

# *Stop Revolving-Door Justice*

How Corrections Systems Can Reduce Recidivism

*by Jason Newman*

Prisons in the United States are full to overflowing. More than one in every 100 adult Americans are now in prison or jail—the highest rate in our nation’s history.<sup>1</sup> Whether the United States locks up “too many” people is an interesting and contentious question. What is beyond dispute, however, is this: The more offenders we put behind bars, the more who will eventually be sent home. In fact, 95 percent of prisoners will one day get out, and released prisoners have unleashed a crime wave in many U.S. communities.

Approximately 650,000 inmates are released from prison each year. According to the Bureau of Justice Statistics (BJS), two-thirds of them will be rearrested, and over half will return to prison within three years.<sup>2</sup> In fact, parolees accounted for more than 35 percent of the people entering prison in 2000, almost double the proportion from two decades ago.<sup>3</sup>

In addition to the number of individuals on parole—which at the end of 2006 numbered just short of 800,000—there were more than 4.2 million on probation, leaving more than 5 million ex-offenders under some sort of community supervision (1 million more than in 1995).<sup>4</sup> Add to that the more than 2 million people in jail or prison in 2006, and the total number of offenders in the corrections system totaled 7.2 million, the highest ever.<sup>5</sup>

In contrast, only 1.8 million people were in the corrections system in 1980.<sup>6</sup>

Such statistics put America’s corrections system in the spotlight. While criminals are locked up, the system does too little to prepare them to be reintegrated into their communities as productive, law-abiding citizens. And it fails to effectively supervise people on probation and parole, even though their propensity to commit more crimes is well known.

The escalating crime rate among discharged prisoners also highlights a basic defect in conservatives’ reflexively punitive approach to law enforcement. Their disdain for prisoner rehabilitation guarantees that most offenders will simply be dumped back into the communities they came from, without the skills, tools and incentives they need to change their lives. In their zeal to punish the wicked, many

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*“One person with a belief is a social power equal to ninety-nine who have only interests.”*

—John Stuart Mill

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conservatives have lost sight of public safety.

Progressives should not shy from tough sentences for cold-blooded predators and drug profiteers, even if that means high incarceration rates. At the same time, however, they should insist that the U.S. corrections system be tasked with *preventing* crime as well as punishing it after the fact. In practice, this means that everyone involved in corrections—wardens, sheriffs, parole officers, and probation supervisors—must be held responsible for reducing recidivism rates.

Specifically, PPI proposes three steps to fix our broken corrections system:

**1. Develop and implement a CompStat-like system for federal and state corrections.** CompStat (short for computer statistics) is the crime-data tracking system New York City used to achieve a spectacular reduction in violent crime in the 1990s. A CompStat for corrections would measure and publicize the recidivism rates of inmates discharged from specific institutions, as well as those on probation or parole. This would give corrections officials a powerful new tool for comparing the performance of the people in charge of these institutions, and holding them accountable for measurable improvements.

**2. Create a new Office of Community Supervision (OCS) within the U.S. Department of Justice.** An OCS would make grants to local parole and probation departments, with the goal of doubling the number of parole and probation officers in communities where ex-offenders are concentrated. An OCS might even place juvenile probation officials directly in schools that have high concentrations of young people at risk of incarceration.

**3. In return for federal help, communities should give their parole and probation officers the power to impose more effective sanctions on violators.** The current regimen of spotty, unpredictable punishments for those who break the rules of their probation or parole clearly is not working. Probation officers also need the authority and resources to monitor the position of newly-released offenders, and to administer drug tests more frequently. The bottom line is that individuals on probation and parole should be held responsible for their own successful return to free society, and we need to establish strong guidelines to help drive home that fundamental point.

These proposals build on successful crime-fighting innovations that helped reduce U.S. crime rates in the 1990s. For example, President Bill Clinton's Community Oriented Policing Services (COPS) initiative put well over 100,000 new police officers on the beat in localities that agreed to deploy them in community policing. At around the same time, New York City Police Commissioner Bill Bratton instituted CompStat to track crime statistics precinct by precinct. This highly specific data enabled the department to see exactly when and where crime was happening—and to hold police commanders accountable for stopping it. Together with community policing and other reforms, CompStat worked: Murders in New York fell 68 percent between 1993 and 1998, while the overall number of felonies was cut in half.

Unfortunately, in his very first budget, President Bush sought to gut funding for the COPS hiring program. While congressional Democrats parried such efforts for a while, the COPS budget steadily declined and by 2006 had been "zeroed out." Partisan animus probably played a role, but Republicans also seem to have been motivated by their party's habitual hostility to federal activism. Criminal justice, they pointed out, is overwhelmingly a state and local responsibility.

This assertion is true, but while crime may be a local responsibility, it is also a national problem that demands a forceful response from the nation's leaders. For one thing, the federal government operates a big prison system of its own, with approximately 200,000 inmates. In addition, the rise of nationwide gang networks and the interstate preparations of the September 11 terrorists should erase any doubt about the legitimacy of a robust federal role in our nation's law-enforcement efforts. An analogy may be drawn to public education, also largely a state and local matter, but one in which Washington (under both Democratic and Republican administrations) has assumed an important strategic role in aiding poor districts,

raising performance standards, and encouraging reform. In this spirit, Clinton carved out a limited but constructive federal role in using small amounts of money to leverage major innovations in policing.

The Progressive Policy Institute believes it is time to extend the same principle to America's corrections system, including both the adult and juvenile systems. Taking up where Clinton left off, our next president should encourage the states to use information technology to break down bureaucratic barriers between various parts of the corrections system, measure that system's performance, and hold officials accountable for results.

## **An Ex-Con Crime Wave**

Over the last several decades, a confluence of factors—public alarm over rising crime rates, a surging youth population, the crack epidemic, and mandatory-sentence laws—have combined to produce today's record-breaking incarceration rates. Since 95 percent of inmates are eventually set free, this "get tough" policy has also triggered a record-breaking flow of released prisoners back into our communities. In fact, the number of people released from state prisons each year has grown steadily from approximately 200,000 in 1983, to 400,000 in 1994, to 650,000 in 2005.<sup>7</sup>

Once per decade, the BJS tracks released prisoners from prison in a given year to study their recidivism rates. According to the most recent BJS study of prisoners released in 1994, more than two-thirds (67.5 percent) were rearrested within three years for a new offense (almost exclusively a felony or a serious misdemeanor); 46.9 percent were reconvicted; and 25.4 percent were resentenced. Overall, 51.8 percent were back in prison for some reason within three years.<sup>8</sup>

These numbers were up from a 1983 BJS study, which found that 62.5 percent

had been rearrested and 41.4 percent were back in prison within three years. This increase in the number of serious crimes (those that fall within the FBI's "index" of the gravest criminal offenses) committed by ex-prisoners is shown in the table below.<sup>9</sup> As the number of people released from prison continues to rise, they will account for a growing share of new crimes.

Our overmatched parole and probation systems are failing to supervise these individuals effectively or integrate them into lawful and productive roles in their communities. Consider these facts about current and former prisoners:

- ❑ Approximately 68 percent of state prisoners lack a high-school diploma and only about one out of three receive vocational training at any point during incarceration;<sup>10</sup>
- ❑ About half are functionally illiterate;<sup>11</sup>
- ❑ Three in four have a substance-abuse

problem, but only 10 percent receive formal treatment prior to release;<sup>12</sup> and

- ❑ An estimated 60 percent of the total volume of heroin and cocaine consumed in this country is sold to those on probation or parole.<sup>13</sup>

Not only are our communities and our citizens drastically less safe because of our failure to properly supervise ex-prisoners, but the state eventually foots a substantially higher bill when they end up back in prison. While costs vary by state, Patrick Kelly and Don Stemen noted in a Vera Institute of Justice report that "it costs upwards of \$22,000 a year to confine an individual in jail or prison, as compared with as little as \$200 per year to supervise an individual on probation or parole."<sup>15</sup> While the costs in some states are higher than these estimates, the difference between the cost of confining someone to prison versus supervising them in the community is significant. Therefore, lowering

### Share of All Index Crime Arrests Represented by State Prisoners for the Three Years Following Their Release in 1983 or 1994

<b>Crime</b>	<b>1983-1986</b>	<b>1994-1997</b>
Murder and non-negligent manslaughter	2.3%	7.7%
Rape	1.8%	4.4%
Robbery	5.0%	9.0%
Aggravated Assault	2.4%	4.5%
Burglary	4.8%	7.5%
Larceny/Theft	2.0%	3.2%
Motor Vehicle Theft	3.3%	6.2%

Note: For each percentage figure, the numerator is the number of arrests for the index crime among prisoners released in 1983 or 1994, respectively, and the denominator is the estimated number of arrests for index crimes among all offenders in the 11 states (1983 sample) and 13 states (1994 sample). Percentages for 1983 and 1994 were adjusted for partial-year exposure to rearrest.<sup>14</sup>

the crime rate among former prisoners would not only protect Americans from crime, it would also reap sizeable savings in criminal-justice costs.

## Corrections and Crime-Fighting

U.S. political leaders are beginning to zero in on the nation's broken corrections system. In his new book, *A Time to Fight*, Sen. Jim Webb (D-Va.) argues that it is time to "reshape our own [criminal-justice] system in a way that better serves individual justice, community safety, and the long-term productivity of those who have found themselves on the wrong side of the law."<sup>16</sup>

Unfortunately, over the last few decades rehabilitation programs in prisons across the country have been drastically cut. A recent report from California Gov. Arnold Schwarzenegger's Rehabilitation Strike Team found that of the \$43,300 spent on each prisoner yearly, just 5 percent is spent on rehabilitation programs. Half of the individuals leaving prisons in California did not participate in *any* rehabilitation or work program or have any type of work assignment during their entire prison term.<sup>17</sup> Similarly, drastic cuts in rehabilitation programs have occurred across the country.

In April 2008, President Bush signed the Second Chance Act of 2007 to help ex-offenders successfully reenter communities and avoid recidivism. The new law will, among other things, expand reentry projects to provide expanded services to offenders, including an initiative to ensure that each inmate released from prison has information on health, employment, personal finance, release requirements, and community resources. In addition, the Crime Control and Prevention Act of 2007, introduced by Sen. Joe Biden (D-Del.), includes new programs for the reduction of recidivism and the successful reintroduction of ex-offenders into the community.

Sens. Hillary Clinton (D-N.Y.) and Barack

Obama (D-Ill.) were both cosponsors of the Senate version of the Second Chance Act of 2007. On the campaign trail, Sen. Obama has called for ensuring that ex-offenders have access to job training, counseling, and employment opportunities. He has also called for the creation of a prison-to-work incentive program. Sen. Clinton seeks a review of sentencing policies, and has called for second-chance programs for non-violent offenders. Recently, Clinton detailed her plan, "Solutions for Safe and Secure Communities Now," which would update the COPS program, set up a \$1 billion anti-recidivism program, renew the ban on assault weapons, double the number of at-risk children in after-school programs, and expand early-intervention mentoring programs.

All of these efforts will help, but they do not go far enough. To break the cycle of revolving-door justice, we need to transform America's corrections system using the same tools that modernized policing in the 1990s. Below are PPI's proposals for doing just that.

### 1. A *CompStat* for the Entire Corrections System

The corrections system must redefine its mission. The key, argues Mark Kleiman, professor of policy studies at the UCLA School of Public Affairs, is to ensure "that community corrections agencies start holding themselves accountable and asking others to hold them accountable—not for successful completion, not for service delivery and compliance, but for the number and severity of new crimes committed by people under their jurisdiction."<sup>18</sup>

Van Jones, cofounder of the Ella Baker Center for Human Rights, examined the financial incentives in our prison system. His conclusion: "The incarceration industry has a perverse incentive to rehabilitate as few people as possible and keep business booming."<sup>19</sup> From a strictly economic

standpoint, the more people in prison, the more prisons and guards we need. With many states turning to for-profit firms to run prisons, parole and probation officers have insufficient incentive to reduce crime. While they are responsible for supervising their parolees and probationers and bringing them back to court if they break the rules, they are not rewarded for reducing recidivism rates among the people they supervise.

There is a better way, and it involves applying lessons already learned in a separate but closely related field: police work. Former New York City Police Commissioner Bill Bratton has taken the CompStat model—with its data-rich analysis and rigorous interviews of precinct commanders—to Los Angeles with similar success. Several other cities across the country, including Baltimore, have instituted similar programs. During his tenure as mayor of Baltimore, Martin O'Malley launched CitiStat, which expanded on CompStat to put information technology to work on a wide array of city services. Upon being elected governor of Maryland, O'Malley worked with the state Legislature to pass StateStat to bring the same principles to state government.

A similar type of data collection and performance measurement system should be established in states to track statistics throughout the entire corrections network—in the probation and parole system as well as the prisons. Statistics that should be tracked include the number of criminals in prison each year; the number who leave each individual prison each year; the number of people on parole and probation; and the number of former prisoners who have been rearrested.

In addition, this system could track specific information on prisoners, such as substance abuse, mental-health issues, and gang activity. Once the statistics are known, prison officials, parole officers, and probation supervisors can be held accountable for whether or not an individual under their care

goes on to continue a life of crime. In addition, this system should be used to share essential information effectively with all actors in the system, including wardens, prison guards, and police officers on the streets.

Cities and states across the country have begun adopting CompStat-like systems for their prisons and community-supervision systems. New York City's Department of Corrections created TEAMS (Total Efficiency Accountability Management System) in order to stem violence in city prisons. This system helped reduce violence among prisoners by 95 percent.<sup>20</sup> The New York City Department of Probation was the first community corrections agency to adapt such a system to track data on recidivism, employment, and housing. Over a three-year period, arrests of probationers dropped by 9.5 percent.

Since then, parole and probation agencies in California, Georgia, Maryland, and the District of Columbia have followed Gotham's lead. In Georgia, 4 percent more parolees have successfully completed their terms of parole since 2005, saving the state between \$24 million and \$28 million in corrections costs.<sup>21</sup>

After Bill Bratton brought CompStat to the Los Angeles Police Department, the California Department of Corrections and Rehabilitation (CDCR) saw its success and in 2006 entered into a partnership with the LAPD to adapt the CompStat model to both their parole and prison systems.<sup>22</sup> However, only in the parole system are they tracking and measuring recidivism. Like the New York City corrections system, California is only tracking outcomes within the prison system, such as inmate-on-inmate violence, assaults on officers, gang involvement, and drug use.

This is a good start, but it is time that cities and states begin to bring the prison system and the probation-and-parole system together—and hold them both responsible for recidivism. Right now, these two systems work primarily in separate silos, each one barely noting what the other one is doing. If

both systems were accountable for reducing crime in our communities, they would be forced to break down those silos and find ways to coordinate their activities.

Some have argued that holding prisons accountable for recidivism is too complex, because ex-prisoners can commit crimes months or years after their release. This is true, but complexity is no excuse to avoid measuring performance and holding officials accountable. After all, the causes of street crime are varied and complex, yet this did not dilute the power of CompStat to bring greater accountability to police work.

If overcrowding is a problem, for example, then this issue will be raised by wardens across the state when they are questioned in CompStat-style interviews. If violence is an issue, then those wardens will be accountable for finding ways to reduce the violence. A prisoner's experience behind bars has a significant effect on whether that prisoner will or will not commit more crimes when he gets out. We hold police officers accountable for crime in the neighborhoods they patrol and for sending criminals to prison. We are beginning to hold parole officers responsible for crimes committed by those they supervise once they get out of prison. There is absolutely no reason why prisons should not be held accountable for the time these individuals are under their care.

Given the overlap of police, prisons, probation, and parole, states may want to create a new, combined system that incorporates all of these operations and pools their data; there could even be CompStat interviews with officials from all of these elements of our justice system. With this type of cooperation, meetings could be held to track information, determine where problems exist, and address those problems across the bureaucracy.

In addition to tracking information, states should begin experimenting with model systems that provide rewards and incentives for corrections officials, including wardens

and parole officers, who successfully lower recidivism rates over a certain period of time. For example, in exchange for being held more accountable, prisons could be given more authority over how they spend their funding each year and be rewarded for successes such as increasing the percentage of their inmates who reenter society and stay out of trouble. The same type of reward system could be set up for parole and probation officers, offering performance bonuses for officers who are able to reduce the amount of crime for which their supervisees are responsible. Such inducements would incentivize members of this profession to make our neighborhoods safer.

As prison populations rise and recidivism increases, states are already beginning to look for examples of rehabilitation services that help reduce crime. In recent years, a number of studies have been published showing the effectiveness of certain programs. In 2006, the Washington State Institute for Public Policy, at the direction of that state's Legislature, put together a comprehensive overview of programs that had demonstrated an ability to reduce recidivism.<sup>23</sup>

In addition, the Re-Entry Policy Council released a report in 2005 authored by the Council of State Governments and 10 project partners that gives numerous examples of successful programs being implemented around the country.<sup>24</sup>

To facilitate this, under the Second Chance Act, a National Offender Re-Entry Resource Center will be set up to collect and disseminate best practices and provide training and support to states and communities. With these studies and resources, states and communities should be able to find programs that have proven effective in reducing crime.

Obviously, these new tools will require resources to implement. But the money saved in the long run due to decreased prison

populations and reduced crime will more than make up for the costs.

## ***2. Effective Community Supervision of Released Prisoners***

The new Office of Community Supervision (OCS) we propose would double the current workforce of approximately 50,000 parole and probation officers in the United States. That would allow each officer to reduce their caseloads from over 100 to around 50, and could create even lower caseloads for officers supervising high-risk offenders.

Under the OCS program, three-year grants would be provided according to a formula similar to that used by the COPS initiative. Federal funds would be provided to states for 75 percent of a newly hired entry-level officer's salary and benefits, up to a maximum amount of \$75,000 per officer. Local parole and probation departments would be required to contribute at least 25 percent in local matching funds. In addition, the new OCS program should provide for additional grants to set up the data collection and performance measurement system discussed above, and to pay for additional costs like equipping officers with laptops and setting up neighborhood offices.

Adding more officers will not, by itself, make our communities safer. Currently, parole and probation officers spend almost all of their time behind desks. It is difficult to effectively supervise ex-offenders this way. In 2002, while still a U.S. senator, John Edwards summarized the problem nicely:

"In my view, the number one problem in our criminal justice system today is the early release system—sometimes called probation, sometimes parole, sometimes intensive supervision. But whatever you call it, it doesn't work. It is overburdened, understaffed, inconsistent, and almost completely unsuccessful."<sup>25</sup>

Among the reform principles he suggested

was "to get probation and parole officers out of their offices and onto the streets," extending the "community policing" principle to post-prison supervision.<sup>26</sup>

Sen. Edwards noted that such a strategy worked in Winston-Salem, N.C., where juvenile-probation and police officers teamed up to work with clergy and other community members to supervise juveniles on probation. The result was a 35 percent cut in juvenile violence in 2003.

Some states have turned to a school-based probation (SBP) model, in which probation officers are moved from their centralized district offices directly into the schools where juveniles spend most of their time. Pennsylvania has made a strong commitment to this approach, with SBP programs in all types of schools throughout the state. Several benefits of this model have been documented in evaluations of these programs, including closer supervision and monitoring; better school attendance and performance; enhanced communication between probation officers and schools; and, most importantly, reduced recidivism.<sup>27</sup>

In Maryland, a successful program placed 70 juvenile-probation officers directly in 125 public schools in high-crime neighborhoods instead of in distant bureaucratic offices.<sup>28</sup> The goal was to bring "juvie" right into the schools, where kids spend most of their days, and to focus on the kids most likely to commit violent acts—namely, those who have committed them before. Starting with a cluster of nine schools in 1996-97, "Spotlight on Schools" decreased school suspensions and dropout rates, and not one student was arrested for new offenses.

Jeff Schrader, one of the Maryland juvenile-probation officers assigned to a school, said, "Before, a field officer would go and visit a school and would have contact with a kid about every two weeks. Now, with an office physically in the school, I see



all my kids two or three times a week, if not every day."<sup>29</sup>

Schrader also said that the constant interaction with students changed the nature of his job, allowing him to open more preventive cases with the students that teachers are most concerned about. "It's more of a crisis-counselor relationship," he said of his new role. "I know the kids and their needs better and can give them the attention they may need early on to prevent them from going further into the system."<sup>30</sup>

Probation officers who are in the community can identify and intervene in problematic patterns of behavior. They also offer a visible presence that can deter crime. The best place to fight violence and crime is in the streets and schoolyards, not in the bureaucracy.

We will never have as many probation and parole officers as we need, so we have to be smart about how we use our limited resources. A significant majority of those leaving prison return to a small number of neighborhoods. We should identify the neighborhoods that prisoners are returning to, and use our limited resources in a smart manner by focusing officers in these areas.

Police departments across the country are starting to use computer-mapping systems to track where crimes are occurring, so they can focus their officers in these areas. A similar mapping system should be set up in cities across the country to identify where those under community supervision are living and working, so we can concentrate more effectively on those neighborhoods.

If a significant number of supervisees are living and working in a few readily identified neighborhoods, parole and probation officers could set up small field offices in these areas. This will require an investment in laptops and other technology resources that officers can use to write reports and download information from anywhere in their jurisdiction.

One of the benefits of getting parole and probation officers out from behind their desks

is that they can get to know the community for themselves. They can identify local influentials, such as clergymen and high-school sports coaches, and begin developing relationships with them. By doing this, the officers can benefit from the knowledge of community leaders; find out who is making progress and who is slipping up; and also help to find the necessary resources at-risk individuals need.

### ***3. Consistent and Swift Sanctions for Probation and Parole Violations***

Our current prisoner-reentry systems too often fail those leaving prison, releasing them with little more than the clothes on their back and possibly some money for bus fare. As we provide necessary services to these prisoners, however, those under community supervision must ultimately be held responsible for turning their own lives around. In return for federal help, communities should set up a consistent system of swift and certain punishment for violations of parole and probation.

Right now, punishments are inconsistent and are usually imposed months after a violation. When cases finally do get to court, some violators are given a slap on the wrist, while others are sent back to prison for years. It is time to set up a strict, swift, and graduated punishment system that holds supervisees responsible for their own decisions—a system in which officers automatically and consistently impose more severe punishments following each successive violation.

Mark Kleiman has argued for such a strict accountability system to control drug use among probationers. All supervisees are required to remain drug-free, but as Kleiman and Pepperdine University's Angela Hawken argue, the "current system fails because drug testing of probationers is too infrequent, because test results come back too slowly, and because sanctions are too rare, too

delayed, and too severe (months, or occasionally years, in prison)."<sup>31</sup>

Kleiman and Hawken point to Hawaii's Opportunity Probation with Enforcement (H.O.P.E.) program, in which probationers are monitored closely and punished with rapid but mild sanctions (starting with as little as two days in jail and increasing gradually with each successive violation). Under a pilot program developed with methamphetamine users on probation, half of probationers began complying with the terms of their probation immediately following an initial warning, and the proportion of missed or failed drug tests went down by more than 80 percent.

In order to make this system effective, drug testing must occur frequently—at least once per week. In addition, the process leading to a hearing following a violation must be changed so that punishment is rapid and certain. Today, probation officers must usually fill out a heap of paperwork leading to a revocation hearing several weeks or months after the violation. Understandably, busy officers often do not want to fill out all the paperwork for minor violations, so violators too often go unpunished. In Hawaii, however, the state set up a low-sanctions probation "modification" system that reduced the paperwork and now allows for a modification hearing within two days of the violation.

According to Kleiman and Hawken, the costs of implementing H.O.P.E. are approximately \$2,500 per probationer, including the costs of treatment, compared with about \$1,000 for standard probation supervision. They suggest that most, or all, of these costs would be returned in savings from reduced incarceration and law-enforcement costs. Over the last several years, Rep. Adam Schiff (D-Calif.) has worked to expand on the success of programs like H.O.P.E. In 2006, he included a demonstration program in the Office of National Drug Control Policy (ONDCP) Reauthorization Act, and he recently

included a grant program in the Second Chance Act to support communities implementing programs similar to H.O.P.E.

Kleiman also suggests that this type of system would work well at reducing other sorts of probation violations. He mentioned at a 2005 National Institute of Justice roundtable discussion that certain specific rules seem to be consistently linked to crime reduction. These rules included: abstaining from illegal drug use; obeying curfews; staying away from individuals or locations associated with prior offenses; and attending anger-management or substance-abuse programs. Similar strict-accountability systems could be set up to monitor compliance with these rules and to swiftly punish violations.

In addition to imposing more frequent drug testing, Kleiman suggested that officers could use "electronic handcuffs" or similar technology to ensure compliance with curfews and other restrictions. If these rules are not met, Kleiman proposes escalated punishments. Such sanctions could begin with increased supervision and unpaid community service and graduate to confinement for short periods (up to 48 hours), or it could start immediately with short confinement periods and increase gradually, as in the H.O.P.E. program.

Today, judges are usually the only ones who can impose sanctions, and it often takes several weeks to have a hearing before a judge. Some experts argue that the rules should be changed to give parole and probation officers more authority to impose sanctions. Kleiman, however, identified simple changes that could achieve the same thing, such as obtaining probationers' consent to administrative discipline in lieu of tough judicial sanctions. Such a measure would enhance officers' ability to impose swift and certain consequences for bad behavior.

Kleiman and Stephen Teles, currently an assistant professor of public policy at the

University of Maryland, charge that today's corrections system "largely reproduces the behavior of the rest of the criminal-justice system: it makes many demands, spottily monitors compliance, and punishes detected deviations slowly and unpredictably, but often quite severely." What's lacking, they argue, is the ability to detect violations and respond appropriately. In order to be effective, parole and probation would need to "deliver a form of punishment that effectively reduced crime—imposing on offenders intense levels of supervision, clear rules of behavior, and swift and certain sanctions for breaking these rules."<sup>32</sup>

## Conclusion

Just as the prison population has grown dramatically over the last couple of decades, so have the ranks of Americans on probation and parole. The costs to our society have

risen as well, not only in terms of dollars but also in terms of the rising incidence of crime among individuals who cycle into and out of our criminal-justice system.

It is time that we take a serious look at how to make those responsible for supervising criminal populations more effective at our ultimate goal—reducing crime and making our communities safer. Utilizing some of the same effective practices that helped transform policing in the 1990's, we should use information technology to break down bureaucratic barriers between various parts of the corrections system, measure the performance of officials in those systems, and hold these officials accountable for results. In addition, we need to double the number of parole and probation officers, get them out on the streets, and give them the resources to do their jobs effectively. Finally, and most importantly, we must implement a strict accountability system that holds offenders responsible for turning their lives around.

## Endnotes

<sup>1</sup> "One in 100: Behind Bars in America 2008," Pew Center on the States, <http://www.pewcenteronthestates.org/uploadedFiles/One%20in%20100.pdf>.

<sup>2</sup> "Recidivism of Prisoners Released in 1994," Bureau of Justice Statistics Special Report, June 2002, <http://www.ojp.usdoj.gov/bjs/pub/pdf/rpr94.pdf>.

<sup>3</sup> Travis, Jeremy, and Sarah Lawrence, "Beyond the Prison Gates: The State of Parole in America," November, 2002, [http://urban.org/UploadedPDF/310583\\_Beyond\\_prison\\_gates.pdf](http://urban.org/UploadedPDF/310583_Beyond_prison_gates.pdf).

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