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Getting Serious About Corrections

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DURING THE PAST several years much has been written and said about the importance of prisoner re-entry. The sheer numbers of exiting inmates are staggering, with some quarters predicting 1,000,000 ex-convicts to be released annually within the next decade.

Certainly, the problems associated with offender re-entry are great, especially when one looks at the demographics and the criminogenics of this segment of society. For example, it is well-known that the majority of offenders lack either a secondary education or a vocational skill. They are either unemployed or underemployed. Additionally, since a criminal record precludes many from attaining gainful and meaningful employment, there is the tangential need for job development and placement.

Moreover, a high percentage of offenders have a history of alcohol and/or drug abuse, and a majority of these have at least one identifiable mental health problem. One study of a national sample conducted in 1994 found that 52 percent of those with a history of alcoholism and 59 percent of those with a history of illegal substance abuse issues had a dual diagnosis of mental illness.

Other issues common to many offenders include a lack of anger management, a propensity for domestic violence, and a deficiency of parenting skills. A study of 40 inmates randomly selected from those released during calendar year 2001 from the Essex County Correctional Facility in Massachusetts revealed that while 22 (or 55 percent) were determined to be recidivist, they accounted for 45 subsequent *convictions* of which 32 resulted in *incarcerations*. More striking is the fact that 15 offenders were the defendants in 54 restraining orders sought by 36 different plaintiffs.

If we are truly serious about eliminating crime, reducing recidivism, and rehabilitating the offender, we need to address all of the criminogenic needs of the individual holistically at the point at which they are first brought to the attention of the justice system.

Pre-trial or probation supervision needs to include meaningful special conditions of probation and strict accountability. In essence, unsupervised probation is an oxymoron, and probation without conditions is fantasy at best and farcical at worse.

Whether placed on probation or sentenced to a correctional facility, a trained clinician should be part of the assessment or classification team. This is especially necessary since the initial assessment/classification is the basis for the type of supervision provided and the appropriateness of the proposed supervision/reintegration plan.

While effective re-entry programs are important and necessary, another component is equally

important. That is the quality of service provided to offenders or potential offenders at the point at which they first become involved with the courts or the criminal justice system, be they male or female, juvenile or adult, a child in need of service, or a youngster who is the product of an abusive and/or dysfunctional home.

In too many instances, first-time petty offenders, especially juveniles, are neither classified nor supervised. Juvenile status offenders frequently proceed through the legal system without any therapeutic determination as to why they are running away, not responding to parental supervision, or chronically truant at school. The issuance of a care and protection order for abused or neglected children should serve as a warning flag that there is dysfunction at home and these children may be at risk for committing illegitimate behavior as they get older. If you bear in mind that at present approximately 1.6 million children have at least one parent incarcerated, you can see the potential scope of the problem.

The Urban Institute in its August 2005 white paper on *The Economics of Juvenile Jurisdiction* generally found early intervention combined with “treatment programs based on cognitive behavioral approaches were more cost-beneficial than traditional probation...” A few months earlier, Dr. Felton Earls (a professor of human behavior and development at the Harvard School of Public Health) and a team of researchers reported in the May 27, 2005 issue of *Science* that a five-year study of violent behavior showed that youngsters who witnessed violence were more than twice as likely to commit violent crime than were non-witnesses. The findings of Earls and his team complement that of Dr. Deborah Prothrow-Stith, former Massachusetts Commissioner of Public Health and now a Professor of Public Health Practice at the Harvard Medical School, who concluded that “the outcome of violence is determined by environmental, cultural, and social factors: Kids learn to use violence.”

Two cases pointing to the benefits of early intervention come to mind. Recently, while sitting on a classification board at the Essex County Correctional Center (ECCF), I met a 42-year-old inmate who was serving time for his sixth OUI offense. What I found most disturbing was the fact that at age 14, this same individual was arrested for being a Minor in Possession of an Alcoholic Beverage. The disposition was a small fine. There was no early intervention.

Another inmate, 22 years of age, appeared before the board having been sentenced for Assault and Battery with a Dangerous Weapon. Coincidentally, his brother had been sentenced to the same facility a short time before for a similar but unrelated offense. His father had from time to time been an inmate at the ECCF, and his grandfather had once done a 20-year stretch for Armed Robbery. Here is an example of an unattended dysfunctional family with three generations of criminal activity.

Certainly, dealing with these problems before they escalate requires an abundance of resources in terms of money, personnel, and time—resources that may be especially scarce given current criminal justice budgets. However, I believe the return on such an investment would be much greater than trying to correct a major problem years later. While there is no disagreement that re-entry programs are vital, they are also expensive, and their efficiency ratio has yet to be determined.

I suggest that criminal justice administrators take a page from the handbook of successful corporate executives. Success should not be measured simply by output, but rather by the quality of the outcome. For the criminal justice practitioner, quality of supervision, care, and service needs to be provided to each offender or potential offender from the moment an individual is first exposed to the criminal justice system. In essence, I propose that we front-end load the services and cognitive skills necessary to change behavior rather than back-end loading the same services at a time when they are usually more costly and less effective.

The delivery of the appropriate service (as determined by careful assessment) and the implementation of a treatment plan as early as possible provide a better opportunity for the offender’s successful reentry into the community and his self-betterment.

Let's take a look at an example of the difference. The age that an individual enters the criminal justice system has long been a predictor of risk to offend. The younger a person is exposed, the more at risk he or she is. Family and peer relations, education and employment, substance abuse and past criminal history are representative of other predictors of risk. Moreover, they are symptomatic of offender needs that must be addressed if we are truly committed to changing behavior.

Re-entry programs, while necessary in order to provide a degree of offender supervision, accountability, and rehabilitation, take place when an individual has completed at least one period of incarceration. Since most offenders are not incarcerated for their first, and more often their second and third offenses, it is safe to assume that the released individual is no stranger to the criminal justice system. Rather she or he has been around the track several times. This means that the public has already expended funds for police and court time and personnel, community corrections supervision, and for the cost of incarcerating the offender. The incarceration cost alone usually reaches somewhere in the vicinity of \$30,000 per year. Meanwhile, if the offender profile is typical, the chances of his or her recidivating are fair to very good.

In essence, quality service needs to be provided at the point of entry and continued throughout the individual's passage through the system and back into the community. An example of this need for early intervention is evidenced in research conducted in 1998 by the Massachusetts Office of the Commissioner of Probation and in a follow-up report issued in 2000 by the Citizens for Juvenile Justice. The 1998 probation document reported that almost 50 percent of the more than 8,500 juvenile cases placed under probation supervision in 1997 were for status offenses—truancy, runaway, stubborn child, or habitual school offender—or Children in Need of Services (CHINS) cases, while slightly more than 36 percent were placed under supervision for delinquency complaints. The same study also tracked for three years the 6,548 children for whom a CHINS petition was entered into a statewide, computerized database from January 1, 1994 through December 31, 1994. It concluded that 54.3 percent of all CHINS cases evolved from status offenders to delinquent and/or adult criminal offenders, with school offenders identified as most likely to demonstrate delinquent and criminal behavior. Moreover, almost 24 percent of these CHINS cases had prior court involvement for delinquency. Of those with a prior delinquency appearance, 64 percent had been arraigned at least once for a property offense while 41 percent had at least one prior crime of violence offense. The study also determined that “a typical CHINS is not usually one isolated incident or behavior but a pattern of different types of acting out over a period of time.” It also found that a majority of CHINS children have a host of non-addressed personal and behavioral problems.

The Citizens for Juvenile Justice Report issued in 2000 found that “considerable systemic objectives remain unaccomplished, *particularly service delivery to CHINS youth*,” while recommending “treatment and assessment to correct long term family and youth development issues.” It goes on to advocate for system accountability and improvement, while supporting increased funding for diversion, early intervention and mediation programs.

During the late 1980s and early 1990s, the Orange County (California) Probation Department came to a similar conclusion when it determined that a small group of first time offenders, some 8 percent, were arrested a minimum of four times in a three-year follow-up period. This small cohort of juveniles was also responsible for 55 percent of the recidivism cases. It was also determined that these 8 percenters differed in many respects from the other first-time offenders. Most, if not all, were given little if any court imposed supervision. They also tended to be younger when they committed their first offense. Most important, they evidenced clearly defined risk factors, such as abuse, neglect, poor family role models and a lack of parental supervision, poor peer associates, and school problems. Drug and alcohol abuse and a total lack of self-control were also evident. By identifying these risk factors early on, while simultaneously addressing the youth's needs and deficiencies, the Orange County probation officers came up with the 8 percent solution.

The need for an early identification of those individuals with a predilection for criminal behavior risk is evident because most recidivists return to criminal behavior within a year of their release

from prison/ jail, or the termination of their community supervision. Thus, the argument for early intervention becomes clear. If we hope to reduce the level of criminal behavior and the predisposition to recidivism by most offenders, then we are much better off attacking the root causes of the dysfunctional behavior immediately, once they have manifested themselves. All the literature tells us that the younger a person is at the time he or she evidences illegitimate behavior, the more at risk to continue on this delinquent and criminal path. However, the same literature also tells us that the younger a person is when first exposed to behavior modification through supervision and structure, the better the opportunity for turning his or her life around.

If this holistic approach is to be successful, the criminal justice community not only needs a complete and comprehensive collection of data concerning the offender, but a willingness to share that information with all agencies involved in the reclamation process. To this end I would propose the creation of a social service registry that would compile data from every human service agency, public and private, with which an individual has had contact. Moreover, workable protocols need to be established to allow for the necessary sharing of mental health histories.

Public safety agencies need to develop working relationships with public housing agencies so that those individuals deemed to be lesser risks could have some means of transitional assistance. Also, public funds need to be diverted from prison/jail construction and spent on rehabilitative halfway houses and transitional living accommodations.

The public wants sanctions to be imposed upon individuals who break the law, and victims deserve some restitution and retribution. But, as Timothy Flanagan and Dennis Longmire note in their 1996 work, *Americans View Crime and Justice: A National Public Opinion Survey*, they expect the sanction to be utilitarian. However, if sanctions are to truly meet this criterion, the public must redefine its priorities and redirect its resources, i.e., tax dollars, to other areas.

The agencies tasked with reducing crime and recidivism need to stop competing with each other for the scant dollars available. If partnerships are unattainable, then at a minimum these same agencies should be collaborating on special projects. One such effort should be the development of a uniform risk assessment instrument that can meet the needs of the courts, the corrections people, and the human service providers. Such an instrument would be updated as necessary and would follow the offender throughout his involvement with the system.

Another collaborative effort should be the pooling of agencies' resources whenever possible so as to provide for more efficient public safety initiatives and rehabilitative services. In far too many instances offenders are being released under both parole and probation supervision, while many others are sent back to society without any post-release supervision.

This effort will require new paradigms; inter-agency turf struggles will have to be abandoned and more innovative methods will need to be contemplated and employed. Agencies will need to reduce the stovepipe and reframe the organization. Above all, such an effort requires a public that is willing to fund both public and private agencies capable of providing the resources necessary to adequately address the offender's behavioral ineptness.

Substance abusers need extensive treatment programs, not draconian prison sentences. Returning convicts require post-release supervision. Any period of probation supervision must include at least one special condition of probation that addresses one of the offender's prevalent needs. Moreover, the only "break" that should be given to first-time offenders, whether they are juveniles or adults, is to be spared a permanent criminal record if they comply with the imposed conditions of supervision.

Finally, if we are to measure the quality of the public safety and offender services that we provide—the outcomes—we need to agree on a universal definition as to what constitutes recidivism and recidivistic behavior. This is vital if we are to have a meaningful instrument to evaluate our performance, and our needs. It is also necessary if we are to have an honest and transparent dialogue with the constituencies that we serve.

Let's not wait for someone to appear before the system several times and then try to rehabilitate him or her—history is not on our side. Rather, let's put our resources and efforts up front, at the point of entry, and *reclaim* the offender the very first time that he or she comes into the system. Then we can truly claim to be serious about corrections.

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[Publishing Information](#)

Engagement in Therapy. New York: John Wiley & Sons (2002).

Miller, William R. & Rollnick, Stephen. (1st Edition) *Motivational Interviewing: Preparing People For Change*. New York: Guilford Press (1991).

Miller, William R. & Rollnick, Stephen. (2nd edition) *Motivational Interviewing: Preparing People For Change*. New York: Guilford Press (2002).

Miller, William, R., Benefield, R. G., & Tonnigan, J.S., "Enhancing Motivation for Change in Problem Drinking: A Controlled Comparison of Two Therapist Styles." *Journal of Consulting and Clinical Psychology* (1993): 455-461.

Mills, Robert. *Offender Assessment: A Casebook in Corrections*. Cincinnati: Anderson Publishing (1980).

Pinker, Steven. *How the Mind Works*. New York: Norton (1997).

Prochaska, James, O. & DiClemente, Carlo, C., "Stages and Processes of Self-Change in Smoking: Toward an Integrative Model of Change." *Journal of Consulting and Clinical Psychology* (1983): 390-395.

Rollnick, Stephen, Mason, Pip & Butler, Chris. *Health Behavior Change: A Guide for Practitioners*. (1999).

Saleebey, Dennis. (3rd Edition) *The Strengths Perspective in Social Work Practice*. New York: Longman (2002).

Tomlin, Kathyleen M. & Richardson, Helen. *Motivational Interviewing & Stages of Change: Integrating Best Practices for Substance Abuse Professionals*. (2004).

Turnell, Andrew, & Edwards, Steve. *Signs of Safety: A Solution and Safety Oriented Approach to Child Protection Casework*. New York: WW Norton (1999).

Viets, Vanessa L., Walker, Denise & Miller, William, R. What is Motivation To Change: A Scientific Analysis. In Mary McMurrin (Ed.) *Motivating Offenders to Change: A Guide to Enhancing Engagement in Therapy*. NY: John Wiley & Sons. (2002).

Ward, Tony & Brown, Mark. "The Good Lives Model and Conceptual Issues in Offender Rehabilitation" *Psychology, Crime and Law*. Vol. 10 (3), pp. 243-247.

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Basile, Vincent D. 2002. "A Model for Developing a Reentry Program", *Federal Probation*, December: Vol. 66: No. 3.

Brown, Marjorie, Adams, Sandra, and Theberge, Andrew. "In Jeopardy and At Risk: CHINS Cases in Massachusetts," Massachusetts Trial Court, Office of the Commissioner of Probation, November 1998.

Flanagan, Timothy J. and Longmire, Dennis R. *Americans View Crime and Justice: A National Public Opinion Survey*, 1996.

Petersilia, Joan. 2001. "When Prisoners Return to Communities," *Federal Probation*, June: Vol. 65: No. 1.

Piehl, Anne Morrison. 2002. "From Cell to Street: A Plan to Supervise Inmates after Release," *Mass Inc.* (The Massachusetts Institute for a New Commonwealth), January 2002.

Prothrow-Stith, Deborah, and Weissman, Michael. *Deadly Consequences*. New York : Harper-Collins Publishers, 1991.

Roman, John and Butts, Jeffrey A. "The Economics of Juvenile Jurisdiction," *The Urban Institute*, August 2005.

Travis, Jeremy, et al. 2001. "From Prison to Home," *Urban Institute*, June 2001.

U. S. Department of Justice. 2000. "Offenders Returning to Federal Prison, 1986-1997." *Bureau of Justice Statistics*, September: NCJ 182991.

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Personal Ads From Prisoners: Do Inmates Tell the Truth about Themselves?

Applegate, B. (2001). Penal austerity: Perceived utility, desert, and public attitudes toward prison amenities. *American Journal of Criminal Justice* 25, 253-268.

Baize, H. R., Jr. & Schroeder, J.E.. (1995). Personality and male selection in personal ads: Evolutionary preferences in a public male selection process. *Journal of Social Behavior and Personality* 10, 517-536.

Bond, G.D., Malloy, D.M., Arias, E.A., Nunn, S. N. & Thompson, L.A. (2005). Lie-biased decision making in prison. *Communication Reports* 18, 9-19.

Casey-Acevedo, K. & Bakken, T. (2001). Effects of visitation on women in prison. *International Journal of Comparative and Applied Criminal Justice* 25 (1), 49-70.

Fleisher, M. (1989). *Warehousing Violence*. Newbury Park, CA: Sage.

Hartwig, M., Granhag, P.A., Stromwall, L.A., & Andersson, L.O. (2004). Suspicious minds: Criminals' ability to detect deception. *Psychology, Crime & Law*, 10 (1), 83-95.

Hensley, C., Miller, A., Tewksbury, R., & Koscheski, M. (2003). Student attitudes toward inmate privileges. *American Journal of Criminal Justice*, 27(2),249-262.

Jason, L.A., Moritsugu, J.N. & DePalma, D.M. (1992). Advertising as a strategy for meeting people. *Psychological Reports* 71, 1311-1314.

Johnson, R. (1996). *Hard Time*. Belmont, CA: Wadsworth.

Marquis, K.H. & Ebener, P.A. (1981). *Quality of Prisoner Self-Reports: Arrest and Conviction Response Errors*. Santa Monica, CA: Rand.

Sykes, G. (1958). *The Society of Captives: A Study of a Maximum Security Prison*. Princeton, N.J.: Princeton University Press.

Tewksbury, Richard and Mustaine, Elizabeth Ehrhardt. (In press). Insiders' views of prison amenities: Beliefs and perceptions of correctional staff members. *Criminal Justice Review*.

Wooldredge, J.D. (1997). Explaining variation in perceptions of inmate crowding. *The Prison Journal*, 77, 27-40.

WriteAPrisoner.com. (2005). Accessed on August 30, 2005.

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