

**Intensive Supervision Probation:
Assessing Texas Programs**

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Abstract

This paper identifies effective practices for Intensive Supervision Probation (ISP) programs and assesses the extent to which Texas ISP programs use those practices. Effective ISP practices are derived from a review of criminal justice and ISP literature. The effective ISP practices identified in the literature are organized into five categories: mission and goal statements, target population and selection criteria, treatment and control activities, program integrity, and community justice. Twenty-three ISP programs are assessed for their use of effective practices in all five categories. All programs are funded primarily by the Texas Department of Criminal Justice, Community Justice Assistance Division (TDCJ-CJAD), and operated by local probation departments.

The sample has some unique characteristics. The assessment was originally designed to use survey research as the primary source of evidence, and content analysis or telephone interviews as a secondary source. Multiple sources of evidence were meant to increase data validity in each case. A low survey response rate resulted in using content analysis and telephone interviews as primary sources for a large number of programs. Data coding was not consistent across all sources of evidence, so the number of cases varies for each item.

Texas ISP programs, in general, meet the criteria for providing need-based treatment services and including long-term outcomes in their program goals. Texas ISP programs did not have clearly written mission and goal statements unique to the program. Programs did not adhere to criteria that place offenders who will do best into their programs. Regular program audits are the only tool in place to ensure program integrity. Special staff training and program evaluation did not take place in any of the programs. Finally, programs have not implemented community justice concepts to any recognizable extent.

Local departments that operate the programs and TDCJ-CJAD, the agency that funds the programs, can implement changes to move ISP toward the known effective practices. Local departments should develop clear missions and goals, adhere to selection criteria identified in the literature, implement processes to assist in adhering to these criteria, require ISP-specific training, evaluate programs, and implement community justice concepts. TDCJ-CJAD should: re-name ISP programs that are operating as “specialized caseloads”, establish a training curriculum for ISP based on the American Probation and Parole Association’s curriculum, evaluate programs, validate the risk assessment instrument currently used by departments, and promote the principles of community justice when funding ISP programs.

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CHAPTER ONE: INTRODUCTION AND RESEARCH PURPOSE

Purpose and Framework

The purpose of this applied research project is to identify effective practices for Intensive Supervision Probation (ISP) programs and assess the extent to which Texas ISP programs include those practices. The research uses a classification of conceptual framework called a “practical ideal type”. Shields (1998, p. 206) identified five types of conceptual frameworks by “clustering [research purposes] with particular research questions, methods/techniques and statistics”. The practical ideal type applies when the research purpose is to understand something, the research questions ask how close a process is to the ideal or standard, multiple methods of data collection are used, and the statistics are descriptive. (Shields, p. 207)

The practical ideal type is not absolute. Rather, it is based on relevant information found in the literature to date. The practical ideal ISP program presented in this paper is borrowed from an extensive review of criminal justice and ISP literature. Existing Texas programs are assessed using multiple methods of data collection. Those methods include content analysis, survey research, and telephone interviews. The results section of this paper concludes how close Texas ISP programs match the practical ideal.

What is ISP?

ISP can be many things in many places. Generally, ISP is a type of probation program that resembles regular probation but has more requirements for contacts with the probation officer. Programs may vary depending on the characteristics of offender populations, the size of the probation department, opinions of local elected officials, and a number of other variables.

The following description of two existing ISP programs illustrates the variations among ISP programs.

In one small rural district in Texas, ISP stresses its obligation to serve the courts as an alternative to incarceration. To meet its obligation, the program focuses on ensuring offenders' compliance with court-ordered conditions. The program employs one probation officer that supervises a maximum caseload of 50 offenders. Over 90% of the cases were sentenced to the program by the courts. This is the one characteristic most of the participants have in common. Some offenders have drug-related problems, others require more education, some have no job skills, others are youthful offenders or gang members. The needs of each offender must be addressed individually while the focus of the program remains on surveillance and compliance. Offenders visit the officer once per month in the office. The officer conducts 'field visits' (i.e., at work, home, or required probation activity) two times per month.

The state's largest ISP program employs nine officers in multiple locations. Its purpose is to provide enhanced probation services to offenders with special needs who are at the highest risk of revocation to prison. At any given time, the program serves about 700 offenders. This densely populated urban district attempts to decrease the substantial number of offenders revoked to prison by identifying the highest risk group and placing them in ISP. Offenders are seen two times per month in the office and once in the field. Treatment is provided based on individual needs. There is not enough room on the ISP caseload for all high risk offenders, so the department sets eligibility criteria to target the highest risk individuals. Eligibility criteria demonstrate the serious level of offender served by this ISP program. Participants have one or more of the following: two or more prior prison or jail convictions, a documented substance

abuse problem, a 'serious' current offense (i.e., assault, bodily injury, sexual offense involving a weapon, or assault on a family member), or an age of less than 21 years.

These two examples demonstrate the variance that exists among actual ISP programs. These two programs are funded by the same state agency, but address different local needs. The next section discusses how this project addresses the variance among local ISP programs.

The Big Picture: Criminal Justice Programs and Effectiveness

After years of unprecedented growth, overall crime rates have continued to decline and public perception of the criminal justice system has improved. (Fabelo, 1999, p. 1) The criminal justice system should take this time to assess the content of existing programs and refine practices based on the research results from the past two decades. Scholars and practitioners have begun developing and using conceptual frameworks for criminal justice effectiveness. Canadian scholars conducted a meta-analysis of over 700 probation program evaluations. They concluded that correctional programming does have an effect on recidivism. They identified activities that effect recidivism to develop the "principles for effective intervention".¹ (Gendreau and Goggin 1996, p. 1)

The principles for effective intervention are used to develop an empirical assessment instrument called the Correctional Program Assessment Inventory (CPAI). The CPAI scores correctional programs based on the extent to which the program uses the principles for effective intervention. (Latessa 1999, p. 8) The use of such instruments bridges knowledge from scholarly

¹ Paul Gendreau and Claire Goggin. "Principles of Effective Correctional Programming". *Forum*. 8:3 (1996).

The authors conducted a meta-analysis of over 700 studies from 13 quantitative literature reviews. The principles of effective intervention can be summarized as: 1) services should be intensive and focussed on high risk offenders; 2) services should be matched to each offenders' needs; 3) risk level should be assessed using a validated actuarial method; 4) treatment should be behaviorally oriented and delivered by credible staff; 5) treatment should include

research to practical application by government agencies. Correctional agencies in Canada and the United States use the CPAI to assess their programs. For example, the Texas Department of Criminal Justice, Community Justice Assistance Division (TDCJ-CJAD) recently revamped its traditional auditing and evaluation processes to include the CPAI.

The CPAI can be used to assess any type of correctional program. This study adopts the principles of effective intervention, but also develops an additional framework specific to ISP programs. A notable source is the American Probation and Parole Association's (APPA) 1994 ISP training manual. (See Fulton *et al.* 1994) The publication is co-authored by the founder of the principles of effective intervention, and uses those principles as the basis for a practical ideal ISP program. Recent publications by Petersilia (1998) and faculty at the University of Cincinnati (Fulton *et al.* 1997) were key sources for adding to the ISP framework published by APPA.

The following chapter presents the literature review with a special section titled 'Conceptual Framework'. That section discusses in detail the criteria that make up the practical ideal type. Chapter Three describes the process for funding Texas ISP programs and the relationship between the state and local corrections agencies. This assessment uses multiple methods (i.e. survey, content analysis, telephone interviews) to collect data. Those methods are described in Chapter Four. The unique characteristics of the sample that resulted from this methodology are discussed in detail. Chapter Five presents the assessment of how close Texas ISP programs are to the practical ideal identified in the literature review. A summary of results and recommendations can be found in the final chapter.

aftercare; 6) evaluation and staff training should be part of the program so the program can respond to the most recent information available.

CHAPTER TWO: ISP LITERATURE REVIEW AND PRACTICAL IDEAL TYPE

Purpose

The purpose of this chapter is to review ISP and criminal justice literature in order to develop the conceptual framework. The literature review reports the history and evolution of intensive supervision probation programs, describes typical programs, discusses issues related to typical program goals, and presents appropriate solutions to typical ISP problems. Major evaluation results are explained and strategies are provided for improving existing programs. The “Conceptual Framework” section of this chapter provides a detailed discussion of each category in the practical ideal type.

History and Evolution of ISP

The concept of ISP began in the 1960’s when probation departments experimented with smaller caseloads. The theory was that smaller caseloads would result in more intensive supervision and deter crime. (Banks *et al.* 1977, p. 21) It was found that smaller caseloads alone did not ensure more supervision or more services than regular probation. Many programs did not provide their supervision officers any documentation on what they should be doing with any extra time allotted by smaller caseloads. The paperwork and bureaucracy of the criminal justice system filled most officers’ time. In short, there was nothing different about ISP except caseload size. (Banks *et al.* 1977, p. 23)

The early period of ISP is also referred to as the “search for the magic number”; most research attempted to determine the perfect caseload size that would improve probation outcomes. (Clear and Hardyman 1990, p. 42) Results found no relationship between caseload size and probation success; there was no magic number. (Banks *et al.* 1977, p. 23; Clear and

Hardyman 1990, p. 43) An important point to make is that most of the early programs did not provide anything different than regular probation. Offenders were not seen more often than those on regular probation or provided more or different services. The fact that early studies found no difference between ISP and regular probation outcomes was mostly attributed to the lack of program implementation, not the ineffectiveness of ISP. (Banks *et al.* 1977, p. 22)

ISP was not the only corrections program with null results. The 1960's are referred to as the Rehabilitation Era of probation. Corrections professionals had more freedom than ever to develop treatment programs for offenders. Judges often ordered indefinite sentences so offenders could be treated until deemed "rehabilitated." Corrections research of this period consistently found no differences between control and treatment groups for various treatment programs. Although subsequent literature points out methodological problems with most early research, by the 1970's, it became widely accepted that "nothing works" to rehabilitate offenders. (Blumstein 1997, p. 351)

In the 1980's, the "Justice Model" and "Just Desserts" philosophies dominated corrections policies. The Justice Model emphasizes fairness in punishment and shifted probation's focus from rehabilitating the individual to dealing with large numbers of offenders. Sentencing guidelines and sanctions were developed that emphasized punishment over rehabilitation. (Byrne 1986, p. 4; Fulton *et al.* 1994, p. I-5) The Just Desserts model encompasses ideas of the Justice Model, but emphasizes balancing the punishment with the crime. Conservatives and liberals translate the idea differently. Conservatives want the sentence to emphasize retributive punishments while liberals argue for rehabilitative sanctions. (Fulton *et al.* 1994, p. I-5)

During the 1980's and 1990's, drug, property and violent crime rates increased dramatically. The public demanded tougher sentencing, incarceration rates increased, prison systems became overcrowded, and states' budgets could not accommodate building expensive prisons to house all offenders. Many states were also facing expensive lawsuits from counties holding state prisoners and inmates suing over undesirable prison conditions. (Lemov 1992, p. 136-7) Elected officials and criminal justice professionals sought alternatives to incarceration that would also satisfy the public's desire for tough sanctions and safer communities. Programs such as ISP showed great promise in meeting the need for tough punishment while reducing incarceration rates and corrections budgets. (Byrne 1990, p. 8; Lemov 1992, p. 137)

ISP was promising and widely supported because it addressed the concerns of several groups. Legislators and administrators liked ISP because it cost less than prison yet appeared tough on crime. The public and victims' groups could support strict supervision. Probation administrators were motivated by the budgetary increases ISP promised them. Probation staff felt ISP allowed probation to finally supervise offenders in the manner it should have been doing all along. Proponents of rehabilitation supported the idea of requiring more services to probation populations. (Clear and Hardyman 1990, p. 56; Tonry 1990, p. 185)

ISP was funded and implemented with widespread support, although most scholars agree that ISP goals were misdirected. Some support the idea of ISP as an alternative to incarceration while others argue that ISP is most effective when programs focus on balancing treatment needs with required supervision. (Fulton *et al.* 1994, p. I-36) ISP was developed in a crisis situation of high incarceration rates, overcrowded prisons, and rising correctional budgets. (Fulton and Stone 1992, p. 83) Rather than using information on 'what works' in corrections, lawmakers created new alternatives to incarceration based on political appeal. Tough on crime advocates won out

over those who called on lawmakers to make more informed decisions. Blumstein (1997, p. 351) terms the mid 1980's through today as the "overt politicization period" in which criminal justice policy was shaped by political appeal and ignored research findings. He (1997, p. 358) states that:

any nostrum that addresses this public concern and conveys some short-term promise seems to gain widespread support in the political environment. Most of these are associated with being 'tough'.

The need to appear tough on crime and manage the large number of offenders in the rapidly growing criminal justice system was stronger than the desire to create long-term solutions that were most likely to reduce criminal behavior.

Description of ISP Programs

The 1980's and early 1990's were a "period of ISP implementation and evaluation" across the country. (Petersilia 1998, p. 4) Virtually all probation departments operate some form of ISP program, but programs vary based on population characteristics, political philosophies, and local needs. Generally, the "new wave" of ISP programs developed in the 1980's emphasized surveillance over treatment, used some form of retributive punishment, and ordered supervision fees to defray program costs. (Burkhart 1986, p. 75)

To describe "new wave" ISP programs, Fulton and Stone (1992) conducted a content analysis of more than 70 probation and parole ISP operations manuals. They found that the purposes of ISP's were to divert offenders from prison, provide an intermediate sanction, and enhance regular probation or parole supervision. Objectives common to ISP programs were to punish offenders, increase public safety, rehabilitate offenders, and reduce correctional costs. All ISP's reviewed used a level or phase system in which movement was based on measures of

progress and compliance with conditions. Most programs targeted certain offender groups, selecting them based on criteria such as risk level scores, prior records, drug or alcohol abuse history, or current offense. Programs consisted of an array of services and activities. Common program elements were frequent contact, small caseloads, curfews, electronic monitoring, urinalysis, community service restitution, graduated sanctions, treatment, required employment, and education classes. Probation literature commonly categorizes such program elements as 'treatment' or 'surveillance' activities. Most programs reviewed emphasized surveillance over treatment, reflecting the political situation of the programs designed in the mid-1980s.

Table 2.1: Three Model ISP Programs of the 1980's

	Georgia (Erwin 1986)	New Jersey (Pearson 1988; Pearson and Harper 1990)	Massachusetts (Cochran <i>et al.</i> 1986)
Design (Tonry 1990)	Front Door: Participants are new intakes direct from court.	Back Door: Participants are released from prison to the program.	Caseload Management: Participants are selected from offenders already on probation.
Mission, goals, and objectives	<ul style="list-style-type: none"> • Divert from prison • Save money • Deter crime • Be tough • Increase public safety 	<ul style="list-style-type: none"> • Divert from prison • Save money • Deter crime • Serve as an intermediate punishment 	<ul style="list-style-type: none"> • Deter crime • Save money • Address offender needs related to criminal behavior • Strictly enforce condition violations
Target Population	<ul style="list-style-type: none"> • High risk • Non-violent 	<ul style="list-style-type: none"> • Low risk • Non-violent • Incarcerated at least 60 days 	<ul style="list-style-type: none"> • High risk • On probation
Program Requirements	<ul style="list-style-type: none"> • Face-to-face contacts • Community service restitution • Weekly local arrest record check • Employment • Curfew • Routine urinalysis 	<ul style="list-style-type: none"> • Face-to-face contacts • Community service restitution • Employment • Monetary restitution • Substance abuse counseling • Community sponsor 	<ul style="list-style-type: none"> • Face-to-face contacts • Monthly local arrest record check • Mandatory referrals based on needs

ISP programs implemented in Georgia, New Jersey and Massachusetts represent three prominent models: front door, back door, and caseload management. (Tonry 1990, p. 176) Table 2.1 demonstrates differences and similarities in the programs' goals, target populations and program requirements. Front door design, the most common, places offenders in the program directly from court. Most front door programs claim to divert offenders from prison. Back door programs provide early release from prison to intensive probation, reducing prison populations. Caseload management design targets offenders already on probation and does not claim diversion as a goal. Placement decisions are usually made by probation staff or may occur as a court ordered intermediate sanction in response to an alleged violation. (Tonry 1990, pp. 178-80)

ISP Mission and Goal Statements

The goals of most 'new wave' ISP programs are indicative of the political environment at the time. (Byrne 1990, p. 8; Tonry 1990, p. 174; Blumstein 1997, p. 358) Although programs vary, typical stated goals of ISP programs are to: reduce correctional budgets; divert offenders from prison; decrease prison crowding; decrease recidivism through close supervision; rehabilitate offenders; increase public safety; and punish offenders with strict supervision. (Clear and Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82)

ISP's stated goals are typically large in scope and difficult to measure. Cost savings, diversion, rehabilitation, and public safety are broad concepts with unclear measures. Cost savings can be calculated a number of ways that would not be comparable from one jurisdiction to another. It is difficult to know whether an offender was truly diverted from prison. Rehabilitation can occur over a lifetime and may be impossible to track. Public safety is a perception of each citizen and difficult to define. Byrne (1990, p. 14) and Fulton *et al.* (1997, p.

72) advocate clearly defined, realistic, measurable goals that align with the stated goals of the agency. The next section of this paper discusses the issues surrounding typical ISP goals.

Correctional Cost Savings

One of the main reasons ISP programs exist is to reduce corrections budgets. ISP theoretically costs less than incarceration. Several evaluations have attempted to calculate cost savings and most have claimed success. (Latessa 1986, p. 71-2) Cost effectiveness and cost savings are difficult concepts to measure because there are many ways to go about making calculations. All early diversionary ISP evaluations claimed cost savings. (Erwin 1986, p. 23; Latessa 1986, p. 71-2; Pearson and Harper 1990, p. 81) Georgia subtracted the annual cost of ISP supervision per offender from the annual incarceration cost per offender. They claimed a “cost avoidance” of \$10,916.45 per year for each offender successfully diverted. (Erwin 1986, p. 23) New Jersey calculated savings of 200 “prison days” per participant. Prison cost per day was estimated to be \$59 per offender, so they claimed savings of almost \$12,000. (Pearson and Harper 1990, p. 81)

Caseload management programs, like Massachusetts', do not attempt to divert offenders from prison and do not claim to save correctional dollars. Rather, these programs target offenders already on regular probation. These offenders are theoretically provided more supervision and services than they would have received otherwise. Because ISP theoretically costs more than regular probation, caseload management programs cannot claim to save money. (Clear and Hardyman 1990, p. 47; Tonry 1990, p. 176) Although some support the concept of diversionary goals, others argue that caseload management ISP will achieve long-term savings by reducing criminal behavior. (Fulton *et al.* 1994, p. III-5)

To date, the corrections field has not reached consensus on how to measure cost effectiveness or cost savings. (Latessa 1986, pp. 71-2) Without consensus, cost analysis results are not comparable from one program to another. The wide variety of ISP programs also makes comparison impossible. One program may emphasize surveillance activities while another places most resources in providing treatment services. Some programs may use community resources that are not included in any cost analyses.

All cost analyses found in the literature excluded secondary costs and benefits of ISP. No evaluations considered items such as the impact ISP would have on taxes, public assistance, costs of committing new crimes, or effects on the family. Although these costs and benefits are difficult to measure accurately, evaluations should at least make an attempt to estimate secondary costs. (Latessa 1986 p. 71)

Comparisons of ISP cost per day to prison cost per day are also difficult. Prison cost per day numbers may be inflated because they include capital outlays, usually for new construction, as well as operating expenses. To make an impact on corrections budgets, ISP programs must prevent construction, prevent opening, or shut down all or part of a prison unit. Diverting a caseload of offenders from a prison already under operation does not have much budgetary impact. (Tonry 1990, p. 180)

Diversion from Prison Incarceration

ISP theoretically reduces corrections budgets by diverting offenders from more costly incarceration to supervision in the community. Diversion occurs when a convicted offender is given a non-prison sentence in lieu of incarceration. Most ISP programs are designed as diversionary programs. (Clear and Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82)

Diversiory ISP programs claim to serve offenders that would have gone to prison were it not for the existence of the program, thereby reducing prison crowding and corrections budgets.

Critics of diversion programs argue that the goal of diversion causes programs to fall short of reaching their other goals. For example, most ISP programs strive to reduce recidivism and increase public safety. (Clear and Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82) Tonry (1990, p. 183) makes a strong point that “any prison diversion program results in more crimes than would have occurred otherwise.” If a person is not incarcerated, the likelihood of committing a crime is higher than if he/she were behind bars. Thus, diversionary programs may actually increase recidivism and decrease public safety.

It is difficult to determine whether a program is actually serving to divert offenders from incarceration or whether it is serving as another sentencing option for criminal judges. In most states, judges have some leniency in choosing sentencing options, and it is difficult to prove that a judge decided to place an offender in a program in lieu of incarceration (i.e., chose to divert the offender from prison). (Tonry 1990, p. 178) Georgia’s “front door” ISP program attempted to ensure diversion by screening cases immediately after a prison sentence was handed down and filing a motion to modify the sentence to ISP. In these cases, offenders would have gone to prison, so diversion was achieved. However, not all judges were cooperative with post-sentence modifications. Usually, judges receive pre-sentence recommendations from court or probation staff. Many judges in Georgia did not want to change their procedures so that ISP evaluators could ensure a truly diverted population. So, about half of the ISP participants were recommended to the program before any sentence was handed down. Prison diversion could not be ensured in these cases. (Erwin 1986, p. 19)

Programs have made attempts through data analyses to prove diversion. As shown in Table 2, Georgia's researchers attempted to prove diversion *ex post facto* by profiling the prison population and the probation population. Using discriminant analysis, they concluded that the ISP group resembled the prison population more than the probation population. (Erwin 1986, p. 19) The *ex post facto* analysis and a lack of selection process documentation prevents concluding that participants were sentenced to ISP in lieu of prison. Georgia also monitored statewide sentencing data that showed a 10% reduction in prison sentences accompanied by a 10% increase in probation sentences after ISP was implemented. The evaluation concluded that this was further evidence of diversion from prison to ISP. (Erwin 1986, p. 18) This conclusion cannot be supported because there is no evidence that relates the decrease in prison sentences to diversions to the ISP program.

Strict sentencing guidelines are one way states have attempted to ensure offenders are actually diverted. (Tonry 1990, p. 178) Sentencing guidelines are usually created by an appointed legislative or administrative body and list a range of possible punishments for each crime in the penal code. In the case of diversion programs, sentencing guidelines can provide an option to divert a prison sentence to a diversionary program. If the judge chooses the diversionary program, it is difficult to prove that, if the program did not exist, the judge would not have used another option. The judge may have other sentencing options, such as regular probation or a residential treatment center. Because most judges advocate autonomy in their decision making, gaining support for strict guidelines may prove difficult.

In sum, diversion is a concept that theoretically curtails prison population growth by placing offenders in the community who otherwise would have been incarcerated. Putting the concept in to practice is a difficult task. Judges make fair sentencing decisions most of the time.

It would take radical education efforts to convince judges to change a sentence from prison to a diversion program like ISP, and to record that decision as evidence of diversion. It is far more likely that judges will continue to sentence offenders to options they feel are appropriate punishment for each offender.

Offender Assessment and Participant Selection

When done accurately, selecting the appropriate target group will assist ISP programs in achieving successful probation outcomes. (Burkhart 1986; Clear and Hardyman 1990; Fulton *et al.* 1994) Risk classification systems allow departments to estimate an offender's likelihood to re-offend and an assign appropriate level of supervision. Most probation departments use a system that places offenders in to high, medium, and low risk groups. Some instruments also use a 'maximum' risk category. Offenders with higher risk scores are provided more supervision and services. The risk level is determined by scoring factors related to criminal behavior. High risk can be defined as "a person whose characteristics including the length and diversity of criminal record, indicate that he or she has a high probability of some future, serious law violation." (Gottfredson and Gottfredson 1986 as quoted in Clear and Hardyman 1990, p. 48)

Risk classification is usually accompanied by "needs" classification, which employs similar strategies to determine an offender's high need areas. Need areas usually include categories such as substance abuse, family relationships, employment, and education. High need areas are used to determine which services the offender should receive while under supervision. ISP programs may target specific risk or need areas like drug and alcohol offenders, gang members, sexual offenders, or youthful offenders. Categories of target populations may not be

mutually exclusive. For example, a program can specifically target high risk drug and alcohol offenders.

Evaluators are interested in knowing participants' risk levels to test for differences in outcomes among the risk level groups and to document that the group served by the program is different from other offender groups. (Burkhart 1986, p. 76; Clear and Hardyman 1990, p. 48-50) As shown in Table 2, Georgia's ISP evaluation used risk-based analysis and found that low risk offenders did worse on ISP than on regular probation. (Erwin 1986, p. 21) This finding has been attributed to the "interaction effect" which occurs when participation in a program actually increases the chance of failure. For some low risk offenders, increased controls cause behavior that would not have occurred under regular probation. (Clear and Hardyman 1990, p. 55) Placing lower risk offenders in an intensive supervision program may inadvertently increase failure rates and waste resources better spent on higher risk and higher need offenders.

ISP should target high risk offenders using accurate assessment instruments. (Fulton *et al.* 1994, p. II-4) This is in spite of null results from most evaluations comparing outcomes between high risk ISP and regular supervision groups. (Fulton *et al.* 1997, p. 66) Null results may be attributed to bad evaluation or program design, but others attribute them to the 'masking effect'. The masking effect explains that, without ISP, high risk groups would recidivate at a higher rate. So, ISP outcomes that are similar to regular probation demonstrate success. (Travis 1984, p. 34)

Recidivism

Recidivism is the most common outcome measure for corrections programs and is generally defined as a return to criminal behavior. (Lauen 1997, p. 176) Criminal behavior can be measured at various points in the criminal justice system. Most programs use violation of

probation (i.e., “technical violation”), arrest for a new offense, or incarceration for a new offense as recidivism measures. Multiple measures of recidivism are desirable in criminal justice program evaluations for a comprehensive picture of offender behavior. (Lauen 1997, p. 177)

A technical violation is a violation of a condition of probation supervision that is not a new offense. A probation court order includes a list of conditions that the offender must follow while on probation. Common conditions are: commit no new offense, pay fines, fees, and restitution; submit to urinalyses; complete a certain number of community service hours; or attend support groups. When an offender violates a condition of supervision, the officer may file a motion to revoke probation. Then, the court may decide to continue the offender on probation or order additional conditions. When reporting violations, the corrections field commonly differentiates between a new arrest and other violations. Other violations are termed “technical violations.” Intensive supervision programs usually record more technical violations than does regular supervision. More frequent contacts and tighter controls, such as urinalyses and curfews, will inevitably lead to catching more violations. (Turner *et al.* 1992, p. 540)

More technical violations are not necessarily correlated with higher revocation or recidivism rates. Some programs choose to respond to technical violations with revocation and others use a system of graduated sanctions. If an ISP program filed a motion to revoke for every technical violation, then the program may increase prison crowding and correctional costs. Most departments cannot complete the paperwork involved in filing motions on every violation. Placing too much emphasis on revoking technical violators may ignore the needs of the offender and have no impact on long-term behavior. (Clear and Hardyman 1990, p. 54; Petersilia 1998, p. 6) Using a continuum of graduated sanctions that responds to the needs of the offender is more likely to impact long-term crime-related behavior. (Petersilia 1998, p. 7)

Table 2.2: Recidivism Results for Three ISP Programs

Front Door: Georgia (Erwin 1986)	Back Door: New Jersey (Pearson 1988; Pearson and Harper 1990)	Caseload Management: Massachusetts (Byrne and Kelly 1989)
<ul style="list-style-type: none"> • ISP group had significantly more technical violations. • For high risk cases, there was no significant difference in recidivism of ISP and regular supervision groups. • For low risk cases, recidivism increased as intervention increased. • Drug and alcohol offenders did the best, with a 90% success rate. • Participant selection criteria could not be documented. 	<ul style="list-style-type: none"> • ISP participants had statistically significant lower recidivism rates than the comparison group. • There was no random assignment, so the difference can not be attributed to the program. • Finally concluded that at least ISP “did not increase recidivism.” 	<ul style="list-style-type: none"> • No significant difference in the recidivism rates for the ISP and regular supervision groups. • For both groups, recidivism decreased as intensity increased. • Treatment had a direct effect on recidivism while the program had an indirect effect. • Process evaluation found that staff were not supervising offenders in the manner the original model intended. The program was not fully implemented.

Table 2.2 summarizes recidivism outcomes for three types of ISP programs. In Georgia, the program had no documented procedure for selecting participants. Staff screened cases that “looked like” they would go to prison. Because the program was not well targeted, it served low, medium and high risk levels. Because prison-bound offenders are usually high risk, evaluators could not claim that all of the participants were diverted from prison. Higher levels of supervision resulted in more technical violations than a similar group on regular probation. Evaluators argued that the program served as a diversion from prison. Risk-based analysis showed that high risk ISP offenders recidivated at the same rate as high risk probationers. (Erwin 1986, p. 21) The program experienced an interaction effect where low risk offenders had higher recidivism rates as program intensity increased. (Clear and Hardyman 1990, p. 55)

In New Jersey, where offenders were selected from a pool of applicants soon to be released from incarceration, ISP participants had statistically significant lower recidivism rates than the comparison group. Because offenders were selected for the program, rather than randomly assigned, differences in the treatment and comparison groups could not be attributed to the program. Differences between the groups may account for different outcomes. The evaluator notes that, even with this fault in program design, it can be concluded that the program did not increase recidivism. (Fulton *et al.* 1994, pp. I, 16-17) Note that for ethical and process reasons, most criminal justice program evaluations cannot randomly assign offenders to programs. The program was well documented and “operations closely matched program design.” (Fulton *et al.* 1994, p. I-16)

Evaluators must document that a program is actually delivering planned services before the services can be attributed to outcomes. Usually, this is referred to as process evaluation. A process evaluation employs multiple data collection methods to document the strategies, processes, and activities used to convert activities into outputs and outcomes. (TDCJ-CJAD 1995) Programs should take steps during design, implementation, and operation to ensure that the planned program is indeed delivered. In Massachusetts, Byrne and Kelly (1989) found that, although some components of the program appeared to have an effect on recidivism, the staff did not deliver services as the program intended. No significant differences were found between the treatment and control groups.

Research Design

Most ISP research failed to meet criteria for matched comparison groups or random program assignment. (Turner *et al.* 1992, p. 540) An experimental design with random

assignment is the most desirable because it allow differences in the study and comparison groups to be attributed to the program rather than to differences in the groups. For ISP in particular, it is difficult to match a comparison group because ISP programs target offenders that are supposed to be different from those on regular supervision. It is also difficult to randomly assign offenders when court orders usually direct an offender to a program. Providing, and not providing, services randomly also raises ethical issues. Some program evaluations used quasi-experimental design, which attempts to match study groups with similar offenders on regular probation. A shortcoming of quasi-experimental design is that differences in outcomes may be caused by differences between the groups rather than participation in the program.

In 1986, the United States Department of Justice, Bureau of Justice Assistance (BJA), responded to the call for experimental design ISP evaluation. The BJA sponsored the development of 11 new ISP programs. The programs were all designed locally based on the Georgia ISP model and all agreed to randomly assign sentenced offenders from court. They were to target drug-involved offenders, but local jurisdictions could tailor the program and the definition of “drug-involved” to meet local needs. This was the first large-scale randomized experiment in criminal justice program evaluation. (Petersilia and Turner 1990, p. 89)

The evaluators tested the implementation of the programs by determining whether ISP clients were seen more often, were drug tested more often, or had higher levels of employment than the comparison group on regular probation. Results indicated that ISP participants received more contacts than those on regular supervision, but ISP participants did not receive more services even though they were serious offenders that had ‘high drug treatment needs’. (Petersilia and Turner 1990, p. 87) The evaluators tracked outcomes including re-arrest, re-incarceration, and technical violations. Results showed that there was no significant difference in arrest or

incarceration rates, but ISP offenders were more likely to have technical violations. (Petersilia and Turner 1990, p. 87) This finding was attributed to the higher number of contacts with ISP participants.

Conceptual Framework

This research uses a category of conceptual frameworks called the practical ideal type. (Shields 1998, p. 206) Ideas from the literature presented in this review (see for example Fulton *et al.* 1994; Fulton *et al.* 1997; Petersilia 1998) are used to develop the practical ideal ISP program. These ideas are categorized and listed in Table 2.3. A discussion of the table is organized by subheadings and presented below.

Mission and Goal Statements

Program mission and goal statements are a major focus for program critics. Although programs vary in emphasis, typical missions and goals include: reduce correctional budgets; divert offenders from prison; decrease prison crowding; decrease recidivism through close supervision; rehabilitate offenders; increase public safety; and punish offenders. (Clear and Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82) These are large in scope and difficult to measure. ISP's are encouraged to examine their mission and goal statements to ensure that they are clearly stated and realistic to the given target population and budget. (Fulton *et al.* 1997, p. 72) One long-term goal of ISP should be to "promote long-term behavioral change and reduced recidivism." (Fulton *et al.* 1994, p. I-31)

Mission statements should not state that ISP serves as a diversion from prison incarceration. Focussing on diversion can cause programs to fall short of other goals. (Clear and

Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82) In addition, diversion has proven difficult to measure. (Tonry 1990, p. 178) For these reasons, and because prisons are no longer experiencing the massive growth under which diversionary programs were developed, programs should focus on enhancing the services provided under regular supervision and targeting offenders who will do well in ISP. (Fulton *et al.* 1994, pp. I-34)

Target Population and Selection Process

Some programs exclude high risk and violent offenders because program creators promised the public that not allowing offenders in their programs would force such offenders to prison. In reality, overcrowded prison conditions resulted in many high risk and violent offenders serving probation sentences. In addition, the high risk and violent offenders were forced in to 'regular supervision' because ISP programs excluded them. Clear and Hardyman (1990, p. 48) argue that ISP should not exclude high risk cases because such exclusions leave high risk offenders without needed programs.

Research has shown that the offender's risk level is one of the most important determinants of successful outcome. (Erwin 1986, p. 23) Offenders who are higher risk do better in ISP than lower risk offenders. In fact, low risk offenders do worse in ISP than under regular supervision. (Erwin 1986, p. 21; Clear and Hardyman 1990, p. 44) Because risk level is an important indicator of success and there are many high risk probationers on regular supervision, high risk and high need offenders are the most desirable candidates for ISP programs. (Clear and Hardyman 1990, p. 44; Fulton *et al.* 1990; Fulton *et al.* 1994)

Table 2.3: Conceptual Framework Sources for a Practical Ideal Type ISP Program

Category and Ideal Type Concepts	Source
Goals/Mission Statements <ul style="list-style-type: none"> Clearly stated Short and long-term goals Diversion from incarceration should not be a mission Enhancement to regular supervision should be a mission Reducing recidivism should be a goal Affecting long-term offender behavior should be a goal 	<ul style="list-style-type: none"> Byrne 1990 Fulton <i>et al.</i> 1994 Fulton <i>et al.</i> 1997
Target Population/Selection Process <ul style="list-style-type: none"> Use validated risk classification instrument Already on probation Referred by probation staff High risk High need Specifically excluded populations 	<ul style="list-style-type: none"> Clear and Hardyman 1990 Fulton <i>et al.</i> 1994 Gendreau and Goggin 1996 Fulton <i>et al.</i> 1997
Treatment and Control Strategies <ul style="list-style-type: none"> Use a 'balanced approach' to intervention, surveillance, and enforcement activities Integrate treatment and control strategies Target individual needs At least four months or 100 hours of direct service Aftercare should be a part of treatment 	<ul style="list-style-type: none"> Fulton and Stone 1992 Turner <i>et al.</i> 1992 Fulton <i>et al.</i> 1994 Gendreau and Goggin 1996 Petersilia 1998
Integrity <ul style="list-style-type: none"> Program evaluation Program audits Staff training Program manuals Outcomes should be monitored to determine necessary program changes 	<ul style="list-style-type: none"> Gendreau and Goggin 1996 Fulton <i>et al.</i> 1997
Community Justice <ul style="list-style-type: none"> Community and multi-agency involvement is important to make long term solutions to crime work. 	<ul style="list-style-type: none"> Byrne 1990 Petersilia 1998

Offender selection is “one of the most problematic areas of ISP.” (Fulton and Stone 1992, p. 80) Even when ISP programs are designed to serve specific offender groups, they may often have little control over which offenders were sentenced to their programs. For many probation departments, the decision about which offenders belong in ISP often resides with sentencing judges rather than probation staff. Literature recommends that the responsibility for

referring and selecting participants should lie primarily with probation staff familiar with the program rather than solely with the court. (Clear and Hardyman 1990, p. 44; Fulton *et al.* 1994, pp. II, 15-18)

Control and Treatment Activities

Most ISP programs emphasize 'control' over 'treatment.' (Byrne 1990, p. 18) Control activities can include face-to-face contacts, electronic monitoring and curfews. Treatment activities can include drug/alcohol treatment, support groups, stress/anger management classes, education classes, and community mentors. Early ISP research concluded that increasing controls, such as the number of offender contacts, by itself does not reduce recidivism rates or change long-term crime-related behaviors. (Fulton *et al.* 1997, p. 67)

Treatment components are important to successful outcomes. Most ISP programs provide more control activities, but not more treatment activities than regular probation. (Fulton *et al.* 1994, p. I-32) Cumulative results from criminal justice program evaluations over the last two decades document that there is a correlation between treatment program participation and recidivism reduction. Therefore, ISP programs that strive to have an impact on long-term behavior must integrate control and treatment activities. (Petersilia 1998, p. 6-7) Activities should be integrated using a 'balanced approach' first advocated in the juvenile justice field. This approach calls for equal attention to intervention, surveillance and enforcement activities so that probation can fulfill it's short term goals of supervising offenders and ensuring compliance with court orders and long term goals of reducing recidivism and changing crime-related behaviors. (Fulton *et al.* 1994, p. I, 32-4; Petersilia 1998, p. 7)

Program Integrity

When programs set realistic goals and apply interventions that have been proven to work, ISP becomes a promising tool for supervising high risk offenders in the community. Programs designed using sound research-based recommendations can be enhanced by activities that increase program integrity. Program evaluation methods such as evaluability assessment, process evaluation, validated assessment indexes, performance measures, and outcome monitoring can ensure that a program is implemented as designed and has the desired impact(s) on participant behavior. Program audits must also be conducted to ensure that a program follows mandated standards, guidelines, and laws. Providing special training to ISP staff and using operation manuals specific to the ISP program can also enhance program integrity. This separates the program from 'regular' probation and increases staff motivation. (Fulton *et al.* 1997, p. 72)

Community Justice

Community justice has been the buzzword of sentencing and corrections for the 1990's. Community justice can be defined as a community led problem solving process that decentralizes authority, promotes consensus and establishes accountability. (Carey 1999, p. 33) Early this decade, literature called on ISP programs to go beyond traditional measures of success and 'incorporate measures of community context into their designs'. (Byrne 1990, p. 27) As the decade ends, probation has implemented community involvement in planning and operations. Petersilia (1998, p. 9) states:

The ultimate legacy of a decade of experimenting with intermediate sanctions is the strong message that no one program – surveillance or rehabilitation alone – and no one agency – police, probation, mental health, or schools alone – nor any of these agencies without the community can reduce crime or fear of crime on its own. Crime is a complex, multifaceted problem that will not

be overcome by simplistic, singularly focused solutions – whether they be boot camps, electronic monitoring, or intensive probation. Workable, long-term solutions must come from the community and be embraced and actively supported by the community.

Examples of ways in which probation programs have included a community justice component include partnerships with police and community members. Community members can include individual citizens, citizen groups, churches, private industry, or non-profit organizations. (Petersilia 1998, p. 7)

Conclusion

ISP was developed as a partial solution to prison overcrowding and rising corrections budgets. Programs were widely supported and implemented in jurisdictions across the country. Evaluations on the implementation and outcomes of ISP took place, but the quality of most results was questionable. The corrections field is now at a stage where ISP programs should be “institutionalized, redesigned, or abandoned.” (Petersilia 1998, p. 3)

Fulton *et al.* (1997, p. 72) identify three reasons for continuing ISP. First, probation will continue to receive high risk clients. It is estimated that about 40% of new intakes are high risk. Probation departments must have mechanisms to assist these offenders in succeeding on probation. Second, ISP's do provide an intermediate sentencing option for the courts that falls between regular probation and prison. Judges support this concept and there is no reason, from this perspective, to discontinue the option. Third, ISP has increased probation budgets. Eliminating ISP will inevitably lead to probation budget cuts. For these reasons, ISP should not be abandoned, but criminal justice administrators and researchers must transform current programs to gain favorable outcomes. (Fulton *et al.* 1997, p. 72)

One lesson to be learned is that research should inform decision making. Using knowledge during program development can prevent ineffective practices. Updating programs as new information becomes available can prevent the need to revamp programs like ISP. Knowledge gained about 'what works' for ISP programs can still be ISP programs. (Blumstein 1997, p. 359) The summary of literature presented in this paper provides the current framework for ISP programs:

- ISP goals should be clearly defined, measurable, and aligned with the stated goals of the agency. (Byrne 1990, p. 14; Fulton *et al.* 1997, p. 72)
- Short- and long-term goals
- ISP should "promote long-term behavioral change and reduced recidivism." (Fulton *et al.* 1994, p. I-31)
- Diversion should not be goal of ISP. (Fulton *et al.* 1994, p I-34)
- ISP programs should target high risk offenders already on probation and attempt to match the intensity of the program to the risk level of the offender. (Fulton *et al.* 1994, p I-34)
- Use a validated case classification instrument and procedure (Clear and Hardyman 1990, p. 44; Fulton *et al.* 1994, pp. II, 15-18)
- Provide more control and treatment than regular probation; emphasize control and treatment equally. (Fulton *et al.* 1994, p. I, 32-4; Petersilia 1998, p. 7)
- Increase program integrity through evaluation, auditing, training, and using program operation manuals. (Fulton *et al.* 1997, p. 72)

Future ISP research must learn from past evaluations. Evaluators should assist programs in developing goals that are meaningful and measurable. They can also assist programs in aligning program activities with program goals and agency goals. Process evaluation is a tool that tells evaluators and program administrators whether a program is implemented as it was intended. This is crucial information because a program that is not implemented correctly cannot be expected to have the desired impact on participants' behaviors. All programs undergoing

outcome evaluations should be validated though process evaluation (Burkhart 1986, p. 76; Fulton *et al.* 1994, p. 72)

Researchers have additional tasks as well. Experimental design is always the most desirable research design. This can be difficult to accomplish in criminal justice research because judges or administrators must agree to random assignment. Random assignment becomes an ethical issue because one offender would be denied participation in a treatment program while another offender would receive services. DOJ circumvented this caveat by creating new programs and randomly assigning offenders as a test of the new programs. (Petersilia and Turner 1990, p. 89) Creating appropriate situations for random assignment is a challenge for evaluators. Another challenge facing evaluators is reaching consensus on how to measure cost savings. Without consensus, cost analyses are not comparable from program to program. Critics of existing cost analyses call them simplistic and argue for including more secondary costs. (Latessa 1986, p. 73)

ISP programs vary based on local needs, target populations, and political philosophies. Evaluation results do not show that ISP programs meet their original goals. ISP as designed and implemented did not reduce recidivism and did not divert offenders in a manner that reduced prison crowding or corrections budgets. ISP programs have met offender needs more effectively than regular probation, provide an intermediate sanction, and are less expensive than prison. (Fulton *et al.* 1997, p. 72) However, programs have more potential for positive results by focussing on implementing and emphasizing appropriate components. Turner and Petersilia (1992) state that

If jurisdictions are primarily interested in providing much-needed flexibility in sentencing decision by imposing an intermediate punishment that more closely fits the crimes of offenders, then ISP holds promise. If, however, they are primarily interested in

reducing recidivism and system costs, then ISP programs, as currently structured – with a focus on surveillance as opposed to treatment – will likely fall short.

Although ISP programs will likely vary from place to place, following the framework for successful ISP programs can assist ISP programs to remain part of their local probation budgets and improve the outcomes of offenders on probation.

CHAPTER THREE: RESEARCH SETTING

Purpose

This chapter describes the state agency that funds and audits probation in Texas, explains the process for awarding funding to local probation departments, and describes the line items available for funding local programs. It also provides a general description of ISP, how programs operate in Texas, and presents general statistics about the total ISP population and funding levels. Hence, this chapter provides relevant background information regarding the setting in which this research project was conducted.

Texas Department of Criminal Justice - Community Justice Assistance Division²

The Texas Department of Criminal Justice (TDCJ) is the largest Texas agency. The Institutional Division is the most prominent as it oversees all aspects of operating the state's prison system. The Parole Division operates the state's parole system. The Community Justice Assistance Division (CJAD) provides funding and standards for the local supervision of offenders sentenced to probation. In total, the agency is directly or indirectly related to the supervision of over 650,000 prisoners, parolees, and probationers.

Most of TDCJ's \$4.5 billion budget is allocated to the Institutional Division to operate 145,000 prison beds. Probation supervises many more offenders with much less funding. TDCJ-CJAD funds the local supervision of nearly 440,000 felony and misdemeanor probationers with a budget of approximately \$210 million. Just over 290,000 probationers are supervised directly (i.e., reside and work in the county in which they were convicted). The remaining offenders are incarcerated in local jails, absconded, or have been transferred to another state.

TDCJ-CJAD allocates funding to 122 local probation departments, called Community Supervision and Corrections Departments (CSCD's). Four line items are in TDCJ-CJAD's budget for distribution according to specific formulas and/or criteria mandated by the Texas Legislature and/or TDCJ policies. Basic Supervision covers the fundamental costs of supervising offenders, such as salaries and equipment. This line item is allocated to local departments by a formula that uses each CSCD's felony and misdemeanor offender population count. Community Corrections Program (CCP) funds are allocated using the ratio of felons on probation to the entire population of the CSCD district. CCP funding is usually provided for non-residential supervision and treatment programs. Diversion Program (DP) grant funding is awarded for programs that are deemed by TDCJ-CJAD as "effective alternatives to incarcerating offenders". Residential and large non-residential programs usually use DP funding. Treatment Alternatives to Incarceration Program (TAIP) grants are awarded to CSCD's for substance abuse services that cannot be provided through another source. In addition to funds from TDCJ-CJAD, CSCD's collect fees from probationers and may use local resources such as office space and equipment.

Community Supervision and Corrections Departments

In many states, probation is the responsibility of the state government. In Texas, the state provides funding for most probation activities, but supervising probationers is the responsibility of 122 local probation departments. These departments are called Community Supervision and Corrections Departments (CSCD's). CSCD's are organized in judicial districts that use county lines as boundaries. Rural judicial districts usually include more than one county while larger urban areas typically include one county. Judicial districts are the responsibility of locally elected

² Unless otherwise noted, all descriptive information regarding the Texas Department of Criminal Justice and the Community Justice Assistance Division was from the State of Texas Web at <http://www.texas.gov>.

district judges, who also oversee the operations of the CSCD's. The Executive Director of each CSCD reports to one or more district judge. In Texas, each CSCD develops its own philosophy, programs, goals, and activities. Because each department operates independently, probation programs and resources can vary among Texas communities.

Community Justice Plans

Section 509.007 of the Texas Government Code requires that to receive state funding, local Community Justice Councils submit Community Justice Plans to TDCJ-CJAD each biennium. The Code broadly states that each plan must include goals and priorities that will allow the CSCD to "achieve a targeted level of alternative sanctions". It mandates that each local plan commits to reaching these goals and provides methods for measuring program success. TDCJ-CJAD policies require more detailed information concerning proposed funding amounts, program descriptions, target populations, projected outputs, and plans for tracking outputs and outcomes. The documents must be approved by the district judge(s) who oversee(s) the CSCD's Executive Director. The CSCD Executive Director and staff usually write the plan. Revisions to plans may be submitted to TDCJ-CJAD at any time during the biennium. (TDCJ-CJAD 1999, p. 4-5)

The plan consists of proposals for each program that the CSCD wants to fund with TDCJ-CJAD appropriations. The only exception is programs that CSCD's will fund with Basic Supervision funding. Because the purpose of Basic Supervision funding is to pay for the costs of supervising 'regular' caseloads, CSCD's can use extra Basic Supervision funds to pay for supervision expenses, such as officer salaries, within special programs. All CSCD's that want to fund programs with CCP, DP or TAIP appropriations must submit individual program proposals.

The compilation of program proposals, along with required commitment statements and signatures, is the Community Justice Plan.

Texas Intensive Supervision Probation

Intensive supervision probation is generally a type of probation program that resembles regular probation but has more requirements for contacts with the probation officer and participation in treatment programs. For example, while regular probation may consist of one required face-to-face contact per month with the probation officer, ISP may require one per week. Additional telephone or home visits may also be required. While offenders on regular supervision may abide by standard conditions of probation such as paying restitution fees or submitting to urinalyses once per month, offenders in ISP programs usually must abide by stricter conditions. Depending on local requirements, participants may attend counseling sessions or education classes or develop a relationship with a community mentor. The basic assumption of most ISP programs is that increasing surveillance will deter criminal behavior. (Lipschitz 1986, p. 78)

In Texas, ISP programs are designed locally and, depending on the funding type, are approved and monitored by TDCJ-CJAD. Because the state has no minimum standards or components for ISP, programs vary based on local needs and philosophies. Some CSCD's choose to use ISP for a large number of cases and apply for a large amount of funding. Some run smaller programs for probationers who are having trouble on regular supervision. Still other CSCD's set up several 'specialized caseloads' under ISP which target specific offender types (e.g., substance abusers, gang members, female offenders, youthful offenders, sex offenders).

ISP may also serve to supervise offenders who have been released from intensive residential treatment, 'shock' incarceration programs, or boot camps.

TDCJ-CJAD sets no minimum standards for the components or operations of ISP programs, but the agency routinely audits CSCD compliance with basic supervision standards. ISP programs may be audited for compliance with the basic supervision standards or financial compliance. No ISP evaluations have ever been conducted by TDCJ-CJAD.

ISP Program Statistics

For the biennium years 2000-2001, twenty-nine CSCD's were provided funding to operate ISP programs. Ten programs were funded primarily with Basic Supervision, twenty-seven were funded primarily with Community Corrections Program (CCP) funds, and one program was awarded Diversion Program (DP) funding. The total amount of CCP and DP awarded to ISP was \$6,017,621. About half of this amount was awarded to one program in Harris County. The amount of Basic Supervision targeted for ISP programs is determined locally and actual expenditures reported at the end of each fiscal year.

The awarded programs estimated that they will serve about 3,100 offenders this fiscal year. The estimated average number of offenders on direct or pretrial supervision (i.e., eligible for ISP) is around 450,000. So, it can be estimated that Texas ISP programs serve about one percent of the eligible population. Nationally, it has been estimated that fewer than six percent of the eligible population is served by ISP. Petersilia (1998, p. 5) argues that such small percentages demonstrate that there is a large eligible population that is not served by existing programs.

Conclusion

The Texas Department of Criminal Justice is the largest state agency in amount of funding and number of employees, with a budget of over \$4 billion and employees numbering around 40,000. The agency incarcerates, supervises, or funds the supervision of over 650,000 prisoners, parolees and probationers. The largest portion of the offender population is the adult probation population, which is about 440,000 felony and misdemeanor offenders. This project estimated that a small portion of the probation population, about 3,100 offenders or less than one percent, is served by ISP at any given time. In addition, a small percent of program funding is allocated to ISP programs.

Local probation departments determine the contents of their ISP programs. The local community justice planning process, mandated by the Texas Legislature, is the method used to commit local officials to program philosophies and secure state funding for local probation programs. TDCJ's Community Justice Assistance Division approves the plans. Because the agency sets no minimum standards for ISP programs, the programs vary from one location to another. The following chapter provides the methodology for collecting data on these various programs and summarizes descriptive information about the programs.

CHAPTER FOUR: METHODOLOGY

Purpose

This chapter describes the methodology used to assess Texas ISP programs. A discussion about the Texas ISP population describes its characteristics. Survey research, content analysis and telephone interviews were used to collect evidence for the assessment. The reasons for using these methods are explained. The chapter concludes by demonstrating how the practical ideal type is operationalized into measurable items for assessment. Table 4.1 provides a summary of the transition from the conceptual framework to the variables used in the assessment.

Population

Twenty-nine ISP programs were awarded funding from the Texas Department of Criminal Justice, Community Justice Assistance Division, (TDCJ-CJAD) for Fiscal Years 2000-2001. Twenty-three (79%) were included in the study. A table in Appendix C shows the jurisdictions and funding sources for Texas ISP programs. The programs vary in size and geographical location.

Table 4.1 describes how TDCJ-CJAD distributed funds for the 2000-2001 biennium. Twenty (69%) of the programs were funded primarily with Community Corrections Program (CCP) funds. One of these programs was supplemented with Basic Supervision funding; another one operated inside of a larger program.

While CCP allocations for ISP are specified by TDCJ-CJAD at the beginning of each fiscal year, Basic Supervision allocations for ISP cannot be determined until the end of the fiscal year. Basic Supervision is awarded in one lump sum to each department. It's main purpose is to fund officer salaries and equipment expenses. However, local departments determine how to

distribute their funds internally, and many use extra funding for supervision programs, such as ISP. Departments report expenditures to TDCJ-CJAD at the end of the fiscal year. So, Table 4.1 does not include Basic Supervision funding amounts. Eight programs (28%) will be paid for primarily with Basic Supervision.

Table 4.1 ISP Funding Type Distribution

Number of Programs	CCP Awarded	DP Awarded	Basic Supervision
18	\$ 5,829,799	\$ 0	\$ 0
1	\$ 28,308	\$ 7,601	Unknown
1	Unknown	\$ 0	\$ 0
1	\$ 0	\$ 159,514	\$ 0
8	\$ 0	\$ 0	Unknown
Total	\$ 5,858,107	\$ 167,115	Unknown until the end of the FY

One issue in choosing the sample was whether to include another category of programs called specialized caseloads. A specialized caseload is a supervision program that specifically targets a certain offender population. Some such programs are like ISP in that they provide more intensive supervision than regular probation. Because not all specialized caseloads include supervision that is more 'intensive' than regular supervision and TDCJ-CJAD makes a distinction between ISP and specialized caseloads, this project includes only those programs coded as 'ISP' programs.

Note that ISP programs may operate specialized caseloads within the ISP program, but the program type is ISP, not specialized caseload. One ISP officer may be charged with supervising a certain type of client. In a small department, one ISP officer may effectively be running several specialized caseloads under one ISP caseload by supervising substance abusing

offenders, gang members, and sex offenders. All of these ISP specialized caseloads should theoretically be more intensive than regular supervision.

Data Collection Methods

Using multiple data collection methods can increase the validity of research results. (Babbie 1995, p. 106) Survey research by mail was attempted with all (29) ISP programs. Content analysis was used for all programs (18) that were required by TDCJ-CJAD to submit program proposals (i.e., programs that received CCP and DP funding). Telephone interviews were conducted with program administrators as the primary data collection method when no survey was completed or no proposal was available.

Surveys

All twenty-nine ISP programs were surveyed. Surveys were mailed with a cover letter and self addressed stamped envelope. A copy of the survey is in Appendix A. For the 20 CCP- or DP-funded programs, surveys were mailed to the program directors. Program director names were identified in the program proposals. Surveys for the 9 programs operated with Basic Supervision funding, for which no program proposal was required, were mailed to the CSCD director. The director was asked to complete the survey or forward it to the appropriate person. Prior to mailing, the Director of Research and the Deputy Director of Field Operations for TDCJ-CJAD reviewed the documents. These individuals requested no changes to the survey or cover letter.

Survey research is appropriate for this project because individual programs are the unit of analysis. (Babbie 1995, p. 257) Although there is not a large number of programs, they are

spread out geographically across the state. Mailing surveys and following up by telephone is the most efficient means of gathering data. One strength of survey research is the ability to standardize responses into easily measured categories. However, standardizing answers into categories may fail to capture important information. (Babbie 1995, p. 273) In this case, the categories used in the practical ideal type are fairly strict in that they are borrowed from the literature. So, collecting data via surveys should not weaken data quality.

Content Analysis

Content analysis is the secondary method used to verify the survey data. The artifacts for content analysis are TDCJ-CJAD fiscal years 2000-2001 Community Justice Plan Program Proposals for ISP programs. Content analysis is secondary to survey research because, depending on the primary funding source, all ISP programs were not required to submit a program proposal. Eighteen of the twenty-nine programs were required to submit a proposal. The program proposals consist of: funding information, projected outputs, problem statement, target population description, program description and process, program milestones, objectives, and monitoring/evaluation methods.

Content analysis usually studies a form of communication. (Babbie 1995, p. 335) Community Justice Plans are an appropriate data source because they are the primary document for funding all probation programs in Texas. The documents are approved by local judges, screened by TDCJ-CJAD staff, approved by a state oversight committee, and routinely amended by local probation departments as program changes occur.

Telephone Interviews

Telephone interviews were added as a data collection method when the surveys resulted in a low response rate. When a survey was not received, the plan was the primary data source. If the plan was missing information or was not available at all, then attempts were made to contact the ISP program by telephone. Emphasis was placed on contacting programs that did not complete a survey and were not required to submit a program proposal (i.e., programs funded with Basic Supervision funding).

Data Coding, Consolidation, and Analysis

Survey information, content analysis, and telephone interview results were recorded using coding sheets for each survey, program plan, and telephone interview. The information was consolidated on to one coding sheet for each ISP program. Discrepancies were resolved by telephone. In most cases, the information from one document supported the other document. A copy of the Coding Sheet can be found in Appendix B.

Data were entered in to a spreadsheet and checked for errors. Analysis was completed using the spreadsheet program. Most variables required calculating percentages and totals. There was a small number of cases (29), so there was no need for data analysis software.

Linking the Conceptual Framework to the Assessment

Table 4.2 demonstrates how the ideas in the literature are developed in to measurable items for analysis. The first column names the categories identified from the literature review. The second column, taken directly from Table 2.3, presents a summary of the conceptual framework. The third column lists the questionnaire item created to collect data related to each

item within the category. The final column shows the variables from the coding sheet that are related to each conceptual framework item and a survey question. The coding sheet variables are the same variables used for data analysis and presented in the next chapter of this applied research project.

The survey item for the 'Goals/Mission Statement' category is an open-ended question. It is designed to determine whether the ISP programs have specific statements and, if so, collect the actual mission and goal statements of the ISP program. The responses were analyzed to determine whether they included the criteria from the conceptual framework.

Several questions were asked in order to determine the programs' target populations and selection processes. Some questions were directly related to the ideal type recommendations. For example, one question specifically asks whether the program targets high risk and high need offenders. An open-ended question allowed respondents to provide other target population characteristics that were not specified in the framework but exist in the actual programs. This category also includes questions related to the referral origin of clients and whether programs exclude any type of offenders.

The conceptual framework calls for using a validated risk assessment instrument to determine the risk level of offenders. All probation departments in Texas are required to use such an instrument for every person placed on probation. The state audits probation departments for compliance with this policy. This item was not included in the survey or content analysis because of the blanket policy. It must be noted that, although a risk assessment instrument is currently in use, the instrument has not been validated in some time.

The 'Treatment versus Control' category attempted to capture all required components of each ISP program. The survey instrument provided an exhaustive list of possible program

requirements. Respondents were instructed to place a check next to each required component and were provided space to write any other requirements not listed. Each requirement was coded as 'control' or 'treatment' oriented. The number of control activities was compared to the number of treatment activities for a broad picture of program emphasis.

The 'Integrity' category was very straight-forward. All information was collected with close-ended questions that related directly to each conceptual framework item.

The 'Community Justice' category was operationalized with large-scope open-ended questions. Community justice can be interpreted in different ways, so the questions were formulated to collect information on what the respondents felt their programs' community justice activities were. For example, community justice activities may consist of patrolling with police officers, using local church resources, and providing opportunities for community members to provide input to program operations. This category required a broad open-ended question because of the wide variety of possible responses.

Table 4.2: Linking the Practical Ideal Program to the Survey and Coding Sheet

Category	Practical Ideal Type	Survey Questions	Coding Sheet
Mission and Goal Statements	<ul style="list-style-type: none"> Clearly stated Diversion from incarceration should not be a mission Enhancement to regular supervision should be a mission Short and long-term goals Reducing recidivism should be a goal Affecting long-term offender behavior should be a goal 	<ul style="list-style-type: none"> Write the mission statement and three most important goals of the ISP program. 	<ul style="list-style-type: none"> Clearly stated Diversion a mission Enhancement a mission Short and long term goals Reducing recidivism is a goal Affecting long-term offender behavior is a goal
Target Population and Selection Process	<ul style="list-style-type: none"> High risk High need Already on probation Referred by probation staff Specifically excluded populations Use validated risk classification instrument 	<ul style="list-style-type: none"> To enter the program are offenders required to have a 'high' risk score? A 'high' need score? Other requirements? What percentage of current participants was court ordered to the ISP? What percentage was referred directly from the CSCD staff to the ISP program? Are any cases specifically excluded from participation in the ISP program? If so, which type? 	<ul style="list-style-type: none"> High risk High need Other target population characteristics Referral origin Excluded populations
Treatment and Control	<ul style="list-style-type: none"> Use a 'balanced approach' to intervention, surveillance, and enforcement activities Integrate treatment and control strategies Target individual needs At least four months or 100 hours of direct service Aftercare should be a part of treatment 	<ul style="list-style-type: none"> Place a check next to each activity that is required of all ISP participants. (office visits, home visits, urinalyses, curfew, electronic monitoring, AA/NA, group counseling, individual counseling, family counseling, inpatient counseling, mentor, anger management class, substance abuse education, victim impact panel) 	<ul style="list-style-type: none"> Total 'control' activities required Total 'treatment' activities required Need-based services Duration of services

(Table 4.2, continued...)

Category	Conceptual Framework	Survey Questions	Coding Sheet
Program Integrity	<ul style="list-style-type: none"> Program evaluation Program audits Staff training Program manuals Outcomes should be monitored to determine necessary program changes 	<ul style="list-style-type: none"> What is the completion date of the most recent program evaluation? (process or outcome) What is the date of the most recent program audit? Do ISP officers complete training that other probation officers do not? Does the ISP program have its own manual of policies and procedures? 	<ul style="list-style-type: none"> Date of last program evaluation Date of last program audit Special training for ISP staff Manual for ISP program Monitoring summary
Community Justice	<ul style="list-style-type: none"> Community and multi-agency involvement is important to make long term solutions to crime work. 	<ul style="list-style-type: none"> Does the program routinely work with non-profit, church, or other community organizations to fulfill its mission? If so, how? Does the program have any other 'community justice' components (e.g., neighborhood policing, community meetings)? If so, what are they? 	<ul style="list-style-type: none"> Partnerships with other government agencies (police, sheriff, human services) Partnerships with non-profit or private sector Partnerships with local churches/clergy Community meetings for input into program design or operation Community/citizen sponsors for the program and participants Program located in high need areas

Summary

This chapter provided an overview of the methods used to collect assessment data. It also explained how the conceptual framework is linked to the data collection design. The next chapter begins with a discussion on how using multiple methods of data collection resulted in a unique sample. The nature of State of Texas funding requirements and low survey response rates resulted in using different sources for different programs. The problems associated with the data collection methods are discussed in detail. The rest of Chapter Five presents the results of the assessment.

CHAPTER FIVE: RESULTS

Purpose

This chapter presents the findings from the survey data, content analysis, and telephone interviews. The Texas ISP programs are assessed in light of the conceptual framework developed earlier in this paper. A discussion of the unique characteristics of the sample is presented up front. Because of low survey response rates, data collection relied more heavily on alternative sources (i.e., content analysis and telephone interviews) as the primary source of information. Depending on the funding source, content analysis was not always available as a primary source. In these cases, telephone interviews were the only means of data collection. The original intent was for these alternative sources to serve as secondary, or supportive, information. Because of the nature of the sources, the tables report different “N’s” among the variables.

Response Rate

The intent of the research design was to obtain more than one source of evidence for each ISP program. Using multiple sources of evidence can increase the validity of study findings. (Babbie 1995, p. 106) However, multiple sources were not obtained for all ISP programs. Table 5.1 provides a breakdown of the response rate by the data source. At least one source of data was obtained for 23 (79%) of the 29 programs. The overall response rate for surveys, the primary data source in the research design, was 45% (i.e., 13 of 29 were returned). Program proposals, the secondary data source, were obtained and analyzed for 16 of the 18 programs that were required to submit proposals to TDCJ-CJAD. Two proposals were unavailable at TDCJ-CJAD. Two telephone interviews were attempted with each of 17 programs that had not completed a survey. Interviews were completed with four programs.

Of the twenty-three programs, ten (44%) had multiple data sources. Survey and content analysis was the most common combination of data sources. The combination of content analysis and phone interview occurred in two cases. Data for the remaining programs were collected from content analysis, a completed survey, or a telephone interview.

Table 5.1 Response Rate and Data Sources

More than one source	Content Analysis only	Survey only	Telephone only	Total ISP programs with data	No data*	Total ISP programs
10 (44%)	7 (30%)	4 (17%)	2 (9%)	23 (79%)	6 (21%)	29

Five of the missing cases were Basic Supervision-funded, and were not required to submit proposals to TDCJ-CJAD. One CCP-funded program did not have a proposal on file with TDCJ-CJAD. Given that five non-respondents were programs based in small counties, and one can be classified as a medium sized county, it can be estimated that the sample represents at least 80% of the ISP population.

Description of the Sample

Twenty-three of twenty-nine ISP programs were included in the final sample. Table 5.2 provides descriptive information about the programs. A list of programs included in the sample can be found in Appendix C. Program size ranged from very small to very large. The smallest program was allocated just over \$9,000 and the largest received nearly \$4 million. Amounts were not available for programs funded with Basic Supervision funding. Basic Supervision funding is provided to probation departments for general expenditures. How this money is allocated in each department is determined locally. Expenditures are reported at the end of the fiscal year. Nine programs used Basic Supervision funding as their primary funding source.

Table 5.2 Description of the ISP Sample

	Total	Average per program	Range per program
Funding type			
Community Corrections Programming (CCP)*	\$ 5,858,107	\$ 308,321	\$ 9,317 to \$ 3,845,323
Basic Supervision	unknown	unknown	unknown
Diversion Program (DP)	\$ 159,514	\$ 159,514	**
Number of ISP officers	70.5	3	1-10
Average caseload per officer	na	na	2-75
Average # of offenders in ISP	na	na	2-675
Minimum required face-to-face contacts per month (includes office and field contacts)		4	2-9

* One program operated as part of a larger CCP- and DP-funded program. Amounts allocated to ISP alone could not be determined. The program was excluded from funding calculations.

** The range does not apply in this case because only one program was awarded DP funding.

Programs ranged from serving only two offenders to serving nearly 700 offenders at any given time. In the smallest programs, ISP officers often supervised non-ISP offenders in addition to the ISP offenders. About 3,100 offenders were on ISP at the time of the survey. This is under one percent of the entire probation population and just under two percent of the felony direct and pretrial population.³

Program intensity, when measured by the number of required face-to-face contacts each month, varied within the sample. Some programs required only two contacts each month while one required a minimum of nine. Four face-to-face contacts were the required minimum for most programs and was the average across the sample.

The rest of this chapter is organized by the categories identified in the conceptual framework: mission and goal statements; target population and selection process; treatment and

³ TDCJ-CJAD classifies offenders as direct, indirect, pretrial, or transferred out of state. Direct supervision occurs when the offender has been sentenced by the court, lives in the jurisdiction, and is under probation supervision jurisdiction. Pretrial offenders have not been sentenced by the court; the court orders supervision as a condition of release from jail prior to sentencing. In most jurisdictions, direct and pretrial offenders are eligible for ISP.

control; program integrity; and community justice. Each subheading contains a brief discussion of the elements of the category, a table that presents results related to the category, and a discussion of the findings.

Mission and Goal Statements

Program mission and goal statements are a major focus for probation program critics. Typical missions and goals are large in scope and difficult to measure. Examples include: to reduce correctional budgets, divert offenders from prison, decrease prison crowding, decrease recidivism, and rehabilitate offenders. (Clear and Hardyman 1990, p. 47; Fulton and Stone 1992, p. 82) Literature recommends that ISP mission and goal statements should be clear. They should include both short- and long-term goals. Mission statements should assert that the program serves to enhance regular probation supervision activities, not divert offenders from incarceration. Programs should aim to change long-term offender behavior and reduce recidivism. (Fulton *et al.* 1994, p. I-31)

Table 5.3 Goal and Mission Statement Results*

	Met Criteria	Percent
Mission and goals should be clearly stated (N=23)	13	57%
Diversion should not be a mission (N=21)	10	48%
Programs should have short- and long-term goals (N=19)	18	95%
Affecting long-term offender behavior should be a goal (N=21)	19	91%
Reducing recidivism should be a goal (N=21)	20	95%

* The sample sizes are different because the primary source of data varied across the sample. Primary data sources varied based on the program's funding type, responses to individual surveys, and responses to telephone interviews.

Table 5.3 presents the criteria and results for this category. Just over half (13) of the programs had clearly stated missions and goals. Those that did not have clear statements either

could not report them, had adopted the mission and goals of the probation agency or another program, or had no reference to clearly stated purposes or goals in the text of the content analysis document. In some cases, goal statements could be found embedded in program descriptions. These instances were not given credit for being clearly stated, but were included in the analysis as they related to the criteria. So, although only 13 programs had clear statements, it could be determined from textual descriptions that 20 programs had a goal of reducing recidivism.

Typical programs developed in the 1980's and early 1990's serve as a diversion to prison incarceration. The practical ideal ISP program serves as an enhancement program rather than a diversion. Ten (48%) programs met the criteria of the ideal and did not state diversion as a purpose. Instead, these programs focussed on identifying offender needs and providing appropriate services to address the needs. This finding supports the literature's assertion that most programs continue to operate as diversionary programs.

Most ISP goal statements were similar in content, but different in emphasis. The most common goals were to protect the community, enforce compliance with court orders, and promote offender rehabilitation. The order, or emphasis, of the goals varied. Some program emphasized compliance with court orders, and others focussed on identifying offender needs.

The majority of programs met the remaining criterion for the practical ideal ISP program in this category. Most programs (95%) had both short- and long-term goals. Most included affecting long-term behavior changes (91%) and reducing recidivism (95%) as goals.

Target Population and Selection Process

Offender risk level is one of the strongest predictors of successful ISP outcome. Higher risk offenders attain better outcomes from ISP than lower risk offenders. (Erwin 1986, p. 21-3; Clear and Hardyman 1990, p. 44) Thus, ISP programs should target high risk offenders.

Offenders with needs assessment scores are also better served by ISP than those with lower needs scores. (Clear and Hardyman 1990, p. 44)

Table 5.4 Target Population and Selection Process Results

	Met criteria	Percent
Required high risk score (N=23)	9	39%
Required high need score (N=22)	6	27%
Target offenders on probation rather than new placements from court (N=16)	8	50%
Programs should not exclude high risk offenders (N=21)	16**	76%

* The sample size for each item varied based on the primary source of data for each item. Survey analysis, content analysis, and telephone interviews were all primary and secondary sources of evidence. Primary data sources varied based on the program's funding type, responses to individual surveys, and responses to telephone interviews.

** One program excluded gang members and four excluded sex offenders. Exclusions were because the department used specialized caseloads for these offenders.

Very few programs required participants to have a high risk or high need score. Table 5.4 shows that only nine (39%) required a high risk score and six (26%) required a high need score. Although programs are often designed to serve the high risk and high need population, few programs set participation criteria because they have little control over who enters the program. If the court orders a defendant to participate in ISP, then the program must assist that offender in fulfilling the court order. The other option is to go back to court to get a new court order. In at least four jurisdictions, all convicted sex offenders were initially sentenced to ISP. In about five jurisdictions, ISP was used for new offenders returning from "up-front time" in intensive substance abuse treatment or boot camp.

Some programs do not set strict selection criteria, not only because they must serve the courts, but because they also serve offenders who are at risk of failing on probation. These offenders may not have high risk or need scores. For example, offenders with drug or alcohol problems often score lower on risk assessments, but have high failure rates on probation. By

requiring high risk and need scores, some programs felt they were excluding a large number of offenders who could benefit from the programs.

The practical ideal ISP targets offenders already on probation. In addition, they have trained staff identify offenders who historically do well in ISP. Fulton *et al.* (1994, p. 18) asserts that there are enough offenders who are already on probation to fill the ISP programs. Programs should not serve as diversionary programs, but should target at-risk offenders who are already on probation. The benefit of targeting this group is that programs can choose offenders who will benefit the most. Table 5.4 shows that information was available for 16 ISP programs. Half (8) of these programs received 50% or more of their participants through staff referrals. Many respondents stated that offenders who are already on probation must meet certain criteria to be referred to ISP (e.g., high risk score, multiple violations of the original court order, released from intensive residential program). The most common criterion was that the offender was at risk of failing on probation and consequently being sentenced to prison.

Clear and Hardyman (1990, p. 48) noted that some programs specifically exclude high risk cases. This relegates high risk offenders, who benefit most from ISP, to regular caseload supervision. The assumption behind this policy was that these offenders would be sentenced to prison. Also, if a program stated that they served these offenders in the community, citizens would not feel safe. The practical ideal ISP program should not specifically exclude high risk cases. Table 5.4 shows that five programs excluded sex offenders or gang members. However, in all cases probation departments developed specialized caseloads to serve these offenders. So, they were only excluded because other special programs existed to serve their unique needs.

In sum, although the numbers in Table 5.4 appear to present a meek picture of compliance with the practical ideal type, extraneous circumstances can explain low numbers. Although programs are generally designed to serve a high risk and high need felony offender

population, programs do not have control over judges' sentencing decisions. Programs must serve whomever the court sentences because probation departments serve the criminal district courts. The remaining slots tend to be filled by offenders who meet the recommended profile: high risk offenders already on probation.

Treatment and Control

This section discusses control-oriented activities, treatment-oriented activities, and balancing services. Control-oriented activities include office visits, home visits, urinalysis, curfews, and electronic monitoring. Treatment-oriented activities include support groups, counseling, anger management classes, substance abuse education classes, community mentoring, cognitive training, and victim impact panels. The ISP literature recommends that programs integrate control and treatment activities. Further, programs should use a "balanced approach" first advocated in the juvenile justice field. (Petersilia 1998, p. 6-7)

All (23) programs demonstrated evidence that they integrated treatment with control. However, not all programs required the same treatment components for each participant. Most programs (21) determined each individual's needs and required treatment services based on those needs. So, the numbers in Table 5.4 can be misleading. All programs required treatment, but only two required the same treatment components of all participants. These two programs were designed to serve offenders with similar needs. One of these programs targeted only substance-abusing offenders, and the other targeted both sex offenders and substance-abusing offenders.

Petersilia (1998, p. 6-7) advocates applying a "balanced approach" when integrating treatment and control activities. The practical ideal program in this paper lacks a good measure of the "balanced approach." Therefore, the design of the data collection instrument prevents drawing conclusions as to whether programs balanced treatment and control. The data collection

instrument was designed to collect required activities. Although each program generally requires the same control-oriented activities for each participant, treatment services were largely provided based on individual need. Therefore, the balance across programs, or in one program, could not be determined from the data.

Table 5.5 Treatment and Control Program Requirements

Activities	Number that require participation	Percent
Treatment		
• Support Group (N=23)	1	4%
• Out-patient group counseling (N=21)	2	5%
• In-patient (N=20)	0	0%
Control		
• Face-to-face contacts (N=23)	23	100%
• Urine testing (N=21)	17	81%
• Curfew (N=17)	6	35%
• Electronic Monitoring (N=18)	0	0%
• Community Service Restitution (N=20)	5	20%
• Participate for 6 months (N=13)	13	100%

* The sample size for each item varied based on the primary source of data for each item. Survey analysis, content analysis, and telephone interviews were all primary and secondary sources of evidence. Primary data sources varied based on the program's funding type, responses to individual surveys, and responses to telephone interviews.

All (23) programs required control-oriented activities. Table 5.5 shows that 100% required more face-to-face contacts than regular supervision. On average, offenders were seen at least four times per month, compared to one time per month on regular supervision. Most programs (17) also required urine testing more often than on regular probation. Curfews were mandatory in six programs.

Some programs noted that, although not required for all ISP participants, any of the control-oriented activities in Table 5.5 might be required as an internal sanction for non-compliance. Electronic monitoring (EM) was not required in any program, but was an option in nine. EM is an expensive technology that is usually used as a sanction within the program.

Community service restitution (CSR) was not required as a part of most ISP programs. Rather, CSR is a common court-ordered condition for most probationers, and is not a requirement related to a specific program. The supervision officer, whether the offender is in ISP or on regular supervision, ensures that the offender completes court-ordered CSR.

The final variable in this category was program length. Gendreau and Goggin (1996) recommend that effective correctional programs last a minimum of four months. Of the thirteen programs for which this information was available, all of them required a minimum of at least six months participation. Graduation from the program on to regular supervision was contingent on individual progress and compliance.

Program Integrity

The program integrity category assesses activities designed to increase a program's chances that it was implemented as intended and is having the desired impact(s). Measures of program integrity include evaluating, auditing, training, and developing and using program operation manuals. (Fulton *et al.* 1997, p. 72) The results for this category are presented in Table 5.6.

As shown in Table 5.6, the date of the last program audit was unknown in 10 of 23 cases. Audit dates were only available for the 13 programs that completed a survey. Program audits include financial and procedural audits. Some respondents provided the year and some provided

a month and year. Of the thirteen programs that reported audit dates, all had been audited during the prior two years. Most of these (9) were audited during the prior one year period.

Most (59%) programs do not require special training for ISP officers. Some respondents reported that they completed additional training, but the program did not require the training. Most (75%) programs had a policy and procedures manual for ISP. In some cases, the document was part of the departmental policies and procedures manual.

Table 5.6 Program Integrity Results

	Number	Percent
Date of last program audit (N=13)	13	100%
Special training for ISP staff (N=17)	7	41%
Manual for ISP program (N=17)	13	76%

* The sample size for each item varied based on the primary source of data for each item. Survey analysis, content analysis, and telephone interviews were all primary and secondary sources of evidence. Primary data sources varied based on the program's funding type, responses to individual surveys, and responses to telephone interviews.

The survey instrument and coding sheet used the date of last program evaluation another measure of program integrity. This item was eliminated from the final analysis because most departments referred to 'case evaluation' when answering this question. Case evaluation consists of examining the details of an offender's case file to document that appropriate offenders are in the program and are receiving appropriate levels of service. Because this is different from the original intent of the question, and it cannot be determined which definition of evaluation respondents perceived, the item was not used for analysis.

Community Justice

Community justice has been the buzzword of sentencing and corrections for the 1990's. It can be defined as a community led problem solving process that decentralizes authority, promotes consensus and establishes accountability. (Carey 1999, p. 33) The conceptual

framework calls on ISP programs to go beyond traditional measures of success and “incorporate measures of community context in to their designs.” (Byrne 1990, p. 27) Examples of community justice components include partnerships with police and community members. Community members can include individual citizens, citizen groups, churches, private industry, or non-profit organizations (Petersilia 1998, p. 7)

The ways in which programs can implement community justice concepts are infinite. The survey used open-ended questions where respondents could list ways in which their programs used community justice concepts. The category was split into the five types of community justice listed in table 5.7. All survey respondents and telephone interviews (17) indicated that they used community resources to assist offenders in completing required community service restitution hours. All probation departments in Texas have these resources because community service is a very common court order (see Page 66). To examine community justice activities beyond traditional community service, Table 5.7 reports responses that do not include community service relationships.

Table 5.7 Community Justice Results *

	Number (N=17)**	Percent
Partnerships with other government agencies (police, sheriff, human services)	1	6%
Partnerships with non-profit or private sector	0	0%
Partnerships with local churches/clergy	0	0%
Community meetings for input into program design or operation	0	0%
Community/citizen sponsors for the program and participants	0	0%

*All departments reported relationships with organizations that work with offenders who need to complete community service restitution hours. This table reports community justice activities that do not include the traditional community service relationships.

** The programs included in this assessment were those for which a survey or telephone interview were the primary source of data. Programs for which content analysis was the primary source of data were excluded because the document did contain data related to community justice.

Four agencies reported partnerships with other government agencies. Three of these responses listed establishing working relationships with counselors at mental health or protective service agencies or with private counselors for group or individual sessions as community justice activities. These relationships reflect more traditional probation relationships rather than true community justice oriented partnerships.

Only one department reported activity that can be labeled “community justice”. In this case, police routinely accompanied ISP officers to area bars for “bar checks”. Prior to this arrangement, police only accompanied probation officers to an offender’s home or work place if an arrest warrant had been obtained. In the case of this program, the Chief of the probation department and the Sheriff had a strong professional relationship. Staff reported that the agencies’ common goals increased their motivation and sense of community.

CHAPTER SIX: CONCLUSION

Purpose

This chapter summarizes the applied research project, discusses how the findings relate to the research question, and makes recommendations based on the findings. A table that shows how close the ISP programs are to the practical ideal type is presented.

Research Summary

This section summarizes the assessment's major findings. Table 6.1 lists the ideal type categories, provides the results for each variable, and assesses each category with an overall grade. The grades are based on a typical academic scale (i.e., 91 to 100 equals A, 81 to 90 equals B, etc.), and were calculated by averaging the percentages in each category. The assessment summary is presented in sub-sections below.

Mission and Goal Statements

Programs scored very low in some areas and very high in others. Forty-three percent (10) of the sample did not have clearly stated mission and goal statements. The evidence indicated that just over half (52%) operate primarily as prison diversion programs. The remaining programs (48%) met the criteria of the practical ideal ISP program. They focussed primarily on addressing the individual needs of offenders to prevent them from being revoked to prison incarceration.

Table 6.1 Summary of Findings Report Card

	N	Number	Percent	Assessment
Mission and goal statements	OVERALL GRADE: C			
Mission and goals should be clearly stated	23	13	57%	Fail
Diversion should not be a mission	21	10	48%	Fail
Programs should have short and long term goals	19	18	95%	A
Affecting long-term offender behavior should be a goal	21	19	90%	B
Reducing recidivism should be a goal	21	20	95%	A
Target Population and Selection Criteria	OVERALL GRADE: F			
Require high risk score	23	9	39%	Fail
Require high need score	22	6	27%	Fail
Target offenders on probation rather than new placements from court	16	8	50%	Fail
Do not exclude high risk offenders	21	16*	76%	C
Treatment and Control Activities	OVERALL GRADE: A+ (BALANCE & AFTERCARE INCONCLUSIVE)			
Integrate treatment and control strategies	23	23	100%	A+
Target individual needs	23	23	100%	A+
At least four months of direct service	13	13	100%	A+
Use a 'balanced approach' to intervention, surveillance, and enforcement activities	NA	Inconclusive	NA	Inconclusive
Aftercare should be a part of treatment	NA	Inconclusive	NA	Inconclusive
Program Integrity	OVERALL GRADE: C			
Regular program audits	13	13	100%	A+
Special training for ISP staff	17	7	41%	Fail
Manual for ISP program	17	13	77%	C
Community Justice	OVERALL GRADE: F			
Partnerships with other government agencies	17	1	6%	Fail
Partnerships with non-profit or private sector	17	0	0%	Fail
Partnerships with local churches/clergy	17	0	0%	Fail
Community meetings for input into program design or operation	17	0	0%	Fail
Community/citizen sponsors for the program and participants	17	0	0%	Fail

* One program excluded gang members and four excluded sex offenders. Exclusions were because the department had specialized caseloads for these offenders.

** All departments reported working with organizations that use offenders for community service. This table reports community justice activities that do not include traditional community service relationships.

Most programs had similar goals, but varied in their emphasis. The content of goal statements (90-95%) was aligned with the practical ideal ISP program. That is, most (95%) had both short- and long-term goals, 90% aimed to address long-term needs, and 95% had a goal of

reducing recidivism. Some programs stated reducing recidivism as the primary goal while others emphasized providing need-based services.

Target Population and Selection Criteria

Overall, the sample failed the assessment in this category. The sentencing system that allows judges to order offenders in to any program is partly to blame. ISP programs that are designed to serve offenders who traditionally score low on risk assessment instruments (sex offenders, DWI offenders, and substance abusers) are another reason for low scores in this category. Many programs asserted that they were designed to serve high risk and high need offenders. However, only 39% of the sample required participants to have high risk scores, and 26% required a high need score. Most programs did not set risk and need level requirements for two reasons. One was because the court can order any defendant in to the program, regardless of program requirements. Another reason is that some programs are designed to serve a certain types of offenders, regardless of risk or need score. For example, four programs served all probated sex offenders in the jurisdiction; five programs served graduates from intensive treatment or incarceration programs.

Although all programs must admit court-ordered offenders, about half also serve offenders already on probation. Eight of sixteen programs received 50% or more of their participants from staff referrals. For these participants, who were typically failing on regular probation, ISP was a last chance before returning to court for a revocation hearing. No programs excluded offenders from participation. Five programs did not serve sex offenders or gang members because other special programs existed to serve their unique needs.

Treatment and Control

All programs integrated treatment with control. In addition, the majority (91%) assigned treatment components based upon the offender's individual needs. The remaining 8% (2 programs) were designed to serve offenders with similar needs. All program participants completed the same treatment requirements. The lack of an appropriate measure and the way in which data were collected prohibited conclusions about the extent to which programs balance treatment and control. In addition, the design of the study prohibited determining whether ISP provided more treatment than regular probation caseloads.

The extent to which aftercare was a part of treatment is unknown because most programs used various contract treatment providers for these services, and they were not a part of the survey. It should be noted that some ISP programs serve offenders immediately upon their release from in-patient treatment. These offenders are participating in aftercare programs while in ISP.

Program Integrity

All (13) ISP programs that responded to the survey had been recently audited. The majority (9) had been audited during the prior year. The local probation office or the state agency that funds probation programs (Texas Department of Criminal Justice-Community Justice Assistance Division) completed the audits. This variable includes financial audits and compliance audits.

It could not be determined whether any programs had completed a program evaluation. Probation departments use the term "evaluation" when referring to process of reviewing individual cases for appropriate program placement. The term was not defined on the survey, and

it was unclear which type of evaluation respondents referred to when answering the question. Therefore, the item was inconclusive.

Community Justice

Community justice oriented partnerships are nearly non-existent in Texas ISP programs. Only one true example could be found. Several respondents noted that the probation department, not the program itself, has relationships with other government and non-profit agencies for services. These services are used by all programs in the department, not only ISP. The relationships reported by ISP programs did not appear to go beyond the traditional referral process to embody the principles of community justice.

Recommendations

ISP programs should align activities with the practical ideal type. This practical ideal type was borrowed from criminal justice effectiveness literature and similar frameworks developed specifically for ISP programs. As a whole, Table 6.1 demonstrates the areas in which programs fall short of the practical ideal. Table 6.2 presents a summary of recommendations for meeting the practical ideal ISP program. Some recommendations should be addressed by local probation departments and some should be addressed by the Texas Department of Criminal Justice, Community Justice Assistance Division (TDCJ-CJAD), the state agency responsible for funding probation programs.

First, programs must have clearly written mission and goal statements. These statements should be developed with input from all ISP management and staff. Programs should use the knowledge gained from past ISP research, presented as the conceptual framework developed in this paper, as a guide. The process of developing written statements should include assessing

program activities to ensure they are aligned with the mission and goal statements. The result should be a written mission statement, goals, policies, and procedures.

ISP mission statements should primarily focus on addressing individual needs, not serving as an alternative program to prison incarceration. Most ISP programs do not divert enough offenders to make a significant impact on lowering Texas' prison population numbers. The eleven diversionary programs in the sample serve an inflated estimate of 400 offenders at any given time. Texas prisons have a capacity of 125,000 prisoners. These ISP programs serve less than one percent of the capacity of the entire prison system. In addition, Texas prisons are not currently overcrowded.

Require that all participants have a high risk score. Offenders with other needs who are not high risk should be served by Specialized Caseloads. Judges and probation staff who make recommendations to judges about the selection criteria should be educated about the reasons for setting this requirement. Probation staff should also be educated about the high risk requirement. The Texas Department of Criminal Justice should set definitions for ISP and Specialized Caseloads. ISP's definition should include serving high risk offenders while Specialized Caseloads should be aimed at non-high risk offenders who have other similar need areas (e.g., sex offenders, substance abusers, DWI offenders). TDCJ should assess the categorization of programs as part of their funding and auditing process.

Programs should select the majority of their participants from the high risk offenders who are already on probation. Fulton *et al.* (1994, p. 16) also asserted this recommendation in their American Probation and Parole Association publication. Many high risk offenders fail on regular probation. These offenders do better in ISP than on regular probation. They also do better in ISP than lower risk offenders.

Table 6.2 Recommendations

Recommendations for Local Probation Departments:

- Develop and record mission and goal statements.
- Focus the mission on addressing individual needs, not diverting offenders from prison.
- Require that all participants have a high risk score upon entering the program.
- Implement a process to select high risk offenders who are already on probation.
- Require training on effective ISP practices for ISP management and staff.
- Evaluate programs for integrity and effectiveness.
- Implement community justice components.

Recommendations for TDCJ-CJAD:

- Assess ISP programs to determine whether they are really Specialized Caseloads.
- Develop training curriculum for effective ISP practices.
- Evaluate programs for integrity and effectiveness.
- Validate the risk assessment instrument currently used by departments.
- Promote community justice principles.

ISP management and staff should be required to complete training that teaches the conceptual framework for effective ISP programs. The American Probation and Parole

Association and this conceptual framework are good sources of training curriculum. The written policies and procedures of the program can also be used as a source to develop local training curricula for individual ISP programs.

Program evaluations should be used to increase program integrity. The practical ideal type can be used as the basis for program evaluations. Contract treatment services should be included in the scope of the evaluations.

Finally, ISP should promote the tenets of community justice. Fostering interaction with community health, legal and spiritual resources and then implementing strategic programs can increase staff motivation, participant motivation, and positive outcomes.

In conclusion, Texas ISP programs vary in design and emphasis. Different funding sources and characteristics of local jurisdictions result in an array of ISP programs. The variance was reflected in the unique sample for this assessment. Because of different funding sources and low survey response rates, different sources of evidence were used within the sample. Even with the unique sample, conclusions can be drawn from the assessment.

ISP demonstrated that it provides treatment services on an individual need-based system. This appears to be its greatest strength. However, the mission and goal statements of the programs do not reflect this as the primary focus of the programs. Texas ISP needs to update mission and goal statements to reflect the emphasis placed on these activities. In addition, TDCJ and local probation departments must look more in-depth at individual programs. Program evaluation can assist ISP programs to revamp their programs to include the effective practices of the practical ideal ISP program.

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Appendix A: Survey of Texas Intensive Supervision Probation Programs

1. Total ISP officers: _____
2. Average caseload per ISP officer: _____
3. Required number of office visits with each offender per month _____
4. Required number of other face-to-face contacts (home, work, etc.) per month _____
5. Write the mission statement and three most important goals of the ISP program.

Mission: _____

Goal 1: _____

Goal 2: _____

Goal 3: _____

6. To enter the program, are offenders required to have a 'high' risk score? ☐ yes ☐ no
a 'high' need score? ☐ yes ☐ no

Other requirements?: _____

7. What percentage of current participants were court ordered to the ISP program? _____

8. What percentage were referred from regular supervision to the ISP program? _____

9. Are any cases specifically excluded from participation in the ISP program? (e.g., gang members, sex offenders, violent offenders) ☐ yes ☐ no

10. If so, which type of cases? _____

11. Place a check next to each activity that is required for all ISP participants.

- | | |
|---|--|
| <input type="checkbox"/> More office visits than regular supervision | <input type="checkbox"/> Family counseling |
| <input type="checkbox"/> More home visits than regular supervision | <input type="checkbox"/> Individual counseling |
| <input type="checkbox"/> More work visits than regular supervision | <input type="checkbox"/> Residential treatment |
| <input type="checkbox"/> Urinalysis more often than regular supervision | <input type="checkbox"/> Stress/anger management class |
| <input type="checkbox"/> Community service | <input type="checkbox"/> Substance abuse education class |
| <input type="checkbox"/> Curfew | <input type="checkbox"/> Community mentor/sponsor |
| <input type="checkbox"/> Electronic monitoring | <input type="checkbox"/> Cognitive training class |
| <input type="checkbox"/> Alcoholics/Narcotics Anonymous | <input type="checkbox"/> Victim impact panels |
| <input type="checkbox"/> Group counseling (not AA/NA) | <input type="checkbox"/> Other _____ |

12. Does the program routinely use a system of graduated sanctions? ☐ yes ☐ no

13. What is the completion date of the most recent program evaluation? _____

14. What is the date of the most recent program audit? _____

15. Do ISP officers complete training that other probation officers do not? ☐ yes ☐ no

16. Does the ISP program have its own written policies and procedures? ☐ yes ☐ no

17. Does the program routinely work with non-profit, church, or community organizations to fulfill its mission? If so, how?

18. Does the program have any other 'community justice' components (e.g., neighborhood policing, community meetings)? If so, what are they?

19. Provide any another information about your ISP program that is important or unique:

20. Comments:

Your name/title: _____

Telephone number: () _____

Thank you for your time. Please attach any documents that describe your program's components or processes. Return the completed survey in the enclosed envelope by September 15. Call Christine McCormick at (512) 322-9645 or email at cmc@onr.com.

Appendix B: Coding Sheet for Content Analysis and Survey

CSCD Name: _____

_____ Content Analysis _____ Survey _____ Consolidated Coding Sheet

<p style="text-align: center;">General Descriptive</p> <p>Total ISP Officers _____</p> <p>Average caseload per ISP officer _____</p> <p>Required office visits per month _____</p> <p>Required other face-to-face visits per month _____</p>	
<p>Goal/Purpose Statements</p> <p>Clearly stated? _____ Yes _____ No</p> <p>Diversion a purpose _____ Yes _____ No</p> <p>Enhancement a purpose _____ Yes _____ No</p> <p>Short and long term goals _____ Yes _____ No</p> <p>Reducing recidivism is a goal _____ Yes _____ No</p> <p>Affecting long-term offender behavior is a goal _____ Yes _____ No</p>	
<p>Target Population/Offender Selection</p> <p>High risk _____ Yes _____ No</p> <p>High need _____ Yes _____ No</p> <p>Referral origin _____ % Court _____ % non-court</p> <p>Excluded populations List: _____</p>	
<p>Treatment/Control Balance</p> <p>Total 'intervention' activities required _____</p> <p>Total 'enforcement' activities required _____</p> <p>Total 'surveillance' activities required _____</p>	<p>Comments/observations: _____</p> <p>_____</p>

<p align="center">Integrity</p> <p>Number of need-based services _____</p> <p>Date of last program evaluation _____</p> <p>Date of last program audit _____</p> <p>Special training for ISP staff _____ Yes _____ No</p> <p>Manual for ISP program _____ Yes _____ No</p>	
<p align="center">Community Justice</p> <p>Cooperation with other government agencies (police, sheriff, human services) _____ Yes _____ No</p> <p>Cooperation with non-profit or private sector _____ Yes _____ No</p> <p>Cooperation with local churches/clergy _____ Yes _____ No</p> <p>Community meetings for input into program design or operation _____ Yes _____ No</p> <p>Community/citizen sponsors for the program and participants _____ Yes _____ No</p> <p>Program located in high need areas _____</p>	

Appendix C: Community Supervision and Corrections Department (CSCD) Jurisdictions, ISP Funding Types, and Data Sources

CSCD Counties*	Major City	Funding Type	Data Source(s)
Bexar	San Antonio	CCP	<ul style="list-style-type: none"> • Content Analysis
Bowie	Texarkana	Supervision**	<ul style="list-style-type: none"> • Survey
Brazos	Bryan	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Cameron Willacy	McAllen	Supervision	<ul style="list-style-type: none"> • Survey
Cooke	Gainsville	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Deaf Smith Oldham	Hereford	Supervision	<ul style="list-style-type: none"> • Survey
Ector	Odessa	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Ellis	Waxahachie	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Floyd Briscoe Dickens Motley	Floydada	CCP DP	<ul style="list-style-type: none"> • Survey • Content Analysis
Grayson	Sherman	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Gregg	Longview	Supervision	<ul style="list-style-type: none"> • None
Guadalupe	Seguin	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis • Telephone
Harris	Houston	CCP	<ul style="list-style-type: none"> • Content Analysis
Haskell Kent Stonewall Throckmorton	Haskell	CCP	<ul style="list-style-type: none"> • None
Hopkins Delta Franklin Raines	Sulphur Springs	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis • Telephone
Jefferson	Beaumont	Supervision	<ul style="list-style-type: none"> • Telephone
Lubbock Crosby	Lubbock	CCP	<ul style="list-style-type: none"> • Survey • Content Analysis
Nueces	Corpus Christi	Supervision	<ul style="list-style-type: none"> • None

Orange	Orange	Supervision	<ul style="list-style-type: none"> • None
Pecos Brewster Jeff Davis Presidio Reagan Upton	Fort Stockton	DP	<ul style="list-style-type: none"> • Survey • Content Analysis
San Patricio Aransas Bee Live Oak McMullan	Sinton	Supervision	<ul style="list-style-type: none"> • Survey
Smith	Tyler	CCP	<ul style="list-style-type: none"> • Content Analysis
Taylor Callahan Coleman	Abilene	CCP	<ul style="list-style-type: none"> • Content Analysis
Tom Green Coke Concho Irion Runnels Schleicher Sterling	San Angelo	CCP	<ul style="list-style-type: none"> • Content Analysis
Walker Grimes Madison	Hunstville	Supervision	<ul style="list-style-type: none"> • Survey
Wilbarger Foard Hardeman	Vernon	CCP	<ul style="list-style-type: none"> • Content Analysis
Young Stephens	Graham	Supervision	<ul style="list-style-type: none"> • Content Analysis • Telephone

*For multiple county jurisdictions, the “Chief County” for the CSCD is listed first.

**Supervision-funded programs were not required to submit a program proposal, so content analysis was not possible for this group of program