

**EVALUATION OF THE COURT SUPPORT SERVICES  
DIVISION'S PROBATION TRANSITION PROGRAM  
AND TECHNICAL VIOLATION UNIT**

**FINAL REPORT**

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## EXECUTIVE SUMMARY

In response to Public Act 04- 234, *An Act Concerning Prison Overcrowding*, the Court Support Services Division within the Judicial Branch designed and implemented two pilot probation programs that sought to decrease probation violations and subsequent incarceration. These programs are the Probation Transition Program (PTP) and the Technical Violation Unit (TVU).

### Description of the Probation Transition Program and Technical Violation Unit

The PTP targets inmates who have terms of probation upon their discharge from the Department of Correction (e.g., those discharged at the end of sentence from a correctional facility, halfway house, parole, transitional supervision or a furlough). The goal of this program is to increase the likelihood of a successful probation period for split sentence probationers by reducing the number and intensity of technical violations during the initial period of probation. The TVU also focuses on probationers about to be violated for technical reasons (e.g., deliberate or repeated non-compliance with court ordered conditions, reporting requirements, and service treatment requirements). However, it addresses all probationers regardless of whether they have been incarcerated or not. The goal of the TVU is to reduce the number of probationers sentenced to incarceration as a result of technical violations of probation.

### Prior Research on Probation Best Practices

These programs were created around best practices of probation. Prior probation research brings forward several important issues that were considered during the development of the PTP and the TVU. These are: (1) probation violation rates have been found to be as low as 12% and as high as 62%; (2) while probation violations have led to increased prison populations, little is known as to the extent that these increases are the result of new offenses or technical violations (although the majority of probation violators sent to prison are for technical violations); (3) substance abuse issues among probationers are highly related to probation violations; (4) probation supervision techniques that are less controlling and enforcement oriented are more effective; (5) better communication between probation officers and other court personnel result in lower incarceration rates of probation violators; (6) role clarity and comprehensive training of probation officers on rehabilitation principles increases probation officers' receptiveness to less strict control and enforcement oriented supervision.

### Evaluation Description and Findings

To measure the effectiveness of the PTP and the TVU programs in reducing probation violations and reincarceration, the Court Support Services Division contracted with faculty from the Department of Criminology and Criminal Justice at Central Connecticut State University (CCSU) to conduct a process and outcome evaluation of these programs. The evaluation used both qualitative and quantitative research methods in assessing the implementation of the two probation programs and its effects on program participants. This report presents the findings from this evaluation.

There were several consistent findings across the qualitative and quantitative analyses. First, both analyses found that the PTP and the TVU programs appeared to be operating according to the program model in terms of selecting appropriate probationers and in the type of supervision. Both the PTP and the TVU targeted the more serious offenders who were at a high risk of reoffending, being violated, and being incarcerated.

Second, several PTP and TVU probation officers reported having difficulty locating substance abuse/mental health programs, housing, and employment for their clients in a timely manner. The probation officers strongly believed these delays had detrimental effects on probationer success. The findings from the quantitative analysis supported these beliefs by finding that probation violators had higher LSI risk scores for financial, leisure, companions, alcohol/drug problems, and overall risk score for PTP violators along with education/employment and alcohol/drug problems for TVU violators.

Third, the PTP and TVU probation officers believed that both programs were being successful in reducing probation violations for program participants. These beliefs were also substantiated by the quantitative analysis. There was a 40% change in the PTP violation rates from the PTP comparison group during the first four program months. The higher violation rate for the TVU (30%) was not unexpected given that these were probationers who had already demonstrated poor behavior and were on the verge of being violated when referred to the TVU. It is important to restate that the baseline violation rate for TVU was 100%. That is, without TVU, all of the TVU probationers would have been violated.

Fourth, we were unable to draw conclusions on courts' actions regarding probation violations due to the high number of PTP and TVU violations that were pending at this time.

This report provided an assessment of the short-term effectiveness of the PTP and TVU probation programs. We will continue to evaluate these programs by (1) collecting and analyzing court disposition data to determine the incarceration rates of PTP and TVU probation violators, (2) following the progress of PTP and TVU probationers after they complete these programs and are transitioned back into regular probation, and (3) conducting interviews with PTP and TVU probation violators to better understand why they were not successful in these programs. Additionally, we will continue to make policy and program recommendations, particularly on the most appropriate length of time probationers should be in these programs, the effect of client contacts with PTP and TVU probation officers, and the effects of contracted treatment programs (e.g., substance abuse and mental health) on probationers' success in the PTP and TVU.

The evidence-based approach combined with extensive planning has resulted in two very promising probation programs that target two different types of high risk probationers. The encouraging evaluation findings have led CSSD to seek enhanced state funding to establish the PTP and the TVU in every probation office throughout Connecticut. If the PTP and the TVU are expanded and implemented across the state in the same manner as the pilot offices, we would expect similar positive results in decreasing probation violation rates and as a result, lower incarceration rates for probation violators.

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## INTRODUCTION

Prison and jail overcrowding has been a growing concern in Connecticut since the early 1990s. Between 1992 and 2003, the prison population increased 82% (10,573 to 19,216) with the largest increase taking place with accused offenders awaiting trial or sentencing (145% during this time period) (Prison and Jail Overcrowding Commission, 2003). As part of their 2003 yearly report, the Connecticut Prison and Jail Overcrowding Commission recommended several strategies to decrease the prison population. One of their recommendations was to add sufficient probation staff to properly identify and assess split-sentenced offenders (convicted offenders sentenced to a prison term followed by probation) prior to their release from prison. These probation officers would have lower caseloads and could better assist inmates transitioning back into their communities, thus lowering probation violations and subsequent reincarceration.

The Connecticut General Assembly considered many of these recommendations during the 2004 legislative session and passed Public Act 04-234, *An Act Concerning Prison Overcrowding*, on May 19, 2004. Governor Rowland signed this act into law on June 8, 2004 and it became effective on July 1, 2004. The Act introduced several ways to reduce the number of people being incarcerated. Sec. 25 states that the Legislative Program Review and Investigations Committee and the Office of Fiscal Analysis shall review the implementation of the act and measure its effects including, but not limited to, “the effect on the prison population, the cost savings generated and the extent to which such savings are reinvested in improving community safety and ensuring the successful transition of ex-offenders to the community.” Sec. 26 (a) required the Judicial Branch to submit a plan, no later than October 15, 2004, to the joint standing committees of the General Assembly, “to reduce by at least twenty percent the number of incarcerations resulting from technical violations of conditions” which also needed to include the cost of implementation.

Furthermore, Sec. 29(a) provides that the “Departments of Correction, Mental Health and Addiction Services and Social Services and the Labor Department, the Board of Parole and the Judicial Branch shall collaborate to develop and implement a comprehensive reentry strategy that provides a continuum of custody, care and control for offenders discharged from the custody of the Department of Correction and assist in maintaining the prison population at or under the authorized bed capacity.” Sec. 29 (B) outlines the measures of success for the reentry strategy. These measures are: “(1) The rates of recidivism and community victimization, (2) the number of inmates eligible for release on parole, transitional supervision, probation or any other release program, (3) the number of inmates who make the transition from incarceration to the community in compliance with a discharge plan, (4) prison bed capacity ratios, (5) the adequacy of the network of community-based treatment, vocational, educational, supervision and other services and programs, and (6) the reinvestment of any savings achieved through a reduction in prison population into reentry and community-based services and programs.”

## Creation of the Probation Transition Program and the Technical Violations Units

In accordance with the time frames indicated above, the Judicial Branch on October 15, 2004 submitted “A Report on Strategies to Reduce Technical Violations of Probation”. This report outlined a four-point program to reduce violations of probation. The four-point program consisted of a case management plan, a response to non-compliance policy change, the introduction of two special probation projects, and lastly, a component involving research and evaluation.

The two special probation projects were the Probation Transition Program (PTP) and the Technical Violation Unit (TVU). The PTP targeted inmates who had terms of probation upon their discharge from the Department of Correction. This included those discharged at the end of sentence from a correctional facility, halfway house, parole, transitional supervision or a furlough. The targeted PTP program pool included all inmates, excluding sex offenders, who served a sentence of 90 days or more, and who would be discharged from DOC custody with a period of probation to follow. The goal of this program was to increase the likelihood of a successful probation period for split sentence probationers by reducing the number and intensity of technical violations during the initial period of probation.

The TVU was similar to PTP in that it focused on probationers about to be violated for technical reasons (e.g., deliberate or repeated non-compliance with court ordered conditions, reporting requirements, and service treatment requirements). However, it addressed all probationers regardless of whether they have been incarcerated or not. The goal of the TVU was to reduce the number of probationers sentenced to incarceration as a result of technical violations of probation.

### Overview of the Evaluation of PTP and TVU

To measure the effectiveness of the PTP and the TVU programs in reducing probation violations and reincarceration, the Court Support Services Division contracted with faculty from the Department of Criminology and Criminal Justice at Central Connecticut State University (CCSU) to conduct a process and outcome evaluation of these programs. The evaluation used both qualitative and quantitative research methods in assessing the implementation of the two probation programs and its effects on program participants. This report presents the findings from this evaluation. The following sections are included in this report: an overview of the research literature on probation, , the methodology used to conduct the evaluation, results of the qualitative analysis, including detailed descriptions of the PTP and the TVU programs, results of the quantitative analysis, including the process used to establish a PTP comparison group to serve as a baseline measures of recidivism, and the overall conclusions and recommendation of this evaluation.

## OVERVIEW OF PROBATION RESEARCH

The PTP and the TVU programs were developed using evidence-based research on probation effectiveness. Prior research has consistently found that control oriented probation practices that exclusively monitor behavior with rigid enforcement of conditions are more likely to increase recidivism while strategies that focus more on instilling prosocial attitudes and addressing criminogenic needs decrease them. The following review of probation research details these findings and highlights issues that are relevant to the PTP and the TVU programs.

### Research on Probation Violation Rates

Attempts to quantify probation violations nationwide are hampered by limited data, and also by variations in the percent of violations, as well as the percent of violators incarcerated, from jurisdiction to jurisdiction. The following presents a summary of the literature regarding numbers of probation violations.

Clear, Harris and Baird (1992) studied outcomes of 7,501 probationers in six agencies, and found an average violation rate of 25%, with a range of 12% to 51% among the jurisdictions. The authors attributed this variation to different reporting practices more than to differences in probationer behavior. New offenses, mainly for minor crimes, constituted roughly one-half of all violations. Only 7% of violations were for new felonies with 1.2% for serious acts of violence. The authors indicated that probation officer response was shaped both by organizational policy as well as the tradition of the organization, or “the degree to which discretion allowed by policy is actually controlled in practice” (p. 5). They added, “Where strong supervisory review was mandated by official policy, the exercise of discretion by individual officers following the reporting of violations was far more limited than where no policies of supervisory review existed” (p. 5 & 6).

Summaries of research on probation revocations needs to take into account the different outcome measures used (new arrest vs. technical violation, misdemeanor arrest vs felony arrest), the different lengths of review, and the different types of probation cases studied (regular vs. intensive caseloads, all cases vs. felons only) (Minor, Wells & Sims, 2003). No doubt, the closer the scrutiny of probationer behavior, either by the probation officer or an outside researcher, the more likely violations will be detected.

Morgan (1993), in her extensive review of studies on probation recidivism, found that probationer failure rates ranged from 14% to 60%. Taxman (1995), based on her review of the literature, estimated that 25% to 50% of probationers will get involved in some level of violation requiring the court’s attention. Minor et al. (2003) observed a similar disparity in overall violation rates among studies. They found that 70% of the 200 probationers on Federal Probation in Kentucky were not in violation status over a two-year review period. Thirty-three percent of those who did violate one or more of their conditions had their probation revoked.

A Bureau of Justice Statistics report indicated that approximately 60% of the approximately 2 million people terminated from probation in 2003 were terminated successfully and 16% of probationers in 2003 were discharged due to a rule violation or new offense. An additional 4 percent had absconded, and 13% more had their sentences revoked without incarceration (Glaze and Palla, 2004).

Langan and Cuniff (1992) using data on 79,000 felons in 17 states who were sentenced to probation in 1986, found that 62% either had a disciplinary hearing for violating a condition of probation or were arrested for another felony. Within three years, 46% of all probationers had been sent to jail or prison or were absconders. Nine percent were arrested for a violent crime. Of all those discharged as “successful,” 48% had one or more special conditions to satisfy as part of their sentence, although approximately one-third of these successfully discharged probationers did not fully complete their added requirements.

A Bureau of Justice Statistics (BJS) survey of probation and parole violators in state prison in 1991 found that 35% of state prison inmates were convicted of a new offense while on probation or parole from a previous sentence, and that 10% of all inmates had been returned to prison for technically violating the conditions of their probation or parole. Between 1974 and 1991 the percent of probation and parole violators in prison increased from 17% to 45%. Eighty-seven percent of the probationers in prison were there for a new arrest. The most common technical violation was absconding (37% of probation violators in prison), failure to pay fines or restitution (12% of probation violators in prison) and positive test for drug use (10% of probation violators in prison).<sup>1</sup>

Gray, Fields, and Maxwell (2001) analyzed case records of 1,500 probationers randomly selected from 4,000 probationers on probation in Michigan, and found that almost 25% had a new offense and almost 66% had a technical violation. One-fourth of the sample had no recorded violations. The most common violation was for failure to report (34%) followed by failed drug tests (22%). There were different predictors for technical violations (minority status, low education, drug use) than for new crimes (unemployed, previous misdemeanor crime, those on probation for assaultive crimes, and those with more technical violations). Although technical violations were modestly related to re-offending, other factors, including prior criminal record, age, race, and employment, were far more predictive of re-offending. The authors concluded that those with lower education and prior drug use are more likely to technically violate, but are not more likely to get a new arrest. Therefore, there should be some consideration given to easing the treatment requirements for these groups of offenders.

In general, estimates of probation violations vary greatly, from as little as 12% to as much as 62% depending on the sample studied. What is more important to consider is the impact that these violations may have on incarceration rates. Even a small number of violations can have a substantial impact on prison overcrowding as discussed below.

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<sup>1</sup> Percentages add up to more than 100 since inmates had more than one type of violation.

## Probation Revocations as a Percent of Prison Admissions

Probation requirements have become increasingly stringent since the early 1990s (Taxman, 1995). Ironically, the expansion of probation requirements necessitated by the intent to develop alternatives to incarceration has had the unintended consequence expanding the numbers of probationers and parolees going to jail or prison on violations. The number of offenders incarcerated for violating parole, probation, or other release conditions has increased more than seven-fold from 1980-1998, from 17% to 35% of all prison admissions. New court commitments declined from 84% of all prison admissions in 1980 to 60% in 1999. According to Petersilia (2003), approximately two-thirds of all new prison admissions in California are for parole violations. Nationwide, an estimated 6% of state prisoners in 1991 were there for a technical violation of probation. From 1975 to 1991, the number of parole and other conditional release violators entering state prisons increased at two times the rate of prison growth in general (Cohen, 1995). There is little data available to gain a clear indication of the percent of revocations due to technical violations as opposed to a new offense, although this percent has been estimated as high as 80% (Gray et al., 2001).

## Substance Abuse and Violations

Substance abuse is one of the more common issue among probationers and an important challenge for probation services. Nationwide, the two main categories of offenses supervised by probation are Drug Law Violations (25%) and Driving While Intoxicated (17%) (Glaze and Palla, 2004). A more in-depth study of the characteristics of adults on probation in 1995 indicated that drug trafficking (15%) and possession (13%) were the most common offenses among felons, while driving under the influence (35%) was the most common offense among misdemeanants. More than 2 of every 5 probationers had a requirement to engage in some form of substance abuse treatment (29% for alcohol, and 23% for drug abuse). Alcohol treatment was required about twice as much for misdemeanants as for felons, with about twice as many felons ordered for drug treatment as misdemeanants. Eighteen percent of those failing a drug test were incarcerated (Bonczar, 1997). A Bureau of Justice Statistics report on probationers in 1995 indicates that nearly a half of the probation population was tested for drugs. However, less than one-fifth received any form of treatment (Mumola, 1998).

Many researchers have noted the futility in increasing the level of watchfulness or surveillance alone, and that surveillance without treatment will simply add to the number of technical violations with no added community safety benefit. The literature is clear on the limited utility in reducing recidivism with a deterrence based, or “scared straight” type of approach, as opposed to remediation directed toward criminogenic factors. In short, a motivational, rather than confrontational, approach is advised as a better means of recidivism reduction (Fulton et al., 1997; Gendreau, 1996; MacKenzie, 1998; Petersilia, 2003; Taxman, 2002).

The addition of special conditions of probation ushered in by the movement toward intermediate sanctions is seen by various researchers to be connected to the increase in probation violations (Cromwell, Alarid & del Carmen, 2005; Wagner & Baird, 1993). Almost all (99%) probationers under supervision in 1995 had one or more added conditions.

Eighty-two percent of probationers were given 3 or more added conditions (Bonzcar, 1997). The increase in the percent of cases with special conditions is evidenced at the federal level. In 1987, 67% of all federal probationers had special conditions in addition to the standard probation conditions. By 1996, this figure increased to 91% (Adams and Roth, 1998). As requirements of probation expand and intensify, the numbers of probationers in violation status will increase, creating new challenges for probation departments and probation officers attempting to bolster probation's role as an alternative to incarceration.

#### Proposed Solutions to Limit the Number of Violations/ Revocations

There is a currently a well-established, nationwide prison diversion movement (see Appendix A), which includes among various initiatives the re-consideration of probation revocation policies and practices. Two recent nationwide efforts to rationalize the probation violation process are detailed in reports by the National Institute of Justice in 1994 and the National Institute of Corrections in 2001. Some of their main conclusions are summarized below.

The violation policy revision should be seen within a larger process of redefining the vision of community corrections. The justice system can no longer focus exclusively on processing cases. Instead, there is a need to define intended outcomes relating to the community, victim, and offender positive change, with probation and parole assuming accountability for their attainment (Burke, 2001).

Increases in violations were seen as attributable to a shift in the purposes of community supervision, with agencies more likely emphasizing control and punishment over treatment. Coinciding with the substantial increase in the numbers and types of conditions imposed is the improved technology, such as drug testing and electronic monitoring, that is available for detecting violations. These factors, along with the steady increases in cases supervised, speak to the increase in probation violations in the recent past (Parent et al., 1994).

Nationwide, there is a trend toward structuring violation decisions through (1) developing written policy, including goals, categories of violations, and guidelines, (2) refining procedures, to include review by supervisor or hearing officer, and (3) expanding the range of sanctions imposed for violations. Those re-examining the violation process should ask the following questions:

- Are changes in violation numbers caused by growth in total caseload, or have rates of violations also changed?
- Are there differential changes for population subgroups?
- Does one category (drug testing) account for a large share of violations?
- Are changes in violations attributable to policy changes?
- Are absconders different from the rest of the probation population in important ways?
- Are there subgroups in the population for which different responses would be appropriate? (Parent et al., 1994)

Although a quick response to any violation is recommended, it should include an attempt to use the least restrictive alternative given the risk to the community and the severity of the violation. What has been termed the “New Generation” policy regarding violations emphasizes the need to hold offenders accountable, while acknowledging the substantial barriers to bringing about positive offender change. It also recognizes the ultimate need for remediation to address what are often long-standing and intractable interpersonal problems. New York City’s practice in handling violators reflects this “New Generation” policy in the following ways:

- First, attempt a graduated response.
- Only highly serious technical violations should result in immediate action.
- The officer should never proceed with violation simply because of frustration.
- Where violations are not pursued, allow the probationer to “max out,” with a written record of non-compliance.
- Sanctions should be objective, clear, specific, appropriate, realistic, enforceable, and achievable by the offender. (Burke, 2001)

In addition to the above list, Taxman (1995) mentioned the need for guidelines to direct probation officer behavior in violation matters, violation categories for noncompliant behavior, the use of hearing officers to address violations, and the use of a continuum of sanctions to allow for intermediate sanctions rather than incarceration where appropriate. Other recommendations for rationalizing the probation revocation process include using mediators to hear and decide on violations to both ease crowded dockets and to provide more attention to the problems underlying the violation (Cook, 1995). The model described would involve a mediator, drawn from a pool of attorneys, who attempts to resolve what is essentially described as a “dispute” between the officer and the probationer. This would certainly require a different conceptualization of the violation process and the role of the probation officer in the violation process.

Enhancing the communication between judge and probation officer is viewed as a means of improving the quality and efficiency of the violation process (MacDonald & Baroody-Hart, 1999). This may occur through the use of administrative and judicial hearings, or violation review boards, instead of simply adding violation cases to the regular court docket (Carter & Ley, 2001; Taxman, 1995).

In Iowa, violators who otherwise would have gone to prison are assigned to a 60 day residential program upon the recommendation of the probation officer. Those completing the program are returned to regular probation supervision. Space at both male and female prisons is used for this program, with residents separated from the regular prison population (Abadinsky, 2003).

In an initiative considered as a “Best Practice in Corrections” by the American Correctional Association, the administration of the South Carolina Department of Probation, Parole, and Pardon Services entered into a collaborative relationship with staff from all levels of the department to determine ways to limit probation violators being incarcerated. One of the main findings was the presence of serious problems that resulted from misunderstandings and disagreements between probation agents and judges. Several recommendations emanated

from this collaboration, including giving more power to probation officers to impose sanctions without a court hearing, and the use of citations rather than warrants to save jail space (Rhine, 1998). The initiative was introduced gradually, beginning in one-third of the counties in South Carolina. Through this initiative it was determined that roughly one-half of violation cases did not have to go to court or the parole board. Also, the concurrence rates between agents' recommendations and actions taken by the court or parole board more than doubled, with an agreement of over 80%. Aside from the benefits in handling violations, the initiative ultimately served as a means of expressing confidence in staff (Rhine, 1998).

The National Institute of Corrections recommends that a jurisdiction seeking to change violation policy should consider involving important external and internal constituents, including the chief judge or designee, the head of the supervision agency, the court administrator, prosecutor, public defender, prison/jail administrator, and the mental health and substance abuse administrator. Internal collaboration should come from all levels of the hierarchy, both new and more senior staff, and include those with varying philosophies about the role of probation (Carter, 2001).

An important starting point is to develop a map or flowchart of the violation process, documenting all decision points and the flow of cases through the system. This helps to bring various parties together on critical points, to point out what is known/unknown, and also to educate all involved about the violation process. Without doing a full assessment, there is a tendency to rely on presumptions which are typically inadequate or misleading. Gaining input from line officers is an integral part of the assessment process (Ney & Reback, 2001).

### Connecticut's Approach to Reducing Probation Violations

CSSD developed a comprehensive strategy to reduce the number of technical violators who are incarcerated by at least 20%. The strategy consisted of a creation of a caseload management plan, change in policy in responding to non-compliance of probation conditions, implementation of two special probation projects, and enhancement of CSSD's research and evaluation capabilities.

*Caseload Management Plan.* Achieving manageable probation officer caseloads was believed to be a key component in reducing probation violations. When officers are overloaded with cases, they simply lack the time to identify and follow-up on non-compliance before it reaches a point of a violation warrant. For example, when faced with information that a probationer has absconded, the choice is to take the necessary time to try to locate him (which involves speaking with family and friends, and perhaps looking in the neighborhood), or see 25 more probationers scheduled for appointments that day. At the same time, officers are always conscious of the potential public safety risk of this individual. For this reason, a warrant for violation will likely be issued because unmanageably high caseloads make it impossible to spend the time necessary to find the individual and bring him back into compliance.

Since the early 1990s, probation officer caseloads in Connecticut have steadily risen. For example, though the number of probation cases nearly doubled since the early 1990s, the number of officers remained relatively constant or was reduced. The result of this conflict was that probation officer caseloads in 2000 were approximately 250 per officer, putting Connecticut among the top five (5) highest caseloads per officer in the country.

A total of 96 new Probation Officers were hired in August 2004 and February 2005. All 96 new Probation Officers completed a comprehensive, 200+ hour curriculum including training on Information Systems, Officer Safety, Pre-Sentence Investigations, Response to Non-compliance, Substance Use, Family Violence, Judicial Policy, Legal Issues, Motivational Interviewing, Court Orders, Ethics, Cultural Awareness, Professional Relationships and several other topics. New officer training also included several hours of on-the-job training in a field office. All 96 officers graduated from the CSSD Training Academy, culminating with the graduation of the second class of new hires in July 2005.

In addition, all Probation Officers will take part in intensive training program which includes modules in Motivational Interviewing, Risk/Need Assessment Interpretation, and Case Planning from fall 2005 through spring 2006.

The hiring and training of these 96 new officers resulted in a reduction in average caseloads from approximately 160 cases per officer in January 2004 to approximately 100 cases per officer in June 2005. CSSD has a goal to cap caseloads for officers supervising sex offenders at 25; a cap of 45 cases for officers supervising Surveillance risk level cases; a cap of 50 cases for officers supervising High risk level cases; and a cap of 100 cases for officers supervising Medium risk level cases.

It is believed that the combination of lower average caseloads and the skills gained in classroom and on-the-job training, changes in contact standards policy, and improvements in the contracted services, will result in fewer violations of probation in general, and longer term, bring fewer probationers back into the criminal justice system by achieving recidivism reduction.

*Response to Non-Compliance Policy Change.* CSSD relied on written policy as a means of guiding field officers in conducting their work. In the area of Adult Services, more than thirty (30) policies guided field officers in all activities from the maintenance of case files, supervision of probationers, and actions to be taken when faced with non-compliance.

CSSD issued revisions in August 2004 to Policy 4.22, Response to Non-Compliance, in advance of the implementation of the four-point strategy introduced in the October 2004 report and updated herein. The changes made to this policy in August 2004 required increased supervisory involvement in non-compliance, provided more structure and guidance in the use of graduated sanctions as an alternative to violation, and allowed greater flexibility when faced with new arrest involving probationers who are otherwise compliant with all probation conditions.

Further revisions to this policy were implemented in June 2005. In brief, the changes include:

- New definitions added for Violation of Probation Outcomes
- Requirements of an arrest warrant affidavit for Violation of Probation
- Inclusion of the DNA requirement and officer response to non-compliance with this requirement
- Procedures for Maintenance of the CMIS System and the entry of Violation of Probation Outcomes
- Revisions to the Graduated Sanctions/Response Chart

*Special Probation Projects.* The Judicial Branch received funding to reduce violations of probation in general and in particular, to reduce the number of technical violations of probation. Funds were provided for 20 officers and treatment services for two populations: high-risk split sentence inmates being released from the Department of Correction's custody to probation supervision and probationers whose probation officer has determined that a technical violation of probation violation is imminent. These projects are the Probation Transition Program (PTP) and the Technical Violation Unit (TVU). Due to limited appropriations, these projects could not be operationalized statewide and were placed in five locations for the Probation Transition Program and six locations for the Technical Violation Unit.

*Research and Evaluation.* In June 2005, CSSD formed the Center for Research, Program Analysis, and Quality Improvement. The responsibilities of this new Center within CSSD include: oversight of external research initiatives with academic institutions, other state agencies, and parties performing research; increasing internal capacity to conduct quality research; enhancing CSSD's capacity to evaluate the treatment programs utilized by probationers; and leading quality improvement efforts through continual review of internal processes.

### What Works With Offenders

It is unknown to what extent limiting the use of violations will impact the effectiveness of probation in encouraging prosocial attitudes and behaviors among its clientele. Limiting the use of violations depends, in part, on the treatment services that probation has at its disposal. It also depends on the ability of probation agents to manage the array of services available and to encourage clients to make use of such services (Dell' Apa, Adams, Jorgensen & Sigurdson, 1976).

Since the early 1980s, there has been a developing literature of rehabilitation program components and characteristics that, when actually incorporated as intended, have better prospects of reducing criminogenic attitudes and behaviors of offenders. A brief summary of the main points from this literature is presented in the following six points below (from Gendreau, 1996):

1. Services needed to be intensive, and based on social learning approaches.
2. Programs should be behaviorally based, targeting the criminogenic needs of high-risk offenders.

3. Programs should be carried out in a way that facilitates the learning of new prosocial skills by the offender, taking the offender's own learning style into account in how the programs is delivered (responsivity principle).
4. Program contingencies should be administered fairly and firmly, with reinforcers outnumbering punishers by at least 4:1.
5. "Therapists related to offenders in interpersonally sensitive and constructive ways and were trained and supervised accordingly" (p.149).
6. Programs must relate to real world of the offender, but at the same time immerse the offender in an environment where prosocial activities predominate.

According to Gendreau, programs that scrupulously follow the above principles will see recidivism reductions from 25% to 60%.

A main finding from current research on community-based supervision is that more violations can be expected, without a reduction in recidivism, when probation relies on surveillance alone. Recidivism reduction depends on treatment combined with appropriate supervision, and this treatment needs to be directed toward criminogenic needs, or those thoughts, feelings, and behaviors that most directly support criminal behavior (Fulton et al., 1997). "Scared straight" approaches, though they may appeal to one's sense of justice or fairness, do little to reduce the overall recidivism level of criminal offender populations. Programs, such as militaristic boot-camps, drug testing or electronic monitoring without a treatment component, are not successful in reducing recidivism (MacKenzie, 1998; Taxman, 2002).

### Probation Officer Roles/Styles and Organizational Issues

The general message from the above research is that probation agents/agencies have a role to play in improving the success rates of probationer, beyond the responsibility to clarify consequences and monitor compliance. This requires that probation assume at least some responsibility for the successful completion of probation. Officers who strictly subscribe to a view of criminal behavior as a result of rational choice on the part of the offender may resist any form of responsibility for choices made by offenders on probation.

Organizational literature advises that any attempt at change in critical policies, such as violation/revocation of probationers, should fully incorporate those who are given the discretionary responsibility to interpret and carry out such policies (Deming, 1986; Lipsky, 1980). To the degree that a policy requires change on the part of staff, change is more likely to occur to the degree that it is congruent with the attitudes and inclinations of staff (Lewin, 1947). Given the movement on the part of probation toward an enforcement response (Harris, Clear & Baird, 1989), the question would arise as to the degree that the changes necessary to rationalize the violation/revocation process would be met with resistance by staff, given its significance in the supervision process, especially as it relates to the split between enforcement and treatment orientations (Burke, 2001). An assessment of the degree to which policies to control line officer discretion is congruent or incongruent with the inclinations of staff would give some indication as to the magnitude of the change process needed within the organization to bring this type of change about.

Though the rationalization of the violation/revocation process may require to some degree a shift in the role orientation of staff, there are indications that such a shift can occur under the right circumstances. Fulton et al. (1997) found that intensive supervision officers who participated in comprehensive training on the principles of effective rehabilitation were more receptive to the rehabilitative function of probation, as opposed to probation's surveillance and control function. Ellsworth (1990) found in his survey of probation officers that most (76%) accepted the dual goals of probation, rather than the single goal of either enforcement (10%) or treatment (13%), despite the "get tough on crime" preference of the larger society.

Various researchers (Boone & Fulton, 1995; Osborne and Gaebler, 1992; Petersilia, 1993) have stressed the importance of outcome measures as both a means of clarifying goals and monitoring goal attainment. The field of criminal justice tends to be dominated by negative outcomes, such as violations or revocations of probation, and may thus inadvertently set up a mind-set of failure on the part of line officers. The ratification of positive outcomes such as successful program completion, demonstrated attitude change, can help to ameliorate this negative orientation, and provide both concrete and positive markers to direct probation activities (Boone & Fulton). This re-focusing on positive indicators could be integrated with a supervision strategy, where instead of punishing probationer failure with a probation revocation, probationer success could be rewarded with certificates of completion or of exemplary conduct, coupled with early termination of reporting requirements (Maruna, 2000; Petersilia, 2003).

### Summary of Probation Literature

The review of prior probation research brings forward several important issues that are relevant to probation practices in Connecticut, especially to the PTP and the TVU programs. These are:

1. Probation violation rates have been found to be as low as 12% and as high as 62%.
2. While probation violations have led to increased prison populations, little is known as to the extent that these increases are the result of new offenses or technical violations (although the majority of probation violators sent to prison are for technical violations).
3. Substance abuse issues among probationers are highly related to probation violations, not arrests.
4. Probation supervision techniques that involve less monitoring of rigid conditions are more effective. Strategies that are intensive, promote prosocial attitudes, and address criminogenic needs produce lower probation violation rates.
5. Better communication between probation officers and other court personnel result in lower incarceration rates of probation violators.
6. Role clarity and comprehensive training of probation officers on rehabilitation principles increases probation officers' receptiveness to less control and enforcement oriented supervision.

## EVALUATION METHODOLOGY

The evaluation employed both qualitative and quantitative research methods in assessing the overall effectiveness of the Probation Transition Program (PTP) and Technical Violation Unit (TVU). These methods centered on two aspects of these programs. First, we examined the implementation of the programs within and across the individual probation offices in order to better understand the daily activities of probation officers assigned to these units. Without knowing how well the programs were implemented, it would be difficult to draw firm conclusions regarding any results they may produce (both positive and negative). Second, we collected and analyzed data on all program participants to determine the effects of PTP and TVU on recidivism both during and following their involvement in the programs. This analysis also included a detailed comparison of probationers who were violated during the programs and probationers who successfully completed the PTP and the TVU. The following section will summarize the research design and measures used to address these issues.

### Areas of Research

The evaluation focused on three primary areas. First, as part of assessing the implementation of the PTP and the TVU, we examined the intake process in terms of looking at number of probationers entering each program and the general profiles of PTP and TVU clients. This step was necessary to determine the levels of program utilization and to better understand what types of probationers were being selected to participate in these programs.

Second, data were collected for every client in the PTP and the TVU to assess program outcomes in terms of probation violation rates and reincarceration rates. For the PTP, these outcome data were compared to baseline measures of recidivism by creating a similar group of probationers that did not participate in the PTP. We also looked at the nature of the violations (new arrest vs. technical violation) and attempted to determine what client factors were associated with being violated or being reincarcerated as a result of the violation (e.g., LSI risk level, criminal history, offense type, gender, age, marital status, education, employment, substance abuse or mental health treatment, etc.).

### Research Design and Data

The evaluation incorporated both qualitative and quantitative methods within the research design. The qualitative methods consisted of informal interviews with the PTP and the TVU probation officers and their supervisors. These interviews were generally unstructured and asked staff to discuss caseloads, number and quality of contacts with clients, relationships between probation staff and other agencies working with their clients (most often the Connecticut Department of Correction, States Attorneys, Alternative to Incarceration programs, Department of Social Services), utility of the case management information system (CMIS) as a source of inputting and obtain pertinent information, anecdotes of success/nonsuccess of probationers, overall perception of programs, and operational feedback. Evaluators collected data periodically throughout the evaluation

period by meeting face-to-face, exchanging emails, and through telephone conversations with PTP and TVU staff.

The quantitative aspect of the evaluation utilized a secondary analysis of existing data. Specifically, data from the Court Support Services Division's case management information system (CMIS) were collected for all clients entering the PTP or the TVU during the first program year (October 1, 2004 to October 1, 2005). In addition, a PTP comparison group was created using similar CMIS data. The details of the PTP comparison group are discussed later in this report. The CMIS data contained the following information:

- PTP or TVU start and end dates
- Demographic information (age, gender, race/ethnicity, marital status, education level obtained, employment)
- Date of probation violation (if one occurred)
- Nature and disposition of probation violation
- Criminal history (bail charges, prior arrests and convictions, age at first arrest)
- Current offense (offense type, number and types of charges, number and types of convictions)
- Level of Service Inventory scores (LSI)
- Adult Substance Use Survey scores (ASUS)

## QUALITATIVE ANALYSIS AND DESCRIPTION

A significant aspect of this evaluation was a qualitative analysis that centered on a description of the daily operation of the PTP and the TVU along with probation officers' perceptions of the program. In this part of the evaluation, we primarily reviewed program documents and conducted informal interviews of the PTP and the TVU probation officers. The following section presents the results of qualitative analysis. It begins with descriptions of the PTP and the TVU and is followed by a summary of the results.

### The Probation Transition Program

The Probation Transition Program (PTP) targeted inmates who had terms of probation upon their discharge from the Department of Correction. This included those discharging at the end of sentence from a correctional facility, halfway house, parole, transitional supervision or a re-entry furlough. The goal was to increase the likelihood of a successful probation period for split sentence probationers by reducing the number and intensity of technical violations during the initial period of probation.

Two probation officers staff the PTP program at each of the five Probation office locations: Bridgeport, Hartford, New Haven, New London, and Waterbury. While each probation officer would ideally have had a maximum caseload no higher than 25 probationers, the actual caseload size varied by location.

### Screening and Selection Process

PTP probation officers received periodic reports identifying inmates to be released from custody within the next 90 days. PTP probation officers reviewed these reports and decided which inmates were eligible for the PTP. After this initial determination, they met with the inmate in the correctional institution to review conditions of probation and obligation to report to the probation office on a specific date.

For those inmates not immediately considered for the PTP, staff from Community Partners in Action, a non-profit organization under contract with Court Support Services Division (CSSD), conducted initial screenings with split sentence inmates returning to any community in Connecticut. Contact was first made with all inmates discharging from a correctional facility. This screening involved completing a form consisting of information about the current offense, criminal history, behavior while incarcerated, program participation in DOC education programs, and any identified needs. Additionally, CPA staff collected the intended address of residence upon release, contact person, and any potential employment information. This information was passed along to the probation office in the area of the inmate's intended residence. The inmate was then assigned to a probation officer and was informed prior to release where and to whom to report for probation.

If a PTP probation officer did the initial screening, he or she would conduct an in-depth assessment through an LSI interview (Level of Service Inventory). The LSI is a 54

item measurement instrument that identified risks and needs. It was composed of ten subscales that have been found to be predictive of recidivism (criminal history, education/employment, financial, family/marital, accommodation, leisure/recreation, companions, alcohol/drug problems, emotional/personal, and attitude/orientation).

At this point, the probation officer identified and arranged for service in the need areas. The more commonly identified areas of need were housing, employment, substance abuse, and mental health treatment. These services were provided in a variety of ways and varied by location since available resources vary by location throughout the state.

Within the first 72 hours of release from a DOC facility, a PTP probation officer met with the probationer in the office or in the community. Given the extent of the pre-release planning, the PTP officers attempted to secure needed services before the probationer has left prison. In general, four face-to-face and two collateral contacts per month were made during the first four months of supervision with additional contacts made as need arose. The goal was to stabilize the offender during this time and transfer him or her to a regular probation caseload.

### Program Operation

Each probation office had its own method of operating the PTP program. For example, some locations used the same PTP officer to do both the intake in the correctional facility and the supervision of the inmate upon release (Bridgeport and New London). In those cases, an officer should have had a maximum of 25 probationers. Other locations divided the workload by having only one of the PTP officers do the initial screening and assessment and the other do the supervision. These officers typically had a caseload that was larger than 25 probationers (Hartford, New Haven, and Waterbury).

Regardless of the method employed by any location, each officer was equipped with a car, cell phone and laptop computer. Additionally, assistance from the probation office was available to PTP probationers 24 hours a day and seven days a week through the supervising PTP officer or another probation officer at that location. The PTP supervision was designed to last 30 to 120 days. However, with approval from the PTP probation officer's supervisor, a probationer could stay in the program longer than 120 days.

### Offenders Chosen for PTP

Selection criteria were developed and agreed upon by a committee of Chief Probation Officers and Administrators. PTP offices generally followed these criteria but adjusted them to create their own method to screen individuals. Some common themes did arise across every location. First and foremost, probationers that did not have housing upon release were consistently chosen for the PTP program. Another important criterion was substance abuse. Probationers with a long history of substance abuse, especially those using substances other than marijuana such as heroin, were likely candidates for the PTP. In relation to substance abuse, if a probationer reported using while incarcerated, that person would be placed under PTP supervision. In addition, probationers with both substance abuse and mental health

concerns were given top priority. Another common consideration was the length of time a probationer was incarcerated. The longer a probationer was incarcerated the more it was believed that he/she needed re-entry assistance through the PTP.

Another important factor that PTP officers considered was whether the inmate had any type of support network in the community such as family or employment. If the inmate did not, he or she was a likely candidate for PTP supervision. Perhaps the single most important consideration for entry into the PTP was the client's motivation and attitude. PTP probation officers targeted probationers who were interested in the program, had a clear understanding that he/she was required to do things differently when returning to the community, and realized that this probation program was designed to be supportive rather than monitoring oriented.

If a probationer had been on parole or in transitional supervision, several offices were less likely to place them under PTP supervision. This decreased the confusion on the part of the probationer and limited to possibility of duplicating services.

### PTP Officer Selection

PTP officers volunteered to be placed into this unit. Selection of the officers varied based on location. The more common reasons for selection were the number of years he or she has been working in probation, attitude, communication skills, management skills, ability to work with a challenging population, ability to motivate a client towards positive change, and willingness to be available to clients 24 hours a day seven days a week.

### Training

All PTP officers, along with the treatment providers assigned to the PTP and the TVU programs, were required to participate in intensive training centered on the importance of using the principles of cognitive behavioral change to their daily casework. Coursework consisted of Motivational Interviewing and Criminal Thinking. The initial training was completed from January through April of 2004. Some coursework and refresher programs were ongoing. Trained facilitators from the CSSD Center for Best Practices and experts in the field of cognitive-behavioral change delivered the training.

### Probation Officers' Perceptions of PTP

*Overall perception of PTP.* The evaluators asked PTP officers to discuss their experiences and perceptions of the program. At the time of this report, all the PTP probation officers believed the program was worthwhile, strongly needed, and that the level of attention they can give an individual probationer helped in preventing the probationer from recidivating.

PTP Probation officers believed the resources made available aided in probationers' success. With PTP, front-loading services when a person was being discharged from a correctional facility was essential in their smooth transition from DOC back to the

community. The services, for the most part, were already in place or were shortly after the individual's release. Most importantly, there was an officer assigned and awaiting the probationer to immediately address that person's needs.

One of the key factors in the PTP was the ability to "get to know" the probationer. The lower caseload allowed officers to build relationships with the individuals instead of just treating him or her like a number. In one case, the probation officer requested to be at a hearing for a PTP probationer who was rearrested. This officer believed he should have been present at the hearing because he was the one person in the community and in CSSD that could accurately advocate for him. It was reported that the young man, although he had a relapse, was doing the best he had ever done in any probation situation.

The initial contact in the correctional facility in which the probationer was being held was seen as vital. It was the first step in building a relationship with the officers. The probationer would know someone will be in the community to aid him or her in transitioning back. The officers reported that some probationers were actually surprised that officers would assist them in finding housing, access to health care or rehabilitation programs, and transportation.

*Obstacles identified by PTP officers.* Early in the implementation of the PTP program, officers faced obstacles in acquiring certain services for the probationers. All the officers in the PTP were concerned with the availability of housing, mental health assessment and treatment, substance abuse treatment, and employment.

The most immediate concern was housing. The PTP probation officers believed that housing was extremely limited, even for probationers in the PTP. The PTP probation officers stated that several split sentenced probationers were homeless as they left prison and finding housing for these probationers tended to be a difficult and frustrating task. For example, some housing programs did not accept probationers with substance abuse issues. Other programs that did have beds available would not take probationers until the appropriate referrals were in place. In respect to female probationers, PTP probation officers reported that appropriate housing was even more difficult to obtain.

PTP probation officers reported having difficulty obtaining mental health assessments and substance abuse treatment programs for their probationers in a timely manner. They stated that it would often take weeks for probationers to receive any type of services. This delay made it difficult for the probationer to deal with everyday stressors including complying with his or her probation conditions.

Last, probation officers had limited success in locating employment for their clients. It was very difficult to find positions for the probationers due to their criminal records. All the officers recognized the importance of employment but most struggled with job placement.

The PTP probation officers acknowledged that the initial challenges in acquiring services for the probationers in the PTP diminished somewhat due to CSSD's increased

investment in programs and services. For example, CSSD funded 131 new residential beds through existing agreements with community providers and through collaborative contracting with the Department of Mental Health and Addiction Services (DMHAS). In addition, PTP probationers had priority access to residential beds in CSSD's network across the state. Furthermore, services at CSSD's contracted Alternative Incarceration Centers and Adult Behavioral Health Services have been increased with dedicated programming for PTP probationers at each location.

*Communication with court officials.* When a probationer is violated, some PTP officers would like to have more direct communication with the courts (prosecutors and judges). For instance, it was not uncommon for a probationer who was doing well on PTP to relapse and get rearrested. In one specific case, there was a young man who was a drug addict. His PTP officer believed that he was making positive progress in his probation, his family was supporting him in his recovery, and he was in regular contact with the probation officer. The young man had a lapse and was arrested for possession of heroin. The mother of the young man wanted the probation officer to be present for the hearing and the probation officer wanted to be at the hearing to advocate for the probationer. This probation officer reported that he was not able to communicate this probationer's progress to the state's attorney.

*Caseload size and time in the program.* Although the caseload for the probation officers was much lighter than "regular" probation officers, the time an officer put into a client was much greater. The PTP probationers were chosen because they had needs that could not be met on a regular caseload. Because of these needs, the time commitment to adequately serve those in PTP was enormous. PTP probation officers felt that the maximum caseload of 25 was appropriate for the intensity of the supervision involved in this program.

In addition, the lower caseload allowed for more frequent contacts with probationers and allowed for greater assistance in developing a positive relationship with the probationer. In some cases, the relationships became so strong that it was difficult for probationers to transition back to the general population.

#### Description of PTP Operations at the Individual Probation Offices

*Bridgeport.* The Bridgeport PTP office did not divide responsibilities among probation officers. Rather, all PTP officers conducted intakes in the correctional facilities and supervised probationers upon their release. The PTP officers believed that this promoted relationship building with the clients. The officers believed the initial contact with the probationer was vital in establishing a successful relationship. Feedback from the PTP officers demonstrated the importance of these meetings.

The Bridgeport probation officers, their supervisor, and the Split-Sentence officer met monthly to go through the list of individuals who were eligible for the PTP. The criteria they used for selection into the program consisted of probationers having no housing, had been incarcerated for six months or longer, had significant/or high profile criminal records, and/or had substance abuse concerns.

*Hartford.* The Hartford PTP office was one of the locations that separated the PTP tasks. One officer conducted the initial intake and assessment (e.g., intake officer) and the other officer performed supervision (e.g., supervision officer).

In respect to the intake process, Hartford used a cross reference system with Community Partners in Action (CPA). The intake officer reviewed the records of split sentence probationers due to be released in 90 days. The officer looked for certain “red flags” in determining who may be appropriate for the PTP (e.g., criminal history, evidence of substance abuse or mental health issues). To avoid overlap with clients working with CPA, the intake officer notified CPA of “red flag” individuals and informed them that the probation staff would do the intake and assessment in the correctional facilities.

After the intake officer completed the LSI and initial interview, she met with the supervision officer. The two officers would then decide if the person was appropriate for PTP supervision. Probationers that had no housing, had been incarcerated for a long time, were serious substance abusers, or had a combination of mental health issues and substance abuse were almost always placed on PTP probation.

Both officers believed that dividing the intake/supervision duties of the PTP program was a more efficient way to supervise the probationers. In addition, they believed that front loading of services, as well as the availability of resources available to PTP probationers, were valuable aspects of the program. The PTP probation officers also enjoyed the ability to connect with the probationers due to the smaller caseload.

*New Haven.* The PTP office in New Haven also divided the probation officer assignments. Similar to the Hartford office, one officer conducted the initial intake and assessments while the other officer performed the supervision. The New Haven office also operated similar to the Hartford office in respect to the intake process.

Probationers that had no housing, had been incarcerated for a long time, had serious substance abuse problems, had no supportive family in the area, had special needs petitions, needed entitlement hook-up or employment tended to be placed on PTP probation. The New Haven office excluded probationers who were on parole, transitional supervision, had a pending case, or had severe mental health issues.

The officers’ impressions about the program were very positive. First, the ability to establish a relationship with probationers in the correctional facilities was believed to have aided in probationers’ post-release success due to, what the PTP officers believed, someone being there to “help”. It was reported that, at times, probationers were in disbelief that a probation officer was actually willing to provide assistance (as opposed to enforcement and supervision).

*New London.* The New London PTP office did not separate probation officer responsibilities. Each PTP officer went into the correctional facilities, conducted initial intakes, and supervised probationers. The officers in New London believed that the initial contact with the probationer was vital in establishing a successful relationship with the

probationer. That meeting laid the groundwork for all future contacts with probation. The probationer actually met the officer he or she would be working with in the community which gave the probationer a name and a face of the person whom he or she would be working with on a regular basis.

The officers believed the PTP was a way to assist some individuals in successfully completing their probation and that some probationers definitely needed the extra attention. An example that was provided involved a female that needed a therapist based on her mental health issues. The officer assigned to this woman did all the groundwork to make sure these services were implemented. If the officer had a regular "caseload" instead of a "limited" caseload, she would not have had the time to obtain this service.

Probationers who have no housing, substance abuse issues, and mental health issues received top priority for PTP in New London.

The PTP officers believed that the length of supervision should vary with each client. Most PTP probationers in New London were supervised for at least one extra month, although some were placed back on regular probation earlier. It is believed that some individuals could benefit from PTP "for life", primarily probationers with substance abuse or mental health issues. The PTP officers highlighted the importance of the small caseloads. If a probationer needed the officer, the officer was always available via cell phone. If the person was on regular probation, he or she did not have that access. Probation officers routinely supervised individuals that had a "lifecycle" of making bad or poor decisions. It was believed that this cycle would be difficult to break and, at times, would take much longer than four months.

*Waterbury.* The Waterbury PTP office also separated the probation tasks. One officer did the initial intake and assessment and the other officer performed supervision. The main reasons individuals were placed under PTP supervision in Waterbury included incarceration for more than six months, lacked of housing or unstable housing, the person was not already on parole or in transitional supervision, had serious substance abuse issues, and used illegal substances while in a correctional facility. Those individuals who were in a halfway house were also considered for PTP supervision. If there was an individual that was considered "borderline", the intake officer discussed the appropriateness of PTP with the supervision officer.

Similar to the other PTP offices, the Waterbury officers believed the program was producing the desired results. The individualized attention aided the probationer in his or her success. It was believed that if it were not for PTP, many probationers would not have succeeded. For example, PTP had priority in accessing beds and services for its cliental. Those individuals with significant substance abuse concerns or mental health concerns were able to get the needed services much quicker than on regular probation. One example of this involved a female who had a history of mental health concerns, substance abuse problems, and a long criminal history. The PTP officer was able to get her into a therapeutic residential program which mandated she stay sober. The probationer not only stayed sober but she

became the manager of the house. The PTP officer believed that this would likely not have happened if the woman were placed on regular probation.

### The Technical Violation Unit

The Technical Violation Unit program was designed to reduce the number of probationers sentenced to incarceration as a result of technical violations of probation. This program focused on probationers about to be violated for technical reasons, either deliberate or repeated non-compliance with court ordered conditions, reporting requirements, and/or service treatment requirements. There were six units located throughout the state with two officers in each unit in Bridgeport, Hartford, New Haven, and Waterbury while New London and New Britain only have one officer. Similar to PTP, caseloads were restricted to 25 cases per probation officer and probation officers have cars, cell phones, and laptop computers. Also, services were available to probationer 24 hours a day and seven days a week. Admission to the program was by a referral from the current probation officer through his/her Chief Probation Officer to the Chief Probation Officers for the TVU location. The program lasted up to 120 days from the date of referral to the unit.

### Program Operation

The TVU offices operated under the philosophy that TVU was the last opportunity for an offender to get “probation right”. In other words, TVU clients had exhausted all their chances to stay out of violation status on regular probation. Instead of being violated and possibly sent to jail, the probationer was placed in TVU in order to receive more support and structure while on probation. If the person did not succeed in this unit, it was believed that the individual would not succeed on probation at all.

During the first 30 days in the unit, the probation officer reviewed the most recent LSI assessment and may have reassessed the probationer. Following this assessment, referrals for services were made to address the offender’s needs. The most common areas of need were employment, substance abuse and mental health treatment, housing and transportation. TVU officers met with clients face-to-face at least once per week, and conducted more home or field contacts as needed.

During the second 30 days, probationers received services from one or more providers. The TVU officers were located at the Alternative Incarceration Center (AIC) where the probationers reported regularly to receive services. Face-to-face contacts continued as needed and probationers were seen at least weekly by support staff at the AIC and by treatment programs.

The last phase of the program consisted of TVU officers transferring offenders out of the unit. Face-to-face and home/field contact continued as needed. A discharge summary was prepared by the officer and a discharge meeting was held with the probationer. If the probationer had stabilized, he or she was transferred back to a regular caseload. If the probationer continued to violate the conditions of his probation and failed to make progress

in the program, a warrant was prepared following a case review with the Chief Probation Officer from the TVU.

### Offenders Chosen for the TVU

TVU offices used similar criteria and procedures in assigning probationers to the TVU. Criteria for selection was developed and agreed upon by the committee of Chief Probation Officers and Administrators. These criteria included but were not limited to:

- Chief Probation Officer approval of all referrals
- High risk probationers
- Demonstrated service/treatment needs
- Unemployed
- Deliberate/repeat non-compliance with court ordered conditions
- Discretion of supervisor of deliberate/repeat non-compliance
- Non-payment of restitution not grounds for TVU referral
- GSSC returns ineligible
- Referring probation officer must provide summary (case note) of probationer's performance to date

Typically, a regular probation officer would notify his/her supervisor of an individual that may be appropriate for the TVU. That supervisor, in turn, contacted the TVU supervisor. If there were any deficiencies in the case notes as to why a person may be appropriate to for TVU, the referring probation officer would be asked to elaborate on the referral.

A primary criterion for the TVU was whether probationers were on the verge of a warrant based on non-compliance and are facing possible jail time if violated. Most reasons for non-compliance were based on failure to comply with treatment and absconding.

### TVU Officer Selection and Training

The TVU officers were selected based on years working in probation, attitude, communication skills, case management skills, ability to work with a challenging population, ability to motivate a client towards positive change, familiarity with the community and resources in it, their ability to work intensively with clients and treatment providers, and their motivation to work in the unit.

Similar to the PTP officers, all of the probation officers in the TVU were required to participate in training programs centered on cognitive behavioral change. Coursework consisted of Motivational Interviewing and Criminal Thinking. The initial training was completed from January through April 2004 with some of the coursework being ongoing. The trainings were conducted by facilitators from the CSSD Center for Best Practices and experts in the field of cognitive behavioral change.

## Probation Officers' Perceptions of the TVU

*Overall perception of the TVU.* There were many similarities between probation officers' perceptions of the TVU to that of the PTP. For instance, all of the TVU probation officers believed the program was worthwhile and strongly needed and agreed that the level of attention they could give an individual probationer helped in preventing future violations. They believed the maximum caseload of 25 was appropriate for the intensity of the supervision involved in this program.

*Obstacles identified by TVU officers.* TVU probation officers believed the resources made available have aided in probationers' success. Some offices, however, had experienced a lack of resources which had possibly hindered the probationer's success. The lack of resources was especially notable when servicing women and youthful offenders. Assisting these populations could be difficult due to the different and overlapping needs they may have had. For example, a high percentage of female probationers were also mothers and were on DCF caseloads. At times it was tricky finding appropriate programs for them.

Similar to PTP probation officers, TVU officers expressed concern in the time delays for mental health assessments and substance abuse treatment. They stated that it often would take several weeks for probationers to receive any type of service. Because of these significant issues, most TVU officers believed the 120 day program was not long enough. The TVU "clock" should not start begin to run until all services are in place.

In terms of the 120 day program time frame, each officer had a different philosophy. Most officers believed that for most probationers, 120 days was not adequate. Like PTP, many of the probationers had issues involving substance abuse and mental health that took longer than four months to address. Contrary to this viewpoint, is the belief that if a person wanted to change his or her pattern of non-compliance, four months was more than enough time.

Finally, TVU officers were disappointed in the sanctions given to probationers violated while being in TVU. If an offender was violated under TVU and a warrant was issued, the officers felt that the violator's probation should either be revoked or the person should be placed in a correctional facility. In practice, probationers were being returned to the unit. To resolve this, TVU officers recommended that more information about the TVU program be given judges and state's attorneys.

## Description of TVU Operations at the Individual Offices

*Bridgeport.* The Bridgeport TVU office had two TVU officers. At the time of this report, every client assigned to TVU had some type of substance abuse issue. In addition, many had mental health issues such as attention deficit disorder or attention deficit/hyperactivity disorder. As such, one of the primary tasks in assisting the probationer was finding him or her appropriate treatment which was often difficult due to delays in receiving treatment. The probationers were placed on long waiting lists before actually obtaining services. Although TVU clients were to receive priority status in placement in

various programs, it did not appear to be happening. Meetings occurred on a local level but TVU officers believed that these had minimal effects on changing the situation.

The Bridgeport office had to face many obstacles in the operation of its TVU program. One of the concerns focused on resources that should have been made available to the probationers. At the inception of the TVU program, funding was to be in place to assist probationers with obtaining items that would be necessary to succeed in their daily activities. Most of the probationers had either no income or a limited income. The funding resources had been used to help probationers with items such as I.D. cards and appropriate clothing for employment or job training. This funding, however, was limited in Bridgeport. There were several occasions when the officers requested money for the purchase of “necessity” items and were denied. For example, a female client was struggling with reporting in a timely fashion and stated that she did not have an alarm clock to wake her in time for the contacts. This individual did not have any economic resources available to her and was unable to purchase a clock. The officer requested from the AIC funds to purchase the alarm clock and was informed that there was no funding available for that purchase. While this may seem to be a minor problem, the probationer viewed it as another hurdle caused by an uncaring system.

Similar to several of the other TVU offices, Bridgeport commonly held clients longer than 120 days. The most common reason for the extension was that clients were not getting treatment in a timely manner. Bridgeport TVU officers reported that it was not uncommon to wait 6 to 8 weeks for services. Furthermore, many of the treatment programs were four to six months in length. The officers, therefore, wanted to wait to see if the probationer would complete the program prior to going back to general probation.

*Hartford.* The Hartford TVU office had two probation officers and was similar to Bridgeport in several ways. Most offenders who were being violated had significant substance abuse histories, were not motivated to participate in treatment, or were unable to stop using despite treatment. Because of the significant substance abuse issues, the TVU officers stated that having a substance abuse counselor available on a regular basis for the probationers may improve their likelihood of probation success. TVU officers in Hartford had also seen some cases involving domestic violence. When a domestic violence situation occurred, the probationer was violated and a warrant was issued.

One notable distinction in the Hartford office concerned court decisions with violated TVU probationers. There were instances when the court returned the violated probationers to the TVU. The TVU officers believed that this created an inconsistency with the philosophy of the TVU. TVU was supposed to be the probationer’s last opportunity to comply with probation. If a person was violated, he or she should either be incarcerated or have probation terminated. The person should not be allowed to continue probation. TVU officers believed that it would create an awkward situation for officers who tell clients that TVU was their last chance, if they violate, they would not return.

*New London.* The TVU Office in New London had one TVU officer. Due to the overload of TVU clients, the PTP officers were being assigned some of the TVU caseload.

Similar to the Bridgeport TVU office, probationers in New London were often kept in the program more than 120 days. The extended program time was reportedly due to substance abuse treatment. Many of the probationers had substance abuse issues with a high percentage of warrants being issued for probationers refusing treatment. Additionally, there were several individuals in the TVU that had gang affiliations. These probationers tended to be drug dealers rather than users. The violations for these individuals tended to be based on a new arrest for the sale of narcotics as opposed to failure to comply with treatment.

*New Haven.* The New Haven TVU office was a unique location when the program began. This TVU office was able to provide services and programs including residential to TVU clients all in one facility, making meetings with clients very convenient. The client only had to show up at one place. In a given day, a probationer could be in a group for anger-management followed by substance abuse followed by job development. The probationer could just stay in one building. Due to cost factors, however, this was no longer possible and outside agencies were used to provide these services.

The New Haven TVU officers felt that one of the biggest benefits of the TVU was the transportation. Because the officers had the use of a motor vehicle, they had the means to go into the community and actually bring the probationer in for meetings. This was a way to ensure attendance at both programs and meetings.

*New Britain.* The New Britain TVU office had one TVU officer. It was unique compared to all the other locations operating a TVU, in that; New Britain took a firm position regarding length of time in the program. Most probationers were viewed as “successful” in the 120 days or have been violated by that time period. The TVU officer reported that the majority of violations were coming from failing to report to the probation officer, failing to comply with treatment, and new arrests. As seen in every other location, most of these violations stemmed from a substance abuse issue.

The support programs in New Britain were within walking distance from the courthouse. Because of the close proximity, clients tended to have a high attendance rate in these programs. Because some of the services were located in the town of Plainville, clients complained about the distance of travel.

New Britain was also experiencing delays for some services. Probationers, at times, were placed on long waiting lists which was frustrating to them. They were also facing many hurdles when it came to employment. Most of the probationers were unemployed and were finding it difficult to get a job.

*Waterbury.* The Waterbury TVU office had two TVU officers. Most of the clients had significant drug histories and mental health issues. This was another location that was experiencing significant delays in treatment. There were many probationers who needed mental health services and it could take weeks for the probationer to receive any type of service.

The TVU officers felt that the population that being served under TVU was very dependent on services. Once the relationship between the probationer and officer had been built, it was difficult for the probationer to transition back to the regular probation population. In many cases, the probationer does not want to go back because he or she was very comfortable with the TVU officer. In respect to the time frame for the program, the officers believed it should depend on the client. While 120 days is appropriate for some probationers, others should be in the TVU for 6 to 9 months, depending on the circumstances. One of the circumstances should be based on when a person actually starts an inpatient program or receives appropriate mental health services. Also, any time a person has significant mental health issues, his or her participation in TVU should be longer to adequately address his/her needs. Another factor that should be taken into considered is the age of the offender. If the person is a minor, that individual should also be given more time.

### Summary of Qualitative Analysis

The qualitative assessment of the PTP and the TVU programs revealed that these programs appeared to be operating according the program model in terms of selection of appropriate probationers and the daily operations of the programs. The probation officers assigned to the PTP and the TVU were highly motivated and believed in the program models. They particularly felt that the lower caseload and increased availability were the key factors in their perceived success of the PTP and the TVU. All of these officers received a significant amount of initial and ongoing training from both CSSD staff and outside experts. They generally liked these trainings and believed they were very useful in handling common problems/issues with PTP and TVU probationers.

Three operational concerns were identified in the qualitative analysis. First, a high number of PTP and TVU officers stated that their clients were having difficulties finding housing and being placed in substance abuse and mental health treatment programs. They strongly believed that these delays have had detrimental effects on probationer success. Second, many officers requested more flexibility in the 120 day program timeframe. Their reasons for this included: (1) inability to find treatment spots in a timely manner, (2) difficulty in supervising clients who are in long-term treatment, and (3) challenge addressing the differing array of client needs in a four month period. Third, probation officers believed that a lack of understanding of these programs by the courts has hindered probation officer efforts. This appears to have resulted in a lack of communication between probation officers and court personnel (judges and prosecutors) when processing PTP and TVU cases.

## QUANTITATIVE DESCRIPTION AND ANALYSIS

The overall goal of this evaluation was to assess the Probation Transition Program and the Technical Violation Unit's ability to reduce the number of probation violations and the number of probation violators sent to prison. While the qualitative analysis examined the process of implementing the PTP and the TVU, the quantitative analysis tested its outcomes. In testing the outcomes of the PTP and the TVU, data were collected on three different study groups: TVU probationers, PTP probationers, and a PTP comparison group of high risk probationers established as a baseline measure of success. The following section presents the outcome results of the evaluation. This section begins with the discussion of the PTP comparison group and is followed by a description of the PTP and the TVU program participants. It concludes with a comparative analysis of successful vs. unsuccessful PTP and TVU participants.

### Creation of a PTP Baseline Comparison Group

Estimates across the United States of the percentages of probation cases resulting in violations range from 12% to 50% and a Bureau of Justice Statistics report indicated that approximately 40% of the approximately 2 million people terminated from probation in 2003 were terminated unsuccessfully (Glaze and Palla, 2004). Research on Connecticut probation violations is limited but has found trends similar to studies conducted in other states. While these estimates provide a general overview of probation success, they cannot provide a useful baseline to compare with PTP outcomes. Therefore, a PTP baseline comparison group was needed in order to fully understand the effects of the PTP on probation violations and subsequent incarceration.

The PTP comparison group consisted of closed probation cases from the five courts that housed the PTP (Bridgeport, Hartford, New Haven, New London, and Waterbury). Similar to PTP probation cases, these were split sentenced felony offenders who would have been eligible for the PTP if it existed at the time they were released from prison. This alternative method of establishing a baseline was necessary since it was not possible to randomly place probationers in one of the programs or an experimental control group.

The comparison group analysis was limited to the PTP. The design of the TVU did not allow for a nonrandomized comparison group since the only criteria for referral to TVU was that probationers were on the verge of being violated. The one valid TVU comparison group would have had to employ random assignment to the TVU or a comparison group. In other words, once probationers were in the process of being violated, they would be randomly assigned to the TVU or no program. This method of group selection was not allowable with this population of probationers. Moreover, in theory, the comparison violation rate for TVU is 100%. That is, without TVU, all probationers who were in the process of being violated would have been.

The following section details the creation of the PTP comparison group and compares it to another baseline study of Connecticut probationers. An analysis of probation violations in the PTP comparison group is also included.

### Legislative Program Review and Investigations Committee's Recidivism Study

One of the more recent and widely cited studies on Connecticut probation violations was produced by the Connecticut General Assembly's Legislative Program Review and Investigations Committee (2001). This report analyzed the rate of recidivism for two different cohorts of offenders (probationers and inmates) who were placed on probation or released from prison in 1997. The probationer cohort group consisted of 10,402 adults who were convicted of a felony and sentenced to probation or other sanctions that did not involve incarceration. In the inmate group, rearrest, reconviction, and reincarceration data were collected for 4,006 inmates who were discharged from prison after:

- serving the maximum prison term imposed by the court and upon release were no longer under the custody or supervision of a criminal justice agency (end of sentence offenders);
- serving the maximum prison term imposed by the court and upon release began a period of probation under the supervision of the Connecticut Judicial Branch (split sentenced offenders);
- serving at least 50% of the court-imposed prison term and were paroled by the Board of Parole;
- serving at least 50% of the court-imposed prison term and granted early release to a Connecticut Department of Correction community-based program (e.g., transitional supervision, halfway house, community supervision, or re-entry furlough).

Three measures of recidivism (rearrest for a new felony or misdemeanor offense, reconviction on new charges, and reincarceration) were used in this study and both groups were tracked three years following their probation sentence or prison release. The study found that 58% of the probationers were arrested, 32% were reconvicted, and 11% were incarcerated during the three year follow-up period (22% were sentenced to probation or given another type of community release). The inmate group had higher rates of recidivism in that 69% were rearrested, 46% were reconvicted, and 22% were reincarcerated (18% received a nonprison sentence of probation, an alternative sanction, or fine). In addition, technical violation rates were analyzed for a smaller sample of probationers and inmates. It was found that 51% of probationers received at least one technical violation while 36% of paroled inmates received a technical violation.

### Procedures and Data Collection

The goal here was to create a group that resembled the PTP probationers as closely as possible. While the Legislative Program Review and Investigations Committee's study provided some insight into Connecticut probation violations, the samples were different from the PTP probationers, in that, the earlier study had both an inmate cohort group that consisted of parolees and split sentenced offenders and a probationer cohort group of adults convicted

of felonies and sentenced to probation without being incarcerated. PTP probationers would have been in the inmate cohort, however, this group also contained more serious offenders with longer prison terms.

The PTP comparison group was created by taking all probation cases that were closed during the months of June, July, and August of 2004 for courts that had PTP programs. These cases may have been closed because the client successfully completed his/her probation sentence or had his/her probation terminated or revoked due to a new arrest or technical probation violation. This type of group was utilized because it created a random selection of split sentenced offenders from the five PTP offices and it removed the problem of having a defined follow-up period (the Legislative Program Review and Investigations Committee's was 36 months) and provided complete outcome data for split sentenced probationers prior to the implementation of the PTP.

To create this group, a list of probation cases that were closed during June, July, and August of 2004 was obtained from the CSSD's CMIS database. Next, client demographic data, risk scores (LSI and ASUS), charge data (charges and severity), and criminal history data were collected from CMIS. Rearrest data were also collected on this group from the Judicial Branches' CRMVS database. Finally, we reviewed hard copy files for those probationers who were violated in order to obtain the specific reason for the probation violation.

#### Description of the PTP Comparison Group

The comparison group consisted of 271 felony convicted, split-sentenced probationers from Bridgeport, Hartford, New Haven, New London, and Waterbury. The majority of this group were males (87%). African-Americans made up 45%, 29% were Caucasian, and 26% were Hispanic. The average age at the start of probation was 32 years old with 10% being 16 to 20 years old, 42% being 21 to 29 years old, 26% being 30 to 39 years old, and 22% were over 40 years old. While these percentages for race and age were not reflective of the general probation population in Connecticut, they do represent those split sentenced felony offenders from the five PTP locations.

This group had a relatively even distribution in terms of offense types with the highest being drug offenses (27%) followed by violent offenses (25%), property offenses (20%), other offenses, (20%), and violations of probation (9%). Most of the comparison group probationers were convicted of multiple offenses (90%) with 75% having been convicted of three or more offenses.

#### PTP Comparison Group and Legislative Program Review's Inmate and Probationer Cohort

Demographic, offense type, and recidivism comparisons were made between the PTP comparison group and the Legislative Program Review's two recidivism study groups. This step was performed to assess the validity of the PTP comparison group.

Table 1 presents the demographic and offense type information of the PTP comparison group and the Legislative Program Review's (2001) inmate and probationer cohorts. The three groups were fairly similar across gender, race/ethnicity, and age. However, there were differences in the offense types. The Legislative Program Review's probationer cohort had a much higher percentage of drug offenders (53%) compared to her inmate cohort (33%) and the PTP comparison group (27%). Overall, the PTP comparison group more closely resembled the inmate cohort. The difference between the PTP comparison group and the Legislative Program Review's probationer cohort appeared to be due to the placement of split sentenced probationers in the inmate cohort.

Table 1. Demographics and Offense Types of the PTP Comparison Group and the Legislative Program Review's Two Study Groups

	PTP Comparison Group (n=271)	Probationer Cohort (n=10,402)	Inmate Cohort (n=4,006)
Gender			
Male	87%	83%	90%
Female	13%	17%	10%
Race/ethnicity			
African-Amer	45%	37%	45%
Caucasian	29%	44%	26%
Hispanic	26%	18%	28%
Other	1%	1%	1%
Average Age	32 yrs. Old	29 yrs. old	31 yrs. old
Offense Type			
Drug	27%	53%	33%
Violent	25%	8%	19%
Property	20%	23%	19%
Probation Viol.	9%	3%	16%
Other	20%	13%	13%

### Recidivism Comparison

These three groups were compared using the Legislative Program Review's three recidivism indicators (rearrest, reconviction, incarceration) (Table 2). The rate differences were not unexpected across the groups for the three recidivism measures. The inmate cohort had the highest arrest, conviction, and incarceration rate. The percentages for the PTP comparison group were slightly lower than probationer cohort. It is important to stress that the follow-up period was longer for the PTP comparison group than the Legislative Program Review's study groups. The follow-up period for the PTP comparison group covered the entire probation case (up to five years), whereas, the follow-up time frame for the Legislative Program Review's was three years.

Table 2. Recidivism Rates of the PTP Comparison Group and Legislative Program Review's Two Study Groups

	PTP Comparison Group (n=271)	Probationer Cohort (n=10,402)	Inmate Cohort (n=4,006)
Arrested	55%	58%	69%
Convicted	30%	32%	46%
Incarcerated	13%	11%	22%

The PTP comparison sample was chosen specifically for the purpose of this evaluation. First, it consisted of split sentenced probationers whose cases were closed prior to the inception of the PTP. Second, probationers in the PTP comparison group represented the courts housing the PTP. Third, we were able to collect more detailed violation data on this smaller group of offenders.

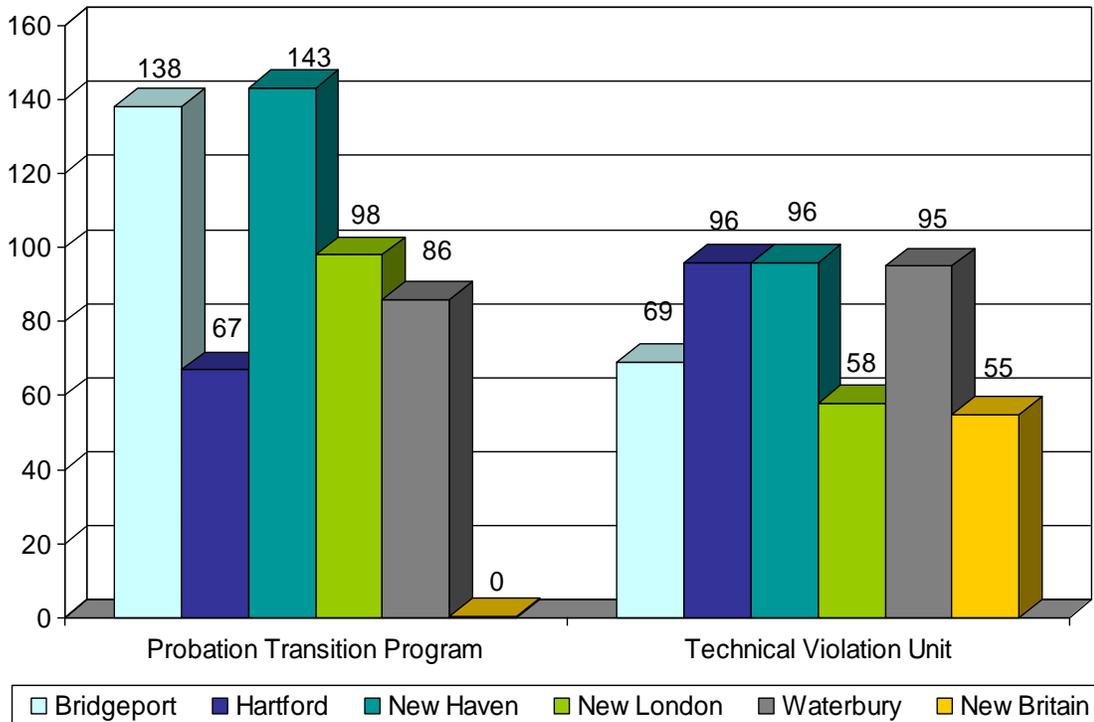
#### Outcome Analysis of the PTP and the TVU Program

The outcome analysis examined the number and types of offenders in the PTP and TVU, assessed their success, compared the success rates of the PTP to the PTP comparison group, and analyzed differences between PTP and TVU probation violators to nonviolators. While probation violation and reincarceration rates were the primary measures of success, it was also important to determine why some probationers succeeded and others did not. A significant aspect of this section was dedicated to exploring which factors were associated with probationers' success.

#### Description of Program Participants and the PTP Comparison Group

A total of 1,001 probationers participated in the PTP and the TVU programs during the first program year (October 1, 2004 to October 1, 2005). Of these program participants, 532 (53%) were in the PTP and 469 (47%) have been in the TVU. Figure 1 shows the number of probationers in the PTP and the TVU by probation office. The New Haven office had the most PTP (143) and TVU (96) clients followed by the Bridgeport office (138 PTP clients and 69 TVU clients). The Hartford office had the lowest number of PTP clients (67) and New Britain had the lowest number of TVU clients (55). It is important to point out that the New Britain office and the New London office only had one TVU officer, whereas the other four locations had two officers.

Figure 1. Program Participants by Office



Tables 3 and 4 present demographic and criminal risk information across the three study groups. Demographically, the three study groups were similar in terms of gender (the majority are males), race/ethnicity, education, and employment. The TVU group was younger on average and contained a higher percentage of probationers between the age of 16 and 21 years old (24%, compared to 13% for the PTP and 12% for the PTP Comparison group). There were also differences in marital status between the PTP Comparison group (12% were married) and the PTP and TVU groups (5% of probationers in these groups were married).

The total number of charges and total convictions were similar across the three groups (Table 4). There were significant differences in the LSI and ASUS subscales between the PTP and the PTP Comparison Groups (TVU participants were not included in this comparison). While the LSI Overall Risk Score was considered “High” for all three groups, it was higher for PTP participants (29.40) than the PTP Comparison group (25.53). This difference was expected given that the PTP Comparison group was comprised of all split sentenced felony offenders while PTP participants were supposed to be selected because of their higher risk levels. The higher risk score for PTP probationers led us to believe that the PTP probation officers were appropriately selecting those split sentenced probationers who had a greater chance of being violated.

A recent validation of the LSI and ASUS risk scores on Connecticut probationers (Bogue, Merrion, Vanderbilt, and Tripathi (2005) found that probationers with higher risk scores on criminal history, family, accommodations, emotional, and total risk scores were more likely to be rearrested while alcohol/drug, attitude, criminal history, education/employment, family, and accommodations were predictive of technical violations. Given the differences between the PTP and the PTP comparison group on some of the LSI risk scores that are predictive of probation violations (education/employment, alcohol/drug problems, attitude, and total risk), we would expect the PTP probationers to have higher rates of probation violations if they would not have been able to participate in the PTP.

Table 3. Demographic Summary of First Year PTP and TVU Participants along with the PTP Comparison Group

	PTP (n=532)	PTP Comparison (n=271)	TVU (n=469)
Males	88%	88%	79%
Race/Ethnicity			
African-American	45%	45%	45%
Caucasian	27%	29%	30%
Hispanic	27%	26%	25%
Other	1%	1%	<1%
Age			
16-20	13%	12%	24%
21-30	41%	41%	32%
31-40	27%	29%	23%
Over 40	19%	18%	21%
Average Age	32 yrs. old	32 yrs. Old	31 yrs. old
Marital Status			
Married	5%	12%	5%
Single	82%	76%	82%
Divorced/Sep/Widowed	13%	12%	13%
Education			
No High School diploma	68%	69%	67%
High School Graduate	23%	21%	22%
More than High School	9%	10%	11%
Employment			
Unemployed	76%	67%	67%
Employed	21%	26%	25%
Other income	3%	7%	8%

Table 4 Legal Factors and Risk Scores of PTP, TVU, and the PTP Comparison Group

	PTP (n=532)	PTP Comparison (n=271)	TVU (n=469)
Total Charges	10	10	9
Total Convictions	6	6	5
LSI Scores			
Criminal History	6.20	6.15	4.95
Education/Employment*	6.49	5.81	6.46
Financial*	1.34	0.96	1.22
Family	1.82	1.51	1.88
Accommodation	1.11	0.94	1.04
Leisure	1.60	1.58	1.68
Companions*	3.41	2.88	3.05
Alcohol/Drug Problems*	4.05	3.51	4.52
Emotional	1.60	1.03	1.55
Attitude/Orientation*	1.77	1.18	1.44
Total LSI Risk Score*	29.40	25.53	27.79
ASUS Scores			
Involvement*	8.97	7.20	7.12
Disruption	15.76	13.18	10.96
Social*	12.15	10.66	11.05
Mood*	7.68	6.16	6.90
Defensive	10.78	10.56	11.05
Motivation*	11.62	10.54	10.35

\*PTP and PTP Comparison Group averages are significant different at  $p < .05$

Based on these tables, the average probationer in all three study groups was male, under 30 years old, not married, unemployed, did not have a high school education, received a high number of charges and convictions, and had a high criminogenic risk score. One key difference that we were unable to measure existed with the TVU group. Although this group appeared similar to the PTP and the PTP Comparison group, it was different in that probationers referred to the TVU have already demonstrated poor behavior and judgment and the TVU was their last opportunity to succeed in probation before being violated. This difference is very important and one that cannot be drawn out in the data. Given this difference between TVU and the PTP and PTP Comparison groups, it was not appropriate to make direct comparisons between the TVU and PTP, or between TVU and the PTP Comparison group.

#### New Arrests and Technical Violations Across Study Groups

Comparative analyses were conducted for the three study groups for the first 120 days of probation. For these analyses, only those PTP and TVU clients were included who had been in the program for at least 120 days. The smaller PTP and TVU study groups were used to create a standardized time frame across the three study groups. That is, we were able to

make direct comparisons on the number of new arrests and technical violations across the study groups for the first four months of being on probation (for the PTP and the PTP comparison group) or in the TVU program.

There were differences in technical violations and both new arrests and technical violations between the PTP and the PTP Comparison Groups (Table 5). A higher percentage of the PTP comparison group (13%) received a probation violation within the first four months on being on probation than the PTP study group (8%). While the percentage of probationers who were rearrested were the same (3%), the differences were in the percentage receiving technical violations (3% for the PTP and 5% for the PTP comparison) and both a new arrest and a technical violation (2% for the PTP and 5% for the PTP comparison).

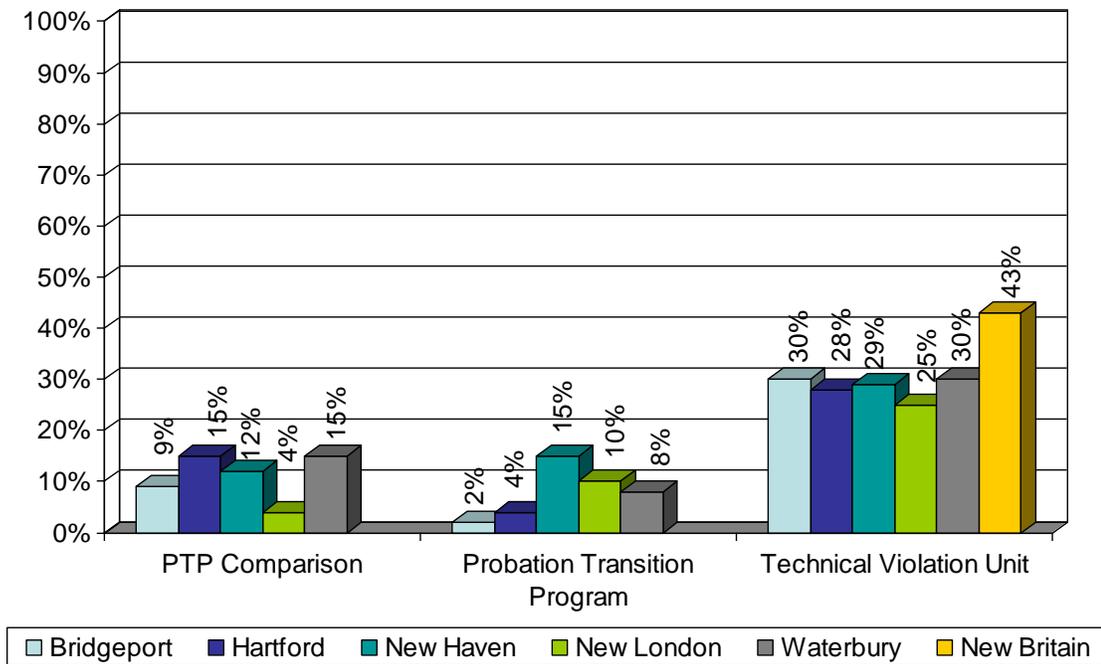
Table 5. New Arrests and Probation Violations Across Study Groups

	PTP (n=383)	PTP Comparison (n=271)	TVU (n=344)
<b>Probation Violations within 120 Days</b>			
New Arrests	12 (3%)	7 (3%)	22 (6%)
Technical Violations	12 (3%)	13 (5%)	62 (18%)
New Arrests and Tech. Violation	6 (2%)	13 (5%)	20 (6%)
<b>Days to new arrest</b>			
0 to 30 days	0	2 (1%)	7 (2%)
31 to 60 days	4 (1%)	3 (1%)	6 (2%)
61 to 90 days	4 (1%)	1 (.4%)	4 (1%)
91-120 days	4 (1%)	1 (.4%)	5 (1%)
<b>Days to technical violation</b>			
0 to 30 days	2 (.6%)	2 (1%)	13 (4%)
31 to 60 days	1 (.3%)	3 (1%)	13 (4%)
61 to 90 days	3 (.7%)	3 (1%)	17 (5%)
91-120 days	6 (2%)	5 (2%)	19 (5%)
<b>Days to new arrest and technical violation</b>			
0 to 30 days	1 (.3%)	4 (1.5%)	4 (1%)
31 to 60 days	1 (.3%)	2 (1%)	2 (.5%)
61 to 90 days	1 (.3%)	4 (1.5%)	11 (3%)
91-120 days	3 (1%)	3 (1%)	3 (1.5%)

For TVU, 30% of the probationers were rearrested or violated within the first 120 days of being in the program (Table 5) with most of the violations being technical violations (18%). This finding was not unexpected given that TVU probationers were close to being violated prior to their referral to the TVU. In terms of when the rearrest or violation took place, rearrests occurred slightly more often in the first or second month of the program while technical violations happened slightly more often in the third and fourth program months.

The probation violation rates by office shows that three of the five PTP offices (Bridgeport, Hartford, and Waterbury) had violation rates lower than the PTP comparison group office (Figure 2). The largest difference was in Hartford, where the PTP comparison group violation rate was 15% and the PTP violation rate was 4%. The largest increase was in the New London office (the PTP comparison group violation rate was 4% and the PTP violation rate was 10%). These percentages should be interpreted with caution given the small raw numbers that were used to calculate them. For example, 1 out of 26 PTP comparison group probationers were violated in New London (4%) compared to 8 out of 84 PTP probationers (10%).

Figure 2. Probation Violation Rates by Probation Office



For TVU, the probation violation rates were comparable across office with the exception of New Britain (Figure 2). Without New Britain, the violation rates ranged from 25% (in New London) to 30% (in Bridgeport and Waterbury). The violation rate was much higher in New Britain than in other offices (43%). A closer examination of probation violations in New Britain found that 8 of the 18 probation violations were for new arrests (45%), 8 were for technical violations (45%), and 2 were for both new arrests and technical violations (10%). The new arrest rate of New Britain TVU probationers appeared to be causing the higher overall probation violation rate. Unfortunately, at this time we cannot offer any explanations as to why the new arrest rate in New Britain was different from the other TVU offices.

When looking at the types of primary probation violations (i.e., the primary reason why the probationer was violated), the highest percentage for the PTP (5%) and PTP

comparison (6%) groups was a violation of the criminal law (rearrested) followed by failure to submit to any medical/psychological/substance evaluation/treatment/urinalysis are required (Table 6).

Table 6. Types of Primary Violations

	PTP (n=383)	PTP Comparison (n=271)	TVU (n=344)
Violate criminal law	18 (5%)	16 (6%)	29 (8%)
Failure to report to PO	3 (1%)	4 (1%)	7 (2%)
Failure to inform PO of whereabouts	3 (1%)	0	6 (2%)
Left CT without PO's permission	0	0	0
Failure to agree to waive extradition	0	0	0
Operated a motor vehicle without license	0	1 (.5%)	0
Failure to submit to treatment or eval.	4 (1%)	5 (2%)	48 (14%)
Did not pay restitution	0	0	3 (1%)
Possession of firearms	0	0	0
Failure to submit DNA sample	0	0	0
Failure to submit to car/home search	0	0	0
Absconded	2 (1%)	1 (.5%)	8 (2%)
Other	0	6 (2%)	3 (1%)
Total	30	33	104

TVU probationers were most often violated for failure to submit to any medical/psychological/substance evaluation/treatment/urinalysis (14%) and violation of criminal law (8%). In addition, 8 probationers were violated for absconding, 7 for failure to report to their probation officer, and 6 for failing to inform their probation officer of their whereabouts. These two more common types of violations (violate criminal law and failure to submit to substance abuse/mental health/medical treatment) represent specific probationer behavior and do not reflect the level of probation officer supervision.

#### Differences between Violators and Nonviolators

The next step in the outcome analysis was to compare probation violators to probation nonviolators across demographic factors, legal factors, LSI risk scores, and ASUS scores. It is important to keep in mind that this analysis was conducted with those probationers in all three groups who had been on probation for 120 days. Significant differences here indicate which factors were important during the first four months in the PTP and TVU programs. Unfortunately, the small numbers of violators in the four month time frame did not allow for separate analyses for new arrests and technical violations. These separate analyses will be conducted for later reports.

For the PTP comparison group, two factors associated with probation violations: marital status and employment (Table 7). Probation violators in the PTP comparison group were unmarried and were not employed (the longer a probationer was unemployed the more likely he/she would be violated). There were no demographic differences between PTP violators and nonviolators while gender was the only demographic difference for the TVU.

Male TVU probationers were more likely to have been violated within the first four program months than females.

Table 7. Demographic Factors Associated with Probation Violations

	PTP	PTP Comparison	TVU
Gender	None	None	Males
Race/Ethnicity	None	None	None
Marital status	None	Unmarried	None
Employment	None	Any unemployment	None
Education	None	None	None
Age	None	None	None

With regards to legal factors, five of the six factors were predictive of probation violations for the PTP comparison group (Table 8). These were total charges, total convictions, violation of probation convictions, prior probation cases, and age of first arrest. For the PTP group, only bail charges and age at first arrest were associated with probation violations. TVU probation violations were also associated with bail charges but differed from the PTP violators, in that, the existence of prior probation cases were related to violations.

Table 8. Legal Factors Associated with Probation Violations

	PTP	PTP Comparison	TVU
Bail charges	Any	None	Any
Total charges	None	Multiple	None
Total convictions	None	Multiple	None
VOP convictions	None	Any	None
Prior probation cases	None	Yes	Any
Age of first arrest	Younger	Younger	None

Probation violators in the PTP comparison group and the PTP group were different from nonviolators across several of the LSI risk scores (Table 9). PTP probation violators had higher risk scores for financial, leisure, companions, alcohol/drug problems, and overall risk score than the PTP nonviolators. The PTP comparison group probation violators had higher risk scores than nonviolators for education/employment, financial, accommodation, companions, and overall risk.

Table 9. LSI Risk Scores Associated with Probation Violations

	PTP	PTP Comparison	TVU
Criminal history	None	None	None
Education/Employment	None	Higher	Higher
Financial	Higher	Higher	None
Family	None	None	None
Accommodation	None	Higher	None
Leisure	Higher	None	None
Companions	Higher	Higher	None
Alcohol/Drug problems	Higher	None	Higher
Emotional	None	None	None
Attitude/Orientation	None	None	None
Total Risk	Above 29	Above 25	Above 27

The LSI risk scores associated with probation violators in the TVU mirror concerns raised by the TVU officers (employment and substance abuse). TVU probation violators had higher education/employment needs and higher alcohol/drug problems than TVU nonviolators. Interestingly, TVU officers stated that lack of employment opportunities and available substance abuse treatment opportunities were common problems.

The ASUS scores did not produce as robust findings as the LSI risk scores (Table 10). The only subscale to produce differences between violators and nonviolators was Social. TVU violators had higher Social scores than TVU nonviolators but this finding was not present in the PTP group or PTP comparison group.

Table 10. ASUS Scores Associated with Probation Violations

	PTP	PTP Comparison	TVU
Involvement	None	None	None
Disruption	None	None	None
Social	None	None	Higher
Mood	None	None	None
Defensive	None	None	None
Motivation	None	None	None

The analysis of factors associated with probation violations produced different results across the three study groups. First, probation violators in the PTP comparison group appeared to be more unstable than PTP comparison group probationers who were successful. They were unmarried, unemployed, had more prior involvement with the criminal justice system, had high risk scores for education/employment, financial, companions, and accommodation (housing). PTP probation violators also appeared to be more unstable than successful PTP probationers but in a slightly different way. PTP probation violators were younger at their first arrest, had risk scores for financial, leisure, companions, and alcohol/drugs.

Probation violators in the TVU program primarily had high risk scores for education/employment and alcohol/drugs. This finding was correlated with statements made

by TVU probation officers in the qualitative analysis. Several TVU officers believed that the biggest challenges for TVU probationers were locating employment and substance abuse treatment programs and that they also believed that these two factors were important to program success.

Court Actions with Probation Violations

Table 11 presents the court actions for the PTP comparison group probation violations. For the PTP comparison group, the courts appeared to treat probation violations for new arrests in a similar manner as technical violations and both. For all three types of violations, the most common action was to revoke probation (56% of new arrests, 54% for technical violations, and 39% for both).

Table 11. Court Actions of Probation Violations for the PTP Comparison Group

	New Arrest	Technical Violation	New Arrest and Technical Violation
Warrant vacated	2 (28%)	0	2 (16%)
Probation extended	0	0	0
Probation unchanged	0	1 (8%)	0
Probation revoked	4 (56%)	7 (54%)	5 (39%)
Probation terminated	0	4 (31%)	4 (31%)
Other outcome	1 (14%)	1 (8%)	2 (16%)
Pending	0	0	0
Totals	7	13	13

Due to the number of pending probation violations for the PTP and the TVU groups, we were unable to draw definitive conclusions regarding court actions for probation violations (Tables 12 and 13). Of those PTP and TVU violation cases where courts had taken action, most ended with revoking or terminating probation.

Table 12. Court Actions of Probation Violations for the PTP Group

	New Arrest	Technical Violation	New Arrest and Technical Violation
Warrant vacated	0	0	1 (17%)
No action taken	0	1 (8%)	0
Probation extended	0	0	0
Probation revoked	1 (8%)	1 (8%)	1 (17%)
Probation terminated	1 (8%)	1 (8%)	1 (17%)
Other outcome	1 (8%)	0	0
Pending	9 (75%)	9 (75%)	3 (50%)
Totals	12	12	6

Table 13. Court Actions of Probation Violations for the TVU Group

	New Arrest	Technical Violation	New Arrest and Technical Violation
Warrant vacated	1 (5%)	0	0
No action taken	2 (9%)	1 (2%)	0
Probation unchanged	0	4 (6%)	3 (15%)
Probation extended	0	2 (3%)	0
Probation revoked	6 (27%)	10 (16%)	2 (10%)
Probation terminated	2 (9%)	4 (6%)	6 (30%)
Other outcome	2 (9%)	2 (3%)	0
Pending	9 (41%)	39 (58%)	9 (45%)
Totals	22	62	20

Reincarceration Rates by Type of Probation Violation

Probationers in the PTP comparison group who received a technical violation had a higher chance of being sent back to prison than probationers violated for a new arrest (Table 14). Four percent (4%) of the PTP comparison group were reincarcerated for a technical violation compared to 1% for new arrests and 3% when a probationer was arrested and violated at the same time.

Table 14. Reincarceration of PTP Comparison Group Probation Violations

	Reincarcerated	No Jail or Prison
New arrest	4 (1%)	3 (1%)
Technical violation	10 (4%)	3 (1%)
New arrest and tech. viol.	9 (3%)	4 (1%)
Totals	23	11

The number of PTP probation violations that have received court action was too small to draw any conclusions regarding the reincarceration rate (Table 15). At the time of this report, only 8 out of 30 PTP probation violations had been processed.

Table 15. Reincarceration of PTP Probation Violations

	Reincarcerated	No Jail or Prison
New arrest	1	1
Technical violation	1	2
New arrest and tech. viol.	1	2
Totals	3	5

\*22 PTP cases are pending court action

Similar to the PTP group, the majority of probation violations in the TVU group had not had their cases processed (Table 16). At present, 3% of the TVU group had been resentenced to jail or prison as a result of their technical violation, 2% as a result of a new arrest, and 1% for both a new arrest and a technical violation.

Table 16. Reincarceration of TVU Probation Violations

	Reincarcerated	No Jail or Prison
New arrest	7 (2%)	6 (2%)
Technical violation	12 (3%)	11 (3%)
New arrest and tech. viol.	3 (1%)	7 (2%)
Totals	22	24

\*58 cases are pending court action

### Summary of Quantitative Analysis

The quantitative analysis consisted of creating baseline measures of violation rates to compare with the violation rates of the PTP, determining and measuring successful outcomes for these programs, comparing PTP and TVU violators to nonviolators across demographic, legal, and risk assessment factors, and comparing violators who committed new offenses to those committing technical violations. The analysis produced several findings relevant to the outcome assessment of the PTP and the TVU.

First, the baseline recidivism measures of the PTP comparison group were consistent with the Legislative Program Review's (2001) recidivism study. The recidivism measures of the PTP comparison group (rearrest, reconviction, and reincarceration) were slightly different but this was expected given that the PTP comparison group was comprised of split sentenced offenders, whereas Legislative Program Reviews' probationer cohort was comprised of offenders who were never incarcerated and their inmate cohort consisted of several different types of offenders who were released from prison.

Second, the PTP violation rates were lower than the PTP comparison group during PTP probationers' first four months of probation (8% for PTP and 13% for the PTP comparison group). The higher violation rate for the TVU was not unexpected given that these were probationers who had already demonstrated poor behavior and were on the verge of being violated when referred to the TVU.

Third, PTP probationers were violated at similar rates for new arrests (3%), technical violations (3%), and both new arrests and technical violations (2%) while the PTP comparison group had a slightly higher rate of technical violations (5%) and both new arrests and technical violations (5%). The primary violations were similar across the two groups. The most common primary violation was rearrest, followed by failure to submit to treatment/evaluation. As expected, the TVU had a higher rate of probation violations during the first four months of the program (30%) and technical violations were the most common type of violation (18%). For this group, violation of criminal law was a common primary violation; however, failure to submit to treatment/evaluation was the most prevalent reason for violations. TVU probationers appeared to enter the program with a need for substance abuse treatment, and their failure to successfully complete this treatment or seek an evaluation most often led to their technical violation.

Fourth, pronounced differences between probation violators and nonviolators were found in the LSI need scores. Probation violators in the PTP group were different from

nonviolators for education/employment, financial, leisure, companions, alcohol/drug problems, and overall risk score. TVU violators had higher risk scores for education/employment and alcohol/drug problems. These findings reflect concerns expressed by probation officers that substance abuse/mental health treatment and employment were significant obstacles in their clients' success.

Fifth, we were unable to draw conclusions on court actions regarding probation violations due to the high number of PTP and TVU violations that were pending at this time.

## CONCLUSIONS AND RECOMMENDATIONS

This evaluation summarized and assessed the Judicial Branches' response to Public Act 04- 234, *An Act Concerning Prison Overcrowding*, which called for a "twenty percent reduction in the number of incarcerations resulting from technical violations of conditions". The evaluation used both qualitative and quantitative research methods in assessing the implementation of two pilot probation programs (the Probation Transition Program and the Technical Violation Unit) and its effects on program participants. The following section presents an overview of the evaluation findings of both the qualitative and quantitative analyses, discusses the evaluation's conclusions, and provides recommendations for future programming and research.

### Summary of Evaluation Findings

There were several consistent findings across the qualitative and quantitative analyses. First, both analyses found that the PTP and the TVU programs appeared to be operating according to the program model in terms of selecting appropriate probationers and in the type of supervision. Both the PTP and the TVU targeted the more serious offenders who were at a high risk of reoffending, being violated, and being incarcerated.

Second, several PTP and TVU probation officers reported having difficulty locating substance abuse/mental health programs, housing, and employment for their clients in a timely manner. The probation officers strongly believed these delays had detrimental effects on probationer success. The findings from the quantitative analysis supported these beliefs by finding that probation violators had higher LSI risk scores for financial, leisure, companions, alcohol/drug problems, and overall risk score for PTP violators along with education/employment and alcohol/drug problems for TVU violators.

Third, the PTP and TVU probation officers believed that both programs were being successful in reducing probation violations for program participants. These beliefs were also substantiated by the quantitative analysis. The PTP violation rates were lower than the PTP comparison group during the first four program months (8% for PTP and 13% for the PTP comparison group). The higher violation rate for the TVU (30%) was not unexpected given that these were probationers who had already demonstrated poor behavior and were on the verge of being violated when referred to the TVU. It is important to restate that the baseline violation rate for TVU was 100%. That is, without TVU, all of the TVU probationers would have been violated.

Fourth, we were unable to draw conclusions on courts' actions regarding probation violations due to the high number of PTP and TVU violations that were pending at this time.

### Recommendations

The results of the evaluation have led us to make the following program and research recommendations. First and foremost, there is a significant need for more resources to

enhance the substance abuse/mental health treatment capacity, employment opportunities, and availability of housing in the six cities that had the PTP and TVU offices (Bridgeport, Hartford, New Britain, New Haven, New London, and Waterbury). Many probation officers frequently mentioned that although PTP and TVU probationers received priority, they still had a difficult time locating needed services in a timely manner. It is important to point out that CSSD was able to increase the number of treatment beds during the latter half of the first program year, however, PTP and TVU probation officers still believed that more resources were needed to adequately serve their probationers.

Second, CSSD should make other court personnel aware of the details of the PTP and the TVU program. Several probation officers noted that they were not provided opportunities to discuss their client's performance with prosecutors or judges. It was also suggested that judges take into account TVU probation violations and not resentence them to regular probation (after they had already failed in a more individualized program).

Third, we also provide recommendations for future research. CSSD should continue to evaluate these programs using the same methods and measures employed in this evaluation. The major limitation of this study was that we were unable to assess the PTP and the TVUs' effect on incarceration rates. Extending the evaluation several more months would likely provide enough time for more of the probation violators to be adjudicated. In addition, more follow-up is needed to determine the long terms effects of the PTP and TVU on probation violations after program completion.

Fourth, we were slightly disappointed in the findings of the comparison between PTP and TVU probation violators to nonviolators. We had hoped that it would provide more insight into why some probationers were violated even with all of the services they were receiving. Several probation officers suggested that most of the violators simply did not want to change their lifestyle and did not think it was possible while other probation officers pointed to lack of available substance abuse treatment, employment, and/or housing. To better answer this question, we suggest focus groups or structured interviews with probation violators and more in-depth analysis of casenotes. These methods would provide CSSD with a better understanding of the behavior and needs of probation violators.

#### Future Research Issues

This report provided an assessment of the short-term effectiveness of the PTP and TVU probation programs. We will continue to evaluate these programs by (1) collecting and analyzing court disposition data to determine the incarceration rates of PTP and TVU probation violators, (2) following the progress of PTP and TVU probationers after they complete these programs and are transitioned back into regular probation, and (3) conducting interviews with PTP and TVU probation violators to better understand why they were not successful in these programs. Additionally, we will continue to make policy and program recommendations, particularly on the most appropriate length of time probationers should be in these programs, the effect of client contacts with PTP and TVU probation officers, and the effects of contracted treatment programs (e.g., substance abuse and mental health) on probationers' success in the PTP and TVU.

## Conclusion

The evidence-based approach combined with extensive planning has resulted in two very promising probation programs that target two different types of high risk probationers. The encouraging evaluation findings have led CSSD to seek enhanced state funding to establish the PTP and the TVU in every probation office throughout Connecticut. If the PTP and the TVU are expanded and implemented across the state in the same manner as the pilot offices, we would expect similar positive results in decreasing probation violation rates and as a result, lower incarceration rates for probation violators.

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## APPENDIX A

### Nationwide Initiatives to Limit Incarceration

#### 1. Utah eyes release of nonviolent inmates

June 2001 – Corrections Digest

- Release of hundreds of nonviolent offenders to parole

*In order to cut 7 million dollars from the prison budget the Utah corrections department considered releasing hundreds of nonviolent offenders in addition to closing a minimum-security facility. This to the chagrin of the Parole Board who worried about releasing drug users into the community without proper treatment from rehabilitation centers.*

\*Follow up

Utah program helps parolees remain free

Oct 2004 – Corrections Today

- New parole program “Re-Entry Initiative” – officials claim 9% recidivism reduction

*Officials claim they are able to reduce recidivism by 9 percent through the use of a new program for parolees. The program, Re-Entry Initiative, encourages the attendance of a pre-release class and increased supervision once paroled. Officials say the focus of the program is to build living skills for re-integration like paying bills, and how to obtain an ID.*

#### 2. Kansas presses to open local centers

Oct 2001 – Corrections Digest

- Construction of day reporting centers

*In Kansas legislature was met with community pressure regarding the construction of day-reporting centers designated for parolees. While three were scheduled to be built, only one was opened due to community unrest at the locations of the other two. As a result the state announced that they would not involve community figures any further in the selection of the day-reporting centers location.*

#### 3. Montana system nearly full again

April 2002 – Corrections Compendium

Increased prison population due to probation/ parole violations. DOC looking for new alternatives.

*Montana is facing a prison overcrowding situation that will create a large financial shortage in the budget for the state. The blame for the increased population is pointed towards those offenders who are incarcerated due to parole/probation violations. The hope of the Director of the DOC is that this situation will allow for new alternatives to incarceration specifically special treatment units.*

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\*Follow up

Early release splits officials in Montana

Nov 2002 – Corrections Digest

- Montana DOC forced to reduce inmates due to overcrowding, even those denied parole

*As a result of prison overcrowding the Montana DOC was forced to begin releasing prisoners early, including some who had already been denied parole. This has created a division between many state officials who are questioning who should have the power when it comes to determining who is released. State law allows either the Montana State Prison or the DOC to place offenders, but the Corrections Advisory Council has recommended a creation of a separate department.*

#### 4. Alabama will define early release rules

July 2002 – Corrections Digest

- Shortened sentences proposed by Governor for nonviolent offenders

*As a result of prison overcrowding in Alabama the state was forced to classify every crime as either violent or non-violent. This is a result of a court order that requires the state to reduce the populations of prisons to a legal limit. Gov. Siegelman as a method to reduce the population has requested that those sentenced to non-violent crimes receive a shortened sentence.*

\*Follow-up

Alabama's early releases stay out of Jail

Jul/Aug 2004 – Corrections Compendium

- Increased use of parole (4000 inmates) seen as successful- 96% success rate

*As a result of prison overcrowding Alabama was forced to parole 4000 inmates back into society. The early results of this method to decrease overcrowding have been successful. Of the 4000, 96% of the parolees have stayed out of trouble; the remaining 155 have returned to prison- half for new crime. Officials are very optimistic considering the typical recidivism rate is closer to 25%. [need review time]*

#### 5. Georgia spurs parole to reduce capacity

Dec 2002 – Corrections Digest

- New Parole Chief attempts to accelerate parole hearing process to reduce overcrowding

*In Georgia the new Parole chief has instituted a plan to accelerate the hearing process of parole in the hopes that it will reduce the prison overcrowding situation. In addition as a result of the new Parole chief an audit is being conducted regarding the community based programs. Initial results show that staffing for those programs is lopsided heavy on the administrative side as opposed to the casework side.*

\*Follow-up

Early release is not an option in Georgia

Feb 2003 – Corrections Digest

- Governor refuses to allow for sentencing reduction

*Despite the swelling prison population the Georgia governor has refused to allow sentence reduction as an answer to the problem. Instead the governor is asking that the DOC create alternatives sentencing procedures like diversion centers.*

#### 6. Arkansas grants early release to 500

Dec 2002 – Narcotics Enforcement & Prevention Digest

- Releases 500 violent and non-violent offenders nearing parole date- budgets money to provide community supervision

*In the hopes of easing the burden on a system operating at 20 percent over capacity the state of Arkansas decided to release 500 violent, and non-violent offenders. The state has tried to identify those violent offenders who are least likely to re-offend or who were nearing their expected parole date. In addition to the release the DOC is requesting a 43 million dollar budget increase in the next fiscal year to contend with the overcrowding issue.*

Arkansas eases early release rules to address 1400 backlog in jail

May 2003 – Corrections Digest

- Releasing nonviolent inmates to probation to deal with overcrowding

*As a result of the prisons operating at a 98% capacity state official invoked Emergency powers in order to free up space within the facilities. The Emergency Powers Act allows officials to begin releasing non-violent offenders if the state prison population exceeds 98% for 30 consecutive days. Officials worry that this action will have a negative effect on those in Probation who already have caseloads over 100.*

## 7. Nebraska's Work Ethic Camp: The First Year

Nov 2003 – Corrections Digest

- Development of community based and institutional programs (“Work Ethic Camp”) to deal with overcrowding

*Nebraska's increasing prison population has resulted in the creation of several new sentencing alternatives, specifically the Work Ethic Camp. In an effort to reduce prison overcrowding a task force was created in order to research alternatives to prison incarceration. This task force then recommended the expansion of community-based corrections and treatment programs. The Work Ethic Camp is just one of the programs resulting from the task forces recommendation. The camp takes a cognitive-behavioral approach to challenge the offender's beliefs, and change their methods of thinking by emphasizing positive work ethic.*

Nebraska reforms end 10 years of increases

Feb 2004 – Corrections Digest

- Reduced prison population by increasing treatment and community-based supervision, and also increasing the leniency of parole/probation violations

*For the first time in 10 years Nebraska's prison population was reduced thanks to the legislative changes in the parole process. The legislature allowed courts to have additional options in sentencing as opposed to simply sending offenders to prison. Treatment and community-based supervision were two alternatives to prison given to the court, as well as an increased leniency of parole/probation violations.*

## 8. New Jersey seeks way to increase releases

Jan 2004 – Corrections Digest

- Looking for alternatives to ease cost of corrections.

*In the hopes of easing the cost of correctional operations the state of New Jersey has begun a review of the states correctional system. While methods such as early release and easing of parole have been discussed it is the hope that alternatives measures can be found.*

## 9. Arizona wants to cut sentences, ease parole

Feb 2004 – Corrections Digest

- Considering reduction in minimum sentences and easing of release requirements.

*As a method of reducing the cost of prison operation the state of Arizona is lobbying for a reduction in minimum sentences and an increase in those eligible for early release. Another method mentioned is an increase in sentencing alternatives such as intensive probation and electronic monitoring.*

## 10. Massachusetts considers more paroles to cut beds and reduce recidivism

March 2004 – Corrections Digest

- *As a result of a study finding that offenders who served their full sentence were more likely to commit new crime the Governor of Massachusetts asked to expand new rehabilitation programs. The proposal is said to shift emphasis away from incarceration and move it to educational, vocational, and substance treatment programs.*

## 11. Michigan Parole plan stabilizes Population.

March 2004 – Corrections Digest

- New probation policy making it easier to qualify for re-entry into the community- results in dip in prison population, able to curtail prison construction plans

*A new probation policy has allowed Michigan to stabilize the prison population ending a 25 years of steady growth. The policy implemented made it easier for offenders to qualify for re-entry into the community. With the dip in population growth Michigan is now able to curtail plans for construction of new prisons.*

## 12. Oklahoma considers sentencing reforms

May 2003 – Corrections Digest

- Oklahoma sentencing commission recommends increased use of probation and treatment for drug offender and others, including sex offenders.

*As a result of a study showing that the states prison population would increase beyond the maximum limit the Oklahoma Sentencing Commission recommended the increased use of probation and indeterminate sanctions. Those most impacted by the recommendation would be drug offenders, whose sentences would be reduced to fines and community service, and sex offenders, whose sentences would be reduced to split terms one half being prison the other being in treatment centers.*

## 13. Iowa cuts sentence for violent crimes

May 2003 – Juvenile Justice Digest

- Legislature reduced sentences for violent crimes to 70% of sentenced time- under strict supervision

*In Iowa as a means to get offenders out of prisons and begin re-integrating into society the legislature reduced sentences for violent crimes. The reduction, down to 70 percent of their time, would allow offenders to be released early, but under strict supervision to facilitate re-integration.*

## 14. New York Legislature Approves Easing of 1970's Drug Laws, Freeing 1300

May 2003 – Corrections Digest

- Would lessen sentences by a third- save state 20 million dollar- increased use of parole

[Had been considering abolishing parole]

*In a repeal of the Rockefeller Laws the toughest state when it comes to drugs is freeing 1300 prisoners by parole. The repeal would lessen sentences by a third and is said to save the state 20 million dollars. The move would allow those non-violent offenders to be paroled in 10 years rather than 15, and serve two years on parole.*

## 15. Early release eases crowding in Hawaii

May 2001 – Corrections Digest

- Release prisoners to work release and parole

*The Hawaii Public safety department has started to release prisoners on work release to ease overcrowding. While the population has dropped from 5050 inmates to 4966, parole officers have complained that their caseloads have increased to more than 100 per day.*