in several meta-analyses, the reductions in recidivism for inmates who participated in correctional education programs ranged from 11 percent (Wilson et al., 2000) to 13 percent in a more recent study (Davis et al., 2013). While the research on correctional education programs has mostly been positive, studies on prison work programs do not convincingly demonstrate reduced recidivism (Vito, 1985b; Zeisel, 1982; MacKenzie & Hickman, 1998; Bouffard et al., 2000; MacKenzie, 2012). At least one meta-analysis found that correctional industries were effective (Aos, 2005); however, the results were based on only three studies. Gendreau and Ross (1987), however, do provide some principles that should be followed with regard to work programs: (1) they must enhance practical skills, (2) develop interpersonal skills and minimize prisonization, and (3) ensure that work is not intended as punishment alone.

**Therapeutic Communities**

In recent years, prison-based therapeutic communities (TCs) have made a resurgence (see Box 5.2). This is due in part to increased federal funding. Although there is a great deal of variation in how therapeutic communities operate, the essential ingredient is
Box 5.2
Therapeutic Communities

Therapeutic communities, or TCs as they are commonly known, are eclectic in nature and offer an intense self-help model that focuses on the whole person. Staff and offenders are intimately involved in the treatment process. Confrontation and accountability are key ingredients of a TC. Offenders who engage in appropriate behavior are given “pull-ups” (positive reinforcement) by other offenders and staff, while those who engage in behavior detrimental to them or others are given “haircuts” (confronted about their behavior). One of the criticisms leveled at TCs is their use of shaming and other degrading sanctions. For example, some TCs have been known to have offenders wear diapers like a baby, sit in chairs for long periods of time, wear dunce hats, and hand out other punishments designed to change the behavior of the participant.

the principle that all staff and offenders provide therapeutic experiences. TCs are more common in prisons, but many operate in community-based facilities, such as halfway houses.

A number of studies have shown that TCs can have appreciable effect on recidivism rates, especially when community follow-up aftercare is provided (see Knight et al., 1999; Martin et al., 1999; Wexler et al., 1999). Figure 5.6 shows results from one such program operating in Delaware.

Figure 5.6 Therapeutic Community Treatment: Arrest Rates after a Three-year Follow-up (percent arrested).

Faith-based Programs

One of former President George W. Bush’s initiatives was the expansion of faith-based programs in human service. While faith-based programs have a long history in corrections, there has been surprisingly little empirical research conducted on their effectiveness, and results are mixed. Religious programs in prisons may help inmates cope; however, research indicates that offenders who had poor coping skills prior to prison have poor coping skills in prison (Porporino & Zamble, 1984). Since 1985, at least 23 studies have explored the relationship between religion and deviance in the general population. Eighteen of those studies show evidence that religiosity reduces deviance (i.e., people of strong faith are generally less criminal than nonbelievers); however, this does not appear to translate well into correctional programming.

Two studies have examined effects of religious participation on institutional adjustment and infractions. In 1984, Johnson studied 782 inmates in Florida. Results indicated no differences in disciplinary problems or institutional adjustment for religious and nonreligious inmates. In 1992, Clear and his colleagues studied a nonrandom sample of 769 inmates in 20 prisons in 12 states. They concluded that a prisoner’s religious participation had a significant and positive relationship to prison adjustment. They also found that other factors, such as age and race of offender, played a role.

Similarly, three studies have examined religion and post-release behavior. In 1987, Johnson and colleagues studied inmates released from four adult male prisons in New York. One group participated in the Prison Fellowship Program (PFP); one did not. Results from this research indicated that the level of participation influenced prison adjustment; however, the direction was not always as anticipated:

- Participants with a high level of involvement in PFP were less likely to commit infractions than low- or moderate-level participants.
- However, high-PFP participants received more serious infractions.
- High-PFP participants were significantly less likely to be rearrested during the follow-up, but this relationship was strongest for whites and non-significant for African Americans.

Young et al. (1995) followed a group of 180 federal inmates trained as volunteer prison ministers who attended special seminars and a matched control group. Overall, the seminar group had a significantly lower rate of recidivism and maintained a higher survival rate than the control group. Seminars were most effective with lower-risk subjects, whites, and women.
A study by Sumter (1999) followed inmates from the Clear et al. (1992) study. There were no differences in the recidivism rates between "religious" and "non-religious" inmates; furthermore, regardless of how many times they attended chapel, inmates who had a greater religious orientation in terms of values were less likely to recidivate. Sumter also found that offenders who attended religious programs upon release were less likely to recidivate; however, no relationship existed between attending inside and outside prison. Participation in religious programs was certainly no panacea: 66 percent of "religious" prisoners experienced one or more arrests in the follow-up period. Sumter concluded that religion as a correctional program is complicated and multifaceted—as personal as it is social—and becomes more complicated in a prison setting. Inmates embrace religion for a number of reasons, some heartening (spirituality and coping mechanism) and some cynical (get snacks, time out of cell, more freedom, looks good for parole). What we do know is that prisons distort everything. What may seem like a quest for spiritual awakening on the surface can simply be a way to get around the strictures of confinement. Related to this is the fact that we have little understanding of precisely how religion works or what the best definition of "religious" might be (conversion, weekly service attendance, number of books read in Bible study, punitive vs. redemptive orientation, or frequency of participation in religious rites such as attending church, participation in services, tithing, frequency of prayer, or proselytizing).

Regardless of the findings on faith-based correctional programs, most of us would agree that pursuit of religious understanding is a basic human right—prisoners who wish to engage in spiritual expression should be encouraged to do so, but this is true regardless of what the research finds. It does not mean that faith-based programs will have a significant effect on recidivism rates.

Given all the contradictions from the research, it is often difficult to determine what, if any, effects prison-based treatment has on offender behavior. In a large study conducted by researchers in Washington State (Aos et al., 1999), the research examined all the available studies and conducted a meta-analysis to determine effect sizes on recidivism. As can be seen in Figure 5.7, they found that some programs produced reductions in recidivism, with subsidizing jobs for offenders aged 27 and over producing reductions of 24 percent.

**Parole Conditions**

Offenders who are granted parole are required to follow rules and conditions. Failure to do so can lead to reincarceration. With regard to the imposition of parole conditions, in a nationwide survey of 52 parolee field supervision agencies, Allen and Latessa (1980) found 49 had residency requirements as a condition of parole and 47 had an employment requirement. A Travis and Latessa (1984) survey found similar results. In a
1995 review, Hartman and colleagues found that there was a discernible movement away from treatment requirements toward conditions aimed at strengthening surveillance and control. In the most recent survey, Travis and Stacey (2010) found a substantially greater number of conditions imposed than those reported by Hartman et al. (1996), with an average of 18.6 conditions for each jurisdiction ranging from a low of 10 to a high of 24. Travis and Stacey concluded that “current parole rules reflect current and emerging technologies (drug testing, bans of possession of police radio scanners, etc.), and changing views of crime and criminals including an increased emphasis on financial responsibility for offenders (payment of fees and restitution), and risk control (reporting and home visits).”

Despite the widespread requirement of parole conditions, the literature produced only three studies that were directly related to the imposition of these conditions and parole effectiveness. Although two studies (Beasley, 1978; Morgan, 1993) showed a relationship between stability of residency and parole success, the lack of research in this area makes generalization difficult.

One of the most important conditions of parole is the requirement to report regularly to a parole officer and not to leave a prescribed area, such as the county, without permission. Offenders who fail to report or whose whereabouts are unknown are called absconders. A study by Williams et al. (2000) found that 27 percent of parolees in California were listed as absconders, and another study conducted by Schwaner (1997)
in Ohio found 11 percent. Absconders have problems with alcohol abuse, have been convicted of a property crime, and have a history of prior parole violation and absence of suitable housing (Buckholtz & Foos, 1996). Despite these high numbers of absconders, there has been little research on this subject.

**Parole Release**

Primarily in response to the supporters of determinate sentencing, researchers have increasingly turned their attention to evaluating the success of parole supervision.

Critics of parole supervision rely on two basic arguments to support their views. The first is that parole supervision is simply not effective in reducing recidivism (Citizens’ Inquiry on Parole and Criminal Justice, 1975; Wilson, 1977). The second, more philosophical argument is that supervision is not “just” (von Hirsch & Hanrahan, 1979). A more plausible conclusion is that the evidence is mixed; that parole supervision is effective in reducing recidivism rates among parolees (Flanagan, 1985).

Several studies have compared parolees to mandatory releases, but they have failed to control for possible differences in the selection of the groups (Martinson & Wilks, 1977). Other studies that controlled for differences have reported favorable results (Gottfredson, 1975; Lerner, 1977), whereas other studies have reported less positive results (Jackson, 1983; Nuttal et al., 1977; Waller, 1974). In one study, Gottfredson et al. (1982, p. 292) concluded that “much of our data does indicate an effect for parole supervision, an effect that varies by offender attributes, and an effect that appears not to be very large.” In a recent study, Pew (2013) found that New Jersey parolees were less likely to be rearrested, reconvicted, and reincarcerated for new crimes than inmates who maxed out their full sentences and were released without supervision. Despite its widespread use, little is actually known about whether parole reduces recidivism. We do know that about half of parole discharges successfully complete parole. In a 2005 study of parole, the Urban Institute concluded that parole supervision has little effect on rearrest rates of released prisoners (Solomon et al., 2005). The existing evidence seems to be mixed concerning parole supervision, and there is no clear consensus as to its effectiveness.

Even the most outspoken critics of parole agree that the agencies responsible for the task of supervision are often understaffed and that their officers are undertrained, underpaid, and overworked. They are inundated with excessively large caseloads, workloads, and paperwork. Community services are either unavailable or unwilling to handle parolees; as a consequence, parole officers are expected to be all things to all people. As indicated in Chapter 7, they are also expected to perform the dual roles of surveillance—police officer and rehabilitator—treatment agent.
Some evidence suggests that by shortening the amount of time on parole, we could save a considerable amount of money and time while not seriously increasing the risk of failure. Most data seem to indicate that the majority of failures on parole occur during the first two years (Flanagan, 1982; Hoffman & Stone- Meierhoefer, 1980; Durose et al., 2014) and drop significantly thereafter. There is also some evidence that early release into the community and from parole incurs no higher risk to the community and, in fact, is justifiable on cost considerations (Holt, 1975), a conclusion echoed by MacKenzie and Piquero (1994). It is also important to note that easing the offender back into the community through community residential centers and furlough programs can facilitate the early release process. The definition and purpose of community residential centers and furloughs are found in Boxes 5.3 and 5.4, respectively.

**Box 5.3**
**Community Residential Centers**

*Community residential centers* (also known as halfway houses) are residential facilities where probationers, furloughees, and parolees may be placed when in need of a more structured setting. The primary purpose of a halfway house is to limit an offender's freedom while encouraging reintegration into society through employment, education, treatment, habilitation, restitution, training, compliance with financial sanctions, and other activities designed to rehabilitate the offender and deter future crime (Ohio Community Corrections Organization, 1993).

**Box 5.4**
**Furloughs**

*A furlough is a phased re-entry program designed to ease the offender's transition from prison to the community. Furloughs include escorted or unescorted leaves from confinement, granted for designated purposes and time periods (funerals, dying relatives, etc.), before the formal sentence expires. Used primarily for employment, vocational training, or education, furlough in effect extends the limits of confinement to include temporary residence in the community during the last months of confinement. Furloughers are frequently required to reside in community residential centers. Furloughs allow parole boards to observe the offender's behavior in the community and may lead to faster release from parole supervision for those adjusting favorably. Because furloughers are closely screened and supervised in the community, failure rates appear to be low. For example, Ohio reports a 9 percent return to prison rate for the calendar 1992 (Ohio Community Corrections Organization, 1993).*
A Washington State (1976) 10-year follow-up of parolees found that the first year of parole was critical, with more than one-half of those paroled returning to prison during this time period. In this study, there were more failures in the second six months after release than in the first. It was also found that those convicted of murder and manslaughter were less likely to recidivate and that property offenders—especially those convicted of burglary, auto theft, and forgery—had the highest failure rate. As expected, younger parolees did significantly worse than those 40 years of age or older. Blacks did slightly worse than whites after the first six months, and Native Americans did significantly worse than all other groups.

It is important to note that many of the failures on parole supervision are a result of technical violations (TVs); that is, failure to abide by the conditions imposed by the parole board. TVs can range from a positive drug test to failure to report as directed. Some states have implemented new policies to help reduce returns to prison for technical violations. For example, California’s new realignment law requires nonviolent parolees to be supervised by local probation departments and requires violators to be placed in jail rather than sent back to prison. Studies of parole success by type of offense indicate repeatedly that those who commit murder are among the best parole risks (Neithercutt, 1972). Reasons for this conclusion vary; the explanation offered most frequently is that most murderers tend to be first offenders who have committed crimes of passion. Another reason cited is age; because most convicted murderers spend a great amount of time incarcerated, they tend to be older (and more mature) when released, usually after the high-crime-risk years of 18–29 (see Table 5.3).

In a study of murderers who had been given a death sentence and then had that sentence commuted when Furman v. Georgia was overturned, Vito et al. (1991) found

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**Table 5.3  Age of Parolees and Likelihood of Failure**

<table>
<thead>
<tr>
<th>Age at time of prison release</th>
<th>Rate of return to prison by years after release from prison</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Years 1 2 3 4 5 6 7</td>
</tr>
<tr>
<td>18–24 years</td>
<td>21% 34% 41% 45% 48% 49% 50%</td>
</tr>
<tr>
<td>25–34</td>
<td>12 21 28 33 37 41 43</td>
</tr>
<tr>
<td>35–44</td>
<td>7 14 18 22 26 30 34</td>
</tr>
<tr>
<td>45+</td>
<td>2 4 6 8 10 11 12</td>
</tr>
<tr>
<td>All ages</td>
<td>14 23 29 34 37 40 42</td>
</tr>
</tbody>
</table>

that 43.5 percent of death row inmates in Ohio were paroled and that 25 percent were returned to prison (recidivated). These results were very similar to those found in Texas, where 19 percent of the paroled *Furman* cases recidivated (Marquart & Sorensen, 1988), and in Kentucky, which had a 29 percent failure rate (Vito & Wilson, 1988). Overall, studies examining murderers were found to generate consistent findings and conclusions over time.

A study by Austin (2001, p. 331) examined the important issue of prisoner re-entry. He concluded: “it is not clear that parolees, in the aggregate, pose as large a public safety problem as some believe.”

In order to summarize, we have selected data from a national study of parole recidivism (Beck, 1987). These data confirm two important points with regard to parole effectiveness: (1) recidivism rates vary depending on the definition of recidivism, and (2) the type of offense and age are important factors in determining parole success (Table 5.4). Other findings included the following:

- Approximately 10 percent of the persons paroled accounted for 40 percent of the subsequent arrest offenses.
- About one-fifth of the subsequent arrests occurred in states other than the original paroling state.
- An estimated 37 percent of the parolees were rearrested while still on parole.
- Recidivism rates were highest in the first two years after an offender’s release from prison. Within one year, 32 percent of those paroled had been arrested; within two years, 47 percent had been rearrested.
- Recidivism was higher among men, blacks, and persons who had not completed high school than among women, whites, and high school graduates.
- Almost three-quarters of those paroled for property offenses were rearrested for a serious crime compared to about two-thirds of those paroled for violent offenses.
- Approximately one-third of both property offenders and violent offenders were rearrested for a violent crime upon release from prison.
- The longer the parolee’s prior arrest record, the higher the rate of recidivism—more than 90 percent of parolees with six or more previous adult arrests were rearrested compared to 59 percent of first-time offenders.
- The earlier the parolee’s first adult arrest, the more likely the chances for rearrest—79 percent of those arrested and charged as an adult before the age of 17 were rearrested compared to 51 percent of those first arrested at the age of 20 or older.
- Time served in prison had no consistent impact on recidivism rates—those who had served six months or less in prison were about as likely to be arrested as those who had served more than two years.
In a study of parolees in Pennsylvania, Bucklen and Zajac (2009) found that criminogenic factors were the most important determinants of success or failure while on parole. Table 5.5 shows some of the major findings from this study. These findings are consistent with the research on risk factors and the importance of targeting criminogenic areas of offenders. Not surprisingly, successes and failures did not differ in difficulty in finding a place to live after release and were equally likely to report eventually obtaining a job.

In the most recent study of recidivism of prisoners released in 30 states in 2005 (Durose et al., 2014), the Bureau of Justice Statistics found very high rates of failure when measured by arrest, return to prison, and convictions. Especially concerning is that almost 68 percent were rearrested for new crimes within three years, and almost 77 percent within five years. This study included both parolees and those released without post-release supervision. Figure 5.8 illustrates these results.
### Table 5.5 Results from Pennsylvania Study of Parole

**Violators were:**

- More likely to hang around with individuals with criminal backgrounds
- Less likely to live with a spouse
- Less likely to be in a stable supportive relationship
- Less likely to identify someone in their life who served in a mentoring capacity
- Less likely to have job stability
- Less likely to be satisfied with employment
- Less likely to take low-end jobs and work up
- More likely to have negative attitudes toward employment and unrealistic job expectations
- Less likely to have a bank account
- More likely to report that they were "barely making it" (yet success group reported over double median debt)
- More likely to report use of alcohol or other drugs while on parole (but no difference in prior assessment of dependency problem)
- Poor management of stress was a primary contributing factor to relapse
- Had poor problem-solving or coping skills
- Did not anticipate long-term consequences of behavior
- Failed to utilize resources to help themselves
- Acted impulsively to immediate situations
- Felt they were not in control
- More likely to maintain antisocial attitudes
- Viewed violations as an acceptable option to situation
- Maintained general lack of empathy
- Shifted blame or denied responsibility
- Had unrealistic expectations about what life would be like outside of prison

**Source:** Adapted from Buccklen, K.B., Zajac, G. (2009). Success and failure deprivation and thinking errors as determinants of parole but some of them don't come back (to prison!). *Prison Journal* 80, 239–264.

### Figure 5.8 Study of Recidivism of Prisoners Released in 30 states in 2005.

PROBATION EFFECTIVENESS

As with parole, the quality of probation research is dubious. Unlike parole, which is found on state and federal levels, probation still remains primarily a local governmental function. Facts are that (1) probation can be found at local, state, and federal levels; (2) there are municipal and county probation departments; probation (as with parole) often combines other sanctions and programs (such as electronic monitoring, referral to treatment programs, halfway houses, day reporting, etc.), and (3) probation serves both misdemeanants and felons. These, combined with the problems discussed previously, make research in probation very difficult to conduct. Indeed, much of the research has been limited to only the several probation departments to which researchers have been welcome. This event gives us a limited sense of the true picture of probation.

As with parole, the research on probation effectiveness is divided into sections. However, unlike our presentation of parole, the research on probation is divided into five groups: studies that (1) compare the performance of offenders receiving alternative dispositions; (2) simply measure probation outcome without comparison with any other form of sanction; (3) measure probation outcome and then attempt to isolate the characteristics which tend to differentiate between successful and nonsuccessful outcomes; (4) examine the cost-effectiveness of probation; and (5) examine probation combined with therapeutic drug courts.

Probation versus Alternative Dispositions

To examine the effectiveness of probation compared with other dispositions, we looked at six studies. Three of the studies compared recidivism rates of individuals placed on probation with individuals sentenced to incarceration. Babst and Mannering's (1965) study compared similar types of offenders who were imprisoned or placed on probation. The sample consisted of 7,614 Wisconsin offenders who were statistically comparable in original disposition, county of commitment, type of offense committed, number of prior felonies, and marital status. Parolees were followed for two years, and probationers were followed for two years or until discharge from probation, whichever came first. Violations were defined as the commission of a new offense or the violation of probation/parole rules. Findings of this study showed that, for offenders with no prior felony convictions, the violation rate was 25 percent for probationers and 32.9 percent for parolees. For offenders with one prior felony conviction, violation rates were 41.8 percent for probationers and 43.9 percent for parolees; for offenders with two or more felonies, rates were 51.8 percent for probationers and 48.7 percent for parolees. With respect to the difference in violation rates for first offenders, Babst and Mannering
note that this finding could be a result of the fact that parolees are a more difficult
group to supervise or could actually show that, at least for first offenders, incarceration
does more harm than good.

Another study done in Wisconsin (Wisconsin Division of Corrections, 1965) compared
the performance of burglars who had no previous felony convictions, sentenced to
prison, or placed on probation. While this study also attempted to investigate the
characteristics associated with successful and nonsuccessful probationers and parolees,
we simply report at this point that the violation rate (based on a two-year follow-up,
using the same definition of violation rate as Babst and Mannering described earlier)
for burglars placed on probation was 23 percent, whereas that for burglars who were
incarcerated and then placed on parole was 34 percent. Thus, it appears that, as with
the Wisconsin study, probation was more successful than parole.

The Pennsylvania Program for Women and Girl Offenders, Inc. (1976) compared
recidivism rates among all women placed on state probation or released on state
parole during a two-year period. Recidivism was defined as any technical violation of
probation or parole or any new criminal charge. Findings showed that, overall, women
placed on probation had a 35.6 percent recidivism rate. When only women with no
prior convictions were considered, probationers had a 24 percent recidivism rate and
parolees had a 23.1 percent rate. Differences between these rates were not significant.

Vito (1978) compared regular probationers with shock probationers (who served at
least 30 days in prison). He found that shock probationers had a 40 percent higher
16) concluded that:

the fact of incarceration is having some unknown and unmeasurable effect upon
(the more unfavorable) performance of shock probationers. . . . It could be that the
negative effects of incarceration are affecting the performance of shock
probationers.

Whereas these four studies compared probation with some form of incarceration, a
California study (California Department of Justice, 1969) compared violation rates
among offenders placed on probation, offenders sentenced to probation following a jail
term, and offenders given straight jail sentences. The study examined the performance
of a cohort of offenders, all of whom had an equal exposure of one full year in the
community. For the probation group, cohort status was gained on the date of the
beginning of the probation period; for the group receiving jail sentences, cohort status
began on the date of release from jail. To evaluate the relative effectiveness of these
dispositions, three violation levels were used: “none” or no known arrest for a technical
violation or a new offense, “minor” or at least an arrest and perhaps a conviction
resulting in a jail sentence of less than 90 days or probation of one year or less, and “major,” signifying at least a conviction resulting in a jail sentence of not less than 90 days or a term of probation exceeding one year. Because each case was followed for only one year, the final outcome of a violation occasionally did not occur until after the year was over. If it could be inferred that the disposition or sentence was the result of an arrest that did occur within the follow-up year, the action was included in the violation rate.

The findings of this study are illustrated in Table 5.6. Those offenders receiving jail sentences without the benefit of probation services have the worst record of recidivism. These studies illustrate that, as a disposition, probation appears to be more effective than incarceration, even for a short period of time. This may be due, in part, to the fact that probationers immediately return to the community, their jobs, and their families.

Finally, an Alaska study (Alaska Department of Health and Social Services, 1976) utilized an experimental design to compare the performance of misdemeanant offenders receiving probation supervision with offenders officially on probation but not required to report to the probation unit. The groups were created by random assignment to the experimental group (under supervision) or the control group (no supervision) and were followed for periods ranging from two months to slightly more than two years. Performance was assessed by means of recidivism, defined as the conviction for a new offense. Findings of the study showed that 22 percent of experimental group members and 24 of control group members had been convicted of new offenses during the follow-up period.

Given the paucity of research and the caution with which recidivism data must be approached, it is nearly impossible, not to mention inappropriate, to attempt to draw any definitive conclusions from these studies about the effectiveness of probation compared to other alternative dispositions. Nonetheless, it appears from the limited

<table>
<thead>
<tr>
<th>Table 5.6</th>
<th>Violation Levels of Sentenced Offenders in California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violations</td>
<td></td>
</tr>
<tr>
<td>Sentence</td>
<td>None</td>
</tr>
<tr>
<td>Probation only</td>
<td>64.7%</td>
</tr>
<tr>
<td>Jail, then probation</td>
<td>50.3%</td>
</tr>
<tr>
<td>Jail only</td>
<td>46.6%</td>
</tr>
</tbody>
</table>

research that has been conducted that the following tentative conclusions can be reached. Of studies that compared probation to incarceration, it tentatively appears that probation may have a significant impact on first offenders. It may also be suggested that the severity of violations appears to increase in proportion to the severity of the disposition. It does not appear that the provision of probation supervision for misdemeanants is more effective than an unsupervised probation period.

**Probation Outcome**

In a large-scale study of probation and other community correctional programs used in conjunction with supervision, Lowenkamp et al. (2006) examined community correctional programs, including intensive supervision probation, day reporting centers, and electronic monitoring programs, and found that programs that targeted higher-risk offenders and provided treatment and services were more effective than those that did not. When higher-risk offenders were targeted and given increased supervision and more services, there were reductions in recidivism. Table 5.7 and Figure 5.9 illustrate these findings. They also examined the quality of the programming, and found that high-quality supervision programs had the most effect on recidivism. Figure 5.10 shows that poorly designed and implemented probation programs actually increased recidivism while high-quality, well-implemented programs were the most effective.

Lowenkamp and his colleagues (2010) also examined the effects of the philosophy of the probation department (control-oriented or service-oriented) and found that the most effective probation departments were those that had a rehabilitation orientation. Figure 5.11 shows these results.

**Table 5.7** Type of Community Supervision Program did not matter: Four Factors were Significantly Related to Outcome

<table>
<thead>
<tr>
<th>Factor</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportion of higher-risk offenders in program (at least 75% of offenders in programs were moderate- or high-risk)</td>
<td></td>
</tr>
<tr>
<td>Level of supervision for higher-risk offenders (high-risk offenders averaged longer periods of supervision than low-risk offenders)</td>
<td></td>
</tr>
<tr>
<td>More treatment for higher-risk offenders (at least 50% more time spent in treatment)</td>
<td></td>
</tr>
<tr>
<td>More referrals for services for higher-risk offenders (at least three referrals for every one received by low risk)</td>
<td></td>
</tr>
</tbody>
</table>

A number of studies reported recidivism rates only for probationers. Thirteen of these were reviewed, but one should remember that definitions of failure, follow-up periods, and types of offenders differ significantly from one study to another. Table 5.8 includes the author, types of instant offenses committed by the probationers in the study, and the definition of failure used in the study, the length of follow-up, and failure rates. These summary descriptions illustrate many of the problems associated with
attempting to assess probation effectiveness. The types of offenders constituting the samples (as represented by instant offenses) vary, as do the definitions used in each study to characterize failure. Four studies computed failure rates while offenders were on probation, and the length of follow-up periods ranged from several months to many years.

Most of the studies reviewed here stated that their purpose was to assess “probation effectiveness”; however, unlike the five studies examined earlier, none of these studies defined a base (such as a failure rate for comparable parolees or offenders on summary probation) against which to compare findings in order to support a claim that probation is an effective alternative for rehabilitating offenders.

In a study of 1,700 probationers in Michigan, Maxwell and colleagues (2000) found that only 24 percent of probationers had no technical violations during a 30-month follow-up period. Results are summarized in Figure 5.12. Treatment-related violations, such as dirty urine or failing to attend treatment programs, accounted for the largest proportion of violations, followed by failure to appear. Only 13 percent of the violations were for a new crime.

MacKenzie et al. (1999) studied the impact of probation on the criminal activities of offenders. They concluded that probation alone had an effect on property and dealing crimes. Probation was not significantly associated with reductions in personal crimes of forgery and fraud offenses. The conclusion reached by the authors was that “probation may be more effective than previously thought.”

![Figure 5.11 Changes in Recidivism by Probation Department Philosophy.](image)

In one of the more critical studies of probation effectiveness, Petersilia (1985) examined 1,672 felony probationers from two counties in California over a 40-month period. She found that more than 67 percent were rearrested and 51 percent were convicted for a new offense. Petersilia concluded that felony probationers posed a significant risk to the community. Critics of the Petersilia study quickly pointed out that two urban counties in California are not representative of the rest of the states or the country. Two replication studies, one in Kentucky (Vito, 1986) and one in Missouri (McGaha et al., 1987), found quite different results. In both Kentucky and Missouri,
felony probationers were rearrested at about one-third of the rate of those in California. Morgan (1993) studied 266 adult felony probationers in Tennessee to determine factors associated with favorable probation outcome and those that would predict success. She found that only 27 percent of the probationers failed and that females, married
Table 5.9 Evaluations of Effectiveness of Probation

<table>
<thead>
<tr>
<th>Year</th>
<th>Author</th>
<th>Failure rate</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1951</td>
<td>Caldwell</td>
<td>16%</td>
<td>[P]robation is an effective method of dealing with federal offenders . . .</td>
</tr>
<tr>
<td>1955</td>
<td>England</td>
<td>18%</td>
<td>A recidivation rate of less than one-fifth or one-quarter . . . is an acceptable performance for a probation service.</td>
</tr>
<tr>
<td>1976</td>
<td>Missouri</td>
<td>30%</td>
<td>Probation is an effective and efficient way of handling the majority of offenders in the State of Missouri.</td>
</tr>
<tr>
<td>1976</td>
<td>Comptroller</td>
<td>55%</td>
<td>[P]robation systems we reviewed were achieving limited success in protecting society and rehabilitating offenders.</td>
</tr>
<tr>
<td>1972</td>
<td>Irish</td>
<td>30%</td>
<td>[S]upervision program is effectively accomplishing its objective.</td>
</tr>
<tr>
<td>1985</td>
<td>Petersilia</td>
<td>65%</td>
<td>Felony probation does present a serious threat to public safety.</td>
</tr>
<tr>
<td>1986</td>
<td>Vito</td>
<td>22%</td>
<td>Felony probation supervision appears to be relatively effective in controlling recidivism . . .</td>
</tr>
<tr>
<td>1987</td>
<td>McGaha et al.</td>
<td>22%</td>
<td>In Missouri, it does not appear that the current use of felony probation poses a high risk to the security of the community.</td>
</tr>
<tr>
<td>1991</td>
<td>Whitehead</td>
<td>40%</td>
<td>[C]alls for drastically reduced use of probation for felony offenders are only partially in order.</td>
</tr>
<tr>
<td>1993</td>
<td>Morgan</td>
<td>27%</td>
<td>[I]nadequate employment and unemployment are major impediments to achieving successful probation adjustment and . . . outcome.</td>
</tr>
<tr>
<td>1997</td>
<td>Mortimer &amp; May</td>
<td>18%</td>
<td>Electronic monitoring and probation orders yield comparable success rates.</td>
</tr>
</tbody>
</table>


probationers, and those with higher levels of education were most likely to succeed. Factors significantly related to probation failure were prior felonies, prior probation, prior institutional commitment, and probation sentence length (the longer the sentence, the more likely the failure).

The review of these studies demonstrates that little progress has apparently been made in recent years toward an adequate assessment of probation. Conclusions drawn by the authors of these studies, however, appear to suggest that an unwritten agreement or rule of thumb exists that probation can be considered to be effective and that a failure rate above 30 percent indicates it is not effective. This tendency is suggested by the comments in Table 5.9.
Probation Outcome and Statistics

In addition to measuring the effectiveness of probation, a number of studies have also attempted to isolate characteristics that could be related to offender rehabilitation. Table 5.10 presents a summary of the major factors that were found in each study to be statistically correlated with failure. Keeping in mind the methodological differences among the studies in terms of definition of failure and specification of follow-up period, it appears that the one characteristic found to be associated most commonly with failure is the probationer’s previous criminal histories. Other factors frequently cited are the youthfulness of the probationer, marital status other than married, unemployment, and educational level below 11th grade.

Factors such as employment and education are dynamic factors that are correlated with outcome. Because these areas can be addressed during supervision, one can reasonably view these factors positively; we have a clear indication of offender needs, and they can be improved. However, a question remains as to whether probation and parole officers are addressing these needs adequately. When probation and parole agencies fail to meet offender needs that are correlated with outcome, the result is often higher failure rates.

<table>
<thead>
<tr>
<th>Box 5.6 Shock Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shock probation (also known as “reconsideration of sentence” or “shock therapy”) is a program allowing sentencing judges to reconsider the offender’s original sentence to imprisonment and then recall the inmate for a sentence to probation within the community under conditions deemed appropriate. It is presumed that a short term of incarceration would “shock” the offender into abandoning criminal activity and into pursuit of law-abiding behavior. It can be seen as an alternative disposition for sentencing judges who wish to control probationer behavior through deterrence and tourniquet sentencing. It is a last-ditch program used by some judges in the difficult decision of how best to protect the public while maximizing offender reintegration. In some instances it became a “front-end” solution to prison overcrowding.</td>
</tr>
<tr>
<td>Vito (1985b) found reincarceration rates to range from 10 to 26 percent across many studies; Boudouris and Turnbull (1985) found a rearrest/revocation rate of 39 percent in Iowa over a longer follow-up period. The latter also found that sex and substance abuse offenders were most responsive to shock incarceration and that the cost savings of sentencing offenders to shock probation would be substantial.</td>
</tr>
</tbody>
</table>
**COST-EFFECTIVENESS**

While the public has demanded tougher sentences, it has become increasingly apparent that the cost associated with more incarceration and prison construction is astronomical. Estimates place the cost of constructing a maximum-security prison at approximately $100,000 per bed, and while the annual cost of maintenance and housing inmates varies from state to state, average costs are more than $31,000 per year per inmate and range from $14,603 in Kentucky to $60,076 in New York (Henrichson & Delaney, 2012). While the construction boom of the 1990s has slowed considerably, 371 new prisons have opened since 1991 (Camp & Camp, 2000), and prison space remains a scarce resource. Many states have re-examined their love affair with incarceration, and many legislators have grown reluctant to vote for new prison construction. Recently, the Bureau of Justice Assistance teamed up with Pew and the Council of State Governments (CSG) to fund a Justice Reinvestment initiative. CSG describes Justice reinvestment as a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism. States participating in the process include Alabama, Arizona, Connecticut, Hawaii, Idaho, Indiana, Kansas, Nebraska, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Washington, West Virginia, and Wisconsin. Because of the increasingly high cost associated with incarceration, researchers have begun to focus on the cost-effectiveness of alternatives.

In light of these factors, and in addition to research aimed at measuring effectiveness in terms of recidivism, there have been attempts to demonstrate cost-effectiveness of

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**Box 5.7**

**Probation as a Correctional Alternative**

Morgan reviewed the probation outcome literature through 1991 and concluded that probation is effective as a correctional alternative. Failure rates ranged from 14 to 60 percent for a group that had already committed crime; success rates vary from 40 to 86 percent.

Factors associated more frequently with failure on probation included age, sex, marital status, low income, prior criminal record, and employment status. Those most likely to fail were unemployed or underemployed young males with a low income and prior criminal record. The reconviction offenses of those who failed were more likely to be minor misdemeanors rather than felonies. Probationers who were adequately employed, married with children, and had lived in their area for at least two years were most often successful when placed on probation.

probation. Typically, with criminal justice agencies, costs are usually divided into three types: processing, program, and client-centered. Processing costs include monies spent in identifying and selecting individuals for a given program. Program costs are expenditures associated with incarceration and include direct costs, such as loss of earnings, and indirect costs, such as psychological effects of alienation/prisonization, social stigma, and other detrimental effects upon the prisoner’s marriage and family (Nelson, 1975).

Similarly, benefits generated by probation could include savings to society through the use of diversion, wages, and taxes generated by the participants, and reduced crime or recidivism rates (Vito & Latessa, 1979). In addition, there are the costs associated with failure, such as the monetary loss, cost of new case processing, and grief experienced by the victims.

Studies that provided the most thorough financial comparisons were those that treated the cost–benefit analysis as their primary focus and considered direct and indirect costs and benefits.

In a review of seven cost–benefit analysis studies conducted on correctional alternatives, Welsh and Farrington (2000) found that for each dollar spent on programs, the public received a return of $1.13 to $7.14 in various savings. Likewise, Cohen (1998)}

<table>
<thead>
<tr>
<th>Program</th>
<th>Benefit to cost ratio*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Correctional education in prison</td>
<td>$19.65</td>
</tr>
<tr>
<td>Vocational programs in prison</td>
<td>$13.23</td>
</tr>
<tr>
<td>Mental health courts</td>
<td>$6.76</td>
</tr>
<tr>
<td>Risk, need, responsivity supervision (high/moderate risk offenders)</td>
<td>$3.73</td>
</tr>
<tr>
<td>Sex offender treatment in the community</td>
<td>$8.18</td>
</tr>
<tr>
<td>CBT for high- and moderate-risk offenders</td>
<td>$24.76</td>
</tr>
<tr>
<td>TC in the community</td>
<td>$4.76</td>
</tr>
<tr>
<td>Work release</td>
<td>$11.20</td>
</tr>
<tr>
<td>Outpatient intensive drug treatment in community</td>
<td>$10.87</td>
</tr>
<tr>
<td>Intensive supervision with treatment</td>
<td>$1.57</td>
</tr>
<tr>
<td>Intensive supervision (surveillance only)</td>
<td>$0.59</td>
</tr>
<tr>
<td>Drug courts</td>
<td>$1.26</td>
</tr>
<tr>
<td>Domestic violence treatment</td>
<td>$4.61</td>
</tr>
</tbody>
</table>

*Denotes return for every dollar spent. For example, for every dollar spent on mental health courts taxpayers received $6.76. Conversely, for every dollar spent on intensive supervision without treatment taxpayers received only 59 cents.

determined the monetary value of saving a high-risk youth at between $1.7 and $2.3 million. In a recent study comparing community placement of juveniles versus residential or institutional placement, Latessa et al. (2014) found that Ohio saved between $13.60 to $40.40 for every $1.00 spent on community programming instead of placing a youth in a residential or state facility. Perhaps the best examples of cost–benefit analyses are conducted by the Washington State Institute of Public Policy. Over the years they have examined a wide range of programs and calculated the cost savings from selected correctional programs based on expected reductions in recidivism rates (see Table 5.11).

**SUMMARY**

There are now several meta-analytic reviews of the correctional treatment literature conducted by different authors, and the results have been replicated with remarkable consistency. These findings are collectively referred to as the “what works” literature, and have been summarized into the “principles of effective intervention” with offender populations. In general, these meta-analyses have been very critical of the “nothing works” doctrine proposed by Martinson and others. Furthermore, the results have not supported the use of intermediate sanctions (e.g., electronic monitoring, house arrest, restitution, etc.) and other, more punitive approaches. At the same time, there are certain strategies and programs that are well supported by the literature. Specifically, programs (including probation and parole agencies) that incorporate elements of the risk, need, and responsivity frame-work into their interventions have produced larger average reductions in recidivism.

**Recommended Readings**


**References**


Board of Prison Terms and Paroles.


Oxford: Oxford University Press.


Criminal Justice 38, 604–608.


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