

Executive Summary
Evaluation of RIP/D&A Treatment

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From 1980 to 2005 Pennsylvania state prison population grew by 400%. Although is not possible to assess the extent to which drug addiction was the driving force for this tremendous increase but we do know that offenders incarcerated in state prison for drug offenses increased 2354% during this time frame and drug offenders accounted for 23.9% of the growth. Offenders convicted of drug offenses are just the tip of the iceberg in terms of the role of drug abuse and crime. Support of drug abuse increases theft offenses, burglaries, robberies and other offenses as well. Beyond driving our investment in prison expansion, addiction exerts tremendous costs in terms of lost human resources, and increased health care costs. The growth in prison populations reflect public policy initiatives in the 1980's and 1999's such as the passage of mandatory

minimums as our primary focus in stemming the drug abuse problem. Despite significant attempts to deter drug use through harsh penalties and attempts to limit the flow of drugs, drug use seems to have been minimally effected. A¹'s one Pennsylvania judge reflected to one of the authors, "Drug use is a supply and demand problem, and the more I attempt to change this with tough sentences the more convinced I am that the way to deal with the drug problem is to reduce the demand through prevention and treatment." This comment joins with a growing refrain from criminal justice experts who see drug abuse as generally impermeable to sanctions and promising results through prevention and treatment.

Pennsylvania recognized the need for community based treatment and drug treatment in 1990 by passing legislation expanding sentencing authority for judges to include Intermediate Punishment (IP) (Act 193 of 1990) and building into IP sanctions a strong drug treatment component. Importantly, Pennsylvania supported this with funding to counties for drug and alcohol treatment. The research reported here studies whether these important policy steps were effective at reducing recidivism among drug dependent offenders.

The IP legislation's goal was to divert offenders from incarceration to treatment. In order to ensure that offenders were diverted to IP rather than widening the probation net, Pennsylvania's sentencing guidelines served as the tool to identify incarceration-targeted offenders who could be appropriately diverted from incarceration to treatment. To fulfill this goal the guidelines created a very restrictive form of intermediate punishment for offenders. These sanctions were labeled Restrictive Intermediate

¹ Interview with a Common Pleas judge for a study on departures from Pennsylvania sentencing guidelines. December 5, 1996.

Punishment (RIP) and were reserved for mid level offenders for whom the guidelines prescribed incarceration.

This study evaluates the effectiveness of RIP sentences with drug and alcohol treatment (RIP/D&A) in comparison with offenders sentenced to traditional sentencing options (probation, county jail, or state prison). Appropriate RIP/D&A candidates had to be evaluated by a licensed drug and alcohol specialist to ensure actual drug addiction and the county had to meet state level requirements to be qualified to give RIP/D&A sentences and to qualify for funding. Initially, twelve counties in 1997 met these requirements and they are the sites for this study. We study all RIP/D&A sentences for the period 1998-2001 and compare the RIP sentenced offenders' outcomes to a randomly drawn sample of offenders who fell in the appropriate sector of the sentencing guidelines and were sentenced during January through September of 1997.

The study relied on documents and data from various agencies and it involved collecting information on the treatment sample from treatment and probation files. We use Cox proportional hazard analysis in order to incorporate differential exposure times into the calculation of risks. Simply put, our basic findings are:

1. Initial comparisons without controls shows that RIP/D&A offenders are 5.6 percent less likely to be rearrested than the comparison sample and, in the bivariate model of our proportional hazard analysis, 10.3 percent less likely to be rearrested;
2. Multivariate comparisons (controlling for offender and offense characteristics as well as county) eliminate the advantage of the RIP/D&A treatment population over the comparison sample;

3. Successful completion of treatment program dramatically improves the risk of recidivism compared to the treatment sample such that with controls on offense, offender, and county successful completers are 24.4% less likely to recidivate than traditionally sentenced offenders;
4. The longer the treatment the less likely the offender is to recidivate up to 16 months when the effect levels off;
5. Offender characteristics indicate that younger, black, males are more likely to recidivate;
6. When comparing across types of traditional sentences, state prison sentenced offenders were consistently less likely to recidivate than RIP/D&A offenders;
7. Full time employment is an important contributor to both lower recidivism and successful completion of treatment.

The data suggest areas where treatment or the contextual factors for treatment need to be strengthened. We find that offenders with social and economic stability are less likely to recidivate. As Welsh (2003) found in his study of the effectiveness of therapeutic communities, we find that full time employment is an important variable in offender success. We further find that, although the married sample is very small, that being married is helpful as well. Finally, and of particular concern, is the effectiveness of our treatment programs on subpopulations in our sample. We find that young, black males are less successful both in terms of completing treatment and recidivism. This does not suggest that they cannot be rehabilitated, but the risks are higher and they may

demand more intensive treatment combined with more effort to strengthen their social bonds such as employment and marital status.

This study unveils both support and challenges to drug and alcohol treatment. The research design was hampered by the need to identify comparable treatment and comparison samples ex post facto. We attempt to equalize the samples by controlling on offense and offender characteristics. However, because the treatment sample was necessarily drug addicted, their risk of recidivism was particularly high. Despite this disadvantage, at the base level the treatment sample was less likely to be rearrested than the control sample and, even with controls, was no more likely to be rearrested. This could certainly be construed as a positive outcome.

The data suggest several keys directed to reducing recidivism.

1. Increase the length of time in treatment and increase the proportion of offenders who successfully complete treatment. One recommendation to accomplish this is the expansion of drug courts. The literature supports drug courts as particularly effective at coercing offenders into treatment and keeping them in treatment (Gottfredson et al., 2003).
2. There seems to be considerable variability across counties in terms of outcomes and delivery of services with some counties seemingly either more successful at identifying appropriate treatment candidates or providing better treatment. Monitoring of these two issues and the development of reports on exemplary projects might help other counties develop better treatment assessment and delivery of services.

3. The finding that of the traditional sentencing options those offenders released from state prison are least likely to recidivate might suggest that prison is the best sentencing option. This would misinterpret the data for several reasons. First, state prison is the most expensive investment. Second, our data is a very small non-random sample of state sentenced offenders. Third, the Pennsylvania Department of Corrections has very effective drug and alcohol treatment (Welch, 2003) that means we might be comparing our treatment sample to those from the Department. More extensive research on recidivism of offenders released from state prisons shows that, overall, we can expect a recidivism rate of approximately 66 percent (Langan and Levin, 2004). Rather than moving RIP/D&A sentenced offenders to state prison, we believe treatment services should be expanded. The most noticeable target would be to improve the effectiveness of county jail outcomes and probation outcomes. Clearly analysis of these populations and exploration of better treatment and stronger involvement of these offenders in the job market might be keys to increasing their effectiveness.

Our research indicates that Pennsylvania's RIP/D&A sentencing alternatives have improved outcomes for drug dependent offenders. But, it is also clear that we can do better. Better assessment, better treatment, and longer treatment will improve substantially on the effects reported here. Preventing drug abuse and treating abusers hold the real keys to the drug problem and, of course, the drug/crime nexus. While further research is always helpful, this research points us in important directions. The data suggests that we need to target developing more effective treatment for young black

males. In part the data suggests that this group, who historically also face the instability of poor employment and poor marital history, present a significant challenge.

References

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