Halfway Back: An Alternative to Revocation for Technical Parole Violators

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Abstract

Research Summary

Over the last three decades, concomitant increases in prison population and the use of parole, coupled with a more punitive parole philosophy and fiscal crises at every level of government, have prompted a renewed interest in intermediate sanctions – especially for technical parole violators. A number of jurisdictions have developed intermediate sanctions for technical violators that are both custodial and therapeutic – but do not involve a return to prison. Despite their growing popularity, little research has examined these technical violator programs, and as a result, basic questions regarding their impact remain unanswered. This paper examines a therapeutic technical violator program in the state of New Jersey called *Halfway Back.* Using a quasi-experimental, retrospective matched groups design, the study explores the impact of the program through a comparison of recidivism and incarceration costs among random samples of program participants (n=227) and non-participants (n=392). Results suggest that program participants experienced modest though statistically significant reductions in new arrests over the 18-month follow-up period. An examination of incarceration costs related to program participation shows that Halfway Back sets the stage for measurable cost savings though the degree to which these savings are realized remains unclear. The paper concludes with a discussion of implications for parole policy and practice.

Key Words: intermediate sanctions, technical parole violators, Halfway Back

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Introduction

From 1985 to 2006, the number of people incarcerated in the United States increased from 744,208 to more than 2.2 million (Gilliard and Beck 1997; Sabol, Minton and Harrison 2007). The tremendous growth in the prison population has led to concomitant increases in the use of parole, which increased by more than 350 percent since the 1980s (Pastore and Maguire, 2006). As the use of parole has increased so too has the number of parole violators, and in fact, parole revocations have contributed significantly to the aforementioned growth in the prison population (National Research Council, 2008). Blumstein and Beck (1999) report that parole violations accounted for 35 percent of the recent growth in total prison admissions in the United States. Perhaps not surprisingly, the costs associated with the dramatic increase in incarceration are staggering. A recent study by the Pew Center on the States estimates that correctional spending by the 50 states in the Union exceeds $50 billion per year (Warren, 2009). The current state of affairs in California illustrates the severity of the incarceration problem – with an inmate population that has soared to more than 170,000 (and a state DOC budget of $10 billion), a projected $40 billion state budget deficit (by June 2010), and ongoing legal battles over the federal court-ordered release of more than 40,000 inmates over the next two years to alleviate over-crowding (Rothfield, 8/23/09).

These correctional trends, coupled with budgetary constraints and concerns over proportionality between offense behavior and punishment, have encouraged a renewed emphasis on the development of intermediate sanctions as an alternative to incarceration both on the "front-end" – in lieu of a jail or prison sentence – and on the "back-end" – in place of a return to prison for violating conditions of parole. Intermediate sanctions have become an especially

popular alternative for technical parole violators – those who violate conditions of their parole but do not commit a new felony offense (Taxman, 1995). In fact, several jurisdictions across the country have created specialized residential programs for technical parole violators – often called "Halfway Back" programs or "Violator Centers" – whereby individuals spend several months at a residential facility, receive services and treatment as needed, and upon completion of the program, are released back to their communities to finish their sentence under parole supervision.

Despite their growing popularity, very little research has been conducted on technical violator programs, and as a result, basic questions regarding their implementation, operation and impact remain unanswered. This study examines a "Halfway Back" program in the state of New Jersey. The program, operated by *Community Education Centers,* seeks to address the needs of technical parole violators through intensive programming and skill development during stays of 90-180 days at a residential facility. The paper examines the impact of the program on recidivism, as well as its cost, through a retrospective matched groups design that compares a random sample of Halfway Back participants from 2005-2006 (n=227) to a random sample of technical violators from the same time period who were eligible but not referred to the program (n=392). The groups were matched using propensity scores generated through logistic regression, based on a range of demographic and criminal history variables. The paper uses descriptive and multivariate analysis to explore recidivism outcomes and provides a basic cost analysis focusing on confinement expenditures. The paper concludes with a discussion of implications for the literature on intermediate sanctions, as well as for policy and practice related to the technical parole violator population.

Literature Review

The Incarceration Binge and the Role of Parole

During the 1980s, the United States witnessed the beginning of unprecedented growth in the jail and prison population (Austin and Irwin, 2000; Padgett, Bales, & Blomberg, 2006). Fueled in large part by the "war on drugs" and tougher sentencing laws, the number of people incarcerated in the U.S. tripled in the last 30 years (Austin and Irwin, 2000). This increase has come at a tremendous cost. On average, correctional costs have grown by more than 300% over the last 20 years, and corrections expenditures now account for, on average, 5-7% of states' overall budgets (Warren, 2009). Average per diem costs to incarcerate an individual vary widely across states, from a low of $35.69 per day to a high of $130.16 per day.

The dramatic increase in the use of incarceration naturally led to large increases in the number of individuals being released from prison, and a majority of those were placed under parole supervision. As a result, the parole population increased from 220,438 in 1980 to 798,202 in 2006 (Pastore and Maguire, 2006; Glaze and Bonczar, 2007). Munden, Tewksbury and Grossi (1998) note that "with these immense increases in the number of…parolees, it is not unexpected that the number of returned offenders has also increased dramatically." As an illustration, in any given year approximately 40 percent of parolees are re-incarcerated either for a violation of their release conditions or for a new offense (Glaze & Bonczar, 2007).

The Bureau of Justice Statistics (2008) defines parole violators as "offenders returned to prison for violating the conditions of their release or for a new offense committed while under parole supervision." The increase in the parole violator population has been driven to a large extent by a philosophical shift in the goals of parole, moving away from a focus on rehabilitation toward monitoring and control (Parent, Wentworth, Burke, & Ney, 1994; Munden, Tewksbury,

& Grossi, 1998). In simple terms, the tendency for parole officers to place greater emphasis on

enforcement, coupled with enhanced surveillance capacity via technological innovations (e.g.,

on-site drug testing, electronic monitoring), has increased the likelihood that, 1) violations will

be detected; and 2) that revocation proceedings will be initiated as a result. MacKenzie (2006:

322) examined the research on enforcement-based parole programs and concluded:

> A large body of research, including random assignment studies, consistently shows the failure of intensive supervision and electronic monitoring programs to lower recidivism. Restraining offenders in the community by increasing surveillance and control over their activities does not reduce their criminal activities. In general, program participants recidivate as often as their counterparts who receive less surveillance. The increased surveillance may actually increase the probability of detection and thus, result in more technical violations.

However, both MacKenzie (2006) and Grattet, Petersilia and Lin (2008) note that including a

treatment component in parole programs can produce reductions in recidivism. MacKenzie

(2006) notes that parole should include programs that focus on individual level change through

education and treatment, followed by efforts to develop opportunities (i.e., life skills). For

example, Zhang et al. (2006) examined the impact of a California program that sought to reduce

parolee recidivism in the 1990s through education, housing and employment assistance, and

treatment. They found that program participants were less likely to violate parole and experience

re-incarceration (see also Martin and Van Dine, 2008). More than a decade earlier, Petersilia and

Turner (1993) reported recidivism reductions of from 10-20% among participants who were

engaged in community-based programs. Grattet et al. (2008) concluded: "There is now sufficient

evidence to design a second generation of evidence-based intermediate sanction options. We

know what programs do and do not hold promise for reducing criminal activity."

Research on Parole Revocation

There are a handful of studies that have examined the parole revocation process, or the factors that influence it (Grattet et al., 2008). Kassebaum (1999) and Kassebaum and Davidson-Corondo (2001) examined parole revocation in Hawaii, and their research identified several variables predictive of parole failure, including: criminal history, drug use, unemployment, and having prior parole releases. Hughes et al. (2001) examined national parole revocation data from 1990-2000 and identified a number of predictors of failure, such as sex (males), non-Hispanic ethnicity, young age, conviction for a property offense, and no prior parole experiences. Steen and Opsal (2007) examined parole data from New York, Kentucky, Michigan and Utah and identified a number of legal and demographic predictors related to parole failure. Importantly, they found that demographic variables were more predictive of revocation for technical violations than criminal violations, suggesting that extra-legal factors such as race may be more influential when parole officer discretion is greatest (see also Grattet et al., 2008). In the largest study of parole practices to date, Grattet et al. (2008: 115, 116) examined all adults placed on parole in the state of California in 2003-2004, a total of more than 250,000 individuals. After an exhaustive study of parole practices and outcomes, they concluded that:

- "California possesses a parole system that contributes to the prison overcrowding crisis and is extremely costly. And yet it does not appear to do all that it can do to enhance public safety."

- California's unique compulsory parole system results in supervision of large numbers of low-risk offenders, and "the more you supervise the more you detect";

- Risk of violation peaks in the first 90 days of release and drops sharply thereafter;

- Limited resources and prison space means that many violators serve only a small portion of their sentence (termed "catch and release" by the authors);

- Many parolees cycle in and out of prison for infractions over an extended period of time, never achieving full discharge from the system (termed "doing a life sentence on the installment plan" by offenders);

- Though individual-level factors – including race – appear to influence the likelihood of revocation, both community characteristics and practical constraints facing the parole board are also important.

Grattet et al. (2008: 121) offer a number of recommendations for the California parole system, including the development of intermediate sanctions that "lie somewhere between routine parole supervision and imprisonment with respect to their restrictions and costs."

Technical Parole Violators

A technical violation is defined as any violation of the conditions of parole other than a new felony conviction (Bureau of Justice Statistics, 1995). Technical violations range in level of seriousness and may include contacting a victim, positive drug test results, not checking-in with a parole officer as required, failure to participate in a mandated treatment program, and in certain jurisdictions, misdemeanor and traffic violations (Council of State Governments, 2005; National Research Council, 2008). Technical violators represent a sizeable portion of the returning prison population. In 1995, for example, 178,641 offenders returned to prison because of failure to comply with their parole conditions, and these violators represented 32 percent of the overall correctional population (Pastore and Maguire, 2009).[1] In 2006, 64 percent of inmates admitted to California state prisons were parole violators; and one-third of those were technical violators (Grattet et al. 2008).

Both practitioners and scholars have raised concerns over the unpredictability of the process for handling technical violators, in large part as a result of the discretionary power wielded by parole officers (National Research Council, 2008). In particular, the subjectivity of these processes has raised red flags over proportionality between offense behavior (which in

many cases may be very minor) and punishment (through revocation and return to state prison), as well as equity: do parolees who commit the same violations get treated differently? These concerns led to an important dialogue involving the development of consistent and appropriate policies for dealing with this population. Beginning in the 1990s, the National Institute of Corrections (NIC) initiated efforts to develop a model process for technical violators that would be uniform and consistent across the states, would emphasize graduated sanctions, and would eliminate differences in decision making based on "personal philosophy, supervision style, and interpretations in agency policy (Burke, 1997, p. 3-4)." Importantly, the NIC also sought to replace the philosophical focus on surveillance and zero tolerance with a return to rehabilitation (National Research Council, 2008).

This NIC-driven discourse has facilitated policy and procedural changes across the country. Violation severity scales, for example, were developed by many parole agencies to improve the consistency of the revocation decision making process (Burke, 1997). These scales categorize violations by severity, high to low, and the frequency of the violation. Violation severity scales are often coupled with an intermediate or graduated sanctions process, whereby the appropriate punishment is determined according to the risk level of the technical violation, as well as the needs of the individual parolee (Burke, 1997). A number of states including Texas, Kansas, New Jersey and Washington have passed legislation and/or revised parole agency policies to reflect the spirit of the NIC's efforts.[2] Martin and Van Dine (2008) examined the impact of Ohio's matrix system and concluded that the system resulted in fewer revocation hearings, greater proportionality between offender behavior and sanction severity, and greater equity in sanctioning processes.

Technical Violator Programs

Within the context of ongoing fiscal crises, as well as the aforementioned philosophical

and operational shifts for handling technical parole violators, a number of parole departments

have adopted hybrid approaches that include confinement and graduated sanctions but also

emphasize rehabilitation. These technical violator initiatives seek to reduce the flow of parolees

back to prison, thereby reducing overcrowding and saving money (Burke, 2004), while at the

same time addressing the treatment needs of the parolees. For example, Michigan created

Technical Rule Violator (TRV) centers in 1991. Violators are held in TRVs for up to 90 days,

and the program "provides agents with a method of maintaining credibility and sanctioning

parolee noncompliance (repeatedly, if needed and eligible) while still reserving limited prison

bed space for those offenders that persist in becoming a risk to the public (Hollander, 2006: 1)."

In 2004 and 2005 nearly 2,700 technical violators were referred to the TRV centers rather than

returned to state prison (Hollander, 2006).

In 1993, the Kentucky Division of Probation and Parole started their "Halfway Back"

program "as an alternative to incarceration for offenders who have non-violent technical

violations which would normally trigger revocation proceedings (Munden et al., 1998: 437)."

The program specifically targets violators with substance abuse problems but the parole officer's

assessment of a violator's motivation and potential for program completion determines whether a

referral will occur or not:

> An offender referred to the Halfway Back program must acknowledge the technical
> violation, sign an agreement to enter and complete the program, and commit no further
> violations of their parole. While in the program, which takes place at privately operated
> halfway houses, the offender is expected to work and attend counseling, either on site or
> at outside referral agencies. (Munden et al., 1998: 437-38)

Although the recidivism rate for participants in the Kentucky program remains unknown, data indicate that about 65 percent of participants successfully complete the program (Munden et al., 1998).[3]

Summary

Over the last three decades, concomitant increases in prison population and the use of parole, coupled with a more punitive parole philosophy and fiscal crises at every level of government, have prompted a renewed interest in intermediate sanctions – especially for technical parole violators. Hybrid programs that mix confinement with therapeutic approaches have become an increasingly popular response for this population. However, there has been little research evaluating therapeutic technical violator programs, and as a result, there is little understanding of their operation and impact. This study seeks to fill that gap.

Methods and Data

The Study Site

Incarceration and parole experiences in the state of New Jersey have mirrored national-level trends. Travis, Keegan and Cadora (2003) note that just under 4,000 inmates were released from New Jersey state prisons in 1980, but the number of released individuals more than tripled to 14,849 by 2002. The New Jersey State Parole Board (NJSPB) supervises approximately 15,000 parolees annually throughout the state (http://www.state.nj.us/parole/). Parole violators represent 40 percent of new admissions to New Jersey prisons, and the number of parole violators has risen steadily over time (Travis & Waul, 2002). Additional research has shown that half of all parole violators were revoked for a technical violation of their parole conditions, rather than a new offense (http://www.state.nj.us/corrections/). The overall increase in the state prison population – driven substantially by the number of parole violators – placed tremendous pressure

on the state correctional budget. The costs of incarceration have grown by more than 300% in New Jersey over the last two decades: In 2008, the state spent approximately $1.5 billion on corrections, up from $466 million in 1983. In its 2008 annual report, the New Jersey Department of Corrections (2009) note that "spending on corrections and parole has grown at twice the rate of the rest of the state budget."

In an effort to reduce the size and fiscal impact of the correctional population, the NJSPB in 2001 devised a new approach for parole violators – especially technical violators – that emphasized the use of graduated sanctions (D'Amico, 2005; Moran, 2005). As part of this new approach, the NJSPB began the Halfway Back program for technical parole violators. The highly structured program, run at nine different secure facilities throughout the state, serves "as alternatives to incarceration for parolees who have not quite succeeded on ordinary parole release but demonstrated some potential for success in an environment 'halfway' between prison and parole (D'Amico, 2006: 35)." The number of parolees placed in the Halfway Back program rose from just 457 in 2002 to 2,759 in 2005. Perhaps not coincidentally, the New Jersey prison population declined by 14 percent from 1999 to 2005 (Moran, 2005).

Parolees are referred to the Halfway Back program by their parole officers. The referral occurs because of failure to meet supervision conditions, relapse, or other forms of poor behavior (except for new criminal charges). Consistent with the NIC-led discourse, the NJSPB employs a matrix of graduated sanctions, and parole officers match the violator to the appropriate sanction based on parolee need, resource constraints and program availability. If a parolee has needs which can be met through Halfway Back participation, the violation is proportionate, and there is availability, the technical violator is then placed in the program "under special conditions of parole" through administrative and internal parole processes (the courts are not involved in the

process) (Ward, 2009). Note that program constraints and limited availability prohibit some eligible parolees from participating in the Halfway Back program (In fact, these logistical constraints serve as the basis for the Comparison Group in this study). The length of stay (typically 90-180 days), as well as program conditions (i.e., lock-down vs. work release, visitation, etc.), are determined by a program review committee composed of treatment and parole staff (D'Amico, 2005). New arrivals go through an orientation and assessment process whereby their individual needs are identified and a program regimen is developed (D'Amico, 2005). Generally, Halfway Back provides intensive programming for drug and alcohol abuse, relapse prevention, mental health, anger management, education, employment counseling, money management, gang deprogramming, and family restoration.[4]

The Current Study

There are two outcome-related questions that guided this study.

1. Do Halfway Back participants experience lower and slower rates of recidivism, compared to similarly situated technical parole violators who did not participate in the program?

2. Does the Halfway Back program produce measurable cost-savings through reductions in confinement expenditures?

To address these questions, the authors compare recidivism outcomes and associated confinement costs among matched random samples of Halfway Back participants and non-program Comparison group individuals. The Halfway Back sample (n=227) was drawn from the population of all program completers from 2005-2006. The authors adopted a "completer only" sample, rather than a more traditional "intent to treat" sample (which includes program completers and non-completers) for a number of reasons. First, CEC reports that program completion rates exceed 95 percent, as very few individuals are expelled from Halfway Back and returned to prison. Second, Halfway Back is both non-voluntary and custodial in nature, thereby

limiting the potential for individuals to select in (or out) of the program. Last, available data on the five percent of participants who failed to complete the program was very limited and severely constrained their inclusion in the study. Given these factors, the authors designed the study to focus on those who received the full complement of Halfway Back programming. Concerns over sampling bias (i.e., are program completers different in important ways from non-completers) are tempered to some degree by the very high program completion rate.

The Comparison group (n=392) was drawn from the population of all technical violators from 2005-2006 who were eligible for the program but who were instead re-incarcerated (because of logistical constraints, program capacity, and/or individual parole officer discretion). The matching of Halfway Back participants to the Comparison group occurred in three stages. First, researchers randomly selected 500 Halfway Back and Comparison group individuals from their respective sampling frames, and collected the matching variables (for all 1,000 cases) using available data from the New Jersey Department of Corrections and the NJSPB. We employed seven matching variables including age, race, number of recent prior arrests (in the previous five years, both in New Jersey and out-of-state), number of prior incarcerations (New Jersey state only), any prior violent arrests, any prior drug arrests, and age at first arrest.[5]

The second part of the matching process involved a standard propensity score-based inference strategy whereby logistic regression was used to "predict" group assignment. In effect, the matching variables were treated as covariates, and the group assignment indicator (Halfway Back or Comparison group) served as the dependent variable (see Rosenbaum and Rubin, 1984). The final part of the process involved a "matching" of program participants and Comparison group individuals based on similarities in their propensity scores – formally called "nearest neighbor matching" (Dehejia and Wahba, 2002). The authors employed a robust matching

threshold, as all program participants and their matched counterparts had propensity scores that did not differ by more than .009. When possible, multiple Comparison group defendants were matched to a single Halfway Back participant to increase sample size.[6]

The Dependent Variables

Each study participant was observed over an 18-month follow-up period broken down into 6-month intervals (6, 12, and 18 month periods). For Halfway Back participants, the follow-up period started upon their release to the community after program completion. For the Comparison group, the follow-up period started upon their release from the incarceration event resulting from their technical violation (the violation that made them Halfway Back-eligible). The primary recidivism measure is an arrest for a new criminal offense. Although the authors originally intended to capture parole violations as a separate failure measure, NJSPB reported that a substantial number of Comparison group individuals chose to "max out" in prison instead of gaining early release on parole (and subjecting themselves to the conditions of parole). Consequently, while all Halfway Back participants returned to parole after program completion – and were eligible to record parole violations – a substantial percentage of the Comparison group was released outright with no parole – and thus, were not eligible to record parole violations during the follow-up period.[7] Given the inequity among groups on this follow-up measure, the authors were forced to set it aside and focus on new arrests as the sole indicator of failure.

For each new arrest however, the authors also captured time to arrest (number of days) and the type of offense. For the cost analysis, the authors focused solely on costs associated with the current technical parole violation – that is, the event that led to program participation for the Halfway Back group and incarceration in state prison for the Comparison group. According to

New Jersey and CEC officials, the daily cost per individual in a New Jersey state prison is $107. The daily cost per participant for Halfway Back is $68.

A brief note is warranted on our efforts to collect incarceration data (events and days) during the 18-month follow-up period. The authors were unable to gain access to county-level confinement data during the follow-up period. The state of New Jersey is composed of 21 different counties, each with their own jails and detention centers – and each with their own data systems documenting incarcerations. There is no single unifying database that tracks confinements across New Jersey counties. Also, although the New Jersey Department of Corrections (NJDOC) provides access to state prison confinement information through its publicly available website, the authors were unable to make use of these data for two reasons. First, the publicly available data from NJDOC was frequently inconsistent with arrest information taken from New Jersey Parole data. The authors were confident in the accuracy of the state Parole information, which raised serious concerns over the accuracy of the publicly available DOC data.[8] Second, there were a number of cases where study participants were incarcerated in state prison during the follow-up period, but the sentence was linked to an arrest that occurred prior to their study participation. The authors were unable to disentangle these "cross-over" criminal offenses from true follow-up criminal offenses (i.e., arrest and sentence both occur after program participation) with any degree of certainty. As a result, this study does not report on confinement with the exception of the event that made them program-eligible – which limits our ability to assess time at-risk during the follow-up period.[9]

Analysis

Chi-square and independent samples t- tests were used to analyze differences in new arrests, and Kaplan-Meier survival analysis was employed to test for group differences in the

time to first arrest variable.[10] Also, multivariate linear regression and Cox regression survival analysis were employed to assess whether program participants experienced lower and slower rates of recidivism, when controlling for other variables. Last, the authors analyzed confinement cost associated with the technical violation that placed them in the study by; (1) totaling the number of days spent either in the program or in state prison; (2) multiplying the number of days by the daily cost; and (3) standardizing that dollar amount into a rate per 100 individuals to control for differences in sample size (i.e., the cost per 100 individuals).

Findings

Descriptive Analysis

Table 1 shows that the Halfway Back and Comparison groups were similar across basic demographics and criminal history, suggesting that the matching technique worked quite well. Inmates in both groups tended to be older, with a mean age of 35. The majority of both groups were Black (approximately 70 percent). Inmates in both groups had extensive prior and recent criminal histories. More than 80 percent of both groups had at least one prior arrest within the last five years (with a mean of three). More generally, three-quarters of both groups have been arrested for a violent offense at some point in their lives; and more than 90 percent had a prior drug arrest in their past. Also, the majority of both groups had been confined in New Jersey prisons, though confinements were more common among the Comparison group (91.3% vs. 83.7% for Halfway Back – means of 1.1 for both). Members of both groups had been given the Level of Service Inventory- Revised (LSIR), and Table 1 shows that the groups scored similarly on this measure (23.6 and 24.0, which fall in the "moderate risk" range).[11]

Table 1 also shows the primary recidivism outcomes by study group. Nearly one-quarter of both groups were rearrested for a new offense at least once during the first six months of the

follow-up period, 22.9% for Halfway Back and 24.2% for the matched Comparison group. At

one year, approximately 43% of both groups had been rearrested. By 18 months, about half of

each group had recorded at least one new arrest. Importantly, while there was little difference

across groups in terms of whether they were rearrested or not, the groups did differ in *how often*

they were rearrested: the mean number of new arrests for Halfway Back is consistently smaller

than their Comparison group counterparts at each six-month interval, and the size of that mean

difference grows over time. Though the slight differences in mean number of arrests is not

statistically significant at the six and twelve-month intervals, by 18 months the difference has

reached significance (0.82 for Halfway Back;1.08 for the Comparison group; p< .05, t=2.424).

Table 1 also shows that there were few differences by rearrest charge type. The only

statistically significant difference emerged for domestic violence offenses, with 1.8% of Halfway

Back participants and 6.9% of Comparison group defendants recording new arrests for those

offenses. Last, the two groups differed little in terms of time to first arrest (means of 210 days for

Halfway Back and 222 days for the Comparison group). Figure 1 shows the survival lines for

each group, and survival analysis confirms that the two groups were similar in terms of this

recidivism measure (log rank= .176; p=.675).

[Table 1 and Figure 1 about here]

Given the nature of the difference in re-offending behavior described above (i.e., mean

differences over 18 months), the authors sought to identify a method for exploring the timing and

number of new arrests for both groups. Figure 2 shows a month-by-month comparison of new

offenses for both groups, standardized by sample size and calculated as the monthly number of

new offenses per 100 members of each group. During the first 10 months of the follow-up

period, the number of new offenses for both groups is fairly similar, with Halfway Back posting

lower rates in months 3, 5 and 8 and slightly higher rates in months 2, 7 and 9. From months 11 through 18, however, the Comparison group consistently generates a larger number of new offenses. Overall, the Halfway Back group exceeds the Comparison group in only three of 18 months. Though group differences in confinement or time at risk were not controlled for, these findings indicate that, over time, Halfway Back participants returned less frequently to the criminal justice system than their Comparison group counterparts.[12]

[Figure 2 about here]

Multivariate Analysis

Generally, the use of propensity score matching procedures reduces the importance of conducting multivariate analyses to examine outcomes. In effect, differences have been controlled for up-front, negating the need to control for them post-hoc. Table 1 shows, however, that the groups differed significantly with regard to prior state incarcerations, despite the matching procedures.[13] As a result, the authors carried out a series of multivariate analyses to explore recidivism outcomes while controlling for this group difference in prior incarcerations – as well as for LSI-R score, which was unavailable during the matching process. Table 2 shows results from Ordinary Least Squares (OLS) regression analyses examining the number of arrests over an 18-month follow-up (top), and results from Cox Regression Survival analyses examining time to first arrest (bottom). The survival analyses indicate that, when controlling for prior incarcerations and LSI-R scores, the groups did not differ in the timing of their first arrest.[14] Alternatively, the OLS results indicate that the group status variable is significant: when controlling for prior state prison incarcerations and LSI-R scores, Halfway Back participants experienced significantly fewer new arrests during the 18-month follow-up period.[15]

Cost Analysis

There are a number of ways to calculate costs and savings associated with program impact. These economic analyses can be highly complex and controversial as a number of factors associated with crime are difficult to measure in terms of cost (see for example, Roman and Chalfin, 2006; Washington State Institute for Public Policy, 2006). For simplicity's sake, the analyses here are limited to confinement costs resulting from the technical violation that placed them in the study. For the current technical violation, the cost associated with participating in the Halfway Back program can be compared to the cost of returning to state prison.[16]

Table 3 shows that the 392 Comparison group members spent a total of 73,338 days in state prison as a result of the technical violation that placed them in this study (mean of 187 days).[17] The 227 Halfway Back participants spent a total of 23,102 days in the program (mean of 102 days). For the Comparison group, the number of days incarcerated (73,338) is multiplied by the daily dollar amount for a state prison stay ($107), totaling approximately $7.85 million. To control for differences in sample size, the amount is standardized as a rate per 100 individuals by dividing the total dollar amount ($7.85 million) by the number of Comparison group individuals (392) and multiplying by 100. This shows a cost of more than $2 million for every 100 Comparison group individuals. The same calculations are carried out for the Halfway Back group: the number of days in the program (23,103) is multiplied by the daily dollar amount for a day in the program ($68), totaling approximately $1.57 million. Once this figure is standardized as a rate, we see that the program cost is $692,072 for every 100 Halfway Back participants.

The potential cost savings generated by the program – for the current technical violation only – can be determined by subtracting the Halfway Back rate from the Comparison group rate. In very plain terms, by sending technical violators to Halfway Back rather than returning them to

prison, the state of New Jersey generates a potential savings of about $1.31 million for every 100 program participants. The reader should interpret these findings with caution given the simplistic nature of the analyses, however. Specifically, these analyses do not take into account marginal costs, and arguably, the savings only become "real" if the prison beds freed up by the Halfway Back program remain unused, or prison units are closed as a result. Still, it seems clear that the program creates the potential to generate measurable cost savings. The implications of these cost analyses are explored in greater detail in the next section.

[Table 3 about here]

Discussion

This study evaluates the impact of the Halfway Back program in New Jersey in terms of potential recidivism reduction and cost savings. The cost analyses demonstrate that placement of technical parole violators in the Halfway Back program represents a less expensive alternative to state prison - approximately $1.3 million dollars in incarceration costs for every 100 technical violators who participate in the program. The actual cost savings of the program is likely mitigated by a host of other factors and marginal costs described below. The recidivism findings were more equivocal. Though there was no difference in the overall likelihood of arrest, the analyses do suggest that program participation may be associated with modest, longer-term reductions in new recidivism events. Following a brief discussion of study limitations, we explore the potential implications of these findings.

Limitations and Considerations

There are several confounding issues in the current study that warrant consideration. First, this study examines only those who completed the Halfway Back program. The reasons for excluding non-completers were reviewed earlier, and though there are factors that mitigate

concerns over selection bias – mostly notably the program's 95 percent completion rate and its non-voluntary nature – our inability to include program non-completers represents an important limitation that should be considered when examining the findings. Second, although the authors relied on fairly robust matching procedures, it is still possible that the study findings are explained, at least in part, by undetected differences among the groups. Most notably, the process by which technical parole violators are referred to the program – or not – is not entirely clear. Individual parole officers, in consultation with their supervisors, are responsible for making the initial referral to Halfway Back. As stated previously, the NJSPB employs a matrix of graduated sanctions whereby parole officers assign sanctions based on the nature of the violation and needs of the parolee, within the context of resources constraints and program capacity. Although the graduated sanction matrix is intended to reduce subjectivity, the potential variability in these street-level decisions by parole officers raises concern over bias. The matching process was intended to control this bias, but group differences may still persist.

Third, within the Halfway Back population, the authors were unable to obtain measures of treatment motivation. Although participation in Halfway Back is compulsory rather than voluntary, there is likely significant variation in the degree to which participants "buy in" or embrace the program. Motivation is often tied to treatment success and is likely related to recidivism outcomes. Given the retrospective nature of the study, however, the authors were unable to capture this important indicator. Fourth, the study did not include measures of parole failure during the follow-up period because of the tendency for Comparison group members to "max out" in prison voluntarily, rather than to again subject themselves to the conditions of parole. Last, concerns over the accuracy of incarceration data for the follow-up period also led to its exclusion from the study. As a result, the study does not control for group differences in time

incarcerated during the follow-up period – i.e., time during which an individual is no longer "at risk" for further arrests because he is already incarcerated. Though analysis of charges associated with follow-up arrests suggests nothing that might produce differences in rates of incarceration,[18] it is still possible that the smaller number of new arrests among Halfway Back participants is a result of their spending more time in jail and prison (and having less time at risk).

In addition to methodological considerations, there are several program-related factors that warrant discussion. First, the authors were not able to determine whether Comparison group individuals received services or treatment during their prison stay (while the treatment group was in Halfway Back); or if participants in either group received services in the community following release. The degree to which this occurred – as well as how it may have affected outcomes – remains unknown. Last, the authors cannot comment on the individual nature of services received during program participation. Although our observations of the program suggest that the curriculum is relatively uniform with a strong emphasis on group activities, the program is also designed to address individual parolee needs. The variation in individual-level service provision and its relationship to program outcomes remains unknown.

Implications for Correctional Policy and Practice

With the aforementioned limitations as context, this study suggests that New Jersey's investment in the Halfway Back program has the potential to produce measurable savings, while at the very least, not increasing risk to community safety. In fact, study findings suggest that there may be longer-term crime reduction benefits; though additional research is needed to bear this out. The potential cost savings warrant further discussion, given the complexity of the issue and its simplistic treatment here. Roman and Chalfin (2006) explore cost savings from jail reentry programs ("halfway out" rather than "halfway back") using a broad definition that

includes victimization costs, criminal justice processing costs and corrections costs. Using

estimates from the economic literature, Roman and Chalfin (2006: 16) calculated total cost

amounts by crime type: violent crime ($169,914), property ($26,514), drug ($31,689), and public

order ($36,215). Given these figures, they concluded that a program "would have to reduce

recidivism by less than two percent to offset the cost of jail-based programming" (Roman and

Chalfin, 2006: 1). The Washington State Institute for Public Policy (2006: 6) has developed a

model that includes both fixed and longer-term marginal costs, which are defined as:

> …those costs that change over the period of several years as a result of change in
> workload measures. For example, when one prisoner is added to the state adult
> corrections system, certain variable food and service costs increase immediately, but new
> corrections staff are not hired the next day.

Similarly, a reduction of one inmate will change certain costs immediately, but long-term

marginal costs may not be affected. Still, these figures can only be translated into real cost

savings if jail beds remain unused, a jail unit is closed, or the projected savings are transferred to

another part of the jail budget in anticipation of reduced demand for jail beds (Roman and

Chalfin, 2006).

Clearly, the issues surrounding cost savings are highly complex, and the most we can say

about the Halfway Back program is that it "lays the groundwork" for cost savings by 1)

producing a lower daily individual cost for custody than state prison; 2) by producing fewer days

in custody when compared to similar individuals who return to state prison; and 3) by, at the very

least producing similar (if not slightly lower) rates of recidivism. Whether this potential for cost

savings has been realized by the state of New Jersey remains unclear. Notably though, the New

Jersey state prison population declined by 14 percent from 1999 through 2007 (from 31,286 to

27,484; New Jersey Department of Corrections, 2007). The extent to which Halfway Back

contributed to this population decline is unknown – as are its cost implications – though New Jersey officials cite the program as a contributing factor (Moran, 2005; D'Amico, 2006).

Taken together, the potential for cost savings and the recidivism findings from this study would seem to offer fertile ground for discussions of correctional policy and practice. Specifically, the findings here provide support for much of the recent discussion on parole philosophy and practices. With regard to the philosophical underpinnings of parole, the zero-tolerance, punitive parole philosophy emerged and has thrived amid concerns over the threat posed to public safety by parolees who violate their conditions of release. The current study, however, contributes to a growing body of literature documenting the positive impact of intermediate sanctions that include strong therapeutic components, a reduced reliance on revocation for technical parole violators, and a shift away from the punitive parole philosophy (see also Pew Center on the States, 2007; National Research Council, 2008).

Outside of the fiscal consequences of this shift, experts have raised numerous other concerns related to the unpredictability of the parole revocation process, and to the disproportionality between violation behavior and the punishment that results from revocation. Equity and proportionality are central tenets to our justice system, and recent efforts by the National Institute of Corrections highlight the threats posed to these principles by the traditional methods for handling technical parole violators (National Research Council, 2008). Though the current study was limited in its ability to document and characterize the Halfway Back referral process, the use of a graduated sanctions matrix by New Jersey State Parole reflects the spirit of recent efforts to improve both proportionality and equity in this area of the justice system.

The findings related to potential cost savings – and to a lesser extent, recidivism – also offer a vehicle to open discussion on treatment related issues that may help to optimize the

impact of technical violator programs like Halfway Back. There is a sizeable body of literature

on issues surrounding prisoner reentry that highlight the importance of addressing individuals'

physical, psychological, social, and other needs - and how success in addressing individuals'

need areas translates into improved chances for successful reentry and lower rates of recidivism

(Petersilia, 2003; Petersilia and Travis, 2001; Visher and Travis, 2003). Though the reported

reductions in recidivism in the current study were small, the discussion surrounding reduced

recidivism through a therapeutic approach underscores the importance of tapping into the current

state of knowledge regarding correctional treatment. In simple terms, the potential for success

among technical violator programs such as New Jersey's Halfway Back may lie in their

philosophical and operational fit with important themes in correctional research: most notably,

the "risk principle" and the well-established principles of effective correctional treatment.

First, the risk principle states that interventions should target high risk offenders, and the

level of treatment should be matched to individual risk level (Andrews, Bonta and Hoge, 1990).

Lowenkamp, Latessa and Holsinger (2006: 77-78) note that the risk principle "has been

confirmed by research in corrections for more than a decade." Technical violator programs such

as Halfway Back are consistent with this principle because they are arguably one of the most

severe graduated sanctions (custodial setting for 3-6 months), and they focus their efforts on

individuals who have already demonstrated high-risk behavior: an inability to meet the

requirements of parole supervision. The Halfway Back participants in the current study are a

good case-in-point. Despite a mean LSI-R score that put them in the "moderate risk" category,

program participants had extensive and serious criminal histories that included drug offenses (90

percent), violent offenses (75 percent), prior state incarcerations (85 percent), and recent criminal

arrests (85 percent) – in addition to their recent failure on parole that led to their placement in the

Halfway Back program. Lowenkamp et al. (2006: 77) concluded that adherence "to the risk

principle has a strong relationship with a program's ability to reduce recidivism." Technical

violator programs like Halfway Back reflect the spirit of the risk principle by targeting a high-

risk population and optimizing correctional and therapeutic resources.

Second, the literature on correctional treatment is robust with a number of definitive

studies that have isolated factors related to successful pre- and post-release outcomes (Gendreau,

Little, and Goggin, 1996; Listwan, Cullen, and Latessa 2006; Lowenkamp, 2004; Palmer 1995;

Wilson and Davis 2006). Gaes, Flanagan, Motiuk and Stewart (1999: 363-365), for example,

analyzed 128 adult correctional treatment programs and identified eight key principles of

effective treatment intervention.[19] Similarly, drug courts and intensive community supervision

coupled with rehabilitative programming have been successful in significantly reducing

recidivism (Listwan, Cullen, and Latessa, 2006; Lowenkamp, 2004; Palmer, 1995; Pew Center

on the States, 2007; Wilson and Davis, 2006). Technical violator programs like Halfway Back

typically have a strong therapeutic component that brings multiple services and providers to a

parolee, and program staff would be well-advised to tap into the current state of knowledge on

correctional treatment.

The New Jersey Halfway Back program, for example, follows many of the established

principles of effective correctional treatment. The program utilizes the Risk, Need, Responsivity

(RNR) Principles of correctional treatment. Specifically, the program uses an objective

risk/needs assessment instrument (Level of Service Inventory-Revised) to determine current risk

of recidivism and criminogenic needs factors. These risk and need factors then become the target

of an individualized treatment plan which takes into account the unique responsivity needs of the

resident (Fretz, 2009). The program employs cognitive-behavioral therapy as its centerpiece,

with additional focus on substance abuse, relapse prevention, anger management, education services, job skills training, employment counseling, individual counseling, life skills classes, and family restoration – based on individual risk and need. The program also provides a continuum of care transition plan with linkages to programming post-release. Although differences in recidivism were modest, the New Jersey Halfway Back program's adherence to both the risk principle and the principles of effective correctional treatment clearly lay the foundation for addressing program participants' needs and reducing their recidivism.

The Implications of Halfway Back for "Halfway Out"

Still, the potential for success in treating participants' problems in technical parole violator programs like Halfway Back raises the specter of earlier failures to address those issues. Quite simply, the participants in the New Jersey Halfway Back program (and others like it) had clear needs that were targeted by program staff – substance abuse, mental health issues, physical ailments, and employment and education issues – and this raises two important points. First, these problems undoubtedly contributed to participants' initial failure on parole. Second, it is highly unlikely that these issues suddenly emerged after their release from prison. Rather, participants' problems were "pre-existing conditions" that were not sufficiently addressed during their initial prison and reentry experience. Had participants' problems and/or skill deficits been properly addressed during incarceration and the initial time on parole, they presumably would have been less likely to engage in behavior resulting in technical violations – producing both enhanced community safety and cost savings (Petersilia, 2003; Petersilia and Travis, 2001). So while this study shows promise for technical violator programs like New Jersey's Halfway Back, the results should be interpreted within the larger framework of prevailing trends and state-of-the-art in corrections, parole, and prisoner reentry – all of which underscore the importance of

targeting programming efforts during incarceration and the front end of parole when individuals are "halfway out," thereby short-circuiting the need to treat them later on after parole failure, when they are "halfway back."

Table 1   **Background Characteristics and Return to Jail among the Halfway Back and Matched Comparison Groups**

Characteristics	Halfway Back (n=227)	Matched Comparison (n=392)
Background/Demographics		
Age (mean)	35.3	34.6
Race		
White	23.3%	26.0%
Black	70.5%	67.6%
Other	6.2%	6.4%
Hispanic	13.0%	14.6%
Recent Prior Arrests		
Yes	81.5%	87.0%
Mean	2.9	2.9
Prior Incarcerations		
Yes*	83.7%	91.3%
Mean	1.1	1.1
Any Prior Violent Arrests	76.2%	73.0%
Any Prior Drug Arrests	92.1%	91.1%
Age at First Arrest (mean)	19.8	19.7
Most Recent LSIR score (mean)	23.6	24.0
Recidivism		
Arrests – 6 months		
Yes	22.9%	24.2%
Mean	0.26	0.33
Arrests – 12 months		
Yes	43.6%	43.1%
Mean	0.62	0.73
Arrests – 18 months		
Yes	50.2%	52.6%
Mean*	0.82	1.08
Time to First Arrest (mean)	210 days	222 days
Arrest – Serious Person Offense	7.9%	8.9%
Arrest – Serious Property Offense	15.0%	14.0%
Arrest – Drug Offense	29.5%	33.4%
Arrest – Domestic Violence Offense*	1.8%	6.9%
Arrest – Weapon Offense	5.3%	3.8%
Arrest – Other Offense	16.3%	13.5%

*Significant p<.05

Figure 1 **Survival Functions for Halfway Back and Matched Comparison Group Individuals**
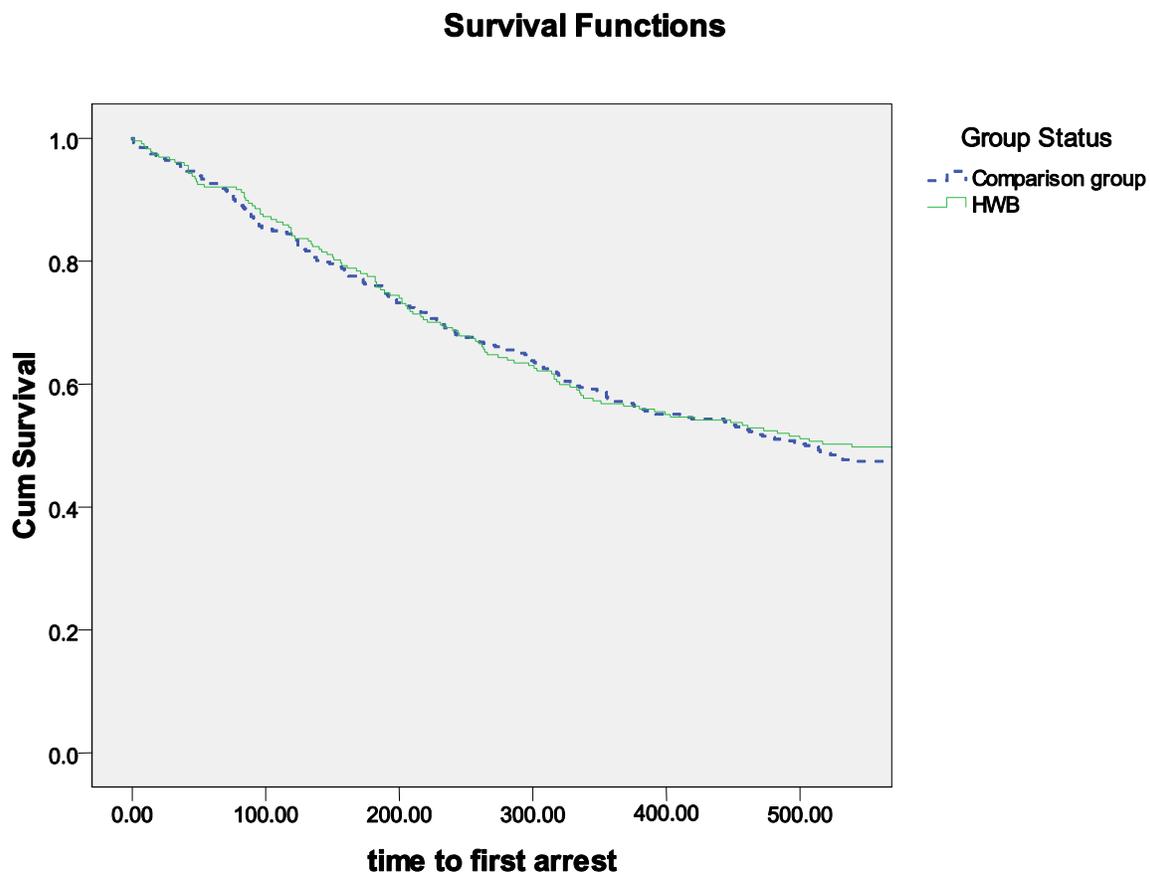
Survival Functions

Figure 2 **Average Monthly Number of New Follow-up Arrests per 100 HWB/CG Participants**
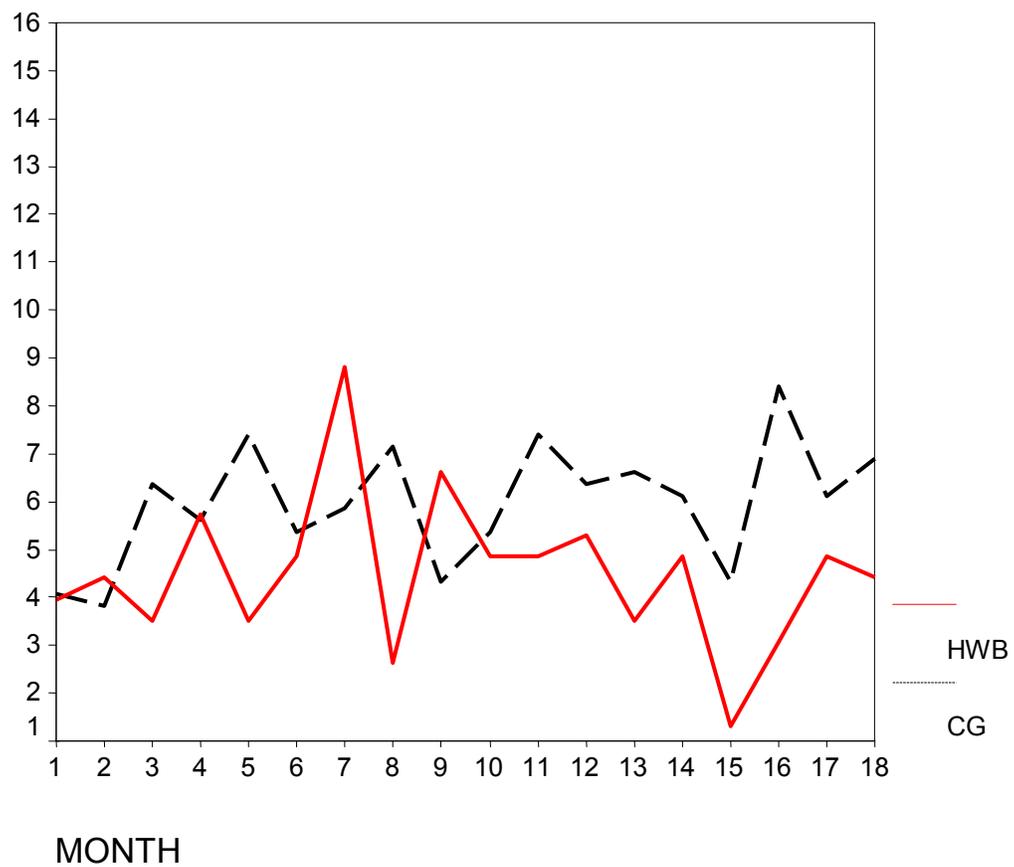

MONTH

Table 2 **Results from OLS and Cox Regression Analyses with Halfway Back and Match Comparison Group Participants**

OLS Regression- Number of arrests (18 months)

Predictor Variables	B	S.E.	Beta	T	Sign.
Group Status (Comp Group, HWB)	-.276	.135	-.091	-2.039	**.042**
Any prior state incarcerations	-.250	.202	-.056	-1.238	.216
LSI-R score	.013	.011	.055	1.236	.217
R squared	.013				
Sum of squares (total)	1054.998				
F	2.289				
Significance	.078				
N	507				

Cox Regression – Time to first arrest (censored)

Predictor Variables	B	S.E.	Wald	Exp(B)	Sign.
Group Status (Comp Group, HWB)	-.015	.130	.013	.985	.909
Any prior state incarcerations	-.341	.179	3.638	.711	.056
LSI-R Score	.013	.010	1.747	1.014	.186
-2 Log Likelihood	3142.616				
Chi Square	5.173				
DF	3				
Significance	.160				
N	508				

Table 3   Cost Analyses for the Current Technical Parole Violation- Halfway Back v. Comparison Group

	Comparison Group (n=392)	Halfway Back Group (n=227)		
# Days Incarcerated	73,338	23,103		
Per Day Incarceration Cost	$107	$68		
Total Cost of Incarceration	$7,847,166	$1,571,004		
Cost per 100 individuals*	$2,001,828	$692,072		
Total Savings	**$2,001,828** -	**692,072** =	**$1,309,765**	

*For Comparison group: [($7,847,166 /392) x 100]
 For Halfway Back group: [($1,571,004/227) x 100]

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NOTES

[1] The distinction between technical and criminal violations is often not clear however, as parole officers may initiate revocation proceedings on a "technical violation" stemming from an arrest, rather than wait for the charges to be adjudicated in court. If a parolee is arrested for possessing a firearm, for example, the parole officer can immediately revoke the individual's parole as a technical violation even though the criminal charges are still pending in court.

[2] California and a few other states still continue to revoke a large percentage of parolees for technical violations (Institute of Public Policy, 2006).

[3] Munden et al.'s (1999) study of 80 participants found that traditional prior criminal history indicators did not predict program success, though completers tended to be older, employed, with fewer prior parole experiences.

[4] Three companies have contracts with the NJSPB to operate Halfway Back programs, though *Community Education Centers* (CEC) is the largest of the Halfway Back vendors. The other two companies are Kintock and Volunteers of America (VOA) Delaware Valley. This study examines the CEC program only. CEC is the largest provider of correctional treatment services in the United States, with programs and facilities in 22 states and a daily population of 22,000.

[5] Though Rosenbaum and Rubin (1984) generally advocate for a greater number of matching variables (up to 20 in some of their work), these seven matching criteria represent all that were available to the authors at this stage of data collection. Although our matching variables tap into important measures of group balance, we acknowledge that the criteria are by no means exhaustive.

[6] This study of Halfway Back only examines male participants. Females were excluded from the study because males represent more than 90 percent of program participants, and because of prior research that has exclusively examined females' participation and outcomes in CEC programs (Fretz, Erickson & Mims, 2007).

[7] Although we were not able to determine the exact number of Comparison group members who chose to max out rather than gain release on parole, officials at the NJSPB indicated that it was a common occurrence, and as a result, they recommended not comparing the two groups on the parole violation measure.

[8] Officials at New Jersey State Parole expressed similar concerns over the DOC data.

[9] As a result, for these "cross-over" events the arrest is recorded as a prior event (not a follow-up failure). Since the current case event was a technical parole violation for both program participants and comparison group members, we were able to document confinement time through both manual state parole records and CEC data.

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[10] The Kaplan-Meier survival analysis technique uses the product-limit method to create life tables and test for groups differences. Tabachnick and Fidell (2001: 791) note that "The product-limit method does not use a specified interval size but rather calculates survival statistics each time an event is observed…The product-limit method…is the most widely used, particularly in biomedicine…It has the advantage of producing a single statistic such as mean or median, that summarizes survival time."

[11] Note that LSI-R scores were not available until after the matching had been completed. The LSI-R was developed by Andrews and Bonta (2001) to measure risk of recidivism based on a range of risk and protective factors. The LSI-R is a validated instrument and is widely used in correctional and treatment settings. The scores are as follows: 0-13 (low risk of recidivism), 14-23 (low/moderate risk of recidivism), 24-33 (moderate risk of recidivism), 34-40 (medium/ high risk of recidivism), and 41-47 (high risk of recidivism). If a study participant had multiple LSI-R scores (which many did), the authors used the most recent score (closest in time to their study participation).

[12] For the Halfway Back group only, the authors also explored whether the number of days spent in the program (anywhere from 90-180 days generally) was related to the likelihood of re-offending. This was not the case. Those who were rearrested at least once spent an average of 99 days in Halfway Back, compared to 104 days for those who were not rearrested. This difference was not statistically significant.

[13] Recall that 91% of the Comparison group had at least one prior state incarceration, compared to just 84% for Halfway Back (p<.05; note that the means were equal, however).

[14] The state incarceration variable was approaching statistical significance, however (p= .056).

[15] Not that the overall power of the OLS model is weak with an R squared of 0.013.

[16] Recall that the New Jersey Department of Corrections has determined that it costs $107 to house one inmate for one day in a state prison facility. Alternatively, CEC charges the state of New Jersey a per diem rate of $68 for each Halfway Back participant.

[17] Note that the larger number of days incarcerated among the Comparison group may be explained by some individuals' decisions to "max out" in prison, rather than gain early release on parole.

[18] Note that there was a statistically significant difference in arrests for domestic violence offenses (favoring the Halfway Back group), the percentages were small (2% and 7%) and unlikely to produce a sizeable difference in incarceration rates.

[19] These include: (1) Intervention efforts must be linked to criminogenic characteristics, (2) All criminogenic deficits should be treated, (3) Treatment should match client learning styles, (4) Higher- risk clients are more likely to benefit from treatment than are lower-risk clients, (5) Skills-oriented and cognitive-behavioral treatments appear to be the most effective approaches,

(6) Program implementation and continuity of care, (7) Program dosage, (8) Researcher involvement (Gaes et al., 1999).