

**APPENDIX A**

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**History of Probation in New York State**

## History of Probation in New York State

Although New York was not the first state to enact probation legislation, it was the first state to implement conditional release in 1817 when the first “good time” statute was passed. New York was also the first state to implement indeterminate prison terms in 1876 when noted penologist Walter Crofton was appointed as Superintendent at the Elmira Reformatory. He is “accredited with being the father of both parole supervision and indeterminate sentences.”<sup>1</sup>

New York’s precursor to probation was the statutory authorization for the suspension of sentence, which was passed in 1893 when Chapter 279 of the Laws of 1893 amended Penal Code § 12 to read: “The several sections of this Code which declare such a crime to be punishable as therein mentioned devolve a duty upon the court authorized to pass sentence to determine and impose the punishment prescribed; but such court may in its discretion suspend sentence, during the good behavior of the person convicted, where the maximum term of imprisonment prescribed by law does not exceed ten years and such person has never before been convicted of a felony.”

The first probation statute passed in New York was found in Chapter 372 of the Laws of 1901, which authorized judges “to appoint a person or persons to perform the duties of probation officer or officers as hereinafter described, within the jurisdiction and under the direction of said court or justice, to hold such office during the pleasure of the court or justice making such appointment.” The first probation officers were drawn from a statutorily declared eligible pool of “private citizens, male or female, clerks or assistants of the court making the appointment, or from the officers, deputies, assistants or clerks of the district attorney’s office in the county wherein the court making the appointment is held. Any officer or member of the police force of any city or incorporated village who may be detailed to do duty in such courts, or any constable or peace officer, may be employed as probation officer upon the order of any court or justice as herein provided.”

From the outset, a probation officer was charged with gathering information about an offender’s “antecedents, character and offense of persons over the age of sixteen years arrested for a crime within the jurisdiction of the court appointing him” and reporting same to the court. The law required that the probation officer “furnish to each person released to probation committed to his care, a written statement of the terms and conditions of his probation, and shall report to the court or justice appointing him, any violation or breach of the terms and conditions imposed by said court, of the persons placed in his care.” Probation officers were declared peace officers, but were not paid unless they held other public jobs.

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<sup>1</sup>See generally American Probation and Parole Association at [www.appa-net.org/media2004/parolehistory.htm](http://www.appa-net.org/media2004/parolehistory.htm).

In 1905, the pool of persons eligible to be appointed as probation officers was changed by Chapter 656 of the Laws of 1905 when section 11-a of the Code of Criminal Procedure was amended to provide that “[s]uch probation officer or officers may be chosen from among the officers of a Society for the Prevention of Cruelty to Children or of any charitable or benevolent institution, society or association now or hereafter duly incorporated under the laws of this state, or be reputable private citizens, male or female. Any officer or member of the police force of any city or incorporated village who may be detailed to do duty in such courts, or any constable or peace officer, may be employed as probation officer upon the order of any court or justice as herein provided.” This amendment also authorized municipalities to provide a salary to probation officers not already employed by the government in other capacities.

While the courts had authority to appoint probation officers pursuant to the initial 1901 legislation, it was not until 1905 that the suspension of sentence statute was amended to actually allow a judge to place an offender on probation. Chapter 656 of the Laws of 1905 read: “The court upon suspending sentence, may place such person on probation during such suspension under the charge and supervision of the probation officer appointed by said court.” This amendment also provided a new qualification for probation officers for children under age sixteen: “When practicable, any child under the age of sixteen years, placed on probation, shall be placed with a probation officer of the same religious faith as that of the child’s parents.”

Chapter 656 of the Laws of 1905 also added the first violation of probation provision which read: “At any time during the probationary term of a person convicted and released on probation in accordance with the provisions of this section, the court before which, or the justice before whom, the person so convicted was convicted, or his successor, may in its or his discretion, revoke and terminate such probation. Upon such revocation and termination, the court may, if the sentence has been suspended, pronounce judgment at any time thereafter within the longest period for which the defendant might have been sentenced, or, if judgment has been pronounced and the execution thereof has been suspended, the court may revoke such suspension, whereupon the judgment shall be in full force and effect for its unexpired term.”

Chapter 40 of the Laws of 1909 brought two changes to the probation statute. The first prohibited a probation sentence where the maximum penalty for the offense of conviction exceeded ten years. The second provided that the term of probation could be as long as the number of years of imprisonment authorized for the offense.

Although there were some minor revisions over the next two decades, it would not be until 1928 that three significant changes were made. The first was the establishment of an article of the Code of Criminal Procedure devoted entirely to probation. Chapter 460 of the Laws of 1928 repealed section 11-a of the Code of Criminal Procedure and replaced it with Title IX of the Code of Criminal Procedure §§928-936, which was entitled “Of Proceedings Relating to Probation.” The second was an amendment to section 2188 of the Penal Law to require a pre-sentence report

(PSR) before a probation sentence could be imposed (Chapter 841 of the Laws of 1928). The third was to grant the district attorney the right to be heard on the issue of probation or suspension of sentence in felony cases (*id.*)

Two years after establishing the PSR requirement in felony probation and suspended sentence cases, Chapter 298 of the Laws of 1930 amended Penal Law § 2188 to add an additional requirement that a PSR be prepared in all felony cases.

During the next decade the probation statute was amended by Chapter 193 of the Laws of 1933 to require, as part of the PSR, that a “physical, mental or psychiatric examination if any” be included. That same year, Chapter 517 of the Laws of 1933 removed the “physical, mental or psychiatric examination if any” language, limiting a PSR’s scope to “the circumstances of his offense, his criminal record, if any, and his social history.” Chapter 517 also added provisions concerning revocation and extension of probation. Then, by Chapter 52 of the Laws of 1941, the PSR provision was revised to restore the “physical, mental or psychiatric examination if any” language.

The next noteworthy change, contained in section 22 of Chapter 525 of the Laws of 1950, amended section 2188 of the Penal Law to require an actual psychiatric examination and report before probation or a suspended sentence could be imposed in a case where the potential penalty was an indeterminate sentence of one day to life.

It would be decades before the probation system in New York was completely overhauled in the wake of the June 1968 *Preliminary Report of the Governor’s Special Committee on Criminal Offenders*. The 1968 Report precipitated the transfer of probation in 1971 from the Judiciary to the Executive. Other than the establishment of a newly formed Division of Probation to be housed in the State’s Executive Branch, the transfer to the Executive was primarily a transfer of the responsibility over the day-to-day operations of probation from the State to the counties with the fiscal responsibility being statutorily shared between the State and the counties. Chapter 387 of the Laws of 1971 amended the Executive Law to establish local probation departments, and Executive Law § 256 mandated each county to maintain or provide for a probation agency to perform probation services therein. Executive Law § 257 provided that all salaried probation officers and their supervisors be in the competitive class under civil service.

Throughout this transition, the statutory requirements regarding a probation officer’s duties remained constant. Thus, Executive Law § 257(4) provided that “it shall be the duty of every probation officer to furnish to each of his probationers a statement of the conditions of probation and to instruct him with regard thereto; to keep informed concerning his conduct, habits, associates, employment, recreation and whereabouts; to visit his home at least once a month; to aid and encourage him by friendly advice and admonition; and by such other measures as may seem most suitable to bring about improvement in his conduct, condition and general attitude toward society.”

Section 258 of the Executive Law further charged the counties with the “the duty to provide when practicable clinical facilities, and to adopt necessary rules for the use therefor, for such physical, mental and psychiatric examinations and reports as may be within the required scope of efficient probation investigation and supervision.”

As discussed in the Probation Task Force’s Report, during the next 35 years, a significant number of initiatives enlarging the responsibilities of probation departments were adopted by the Legislature. Perhaps even more important was the 2006 amendment to the Penal Law which, as noted in Section V of the Report, included within the “general purpose[s]” of that chapter the promotion of the offender’s “successful and productive reentry and reintegration” into society (see PL §1.05[6]).

## APPENDIX B

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### **Probation Investigation Ratios— County Comparisons for 2005**

## Probation Investigation Ratios – County Comparisons for 2005

For 8 large counties this chart shows the total number of staff, the total number of investigations completed and a ratio computed by dividing the total number of investigations completed by the number of staff. Included in the investigations completed are the total number of family court and criminal court investigations excluding ROR investigations. All counties do not conduct ROR investigations. Staff is defined as a total of Principal Probation Officer, Probation Supervisor, Sr. Probation Officer, Probation Officer, Probation Officer Trainee and Probation Assistant. The time it takes a department, on average, to complete PSI's for detained and non-detained offenders is also included. Completion Time is defined as the time from the date the investigation order is received by the probation department from the court to the time the completed report is submitted to the court.

<u>County</u>	<u>Number of Staff</u>	<u>Number of Investigations Completed</u>	<u>Ratio of Investigations to Staff</u>	<u>PSI COMPLETION TIMES**</u>	
				<u>Non-Detained Offender</u>	<u>Detained Offender</u>
Albany	99	2,127	21.48	6 to 8 weeks	6 to 8 weeks
Dutchess	90	1,494	16.60	4 to 6 weeks	10 business days
Erie	76*	5,184	68.21	12 weeks	12 weeks
Monroe	172	5,613	32.63	7 weeks	4 weeks
Nassau	222	6,604	29.75	6 weeks	4 weeks
Onondaga	89	4,183	47.00	6 weeks	10 business days
Suffolk	331	7,012	21.18	8 weeks	2 to 4 weeks
Westchester	193	7,558	39.16	10 weeks	3 weeks

Data Sources: NYS DPCA DP30 & DP30A's and Annual Probation Program Plans.

\* current staffing level is 84

\*\* Data obtained through telephone survey of the county Probation Directors/Commissioners conducted from July 12 through July 25<sup>th</sup>, 2006. Erie County information obtained from the Erie Probation Commissioner via letter prior to these dates.

APPENDIX C

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**Probation Staff to County Population Ratios—  
County Comparisons for 2005**

## Probation Staff To County Population Ratios County Comparisons for 2005

For 8 large counties this chart shows the total number of staff, an estimate of the 2005 county population from the U.S. Census Bureau and the number of probation staff per 100,000 population. Staff is defined as a total of Principal Probation Officer, Probation Supervisor, Sr. Probation Officer, Probation Officer, Probation Officer Trainee and Probation Assistant.

<u>County</u>	<u>Number of Probation Staff</u>	<u>County Population Estimate</u>	<u>Number of Probation Staff per 100,000 population</u>
Albany	99	297,414	33.29
Dutchess	90	294,849	30.52
Erie	76*	930,703	8.17
Monroe	172	733,366	23.45
Nassau	222	1,333,137	16.65
Onondaga	89	458,053	19.43
Suffolk	331	1,474,927	22.44
Westchester	193	940,807	20.51

Data Sources: # of Probation Staff -2005 Probation Program Plans  
County Population Estimates-U.S. Census Bureau

\* Current staffing level is 84

## APPENDIX D

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### **Budget Analysis for Additional Probation Funding**

## Memorandum

To: Members of the Probation Task Force  
From: Michael Jacobson  
Date: November 9, 2006

Re: Budget Analysis for Additional Probation Funding

After getting some statewide data from DPCA and making some assumptions about the levels of risk/work required for different categories of cases and making some estimates about ideal caseload sizes, we've come up with some preliminary numbers for additional funds required for probation agencies in New York State.

There are a few caveats about this analysis that should be stated at the start. First, we have made estimates on the risk levels of juvenile and adult supervision cases statewide that is based on some initial work done by DPCA. Second, we have made estimates on productivity for completing substantive and useful adult and family court investigations. Third, while this analysis covers adult and juvenile investigations and adult and juvenile supervision services (the great bulk of the work that probation agencies perform), it does not include family court intake (and there were almost 85,000 of these cases last year) nor the resources required to ideally perform the work necessary for interstate transfers, sex offender registry, DNA collections and adoptions and matrimonial work. The reason we have left these out, at least at this stage, is that we couldn't think of a way to neatly come up with workload requirements for these areas. Any suggestions, especially for family court intake, would be quite helpful. Otherwise, the workload contained in this analysis, as mentioned before, is the great majority of the work done by New York State probation departments.

### Adult Supervision

TOTAL NUMBER OF SUPERVISION CASES                      120,000  
RISK LEVELS OF SUPERVISION CASES:

RISK	% OF CASES	# CASES	IDEAL CASELOAD	# OF PROBATION OFFICERS REQUIRED	# OF SUPERVISING PROBATION OFFICERS REQUIRED*
HIGH	10	12,000	1 TO 25	480	69
MEDIUM-HIGH	30	36,000	1 TO 50	720	103
MEDIUM-LOW	20	24,000	1 TO 75	320	46
LOW	40	48,000	1 TO 200	240	34

TOTAL PROBATION OFFICERS    1,760  
TOTAL SUPERVISING PROBATION OFFICERS    252

\* the number of supervising probation officers are calculated at a rate of 1 SPO to 7 POs

**Adult Investigations:**

TOTAL STATEWIDE INVESTIGATIONS	IDEAL WORKLOAD PER PROBATION OFFICER	# OF PROBATION OFFICERS REQUIRED	# OF SUPERVISING PROBATION OFFICERS REQUIRED
115,000	240 PSI/YEAR	477	68

**Family Court Investigations:**

TOTAL STATEWIDE INVESTIGATIONS	IDEAL WORKLOAD PER PROBATION OFFICER	# OF PROBATION OFFICERS REQUIRED	# OF SUPERVISING PROBATION OFFICERS REQUIRED
20,000	240 PSI/YEAR	83	12

**Family Court Supervision:**

TOTAL NUMBER OF SUPERVISION CASES 27,000  
RISK LEVELS OF SUPERVISION CASES:

RISK	% OF CASES	# CASES	IDEAL CASELOAD	# OF PROBATION OFFICERS REQUIRED	# OF SUPERVISING PROBATION OFFICERS REQUIRED
HIGH	33	9,000	1 TO 15	600	86
MEDIUM-HIGH	33	9,000	1 TO 30	300	43
LOW	33	9,000	1 TO 60	150	21

TOTAL PROBATION OFFICERS 1,050  
TOTAL SUPERVISING PROBATION OFFICERS 150

The total number of probation officers needed for these functions statewide based on this analysis is 3370; the number of supervising probation officers is 482, for a statewide total of 3852 officers. There are already about 3,100 probation and supervising probation officers statewide. Thus, this analysis comes up with an additional need for 752 officers. In addition, we have added 75 additional support staff to provide administrative and technical support. At a statewide average cost of \$70,000 per additional probation officer (including pension and fringe benefits for all titles), \$90,000 per supervising probation officer, and \$50,000 per support staff, the total statewide cost for this additional staff is almost \$60 million.

In addition, we are recommending a statewide allocation to county probation departments of \$15 million to pay for community based services such as drug treatment, job training and placement, and mental health services. Even with lowered caseloads, probation departments will not have the capacity or the resources to provide these essential services to a probationer population in desperate need of them. The cumulative research on successful community based supervision strategies makes clear the value of these types of well targeted, designed and programmatic services.

The total amount of new funding in this recommendation is \$75 million (\$60 million for additional staff resources and \$15 million for community based services). This is about what would be available if the state reimbursement rate went back up to the 50% that is allowed under current statute to reimburse county probation departments.

We may want to take the position that state reimbursement should increase to 50% only assuming maintenance of effort by the counties (so the counties simply do not take the additional funds as budget relief). This will, of course, be no small issue for the counties who will be totally opposed to maintenance of effort agreements since they all regard them as a state intrusion on their local governance. On the other hand, this is also a major lift for the state in terms of additional funds and there is probably no chance the state is going to give probation \$75 million dollars if the counties have the freedom to use it for any purposes they see fit. On both sides of this equation, this will be a battle.

It is important to state here that the precise uses and requirements of these additional funds would have to be worked out between DPCA and the county probation departments. However, it is clear that DPCA will, prior to the disbursement of any additional funds, have to adopt caseload standards or requirements to ensure that the county probation departments are allocating the new funding properly and to ensure as well that the counties are not siphoning off the new funds for budget relief. There will also have to be rules governing the use of the funding for community based services as well.

Finally, this analysis does not include additional money for things like space, computers etc. It would simply be too difficult to estimate a need for these functions and I think our feeling is that if the total amount of additional funding came through counties would figure out how to fund these costs. If anyone else has alternative suggestions, however, we would welcome them.

**APPENDIX E**

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**Oregon PSR Form**

\_\_\_\_\_ COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION

PSI NO:  
DATE:  
SID NO:

NAME:  
TRUE:  
AKA:  
AKA:

ADDRESS:

DOB:  
DOB2:  
SEX:  
RACE:  
HGT:  
WGT:  
HAIR:  
EYES:  
SS NO:  
SS NO 2:  
FBI NO:  
DR LIC:

OTHER NUMBERS

SCARS-MARKS-TATTOS

CUSTODY STATUS:

DETAINERS OR OTHER CHARGES:

CONCERNED AGENCIES:

SUBMITTED BY:

CURRENT CONVICTIONS

CNTY	JUDGE	DISTRICT ATTORNEY	DEFENSE COUNSEL	APPOINTED /RETAINED
ORS	PAR AT MIN	ORS ABBREV	CS CH STS RANGE	COURT NUMBER DA NUMBER

NAME:

SID:

PSI:

PAGE: 1

\_\_\_\_\_ COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION

SENTENCING GUIDELINES HISTORY SCALE

ADULT CRIMINAL HISTORY RECORD

JUVENILE CRIMINAL HISTORY RECORD

A. Adult Person Felonies

E. Juvenile Person Felonies

B. Adult Non-Person Felonies

F. Juvenile Non-Person Felonies

C. Adult Person Misdemeanors

D. Adult Non-Person Misd.

Computer Calculated Criminal History Scale Selection

Court Stipulated Criminal History Scale Selection

Criminal History Scale Selection

NAME:

SID:

PSI:

PAGE: 2

**COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION**

<b>Revised Oregon Initial Risk Assessment Instrument</b>			
			<b>Score</b>
R1.	Age at admission to probation/parole?		
	A.	18 – 27 years.....	+2
	B.	28-34 years.....	0
	C.	35 plus.....	-1
R2.	Was the offender felony conviction free in the community for a three year period <u>prior</u> to this supervision?		
	A.	Yes.....	0
	B.	No.....	+1
R3.	Prior probation, parole, or conditional release violations resulting in a custody sanction?		
	A.	None.....	-1
	B.	One.....	+2
	C.	Two or more.....	+3
R4.	Prior convictions for failure to appear or escape?		
	A.	None.....	0
	B.	One.....	+1
	C.	Two or more.....	+3
R5.	Current and prior convictions for robbery, burglary, or theft? (Designate one score, the highest applicable number)		
	A.	Robbery	None..... 0
		One or more..... +3	
	B.	Burglary and/or Arson	None..... 0
		One..... +1	
		Two or more..... +2	
	C.	Theft and/or UUMV	None..... 0
		One or More..... +1	
R6.	Convictions for drug offense?		
	A.	None.....	0
	B.	One.....	+1
	C.	Two or more.....	+3
R7.	Prior incarcerations?		
	A.	None.....	-1
	B.	One or two.....	+1
	C.	Three or more.....	+2
R8.	Substance abuse problem in the community during the 3 years prior to the current offense?		
	A.	No.....	0
	B.	Yes.....	+1
<b>Total Score:</b>			
<b>Supervision Level:</b>			
<i>Initial Assessment: High (10-18); Medium (6-9); Low (1-5); Limited (-3-0)</i>			

**NAME:**

**SID:**

**PSI:**

**PAGE: 3**

\_\_\_\_\_ COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION

CRIMINAL HISTORY (SUMMARY)

<u>ITM</u>	<u>DATE</u>	<u>CRIME</u>	<u>DISPOSITION</u>
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Juvenile Adjudications:

Adult Adjudications:

NAME:

SID:

PSI:

PAGE: 4

\_\_\_\_\_ COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION

**CRIMINAL HISTORY (AMPLIFIED)** (Optional)

**Collateral Information** (Optional)

**Supervision/Institution Summary**

**PENDING CHARGES** (Optional)

**LEGAL SUMMARY**

Date of Finding/Plea:

Plea Negotiations/  
Stipulations:

Sentencing Date:

**SCOPE OF CRIME**

**Defendant's Version**

**ACCOMPLICES/CO-DEFENDANTS**

**VICTIM'S STATEMENT/DAMAGES**

**PERSONAL HISTORY**

**Physical Health** (Optional)

**CRIMINAL RISK FACTORS**

Attitudes/Values:

Associates/Companions:

Mental Health:

Substance Abuse:

Education/Employment:

**NAME:**

**SID:**

**PSI:**

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\_\_\_\_\_ COUNTY DEPARTMENT OF COMMUNITY JUSTICE  
PRESENTENCE INVESTIGATION

Housing (Accommodation):

Community Functions:

Medical:

Financial:

Leisure/Recreation:

**PSYCHOLOGICAL EVALUATION** (Optional)

**OCMS Score/Risk Level**

**GUIDELINES APPLICATION**

According to the Sentencing Guidelines, the crime seriousness for \_\_\_\_\_ is \_\_\_\_\_ and the Criminal History Scale is \_\_\_\_\_. The presumptive sentence is \_\_\_\_\_.

**Aggravating (Enhancement) Factors:**

**Mitigating Factors:**

**RATIONALE/RECOMMENDATION**

\_\_\_\_\_  
Parole/Probation Officer

\_\_\_\_\_  
Supervisor/Manager

\_\_\_\_\_  
Licensed Psychologist

**NAME:**

**SID:**

**PSI:**

**PAGE: 6**

## APPENDIX F

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### **Oregon PSI Format Overview**

## PSI Format Overview

### **Criminal History** (Mandatory) Remains the same

- Juvenile
- Adult

*Includes (on an information available basis), the dates of arrest and conviction, ORS offense (as listed in Department of Corrections abbreviations), level of Felony or Misdemeanor (designation as person-to-person or non-person to person preferred but optional), the Court and Court number, and the disposition (probation, prison, days jail), and source of information (LEDS, OJIN, Court Order, etc) [include PV dates and dispositions, parole/PPS release dates, termination status if known]*

### **Criminal History Amplified** (Optional)

*Short summary of prior criminal history drawn from police reports, Department of Corrections or probation/parole records, prior presentence reports or self report. Emphasize person-to-person offenses, or those showing a pattern relevant to the instant offense. [including arrests or police contacts not resulting in conviction].*

### **Collateral Information** (Optional) May be after Criminal History or Scope of Crime

*Additional information of any sources that would shed illumination on the Defendant's likelihood to succeed or fail on probation, pose a risk to the community, or any factor deemed relevant to sentencing or supervision in institution or field. Can be placed anywhere in report, but after Criminal History or Scope of Crime is most common.*

### **Supervision/Institution Summary** (Mandatory) Adds Institution

*At the discretion of the writer, includes past response to supervision cycles, conditions, treatment, concerns about compliance issues (such as documenting a pattern of requesting treatment prior to sentencing and then failing to follow through after sentencing) etc. [Performance during prior or current incarcerations (disciplinary/misconducts, program participation, etc; performance during current release agreement]*

*Assess the offender's compliance to supervision thus far, including positive aspects. Detail previous efforts made to gain compliance, treatment and program referral/attendance/completion, previous sanctions and violations.*

### **Pending Charges** (Optional as Information is on the PSI facesheet)

*Listing of the County (or state) where charge(s) is pending, identification of charge(s), court numbers, status (e.g. pending trial or sentencing deferred until resolution of instant offense etc). If relevant, can include a short synopsis of the pending charge as drawn from police or probation/parole records*

### **Legal Summary** (Mandatory) Remains the same

*Date of finding and plea (if applicable); Plea negotiations and stipulations (includes listing offenses that will be dismissed as part of the plea); [sentencing date]*

## PSI Format Overview

### **Scope of Crime** (Mandatory) Remains the same

*Typically a summary of information gleaned from the relevant police reports, affidavits from search warrants, occasionally including reports from physicians (such as the Medical Examiner in murder cases, or CARES type evaluation of abused children), etc*

### **Defendant's Version** (Mandatory) Remains the same

*Defendant's version of instant offense(s). Provides a picture of their criminal thinking (writer attempts to have offender, and not attorney present the information). If the defense attorney advises his/her client to decline to make a statement, indicate such.*

### **Accomplices/Co-Defendants** (Mandatory) Remains the same

*Listing of Co-defendants with court case number, gridblock (if available), sentencing Judge (if easily obtained), and disposition. If others were involved but not charged, that can be listed (e.g. Mr. Jones was granted immunity in return for testifying in this case).*

### **Victim's Statement** (Mandatory) Remains the same

*Letters and/or phone calls [other correspondence] to the Victim of offenses and allows the Victim to make a statement for the Court to consider in making the sentence. For example:*

- 1) What financial loss have you suffered? What part, if any, was covered by insurance?*
- 2) What effect has the offense had upon you and your family (or business/employees/co-workers)?*
- 3) Are you (or the victim) receiving treatment? If so, by whom and what is the cost to you? If you are not receiving treatment is this something you feel you need or will need? Is the cost of treatment preventing you from entering into treatment?*
- 4) What sentence do you feel the defendant should receive?*

### **Personal History** (Mandatory) Remains the same

*Brief sketch of the individual including date and place of birth, basic information about the family of origin (optional information about disciplinary tactics) existence of abuse in family of origin or later relationships. Information about past romantic relationships, with emphasis on determining if there are continuing concerns of domestic violence or past problems in relationship due to the offenders criminogenic risk factors (e.g. relationships ending due to continued drug use or assaults, etc). General information about current living situation or long-term goals is optional; however, may be more relevant in criminal risk factors section.*

### **Physical Health** (Optional) **New Category**

## PSI Format Overview

*This is to be used for physical health issues that do not contribute to involvement in criminal activity or does not interfere with supervision---not related to criminogenic risk factors.*

*Include approximately when problem began, what measures are taken to cope with it (medications, limits on weight lifts, etc) and treating physician if available (optional).*

**Criminal Risk Factors** (Mandatory) **New Category** - Replaces Heath/Substance Abuse, Psychological Evaluation and Employment/Financial Sections.

Attitudes/Values

Associates/Companions

Mental Health

Substance Abuse

Education/Employment

Housing (Accommodation)

Community Functions (Includes Marital/Family if a criminogenic risk factor)

Medical/Physical Health

Financial

Leisure/Recreation

***Brief summary of each as it relates to the offender's criminal behavior. Considerations for this section:***

*What is the offender's ability to comply with community supervision? Are there mental health, substance abuse, or general stability issues that can affect the ability to successfully complete supervision?*

*What is the offender's threat or danger to the community, a particular victim, or him/herself?*

*What is the offender's willingness to comply? What statements has the offender made to help determine his willingness to comply?*

*If using LS-CMI, match to risk factors.*

### **Other Factors** (Optional)

- 1) Results of other risk assessment tools (Static 99, etc.).
- 2) If applicable and not redundant with above risk factors, identify risk factors not identified above.
- 3) Determine the defendant's stage of change and include a brief statement or sentence in this section (Stage of change can be tied to each risk factor).

**Psychological Evaluation** (Optional - If psychological evaluation was ordered as part of PSI)

*Insert Evaluation*

### **OCMS** (Mandatory) **New Category**

*If not currently on community supervision, complete Initial Risk Assessment as part of presentence report.*

## PSI Format Overview

*If currently on community supervision, put the current assessment results here (either Initial or Risk Reassessment, whichever is most current)*

### **Guidelines Application** (Mandatory)

Aggravating [Enhancement Factors]:

Mitigating Factors:

(remove Rationale sub-category)

### **Rationale/Recommendation** (Mandatory)

*A quick summary of the relevant factors that are contributing most highly to the offenders criminal behavior, recommended strategy to reduce recidivism (e.g. needs), and the availability of relevant programming in the community and in custody to work on these factors.*

## APPENDIX G

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### **NIC Technical Assistance Report: Evidence-Based Policy and Practices**

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## **EVIDENCE BASED POLICY AND PRACTICES**

### **Introduction: The Application of Evidence Based Policy and Practice to Criminal and Juvenile Justice**

Governments around the world are moving to align their programs and services with what has come to be known as Evidence-Based Policy and Practices (EBPP). Starting in the medical profession two decades ago, EBPP asserts that public policy and practice should be based on the best available scientific evidence in order to be effective in the achievement of stated goals and the efficient use of taxpayers' dollars. Failure to match services to rigorous, evidentiary standards not only makes poor use of limited public funds but can even lead to an exacerbation rather than improvement in the problems and issues the government seeks to resolve.

In the criminal justice context, research has demonstrated that the proper implementation of EBPP can lead to reductions in offender recidivism rates with both adult and juvenile offenders. The biggest challenge in adopting EBPP is not the identification of best practices. Rather, it is a political and a practical struggle, one that requires leadership among governmental executives and legislators as well as administrators who run our correctional agencies. EBPP means the adoption of scientifically derived public policy. Practically speaking, it means restructuring the way we do business in our jails and prisons – as well as in probation and parole and in other parts of the criminal justice system – so that our organizational structures and cultures enable rather than hinder the implementation of programs and services that are known to work in reducing criminal behavior. To this end, organizational development and collaboration are central tenets in the application of evidence based policy and practice.

#### **Public Safety is the Goal**

Interventions are considered effective when they reduce offenders' risk to reoffend. In this light, the application of evidence based policy and practice translates to increased public safety. The research over the last two decades is both clear and compelling regarding those interventions that result in reduced recidivism. These approaches are embraced in a body of work referred to as evidence based policy and practice.

#### **Evidence Based Policy and Practice Defined**

Evidence based policy and practice simply means applying what we know to what we do. It is the progressive, organizational use of direct, current scientific evidence to guide and inform efficient and effective correctional services.

## **Key Concepts in Evidence Based Policy and Practice: The Risk, Needs, and Responsivity Principles**

*The risk principle speaks to the ability to predict criminogenic risk based upon offender characteristics that are predictive of future crime. These risk factors are static, or non-changeable, and include conditions such as age at first offense and number of prior offenses. Risk factors are used in offender management to predict future criminal behavior and to assign supervision levels, external controls, and types of treatment services.*

*The need principle speaks to the criminogenic needs, or attributes, of individual offenders that are predictive of future criminal behavior. These factors are dynamic, or changeable, and therefore can be influenced through circumstances, programming, or changes in an offender's attitude. Examples of criminogenic needs include employment and peer interaction. To reduce recidivism risk, an individual offender's criminogenic needs must first be accurately assessed. On the basis of this assessment (and subsequent reassessments), a comprehensive case plan is developed to assure the delivery of effective correctional treatment to specifically address--and reduce--these risk factors.*

*The responsivity principle asserts the importance of characteristics that influence an offender's ability and motivation to learn. Individual traits that interfere with--or facilitate--learning are responsivity factors. The responsivity principle speaks to the need to deliver services in a manner consistent with the ability and learning style of an offender. The basic assumption underlying the responsivity principle is that neither offenders nor programs are all the same. As such, better treatment outcomes will result from the proper matching of the offender's characteristics (culture, empathy, cognitive ability, maturity, gender, etc.) with service characteristics (location, structure, length, dosage, methodology, facilitator traits, etc.). These characteristics influence how offenders respond to efforts to change their behavior, thoughts, and attitudes. Responsivity factors are not targets of treatment but rather are attributes that affect the successful achievement of treatment goals.*

The application of the risk principle helps identify *who should receive treatment*. The criminogenic need principle focuses on *what should be treated*. The responsivity principle underscores the importance of *how treatment should be delivered*.

### **The Eight Principles of Effective Interventions**

There are essentially eight evidence based principles for effective intervention with offenders. These are described below:

Eight Principles	In practitioner's language
<p>1. Assess actuarial risk/needs</p> <p>2. Enhance intrinsic motivation</p> <p>3. Target intervention: risk, need, responsivity, dosage, intensity</p> <p>4. Skill train with directed practice</p> <p>5. Increase positive reinforcement</p> <p>6. Engage ongoing support in natural communities</p> <p>7. Measure relevant processes and practices</p> <p>8. Provide measurement feedback</p>	<p>1. Use <b>assessments</b> to guide case decisions by applying actuarial tools that describe the who (who will most likely respond to interventions), the what (the specific needs that must be addressed to reduce re-offense) and the how (matching the intervention with the traits of the individual).</p> <p>2. <b>Get offenders treatment ready</b> and keep them engaged (by using motivational interviewing, strength based approaches, and rewards and sanctions).</p> <p>3. Apply a <b>laser-like focus</b> on the factors that promote law abiding behavior (by addressing factors that are proven to be linked to future crime).</p> <p>4. <b>Match the offender traits</b> with the right intervention (by paying attention to the offender's risk level, criminogenic needs, motivation, offender and intervention traits, and proper dosage/intensity).</p> <p>5. <b>Use cognitive behavioral techniques</b> for the medium and high risk offenders who meet referral criteria. Train the corrections professional in reinforcing lesson plans in cognitive restructuring and skill curricula.</p> <p>6. Strengthen the influence of the <b>pro-social community</b> in the offender's life and help stabilize the offender.</p> <p>7. Ensure that those who give direct service are delivering service with techniques that are true to the model (by proper training of direct service staff, adherence to <b>fidelity</b> principles, and partnering with community service providers).</p> <p>8. <b>Use data</b> to guide actions (by evaluating programs and making mid-course adjustments).</p>

### The Theoretical Framework of Social Learning Theory

Risk reduction strategies are guided by social learning theory. Social learning provides the justice field with a theoretical framework from which the most effective programs operate. The framework describes how we learn, namely through observing and modeling the behaviors, attitudes, and emotional reactions of others. Social learning theory states that positive reinforcement, consequences, sanctions/rewards, and the use of approval/disapproval guide the values, beliefs, and behaviors we adopt. Social learning

in a correctional setting is enhanced when certain features are present, including but not limited to the following:

- A role model the individual can relate to;
- Direct instruction
- Demonstration;
- Role play;
- Positive reinforcement;
- Feedback;
- Skill practice;
- Transfer of skill;
- Use of sanctions and rewards; and
- Relapse planning.

### **The Day to Day Application of these Principles**

*From a criminogenic risk and need perspective:* The evidence is clear that low risk offenders should be given the least amount of attention because they are already largely connected to a pro-social community and are likely to be self-correcting. Justice intervention beyond arrest and prosecution likely will only increase the likelihood of re-offense. Extremely high risk offenders have not been responsive to interventions and often contaminate the therapeutic environment of those in treatment programs. Medium and high risk offenders are much more likely to positively respond to interventions if administered correctly. And, the intensity of the treatment program should be matched to the offender's risk level, with higher dosage, length, and intensity applied to higher risk offenders.

*Therefore, from a supervision and treatment perspective:* The justice system should:

- Use minimal intervention with the low risk offender. If necessary, probation staff should manage risk of reoffense but avoid a vigorous application of correctional intervention unless offender traits change so as to increase the offender's risk level. Interventions should be least restrictive in nature.
- Maximize accountability with the extremely high risk offender. Techniques to control the risk should be employed, but risk reduction is not likely to be a cost effective strategy as the offender is not likely to be responsive to these efforts.
- Focus specifically on the medium and high risk offender. These offenders' level of risk can be reduced through the application of appropriately matched services and supervision. Treatment resources should be reserved for this group of offenders.

*From a criminogenic need perspective:* Offender traits that are crime influencing and changeable should be targeted for intervention. Attention to non-criminogenic needs will not yield positive recidivism results. For this reason, supervision officers and treatment

personnel should zero in on those areas that are truly criminogenic and can be positively influenced.

*From a responsivity perspective:* Interventions should be closely matched to the unique qualities of the offender. The most effective interventions will create a match between the offender's traits, the characteristics of the program, and the counselor/facilitator's traits.

## **Summary**

The body of knowledge that serves as the foundation for evidence based policy and practice in criminal justice is both clear and convincing. Today, the challenge for criminal justice policymakers and practitioners is not so much *what* should be done; the scientific research has shed much light on this question over the past two decades. Instead, the challenge for policymakers and practitioners today lies in transforming our current system into one system designed to reduce recidivism through the effective implementation of evidence based work. That work should have several central features:

- The careful assessment of individual offenders to determine their level of risk; this determination will guide key decisions, such as the intensity and nature of our management response.
- Appropriate, accurate assessments of individual offenders should be conducted to identify the criminogenic needs that will serve as the basis for our individually-tailored intervention strategies.
- The development of case management plans tailored to the level of risk and need of individual offenders.
- The delivery of services—that have been demonstrated effective in reducing recidivism—in a manner that is responsive to the individual offender's level of motivation, ability, and learning style.

Finally, to be effective, these strategies must be employed in the context of a clear and evidence-based organizational culture, one that embraces the essential role of collaboration, and relies on measurable outcomes to assure its success.

## APPENDIX H

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**Washington State Institute for Public Policy:  
*Evidence-Based Public Policy Options to  
Reduce Future Prison Construction,  
Criminal Justice Costs, and Crime Rates***

October 2006

## **EVIDENCE-BASED PUBLIC POLICY OPTIONS TO REDUCE FUTURE PRISON CONSTRUCTION, CRIMINAL JUSTICE COSTS, AND CRIME RATES<sup>‡</sup>**

Current long-term forecasts indicate that Washington will need two new prisons by 2020 and possibly another prison by 2030. Since a typical new prison costs about \$250 million to build and \$45 million a year to operate, the Washington State Legislature expressed an interest in identifying alternative “evidence-based” options that can: (a) reduce the future need for prison beds, (b) save money for state and local taxpayers, and (c) contribute to lower crime rates.

The 2005 Legislature directed the Washington State Institute for Public Policy (Institute) to report, by October 2006, whether evidence-based and cost-beneficial policy options exist.

If economically sound options are available, then the Legislature directed the Institute to project the total impact of alternative implementation scenarios.<sup>1</sup>

This report describes our results to date. We begin by providing background information on historic and projected incarceration rates in Washington, as well as a history of crime rates and fiscal costs of the criminal justice system. We then describe the process we use to determine if evidence-based and economically sound options exist, and we present our findings. We examine adult corrections, juvenile corrections, and prevention programs. This is followed by our projections of the impact of alternative implementation scenarios. We conclude by discussing some implications of the findings and next steps. For technical readers, appendices begin on page 19 and describe our research methods and results in greater detail.

<sup>‡</sup> Suggested citation: Steve Aos, Marna Miller, and Elizabeth Drake. (2006). *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy.

### **Summary**

**Under current long-term forecasts, Washington State faces the need to construct several new prisons in the next two decades. Since new prisons are costly, the 2005 Washington Legislature directed the Washington State Institute for Public Policy to project whether there are “evidence-based” options that can:**

- ✓ **reduce the future need for prison beds,**
- ✓ **save money for state and local taxpayers,**
- ✓ **contribute to lower crime rates.**

**We conducted a systematic review of all research evidence we could locate to identify what works, if anything, to reduce crime. We found and analyzed 571 rigorous comparison-group evaluations of adult corrections, juvenile corrections, and prevention programs, most of which were conducted in the United States. We then estimated the benefits and costs of many of these evidence-based options. Finally, we projected the degree to which alternative “portfolios” of these programs could affect future prison construction needs, criminal justice costs, and crime rates in Washington.**

**We find that some evidence-based programs can reduce crime, but others cannot. Per dollar of spending, several of the successful programs produce favorable returns on investment. Public policies incorporating these options can yield positive outcomes for Washington.**

**We project the long-run effects of three example portfolios of evidence-based options: a “current level” option as well as “moderate” and “aggressive” implementation portfolios.**

**We find that if Washington successfully implements a moderate-to-aggressive portfolio of evidence-based options, a significant level of future prison construction can be avoided, taxpayers can save about two billion dollars, and crime rates can be reduced.**

## Legislative Direction for the Study

The legislative language directing the Institute's study is shown verbatim in the accompanying sidebar. In brief, the legislation requires the Institute to study the net short-run and long-run fiscal savings to state and local governments if evidence-based intervention, prevention, and sentencing alternatives are implemented in Washington State.

The Institute is directed to examine three broad types of public policy options the legislature could consider.

1. **Intervention programs.** For people already in Washington's juvenile and adult correctional systems, the language directs the Institute to estimate whether investments in evidence-based programs could cost-effectively lower recidivism rates and, as a result, the need for additional prison beds.
2. **Prevention programs.** The legislative language also instructs the Institute to estimate whether investments in evidence-based and cost-beneficial prevention programs could help reduce the need for future prison beds. Since most prevention programs are for young children, effective evidence-based prevention resources can be expected to affect adult prison use in the longer run. Prevention programs hold the potential, of course, to offer other near-term and long-term advantages, such as improved educational outcomes. In this report, we include some representative prevention programs but, in order to complete this report on budget, we were not able to update our earlier study of prevention programs.<sup>2</sup> Subsequent versions can include additional prevention programs.
3. **Sentencing options.** The legislation directs the Institute to examine possible changes that could be made to Washington's sentencing laws, including sentencing alternatives and the use of risk factors in sentencing. These options are to be analyzed in conjunction with the Washington State Sentencing Guidelines Commission.

After analyzing the economics of each of these policy options, the task for the study is to project the total fiscal and prison bed impacts of alternative implementation scenarios. The goal of these policy choices is to allow the legislature to consider different combinations of options that have the ability to keep crime rates under control while also lowering the long-run fiscal costs of Washington's state and local criminal justice system. In financial terms, this means identifying "portfolios" of policy choices that

## Study Language From the 2005 Legislature

The capital budget bill from the 2005 session (ESSB 6094, Section 708, Chapter 488, Laws of 2005) contained this language:

*"The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the Washington state institute for public policy to study options to stabilize future prison populations. The legislature intends to examine options that could stabilize the adult inmate population growth at the projected 2007 level in order to avoid construction of major prison facilities after construction of the Coyote Ridge correctional center. To do this, the legislature finds that sentencing options need to be examined in conjunction with prevention and intervention programs. The legislature finds that existing and current research underway by the Washington state institute for public policy can be synthesized to develop these options, in conjunction with sentencing options that will be developed by the sentencing guidelines commission. The Washington state institute for public policy shall build on the study required by chapter... (Engrossed Substitute Senate Bill No. 5763 (mental disorders treatment)), Laws of 2005, and study the net short-run and long-run fiscal savings to state and local governments of implementing evidence-based treatment human service and corrections programs and policies, including prevention and intervention programs, sentencing alternatives, and the use of risk factors in sentencing. The institute shall use the results from its 2004 report on cost-beneficial prevention and early intervention programs and its work on effective adult corrections programs to project total fiscal impacts under alternative implementation scenarios. The institute shall provide an interim report to the appropriate committees of the legislature by January 1, 2006, and a final report by October 1, 2006."*

The Institute received an appropriation of \$50,000 to conduct the study. Since this project overlaps with other projects, we were able to use supplemental resources as well.

replace lower rate-of-return investments with strategies that produce higher rates of return on the taxpayer's dollar.

## Background: Trends in Historic and Forecasted Prison Populations in Washington

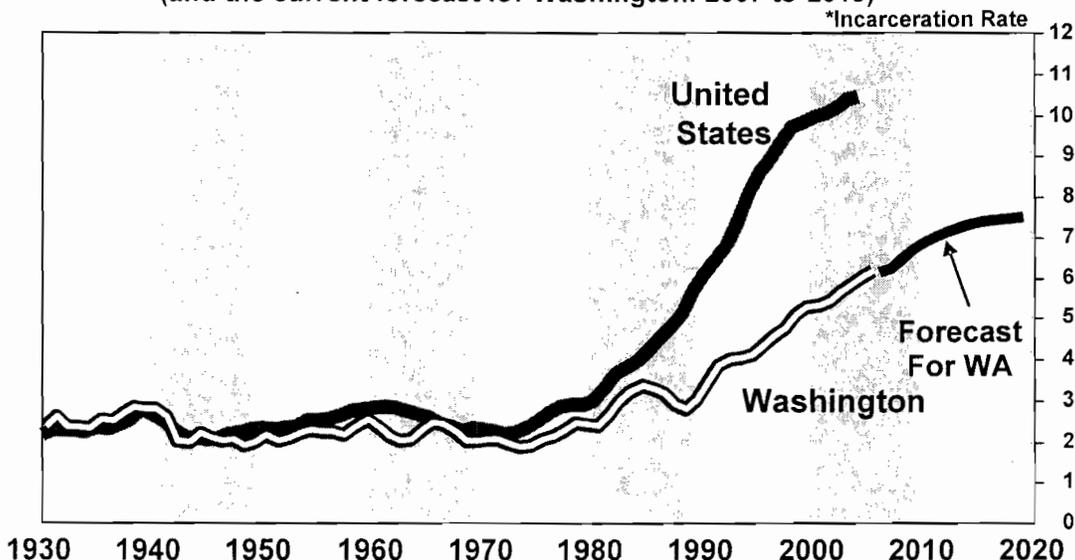
To provide context for this study, it is helpful to review a few basic facts on prison populations in Washington. Criminologists measure the size of prison populations over time with a statistic called an “incarceration rate.” This straightforward indicator simply divides the total number of people in prison at any point in time by the total number of adults in a relevant age group. Exhibit 1 displays a long-term history—from 1930 to the present—of prison incarceration rates for Washington along with comparable figures for the United States.<sup>3</sup> The Exhibit also shows the current forecasted incarceration rate for Washington.

✓ **Prison incarceration rates have roughly tripled in Washington since the mid-1970s.** The use of prison in Washington was quite stable from 1930 to 1980. On any given day during this 50-year period, roughly two persons, between the ages of 18 and 49, were incarcerated in a state prison out of every 1,000 people in Washington.<sup>4</sup> Washington’s incarceration rate then began to grow in the late 1970s and 1980s, and accelerated further during the 1990s. Today, Washington’s prison incarceration rate stands at about six adults incarcerated per 1,000.<sup>5</sup>

✓ **Washington’s growth rate in prison populations has been considerably less than the national rate.** Exhibit 1 also plots the national prison incarceration rate. For several decades—from 1930 until the mid-1970s—Washington’s incarceration rate was quite similar to the average rate across the United States. Washington’s rate began to diverge slightly from the national trend in the late 1970s, but then went on a distinctively different path after Washington enacted sentencing reform legislation in the early 1980s. Today Washington’s incarceration rate is about 56 percent of the national rate.

✓ **Washington’s incarceration rate is expected to increase another 23 percent by 2019.** Exhibit 1 also contains one other piece of information particularly relevant for this study. The Exhibit includes the latest official forecast of Washington’s prison incarceration rate to the year 2019. In the mid-1990s, the legislature established the Washington State Caseload Forecast Council (CFC) to project key caseloads that affect the state budget.<sup>6</sup> The latest CFC prison forecast (June 2006) indicates continued increases in adult incarceration rates. The CFC forecast is based on current sentencing laws, including those passed by the 2006 Legislature, as well as estimates of other criminal justice and demographic trends in Washington. The CFC forecast does not attempt to anticipate any changes future legislatures might make to existing laws or the passage of new laws.

**Exhibit 1**  
**Adult Prison Incarceration Rates**  
**In Washington and the United States: 1930 to 2006**  
**(and the current forecast for Washington: 2007 to 2019)**



\*The incarceration rate is defined as the number of inmates in state prisons per 1,000 18- to 49-year-olds in Washington or the United States. The forecast is from the Washington Caseload Forecast Council (CFC).

**Background: Supply and Demand—  
The Forecasted Need for Prison Beds in  
Washington, 2008 to 2030**

The current Caseload Forecast Council projection implies the need for an increase in new prison beds. Exhibit 2 displays the key budget-driving statistics.

**Existing Supply.** The shaded areas on the chart depict the current supply of prison beds in Washington, about 18,000 beds. This figure includes already-funded expansions to the Coyote Ridge facility, scheduled to be completed in 2008. The forecast of bed supply also shows that over the forecast period an average of about 1,800 additional beds are anticipated to be rented from local county jails; these beds are used to house offenders who have violated the terms of their community supervision and are returned to custody.<sup>7</sup> Currently, Washington also rents some prison beds out of state (about 960 beds as of mid-2006); these out-of-state beds are not shown in Exhibit 2.<sup>8</sup>

**Forecasted Demand.** The anticipated demand for prison beds is also shown in Exhibit 2. The forecast to the year 2019 is the aforementioned June 2006 forecast of the Caseload Forecast Council. The extension to the year 2030 is made by the Institute for use in this study of long-term options. The state Office of Financial Management currently forecasts state population to the year 2030, and we use this information to make projections.<sup>9</sup> The growth in

prison bed demand stems from two factors: the forecasted growth in incarceration rates as the cumulative effects of current laws are implemented, and the expected increase in Washington's population.

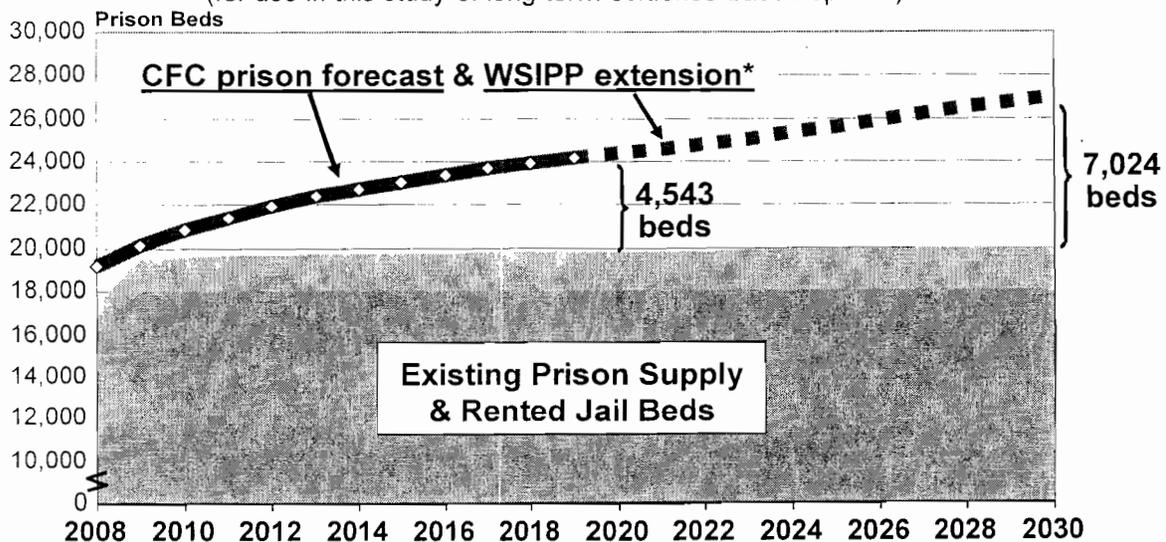
**The Gap Between Supply and Demand.** Absent any new policy changes from the legislature, the CFC's forecast implies the need for about 4,500 new prison beds by about 2020. Projecting this to 2030, the supply-demand gap widens further to about a 7,000 bed shortfall.

Recently constructed prisons in Washington have been designed to house about 2,000 offenders. Thus, by 2020 there is an anticipated shortage of a little more than two new prisons, and this grows to about three and a half new prisons by 2030.

The capital cost of a typical new 2000-bed prison is about \$250 million, and it costs about \$45 million per year to operate a typical new facility. This means it costs taxpayers about \$9,000 per year per bed to amortize capital costs and \$22,600 per year per bed to staff and operate a new prison. Combined, the total fiscal cost per typical new bed is thus about \$31,600 per prisoner per year.<sup>10</sup>

The purpose of this study is to estimate whether some of these costs (as well as other state and local government costs) can be avoided if a portfolio of evidence-based policy options is implemented successfully.

**Exhibit 2**  
**Adult Prison Supply and Demand in Washington: 2008 to 2030**  
(for use in this study of long-term evidence-based options)



\* The forecast to the year 2019 is by the Washington Caseload Forecast Council (CFC). The extension to the year 2030 is by the Washington State Institute for Public Policy (WSIPP).

## Background: Crime in Washington and Taxpayer Costs of the Criminal Justice System

Two other contextual factors relevant to this study include crime rates and the total cost of the taxpayer-financed criminal justice system.

Exhibit 3 provides two “big picture” indicators of these long-term trends. First, the chart shows that felony crime rates (that is, crimes as reported to police) were 26 percent lower in 2005 than they were in 1980. This means that the odds of being a victim of a serious violent or property crime have been reduced significantly over the last 25 years.<sup>11</sup>

Exhibit 3 also shows that the fiscal cost of the state and local criminal justice system in Washington has increased substantially over the same period. The inflation-adjusted cost of the taxpayer-financed criminal justice system increased 92 percent since 1980. Today, the average household in Washington spends about \$1,130 in taxes per year to fund the criminal justice system. In 1980 the typical household spent \$590 (in 2006 dollars).<sup>12</sup>

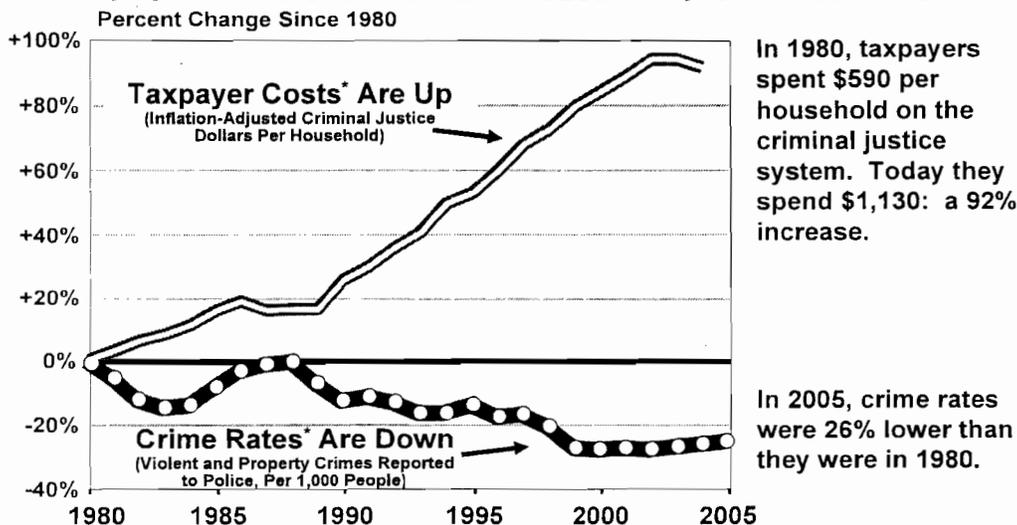
Why have expenditures increased? Three factors stand out. First, local taxpayers funded a slight increase in the number of commissioned police officers; since 1980, the number of commissioned police officers per capita increased about five percent. Second, and much more significantly, Washington increased its prison incarceration rate as indicated in Exhibit 1; since 1980, the prison

incarceration rate increased 165 percent. Finally, at the local level of government, county jail incarceration rates increased about 185 percent over these same years.

There is empirical evidence that part of the reason crime rates have declined is directly related to the increased spending Washington has devoted to the criminal justice system. On average, increasing police per capita and increasing incarceration rates work to decrease the crime rate, particularly for certain types of crime. For example, our analysis of Washington’s experience, as well as other national analyses, provides an indication that increasing the prison incarceration rate by 10 percent reduces crime rates by 2 to 4 percent (see sidebar on page 10). Diminishing returns, however, begin to erode the crime reduction effect as incarceration rates are increased, and the effects vary significantly by the type of offenders incarcerated (violent, property, or drug offenders).<sup>13</sup>

The question the Legislature directed the Institute to study for this project is this: Looking into the future, are there portfolios of evidence-based resources that can help the state keep crime rates down, but do so at a reduced cost to taxpayers? That is, what policy choices are available to affect the path of the two trends shown in Exhibit 3 over the next two decades?

**Exhibit 3**  
**The Change in Washington’s Crime Rate and Taxpayer Costs of the Criminal Justice System: 1980 to 2005**



\* Taxpayer costs include all costs related to the criminal justice system: police, courts, prosecutors, public defenders, and local and state juvenile and adult corrections. Crime rates measure serious felony crimes reported to police.

## Research Questions and Methods for This Study

The research approach we employ for this assignment is designed to answer three distinct and sequential questions. First, we review the empirical evidence to identify whether there are any “evidence-based” public criminal justice and prevention policies and programs that have a proven ability to affect crime rates. Second, we determine whether each option has favorable economics—that is, do long-term benefits outweigh costs for each option. In the third step, we project how statewide implementation of alternative portfolios of evidence-based options would influence the long-run need for prison beds, state and local fiscal costs, and crime rates.

In this section, we describe briefly these three research steps; technical readers can find a detailed description of our methods in the appendices, beginning on page 19.

**Research Question 1: What works to reduce crime?** In recent years, public policy decision-makers throughout the United States have expressed interest in adopting “evidence-based” criminal justice programs. Similar to the pursuit of evidence-based medicine, the goal is to improve the criminal justice system by implementing programs and policies that have been shown to work. Just as important, research findings can be used to eliminate programs that have failed to produce desired outcomes. Whether for medicine, criminal justice, or other areas, the watchwords of the evidence-based approach to public policy include: outcome-based performance, rigorous evaluation, and a positive return on taxpayer investment.

The goal of the first research step is to answer a simple question: What works, if anything, to lower measured crime outcomes? Specifically, does rigorous evaluation evidence indicate that particular adult corrections programs, juvenile corrections programs, or prevention programs lower crime rates? Additionally, in order to estimate benefits and costs, we seek to estimate the magnitude of the crime reduction effect of each possible option.

To answer these fundamental questions, we conducted a comprehensive statistical review of all program evaluations conducted over the last 40 years in the United States and other English-writing countries. As we describe, we located 571 evaluations of individual programs with sufficiently rigorous research to be included in our analysis. These evaluations were of adult corrections programs, juvenile offender programs, and prevention programs.

It is important to note that only a few of these 571 studies were evaluations of policies or programs in Washington State; rather, almost all of the evaluations in our review were of programs conducted in other locations. A primary purpose of our study is to take advantage of all these rigorous evaluations and, thereby, learn whether there are options that can allow policymakers in Washington to improve this state’s criminal justice system.

The research approach we employ in this first step is called a “systematic” review of the evidence. In a systematic review, the results of *all* rigorous evaluation studies are analyzed to determine if, on average, it can be stated scientifically that a program achieves an outcome. A systematic review can be contrasted with a so-called “narrative” review of the literature where a writer selectively cites studies to tell a story about a topic, such as crime prevention. Both types of reviews have their place, but systematic reviews are generally regarded as more rigorous and, because they assess all available studies and employ statistical hypotheses tests, they have less potential for drawing biased or inaccurate conclusions. Systematic reviews are being used with increased frequency in medicine, education, criminal justice, and many other policy areas.<sup>14</sup>

In our review of the evidence, we only include “rigorous” evaluation studies. The key criterion for a study to be included is that the evaluation must have a non-treatment or treatment-as-usual comparison group that is well matched to the program group. The accompanying sidebar “What Does ‘Evidence-Based’ Mean?” briefly describes the factors we consider in determining the applicability of a particular study for our systematic review.

Researchers have developed a set of statistical tools to facilitate systematic reviews of the evidence. The set of procedures is called “meta-analysis,” and we employ that methodology in the first step of this study.<sup>15</sup> In the Technical Appendix to this report (beginning on page 19) we list the specific coding rules and statistical formulas we use to conduct the analysis—technical readers can find a full description of our methods and results.

**Research Question 2: What are the benefits and costs of each option?** While the purpose of Step 1 is to determine if anything works to lower crime outcomes, in Step 2 we ask a follow-up question: per dollar spent on a program, do the benefits of the program’s crime reduction exceed its costs? Since all programs cost money, this additional economic test seeks to determine whether the amount of crime

reduction justifies the program's expenditures. A program may have demonstrated an ability to reduce crime but, if the program costs too much, it may not be a good investment, especially when compared to alternatives.

To estimate the value of avoiding crime to people in Washington, the Institute developed an economic model to predict how much money is spent or saved when crime goes up or down. As described more fully in Appendix B, we estimate how police costs change when arrests go up or down; how court costs change when criminal filings and convictions change; and how jail and prison costs change when sentences to incarceration result from convictions. This model accounts for the probability that a crime will lead to an arrest, that an arrest will lead to a conviction, and that a conviction will lead to a sentence of confinement. In the modeling approach, each of these events is a function of actual historic practice in Washington and, for sentencing outcomes, reflects how offenders are currently sentenced under Washington's presumptive sentencing laws.

In addition to taxpayer costs, we also place a monetary value on the costs that crime victims incur when crime happens and, conversely, the victimization costs that can be avoided if a program reduces crime.<sup>16</sup>

The results of research questions 1 and 2 are combined to produce return-on-investment statistics for a wide array of evidence-based options available to the legislature.

**Research Question 3: How would alternative portfolios of evidence-based and economically sound options affect future prison construction, criminal justice costs, and crime rates?** Using the information from the first two research steps, combined with additional program and demographic information, we then project the total impact on Washington of alternative implementation scenarios. We use official statewide population forecasts, along with information on program eligibility and the percentage of eligible populations already being served by evidence-based programs.

We create three example portfolios. The first is a "current level" option that simply continues current evidence-based programs. We then project the effects of "moderate" and "aggressive" portfolios. For each portfolio, we forecast the annual fiscal costs of implementation as well as the expected effects on future prison construction, criminal justice system costs, and crime rates.

### What Does "Evidence-Based" Mean?

At the direction of the Washington legislature, the Institute has conducted a number of systematic reviews of evaluation research to determine what public policies and programs work, and which ones do not work. These evidence-based reviews include the policy areas of adult and juvenile corrections, child welfare, mental health, substance abuse, prevention, K-12 education, and pre-K education.

The phrase "evidence-based" is sometimes used loosely in policy discussions. When the Institute is asked to conduct an evidence-based review, we follow a number of steps to ensure a rigorous definition. These criteria include:

1. We consider all available studies we can locate on a topic rather than selecting only a few studies; that is, we do not "cherry pick" the studies to include in our reviews. We then use formal statistical hypothesis testing procedures—meta-analysis—to determine whether the weight of the evidence indicates outcomes are, on average, achieved.
2. To be included in our reviews, we require that an evaluation's research design include control or comparison groups. Random assignment studies are preferred, but we allow quasi-experimental studies when the comparison group is well-matched to the treatment group. We then discount the findings of less-than-randomized comparison-group trials by a uniform percentage. We also require that the groups be "intent-to-treat" groups to help guard against selection bias.
3. We prefer evaluation studies that use "real world" samples from actual programs in the field. Evaluations of so-called "model" or "efficacy" programs are included in our reviews, but we discount the effects from these types of studies by a fixed percentage.
4. If the researcher of an evaluation is also the developer of the program, we discount the results from the study to account for potential conflict of interests, or the inability to replicate the efforts of exceptionally motivated program originators in real world field implementation.

Our additional criteria are listed in Appendix A.

## Findings

The findings from this study center on three questions: what works to reduce crime; what are the economics of each option; and how would alternative portfolios of these options affect Washington's prison construction needs, state and local criminal justice costs, and crime rates?

### What Works to Reduce Crime?

Exhibit 4 summarizes the findings from our current systematic review of the evaluation research literature. We update these findings as new information becomes available. Technical readers can find greater detail in Appendix A.

Overall, we reviewed and meta-analyzed the findings of 571 comparison-group evaluations of adult corrections, juvenile corrections, and prevention programs. Each of these evaluations included at least one relevant crime outcome that we were able to analyze. It is important to note that evaluations of prevention programs typically measure several other outcomes in addition to crime. For example, outcomes of prevention programs often include measures of education, substance abuse, and child abuse outcomes. In Exhibit 4, however, we only show the results of crime effects for studies that measured crime outcomes. In an earlier Institute report, we analyzed the degree to which a wide array of evidence-based prevention programs affects non-crime outcomes.<sup>17</sup>

To make this information useful for policy making in Washington, we categorized each of these 571 evaluations into relevant subject areas.<sup>18</sup> For example, we found 57 evaluations of adult drug courts, and we analyzed these studies as a group for that type of program.

This categorization process illustrates a key characteristic of our study. For each category of programs we analyze, our results reflect the evidence-based effect we expect for the "average" program. For example, our results indicate that the average adult drug court reduces the recidivism rate of participants by 8.0 percent. Some drug courts, of course, achieve better results than this, some worse. On average, however, we find that the typical drug court can be expected to achieve this result.

At the bottom of Exhibit 4, we also list a number of programs for which the research evidence, in our judgment, is inconclusive at this time. Some of these programs have only one or two rigorous (often small sample) evaluations that do not allow us to draw general conclusions. Other programs have more

evaluations but the program category is too diverse or too general to allow meaningful conclusions to be made at this time. Subsequent research on these types of programs is warranted.

In column (1) of Exhibit 4, we show the expected percentage change in crime outcomes for the program categories we review. This figure indicates the average amount of change in crime outcomes—compared to no treatment or treatment as usual—that can be achieved by a typical program in each category of programs. A negative value indicates the magnitude of a statistically significant reduction in crime. A zero percent change means that, based on our review of the evidence, a typical program does not achieve a statistically significant change in crime outcomes. A few well-researched programs even have a positive sign indicating that crime is increased with the program, not decreased. In addition to reporting the effect of the programs on crime outcomes, column (1) also reports the number of studies on which the estimate is based.

As Exhibit 4 reveals, we find a number of programs demonstrate statistically significant reductions in crime outcomes. We also find other approaches do not achieve a statistically significant reduction in recidivism. Thus, the first lesson from our evidence-based review is that some programs work and some do not. A direct implication from these mixed findings is that public policies that reduce crime will be ones that focus resources on effective evidence-based programming while avoiding ineffective approaches.

As an example of the information provided in Exhibit 4, we analyzed the findings from 25 well-researched studies of cognitive-behavioral programs for adult offenders in prison and community settings. We find that, on average, these programs can be expected to reduce recidivism rates by 6.3 percent. To put this in perspective, our analysis indicates that, without a cognitive-behavioral program, about 63 percent of offenders will recidivate with a new felony or misdemeanor conviction after a 13-year follow-up. If these same offenders had participated in the evidence-based cognitive-behavioral treatment program, then we expect their recidivism probability would drop four points to 59 percent—a 6.3 percent reduction in recidivism rates.

As noted, most of the categories we report in Exhibit 4 are for general types of programming, such as drug treatment in prison or adult basic education in prison. We also categorize and report, however, the results of several very specific programs, such as a program for juvenile offenders named "Functional Family Therapy."

Exhibit 4

Reducing Crime With Evidence-Based Options: What Works, and Benefits & Costs

Washington State Institute for Public Policy Estimates as of October, 2006	Effect on Crime Outcomes		Benefits and Costs		
	Percent change in crime outcomes & the number of evidence-based studies on which the estimate is based (in parentheses)		(Per Participant, Net Present Value, 2006 Dollars)		
			Benefits to Crime Victims (of the reduction in crime)	Benefits to Taxpayers (of the reduction in crime)	Costs (marginal program cost, compared to the cost of alternative)
Notes: "n/e" means not estimated at this time Prevention program costs are partial program costs, pro-rated to match crime outcomes.	(1)	(2)	(3)	(4)	(5)
<b>Programs for People in the Adult Offender System</b>					
Vocational education in prison	-9.0% (4)	\$8,114	\$6,806	\$1,182	\$13,738
Intensive supervision: treatment-oriented programs	-16.7% (11)	\$9,318	\$9,369	\$7,124	\$11,563
General education in prison (basic education or post-secondary)	-7.0% (17)	\$6,325	\$5,306	\$962	\$10,669
Cognitive-behavioral therapy in prison or community	-6.3% (25)	\$5,658	\$4,746	\$105	\$10,299
Drug treatment in community	-9.3% (6)	\$5,133	\$5,495	\$574	\$10,054
Correctional industries in prison	-5.9% (4)	\$5,360	\$4,496	\$417	\$9,439
Drug treatment in prison (therapeutic communities or outpatient)	-5.7% (20)	\$5,133	\$4,306	\$1,604	\$7,835
Adult drug courts	-8.0% (57)	\$4,395	\$4,705	\$4,333	\$4,767
Employment and job training in the community	-4.3% (16)	\$2,373	\$2,386	\$400	\$4,359
Electronic monitoring to offset jail time	0% (9)	\$0	\$0	-\$870	\$870
Sex offender treatment in prison with aftercare	-7.0% (6)	\$6,442	\$2,885	\$12,585	-\$3,258
Intensive supervision: surveillance-oriented programs	0% (23)	\$0	\$0	\$3,747	-\$3,747
Washington's Dangerously Mentally Ill Offender program	-20.0% (1)	\$18,020	\$15,116	n/e	n/e
Drug treatment in jail	-4.5% (9)	\$2,481	\$2,656	n/e	n/e
Adult boot camps	0% (22)	\$0	\$0	n/e	n/e
Domestic violence education/cognitive-behavioral treatment	0% (9)	\$0	\$0	n/e	n/e
Jail diversion for mentally ill offenders	0% (11)	\$0	\$0	n/e	n/e
Life Skills education programs for adults	0% (4)	\$0	\$0	n/e	n/e
<b>Programs for Youth in the Juvenile Offender System</b>					
Multidimensional Treatment Foster Care (v. regular group care)	-22.0% (3)	\$51,828	\$32,915	\$6,945	\$77,798
Adolescent Diversion Project (for lower risk offenders)	-19.9% (6)	\$24,328	\$18,208	\$1,913	\$40,623
Family Integrated Transitions	-13.0% (1)	\$30,708	\$19,502	\$9,665	\$40,545
Functional Family Therapy on probation	-15.9% (7)	\$19,529	\$14,617	\$2,325	\$31,821
Multisystemic Therapy	-10.5% (10)	\$12,855	\$9,622	\$4,264	\$18,213
Aggression Replacement Training	-7.3% (4)	\$8,897	\$6,659	\$897	\$14,660
Teen courts	-11.1% (5)	\$5,907	\$4,238	\$936	\$9,208
Juvenile boot camp to offset institution time	0% (14)	\$0	\$0	-\$8,077	\$8,077
Juvenile sex offender treatment	-10.2% (5)	\$32,515	\$8,377	\$33,064	\$7,829
Restorative justice for low-risk offenders	-8.7% (21)	\$4,628	\$3,320	\$880	\$7,067
Interagency coordination programs	-2.5% (15)	\$3,084	\$2,308	\$205	\$5,186
Juvenile drug courts	-3.5% (15)	\$4,232	\$3,167	\$2,777	\$4,622
Regular surveillance-oriented parole (v. no parole supervision)	0% (2)	\$0	\$0	\$1,201	-\$1,201
Juvenile intensive probation supervision programs	0% (3)	\$0	\$0	\$1,598	-\$1,598
Juvenile wilderness challenge	0% (9)	\$0	\$0	\$3,085	-\$3,085
Juvenile intensive parole supervision	0% (10)	\$0	\$0	\$6,460	-\$6,460
Scared Straight	+6.8% (10)	-\$8,355	-\$6,253	\$58	-\$14,667
Counseling/psychotherapy for juvenile offenders	-18.9% (6)	\$23,126	\$17,309	n/e	n/e
Juvenile education programs	-17.5% (3)	\$41,181	\$26,153	n/e	n/e
Other family-based therapy programs	-12.2% (12)	\$15,006	\$11,231	n/e	n/e
Team Child	-10.9% (2)	\$5,759	\$4,131	n/e	n/e
Juvenile behavior modification	-8.2% (4)	\$19,271	\$12,238	n/e	n/e
Life skills education programs for juvenile offenders	-2.7% (3)	\$6,441	\$4,091	n/e	n/e
Diversion progs. with services (v. regular juvenile court)	-2.7% (20)	\$1,441	\$1,034	n/e	n/e
Juvenile cognitive-behavioral treatment	-2.5% (8)	\$3,123	\$2,337	n/e	n/e
Court supervision vs. simple release without services	0% (8)	\$0	\$0	n/e	n/e
Diversion programs with services (v. simple release)	0% (7)	\$0	\$0	n/e	n/e
Juvenile intensive probation (as alternative to incarceration)	0% (5)	\$0	\$0	n/e	n/e
Guided Group Interaction	0% (4)	\$0	\$0	n/e	n/e
<b>Prevention Programs (crime reduction effects only)</b>					
Nurse Family Partnership-Mothers	-56.2% (1)	\$11,531	\$8,161	\$5,409	\$14,283
Nurse Family Partnership-Children	-16.4% (1)	\$8,632	\$4,922	\$733	\$12,822
Pre-K education for low income 3 & 4 year olds	-14.2% (8)	\$8,145	\$4,644	\$593	\$12,196
Seattle Social Development Project	-18.6% (1)	\$1,605	\$4,341	n/e	n/e
High school graduation	-10.4% (1)	\$1,738	\$2,851	n/e	n/e
Guiding Good Choices	-9.1% (1)	\$570	\$2,092	n/e	n/e
Parent-Child Interaction Therapy	-3.7% (1)	\$268	\$784	n/e	n/e
<b>Program types in need of additional research &amp; development before we can conclude they do or do not reduce crime outcomes:</b>					
<b>Programs needing more research for people in the adult offender system</b>					
Case management in the community for drug offenders	0% (13)			Findings are mixed for this broad grouping of programs.	
COSA (Faith-based supervision of sex offenders)	-22.3% (1)			Too few evaluations to date.	
Day fines (compared to standard probation)	0% (1)			Too few evaluations to date.	
Domestic violence courts	0% (2)			Too few evaluations to date.	
Faith-based programs	0% (5)			Too few evaluations to date.	
Intensive supervision of sex offenders in the community	0% (4)			Findings are mixed for this broad grouping of programs.	
Medical treatment of sex offenders	-21.4% (1)			Too few evaluations to date.	
Mixed treatment of sex offenders in the community	0% (2)			Too few evaluations to date.	
Regular parole supervision vs. no parole supervision	0% (1)			Too few evaluations to date.	
Restorative justice programs for lower risk adult offenders	0% (6)			Findings are mixed for this broad grouping of programs.	
Therapeutic community programs for mentally ill offenders	-20.8% (2)			Too few evaluations to date.	
Work release programs (from prison)	-4.3% (4)			Too few recent evaluations.	
<b>Programs needing more research for youth in the juvenile offender system</b>					
Dialectical Behavior Therapy	0% (1)			Too few evaluations to date.	
Increased drug testing (on parole) vs. minimal drug testing	0% (1)			Too few evaluations to date.	
Juvenile curfews	0% (1)			Too few evaluations to date.	
Juvenile day reporting	0% (2)			Too few evaluations to date.	
Juvenile jobs programs	0% (3)			Too few recent evaluations.	
Juvenile therapeutic communities	0% (1)			Too few evaluations to date.	
Mentoring in juvenile justice	0% (1)			Too few evaluations to date.	

The Functional Family Therapy (FFT) program follows a specific training manual and approach. These types of programs are more capable of being reproduced in the field when appropriate quality control is assured. Several of these programs have been listed as “Blueprint” programs by the Center for the Study and Prevention of Violence at the University of Colorado.<sup>19</sup>

The FFT program, which has been implemented in Washington, involves an FFT-trained therapist working for about three months with a youth in the juvenile justice system and his or her family. The goal is to increase the likelihood that the youth will stay out of future trouble. We located and meta-analyzed seven rigorous evaluations of this program—one conducted in Washington—and find that the average FFT program with quality control can be expected to reduce a juvenile’s recidivism rates by 15.9 percent. Our analysis indicates that, without the program, a youth has a 70 percent chance of recidivating for another felony or misdemeanor conviction after a 13-year follow-up. If the youth participates in FFT, then we would expect the recidivism rate to drop to 59 percent—a 15.9 percent reduction.

A third example is a prevention program called Nurse Family Partnership (NFP), a program that has also been implemented in Washington. This program provides intensive visitation by nurses to low-income, at-risk women bearing their first child; the nurses continue to visit the home for two years after birth. Thus far, there is evidence that NFP reduces the crime outcomes of the mothers and, many years later, the children born to the mothers. Both of these effects are included in our analysis of the program. Our analysis of the NFP studies indicates that the program has a large effect on the future criminality of the mothers who participate in the program, reducing crime outcomes by 56 percent. NFP also reduces the future crime levels of the youth by 16 percent compared to similar youth who did not participate in the NFP program.

### What Are the Benefits and Costs of Each Option?

While our first research question deals with what works, our second question concerns economics. Exhibit 4 also contains our estimates of the benefits and costs of many of the program categories we analyze. Within three broad groupings—programs for adult offenders, programs for juvenile offenders, and prevention programs—we rank many of the options by our assessment of each program’s “bottom line” economics for reducing crime.

### Prisons, Police, and Programs

Broadly speaking, there are three types of public policies that focus directly on reducing crime: the level of imprisonment of different types of offenders, the level and type of policing, and a wide array of rehabilitative and preventive programs. There are, of course, many private factors that influence crime rates, but most well-researched public policies can be grouped into one of these three categories.

For this study of “what works” to reduce crime, we analyze two of these three types of public policies: prison and programs. We do not include research on evidence-based policing strategies, since it is beyond the scope of the project directed by the 2005 Washington Legislature. We do recommend that evidence-based policing strategies be included in a subsequent version of this study.

Exhibit 4 in this document lists our findings to date for evidence-based rehabilitative and prevention programs. In this study, we also estimate the effect that prison incarceration rates have on crime rates and criminal justice system costs. These estimates are needed to forecast the long-run effect that different combinations of incarceration rates and effective programs can have on the future need for prison construction, criminal justice system costs, and crime rates.

To gauge the effect prison has on crime rates, we updated our econometric study on how state incarceration rates affect county crime rates in Washington.<sup>(a)</sup> We estimated a fixed-effects model with county-level panel data from 1982 to 2004 (N=897, 39 counties for 23 years), controlling for changes in police levels, local jail rates, the economy, age and ethnic demographics, population density, crime reporting rates, and county fixed effects. We found that a 10 percent increase (or decrease) in the incarceration rate leads to a statistically significant 3.3 percent decrease (or increase) in crime rates. The crime-prison relationship is best estimated with a log-log functional form implying diminishing returns as the incarceration rate is increased. Our estimated elasticity is consistent with other well-researched studies.<sup>(b)</sup>

<sup>(a)</sup> Steve Aos. (2003). *The Criminal Justice System in Washington State: Incarceration Rates, Taxpayer Costs, Crime Rates, and Prison Economics*. Olympia: Washington State Institute for Public Policy. Our estimate includes an approximate adjustment to correct for the simultaneity bias encountered in estimates of the effect of incarceration on crime.

<sup>(b)</sup> William Spelman, (2002). What Recent Studies Do (and Don’t) Tell Us about Imprisonment and Crime, in *Crime and Justice: A Review of Research*, Volume 27, ed. Michael Tonry, Chicago: University of Chicago Press, p. 422.

For programs that have an evidence-based ability to affect crime, we estimate benefits from two perspectives: taxpayers' and crime victims'. For example, if a program is able to achieve statistically significant reductions in recidivism rates, then taxpayers will spend less money on the criminal justice system. Similarly, if a program produces less crime, then there will be fewer crime victims. The estimates shown in columns (2) and (3) of Exhibit 4 display our estimates of victim and taxpayer benefits, respectively. Of course, a program category that does not achieve a statistically significant reduction in crime outcomes will not produce any benefits associated with reduced crime. In Appendix B, we provide technical detail on how we calculate the value of avoided crime to taxpayers and crime victims.

In column (4) we show our cost estimates of many programs. At this time, we have not estimated the costs for every program category listed on Exhibit 4; thus we do not produce full cost-benefit results for all programs in the Exhibit.

Finally, in column (5) of Exhibit 4, we show our "bottom line" estimate of the net gain (or loss). These figures are the net present values of the long-run benefits of crime reduction minus the net up-front costs of the program. This provides our best overall measure each type of program can be expected to achieve per program participant.

An examination of column (5) provides an important finding from our analysis. While there are many adult corrections programs that provide a favorable return to taxpayers, there are some programs for juvenile offenders that produce especially attractive long-run economic returns. This finding, coupled with the fact that 73 percent of adult offenders in prison in Washington have previously been in Washington's juvenile justice system,<sup>20</sup> demonstrates the attractiveness of juvenile justice options as a means to affect the long-run need for prison construction in Washington.

To continue the three examples already discussed, we find that the average cognitive-behavioral program costs about \$105 per offender to administer. These programs are typically run in groups of 10 to 15 offenders and involve 40 to 60 hours of therapeutic time. We estimate that the 6.3 percent reduction in recidivism rates generates about \$10,404 in life-cycle benefits (a present-valued sum) associated with the crime reduction. Thus, the net value of the average evidence-based cognitive-behavioral program for adult offenders is \$10,299 per offender.

For the Functional Family Therapy example, we find that the program costs, on average, \$2,325 per

juvenile participant. The costs are higher because it is a one-on-one program between a FFT therapist and the youth and his or her family. The 15.9 percent reduction in recidivism rates that we expect FFT to achieve generates about \$34,146 in life-cycle benefits, measured in terms of the taxpayer and crime victim costs that are avoided because of the reduced long-run level of criminal activity of the youth. Thus, the net present value of this juvenile justice program is expected to be \$31,821 per youth.

For the Nurse Family Partnership program, we find that the crime reduction associated with the mothers produces \$19,692 in benefits while the crime reduction linked to the children produces \$13,554 in benefits. Together, the benefits total \$33,247 per participant in NFP. We estimate the total cost of the NFP program to be \$6,142 per family (2006 dollars) for crime related outcomes. For our current study of crime outcomes, we pro-rated the NFP total program cost per participant (\$9,827) by the ratio of crime benefits to total benefits estimated from our earlier study of prevention programs (in addition to crime outcomes, the NFP program has been shown to reduce child abuse and neglect and increase educational test scores).<sup>21</sup>

As mentioned, we find that some programs show no evidence that they reduce crime outcomes. This does not mean, however, that these programs are not economically viable options.

An example of this type of program is electronic monitoring for adult offenders. As indicated in Exhibit 4, we located nine studies of electronic monitoring and find that the average electronic monitoring program does not have a statistically significant effect on recidivism rates. As future evaluations are completed, this result may change; but, currently, we report no crime reduction benefits in columns (2) and (3). We do expect, however, that the average electronic monitoring program is typically used to offset the costs of more expensive resources to process the sanctions of the current offense. That is, we find that an average electronic monitoring program costs about \$1,236 per offender. The alternative to electronic monitoring, however, is most often increased use of jail time, and we estimate this to cost \$2,107 per offender. The cost shown on column (4) is our estimate of the difference in these up-front costs. The bottom line is reported in column (5) and provides evidence that electronic monitoring can be a cost-beneficial resource. Thus, although there is no current evidence that electronic monitoring reduces recidivism rates, it can be a cost-effective resource when it is used to offset the costs of a more expensive criminal justice system resource such as jail time.

## Projections: The Effects of Alternative Evidence-Based Implementation Portfolios

The primary purpose of this study is to estimate whether alternative portfolios of “evidence-based” options can: (a) reduce the future need for prison beds, (b) save money for state and local taxpayers, and (c) contribute to lower crime rates.

To do this, we combine the findings shown in Exhibit 4 with information on the number of people in Washington who could realistically benefit from the programs. We then forecast the effect alternative combinations of these evidence-based options could have on the outcomes of interest. We built a forecasting model for this study to make the projections.<sup>22</sup> For this report, we estimate the benefits and costs of three example implementation scenarios:

- ✓ **A Current Level Portfolio**, where we assume that existing evidence-based programs in Washington continue to be funded at current levels in the years ahead. Under this scenario, we assume that current evidence-based programs are not expanded to increase market penetration rates, nor do we assume that any new evidence-based programs are put in place. We estimate that the first year cost of this package of current programs amounts to about \$41 million, or \$83 million for a biennial budget.
- ✓ **A Moderate Implementation Portfolio**, where we assume that existing evidence-based programs are expanded to reach more people than are currently being served. Under this scenario, we assume that each current evidence-based program is expanded to serve 20 percent of the remaining eligible population. We estimate that the first year cost of this package of current programs and their moderate expansion would be about \$63 million, or \$127 million for a biennial budget.

For example, Washington currently funds about 659 juvenile offenders per year to participate in Functional Family Therapy in the state’s juvenile courts. We estimate, however, that 5,358 youths per year in juvenile courts could benefit from FFT. In the moderate portfolio, we assume that funding for FFT would be expanded to include 20 percent of those eligible youth not currently in the program (5,358 - 659 times 20 percent = 940 additional youths per year). This expansion of FFT would cost about \$2.2 million per year. We do similar calculations for each evidence-based option we analyze in the portfolio.

- ✓ **An Aggressive Implementation Portfolio**, where we assume that the current levels of existing programs are significantly expanded to serve a substantially larger number of people who could benefit from the programs. Under this scenario, we assume that current evidence-based programs are expanded to serve 40 percent of the remaining eligible populations. We estimate that the first year cost of this aggressive package of current and expanded programs would be about \$85 million, or \$171 million for a biennial budget.

These three portfolios are intended to be representative of the types of evidence-based investment opportunities available to Washington policymakers in this area. The forecasting tool we built for this project can be used to examine quickly other combinations of evidence-based programs. The menu of available options for these three example portfolios includes the following evidence-based programs.

### Programs for Adult Offenders

- Drug treatment in prison and community corrections
- Cognitive-behavioral treatment in prison and community corrections
- Education in prison (basic education or post-secondary)
- Vocational education in prison
- Correctional industries programs in prison
- Sex offender cognitive-behavioral treatment in prison and community corrections
- Employment and job training programs in community corrections
- Adult drug courts
- Electronic monitoring in lieu of jail time

### Programs for Juvenile Offenders

- Functional Family Therapy® in juvenile courts and in the state Juvenile Rehabilitation Administration (JRA)
- Aggression Replacement Training® in juvenile courts and in the state JRA
- Multi-systemic Therapy® in juvenile courts
- Multidimensional Treatment Foster Care® in the state JRA
- Interagency coordination programs in juvenile courts
- Family Integrated Transitions® in the state JRA
- Juvenile drug courts
- Restorative justice programs in juvenile courts

### Representative Prevention Programs

- Nurse Family Partnership® in community settings
- Pre-K education for low income 3- and 4-year-olds

**Estimated Effect of the Alternative Portfolios on the Need for Future Prison Construction.** One of the main outcomes of legislative interest for this study concerns the effects that evidence-based programs could have on the future need for prison construction in Washington.

Exhibit 5 shows the current level of prison resources in Washington along with the latest official state forecast of prison beds; this is the same information presented earlier in Exhibit 2. Exhibit 5 also shows the expected effect on the demand for prison beds under the three example portfolios of evidence-based options. The Exhibit provides a visual indication that, if successfully implemented, the moderate-to-aggressive portfolios are capable of avoiding a substantial level of new prison construction.

In Exhibit 6, we present these results in a table highlighting two years in the future: 2020 and 2030. After subtracting the existing supply of prison beds, Washington's current forecast of prison demand from the Caseload Forecast Council implies the need for 4,543 new beds by 2020 and 7,024 new beds by 2030. Since the typical new prison in Washington houses about 2,000 offenders, this means that current forecasts anticipate the need for slightly more than two new prisons by 2020 and a third prison by 2030.

- ✓ With the Current Level Portfolio, we estimate the need for prisons will drop to 3,821 beds and 5,955 beds in the 2020 and 2030, respectively. Note that this current level portfolio is slightly less than the current Caseload Council Forecast

because we estimate that the full impact of some recent correctional programs has not yet been incorporated in the Council's forecast.

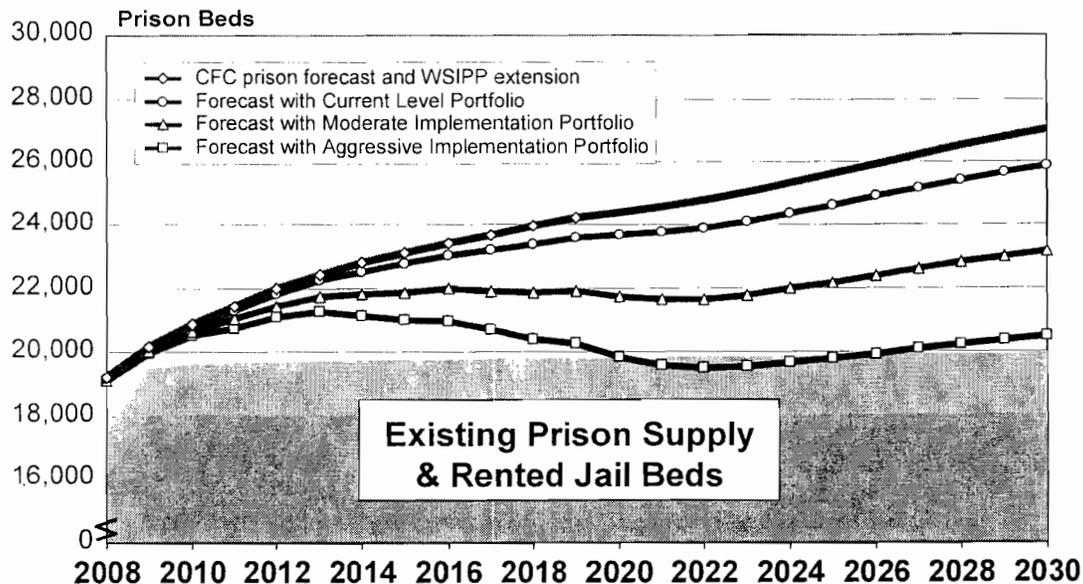
- ✓ With the Moderate Implementation Portfolio, we estimate the need for new prison beds will drop further to 1,988 in 2020 and 3,331 in 2030.
- ✓ With the Aggressive Implementation Portfolio, we estimate the need for new prison beds drops to 208 in 2020 and 806 in 2030.

Thus, by successfully implementing a moderate-to-aggressive portfolio, Washington could exert a considerable cumulative impact on the future need for prison construction in Washington.

**Estimated Effect of the Alternative Portfolios on Incarceration Rates.** Another way to express the results of the alternative scenarios is in terms of incarceration rates rather than prison beds. As noted earlier, incarceration rates are simply the number of people in prison divided by a relevant statewide population. In 1980, the prison incarceration rate in Washington was 2.3 prisoners per 1,000 people in the state between the ages of 18 and 49. By 2006, the rate was 6.1 per thousand, a 165 percent increase. The current Caseload Council Forecast sees the incarceration rate increasing to about 7.5 per thousand by 2020.

Exhibit 6 shows the long-run effect of the three portfolios on the prison incarceration rate in Washington. By 2020, the Aggressive

**Exhibit 5**  
**Adult Prison Supply and Demand in Washington: 2008 to 2030,**  
**Current Forecast and the Effect of Alternative Evidence-Based Portfolios**



**Exhibit 6**  
**Estimated Effects of Three Portfolios of Evidence-Based Options**  
**On Prison Construction, State and Local Criminal Justice Costs, and Crime Rates**

All Estimates by the Washington State Institute for Public Policy October, 2006	Current Forecast (see Exhibit 2)	Three Example Implementation Scenarios		
		Current Level Portfolio	Moderate Implementation Portfolio	Aggressive Implementation Portfolio
	(1)	(2)	(3)	(4)
<b>Effects on the Prison Supply-Demand Gap (forecasted shortfall in the number of beds)</b>				
Forecasted bed shortfall in 2020	4,543	3,821	1,988	208
Forecasted bed shortfall in 2030	7,024	5,955	3,331	806
<b>Effects on Prison Incarceration Rate (prisoners per 1,000 18- to 49-year-olds)</b>				
Historic rate: 1980	2.3	2.3	2.3	2.3
Historic rate: 1990	3.1	3.1	3.1	3.1
Historic rate: 2000	5.2	5.2	5.2	5.2
Historic rate: 2006	<u>6.1</u>	<u>6.1</u>	<u>6.1</u>	<u>6.1</u>
Forecasted rate: 2020	7.5	7.3	6.7	6.1
Forecasted rate: 2030	7.7	7.3	6.6	5.8
<b>Key Financial Outcomes for the Three Portfolios</b>				
Benefits Minus Costs to Taxpayers (millions)		\$1,096	\$1,741	\$2,367
Return on Investment to Taxpayers		24%	27%	28%
Benefit-to-Cost Ratio to Taxpayers		\$2.45	\$2.55	\$2.60
First year cost of portfolio (millions)		\$41	\$63	\$85
First biennial budget cost of portfolio (millions)		\$83	\$127	\$171
<b>Effect on Crime Rates in Washington (felony crimes per 1,000 Washington population)</b>				
Historic Crime Rate: 1980		71	71	71
Historic Crime Rate: 1990		62	62	62
Historic Crime Rate: 2000		51	51	51
Historic Crime Rate: 2005		<u>52</u>	<u>52</u>	<u>52</u>
Forecasted Crime Rate: 2020		48	48	49
Forecasted Crime Rate: 2030		46	47	48

Implementation portfolio would leave Washington with an incarceration rate roughly equal to today's level. None of the cases considered drops the incarceration rate below current levels by 2020. Rather, they work to lower the rates of increases in incarceration rates anticipated in the current Caseload Forecast Council projections.

**Estimated Effect of the Alternative Portfolios on State and Local Fiscal Costs.** Another outcome of legislative interest for this study concerns state and local government expenditures. That is, the legislature wanted to know if evidence-based options could lower taxpayer costs of the criminal justice system in Washington.

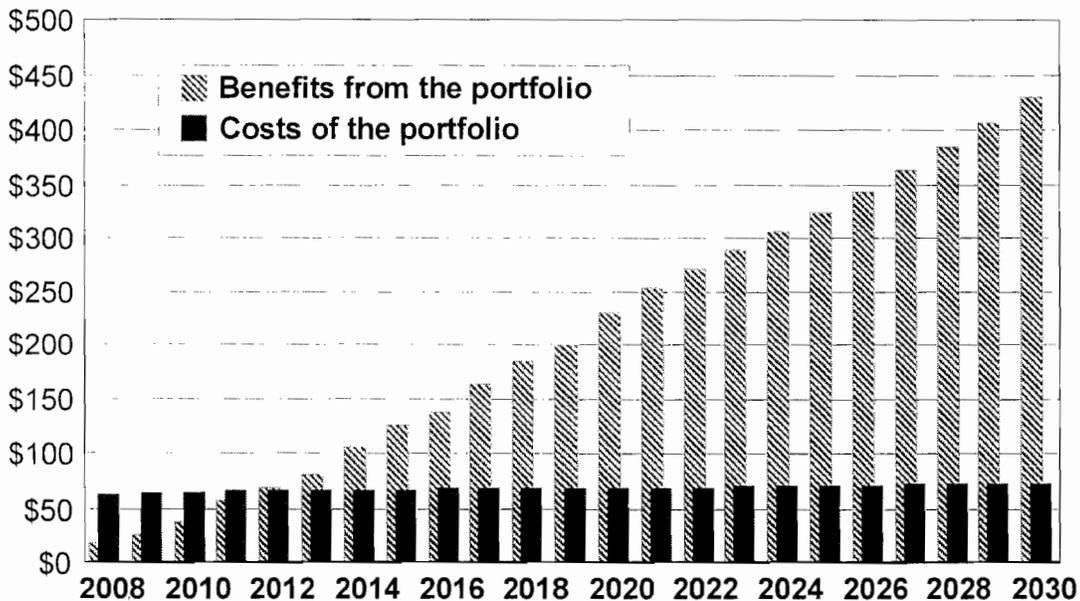
Exhibit 6 displays these results. From the perspective of state and local taxpayers we find that, between 2008 and 2030, taxpayers could save from \$1.9 to \$2.6 billion with the moderate to aggressive portfolios, respectively. These estimates mean that,

after paying the annual costs of the evidence-based options, taxpayers could save over a billion dollars through avoided prison costs and other state and local criminal justice system costs.

Technically, these sums are "net present values" computed by estimating the annual cash flows associated with the increases in spending for the programs and the annual savings from the reduced crime—all discounted back to present value. Exhibit 7 displays the annual cash flows for the moderate implementation portfolio. The annual inflation-adjusted costs of the evidence-based options are shown (about \$63 million in the first year) along with the annual benefits linked to crime reduction. The net present value of these cash flows, discounted at 3 percent per year, is \$1,903 million.

Two other popular ways to express these financial taxpayer sums are as returns on investment and benefit-to-cost ratios. Exhibit 6 shows that the internal rate of return on investment for these

**Exhibit 7**  
**Annual Taxpayer Costs & Benefits: Forecasted Cash Flows,**  
**Moderate Portfolio (Millions of 2006 Dollars)**



portfolios of evidence-based options ranges from 27 to 31 percent. Expressed as a ratio, the portfolios generate from \$2.59 to \$2.75 of taxpayer benefits per dollar of cost.

**Estimated Effect of the Alternative Portfolios on Crime Rates in Washington.** The final outcome shown in Exhibit 6 is the level of crime that can be expected in Washington under the three portfolios. Holding other factors constant, we forecast the net effect that the three portfolios of evidence-based resources can be expected to have on future crime rates in Washington.

It is important to note that prison is included as one of these evidence-based resources (see sidebar on page 10). As noted, under the current forecast from the Caseload Forecast Council, the rate of incarceration is expected to increase in the years ahead as the effect of Washington's existing sentencing laws adds to the number of people in prison at a rate faster than the growth of the general adult population. Other things being equal, this anticipated increase in the incarceration rate can be expected to reduce further Washington's crime rate.

The three alternative evidence-based portfolios, on the other hand, reduce these future incarceration rates (as indicated in Exhibit 5). Our estimates of the effects of the portfolios on crime rates take both of these factors into account. That is, as the

portfolios reduce the need for incarceration, the crime rate can be expected to increase. The effect of the evidence-based resources, however, counters this with reductions in future crime that the resources can be expected to produce. Our forecast of crime rates includes both of these countervailing factors.

The net result is indicated in Exhibit 6. The reported crime rate in Washington in 1980 was 71 serious crimes per 1,000 people in the state. By 2005, the latest year available, the reported crime rate was 52 crimes per 1,000—a 26 percent reduction.

The net effect of each of the three portfolios is to lower the crime rate further. By 2020, the net effects of the current level, moderate, and aggressive portfolios all lower the expected crime rates to about 48 crimes per 1,000 people.

## Discussion of Findings and Next Steps

**Main Finding.** The purpose of this legislatively directed study is to test whether evidence-based public policy options could: (a) lower the anticipated need to build new prisons, (b) reduce state and local fiscal costs of the criminal justice system, and (c) contribute to reduced crime rates.

We find that there are economically attractive evidence-based options in three areas: adult corrections programs, juvenile corrections programs, and prevention. Per dollar of spending, several of the successful programs produce favorable returns on investment. Public policies incorporating these options can yield positive outcomes for Washington.

We find that if Washington can successfully implement a moderate-to-aggressive portfolio of evidence-based options, then a significant level of future prison construction can be avoided, state and local taxpayers can save about two billion dollars, and net crime rates can be lowered slightly.

**Cautions and Limitations.** These positive findings need to be tempered. Our analysis is based on an extensive and comprehensive review of what works to reduce crime, as well as an economic analysis of the benefits and costs of alternative implementation scenarios. The results indicate that Washington can obtain favorable outcomes if it can substantially and successfully increase its use of evidence-based options.

It is one thing to model these results carefully on a computer, it is quite another to find a way to make them actually happen in the real world. We constructed our estimates cautiously to reflect the difficulty that is often encountered when taking programs to a larger scale. Nonetheless, the moderate-to-aggressive portfolios described here would require Washington's state and local governments to expand significantly current evidence-based programs. Incumbent to such an effort would be the policy review and management supervision necessary to hold the evidence-based programs accountable for the anticipated savings in crime rates and costs.

In particular, to help assure the "quality control" necessary to achieve these savings, the legislature may want to establish an on-going oversight process if it decides to pursue a significant expansion of these evidence-based options. Ensuring competent delivery of programs while maintaining fidelity to the program model appears to be essential. For example, some of the interventions in our portfolio

are standardized treatment protocols that have been shown to reduce crime. We learned from Washington's experience with one of these programs, the Functional Family Therapy juvenile justice program (see sidebar on this page), that when the program was not implemented competently, then it did not reduce crime at all. On the other hand, when it was delivered as designed, the program produced outstanding returns on investment. Thus, safeguarding the state's investment in evidence-based programs requires ongoing efforts to assess program delivery and, when necessary, taking the required steps to make corrective changes.

### Maintaining Program Fidelity: Washington's Experience With Functional Family Therapy

In the late 1990s, Functional Family Therapy (FFT) was implemented in the juvenile courts across Washington. In an evaluation five years later, the Institute found that when FFT was delivered by competent therapists, the program reduced recidivism by as much as 30 percent. However, 47 percent of therapists were rated less than competent, and these therapists had no effect on the recidivism rates of their clients. The state has since implemented a quality assurance process to ensure that FFT is delivered only by competent FFT therapists. The lesson is clear: as in every successful enterprise, quality control matters. For more information, see: R. Barnoski. (2002). *Washington State's Implementation of Functional Family Therapy for Juvenile Offenders: Preliminary Findings*, Olympia: Washington State Institute for Public Policy.

**Next Research Steps.** In completing this report, we were able to make substantial analytical progress in providing Washington with a tool to forecast the long-run impacts of evidence-based resources that reduce crime. There are, however, a number of additional steps that could be taken to enhance these efforts.

1. **Sentencing Alternatives.** The legislation directing this study required the Institute to analyze "sentencing options that will be developed by Sentencing Guidelines Commission." The Sentencing Guidelines Commission (SGC) has not completed its work on this topic and, when it does, we will incorporate the Commission's work into the analytical framework presented here. We did not include in our analysis any existing sentencing alternatives (for example, expansion of the existing

juvenile and adult sex offender sentencing alternatives) pending completion of the SGC's recommendations.

**2. Prevention Programs.** Due to time constraints for this project, we were not able to update our previously published work on evidence-based prevention programs.<sup>23</sup> We include a few important and representative prevention programs in this study, but a fuller research investigation would likely yield additional investments in early childhood programs that could produce cost-beneficial outcomes for Washington taxpayers.

In particular, since we have previously found that child abuse can have long-term adverse consequences for criminality, then prevention and intervention programs that limit child abuse have the potential to make long-term contributions to reductions in crime, prison construction, and criminal justice costs.<sup>24</sup> Additionally, we have found that long-term crime rates can be lowered by successful evidence-based early childhood and K-12 educational programs that foster academic achievement and increased high school graduation rates.<sup>25</sup> We also did not include some Washington prevention programs such as the Becca truancy laws, since we did not have time to conduct a full cost analysis of this effective statute.<sup>26</sup> For this report, we did include two representative evidence-based prevention options that achieve these outcomes: the Nurse Family Partnership program and pre-K education for low income 3- and 4-year-olds. A more comprehensive inquiry, however, into all prevention programs is an important next analytical step.

**3. Evaluations of Washington's Programs.** In this study, we relied on the outcomes of 571 rigorous evaluations of adult and juvenile corrections programs and prevention programs. Unfortunately, only a few of these evaluations were of programs in Washington State. We recommend that the legislature initiate an effort to evaluate the outcomes of key programs in Washington. If the evaluations are conducted with rigorous and independent research designs, then policymakers in Washington will be able to ascertain whether taxpayers are receiving positive rates of return on their dollars.

**4. Extensions of the Institute's Research.** In order to complete this project on budget, we had to defer several analytical steps that subsequent research could address. In addition to updating and extending our earlier study of prevention, these additional steps include performing a formal risk analysis to test the degree to which the model's findings are sensitive to key data inputs.<sup>27</sup>

Additional research could also be undertaken to test how the effects of individual evidence-based programs may diminish as they are implemented at increasingly higher penetration rates; we only approximate this in the current report. It would also be possible to enhance the model by developing "phase-in" procedures to estimate better estimate the first few years of portfolio implementation.

Finally, there is a need to monitor the latest evaluation research findings on effective ways to reduce crime and achieve improvements in other outcomes of policy interest. In this report, we included studies we were able to locate and analyze in time for this publication. As new research becomes available, our results should be updated. We suggest the legislature establish an on-going independent review process so that information on the latest developments in evidence-based programs can be made readily available for policymakers in Washington.

## Endnotes

- <sup>1</sup> ESSB 6094, Section 708, Chapter 488, Laws of 2005.
- <sup>2</sup> S. Aos, R. Lieb, J. Mayfield, M. Miller, A. Pennucci. (2004). *Benefits and costs of prevention and early intervention programs for youth*. Olympia: Washington State Institute for Public Policy, Document No. 04-07-3901.
- <sup>3</sup> The national data are from the United States Bureau of Justice Statistics (<http://www.ojp.usdoj.gov/bjs/abstract/p04.htm>). Because of limitations in how the federal government reports national prison rates, the national series includes prisoners in federal prisons as well as inmates in state prisons. This does not materially affect the comparisons presented here.
- <sup>4</sup> Other age groups could be used as denominators in calculating incarceration rates; the choice does not materially affect the results. We used the 18- to 49-year-old group because that age cohort encompasses the most crime-prone ages for adult offenders.
- <sup>5</sup> None of the figures in this report includes local jail populations. Jails are run by counties in Washington. Jail incarceration rates have also increased over time. For more information on local jail rates, see: S. Aos. (2003). *The criminal justice system in Washington State. Incarceration rates, taxpayer costs, crime rates, and prison economics*. Olympia: Washington State Institute for Public Policy, Document No. 03-01-1202.
- <sup>6</sup> Information about the Washington State Caseload Forecast Council is available at the Council's website: <http://www.cfc.wa.gov/>.
- <sup>7</sup> Source: personal communication with the Washington State Department of Corrections, September 2006.
- <sup>8</sup> Source: *Department of Corrections Statistical Brochure*. (August 2006). Olympia: Washington State Department of Corrections, see: <http://www.doc.wa.gov/BudgetAndResearch/secstats.htm/>
- <sup>9</sup> The population information is available at the Washington State Office of Financial Management website: <http://www.ofm.wa.gov/>.
- <sup>10</sup> The amortization of the capital costs assumes a 25-year bond term and a nominal 5.5 percent interest rate.
- <sup>11</sup> Crime rates are calculated from Uniform Crime Reports data published by the Washington Association of Sheriffs and Police Chiefs. The Institute adjusted these data to account for jurisdictions that fail to report crime data; these adjustments are minor.
- <sup>12</sup> The dollars are used to fund the four basic components of the criminal justice system in Washington: 1) police; 2) criminal courts, prosecutors, and defenders; 3) local government adult and juvenile sanctions including jail, juvenile detention, and local community supervision; and 4) state government adult and juvenile sanctions (Department of Corrections and Juvenile Rehabilitation Administration). For this analysis, we summed all taxpayer spending for these resources and, to make the dollar amounts meaningful over time, we removed the general rate of inflation. We also divided expenditures by the number of households in the state to make the numbers even more comparable over time. The data source for local government data is the Washington State Auditor's Local Government Finance Reporting System, available at: <http://www.sao.wa.gov/applications/lgrfs/>. State financial data were made available to the Institute by legislative fiscal staff.
- <sup>13</sup> See: Aos. (2003). *The criminal justice system in Washington State*, Document No. 03-01-1202. Our estimate includes an approximate adjustment to correct for the simultaneity bias encountered in estimates of the effect of incarceration on crime. See also, W. Spelman. (2002). What recent studies do (and don't) tell us about imprisonment and crime, in *Crime and Justice: A Review of Research*, Vol. 27, ed. Michael Tonry. Chicago: University of Chicago Press, p. 422, the citations to studies.
- <sup>14</sup> An international effort aimed at organizing systematic reviews is the Campbell Collaborative—a non-profit organization that supports systematic reviews in the social, behavioral, and educational arenas. See: <http://www.campbellcollaboration.org>.
- <sup>15</sup> We follow the meta-analytic methods described in: M.W. Lipsey and D. Wilson. (2001). *Practical meta-analysis*. Thousand Oaks: Sage Publications.
- <sup>16</sup> For average victimization cost estimates by type of crime, we use national estimates as published by the National Institute of Justice. T.R. Miller, M.A. Cohen, and B. Wiersema. (1996). *Victim costs and consequences: A new look, research report*, Washington DC: National Institute of Justice.
- <sup>17</sup> See: Aos, et al. (2004). *Benefits and costs of prevention and early intervention programs for youth*, Document No. 04-07-3901.
- <sup>18</sup> Additional information on the programs shown in Exhibit 4 can be obtained from the Institute.
- <sup>19</sup> See the Center for the Study and Prevention of Violence at the University of Colorado at Boulder website: <http://www.colorado.edu/cspv/blueprints/>.
- <sup>20</sup> In Fiscal Year 2006, there were 8,765 admissions to prison for a new sentence (excluding admissions to prison for a violation). Of the 8,765 admissions, 4,033 were age 30 or under at the date of their admission to DOC. We used this age group because data were not available in the juvenile court and JRA data systems prior to this time. This information was obtained using the Institute's criminal records database. Of the 4,033 offenders, 2,944 (73 percent) had prior involvement in a Washington juvenile court.
- <sup>21</sup> See: Aos, et al. (2004). *Benefits and costs of prevention and early intervention programs for youth*, Document No. 04-07-3901.
- <sup>22</sup> The model is developed in Microsoft Excel with Visual Basic for Applications®.
- <sup>23</sup> See: Aos, et al. (2004). *Benefits and costs of prevention and early intervention programs for youth*, Document No. 04-07-3901.
- <sup>24</sup> *Ibid.*
- <sup>25</sup> *Ibid.* and L. Lochner and E. Moretti. (2004). The effect of education on crime: Evidence from prison inmates, arrests, and self-reports. *American Economic Review* 94(1): 155-189.
- <sup>26</sup> S. Aos. (2002). *Keeping kids in school: The impact of the truancy provisions in Washington's 1995 "Becca Bill,"* Olympia: Washington State Institute for Public Policy, Document No. 02-10-2201.
- <sup>27</sup> For a discussion of our approach to sensitivity analysis using Monte Carlo simulation, see: S. Aos, J. Mayfield, M. Miller, and W. Yen. (2006). *Evidence-based treatment of alcohol, drug, and mental health disorders: Potential benefits, costs, and fiscal impacts for Washington State*. Olympia: Washington State Institute for Public Policy, Document No. 06-06-3901.

**APPENDIX I**

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**List of Public Hearing Witnesses**

## APPENDIX I: List of Witnesses

### **New York City Public Hearing - October 11, 2006**

<b>Name</b>	<b>Title</b>	<b>Organization</b>
Jerome E. McElroy	Executive Director	NYC Criminal Justice Agency
John Carway	Director	Nassau County Probation
John Desmond	Director	Suffolk County Probation
Peter Kiers	Director of Operations	NYC Criminal Justice Agency
Hon. John Leventhal	Supreme Court Justice	Domestic Violence Court, Kings County
Juan Sierra	Probation Officer	Westchester County Probation
Marsha Weissman	Executive Director	Center for Community Alternatives
Stephen J. Pittari	Chief Attorney & Executive Director	The Legal Aid Society of Westchester County
Timothy Rountree	Attorney-in-Charge, Queens County's Criminal Defense Division	The Legal Aid Society of New York City
Robert O'Grady	Probation Officer	Westchester County Probation

### **Syracuse Public Hearing - October 18, 2006**

<b>Name</b>	<b>Title</b>	<b>Organization</b>
Robert Iusi	Probation Director	Warren County Probation
Mary Winter	Commissioner of Probation	Onondaga County Probation
Hon. William Fitzpatrick	District Attorney	Onondaga County
Hon. Kate Hogan	District Attorney	Warren County
Francine Perretta	Probation Director	St. Lawrence County Probation
Alan Rosenthal	Director of Justice Strategies	Center for Community Alternatives
Frank Justice	Director of Probation	Steuben County
Anthony Annucci	Deputy Commissioner & Counsel	NYS Department of Correctional Services
Jane E. Goldner	Director of Probation	Cortland County
Warren Greene	Director of Probation	Fulton County

## Buffalo Public Hearing - October 19, 2006

<b>Name</b>	<b>Title</b>	<b>Organization</b>
George Alexander	Commissioner	Erie County Probation
Jennifer E. Ball	Probation Officer	Monroe County Probation
Jonathan E. Gradess	Director	NYS Defenders' Association
Gregory Noyes	Probation Officer	Erie County
Hon. Timothy J. Drury	County Court Judge	Erie County
Anthony Mauro	Director	Niagara County Probation
Claudia Schultz	Deputy Administrator of the Assigned Counsel Program	Erie County
Richard Donovan	Undersheriff	Erie County
Barbara J. Davies	Supervising Attorney, Appeals Unit	The Legal Aid Bureau of Buffalo
Lisa Geier	Probation Officer	Erie County Probation
William Pitt	Probation Officer	Erie County Probation
Michael Canazzi	Probation Officer	Erie County Probation
Scott Smith	Probation Officer	Erie County Probation