

Perception and Payment of Economic Sanctions: A Survey of Offenders*

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[The Use of Economic Sanctions](#)

[Nonpayment of Economic Sanctions](#)

[Hypotheses](#)

[Method](#)

[Results](#)

[Economic Sanctions Imposed](#)

[Economic Hardship](#)

[Understanding of Economic Sanctions](#)

[Purposes of Punishment](#)

[Procedural and Outcome Fairness](#)

[Comparing Possible Explanations of Nonpayment](#)

[Discussion](#)

[Inability to Pay](#)

[Motivation to Pay](#)

[Alternative Explanation for Nonpayment](#)

[Implications](#)

ECONOMIC SANCTIONS HAVE been criticized because they are perceived to be unfair to poor defendants, to have no effect on wealthy defendants, and to be unenforceable because offenders cannot be imprisoned for nonpayment of debt (Ruback & Bergstrom, 2006). Nevertheless, for three reasons their use is likely to increase. First, because the costs of criminal justice operations are high, offenders are now expected to pay at least part of those costs. Second, concern for victims has increased, so that restitution is likely to be awarded more frequently. Third, there are increasing pressures for intermediate sanctions, because of the high cost of incarceration, questions regarding whether incarceration is effective in deterring future crime, and the need to limit prison space to the most serious offenders.

Despite these three pressures for increasing the number and amount of economic sanctions imposed on offenders, the reality is that large proportions of these sanctions are not paid. Collection rates for restitution are around 50 percent (Cohen, 1995). At the federal level, there is more than \$35 billion in unpaid fines (Mendoza & Sullivan, 2006). The usual assumption is that nonpayment is the result of offenders not having sufficient means to pay the sanctions. Aside from inability to pay, however, there are three alternative explanations for high rates of nonpayment: lack of understanding of the sanctions, disagreement with the rationale for the sanctions, and belief that the sanctions are unfairly applied. To explore these three rationales, we

surveyed sentenced offenders in two Pennsylvania counties.

[back to top](#)

The Use of Economic Sanctions

Nationally, fines are imposed in 25 percent of all state felony convictions: 23 percent of violent offense convictions, 24 percent of property offense convictions, and 27 percent of drug offense convictions (Durose & Langan, 2004). Restitution is imposed in 12 percent of all felony convictions: 11 percent of violent offense convictions, 21 percent of property offense convictions, and 6 percent of drug offense convictions.

Offenders generally perceive economic sanctions to be severe. McClelland and Alpert (1985) and Apospori and Alpert (1993) found that recent arrestees believed a \$5,000 fine was about as severe as spending a year in jail, a \$1,000 fine was about half as severe, and a \$500 fine was about one-quarter as severe. Similarly, Spelman (1995) found that 128 offenders in Texas believed a \$1,000 fine was about as severe as one year of regular probation, and a \$5,000 fine was about as severe as two years of regular probation. Almost half (46 percent) of the sample believed a \$5,000 fine was more severe than three months in county jail, primarily because they had few legitimate sources of income. Spelman also found that the perceived difficulty of paying economic sanctions depended on the type of offender and the amount of the sanction, such that property offenders viewed large fines as very severe, whereas drug and violent offenders did not.

Despite believing that economic sanctions are severe, offenders seem to believe that they can pay the ordered amounts. Petersilia and Deschenes (1994) found that their sample of Minnesota inmates believed that the chances of paying a \$100 fine would be close to 80 percent, and the chances of paying victim restitution or paying a \$500 fine would be close to 70 percent. Interestingly, for all three conditions correctional staff said the chances of inmates' completing the condition was significantly lower (less than 50 percent for the last two conditions). Additionally, both inmates and correctional staff rated the chances of paying a \$20/week supervision fee at around 50 percent.

[back to top](#)

Nonpayment of Economic Sanctions

Even though many offenders believe they can pay their ordered economic sanctions, only about half of economic sanctions are paid. One possible explanation for this finding is the inability to pay. Three possibilities relate to a lack of motivation to pay: offenders may not want to pay the ordered amounts because they do not understand the purpose of the sanctions; they disagree with the reasons given for paying the sanctions; or they believe the amounts ordered and the procedures used to determine those amounts are unfair.

Inability to pay. Lack of resources is probably the most important reason that offenders do not pay economic sanctions. For example, a survey of federal probationers found that about a third reported that the sanction resulted in a significant hardship, and slightly more than a tenth said the sanction resulted in a severe deprivation. However, slightly more than half said that the sanction did not present any specific hardship (Allen & Treger, 1994).

Lack of understanding. Supreme Court decisions since *Miranda* have indicated that before offenders can be convicted of a crime, they must understand the nature of the proceedings against them so they can contribute to their defense. After being convicted, however, offenders have fewer rights, and the system places less emphasis on the offender's understanding. However, it may be that offenders are more motivated to pay sanctions when they understand what they are paying for. Moreover, understanding that their payments go to victims has implications for rehabilitation, in that restitution is likely to be effective only if offenders understand that they are taking responsibility and making reparations for their wrongdoing (Outlaw & Ruback, 1999).

Disagreement with the purpose of the sanctions. A second possible rationale for nonpayment is that offenders disagree with the purposes of the sanctions and therefore choose not to pay. Allen and Treger (1994) interviewed 82 probationers in the Northern District of Illinois about fines and restitution. Probationers believed fines and restitution primarily served the goal of punishment, followed by the goal of justice. They did not believe these sanctions served the goal of either deterrence or rehabilitation. Despite this pattern, however, perceptions of the purpose of sanctions were not related to payment.

Perception that the sanctions are unfair. Research suggests that individuals care about both the outcomes they receive (distributive fairness) and the process by which those outcomes were reached (procedural fairness). Thus, a third possible rationale for nonpayment is that offenders believe economic sanctions are unfair because the amounts are too high or the procedures used to determine the amounts are unfair. There is some research to support this notion. For example, probation officers typically have some flexibility in terms of payment schedules for fines and restitution (Alexander, Montgomery, Hamilton, Dutton, Griswold, Russell, Salo, & Muse, 1998). Thus, offenders may be treated inequitably and may feel that their sanctions are unfair.

[back to top](#)

Hypotheses

We expected most offenders in our survey to express difficulty in paying the economic sanctions they owe. Therefore, we expected nonpayment to be related to an inability to make the payments (i.e., low income). Additionally, we expected non-payment to be related to the three factors that would reduce offenders' motivation to pay the sanctions: lack of understanding, disagreement with the rationale for the sanctions, and perception that the sanctions are unfairly applied.

[back to top](#)

Method

We surveyed offenders in two Pennsylvania counties about the economic sanctions they were ordered to pay, their understanding and perceptions of the sentencing process (especially with regard to economic sanctions), and their judgments about the fairness and impact of economic sanctions.

Description of the Survey

The self-report survey, which was mailed to the offenders, was divided into four sections and included 41 questions. The first section asked questions about the respondent's offense and punishment, in terms of incarceration and probation. The second section asked offenders about the economic sanctions imposed in their cases, including the amounts for costs, fees, fines, and restitution and the payments they had made. This section also asked how well offenders understood how the various amounts of economic sanctions were determined. The third section asked offenders about their case, including their perceived responsibility for the crime and their judgments about the amounts of the economic sanctions in their case and the procedures used to determine those amounts. Additionally, the survey included a 22-item scale assessing offenders' understanding of different punishment goals as they applied to their case (e.g., just deserts, revenge, recognition of victim status, deterrence of the offender, rehabilitation, general deterrence, positive general prevention, victim security, and societal security). For this scale, offenders were asked to read a series of statements beginning, "It was important that I should be punished" and to indicate the importance of each statement for why they should be punished. Statements included such items as "to even out the wrong that I had done," "to bring satisfaction to the victim," and "to stop me from further offenses." Responses were coded "very important," "somewhat important," "not very important," or "not important." Of the 22 items on the scale, 18 came from a study by Orth (2003). We added 4 items to increase the number of goals assessed (moral outrage, treatment, education, restitution to the victim). The fourth section asked

for offenders' opinions about economic sanctions in general, including their perception of the burden that payment placed on them and other offenders. The final section asked about the offender's background, including gender, race, age, marital status, education, and socioeconomic status. ¹

Sampling

In the summer of 2005, we worked with probation personnel in two Pennsylvania counties to obtain a list of all offenders sentenced in 2003. Using cases from 2003 ensured that offenders who were surveyed had had at least a year to pay economic sanctions. Additionally, 2003 cases were recent enough that offenders should have been able to remember the details of their cases and could more easily be tracked down by mail. After obtaining the two samples, we mailed offenders packets containing a cover letter from the probation office, two consent forms, a survey, and a one-dollar incentive. Participants were promised that their participation and responses would remain confidential and would not be shared with their probation officers or other criminal justice personnel. After returning the completed survey and signed consent form, each respondent received an additional \$10. ²

[back to top](#)

Results

Participants

We received completed surveys from 122 offenders, for a response rate of 15 percent (122/833). ³ A key reason for the low response rate is that offenders, unless imprisoned, often do not complete surveys. Also, compared to the rest of the country, survey response rates are lower in the Northeast and especially in Pennsylvania (Groves, Fowler, Couper, Lepkowski, Singer, & Tourangeau, 2004).

The sample of respondents consisted primarily of offenders who were male (61 percent) and white (93 percent) and who ranged in age from 20 to 67 (M = 34.1, Mdn = 33). In terms of marital status, 39 percent had never been married, 41 percent were married or living with someone, and 20 percent were divorced. Regarding education, 25 percent had not completed high school, 28 percent had graduated from high school, 38 percent had at least some college or advanced technical training, 5 percent had a college degree, and 4 percent had some graduate training. Of the sample, 30 percent were employed full time, 13 percent were employed part time, 20 percent were unemployed, 21 percent were disabled, and the remainder included students, retirees, homemakers, and occasional workers. In terms of income, 80 percent reported annual incomes less than \$20,000. Only 7 percent reported incomes greater than \$30,000.

Most respondents were convicted of DUI/traffic offenses (39 percent), followed by drug offenses (24 percent), property offenses (24 percent), personal offenses (9 percent), and other offenses (which consisted of firearms violations, gambling, fleeing from police, and false ID; 3%). ⁴ Two individuals did not complete this item about their conviction offense. In subsequent analyses, we excluded "other offenses," because there were so few cases and because they did not form a cohesive category. In terms of punishment, 5 percent had been sentenced to state prison, 38 percent to county prison, and 71 percent to probation (multiple sentences were possible). The most common of the remaining sentences listed were house arrest (5 percent), parole (6 percent), and loss of license (2 percent).

[back to top](#)

Economic Sanctions Imposed

In terms of economic sanctions, 23 percent of offenders had been ordered to pay jail fees, 59 percent to pay court costs, 48 percent to pay supervision fees, 28 percent to pay other costs and fees, 59 percent to pay fines, and 24 percent to pay restitution. Overall, 65 percent of

respondents said they had been ordered to pay some type of economic sanction, with the total amounts ranging from \$101 to \$25,000 ($M = \$2,848$; $Mdn = \$1,400$). An additional 34 percent of respondents said they did not know the total amount they owed. Although 71 percent of all respondents said they were ordered to make monthly payments that ranged from \$1 to \$2,000 ($M = \$104$; $Mdn = \$68$), 22 percent of respondents said they did not know what their ordered monthly payments were.

Of the respondents, 72 percent said they had been shown a sheet that indicated the total costs and fees they owed, and 50 percent said they had been given a sheet to keep that indicated the specific costs and fees they owed. Of the respondents who received a sanction sheet, most rated on a 7-point scale that having been given a sheet was very important ($M = 5.70$; $Mdn = 7$). An additional 39 percent of individuals who had not been given a sheet indicated on a 7-point scale that they would have liked to have been given a sheet listing the specific amounts they owed ($M = 5.90$; $Mdn = 7$).

[back to top](#)

Economic Hardship

The primary purpose of this study was to determine the reasons for nonpayment of economic sanctions. We used four measures of the extent to which economic sanctions posed a hardship to respondents: a) their reported difficulty in making their monthly payments, b) their responses to two questions about whether paying economic sanctions interferes with offenders' ability to successfully complete probation or parole and to provide for their families, c) their expectations about paying off their ordered economic sanctions, and d) two behavioral indicators of hardship: whether they had missed any payments and whether their monthly payments had been reduced.

We asked respondents to indicate on a 7-point scale how difficult it is for them to make their monthly payments. Respondents indicated that it was difficult, with 66 percent of the sample answering above the midpoint of 4 ($M = 5.14$; $Mdn = 6.0$). As would be expected, difficulty in making payments was negatively related to income, $r(117) = -.28$, $p < .01$, and positively related to the total amount of economic sanctions owed (for this crime and prior crimes), $r(105) = .18$, $p < .07$. However, difficulty in making payments was not related to monthly payments for other expenses, $r(118) = -.06$, n.s., or to the number of dependents, $r(112) = .05$, n.s.

Also consistent with expectations, difficulty in making monthly payments was positively related to respondents' beliefs that paying economic sanctions interferes with offenders successfully completing probation or parole, $r(113) = .26$, $p < .01$, and that paying economic sanctions interferes with offenders being able to provide for their families, $r(115) = .16$, $p < .10$. That is, offenders who had more difficulty making monthly payments were also more likely to say that making payments interferes with their ability to successfully complete probation or parole and to provide for their families. A list of the monthly obligations offenders reported, together with the mean amount owed, is presented in [Table 1](#).

In terms of objective measures of difficulty in making payments, we found that 53 offenders (43 percent) said they had missed making a payment of some kind at least once, 13 offenders (11 percent) had had their monthly payments reduced, and 2 offenders (2 percent) had been allowed by the court to stop payments. However, consistent with Petersilia and Deschenes (1994), who found that about 70 percent of their sample of offenders said that they would pay all of the restitution they owed, we found that 103 of our respondents (80 percent) said they expected to pay all of the money they owed.

[back to top](#)

Understanding of Economic Sanctions

Respondents were asked to indicate on 7-point scales how well they understood how the amounts of five economic sanctions (court costs, supervision fees, other costs and fees, fines,

and restitution) were determined. In general, respondents did not understand how the amounts were determined, in that the mean responses for all five items were below 4, the midpoint of the scale.

These responses were analyzed using a 4 Between (Type of Crime) \times 5 Within (Type of Economic Sanction) repeated measures analysis of variance. This analysis revealed a significant effect for type of economic sanction, $F(4, 416) = 15.34, p < .001$. A post-hoc Newman-Keuls test of the means ($p < .05$) indicated that restitution ($M = 4.03$) was understood better than all of the other economic sanctions, which did not differ significantly from each other (court costs: $M = 2.83$; supervision fees: $M = 2.81$; other costs and fees: $M = 2.80$; fines: $M = 3.01$). There was also a significant Type of Crime \times Type of Economic Sanction interaction, $F(12, 416) = 2.19, p < .05$. A post-hoc test indicated that property offenders understood the determination of restitution significantly more than the four other types of economic sanctions. Personal, drug, and DUI/traffic offenders indicated that they understood the determination of all five economic sanctions at a fairly low level.

The relatively low levels of understanding of the five specific sanctions can be better understood in light of two other questions pertaining to the understanding of sentencing. In response to a question asking how well they understood how criminal sentences are set in Pennsylvania, offenders' responses were fairly uniform across the scale, and the average was at the midpoint ($M = 4.04$; $Mdn = 4$). There were no differences in terms of crime committed ($F < 1$). Similarly, respondents were asked how well they understood where their payments go. The average response was well below the midpoint ($M = 2.97$; $Mdn = 2$), and there was no significant difference as a function of crime committed ($F < 1$). Overall, then, offenders indicated they somewhat understood sentencing in general and the setting of restitution amounts, but they did not understand how other economic sanctions were determined or where their payments went.

[back to top](#)

Purposes of Punishment

A factor analysis, using a Varimax rotation, of the 22 items regarding punishment goals extracted four factors, all of which had eigenvalues greater than one. The rotated factors accounted for 67 percent of the variance in the responses for these items. We assigned each of the 22 items to the factor on which it loaded highest and then averaged the scores across the items for each of the four scales. Factor 1, *Justice*, consisted of 8 items ($= .90$). Factor 2, *Deterrence*, consisted of 5 items ($= .91$). Factor 3, *Concern for Victims*, consisted of 5 items ($= .85$). Factor 4, *Rehabilitation*, consisted of 4 items ($= .80$). A listing of the items by factor is presented in [Table 2](#).

A 4 Between (Type of Crime) \times 4 Within (Punishment Goals) repeated measures analysis of variance revealed a significant effect for punishment goals, $F(3,288) = 18.73, p < .001$. *Justice* ($M = 3.02$) and *Rehabilitation* ($M = 2.98$), which did not differ significantly from each other, were endorsed more than *Deterrence* ($M = 2.55$) and *Concern for Victims* ($M = 2.48$), which also did not differ significantly from each other, according to a post-hoc Newman-Keuls test ($p < .05$).

There was also a significant Type of Crime \times Punishment Goals interaction, $F(9, 288) = 2.19, p < .05$. Property offenders were most concerned with *Justice* and least concerned with *Deterrence*. Personal offenders were most concerned with *Justice* and showed the least *Concern for Victims*. Drug offenders were most concerned with *Rehabilitation* and least concerned with *Deterrence*. DUI/traffic offenders were equally most concerned with *Justice and Rehabilitation* and showed the least *Concern for Victims*.

[back to top](#)

Procedural and Outcome Fairness

For each of the five types of economic sanctions, respondents rated the fairness of the amounts and the fairness of the procedures used to determine those amounts. These 10 ratings were analyzed using a 2×4 Between (Incarceration Status \times Type of Crime) $\times 5 \times 2$ Within (Type of Economic Sanction \times Type of Fairness) doubly repeated measures analysis of variance. Incarceration status (sentenced to jail/prison or not) was included because we wanted to test whether individuals who had been incarcerated were likely to believe economic sanctions were unfair. [5](#)

This analysis revealed one significant between-subjects effect, for type of crime, $F(3, 100) = 2.92, p < .05$. In terms of overall fairness, property offenders ($M = 3.06$) believed their economic sanctions were significantly fairer than did person offenders ($M = 2.58$), DUI/traffic offenders ($M = 2.45$), and drug offenders ($M = 2.33$). These last three groups of offenders did not have significantly different perceptions of fairness, according to a post-hoc Newman-Keuls test ($p < .05$).

There was also one significant within-subjects effect, a significant effect for the type of sanction, $F(4, 100) = 2.92, p < .05$. Restitution ($M = 2.72$) was judged to be the most fair economic sanction, followed by fines ($M = 2.64$), court costs ($M = 2.64$), and supervision fees ($M = 2.61$), which were not significantly different from one another according to a post-hoc Newman-Keuls test ($p < .05$). Other costs and fees ($M = 2.43$) were judged to be the least fair economic sanction.

[back to top](#)

Comparing Possible Explanations of Nonpayment

We were also interested in the extent to which the four possible explanations for nonpayment of economic sanctions related to each other. The first explanation we explored, lack of money to pay the sanctions, was related to offenders' perceptions of the system. Respondents who said it was difficult to make their monthly payments said they understood sentencing less, $r(118) = -.19, p < .05$, believed the amounts of economic sanctions were less fair, $r(117) = -.29, p < .001$, and believed the procedures for setting the economic sanctions were less fair, $r(115) = -.27, p < .01$. Three of the sentencing goals, *Justice, Deterrence, and Concern for Victims*, were significantly positively related to composite measures of the perceived fairness of the amounts of economic sanctions, the perceived fairness of the procedures used to set the economic sanctions, and the perceived fairness of sentences in general. That is, offenders who more strongly endorsed these sentencing goals were also likely to believe their sentences were fairer. *Rehabilitation* was significantly related only to the composite measure of the fairness of the amounts of economic sanctions. None of the four goals was significantly related to total economic sanctions owed, total monthly payments, or household income.

To determine how important the one explanation relating to ability to pay and the three explanations relating to motivation to pay (understanding, agreement with the rationales, fairness) are in actually making payments, we conducted logistic regressions in which we tested these explanations as predictors of nonpayment. For example, in one model we used composite scores for the understanding of economic sanctions, the perceived fairness of the amounts of economic sanctions, the perceived fairness of the procedure used to determine economic sanctions, the composite score for Justice as a goal for sentencing, and the offender's income to predict whether or not the offender had ever missed a payment. None of the measures of motivation to pay was significantly related to payment, and the only significant predictor of missing a payment was household income.

[back to top](#)

Discussion

We hypothesized that offenders pay only small percentages of their ordered economic sanctions both because they are unable to pay and because they are not motivated to do so. This survey of

offenders found some support for all four reasons that we investigated.

[back to top](#)

Inability to Pay

Although there was support for all three reasons pertaining to motivation to pay, the strongest explanation related to inability to pay. Our multivariate analyses of an objective indicator of nonpayment (having to miss payments) revealed that our indicators of motivation to pay were not significantly related to missing a payment, whereas indicators of ability to pay (e.g., total economic sanctions owed, total monthly payments) were significant indicators.

[back to top](#)

Motivation to Pay

We found some support for all three rationales related to offenders' motivation to pay. First, there was strong evidence that offenders did not understand how fines, fees, and costs were imposed. Although offenders, and particularly property offenders, said they understood the procedures used to determine them to be very fair.

[back to top](#)

Alternative Explanation for Nonpayment

A rationale for how restitution decisions were imposed, the absolute number (a mean of 4 on a 7-point scale) was in fact not very high. Second, there was evidence that offenders did not agree with the rationale for economic sanctions. Our results indicated that the offenders did not rate any of the goals of punishment very highly. Third, there was evidence that offenders did not perceive the amounts of the economic sanctions or nonpayment that we did not investigate is that there are no perceived penalties for nonpayment. Many probationers do not comply with their court-ordered conditions, and there are often no sanctions for failing to comply (Langan, 1994). For economic sanctions in particular, research suggests that often no punishments are imposed for non-payment of court-ordered fines and restitution (Petersilia & Turner, 1993).

Offenders learn that threats (e.g., meetings, letters of reprimand, warnings) often have no repercussions, and probation revocation for failure to pay is unlikely (Wheeler, Hissong, Slusher, & Macan, 1990). Nonpayment of restitution is rarely the basis for revocation of probation (Lurigio & Davis, 1990).

A study of probationers in Illinois illustrates these points (Allen & Treger, 1994). The survey results suggested that offenders start out believing that payment is required, but that over time they learned this was not true. About half of the offenders believed their probation officer would report nonpayment to the court but would not recommend incarceration. About a quarter believed their probation officer expected them only to make a good faith effort at making full payment, and more than a tenth believed their probation officer did not expect them to make full payment. In fact, as Petersilia and Deschenes (1994) found, criminal justice personnel often do not expect offenders to make full payment.

However, in our study, we did not find any support for this idea. In fact, open-ended responses to a question about whether paying economic sanctions interferes with offenders being able to complete probation or parole successfully indicated that our respondents did fear repercussions for nonpayment. Open-ended responses to this question were coded (83 percent agreement; kappa = .78), and the most common response of the individuals who answered the question (14/52 = 27 percent) was that failure to make the payments meant that they could not complete probation/parole. An additional 6 individuals (12 percent) said that failure to pay resulted in going to jail.

A possible reason why we found that offenders feared the repercussions of nonpayment is that our respondents were a self-selected sample of individuals who could be reached by mail, who were not in prison, and who were probably more likely to be in compliance than those who did not respond. The high rate of non-delivered questionnaires two years after conviction (17 percent) suggests that our initial pool of individuals was highly transient. Those individuals who responded not only were probably less transient (and therefore probably had more ties to the community) but also were likely more concerned about earning money.

[back to top](#)

Implications

One of our key findings was that, with the possible exception of restitution, most offenders did not understand how the amounts they owed were determined. Nor did they understand where the money they paid went. The problem is probably even more severe when offenders owe multiple amounts for multiple cases. Correctional scholars believe that by making payments on a regular basis offenders can learn to take responsibility for their crimes. However, particularly with regard to restitution, this belief is premised on the assumption that offenders know where their payments go. Thus, future research might investigate how best to convey this information to offenders and whether this information gives offenders a better understanding of the penalties, makes them feel more responsible for their crimes, and reduces their likelihood of committing a new offense.

Aside from not understanding how sanction amounts were determined, offenders may also be confused over such logistical issues as where they are supposed to make their payments. In some counties, different types of economic sanctions have to be paid in different places. It might be that in those counties, probation is better at monitoring the economic sanctions collected by them, versus the ones paid to the clerk of courts or to someone else. If so, this possibility may partially explain some prior findings in Pennsylvania about differences in payment by type of economic sanction, as well as some of our prior research that found payment rates were higher when probation officers were in charge of collection (Ruback, Shaffer, & Logue, 2004).

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[back to top](#)

References

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Table 1: Other Monthly Payments Due

Type of Payment	% Who Pay	Mean Monthly Payment (\$)
Child support	11	33.42
Rent/mortgage	47	228.29
Food	45	172.31
Car payments	16	51.00
Insurance	31	112.48
Utilities	43	113.06
Credit card bills	17	200.20
Health care	12	10.20
Other	17	28.24

Table 2: Extracted Factors and Punishment Goals Loading on Each

Factor Name	It was important that I should be punished...	Factor Loading
Justice		
	to even out the wrong that I had done	.77
	to make amends for my guilt	.73
	to uphold the important values in society	.73
	to show that crime does not pay	.63
	to help me understand our legal system	.62
	to stop others from committing similar offenses	.60
	to make it clear that my act was wrong	.59
	so that I know that crime does not go unpunished	.56
Deterrence		
	so that society does not have to fear me for now	.83
	so that I am not a danger to others	.81
	so that the victim does not have to fear me for now	.72
	so that the victim can live in safety	.66
	so that the victim can live in safety	.55
	so that people are not frustrated with the legal system	
Concern for Victims		
	to make it clear publicly that I did wrong to the victim	.75
	to bring satisfaction to the victim	.69
	to make it clear that society is on the side of the victim	.65
	to make me suffer, as the victim suffered by my action	.62
	to reimburse the victim for the losses he or she suffered	.52
Rehabilitation		
	to treat my drug, alcohol, or mental health problems	.79
	to allow for my rehabilitation	.69

	to provide me with education or work skills	65
	to stop me from further offenses	62

Endnotes

[Adhering to the Risk and Need Principles: Does It Matter for Supervision-based Programs?](#)

[The Dual Treatment Track Program: A Descriptive Assessment of a New "In-House" Jail Diversion Program](#)

[Perception and Payment of Economic Sanctions: A Survey of Offenders](#)

[Sex Offenders on Campus: University-based Sex Offender Registries and the Collateral Consequences of Registration](#)

Adhering to the Risk and Need Principles: Does It Matter for Supervision-based Programs?

¹ Risk level was determined using a risk measure developed in previous research (Lowenkamp and Latessa, 2002) and includes 13 measures including measures of criminal history, current offense, substance abuse, alcohol abuse, marital status, employment, age, and educational attainment. Recidivism rates for the varying categories of risk, based on a two-year follow up, and using incarceration as the outcome measure were: Low risk—7 percent; Low-Moderate risk—22 percent; Moderate risk—38 percent; and High risk—53 percent. For more details and analysis using arrest as the outcome measure see Lowenkamp and Latessa, 2005.

² Comparison cases were matched to the treatment cases on gender, county of supervision, and risk category.

³ Alternate analyses using regular felony probation cases were conducted and are reported in the original report by Lowenkamp and Latessa, 2005.

The Dual Treatment Track Program: A Descriptive Assessment of a New "In-House" Jail Diversion Program

¹ The program began accepting clients in March 2003, however, IRB approval and obtainment of the Certificate of Confidentiality was not completed until December 2003. So, a number of potential research subjects were not approached to participate in the self-report interviews.

Perception and Payment of Economic Sanctions: A Survey of Offenders

¹ After designing the survey instrument, we obtained from the local probation office the names of two offenders willing to participate in cognitive interviews. The cognitive interviews proceeded in two stages. First, the offenders completed the self-report survey. Second, we discussed each of the survey questions with the offenders. The purpose of the cognitive

interviews was to help us identify questions that were difficult to understand or that did not accurately reflect what we intended. We then modified the survey to reflect any changes suggested by the offenders. The offenders were paid \$25 for their participation in the cognitive interviews.

² The two counties were chosen because we had worked with them on a previous study examining the imposition and payment of economic sanctions. In one county, our sample of 405 adult offenders sentenced in 2000 was 78% male, 90% white, with an average age of 31.5 (Mdn = 29.1), and with 11.7 years of education (Mdn = 12.0). The offenses they were convicted of were 27% property, 17% personal, 16% drugs, 24% traffic/DUI, and 16% other. In terms of sentence received, 4% were incarcerated in state prison, 21% were incarcerated in county jail, and 51% received probation. In the other county, our sample of 394 adult offenders sentenced in 2000 was 80% male, 88% white, with an average age of 33.2 (Mdn = 31.5), and with 12.0 years of education (Mdn = 12.0). The offenses they were convicted of were 21% property, 17% personal, 15% drug, 39% traffic/DUI, and 8% other. In terms of sentence received, 3% were incarcerated in state prison, 28% were incarcerated in county prison, and 51% received probation. Thus, our sample of respondents for calendar year 2003 is representative.

³ We received 78 completed surveys from one county and 44 completed surveys from the other county. We mailed 501 surveys to offenders in the first county, 64 of which were returned as undeliverable. We also received letters from family members that 2 additional offenders had died. Thus, the response rate was 18% (78/435). We mailed 508 surveys to offenders in the second county, 110 of which were returned as undeliverable. Thus, the response rate was 11% (44/398). Two surveys were returned because the inmates were in prison and prison rules prohibited them from completing the survey.

⁴ The respondents had been convicted of burglary (7%), theft (20%), robbery (2%), assault (8%), drug possession (20%), drug selling (12%), DUI (36%), traffic offenses (10%), and other (21%), most of which were property (8%) or drug offenses (4%). The percentages total more than 100 because individuals could be convicted of more than one offense (range = 1-4; M = 1.4; Mdn = 1, Mode = 1). When a respondent listed more than one conviction offense, we coded the most serious crime (e.g., personal more serious than property).

⁵ Incarceration could have contradictory effects. On the one hand, incarceration indicates that the offender had probably committed a more serious crime, had a longer prior record, or both. On the other hand, incarceration likely means that the offender would have more difficulty paying the economic sanctions.

Sex Offenders on Campus: University-based Sex Offender Registries and the Collateral Consequences of Registration

¹ Four surveys were returned undelivered due to either insufficient, non-existent addresses, or the registrant no longer residing at the residence and having no forwarding address.

² The largest proportion of respondents come from Florida (34.6 percent) as well as from Texas (19.2 percent), Ohio (11.5 percent), Illinois (11.5 percent), 3.8 percent from Connecticut, Kansas, Kentucky, Massachusetts, Oklahoma and South Carolina.

³ Differences between mean responses to the questions about how life has been influenced by listing on the state-wide and university SOR is a statistically significant difference, for both the entire sample and the student-only subsample, using a t-test ($p < .001$).

[back to top](#)

through life. Cambridge: Harvard University Press.

Simon, J. (1993). *Poor discipline: Parole and the social control of the underclass*, 1890. Chicago: University of Chicago Press.

Taxman, F. S., Young, D. & Byrne, J.M. (2003). *From Prison Safety to Public Safety: Best Practices in Offender Reentry*. National Institute of Justice: Washington, DC.

Travis, J., Chincotta, E. M., & Solomon, A. (2003). *Families Left Behind: The Hidden Costs of Incarceration and Re-Entry*. Washington, D.C.: The Urban Institute.

Travis, J., & Lawrence, S. (2002). *Beyond the prison gates: The State of Parole in America*. Washington, DC: The Urban Institute.

Travis J., Solomon, A., & Wahl, M. (2001). *From Prison to Home—The Dimensions and Consequences of Prisoner Reentry*, Washington DC: The Urban Institute.

Van Voorhis, P. (1987). Correctional effectiveness: The high cost of ignoring success. *Federal Probation* 51(1):56–60.

Van Voorhis, P., Cullen, F. T., and Applegate, B. (1995). “Evaluating interventions with violent offenders: A guide for practitioners and policymakers.” *Federal Probation* 59(3): 17–28.

Van Voorhis, P., Spruance, L. M., Listwan, S. J., Ritchey, P. N., Pealer, J., & Seabrook, R. (2002). *The Georgia Cognitive Skills Experiment Outcome Evaluation Phase Two*. Technical Report submitted to the Georgia Board of Pardons and Parole.

Warren, M. (1983). Application of interpersonal maturity theory to offender populations. In W. Laufer & J. Day (Eds.), *Personality Theory, Moral Development, and Criminal Behavior*. Lexington, M.A.: Lexington Books.

Wexler, H. K., Melnick, G., Lowe, L., and Peters, J. (1999) “Three year reincarceration outcomes for amity in-prison therapeutic community and aftercare in California.” *The Prison Journal*, 79(3), 321–336.

Wilson, D. B., Bouffard, L. A., & Mackenzie, D. L. (2005). Quantitative review of structured, group-oriented, cognitive-behavioral programs for offenders. *Criminal Justice and Behavior*, 32, 172-204.

Wilson, D.B., Gallagher, C.A., & MacKenzie, D.L. (2000). A meta-analysis of corrections based education, vocation, and work programs for adult offenders. *Journal of Research in Crime and Delinquency*, 37, 347–368.

Yochelson, S. & Samenow, S.E. (1976). *The Criminal Personality Volume 1: A Profile for Change*. New York: Jason Aronson.

[back to top](#)

Perception and Payment of Economic Sanctions: A Survey of Offenders

Alexander, D., Montgomery, J., Hamilton, G., Dutton, D. W., Griswold, R. R., Russell, J. R., Salo, R. J., & Muse, M. K. (1998). Fines and restitution: Improvement needed in how offenders' payment schedules are determined. Washington, DC: U.S. General Accounting Office.

Allen, G. F., & Treger, H. (1994, June). Fines and restitution orders: Probationers' perceptions.

Federal Probation, 58, 34–40.

Apospori, E., & Alpert, G. (1993). The role of differential experience with the criminal justice system in changes in perceptions of severity of legal sanctions over time. *Crime and Delinquency*, 39, 184–194.

Cohen, R. (1995). Probation and parole violation in state prison, 1991. Bureau of Justice Statistics. Washington, DC:

Durose, M. R., & Langan, P. A. (2004). Felony sentences in state courts, 2002. Bureau of Justice Statistics Bulletin NCJ 1206916. Washington, DC: U.S. Department of Justice.

Groves, R. M., Fowler, F. J., Couper, M. P., Lepkowski, J. M., Singer, E., & Tourangeau, R. (2004). *Survey methodology*. Hoboken, NJ: Wiley.

Langan, P. (1994). Between prison and probation: Intermediate sanctions. *Science*, 264, 791–793.

Lurigio, A. J., & Davis, R. C. (1990). Does a threatening letter increase compliance with restitution orders?: A field experiment. *Crime and Delinquency*, 36, 537–548.

McClelland, K. A., & Alpert, G. P. (1985). Factor analysis applied to magnitude estimates of punishment seriousness: Patterns of individual differences. *Journal of Quantitative Criminology*, 1, 307–318.

Mendoza, M., & Sullivan, C. (2006, March 19). Unpaid federal penalties add up to a fine mess. *Centre Daily Times*, pp. A1, A6.

Orth, U. (2003). Punishment goals of crime victims. *Law and Human Behavior*, 27, 173–186.

Outlaw, M. C., & Ruback, R. B. (1999). Predictors and outcomes of victim restitution orders. *Justice Quarterly*, 16, 847–869.

Petersilia, J., & Deschenes, E. P. (1994). Perceptions of punishment: Inmates and staff rank the severity of prison versus intermediate sanctions. *The Prison Journal*, 74, 306–328.

Petersilia, J., & Turner, S. (1993). Intensive probation and parole. In M. Tonry (Ed.), *Crime and justice: A review of research* (vol. 17, pp. 281–335). Chicago: University of Chicago Press.

Ruback, R. B., & Bergstrom, M. (2006). Economic sanctions in criminal justice: Purposes, effects, and implications. *Criminal Justice and Behavior*, 33, 242–273.

Ruback, R. B., Shaffer, J. R., & Logue, M. A. (2004). The imposition and effects of restitution in four Pennsylvania counties. *Crime and Delinquency*, 50, 168–188.

Spelman, W. (1995). The severity of intermediate sanctions. *Journal of Research in Crime and Delinquency*, 32, 107–135.

Wheeler, G. R., Hissong, R. V., Slusher, M. P., & Macan, T. M. (1990). Economic sanctions in criminal justice: Dilemma for human service? *Justice System Journal*, 14, 63–77.

[back to top](#)

Parole System Anomie: Conflicting Models of Casework and Surveillance