

# Is Project HOPE Creating a False Sense of Hope? A Case Study in Correctional Popularity

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## Abstract

*Based in Hawaii, Project HOPE uses certain but non-severe graduated sanctions to specifically deter probationers from violating supervision conditions, especially drug use. Scholars and policy makers have trumpeted HOPE as a new model for offender supervision even though the evaluation evidence, though promising, is limited. In this context, we explore the sources of the program's "correctional popularity," which has led to its uncritical acceptance and importation to the U.S. mainland. We argue that several uncertainties about the program may potentially compromise its effectiveness in other jurisdictions, thus offering false hope as a new paradigm for effective probation supervision. Finally, we caution that correctional popularity risks exacting a high cost when promising, if not unproven, programs—such as Project HOPE—are adopted rather than alternative evidence-based treatment strategies.*

**EVERY FEW YEARS,** an intervention bursts upon the scene, is heralded as having special crime-reducing powers, and is enthusiastically implemented. Prominent examples include DARE programs for youngsters' drug prevention, scared straight for nascent delinquents, boot camps for young adults supposedly in need of a good dose of discipline, and three-strikes-and-you're-out laws for predatory recidivists. James Finckenaer (1982) has used the term "panacea phenomenon" to describe initiatives that, with very little criminological or empirical scrutiny, arise, are quickly embraced, and are imposed on the wayward with very little understanding of their true impact.

Attracting wide popularity, in and of itself, does not mean that a program is ineffective and should be abandoned. But when popularity leads to the uncritical acceptance of a program, caution is called for. In addition to asking for further critical appraisal and quality evaluations, the very source of a program's popularity needs to be unpacked. Why are so many policy makers and scholars so willing to throw caution to the wind and to jump on an initiative's bandwagon? Correctional popularity—why some programs are embraced and others are not—thus should be seen as an important area for study.

In this context, "Project HOPE"—the Hawaii Opportunity Probation with Enforcement program—warrants analysis. Though limited, there is some evidence of Project HOPE's effectiveness (Hawken & Kleiman, 2009). But this does not fully explain why the program is being trumpeted as a crime solution to be adopted widely and without concern. Indeed, statements praising HOPE abound:

HOPE holds the promise of significantly reducing the demand for illegal drugs, crime, and prison populations across the U.S. This innovative program can be branded and promoted as a high-visibility, high impact upgrading of the nation's efforts to reduce illegal drug use and crime at the same time that it will reduce the nation's prison population. (DuPont, 2009, p. 1)

There aren't any magic bullets that can end America's continuing battle with crime and addiction. But HOPE comes closer than anything we've seen in a long time. It has remarkable impact—cutting new arrests

and failed drug tests by more than half, compared to a randomly selected control group. And it can be applied to thousands of offenders at a time. It's not a boutique program that works well with a few dozen. (Gelb, 2011, p. 2)

Notably, it is not just commentators who have jumped on the HOPE bandwagon. With the "H" in HOPE now changed from "Hawaii" to "Honest," this intervention is being implemented with amazing rapidity. As Angela Hawken—an evaluator and now advocate of Project HOPE—observes, "We know of at least 40 jurisdictions in 18 states that have implemented similar models" (quoted in Pearsall, 2014, p. 3). Wishing to spread this approach further, the American Legislative Exchange Council (2014)—known commonly by its acronym of "ALEC"—has developed model legislation for the "Swift and Certain Sanctions Act."

Again, no claim is being made that the HOPE program is necessarily ineffective. Still, although trite to a degree, there is wisdom in the saying that "when something seems too good to be true, it usually is." The risk inherent in correctional popularity is that a promising program can be prematurely oversold. It can gain the status of a *proven*, rather than of a *promising*, program. It also can cause otherwise judicious scholars and policy makers to trumpet a program for the wrong reason—not because the intervention works, but because it resonates with their worldview and thus seems "obviously" effective. Even if it works, correctional popularity can cause observers to misperceive why this is so, leading them to accept that a proposed mechanism is responsible for offender

change. In reality, other unpublicized and thus unrecognized features may be driving the program's success. Subsequent interventions may be implemented with an emphasis on the wrong "key ingredients." Finally, correctional popularity may have a high opportunity cost if a newly invented popular program of questionable effectiveness is used instead of an existing intervention that is evidence-based and of proven success.

This article thus uses Project HOPE to provide a case study in correctional popularity. The analysis will be undertaken in four sections. First, the origins and the details of the HOPE program will be presented. We also review the limited literature available on its effectiveness. Second, an attempt will be made to unpack why HOPE has become so popular, despite several theoretical and empirical limitations. Six factors will be considered that, when taken together, constructed a persuasive social reality that defined HOPE as an effective intervention. Third, we then explore why Project HOPE may be creating a false sense of hope by offering a community supervision model that may be limited in its effects, difficult to implement, and inattentive to what is now known about offender change. Fourth, we will conclude by arguing for correctional popularity to be seen as an intervention risk to be studied and guarded against. Popular programs can be effective, but popularity can trump professional skepticism and scrutiny and have a high cost for corrections.

## Project HOPE

### *The Invention of Hope*

Project HOPE was first developed in Honolulu, Hawaii, in 2004 by Judge Steven Alm in the criminal felony division. Alm (2011) noticed a pattern among the cases brought before him by the probation department. Case after case involved an offender with multiple violations who, according to the probation officer, would not be able to complete probation successfully in the community. Judge Alm concluded that offenders had come to believe that probation did not have to be taken seriously because there were no immediate substantial consequences for their violations (Hill, 2010). Indeed, ongoing deferred court dates meant that some probationers were not being brought before a judge sometimes up to a full year after a transgression was detected (Kiyabu, Steinberg, & Yoshida, 2010). With a lack of any real consequences and a court date in the distant future, probationers were coming into court with multiple violations.

Judge Alm worried that offenders were thus incurring multiple probation violations that often allowed probation officers to develop a strong case for revocation and eventual prison sentence (Alm, 2011).

Judge Alm was persuaded that there had to be a better and more efficient way to deal with the probationers who were not abiding by their supervision conditions. Alm had seen innovative programs take shape and produce promising results, at least in the preliminary stages. Created by David Kennedy, one example was the deterrence-based violence prevention program CeaseFire in Boston, Massachusetts (Rosen, 2010). The goal of CeaseFire was to reduce gang violence. The first step was to provide a warning that if any member of a gang killed someone, the entire gang would face consequences. Second, any person affiliated with a gang or criminal group was offered support if he or she expressed the desire to leave. Finally, a community meeting was held in which non-gang members voiced their desire for the violence to end.

It also occurred to Alm (2011) that the solution could be as simple as applying the same concepts to probationers that he had used in his parenting. Judge Alm has described the system that was in place upon his appointment as being similar to child-rearing supervision in which parents do nothing about their child's misconduct, let a significant amount of time pass between the transgression and the punishment, and then punish them harshly for their behavior (Alm, 2010). Judge Alm believed that in his family, the use of swift-and-certain consequences for misconduct taught his son what was expected and worked to curb subsequent misbehavior (Alm, 2011).

With this new perspective, Judge Alm set out to create a system in which violations of conditions were met with a swift-and-certain punishment, proportionate to the violation. Alm understood that he could not change the probation system on Oahu on his own. Thus, as a first step, he consulted with his court staff to determine whether he had the authority to make the necessary changes. Alm and his staff concluded that the penal code's language allowed a judge to make modifications to a probation plan (Alm, 2011). This modification would become the cornerstone of HOPE: the ability to change the existing probation plan and immediately jail probationers who violated their supervision conditions. Judge Alm realized, however, that applying swift-and-certain sanctions meant that probation,

law enforcement, and the prosecutor's and public defender's offices would all need to cooperate with one another. Cheryl Inouye, the supervisor of the Integrated Community Sanctions Unit (ICS), Honolulu's high-risk probation unit, agreed to change procedures by requiring both immediate enforcement and her officers to file motions directly with the court. Once the motion was filed, court staff were responsible for contacting the prosecutor's office (Alm, 2011).

Judge Alm next met with the prosecutor and public defender's offices. The prosecutor agreed to change procedure so that probation officers could notify the court directly when a probationer violated in order to expedite the process. The prosecutor also created a new fill-in-the-blank form that would be used by the judge to change the probation to include a short stay in jail if a probationer violated. The public defender realized that offenders would not expect that the rules would actually be enforced and asked that offenders be informed of the change to probation. Judge Alm agreed, and this notification became a crucial component to HOPE (Alm, 2011).

Judge Alm's final step was to solicit support from various law enforcement agencies. He first contacted the Oahu Community Correctional Center and told them that he did not expect them to see an influx in offenders, but warned that they might see the same offenders processed repeatedly. By providing the facility with this warning, Alm was trying to give it time to streamline its own intake process. To carry out the objective of keeping sanctions swift, Judge Alm approached the Hawaii High Intensity Drug Trafficking Area (HIDTA) and the United States Marshals for warrant enforcement assistance. With the agreement of the U.S. Marshals Service to serve warrants for the program and with assistance from HIDTA for any overtime funding that might be needed, Judge Alm had secured the last component to begin his new probation program (Alm, 2011). With multiple agencies on board, Judge Alm launched Project HOPE, and with each passing year the program has grown.

On the island of Oahu, there are approximately 8,000 offenders who are currently on felony probation (Alm, 2013). Half of these probationers are considered to be low risk and are therefore automatically placed on "probation as usual" (PAU) caseloads that involve minimal supervision. The remaining probationers, including the 2,000 in the HOPE program, are assessed as a higher risk

and are therefore accorded a higher level of supervision. The 2,000 HOPE probationers are supervised by Judge Alm, with assistance from 10 other felony judges who have agreed to join the program since its inception in 2004 (Alm, 2011, 2013).

### *The Organization and Process of HOPE*

#### Referral to HOPE

There are three avenues by which probationers can be referred to the HOPE program. First, sex offenders are automatically placed in the HOPE program. Alternatively, probationers who have been found guilty of some other type of felony (e.g., property, violent crime) and are having issues with compliance on traditional supervision may be referred by either a circuit judge or the probation officer for screening. Screening entails administration of the Level of Service Inventory-Revised (LSI-R) to determine risk level and the Adult Substance Abuse Survey (ASAS) to determine whether a given probationer has issues with drugs or alcohol. Probationers are considered appropriate for HOPE if they (1) are high risk for recidivism as determined by the LSI-R, (2) show repeated problems with noncompliance and therefore show need of increased surveillance, according to the probation officer or circuit judge, and/or (3) have drug/alcohol problems listed among their top three criminogenic need areas (Wright, 2013).

#### Entrance into HOPE

Once a probationer has been deemed eligible for HOPE, Judge Alm delivers a “warning hearing.” As described by Judge Alm, this hearing is much more than a court proceeding where probationers learn the conditions and expectations of probation. The hearing starts with a positive message to probationers. They are told that they have support from the judge, court staff, prosecutor, defense counsel, and their probation officer, and that everyone wants to see them succeed on HOPE. The judge then explains that they should understand that they are adults and can make their own decision to either follow the rules of probation or to violate their conditions. However, he also notes that it is his responsibility as their judge to hold them accountable if they choose to violate the conditions of their probation. Judge Alm has stated that he knows that he cannot make probationers comply with their conditions, but he can provide them with the information needed to make an informed decision (Alm, 2011).

The next part of the warning hearing informs probationers of the consequence for violating their conditions—immediate arrest and jail time. This component allows the program to fulfill its objective of being a swift-and-sure probation. Unlike in the past when probationers were able to violate their conditions without any immediate consequence, HOPE probationers are warned that they will be arrested and jailed immediately following a violation, and then they actually are. Judge Alm has credited this component as the key to the effectiveness of HOPE with probationers. When some expressed doubt that jail time would serve as a deterrent for offenders who had already experienced incarceration, Judge Alm disagreed: “Yes, many people can *do* time when they have to. But human nature being what it is, they don’t want to do it *today*” (Alm, 2010, p. 30; emphasis in the original). Further, probationers are warned that if they repeatedly violate the conditions of their probation, they will face a prison sentence. According to Judge Alm, the purpose of these warnings is to create accountability among probationers, something that he believes most of them have not experienced in the past (Alm, 2011).

Finally, during the warning hearing, probationers are assigned a color and number combination and told they must call in to the HOPE hotline every morning to learn which combination has been randomly selected for drug testing (Hill, 2010). If compliant over time, the probationer will be assigned a new color and number, and the testing will become less frequent. Each probationer is randomly tested a minimum of once a week in the first two months and gradually reduced to one test per month (Hawken & Kleiman, 2009; Kiyabu et al., 2010; Hill, 2010).

#### Addressing Violations in HOPE

If those on probation miss a scheduled meeting with their probation officer or violate any condition of their probation, a “Motion to Modify Probation” is filed with the court, and the probationer can be sentenced to a short stay in jail (Hawken, 2010a, b). If probationers violate repeatedly, they can be ordered to serve the entire length of the prison sentence they received prior to being placed on probation (Lopez, 2012). With respect to drug testing and related violations, there are several stipulations. If a probationer does not report for a drug screening, a warrant is issued immediately. If probationers test positive at any time, they can be reassigned to a different

color code, one that requires more frequent drug testing. Additionally, any probationer arrested for testing positive for drugs has the right to dispute the charges, but if results of further testing confirm the presence of illegal substances, the consequences will be more severe (Hawken, 2010a, b). Probationers who admit to their drug use before they are tested are likely to receive a significantly reduced jail sanction (e.g., less than 5 days), compared to those that do not admit to their use before being tested (e.g., 2 weeks). Repeated drug use and/or dishonesty about drug use results in increasingly lengthy jail sentences.

Repeated positive drug tests can also result in mandatory drug treatment, but probationers can also request to enter drug treatment voluntarily. By placing probationers who need or want to be in treatment, programs can concentrate their efforts on those who are most likely to benefit from treatment and preserve resources that might otherwise be wasted on individuals for whom substance use does not seem to be a central concern. In turn, this reduction in the number of probationers initially assigned to treatment allows programs to improve the quality of the treatment and extend the amount of time probationers can stay in treatment (Alm, 2013).

#### *The Effectiveness of HOPE*

Does HOPE work? The answer to this question is an important one. The empirical evidence needs to be fairly presented and carefully evaluated before we can argue (as we do) that this intervention has been inappropriately and prematurely adopted by policy makers and practitioners alike. Project HOPE is designed to reduce probationers’ violations while on probation, and, ideally, to reduce recidivism for new criminal behavior. It is believed that HOPE does so because it uses swift-and-certain punishment and graduated sanctions to lower noncompliance on supervision.

Thus, a proper program evaluation must pay attention to both outcome and process—and do so using a rigorous methodological approach. Ideally, HOPE would be evaluated using a randomized control trial (RCT), where offenders are randomized to HOPE or some alternative condition; this strategy helps to reduce the possibility that any effects observed are due to differences between individuals in the two groups and increase the likelihood that the effects are due to the treatment itself (i.e., HOPE). If possible, the comparison group would preferably be some comparable alternative—for example, another treatment

program that has established effectiveness. Using a comparison group that is also likely to be effective can answer for policy makers the important question, “compared to what?” If HOPE is being compared to something that is ineffective or inert, then positive results are not only likely but also will suggest only that the program being evaluated is better than doing nothing or than delivering improper or ineffective interventions. A more useful test of a program’s effectiveness for policy and practice is one that compares a new intervention to other evidence-based interventions to see how well it fares in comparison. Finally, a good evaluation of any program, including HOPE, must test the program’s “logic model” by exploring not only whether it works but also if it works *because of its proposed active ingredients*. For HOPE, this is swift-and-certain, graduated sanctions.

Thus far, only a few studies have examined the effectiveness of HOPE and other local adaptations of HOPE. To date, there have been only two RCTs—one completed study of the original HOPE program from Hawaii and one ongoing study in Washington State. Other evaluations have used quasi-experimental and pretest-posttest designs—weaker study designs that introduce the potential for several rival explanations for HOPE’s effectiveness, undermining the confidence with which practitioners and researchers can attribute positive offender outcomes to the HOPE intervention alone. Notably, although each evaluation (described below) examines offender outcomes, none to date has conducted a formal process evaluation to test HOPE’s logic model. Further, no study has yet employed a control group receiving an alternative treatment shown previously to be effective; the standard comparison thus far has been to offenders on regular supervision (also called “probation-as-usual”). The results from known outcome evaluations are detailed below.

### Positive Effects from Hawaii

The earliest evidence for HOPE’s effectiveness stems from descriptive data collected by Hawaii’s Office of the Attorney General on probationers’ outcomes in the first year of the program. Although we could not locate anywhere in press the specific statistics, data on participants’ drug tests and the number of missed probation appointments indicated to Judge Alm that he and his staff “were on the right track” (Alm, 2011, p. 21). Alm knew that the data collected by the state was not

enough, and that outside research was going to be required to bring legitimacy to HOPE (Alm, 2011).

The first formal outcome evaluation of HOPE was conducted by two outside researchers not affiliated with the HOPE program. In this study, 940 HOPE probationers were compared to 77 probationers on “probation as usual” (PAU) across several primary (e.g., number of positive drug tests and no-shows to supervision appointments) and secondary (total jail and prison days, revocations, and new arrests) outcomes. After accounting for baseline differences between PAU and HOPE probationers, the researchers found that HOPE probationers were significantly less likely to have a positive drug test than PAU probationers at a 3-month and 6-month follow up. Specifically, PAU probationers were 28 percentage points higher at 3 months and 15 percentage points higher at 6 months for positive drug tests than HOPE probationers. The effects are smaller for missed probation appointments and do not seem to change much over time. For this outcome, PAU probationers were 7 and 6 percentage points higher at 3 and 6 months, respectively (Hawken & Kleiman, 2009). Of course, these findings need to be considered in light of the study limitations that the study authors either noted (e.g., short follow-up, inability to examine the sustainability of effects after probation, spillover influences into the comparison group) or did not note (but that we will discuss below).

To address some of the methodological limitations of the quasi-experimental study (i.e., a non-equivalent comparison group), Hawken and Kleiman next conducted an RCT comparing 330 HOPE to 163 PAU probationers. After a one-year follow-up, a significantly smaller proportion of HOPE probationers had negative supervision appointments (9 percent vs. 23 percent); positive drug tests (13 percent and 46 percent); new arrests (21 percent vs. 47 percent); revocations (7 percent vs. 15 percent); and incarceration days sentenced (138 vs. 267) (Hawken & Kleiman, 2009).

### Mixed Effects Elsewhere

In recent years, the HOPE program has gained in popularity. Although variants of this program have now been implemented in at least 40 jurisdictions (Pearsall, 2014), evaluation research has been limited and has yielded mixed results. For example, in one pretest-posttest study of 93 HOPE offenders

in Saline County, Arkansas, preliminary results indicate good fidelity to the HOPE model (e.g., shortened jail time, swift and timely sanctions) and reductions in violations (*DFE Fidelity Review*, 2013). However, because no control (RCT) or comparison (quasi-experimental study) was used in this evaluation, it is difficult to attribute offender change to the HOPE program.

Other studies yield mixed effects of the HOPE program across various methodological approaches. In Anchorage, Alaska, for example, a pre-post evaluation of PACE program (Probation Accountability with Certain Enforcement) participants showed, on one hand, a reduction in positive drug tests (25 percent pre vs. 9 percent post), but on the other hand, more petitions for revocation at the post-test (Carns & Martin, 2011). Similarly, an RCT pilot study of the Washington Intensive Supervision Program (WISP) for parolees showed reductions in drug use, incarceration, and criminal activity for a small group ( $n = 35$ ) of offenders over a short (6 month) follow-up, but there also was an increase in bench warrants (Hawken & Kleiman, 2011). Finally, Delaware’s quasi-experimental evaluation of the Decide Your Time (DYT) program showed no significant differences in arrests and reincarceration for DYT and probation as usual participants (O’Connell, Visher, Brent, Bacon, & Hines, 2013). We will discuss the DYT program in more detail below.

## Sources of Project HOPE’S Popularity

By all accounts, Judge Alm developed an innovative program intended to address pressing problems in his jurisdiction’s probation system. But many local policy shifts remain just that—local initiatives. What caused Project HOPE to become nationally known and embraced by diverse audiences as a model to be used to reform probation nationwide? We suggest that the program’s “correctional popularity” is rooted in a confluence of six factors.

Again, in and of itself, a program’s popularity is not unsavory. In fact, it would be unfortunate if worthy programs remained local secrets and hidden from public view. Still, we would be naïve to believe that correctional interventions are embraced only due to their demonstrated effectiveness. More often, they earn support for extra-scientific factors. In this case, beyond some promising evaluation results, Project HOPE was imported from

Hawaii by the mainland because it resonated with underlying cultural and correctional values, had strong advocacy, and was accorded legitimacy from the criminological community.

### 1. Names Matter

The first source of HOPE's popularity comes from the genius of creating the acronym HOPE. Alm held a contest among his court staff asking for people to submit names for his new probation program. A staff member submitted the name Hawaii Opportunity Probation with Enforcement. Alm knew immediately he had a winner (Alm, 2011).

Consider the alternative—if the program had been called “HIPP” or the Hawaii Initiative to Punish Probationers. For other reasons, it is possible that HIPP might have earned some attention outside Hawaii. But in all likelihood, the name would not have struck observers as having any uplifting dimension to it. By contrast, HOPE conveys the idea that the goal is not simply to deter probationers but also to lend a helping hand so as to assist their improvement. The goal of the program thus is not to do harm but to deliver “hope.” In the end, names matter because they are pregnant with meaning. They either resonate or are inconsistent with underlying value preferences. There are few Americans who are against hope!

### 2. The Appeal of Tough Love

The second source of HOPE's popularity comes from the “tough love” approach the program takes toward offenders. The simultaneous use of a certain amount of toughness while maintaining a caring and loving approach makes the program appeal to both liberals and conservatives. This section will explain how HOPE takes this tough-love approach and how this approach appeals to conservatives (who value toughness) and liberals (who value love). Notably, HOPE is not the first correctional program whose popularity is linked to its embrace of tough love. Boot camps are one obvious example of a previous tough-love intervention that earned widespread support (Cullen, Blevins, Trager, & Gendreau, 2005). Although perhaps less apparent, restorative justice also blends elements of toughness (e.g., demands of accountability, shaming the behavior) with elements of love (e.g., forgiveness, reintegration into the community) (Levrant, Cullen, Fulton, & Wozniak, 1999; see also Braithwaite, 1989).

Such programs appear to resonate with a core cultural belief.

As noted, HOPE's toughness centers around swift, certain, and proportionate consequences (Alm, 2011). By contrast, different aspects of HOPE exemplify the “love” component of the tough-love approach. HOPE participants know that the judge, court staff, prosecutor, defense counsel, and probation officer all want to see them complete HOPE successfully and become contributing members of society (Alm, 2011). Additionally, HOPE offers any participant who makes the request access to drug and alcohol treatment (Alm, 2013). Finally, violations of the conditions of probation result in punishments that are intended to be consistent and fair—not draconian. Before HOPE, probationers would violate multiple times with no immediate consequence; however, when finally brought before a judge, they often would receive a lengthy prison sentence. Now, through the use of immediate arrest, HOPE judges are able to give a punishment that is proportionate to the violation—mild at first and then escalating to the point where offenders receive their original prison sentence (Hawken, 2010a, b; Kiyabu et al., 2010). Thus, HOPE was designed to use revocation as a punishment of the last, rather than first, resort.

Project HOPE is popular because it offers something appealing to those at both ends of the political spectrum. Conservatives, who are advocates of the “tough” component of tough love, like HOPE because they see it as a punitive program that holds offenders accountable each time they violate the rules of their probation, regardless of the severity of the infraction. Liberals, the advocates of the “love” component, like HOPE because it is intended to lessen the use of imprisonment and to offer offenders the opportunity to change their lives through such avenues as treatment (Cullen & Jonson, 2012; Rosen, 2010). In other words, it gives offenders hope.

The tough-love approach towards offenders is popular not just with lawmakers but also with the American public. Research shows that Americans harbor punitive attitudes and generally support the use of imprisonment. But this punitiveness is balanced by strong support for “corrections”—the idea that efforts also should be made to save offenders from a life in crime (Cullen, Fisher, & Applegate, 2000; Jonson, Cullen, & Lux, 2013). Thus, in a poll completed by the National Council on Crime and Delinquency (Krisberg & Marchionna, 2006), the overwhelming

majority of respondents, 87 percent, favored a correctional system that included rehabilitative services, rather than a correctional system that was solely based on punishment. Similarly, in a survey completed by the Pew Research Center (2003, p. 75), 72 percent of the 1,284 adults who completed the telephone interview either mostly or completely agreed with the statement that, “The criminal justice system should try to rehabilitate criminals, not just punish them.”

### 3. Charismatic Leadership

A third source of HOPE's popularity can be attributed to Judge Alm. In particular, he brings two important contributions to the table that have helped to directly contribute to the HOPE program in Hawaii. First, he has been quite effective at forging alliances with a number of criminal justice professionals. His nearly 30 years of service across a number of positions (e.g., Deputy Prosecuting Attorney for the City and County of Honolulu, United States Attorney for the District of Hawaii, First Circuit Court Judge; Alm, 2011; Walden, 2011) have helped to establish him as a leader in the Hawaiian criminal justice system and earn respect and support from his colleagues. Second, Alm has a charismatic personality. He has been described as “armed with an obvious passion, a persuasive tone, a muscular build and a no-nonsense buzz cut” (Hill, 2010), “excited... about what he's doing” (Lopez, 2012), and a “one-man-public-relations machine” (Blair, 2012). His dynamic personality and strong professional relationships have helped to push HOPE to the forefront in the discussion of community supervision. Undoubtedly, Alm is HOPE's greatest ambassador and spokesman for the program both in the State of Hawaii and at the national level, even meeting with leaders from other states to advise them and discuss their own non-traditional probation and parole program ideas (Hill, 2010).

### 4. Strong Advocacy by Researchers

Judge Alm (2011) played another important role when he realized that initial positive evaluation results needed to be confirmed by external researchers with impeccable credentials. He knew that the data collected by the state were not enough, that outside research was going to be required to bring legitimacy to HOPE (Alm, 2011). Enter Angela Hawken, who holds a Ph.D. and the position of Associate Professor of Public Policy at Pepperdine University. Hawken

was the primary policy analyst for the cost-benefit analysis of California's Proposition 36, the statewide initiative to divert non-violent offenders away from incarceration and into community-based treatment programs (Department of Alcohol and Drug Programs, 2000). In the spring of 2006, she flew to Honolulu for a preliminary visit. In a 2013 interview with Sam Kornell of the online magazine *Slate.com*, Hawken admitted that she was skeptical of HOPE and of the statistics she was seeing from the pilot program. The state was reporting a 50 percent reduction in new arrests and a 70 percent reduction in drug use. Hawken thought these numbers must be flawed. "When you hear something that sounds too good to be true," she observed, "it's because *it is* too good to be true" (Kornell, 2013, p. 1; emphasis in the original).

Upon her arrival at the Honolulu jail and subsequent in-person interviews with offenders who had been in HOPE, her skepticism began to fade. Hawken told Kornell that the language of responsibility she heard from these offenders shocked her. Her curiosity had been piqued (Kornell, 2013). Hawken agreed to perform the evaluation study of HOPE and solicited the assistance of Mark Kleiman, a professor of public policy at UCLA with a strong national reputation in the area of crime control. As noted, Hawken and Kleiman (2009) reported results similar to those initially released by the state, conducting two evaluations yielding positive results. They have made their evaluation report available for consideration, although it should be noted that their study was not published in a referred journal and subjected to peer evaluation (see also Byrne, 2013).

It appears that the positive evaluation findings have persuaded Hawken and Kleiman that HOPE is an evidence-based program that should be expanded to other locations. Their advocacy is thus the fourth source of the project's popularity. Since the completion of their evaluations, they have written articles, given interviews, and delivered presentations advocating for HOPE. As the evaluators of HOPE, Hawken and Kleiman have special legitimacy. They not only know the intricacies of the program—how it works—but also can claim to show its effectiveness—that it does work. Given their credibility, their strong advocacy has almost certainly contributed to the expansion of HOPE and to further funding of research by the National Institute of Justice.

Hawken (2010a) and Kleiman (2009) are reputable scholars, and they are careful to insert the requisite caveats about the need for further replications and the challenges of implementing HOPE in other jurisdictions. Still, they seem to display an uncritical acceptance of the project and its underlying theory that scholars rooted in the correctional treatment paradigm would not share (an issue we will revisit later). Rehabilitation scholars would immediately note the dismal history of deterrence-oriented programs in corrections, because these programs do not address the empirically known causes of recidivism (e.g., antisocial attitudes), especially among high-risk offenders (Andrews & Bonta, 2010; see also Cullen, Pratt, Micelli, & Moon, 2002; Cullen, Wright, & Applegate, 1996; MacKenzie, 2006; Schaefer, 2013). They would not reject the idea that firm and fair sanctions should be part of treatment protocol, but this practice would be a secondary component, subsidiary to the delivery of therapy aimed at fixing the deficits (or criminogenic needs) leading to reoffending.

Hawken and Kleiman reverse this emphasis, embracing certainty of punishment and the theory of graduated sanctions. Their advocacy of HOPE thus is not simply for the program but for a way of thinking about how the correctional enterprise should be structured. They are inalterably opposed to the gratuitous use of severe punishments—or "brute force," as Kleiman (2009) terms it—but they believe that certainty of punishment should be the guiding theory of offender supervision. As Hawken (2010a, p. 40) argues, "the central idea of HOPE is the commonsensical one that certainty and swiftness count far more than severity in determining the deterrent efficacy of a threatened punishment." Similarly, providing rehabilitation is not the goal of their correctional model. Rather, "the HOPE approach is focused directly on reducing drug use and missed appointments rather than on drug treatment" (Hawken, 2010a, p. 46; see Kleiman, 2009, for a similar rationale for using HOPE over drug courts). Treatment should be reserved for those who ask for it and for those who repeatedly fail drug tests, much as "triage" is used for seriously wounded soldiers (Hawken, 2010a, b). In a coauthored essay, Kleiman again makes the case for deterrence over treatment:

The Hawaii results seem to refute the claim that the nature of drug abuse makes desistance without treatment impossible. How well it will work in other jurisdictions

remains to be seen, but there seems to be more reason to worry about whether the institutions of the criminal justice system in other places can work together well enough to deliver the promised swift-and-certain sanctions than about whether drug-using offenders will respond to those sanctions if they are actually put into practice. (Boyum, Caulkins, & Kleiman, 2011, p. 396)

In short, Hawken and Kleiman are advocating for a paradigm shift away from a rehabilitation model and toward a specific deterrence model in offender supervision. In a different time, it is possible that their embrace of punitiveness—even in a scaled-down version—would have been rejected by many criminologists. In fact, the opposite occurred, as an increasing number of scholars had independently begun to think along the same lines.

##### 5. *Gaining Legitimacy from Criminologists*

The fifth source of HOPE's popularity comes from the legitimacy garnered from being mentioned favorably in the writings of criminologists other than Hawken and Kleiman. The program's appearance has been fortuitous because it coincides with a movement within criminology to emphasize the *certainty* rather than the *severity* of deterrence. At the core of this approach is a rejection of mass imprisonment in favor of policing (to increase the risk or certainty of apprehension) and of non-custodial sanctions that are invariably applied (to increase the certainty of punishment following apprehension) (see, e.g., Durlauf & Nagin, 2011; Nagin, 2013; see also Kleiman, 2009; Robinson, 2011). Because HOPE is a certainty-based program, it has obvious appeal to scholars trumpeting certainty. Thus, Nagin (2013, p. 228) comments favorably about the initiative, noting that the "deterrence strategy of nondraconian sanctions has been applied with apparently great success in Project HOPE, an intervention heralded by Hawken and Kleiman." Other prominent scholars have similarly praised the HOPE Project for increasing not only the certainty but also the celerity of punishment (Blumstein, 2011).

##### 6. *Gaining Legitimacy from NIJ*

The sixth source of HOPE's popularity has come from the legitimacy the program has received from its promotion by the National Institute of Justice (NIJ). NIJ has been

involved with HOPE since 2006 when it funded the initial evaluation study (Hawken & Kleiman, 2009). The funding decision shows NIJ's support for and investment in HOPE because, according to the agency, programs and evaluations that receive funding from the agency are those "with the greatest chance of advancing the field" ([www.nij.gov/nij/about](http://www.nij.gov/nij/about)). NIJ gave further legitimacy to HOPE at its 2009 conference. During a speaker series titled *What Works in Offender Supervision*, Judge Alm and Angela Hawken delivered a presentation in which they described and promoted the program. During this forum, Alm also offered his consultation services for jurisdictions interested in implementing the program.

Further promotion of HOPE by the NIJ came once Hawken and Kleiman submitted their findings to NIJ for evaluation. The agency took a series of steps to evaluate the findings and to make an overall determination of the program's effectiveness. After careful consideration by outside reviewers, NIJ rated HOPE a "promising" program, a rating that they placed on their CrimeSolutions.gov website. The rating of "promising" is a significant endorsement by NIJ. This rating conveys to researchers and practitioners that although further research into HOPE is recommended, there is indication that it can be an effective evidence-based community supervision program. In other words, HOPE accomplishes what it sets out to do—to deter probationers from violating the conditions of their probation.

After the rating of "promising" had been given to HOPE—and much to its credit—NIJ decided to support further study of the program (Robinson, 2011). Thus, in 2011, to determine if the success of HOPE could be replicated in other locations, NIJ, in conjunction with the Bureau of Justice Assistance (BJA), created a funding opportunity for any jurisdiction interested in implementing HOPE. Each demonstration site would need to meet the requirements set forth by the BJA and NIJ and be willing to have a follow-up evaluation study completed by NIJ ([www.ojp.usdoj.gov/funding/hopesol](http://www.ojp.usdoj.gov/funding/hopesol)).

Advocating the systematic assessment of HOPE should be seen as a good-faith effort by NIJ to provide data where the evidence base remains limited. Still, NIJ's willingness to fund follow-up evaluations has carried with it an implicit endorsement that HOPE is sufficiently credible to justify special testing. By not similarly funding assessments of alternative

treatment-oriented supervision models, it lent credibility to the prospect that swift-and-certain probation was an innovation deserving of unique consideration. More broadly, the legitimacy HOPE has acquired from the NIJ through funding, promotion, and expansion has been invaluable to the program.

## A False Sense of Hope

This cautionary essay is not intended to criticize the HOPE initiative in Hawaii or those who have advocated its expansion. Rather, our comments are directed more at the larger community of policy makers, practitioners, and scholars who have been uncritical bystanders or willing accomplices to the program's sanctification. The risk of correctional popularity is that plausible programs that resonate with our core beliefs are hard to resist. In such circumstances, the sharp edge of doubt that normally is elicited by grand claims of correctional success is dulled. Almost without knowing it, everyone jumps on the bandwagon (see also Finckenauer, 1982).

Project HOPE might yet prove to be a useful tool in efforts to supervise offenders more effectively—especially drug offenders. What is striking, however, is how little criticism the program has received. Although favorable to the underlying principles of the program, Durlauf and Nagin (2011) are an exception. They observe that no evidence yet exists that Project Hope can be "replicated generally outside the small island state of Hawaii" (p. 39). They note further that the failure of past attempts to use intensive supervision to monitor offenders "should lead to circumspection in claiming that Project HOPE can be extrapolated to the rest of the United States" (p. 39). Another exception is Byrne (2013), who notes that the existing evaluation research does not provide "definitive evidence" that "combining punishment certainty and celerity" will "induce probationers to stop using drugs." He further observes that HOPE'S "entire focus on formal mechanisms of social control ignores a large body of existing research that supports the contention that informal social control mechanisms are much stronger specific deterrents than formal social control mechanisms" (p. 8). Such cautionary voices, however, remain the exception, and, more importantly, do not lead to a more systematic analysis of why Project HOPE should be viewed with a measure of trepidation. In this context, we offer seven reasons why those

trumpeting Project HOPE may be offering false hope that this intervention should be the prototype to guide future offender supervision.

### 1. An Over-Emphasis on a Potentially Weak Key Ingredient

HOPE's correctional popularity has led to an over-emphasis on a key program ingredient: the use of swift-and-certain sanctions. HOPE assumes that specific deterrence is the key to enforcing compliance with probation conditions and reducing recidivism in the short and long term. Two important considerations question the validity of this assumption and caution that sanctions may exert only weak effects on offender behavior.

First, although disputes exist, research suggests that the criminal justice system has a general deterrent effect and that focused deterrence strategies can lower offending in crime "hot spots" (Apel & Nagin, 2011; Braga & Weisburd, 2012; Durlauf & Nagin, 2011; Nagin, 2013). By contrast, little evidence exists that specific-deterrence programs are consistently effective with *correctional populations* (Andrews & Bonta, 2010; Cullen & Jonson, 2012, 2014; Cullen, Jonson, & Nagin, 2011; Cullen et al., 2002; Lipsey, 2009; MacKenzie, 2006; Schaefer, 2013; see also Farrington & Murray, 2014). Classic examples include the failure of scared straight and intensive supervision programs to prevent recidivism (Finckenauer, 1982; Byrne & Pattavina, 1992; Petersilia & Turner, 1993). In fact, ISPs tend to work only when complemented with treatment services (Paparozzi & Gendreau, 2005; Petersilia & Turner, 1993). Notably, research also suggests that compared with leniency, harsher sanctions for technical violations, such as confinement, may actually be criminogenic (Clear, Harris, & Baird, 1992; Drake & Aos, 2012). Although it is conceivable that a deterrence scheme that is exquisitely designed and performed might exert some control over offenders (see, e.g., Moffitt, 1983), the clear risk exists that correctional history will be repeated and that HOPE will prove to be at most a modest success and at worst a misguided adventure.

Admittedly, some research indicates that graduated sanctions and/or drug testing with substance-abusing offenders may produce compliance with supervision conditions and, in some instances, produce some long-term reductions in recidivism, especially when combined with treatment (see, e.g., O'Connell et al., 2013; Taxman, Soule, & Gelb, 1999). The evaluation evidence, however, is not

consistent; examples of failure also exist (Britt, Gottfredson, & Goldkamp, 1992; Cullen et al., 1996; Jones & Goldkamp, 1993). This inconsistency may be due to the lack of integrity in implementing deterrence schemes as designed (e.g., because they strain system resources) (Jones & Goldkamp, 1993).

Programs are also likely to fail if offenders receive the wrong dose of punitive “medicine.” Experimental research shows that “not getting the punishment dosage just right can lead to unintended consequences” (Bonta, 2014). Too much punishment can prompt “learned helplessness and retaliatory aggression” and too little will fail to suppress the conduct (Bonta, 2014). Not all judges may be talented clinicians and not all sanctioning systems will be calibrated to be equally effective. Research also reveals that punishments that are applied in a coercive, disrespectful way, especially to offenders with few social bonds (e.g., unemployed, unmarried), can foster defiance and increased recidivism (Sherman, 1993; see also Braithwaite, 1989; Colvin, 2000). Similar to parents, staff in Project HOPE wish to sanction in a context of concern for offenders and with fairness. This orientation and organizational culture may not be present in other jurisdictions.

Further, advocates of HOPE implicitly claim legitimacy for the project by implying that it is analogous to effective parental monitoring of children. Without any citations, they assume—as do most Americans—that swift-and-certain parenting is responsible for compliant youngsters. As it turns out, this “nurture assumption,” as Harris (1998) terms it, appears to be wrong or, in the least, overstated. Parental management styles (e.g., an authoritative “warm but restrictive” style) explain only a small percentage of the variation in personality and in conduct (Wright & Beaver, 2013). This is why siblings who share the same family and the same parents can turn out so differently. Of course, parents can determine the quality of their offspring’s lives, restrict their friendships and choice of schools, and do damage through extreme forms of abuse. Nonetheless, a growing body of research would caution that it is problematic to ascribe powerful behavioral effects to parental management styles—whether swift and certain or otherwise (Wright & Beaver, 2013).

Second, beyond implementation challenges, the inconsistent effects of specific-deterrence interventions may be due to a more fundamental consideration:

Deterrence-oriented programs have achieved only modest success, if that, because they are based on a limited theory of reoffending that dismisses as unimportant all other causal factors identified in the criminological literature. According to deterrence theory, offenders make rational choices and thus will obey supervision conditions and avoid crime if they fear being detected and sanctioned. But this perspective ignores that offenders—especially high-risk or life-course-persistent offenders—may have a strong propensity to offend that is rooted in multiple criminogenic risk factors that are acquired and develop cumulative effects over a lifetime (Andrews & Bonta, 2010; Cullen & Jonson, 2014; Moffitt, 1993). If these underlying factors are ignored—as they are in deterrence programs such as HOPE—they do not vanish. Rather, left untreated, they continue to lead offenders into crime. Put another way, a key program ingredient can only be strong if its underlying theory is correct and directs correctional staff to target for change the full range of factors implicated in offender recidivism.

As noted, it is possible that closely applied deterrence-oriented programs—especially with drug offenders, where testing can reveal noncompliance (no direct supervision is required)—can coerce short-term conformity with probation conditions. Still, it is unfortunate that advocates of these programs simply choose to ignore the readily available and expansive evidence-based treatment literature that demarcates the main sources of recidivism and how to address them (see, e.g., Andrews & Bonta, 2010; Bernfeld, Farrington, & Leschied, 2001; MacKenzie, 2006; Van Voorhis, Braswell, & Lester, 2009). Similar to medicine, treating the symptoms but not the underlying causes of a malady (in our case, reoffending) may “work” in the short term and for those who would have recovered by themselves (i.e., low-risk offenders). But in the absence of a strong human services component, these programs may well provide an inappropriate intervention to offenders who need not coercion but a treatment capable of reducing their criminogenic propensity (see Andrews, Bonta, & Wormith, 2011).

Indeed, a strong body of evidence (discussed next) suggests that change in criminal behavior results not only from effective (i.e., consistent and fair/proportional) use of punishment *and* reinforcement (see Dowden & Andrews, 2004) but also from teaching offenders new prosocial skills and behaviors. Without these other components, punishment

alone is unlikely to have lasting effects. We simply cannot expect offenders to “knife off” maladaptive and antisocial behavioral patterns if we do not first teach them alternative prosocial behaviors and give them motivation (i.e., reinforcement) to adopt these strategies into their repertoires. Nevertheless, because no study to date has formally tested the mediating effects of HOPE’s swift-and-certain sanctions on offenders’ outcomes, we cannot know whether and how much this component is crucial for HOPE’s effectiveness.

## 2. *An Under-Emphasis on Active Ingredients*

The above discussion leads us to state explicitly a second source of false hope: Because HOPE places such great emphasis on swift-and-certain sanctions, it loses sight of—and correspondingly fails to emphasize—factors and practices that *do* have a very strong research base and proven effectiveness for reducing recidivism. When it comes to correctional rehabilitation, addressing the known predictors of recidivism would involve taking seriously the field’s dominant treatment paradigm: the Risk-Needs-Responsivity (RNR) model developed by Andrews, Bonta, Gendreau, and fellow Canadian psychologists (Cullen, 2012a; see Andrews & Bonta, 2010; Gendreau, 1996). The RNR model proposes that the (1) highest-risk offenders should receive the most intensive services (Risk Principle); (2) services should target crime-producing risk factors (i.e., “criminogenic needs”) such as antisocial thinking and peers (Need Principle); and (3) interventions must be delivered within a cognitive-behavioral framework (Responsivity Principle). This model is based on a strong theory of criminal conduct and has unprecedented empirical support that spans literally hundreds of studies across thousands of offenders (Andrews & Bonta, 2010; Gendreau, Smith, & French, 2006; Smith, 2013).

HOPE partially adheres to these principles, which may contribute to the program’s success. However, this adherence appears to be more by default than by design: Because they are not explicitly identified as central to HOPE’s effectiveness, strong compliance with the RNR principles and recognition of their salience in changing offenders’ behavior are lacking. For example, the eligibility criteria for HOPE include attention to offender risk; however, it appears that some offenders who potentially are not at high risk for recidivism (as determined by a validated risk assessment tool

like the LSI-R) can still be accepted into HOPE because of their offense (e.g., sex offense) or their poor compliance on supervision. Delivering intensive supervision or services to low-risk offenders is contraindicated by the RNR model (Andrews & Bonta, 2010). Additionally, HOPE emphasizes drug and alcohol treatment for those who need it. Substance use is indeed a criminogenic need, but it is only one of seven of the strongest changeable risk factors for crime. To truly impact recidivism, HOPE must also target antisocial attitudes, associates, and behavioral patterns; familial relationships; problems in education and employment; and poor use of leisure time (Andrews & Bonta, 2010). In fact, the more appropriate criminogenic needs that are targeted, the better the outcomes are likely to be (see French & Gendreau, 2006).

Further, consistent with RNR principles, HOPE (and probation as usual) officers are actually trained in Motivational Interviewing (Miller & Rollnick, 2002) and in cognitive-behavioral approaches. But this important training goes largely unrecognized in most discussions about the program and thus is unlikely to be part of the technology transferred to other jurisdictions that choose to implement HOPE-like interventions. Even if these treatment components are used—whether in Hawaii or elsewhere—their impact is likely to wane if they are not monitored, discussed in regular staff meetings, and reinforced in refresher courses (Bonta, 2014).

### 3. Failure to Identify Alternative Explanations for HOPE's Effectiveness

Because no process evaluation of HOPE has been conducted to date, we do not know for certain what may be driving the success of the HOPE program, when it has been successful. If agencies wish to optimize the effects of their correctional interventions, it is essential to get inside the “black box” of interventions to identify the “active ingredients” that are actually working to reduce reoffending. Although this fact is either ignored or mostly mentioned in passing, the HOPE model contains a number of potential “active ingredients” beyond swift and certain punishments. Even its proponents recognize this reality, arguing that an enthusiastic judge, commitment from key personnel, and close communication and collaboration between agencies are essential (see Pearsall, 2014).

Other critical features of the HOPE model also have largely been absent from descriptions and evaluations of HOPE. These features seem

to have occurred more by happenstance, perhaps due in part to the deliberate and concerted effort and commitment of judges and probationers to the HOPE program and, ultimately, to HOPE probationers' success. We contend that it is likely that these components are some the “active ingredients” of the program, and that they have potentially stronger influences on offender behavior than swift and certain sanctions. Because these components are not explicitly identified as central to the HOPE model, however, other agencies cannot replicate them and fall short of the outcomes achieved in Hawaii.

First, as noted above, the HOPE structure includes some modest adherence to the three RNR principles. Research shows that program effectiveness varies directly by the degree to which it complies with these principles and thus delivers appropriate versus inappropriate treatment (Andrews & Bonta, 2010). Second, in delivering Project HOPE in Hawaii, probation staff and judges have engaged in what are known in the “what works” literature as Core Correctional Practices (CCPs) (Andrews & Kiessling, 1980; Dowden & Andrews, 2004). Specifically, judges and probation officers embrace a “firm-but-fair” interaction style with the offenders and exhibit an “effective use of authority.” They clearly state rules and expectations and consistently hold offenders accountable for their misconduct, applying sanctions that are commensurate with the offense. At the same time, all those involved in delivering HOPE are invested in offenders' success and therefore likely to engage with the offenders in a manner that reflects genuine care and concern. The judge and probation officers also provide offenders with the forum to express interest in obtaining drug and alcohol treatment—and then help link offenders to this treatment. Thus, “relationship quality” and “service brokerage”—two other CCPs—are naturally occurring as a result of the program's structure and goals.

Notably, CCPs are meant to complement the RNR model and have been shown to increase the utility of RNR for offenders' outcomes (Dowden & Andrews, 2004). Thus, they potentially affect HOPE offenders' outcomes as well, and may even help to explain some of HOPE's effectiveness. For example, timely access to effective drug and alcohol treatment is likely to impact substance use and may also impact criminal offending. Additionally, high-quality relationships between offenders and officers can reduce technical violations (e.g., missed supervision

or treatment appointments) and arrests (see Manchak, Skeem, Kennealy, & Eno Loudon, 2014; Kennealy, Skeem, Manchak, & Eno Loudon, 2012; Skeem, Eno Loudon, Polaschek, & Camp, 2007).

### 4. Over-Selling the Promise of Applicability for Other Jurisdictions

A fourth source of false hope is the challenge of creating in other locations the active ingredients that produced Project HOPE's success in Hawaii. The conditions under which HOPE was implemented in Hawaii were so specific that replicating the same conditions may prove to be difficult, if not impossible. For example, we have already explained how Judge Alm used his extensive connections within the criminal justice system in Hawaii when launching the pilot program in 2004 (Alm, 2011). Additionally, Judge Alm continues to carry the majority of HOPE probationers on his caseload (Alm, 2013). Whether the program would function as effectively under different or diverse leadership is debatable.

Further, a HOPE-type program may consume too many resources for other jurisdictions to accommodate. As explained above, there were significant changes at every level of the criminal justice system in Hawaii when HOPE was implemented. The relationships that Alm had with different agencies within the state helped to facilitate the start of HOPE using minimal funds (Alm, 2011). Other locations should not assume that this will hold true in their jurisdictions.

The fate of an NIJ-funded replication of a HOPE-like program in Delaware is instructive. Under the name “Decide Your Time” (DYT), this program “was designed to manage high risk substance-using probationers by focusing on the certainty of detection through frequent drug tests and graduated but not severe sanctions” (O'Connell, Visher, Martin, Parker, & Brent, 2011, p. 261). The start-up of this intervention, however, quickly encountered a series of unanticipated problems: too many offenders failed urine tests, too rapidly; there was strain on personnel who had to transport those failing drug tests immediately to facilities located one to two-and-one-half hours away; there was a legal requirement to accord all incarcerated offenders a medical check-up and to hold a judicial revocation hearing for offenders who exceeded the maximum of 10 incarceration days; and there was the exclusion from the program of offenders with specific conditions of probation (e.g., zero-tolerance for a single failed urine test). Efforts were

made to redesign the program. Nonetheless, although a formal evaluation report has not been issued, the preliminary results suggest that the percentage of program participants arrested for a new crime, arrested for violating parole conditions, and incarcerated (at 6, 12, and 18 months) was comparable for offenders in the DYT and standard probation groups (O'Connell et al., 2013). As O'Connell and his colleagues (2013, power-point slide 34) observe, "swift and certain sanctions can work (see HOPE)" and "swift and certain sanctions can also not work (see DYT)."

The lesson is that the "transfer of technology" from one jurisdiction to another—from Hawaii to Delaware and elsewhere—is a daunting challenge. The context in each system potentially differs in meaningful ways, including court personnel, justice system coordination, legal restrictions, offender populations, resource capacity, and sanctioning practices. If Hawaii and Project HOPE offered a perfect storm of favorable conditions, this intersection of conditions may not be possible in other locations. Before jumping on the HOPE bandwagon, it would be prudent to wait for positive replications elsewhere—even assuming that they will be forthcoming.

### 5. *Delivering an Intervention That May be Inappropriate for Some Offenders*

A fifth source of false hope is that Project HOPE has been touted as a program that is appropriate for all offenders who are repeatedly noncompliant with probation. Although Hawaii's HOPE program includes a variety of offenders (sex, property, assault), its evaluation studies *have only been performed on drug-involved offenders* (Hawken & Kleiman, 2009). Therefore, we do not know whether HOPE can work for other types of offenders—that is, those who do not have a drug problem. Much of the leverage behind HOPE's operation hinges upon the frequent and random drug testing. Without this near-foolproof method to discover noncompliance, the only probation violations that will be consistently detected are those that are easily witnessed (e.g., an offender does not show up for an office appointment) or monitored by technology (e.g., electronic monitor for those on home confinement). Without the elixir of drug tests, it thus is unclear how HOPE supervision will differ from probation as usual. In short, if many probation violations are not detected, the swiftness and certainty

of punishment—the key ingredient of the program—will be compromised.

### 6. *Focusing on Something That Might Not Matter*

Project Hope assumes that technical violations of probation conditions are a bad thing. Such conduct leads to expensive revocations. But most important, a core assumption, if sometimes unstated, is that technical violations are a precursor to recidivism. Of course, nobody condones irresponsible behavior in which rules are flouted, with probationers repeatedly missing appointments and failing drug tests. Still, the fundamental question is whether an entire probation system—including judges, prosecutors, police, and probation staff—should be reorganized to focus its primary attention on compliance with probation conditions. Resources devoted to swift-and-certain punishment cannot be devoted, for example, to increasing probationers' low rate of participation in evidence-based programming found to reduce recidivism (see Taxman, Pattavina, & Caudy, 2014).

So, here is the concern: What if technical violations are unrelated to recidivism? The immediate difficulty is that criminological knowledge on this critical issue is limited. Still, the research that does exist suggests that focusing excessively on curtailing technical violations might be misplaced if the correctional goal is to reduce recidivism (Paparozzi & Gendreau, 2005). In their classic ISP study, Petersilia and Turner (1993) conducted a special analysis of this issue using offenders in California and Texas. Offenders on ISPs were monitored more closely and thus were detected and sanctioned more often for technical violations. However, they discovered "no support for the argument that violating offenders on technical conditions suppressed new criminal arrests" (p. 342).

In contrast, research by MacKenzie and De Li (2002) did find that probationers who carried a gun, used drugs, and engaged in heavy alcohol consumption were more involved in self-reported crime. These "high-risk behaviors" might be targets for sanctions, but sanctioning without teaching offenders new skills to change these behaviors (a point mentioned previously) is unlikely to curtail future violations or recidivism for new offenses. MacKenzie and De Li also discovered, however, that social bonds—being employed and living with a spouse—decreased criminal involvement. Jail time would seem to

disrupt these important protective factors (see Sampson & Laub, 1993). Further, advocates of desistance-oriented interventions (e.g., the Good Lives Model) argue that these positive social relationships or bonds should be built through supportive, not punitive, supervision strategies (see, e.g., Porporino, 2010; Raynor & Robinson, 2009; Ward & Maruna, 2007).

The point is that it remains unknown whether technical violations are related to recidivism and, if so, which ones and for whom. Even if there is a relationship, it is unclear whether it is causal or spurious (e.g., individual traits such as low self-control could cause an offender to miss scheduled meetings and to commit crimes). Similarly, it is not established whether technical violations are best addressed through swift-and-certain punishments or through assessing criminogenic needs and responsive treatments, building quality interpersonal relationships between officers and offenders, and training officers in motivational techniques. Finally, it remains to be seen if the embrace of HOPE's specific-deterrence probation paradigm will unwittingly curtail attention to other predictors of probation success and recidivism—specifically offender strengths—that might prove crucial to a complete model of offender supervision (Porporino, 2010). With so much uncertainty, the real possibility exists that technical violations might not matter that much in probationers' recidivism and thus should be relegated to a secondary concern in any probation model concerned with reducing long-term criminal involvement.

### 7. *Opening a Pandora's Box through Punishment-Oriented Probation*

The history of corrections teaches three things: First, well-intentioned reforms typically have untoward consequences; second, punitive regimens in corrections rarely are restrained in their punitiveness; and, third, deemphasizing rehabilitation produces harsh, uncaring, bureaucratic corrections. Indeed, a core lesson of the attack on rehabilitation in the 1970s and beyond is that it helped to unleash a mean season in corrections oriented to "waste management" from which American corrections is just beginning to recover (Cullen & Gilbert, 2013; Kruttschnitt & Gartner, 2005; Rothman, 2002; Simon, 1993). Prior to endorsing HOPE, policy makers and practitioners—and criminologists as well—should be aware of its potential unanticipated consequences. Three issues suggest that HOPE may be less a panacea

and more of a Pandora's Box that should remain unopened.

First, doing punishment efficiently and effectively becomes the focal point of probation. Accordingly, energies will be focused on acquiring the latest monitoring and surveillance technologies so as to increase the certainty of detection. Probation officials will meet with judges, prosecutors, and jailers to make sanctions swifter; they will not meet with service providers to increase treatment capacity and effectiveness. When hiring probation officers, the emphasis will be on their enforcement skills, not on their interpersonal talents; policing, not social work, will be valued. And when jurisdictions exhaust their ability to improve swiftness and certainty, they will seek to reduce violations and recidivism with the only component of punishment remaining in their arsenal: severity. The history of corrections teaches that when punishment fails to be effective, the lesson drawn is not that harshness does not work but rather that the costs of crime simply are not yet high enough.

Second, rehabilitation will be reduced to "triage." Only when offenders manifest clear behavioral problems will treatment be invoked. It is clear what this might be for those who repeatedly fail drug tests (substance abuse treatment will be forthcoming), but it is a mystery what triage entails for those who fail to show up for five meetings with their probation officer. In either case, rehabilitation becomes reactive rather than proactive. Officers will conduct risk assessment to learn who to watch more closely and not who needs responsive treatments immediately. More broadly, no effort will be made to create the culture, expertise, and organizational practices needed to deliver effective treatment. Nobody will be using the Correctional Program Assessment Inventory to build an agency with the capacity to undertake rehabilitation that works (Andrews & Bonta, 2010). In this regard, Paparozzi (2014) has offered this poignant observation about one swift-and-certain probation system:

The result is that the community corrections officers violate at the drop of a hat and that violators are sanctioned for a few days, up to 30 days (presumptively; oh yes, aggravating and mitigating factors may come into play). The purpose of all of this is to "get the offender's attention." The reality is that offenders are supervised by warrant instead of supervised by risk/need assessment, case planning, an acknowledgement of

the relevance of relapse, and the totality of circumstances involved in a particular case at a particular time.

Third and perhaps most important, HOPE and its likely descendants embrace a value system that is potentially disquieting. A rehabilitative probation is built on a concern for offenders and a belief that investing in them will improve their lives and public safety. Implicitly, it follows the mandate of a "Correctional Hippocratic Oath" to do no harm (Cullen, 2012b). Thus, the first principle of the RNR model is "respect for the person"; this means that "services are provided in an ethical, legal, just, moral, humane, and decent manner" (Andrews et al., 2011, p. 738). Similarly, embracing positive psychology, the Good Lives Model argues that to achieve desistance, offenders "should be given the knowledge, skills, opportunities and resources to live a 'good' life.... In short, treatment should provide them with a chance to better people with better lives" (Ward & Maruna, 2007, p. 111). As Clear and Frost (2014) point out, however, HOPE reflects instead the "punitive imperative." Clear and Frost recognize the appeal of trying "to find the optimal calibration of sanctions needed to shape the behavior of recalcitrant probationers," especially because of "the promise that less is required than ordinarily believed" (2014, p. 111). But they also caution that there "is a harsher, more unpleasant side to this argument" (p. 111). In the end, HOPE embraces the belief that "community penalties should be generally unlikable and distasteful" and "punitively repugnant" (pp. 111, 112). Even if shown to be modestly effective, is this what we wish the future of corrections to be?

### **Conclusion: The High Cost of Popularity**

The emergence of HOPE as a popular choice in community supervision is not without some merit. Judge Alm was not content to see offenders repeatedly violate conditions of probation and inevitably end up imprisoned. He designed a program based on clear guidelines applied in a fair and firm manner, offender accountability, certain but non-severe graduated sanctions, and support for those deserving of it. He was masterful in securing cooperation from other components of the justice system to ensure that the program would be conducted with fidelity to its principles. He also invited empirical evaluation that has produced positive findings. At the very least, he has created a

model program—one that is worthy of further investigation—for the management of those on probation who are unable to comply with supervision conditions, especially drug tests.

Even so, evaluations of HOPE and its adaptations are few in number and have produced mixed results. They also are methodologically limited, in that these tests have not included various offender populations, an extended follow-up period, or direct assessments of the program's "logic model." Further, this logic model may be misguided. Theory and research would suggest that swift-and-certain sanctions are unlikely to drive HOPE's effects alone, and that other, somewhat organically occurring practices (i.e., those not explicitly emphasized, taught, or viewed as central to the model) within the HOPE program are actually more likely to explain its effectiveness.

More broadly, as Merton (1973) notes, a core norm of science is "organized skepticism." When new discoveries or startling findings are announced, science cautions against a ready acceptance. Instead, as an evidence-based enterprise, the appropriate response is to call for further study and replication. Similarly, in the pharmaceutical field, drugs with seemingly remarkable curative powers are not brought to market until properly vetted. Rushing to market on limited trials could result in a drug being ingested without sufficient study to determine if harmful side-effects might occur. In recent years, a more sobering reality has been uncovered: Many well-publicized, widely accepted experimental findings, from medicine to the social sciences, have not been replicated in subsequent research (Lehrer, 2010; Ioannidis, 2005a, b).

In corrections, such organized skepticism and reliance on careful evaluation to discern iatrogenic effects of interventions are sorely lacking—often leading to the implementation of programs that are sheer quackery (Latessa, Cullen, & Gendreau, 2002). Clearly, the HOPE program was carefully designed and did not shy away from empirical assessment. Still, it is an initiative that was widely heralded and not subjected to careful scrutiny. Due to a convergence of circumstances (reviewed above), it was seen as an important invention. The correctional audience—policy makers, practitioners, and scholars—might have paused to wonder whether a program based on a limited theory of crime that has rarely succeeded in producing effective interventions (specific deterrence) might have only limited

effects and not be effective in courtrooms not led by a charismatic judge.

In the end, correctional popularity risks having a high opportunity cost. When offenders are placed into popular but unproven programs, they are not given correctional services that are evidence-based and of proven effectiveness. Thus, when drug and other offenders are sanctioned, the issue is this: Why should they receive HOPE rather than a treatment based on the RNR model (Andrews & Bonta, 2010; Cullen, 2012a; see also Van Voorhis, 1987)? Of course, it might be possible to merge a program that attempts to diminish revocations (such as HOPE) with an evidence-based rehabilitation component. Still, HOPE has been largely celebrated not as an add-on to proven interventions but as a remarkable panacea in and of itself.

The obligation of policy makers and practitioners thus is to use the best science to intervene in the lives of offenders. Evidence that is extensive and that shows a program's reliable efficacy, not popularity, should guide how corrections is undertaken. Although experimentation with new programs such as Project HOPE should be welcomed, if not encouraged, the embrace of such fresh inventions should be cautious and not marked by unfounded hubris. Ultimately, the use of popular but ineffective programs consigns offenders to a life in crime and diminishes public safety. We owe correctional populations and the citizenry better than this.

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