

Pennsylvania's State Intermediate Punishment Program

2006 Report to the Legislature



THE PENNSYLVANIA COMMISSION ON SENTENCING

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The Pennsylvania Commission on Sentencing would like to acknowledge the tremendous assistance provided by the staff at the Department of Corrections in the preparation of this report.

*State Intermediate Punishment Program
Legislative Report 2006*

Executive Summary

- ◆ The State Intermediate Punishment Program [SIP] program is a two-year substance abuse treatment program for eligible offenders sentenced to state prison
- ◆ The SIP program became effective on May 18, 2005. As of December 31, 2005 there have been 60 offenders assessed for the program by the Department of Corrections, with 57 offenders determined to be appropriate and 24 sentenced by the judge to the program. Sentencing dates for the other eligible offenders were being scheduled, but not finalized, at the time of this report.
- ◆ The DOC estimates that about 893 offenders sentenced to the Department of Corrections between May 1 and December 31, 2005 fit the profile for SIP program eligibility.
- ◆ Thus far, judges in 20 counties have referred offenders to the Department of Corrections to be considered for the SIP program.
- ◆ The Pennsylvania Commission on Sentencing incorporated sentencing recommendations for the SIP program in its latest revision of the sentencing guidelines, and staff has conducted presentations at 42 sites statewide that have provided information on the SIP program.
- ◆ Below are the characteristics of the 57 offenders who were approved for the SIP program during 2005:
 - About 84% of the offenders are male.
 - The average age is 38 years old.
 - The most frequent conviction offense is drug delivery [54%], followed by driving under the influence [26%], and burglary [9%].
 - The most common substance used is alcohol [86%], followed by marijuana [49%], cocaine [42%], and crack [32%].
 - About 77% of the offenders reported having received some type of treatment in the past, with outpatient treatment being the most prevalent treatment modality. Of these, 86% reported having successfully completed at least one previous treatment program.
 - Most offenders reported that their substance abuse problems presented problems with their family [74%], friends [70%], work [72%], and police [77%].
 - SIP assessment report results indicated that most of the offenders were at medium or high risk for re-offending and had a severe substance abuse problem.

Overview

This report is the first evaluation of the State Intermediate Punishment (SIP) Program, which became effective on May 18, 2005. The SIP Program is a two-year, step-down substance abuse program for offenders sentenced to state prison. Act 112 of 2004, which created the SIP program, mandates the Sentencing Commission to provide the Judiciary Committees with a Report in even numbered years, with the Department of Corrections providing the report in odd numbered years. Since the program is so new, this report is limited in its scope, but will include: a brief description of the legislation, including eligibility criteria and procedure for referrals; a description of the assessment tools used by the Department of Corrections in making their SIP recommendations to the court; and a description of the first 57 offenders to be approved by the Department of Corrections for the program.

Legislative Background

The impetus behind the creation of the SIP program was the General Assembly's concern about the link between substance abuse and crime, and the finding that many persons commit crimes while under the influence of drugs and/or alcohol. Additionally, the Legislature determined that many crimes are committed by persons who are unable to secure employment because of their substance abuse problem, and committing crime allows these people to secure the necessary funds to purchase their drugs and alcohol. The SIP program was viewed as a way to both enhance public safety and reduce recidivism by punishing offenders for the harm they have brought to their victims, while at the same time offering treatment as a mechanism for offenders to address their substance abuse issues. To that end, the General Assembly created the State Intermediate Punishment (SIP) Program via Act 112 of 2004, which was signed into law by Governor Rendell on November 19, 2004, and became effective on May 18, 2005.

Eligibility for SIP. Act 112 of 2004, which created the SIP program, mandated the Sentencing Commission to identify offenders who would be appropriate for SIP consideration. In accordance with its statutory mandate, the Sentencing Commission adopted sentencing guideline recommendations for SIP offenders, which became effective June 3, 2005. The guidelines target drug dependent offenders who otherwise would be serving a minimum sentence of confinement in a state facility for 30 months or more. [See Appendix A for the Sentencing Guidelines text relevant to the SIP program]. A 30-month minimum sentence was determined to be appropriate to ensure that drug dependent offenders who were eligible for the County Intermediate Punishment Program would not be sent to the state system for SIP consideration, and that a distinction be maintained between offenders who are considered appropriate for drug treatment through County Intermediate Punishment versus State Intermediate Punishment. During 2005, the Sentencing Commission conducted presentations at 42 sites statewide to provide information on the SIP legislation and the sentencing guideline recommendations for the SIP program. [See Appendix B for a complete listing of the presentations].

Statute also provides that an eligible offender is a defendant who is convicted of an offense that was motivated by the use of or addiction to alcohol or to drugs. Court referred offenders must undergo an assessment performed by the Department of Corrections, which determines whether the defendant is in need of drug and alcohol addiction treatment, and would benefit from the

program. Offenders are ineligible for the program if they have a conviction for any of the following offenses: 1) an offense involving a deadly weapon enhancement under the sentencing guidelines, 2) a personal injury crime (as defined under the Crime Victims Act) or an attempt, conspiracy, or threat to commit such crime, and 3) crimes involving incest, open lewdness, abuse of children, unlawful contact with minors, sexual exploitation of children, or internet child pornography. Additionally, the offender cannot have a history of present or past violent behavior.

Procedure for referral to SIP. Prior to sentencing an offender to the SIP Program, the court, upon motion of the District Attorney and agreement of the defendant, commits the offender to the Department of Corrections [DOC] for comprehensive drug and alcohol and risk assessments. The following information is forwarded by the court to assist the DOC in their evaluation: (a) a summary of the offense for which the defendant was convicted, (b) information about the defendant's criminal history, (c) information about the defendant's history of drug or alcohol abuse, (d) a presentence report, and (e) any other relevant information. The Sentencing Commission has also arranged via the JNET structure to provide the DOC the ability to access the sentencing guideline forms for offenders being considered for the program, which provide additional case, offense, and criminal history information.¹

The DOC evaluation must be based on valid, nationally recognized, instruments that assess drug and alcohol addiction, as well as crime risk assessments. These evaluations are to be conducted by persons skilled in the treatment of drug and alcohol addictions and trained to conduct assessments. The Department's assessment of the defendant's eligibility for the program and treatment recommendation must be provided to the court, the defendant, the District Attorney, and the Pennsylvania Commission on Sentencing within 60 days of the defendant's commitment to the Department. The court may then sentence the offender to a period of 24 months of SIP.

Phases to the SIP Program. There are four phases to the 24 month SIP Program, allowing for a gradual step-down of treatment:

- Phase I a minimum of 7 months incarceration in a state correctional institution that includes a minimum of 4 months in an institutional therapeutic community.
- Phase II a minimum of 2 months in a community based therapeutic community.
- Phase III a minimum of 6 months in an outpatient addiction treatment facility.
- Phase IV supervised reintegration into the community for the balance of the 24 months

Upon successful completion of the program, the Department notifies the judge, district attorney, and Sentencing Commission. If the offender is expelled from the program, the Department also notifies the judge, district attorney, and Sentencing Commission and then holds the offender in prison or jail until a revocation hearing is scheduled. Upon revocation, the court may sentence the offender to the sentencing options available at the initial sentencing. The Department provides a final report on the offender to the judge, district attorney, defendant, and Sentencing Commission.

¹ JNET (Justice Network) is a secure virtual system for the sharing of offender records and other justice information by statewide approved users.

Under the statute, the Department is given maximum flexibility to administer the treatment program, both as a whole and for individual participants. The Department has the right to refuse to admit a participant to a community-based therapeutic community or outpatient addiction treatment facility, and may expel a participant from the program for failing to comply with administrative or disciplinary procedures.

Legislative Reports. By statute, the Department of Corrections and the Pennsylvania Commission on Sentencing must monitor and evaluate the SIP program, with the Department submitting a report to the Judiciary Committees of the Senate and House in odd-numbered years and the Commission submitting a report to these committees in even-numbered years. The reports are to include six items [42 Pa.C.S. §9907]: (1) the number of offenders evaluated for the SIP program, (2) the number of offenders sentenced to the SIP program, (3) the number of offenders sentenced to a state prison who may have been eligible for the SIP program, (4) the number of offenders successfully completing the drug offender treatment program, (5) the six-month, one-year, three-year, and five-year recidivism rates for offenders who completed the SIP program and for offenders who were not placed in the SIP program, and (6) any recommended changes for improving the effectiveness of the SIP program. Due to the program being less than a year old, the first report is only able to provide information that addresses the first three items indicated above.

SIP Program Assessments

Treatment recommendations by staff from the Department of Corrections are based on information from the county, an interview with the defendant, and four assessment instruments. Information from the county may include, depending on availability, the Pre-Sentence Investigation, the Criminal Complaint, the Order of Court Sentence, the Affidavit of Probable Cause, and the Inmate Commitment Summary Report. The four assessment instruments used by the Department of Corrections are: (1) the Level of Service Inventory, (2) the Criminal Sentiments Scale-Modified, (3) the Hostile Interpretations Questionnaire, and (4) the Texas Christian University Drug Screen II.

The Level of Service Inventory (LSI-R) is a broad, evidence-based instrument used to determine an offender's risk for future criminal conduct and the need for treatment. Research indicates that higher scores on the LSI-R are related to higher rates of recidivism.

The Criminal Sentiments Scale-Modified (CSS-M) measures criminal attitudes and values, which have been linked to antisocial behavior. Higher scores on the CSS-M indicate higher levels of criminal attitudes and values.

The Hostile Interpretations Questionnaire (HIQ) measures an offender's propensity toward anger/hostility. Research indicates that higher scores on the HIQ are related to a greater predisposition to hostility/anger, which is linked to criminal conduct, including violence.

The Texas Christian University Drug Screen II (TCU) is a comprehensive instrument for assessing alcohol and drug use in an offender population. Higher scores on the TCU Drug Screen indicate more serious substance abuse problems.

Description of SIP Approved Offenders

Since the inception of the program in May 2005 through December 31, 2005, there have been 60 offenders assessed by the Department of Corrections for the SIP program, with 57 of these offenders being determined as appropriate for the program.² At the time of this report, 24 of the offenders had actually been sentenced to the program, while the others were being scheduled for a sentencing hearing.³ During this time period, the Department of Corrections estimates that there were about 893 offenders who fit the profile of an SIP eligible offender and were sentenced to state prison.⁴

This section provides a summary of the background and characteristics of the first 57 offenders who were assessed by the Department of Corrections as being appropriate for the SIP program. A detailed breakdown of information about these individuals is presented in Appendix C.

To date, judges in 20 counties have referred offenders to the Department of Correction's SIP program, with the highest percentage coming from Fayette [11%], Montgomery [11%], Delaware [9%], and Franklin [9%] counties. The vast majority of these offenders are male, with an average age of 38 years. Most offenders were convicted of drug delivery offenses [54%], driving under the influence [26%], or burglary [9%]. Additionally, almost half of the offenders had been previously arrested for drug offenses [55%], with a large proportion also having prior arrests for driving under the influence [47%], assault [25%], and theft [25%].

Most offenders reported having successfully completed at least one type of treatment program in the past, with outpatient treatment being the most prevalent treatment modality [51%], followed by inpatient residential treatment [42%]. The most common substances used by the offenders at the time of their arrest were alcohol [86%], marijuana [49%], cocaine [42%], and crack [32%]. Over half of the offenders reported using alcohol [51%] daily, while marijuana [40%], cocaine [21%], and crack [18%] were less likely to be used on a daily basis. Offenders reported starting to use alcohol and marijuana at a young age [mean age = 16 years] while they were older when they first used cocaine, crack, and heroin [mean age = 22, 26, and 25, respectively]. The most common physical problems experienced by the offenders as a result of their drug use were increased tolerance [75%], blackouts [53%], mood swings [49%], morning use [44%], and withdrawal symptoms [37%]. Most offenders also indicated that their substance abuse presented problems with their family [74%], friends [70%], work [72%], and police [77%].

As indicated earlier, there were four assessment tools used by the Department of Corrections to

² It should be noted there were about 30 offenders referred to the DOC who were not assessed due to these offenders having outstanding detainers or having a sentence already imposed. In some cases, the detainers are removed, and the offender can be considered for the program. In most cases where a sentence had been imposed, the defendant chose to serve the original sentence rather than have the judge refer for SIP assessment.

³ These numbers are based on the number of assessments received by the Commission on Sentencing by January 9, 2006.

⁴ The criteria used to determine eligibility were: current offense, demonstrated substance abuse problem, and had a minimum sentence ranging from two to five years. If the criteria also excluded those offenders who had a previous conviction for an ineligible offense, the estimated number of eligible offenders was 532.

determine the offender's risk for future criminal activity, the seriousness of the substance abuse problem, and the need for treatment to evaluate whether the offender would be appropriate for the SIP program. Overall, the offenders' assessment results indicated that most offenders had a medium or high risk of re-offending, and a severe substance abuse problem.⁵ Almost all [98%] were recommended for the therapeutic community, while other programming recommended included violence prevention [67%], Thinking for a Change [56%], education participation [18%], and vocational evaluation [14%].

Conclusion

In its first year of operation, the Department of Corrections has conducted extensive assessments on 60 offenders referred to the SIP program and has determined that 57 of these offenders are appropriate and would benefit from the program. While the number of SIP offenders is lower than originally anticipated, it is not unusual for a new program to take some time to become fully operational as judges, prosecutors, and defense attorneys become better acquainted with this treatment alternative to traditional prison. Toward that end, the Sentencing Commission, along with the Department of Corrections, has been making a concerted effort to conduct statewide trainings and presentations to provide information on the legislation, the procedure, and benefits of the SIP program. It is expected that the number of referrals to the program will increase over time, and updated information will be provided next year by the Department of Corrections in their SIP Report to the Legislature.

⁵ The TCU Score can range from 0-9, with someone scoring 3 or greater indicating a relatively severe drug-related problem. The average score for these SIP offenders was 7. See Simpson, D. D. & Knight, K. (1998). TCU data collection forms for correctional residential treatment. Fort Worth: Texas Christian University, Institute of Behavioral Research. [On-line]. Available: www.ibr.tcu.edu.

Appendix A

Sentencing Guideline Recommendations for State Intermediate Punishment

[effective June 3, 2005]

§303.12 (c)
STATE INTERMEDIATE PUNISHMENT

GUIDELINE TEXT:

§303.12 (c) State Intermediate Punishment.

(1) Eligibility.

(i) The following statute governs operation of and eligibility for State Intermediate Punishment:

42 Pa.C.S. Chapter 99

(ii) Any person convicted of a drug-related offense for which the sentence recommendation includes total confinement in a state facility may be considered for state intermediate punishment.

- (2) The court may, upon motion of the Commonwealth and agreement of the defendant, commit a defendant to the custody of the Department of Corrections for the purpose of evaluating whether the defendant would benefit from a drug offender treatment program and whether treatment in a drug offender treatment program is appropriate.**
- (3) Upon receipt of a recommendation for placement in a drug offender treatment program and an individualized treatment plan from the Department of Corrections, and agreement of the attorney for the Commonwealth and the defendant, the court may sentence an eligible offender to a period of 24 months of state intermediate punishment.**
- (4) The court may impose a consecutive period of probation. The total duration of a sentence of state intermediate punishment and consecutive probation may not exceed the maximum term for which the eligible offender could otherwise be sentenced.**

PRIOR GUIDELINES:

This is a new provision which describes state intermediate punishment and incorporates it into the guidelines.

DESCRIPTION:

- * State intermediate punishment targets drug dependent offenders who otherwise would be serving a minimum sentence of confinement in a state facility of 30 months or more.
- * To be eligible, the offender must be designated by the court as a person convicted of a *drug-related offense*, an offense motivated by the defendant's consumption of or addiction to alcohol or a controlled substance, counterfeit, designer drug, drug, immediate precursor or marijuana, as those terms are defined in the Controlled Substance Act.
- * The duration of a state intermediate punishment sentence is 24 months and is comprised of the following:
 - A minimum of seven months in a state correctional institution of which not less than four months must be spent in a institutional therapeutic community (the time during which the defendant is being evaluated by the Department is included in this period);
 - A minimum of two months in a community-based therapeutic community;
 - A minimum of six months in treatment through an outpatient treatment facility (an offender may spend part of the six-month aftercare phase in a community correction center, a group home or an approved transitional residence such as his/her home; the Department continues to supervise the offender);

- A period of supervised reintegration into the community for the balance of the sentence.

* By committing the defendant to the Department of Corrections for an evaluation, the court is not sentencing the defendant, and thus retains jurisdiction. The court will decide on the appropriate sentence after receiving the evaluation from the Department.

* Suggested language for commitment order for evaluation:

AND NOW, this ____ day of _____, 20__, the defendant having been convicted of [insert crime] on [date], [Name of defendant] is committed to the Department of Corrections for an evaluation to be used by the Court to determine whether defendant shall be sentenced to State Intermediate Punishment.

The Sheriff of _____ County shall transport the defendant as soon as possible to the State Correctional Institution designated to receive defendants from _____ County.

* An offender being committed for the purpose of an SIP Evaluation should be transported to the state correctional facility that normally receives newly sentenced state offenders sentenced in the county (i.e., male inmates: Graterford SCI for eastern counties, Camp Hill SCI for central counties, Albion SCI or Greene SCI for western counties; female offenders: Muncy SCI)

* Although a commitment for the purpose of an SIP Evaluation occurs prior to the sentencing of the offender, the incomplete guideline sentence form(s) generated via *SGS Web* should be attached to the commitment order. This will provide Department of Correction’s staff with important information regarding the current conviction offense(s), the Prior Record Score details, deadly weapon or youth/school enhancements, and other important sentencing-related information.

* The evaluation by the Department will be administered by a person skilled in the treatment of drug and alcohol additions and trained to conduct assessments.

* The Department will provide an evaluation report to the Court, the District Attorney and the Defendant within 60 days of commitment; the Court may not modify or alter the terms of the Department’s proposed individualized treatment plan without agreement of the Department and the District Attorney.

* If the Department recommends the offender for participation and the District Attorney does not object, the court may sentence the offender to the 24 month state intermediate punishment sentence. The court may impose a consecutive period of probation. The total sentence may not exceed the maximum term for which the offender could otherwise be sentenced.

* The Department has the discretion to transfer an offender between the different stages of the program as necessary and the Department and the program administrators have the right to refuse a participant oif the offender is deemed to be inappropriate for a particular program.

* Individuals who fail during the program or do not complete it within the 24 month sentence are subject to revocation. Upon revocation, the sentencing alternatives available to the court are the same as those available at the time of the initial sentencing, including any applicable mandatory minimum sentencing provision.

* An offender is not eligible if he demonstrates a history of present or past violent behavior.

* An offender is not eligible if he is subject to a deadly weapon enhancement under the sentencing guidelines.

* An individual is not eligible if he has been convicted of a *personal injury crime*, including an attempt, conspiracy or threat to commit any of the following:

Criminal homicide (18 Pa.C.S. Chapter 25)

Assault (18 Pa. C.S. Chapter 27), including simple assault, REAP, TT, harassment, stalking, ethnic intimidation

Kidnapping (18 Pa.C.S. Chapter 29), including unlawful restraint, false imprisonment

Sexual offenses (18 Pa.C.S. Chapter 31), including indecent assault, indecent exposure

Arson (18 Pa.C.S. §3301)

Robbery (18 Pa.C.S. Chapter 37)

Victim and witness intimidation (18 Pa.C.S. Chapter 49, Sub-Chapter B)

Homicide by watercraft while operating under influence (30 P.S. §5502.1)

Driving under the influence (75 Pa.C.S. §3731 (repealed) and 75 Pa.C.S. Chapter 38) in cases involving
bodily injury

Homicide by vehicle (75 Pa.C.S. §3732)

Homicide by vehicle while DUI (75 Pa.C.S. §3735)

Aggravated assault by vehicle while DUI (75 Pa.C.S. §3735.1)

Accidents involving death or SBI (75 Pa.C.S. §3742)

Violations of any protective order issued as a result of an act related to domestic violence.

* Additionally, an individual is not eligible if he has been convicted of any of the following:

Incest (18 Pa.C.S. §4302)

Open lewdness (18 Pa.C.S. §5901)

Abuse of children (18 Pa.C.S. §6312)

Unlawful contact with minor (18 Pa.C.S. § 6318)

Sexual exploitation of children (18 Pa.C.S. §6320)

Internet child pornography (18 Pa.C.S. Chapter 76, Subchapter C)

GUIDELINE FORM/SGS WEB APPLICATION:

- See §303.9(a).

COMMENTARY:

State Intermediate Punishment was established as a sentencing alternative pursuant to Act 2004-112, effective May 18, 2005. The purpose of state intermediate punishment is: “to create a program that punishes person(s) who commit crimes, but also provides treatment that offers the opportunity for those persons to address their drug and alcohol addiction or abuse and thereby reduce the incidents of recidivism and enhance public safety.” (42 Pa.C.S. §9902(6)) A full description of state intermediate punishment may be found at 42 Pa.C.S. Chapter 99.

As part of the 6th Edition guidelines, the Commission has expanded the description of sentencing levels to target the use of county intermediate punishments for those eligible offenders with a minimum sentence recommendation of less than 30 months, and state intermediate punishments for those eligible offenders with a minimum sentence recommendation of 30 months or greater. The Commission has further modified the definitions of sentencing levels 3, 4 and 5 to incorporate state intermediate punishment as an available sentencing option.

Any questions regarding this process may be directed to the Department of Correction’s Central Diagnostic and Classification Center (CDCC) Unit Director at ((717)737-4531).

Appendix B

Presentations on State Intermediate Punishment by the
Commission on Sentencing

**PA COMMISSION ON SENTENCING
PRESENTATIONS -- 2005**

AUDIENCE	LOCATION	DATE	OVERVIEW	SENTENCING ISSUES	COUNTY IP	BOOT CAMP	STATE IP	5TH EDITION GDL.	6TH ED.
TARGETED AUDIENCES									
PA APPELLATE COURTS									
Law Clerks (Western Chambers)	PITTSBURGH	6/16/2005	X	X	X	X	X		X
Law Clerks (Eastern Chambers)	PHILADELPHIA	6/23/2005	X	X	X	X	X		X
PA COMMON PLEAS COURTS									
Conference of State Trial Judges	PLYMOUTH MEETING	4/4/2005		X	X	X	X		X
Conference of State Trial Judges	STATE COLLEGE	4/20/2005		X	X	X	X		X
Philadelphia CP Law Clerks	PHILADELPHIA	9/30/2005	X						
Philadelphia CP Judges	PHILADELPHIA	11/16/2005			X	X	X		X
DISTRICT ATTORNEYS									
PDAI Basic Prosecutor Course	GRANTVILLE	6/9/2005	X		X	X	X		X
PDAI Basic Prosecutor Course	GRANTVILLE	12/8/2005	X		X	X	X		X
Philadelphia DA Office	PHILADELPHIA	11/17/2005		X	X	X	X		X
DEFENSE ATTORNEYS									
Philadelphia Defenders Assoc.	PHILADELPHIA	6/22/2005		X	X	X	X		X
BAR ASSOCIATIONS									
Clearfield County	CLEARFIELD	6/7/2005	X		X	X	X		X
Philadelphia County	PHILADELPHIA	6/9/2005	X		X	X	X		X
Centre County	BELLEFONTE	9/15/2005	X		X	X	X		X
Delaware County	MEDIA	10/20/2005	X		X	X	X		X
Montgomery County	NORRISTOWN	11/18/2005	X		X	X	X		X
MISCELLANEOUS									
PBPP Officers Basic Training	ELIZABETHTOWN	1/26/2005	X		X	X	X	X	
PBPP Officers Basic Training	ELIZABETHTOWN	4/20/2005	X		X	X	X	X	
PBPP Officers Basic Training	ELIZABETHTOWN	7/20/2005	X		X	X	X		X
PBPP Officers Basic Training	ELIZABETHTOWN	10/19/2005	X		X	X	X		X
DOC Diagnostic/Classification	CAMP HILL	4/13/2005	X				X		
DOC Diagnostic/Classification	MUNCY	4/26/2005	X				X		
Dauphin Co. Victim/Witness Ofc.	HARRISBURG	4/26/2005	X		X	X	X	X	
GENERAL AUDIENCES									

**PA COMMISSION ON SENTENCING
PRESENTATIONS -- 2005**

AUDIENCE	LOCATION	DATE	OVERVIEW	SENTENCING ISSUES	COUNTY IP	BOOT CAMP	STATE IP	5TH EDITION GDL.	6TH ED.
COUNTIES									
Centre	BELLEFONTE	5/10/2005	X	X	X	X		X	
Westmoreland	GREENSBURG	5/19/2005	X	X	X	X		X	
Dauphin	HARRISBURG	5/24/2005	X	X	X	X		X	
Venango	FRANKLIN	5/24/2005	X	X	X	X		X	
Allegheny	PITTSBURGH	5/26/2005	X	X	X	X		X	
York	YORK	6/1/2005	X	X	X	X		X	
Lycoming	WILLIAMSPORT	6/22/2005	X	X	X	X		X	
Franklin	CHAMBERSBURG	6/24/2005	X	X	X	X		X	
Lackawanna	SCRANTON	6/28/2005	X	X	X	X		X	
Berks	READING	6/30/2005	X	X	X	X		X	
Northampton	EASTON	8/16/2005	X	X	X	X		X	
Erie	ERIE	8/17/2005	X	X	X	X		X	
Cumberland	CARLISLE	8/22/2005	X	X	X	X		X	
Butler	BUTLER	9/1/2005	X	X	X	X		X	
REGIONAL									
PCS Introduction to Sentencing	HARRISBURG	3/1/2005	X	X	X	X	X		
PCS Introduction to Sentencing	HARRISBURG	10/18/2005	X	X	X	X		X	
PCS Guidelines & Sentencing	HARRISBURG	3/22/2005	X	X	X	X	X		
PCS Guidelines & Sentencing	HARRISBURG	4/19/2005	X	X	X	X	X		
PCS Guidelines & Sentencing	HARRISBURG	11/2/2005	X	X	X	X	X		
PCS Guidelines & Sentencing	HARRISBURG	11/15/2005	X	X	X	X		X	
PCS Guidelines & Sentencing	HARRISBURG	12/7/2005	X	X	X	X		X	

Appendix C

Characteristics of Offenders Approved for SIP Program

[Number =57]

I. DEMOGRAPHIC CHARACTERISTICS

GENDER		Number	Percent
Male		48	84%
Female		9	16%

AGE		Number	Percent
Less than 30		14	25%
30-40		19	33%
41-50		16	28%
Over 50		8	14%
Mean		38	
Median		39	
Mode		24	

COUNTY		Number	Percent
Adams		1	2%
Allegheny		3	5%
Bradford		4	7%
Bucks		2	4%
Butler		4	7%
Chester		4	7%
Dauphin		4	7%
Delaware		5	9%
Fayette		6	11%
Franklin		5	9%
Greene		1	2%
Jefferson		1	2%
Lackawanna		2	4%
Lancaster		1	2%
Lehigh		1	2%
Luzerne		1	2%
Montgomery		6	11%
Philadelphia		3	5%
Somerset		1	2%
Westmoreland		2	4%

II. CRIMINAL HISTORY INFORMATION

CURRENT OFFENSE	Number	Percent
Drug delivery	31	54%
Drug possession	1	2%
Driving under the influence	15	26%
Burglary	5	9%
Violation of probation	1	2%
Criminal use of communication facility	2	4%
Forgery/theft	1	2%
Prostitution	1	2%

NUMBER OF PRIOR ARRESTS [Adult]	Number	Percent
None reported	4	7%
1	10	18%
2	8	14%
3	6	11%
4	10	18%
5	5	9%
6	3	5%
7	4	7%
over 7	7	12%
mean	4	
median	4	
mode	1 and 4	

TYPE OF PRIOR ARREST [Adult]	Number	Percent
DUI	25	47%
Drug delivery	12	23%
Drug possession	17	32%
Assault	13	25%
Burglary	6	11%
Theft	13	25%
Terroristic threats	2	4%
Driving under suspension	5	9%
Probation/parole violations	13	25%
Disorderly conduct/public intoxic.	7	13%
Criminal mischief	5	9%
Firearms	3	6%
Furnishing minors	4	8%
Robbery	3	6%
Homicide by vehicle while DUI	2	4%
Criminal trespass	4	8%
Providing false ID	3	6%
Other	12	23%

PRIOR PERSONAL INJURY CRIME	Number	Percent
Yes	16	30%
None indicated	4	8%

III. SUBSTANCE ABUSE HISTORY

DRUG USE	Current		Past	
	Number	Percent	Number	Percent
Nicotine	49	86%	3	5%
Alcohol	49	86%	7	12%
Marijuana	28	49%	24	42%
Cocaine	24	42%	16	28%
Crack	18	32%	10	18%
Heroin	10	18%	8	14%
Other opiates	8	14%	11	19%
Barbiturates	0	0%	3	5%
Tranquilizers	4	7%	7	12%
Amphetamines	0	0%	3	5%
Methamphetamines	4	7%	12	21%
PCP	0	0%	7	12%
Hallucinogens	3	5%	12	21%
Inhalnts	0	0%	4	7%
Other	2	4%	0	0%
Combinations	3	5%	4	7%

TREATMENT HISTORY [IAODOTP]		
Previously received treatment	Number	Percent
Yes	44	77%
None reported	13	23%

Previous Type of Treatment *	Number Percent		<u>Successful completions</u>		<u>Unsuccessful completions</u>	
	Number	Percent	Number	Percent	Number	Percent
Inpatient/Residential	24	42%	20	83%	7	29%
Intensive Outpatient	9	16%	8	89%	1	11%
Outpatient	29	51%	24	83%	7	24%
Detox	4	7%	4	100%	0	0%

Number of Previous Treatments	Number	Percent
One	22	39%
Two	6	11%
Three	8	14%
Four or more	8	14%

* Some offenders had multiple treatments in the past and had successfully completed some treatments and unsuccessfully completed others. Thus, the percentage of successful and unsuccessful completions can exceed 100%.

IV. INFORMATION SOURCES FOR ASSESSMENT REPORT

	<i>Number</i>	<i>Percent</i>
INFORMATION INCLUDED FROM COUNTY		
Pre-Sentence Investigation	11	19%
Criminal complaint	17	30%
Order of Court Sentence	40	70%
Affidavit of Probable Cause	17	30%
Police Criminal Complaint	3	5%
Inmate Commitment Summary Report	1	2%
DUI Court Reporting Network	3	5%
Court History	2	4%
Offense Summary	1	2%
Criminal History	40	70%
PCS Guideline Form	1	2%
16E	4	7%
Court Records	4	7%
Arrest Report	3	5%
Order to Detain	3	5%
Status Sheet	2	4%
ASSESSMENT TOOLS		
Texas Christian Univ. Drug Screen II [TCU]	57	100%
Criminal Sentiments Scale-Modified [CSS-M]	57	100%
Hostile Interpretations Questionnaire [HIQ]	57	100%
Level of Service Inventory-Revised [LSI-R]	57	100%

V. BASIS FOR SIP TREATMENT RECOMMENDATION

PROBLEM RECOGNITION	<u>no problem</u>		<u>admitted to use</u>		<u>admitted to being addict</u>	
	Number	Percent	Number	Percent	Number	Percent
Alcohol	2	4%	1	2%	29	51%
Marijuana	2	4%	1	2%	15	26%
Cocaine	0	0%	1	2%	13	23%
Crack	0	0%	1	2%	8	14%
Heroin	0	0%	0	0%	9	16%

FREQUENCY OF SUBSTANCE USE	<u>daily</u>		<u>few times a week</u>		<u>few times a month</u>		<u>experimented</u>	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Alcohol	29	51%	13	23%	4	7%	3	5%
Marijuana	23	40%	3	5%	5	9%	16	###
Cocaine	12	21%	7	12%	5	9%	13	###
Crack	10	18%	4	7%	3	5%	8	###
Heroin	13	23%	0	0%	0	0%	5	9%

AGE AT FIRST USE	<u><13 yrs.</u>		<u>13-14 yrs.</u>		<u>15-16 yrs.</u>		<u>17-18 yrs.</u>		<u>>18 yrs.</u>	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Alcohol	4	7%	14	25%	15	26%	13	###	4	7%
Marijuana	2	4%	9	16%	15	26%	7	###	6	11%
Cocaine	0	0%	2	4%	2	4%	7	###	16	28%
Crack	0	0%	0	0%	3	5%	1	2%	13	23%
Heroin	0	0%	0	0%	2	4%	2	4%	10	18%

AGE AT FIRST USE [average]	<u>mean</u>	<u>median</u>	<u>mode</u>
Alcohol	16	15	14
Marijuana	16	15	15
Cocaine	22	21	17
Crack	26	23	16
Heroin	25	23	23

REPORTED PROBLEMS WITH DRUGS	Number	Percent
Blackouts	30	53%
Mood swings	28	49%
Withdrawal symptoms	21	37%
Morning use	25	44%
Tolerance	43	75%

NUMBER OF PROBLEMS WITH DRUGS	Number	Percent
1	7	12%
2	9	16%
3	11	19%
4	13	23%
5 or more	11	19%

REPORTED PROBLEMS WITH:	Number	Percent
Family	42	74%
Friends	40	70%
Work	41	72%
Police	44	77%

MISCELLANEOUS INFORMATION	Number	Percent
Indication of psychological problems	13	23%
Substance abuse in family	1	2%
Expressed interest in treatment	12	21%

VI. ASSESSMENT RESULTS

ASSESSMENT SCORES	Number	Percent
Meets criteria for substance dependence		
Yes	56	98%
No	0	0%
missing	1	2%
LSI-R Score		
High	8	14%
Medium	26	46%
Low	23	40%
HIQ Score		
High	15	26%
Medium	25	44%
Low	17	30%
CSS-M Score		
High	8	14%
Medium	24	42%
Low	25	44%
TCU Score		
1	1	2%
2	0	0%
3	3	5%
4	0	0%
5	13	23%
6	11	19%
7	7	12%
8	8	14%
9	14	25%
mean	7	
median	7	
mode	9	
<hr/>		
RECOMMENDED FOR DRUG TREATMENT PROGRAM	Number	Percent
Yes	54	95%
Not indicated	3	5%
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Programming Recommended	Number	Percent
Therapeutic community	56	98%
Violence Prevention	38	67%
Thinking for a Change	32	56%
Education Participation	10	18%
Vocational Evaluation	8	14%
Employment Preparation	2	4%
Coping skills Development	1	2%
Decision Making	1	2%
Money Management	0	0%
Other [e.g., mental health]	4	7%

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The Pennsylvania Commission on Sentencing is an agency of the General Assembly located on the University Park campus of the Pennsylvania State University. The Commission was created in 1978 for the primary purpose of creating a consistent and rational statewide sentencing policy to promote fairer and more uniform sentencing practices.