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OPPORTUNITIES

ON TARGETS FOR
INTERVENTION IN
LOCAL CRIMINAL
JUSTICE SYSTEMS

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I. Introduction

US property and violent crime each declined about 45 percent between 1995 and 2016 (Figure 1). And while the national corrections population eventually shrank from its 2008 peak, the number of individuals under criminal justice supervision remained about the same in 2016 as it was in 1995 (Figure 2). In total, 6,613,500 individuals were in the US adult corrections system on December 31, 2016. Of them, 4,537,100 were in community corrections, actively supervised through either probation (3,673,100) or parole (874,800). The 2016 community corrections population was more than double the incarcerated population of 2,162,400. Of the incarcerated, 740,700 were not in prisons, but rather in local, city, and county jails.

The US prison population receives most of the national policy attention, but it represents only a quarter of the country's individuals under corrections control. The remaining 77 percent of people in the criminal justice system, nearly 2 percent of the adult US population, are on parole, on probation, or in local jails. To reduce the number of people under corrections system control, the United States must not only incarcerate fewer people, but also better understand why so many remain under supervision and identify the underlying problems of community corrections systems. What are the mechanisms behind community supervision and the personal and systemic challenges faced by those in the system?

Crime rates are typically driven by young people, and researchers believe the crime boom of the 1980s and 1990s was driven by increases in violent infractions committed by young men (Blumstein, 1995). The subsequent drop in crime was largely driven by the same group. By 2018, the under-18 arrest rate dropped 75 percent from its 1990s peak. The serious violent victimization rate dropped 83 percent from 1993 to 2016, to 6.4 victimizations per thousand 12- to 17-year-olds. The violent crime arrest rate for 50-year-olds, however, has not changed significantly since 1980.

Older individuals, rather than youth, are responsible for US supervision levels remaining constant over the years. The current population under supervision is older and has more prior criminal justice involvement than the population did in 1995. The proportion of arrested individuals who were over 25 increased from 56 to 71 percent between 1995 and 2018.¹ Between 1980 and 2014, the median arrest age increased approximately six years, from 23 to 29; the median age of those in prison also increased by six years, from 30 to 36 (Porter et al., 2016; Luallen and King, 2014).

The number of people admitted to prison for parole or probation violations also increased after 1995. Figure 3 shows the number of people admitted to state prisons for new crimes and parole violations from 1978 to 2016. The figure separates California from the data, because the state faced court supervision due to prison overcrowding prior to 2011, when legislation dramatically reduced parole revocation rates. Before the legislation, parole revocations contributed significantly to California's prison overcrowding. The state's new admissions and parole revocations were essentially identical in 1985. By 2000, revocations doubled new admissions.

Outside California, parole revocation admissions increased six-fold from 1978 to 2016, sharper than the

¹ Data are taken from the Office of Juvenile Justice and Delinquency Prevention's "Statistical Briefing Book: Law Enforcement and Juvenile Crime, Arrest Trends by Offense, Age, and Gender."

four-fold new admissions increase. The proportion of all prison admissions due to parole violations increased from 26 percent in 1995 to 31.4 percent in 2016. Meanwhile, new admissions began to decline in 2008.

Figure 4 follows US state and federal prison incarceration levels for the birth cohort of individuals aged 20 to 24 in 2001.² The number of prisoners in 2016, when the cohort was 35-39, was almost identical to the number when the cohort was 20-24. Although the US Bureau of Justice Statistics doesn't specifically report on the cohort's prison sentences, the average sentence for the overall population did not increase during the period. The median time served for a state prisoner released in 2016 was 1.3 years, while the mean was 2.6 years (Kaeble, 2018). While some individuals served long sentences, incarceration levels likely remained high for the cohort because others were sent back to prison for relatively short periods.³ Figure 5, adapted from Alper et al. (2018), depicts the high recidivism levels, defined as rearrests for the prisoner cohort released in 2004. According to the research, more than 80 percent of 2004 releases were arrested again at least once by 2014.



Younger birth cohorts are involved in the prison system at lower rates than the cohorts coming of age in the 1990s.

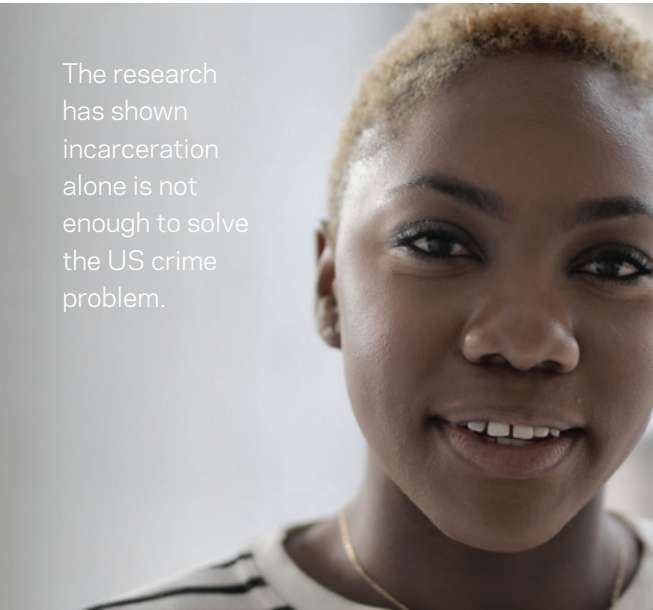
Younger birth cohorts are involved in the prison system at lower rates than the cohorts coming of age in the 1990s. Bronson and Carson (2019) report the number of males in state and federal prisons aged 20-24 in 2017 dropped to 127,000, a decline of almost 40 percent from 2001 (Figure 4). As the younger birth cohorts age, the population under supervision will likely decrease. However, a large group of older individuals remain stuck in the criminal justice system, consistently cycling through jail, community supervision, and prison.

Two solutions to the supervision problem are often suggested. The first, championed by the MacArthur Foundation and Arnold Ventures LLC, is to reduce supervision rates by revoking parole and probation less often for technical violations, applying shorter probation sentences, and/or using pretrial supervision selectively. Similar reform efforts in New York City (Austin and Jacobson, 2012) and California (Lofstrom et al., 2016) have indicated dramatic reductions in criminal justice supervision do not necessarily lead to more crime.

The second common response is to reduce recidivism by targeting the future criminal involvement of those already under supervision. The effort has been motivated by an effective 20-year focus on prisoner reentry (Travis, 2005). The research has shown incarceration alone is not enough to solve the US crime problem, and because indefinite mass incarceration is neither just nor practical, the system must focus on the criminal behavior of the recently incarcerated returning to the community. The realization has coincided with increased interest in evidenced-informed policy, specifically using data to identify programs effectively reducing recidivism. Many large-scale federal efforts, most notably the Serious and Violent Offender Reentry Initiative and Second Chance Act, have sought to reduce recidivism.

² Data are taken from the "Prisoners in the United States" series produced by the Bureau of Justice Statistics (Bronson and Carson, 2019).

³ The average time served for a parole revocation is about 14 months.



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Reentry initiative evaluations generally find null results (Lattimore and Visher, 2009; D'Amico et al., 2017), although a small but non-significant reduction pattern emerges, and broader descriptive evidence indicates recidivism rates may be declining. Gelb and Velazquez (2018) report the rate at which released prisoners returned decreased 25 percent from 2005 to 2018. The researchers found 37 percent of their study cohort, released from prison in 2012, returned within three years. The recidivism rate for those released in 2005 was 48 percent.

Many recidivism reduction efforts occur in the community, while people are on parole, on probation, or in jail, not in prison. Seventy-seven percent of the population involved in the criminal justice system are under one of the three forms of supervision, and current probation and parole models are moving from traditional supervision toward behavioral management. The approach focuses on mechanisms helping offenders desist, often by way of mandated treatment (Vera Institute, 2013). In the model, probation and parole officers function as case managers and provide contacts and referrals to community service organizations (Latessa and Smith, 2015). Many nonprofit

organizations run the halfway houses designed to give individuals assistance upon release from prison or jail. Similarly, private organizations provide most of the mental health, substance abuse treatment, and educational programs mandated by judicial sentences. For example, private companies manufacture and monitor the ignition locking devices given to convicted drunk drivers.⁴

Researchers have only recently begun to articulate the extent to which non-public entities are involved in providing services to the community corrections population (Latessa and Lovins, 2019). Much of the attention on non-public correctional services has focused on private prisons, which serve only 8 percent of the total prison population (Gaes, 2019). Non-public entities providing services to the community corrections population have not been opposed as strongly as private prisons, despite upholding a larger part of the system.

Variations in the availability and quality of rehabilitative services likely play a systematic role in the success of those in community corrections (Phelps, 2020). Research by David Kirk shows recidivism rates for justice-involved individuals migrating after Hurricane Katrina were impacted by where they chose to relocate (Kirk, 2015). The study aligns with recent research by Chetty at Opportunity Insights, a Harvard University policy lab. The results of Chetty's "Moving to Opportunity" experiment suggest children who move from poor to wealthier communities with greater access to social capital, including a strong nonprofit network, have better long-term life outcomes (Chetty et al., 2016).

If local nonprofits are in position to help establish successful community corrections systems and reduce recidivism, they must identify the types of activities maximizing their impact on crime and criminal justice practices. In other words, how can community-based services help improve and reform the criminal justice system?

⁴ For more information, see Taylor et al. (2017) and a list of ignition interlock manufacturers, published by the State of Michigan and found here: https://www.michigan.gov/sos/0,4670,7-127-1627_8665_9070-70471--,00.html.



II. Community Corrections

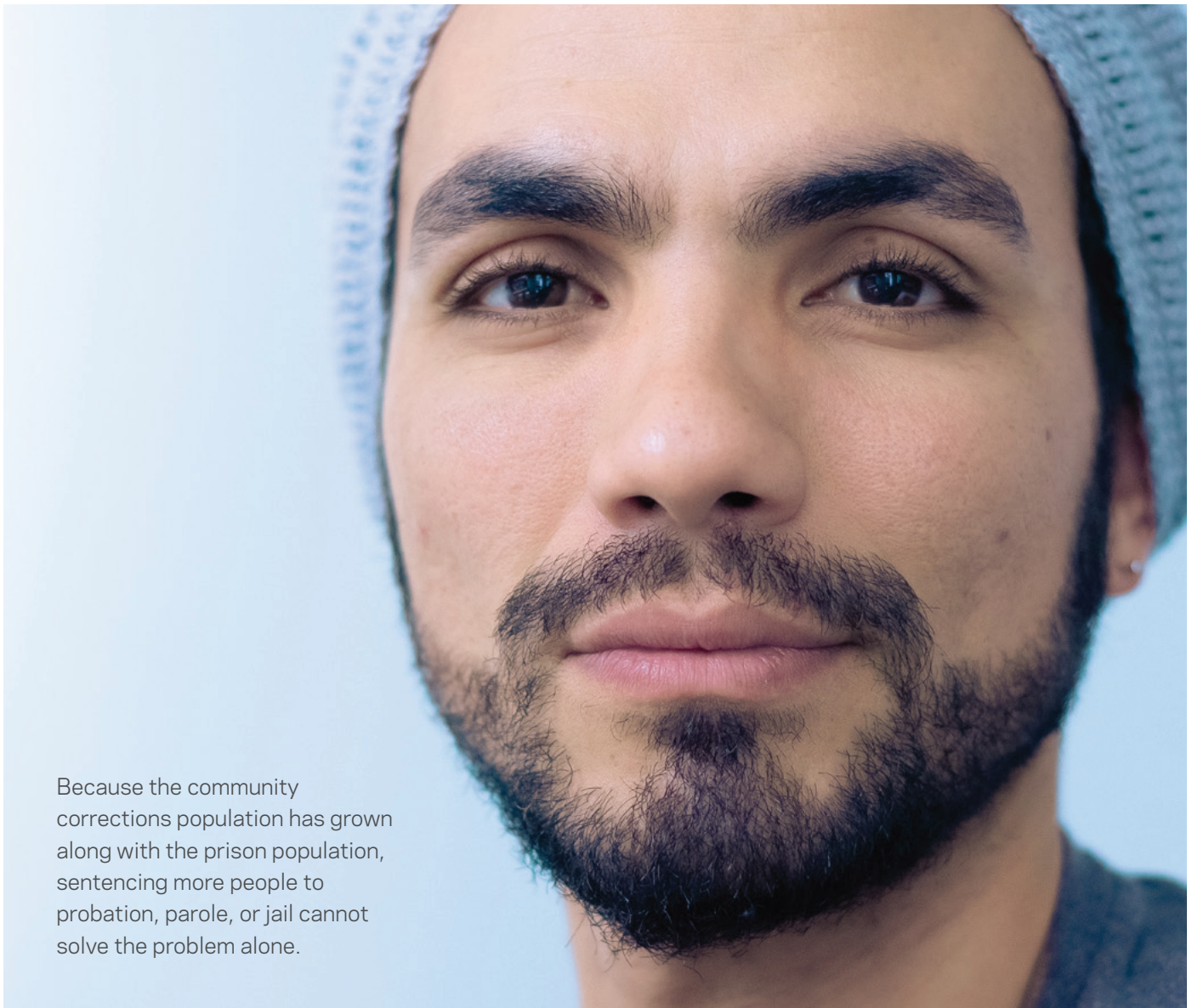
Probation is the most common form of US criminal sentencing. The American Correctional Association defines probation as a "...court ordered dispositional alternative through which an adjudicated offender is placed under the control, supervision, and care of a probation staff member in lieu of imprisonment, so long as the probationer meets certain standards of contact" (Beal, 1995). At its 2007 peak, one in every 36 Americans and 12 black males was on probation. Of those on probation, 59 percent were convicted of felonies (Kaehle and Cowhig, 2018).

In many cases, probation is not an alternative to prison or jail sentences but a supplement—half of convicted felons were serving a split sentence in 2018, typically with a short jail sentence followed by a longer probation. Mixed sentences function like prison and parole, often defined as the supervisory period following detention. Many probation sentences include suspended prison or jail time, which the supervised individual must serve if probationary conditions are not met. In some systems, any arrest while on probation results in an automatic jail stay without hope of release, even if the crime itself would not have resulted in revoked probation (Melamed et al., 2019). As a result, not only are jail and probation substitutes, but they are also often complements.

Jail and probation's complementarity is reflected in the relatively short sentences often served. Figure 6 shows the distribution of jail stays served by those convicted and released in 2014. Only 6 percent spent more than 180 days in jail, while 61 percent spent 30 days or less. Jail stays similarly were short for those held prior to conviction. Almost two-thirds of the 2014 jail population had not yet been convicted but was awaiting bail, trial, or another hearing (Zheng, 2019). The weekly turnover rate in the average US jail was 54 percent, meaning more than half the jail population was new every week (Zheng, 2019). While rehabilitation programming is difficult for a transitory population, 39 percent of those convicted and released in 2014 spent 31 or more days in jail, a window which may allow an impactful intervention. Jail programming typically must be coordinated with outside agencies, which can continue treatment upon an individual's release. However, evidence suggests the coordination is difficult and often mentioned as a hurdle for rehabilitation.⁵

Jails and probation departments typically are operated by separate county government divisions. The relationship between the divisions can be contentious, and their leaders sometimes partner with local police, prosecutors, and courts through county-level Criminal Justice Coordinating Councils. The councils are designed to bring department heads together, mainly to reduce crime and provide effective criminal justice services (Nugent-Borakove and Beeman, 2010). Launched in the 1970s, the councils remained active in states like Wisconsin as late as 2013, though their use has waned elsewhere (National Institute of Corrections, 2013). Criminal Justice Coordinating Councils think of criminal justice actors not as isolates, but as agencies affecting one another in important ways. The councils can therefore help communities foster collaboration, maintaining and improving local criminal justice administration across public safety departments and agencies. Further research on the councils is required to determine the benefits of systematic coordination and reform.

⁵ Taken from a 2016 National Institute of Justice, Office of Justice Programs, article, "Program Profile: Allegheny County (Penn.) Jail-Based Reentry Specialist Program."



Because the community corrections population has grown along with the prison population, sentencing more people to probation, parole, or jail cannot solve the problem alone.

Among US probation, parole, and jail system reviews, Petersilia (1997) and Phelps (2020) provide context for probation, Reitz and Rhine (2020) describe parole, and Turney and Conner (2019) review the jail system. The more recent reviews (Phelps, 2020; Reitz and Rhine, 2020; Turney and Conner, 2019) indicate mass incarceration is a misnomer—the US is experiencing a period of mass supervision, of which incarceration is a part. Because the community corrections population has grown along with the prison population, sentencing more people

to probation, parole, or jail cannot solve the problem alone. The systems have already expanded (Phelps, 2013), and discussions about reducing community corrections use, particularly probation and jail, have become common (Phelps, 2020). If fewer people are incarcerated, more high-risk individuals will be sent into the community, which will need to focus resources on high-risk individuals instead of the larger number of relatively low-risk offenders who may not need services.

The literature also shows the community corrections system's actions directly impact the prison population. Parole and probation officers function primarily as agents of supervision (Petersilia, 1997), with supervisees checking in and maintaining contact. Over time, supervision and surveillance have grown to incorporate drug testing, electronic monitoring, and other innovations. When supervision is intensive, recognizing failure becomes a form of law enforcement. In another probation system review, the Center on Sentencing and Corrections indicates the basic approach to supervision in many jurisdictions has been, to "tail 'em, nail 'em, and jail 'em" (Vera Institute, 2013). Recent estimates suggest as many as 45 percent of annual prison admissions are due to parole and probation violations (CSG Justice Center, 2019). Efforts to reduce prison populations must therefore consider reducing detention for probation and parole violations, and probation and parole officers must change the way they operate.

Community supervision is largely understood to have received less research attention than the prison system and mass incarceration. Most recent probation and parole reviews include a broad call for more research and basic data compilation on the individuals in the systems. The local nature of probation, parole, and jail makes it difficult to track participants. The literature also highlights a need for more causal research on the consequences of jailing, probation, and parole on recidivism and long-term outcomes. According to Turney and Conner (2019), because of "...the common nature of jail incarceration—in conjunction with the possibility for jail incarceration to create, sustain, and perpetuate inequality—a better understanding of the prevalence, correlates, and consequences of jail incarceration is critical for recognizing the link between criminal justice contact and inequality." Phelps (2020) writes, for "...the 3.7 million adults on probation in 2016, or the nearly 2 million that are expected to enter probation next year,

we know little about how this supervision will impact their lives... More research is also needed on the effects of probation on an individual's employment, re-arrest, and reconviction, as well as outcomes like health and family formation and wellbeing."

Many calls for focused research appear motivated by the desire to repeat existing prison advocacy and reform efforts, which have resulted in the creation of the National Academy Panel on the Growth of Incarceration and other important forms of correctional control (National Research Council, 2014). Many former probation department leaders have also demanded a dramatic system restructuring, often by reducing the supervisory process' length and intrusion level. For example, the Columbia University Justice Lab has called for a 50 percent reduction in the community corrections population (CUJL, 2018). As the demands gain momentum and jurisdictions make efforts to reduce the community corrections population, opportunities will arise to explore their impact.



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III. Reducing Recidivism

Even with a reduction of new offenders moving into community corrections, the existing population, composed largely of an older cohort cycling through the system, is significant (Porter et al., 2016; Luallen and King, 2014). As a result, the need remains for nonprofit organizations and for-profit companies, in conjunction with county governments, to identify and implement cost-effective rehabilitative programs and services for recidivists. The existing literature does little to identify the best ways to help people in community corrections stay out of the system in the future. However, interest in evaluations and evidence-based practice has exploded over the last 20 years, and a robust literature describes various community programs. For example, substance abuse and mental health programs are subject to repeated evaluation, as are criminal justice-based programs like drug courts, which have typically been found successful, particularly when combined with treatment (Mitchell et al., 2012).⁶

Intervention reviews typically find treatment programs aligned with the risks and needs of convicted offenders have some impact on recidivism (Sherman et al., 1997). Sherman et al.'s 1997 report to Congress instigated a new industry to identify programs evaluated and deemed effective. The National Institute of Justice, for example, has created the online database Crime

Solutions, where programs are sorted by program type, e.g., Corrections and Reentry, Courts, and Crime and Crime Prevention. The database rates each program or practice "Effective," "Promising," or "No Effect," based on evaluation evidence. Within the Corrections and Reentry classification, 136 programs and 30 practices are listed; of them, the modal rating is Promising, with only eight programs receiving an Effective rating. Databases like Crime Solutions allow practitioners to review and select programs and practices meeting efficacy criteria. Many are created or operated through non-public community entities, while some are brand names and can be imported wholesale.

The Washington State Institute for Public Policy published the Inventory of Evidence-Based, Research-Based, and Promising Programs for Adult Corrections in 2018. The institute initiated the community corrections programs and practices inventory while conducting cost-benefit analyses to guide legislative funding in Washington. Among the most promising programs highlighted were alternative courts, such as for drugs and mental health, and electronic monitoring matched with graduated sanctions. The programs emphasize deterrence through detection certainty, rather than severe punishment. The institute also found support for educational and vocational programs, as well as therapeutic communities providing services for individuals inside and outside prisons with substance abuse and co-occurring disorders. More generally, the institute found support for programs matching risks and needs to individuals with high and moderately-high recidivism risk (Wanner, 2018).

Other evidence-based databases contain academic reviews of the evaluation literature. The Campbell Collaboration has sponsored and supported more than 150 systematic reviews, many using meta-analytic techniques, of criminal justice program evaluations over the last 20 years. The Campbell Collaboration reviews often form the basis for the

⁶ Drug courts may not be cost effective, as their participants often spend nearly the same amount of time incarcerated as they would without them. However, individuals engaged in drug courts usually serve shorter jail sentences in response to failed drug tests. In other words, incarceration is used differently alongside drug courts than in their absence.



Among the most promising programs highlighted were alternative courts, such as for drugs and mental health, and electronic monitoring matched with graduated sanctions.

ratings and conclusions published in consumer-facing clearinghouses like Crime Solutions. Existing evaluations, however, have not been rigorous, a fact acknowledged in the Campbell Collaboration reviews. Few involve randomized or quasi-random experiments, and the clearinghouses sometimes provide an illusion of evidence. Still, their publishing standards have been shown to motivate programmers to incorporate

more rigorous evaluation methods, mostly to gain recognition and secure better ratings.

The list of available corrections programs and practices remains large and overwhelming, and researchers typically organize them by the need addressed, such as substance abuse, mental health, and work skills issues. Programs are also organized

by offense type, such as sexual deviation and driving while intoxicated. The goal is to allow practitioners to locate programs with the potential to meet their needs. Doleac (2019) takes a different approach to organizing recidivism prevention programs. Using a basic economic model for crime and parameterizing its key components, Doleac organizes recidivism reduction programs using seven mechanisms: (1) increasing criminal justice penalties, 2) increasing collateral consequences for second offenses, 3) increasing detection probability, 4) changing crime's opportunity costs by improving other opportunities available, 5) helping individuals avoid criminogenic influences like peers, 6) changing preferences, and 7) improving potential criminals' decision making skills.

Like Wanner (2018), Doleac finds monitoring programs that increase detection probability reduce recidivism. Doleac also highlights evidence that reducing the collateral consequences associated with a first offense might reduce recidivism, either by increasing the indirect costs of subsequent offenses or crime's opportunity costs. Doleac concludes the evidence most strongly supports programs increasing crime's opportunity costs, whether through human capital improvements (education), work earnings increases, or better access to public benefits. However, the study acknowledges the evidence describing work and educational program impact is thin.

Work-based reentry program reviews are often negative (Bushway and Apel, 2012). Providing work opportunities to those returning from prison may suppress crime in the short term but does not appear to reduce recidivism over time. One explanation is the majority of prison and jail detainees are detached from the labor market. Program evaluations routinely report only 30 percent of the incarcerated population is involved in formal labor prior to serving a prison term. Although a spike in formal employment occurs immediately after leaving prison, most studies show

a subsequent return to previous employment levels. While evidence suggests work and work programs can move some individuals away from crime, the programs' success is difficult to detect in broad-based evaluations where most individuals struggle to remain employed (Bushway and Apel, 2012).

Doleac (2019) suggests individuals trapped in recidivism cycles must shift their preferences toward more prosocial activities. Specifically, the researcher states,

Going forward, research on the psychic costs and benefits related to criminal and noncriminal behavior—and how to change them—will be particularly valuable. For instance, how can we limit negative peer effects and incentivize people to avoid high-risk situations? And how can we convince people for whom therapy and substance abuse treatment would be beneficial to engage in it voluntarily (outside of prison)? These topics have received relatively little attention within the economics literature but have the potential to meaningfully advance our understanding of why people continue to commit crime and how we can incentivize them to make different choices.

An American Enterprise Institute report, "Rethinking Reentry" (Orrell 2020), reinforces the idea the problem may be less about programs than engagement. The volume assembles articles from leading correctional scholars in reentry, including Visher, Latessa, Taxman, LaVigne, and Lattimore. Visher et al. (2020) recommend further experiments with in-prison therapeutic communities providing support and encouragement for those wanting to change. Wanner (2018) also provides evidence supporting therapeutic communities. Bushway (2020) provides a theoretical frame for the discussion, focusing on identity transformation that results in desistance.



IV. Identity Transformation

An individual's identity shapes his or her utility function, which describes how choices are weighed. A growing body of criminology work supports the idea that crime desistance involves the adoption of a new prosocial identity, such as provider or father rather than criminal or gang member. Giordano et al. (2002) argue desistance requires substantial cognitive transformation, or "upfront" cognitive work, such as developing a general openness to change and receiving consistent support from others. Acquiring and maintaining a new identity often involves discrete choices, whether separating from past peer groups or moving to new environments. Contrary to many criminal theories, the research suggests obtaining a job or getting married have little effect on criminality without an explicit self-redefinition. Paternoster and Bushway (2009) suggest individuals experiencing negative consequences from crime eventually reach a decision point, deem the activity unworthy of the costs, make a conscious choice to adopt a new identity, and desist. The individual can then maintain the new behavior by forming new, positive social networks.

Cognitive behavioral therapy has been shown to help reformed criminals maintain their new, prosocial identity (Landenberger and Lipsey, 2005). Cognitive behavioral programming, often with names like

"Thinking for a Change," attempts to provide individuals with the skills to solve life's problems and achieve desired goals through non-criminal means. While the problem-solving skills help little without an ultimate decision to attempt personal change, they can help individuals focused on change achieve new goals. Cognitive behavioral therapy reviews show the programs can reduce recidivism even among high-rate offenders. The therapy's success does not arise through social control, but rather through discrete, personal decisions to respond to life's challenges in new ways. Many reform programs use the therapy as an entry point to other strategies dealing directly with deficits hindering prosocial activities like work. Increasingly, service programs integrate cognitive behavioral therapy into all their client interactions (Latessa and Smith, 2015).

Employment is an important part of the prosocial identity high-rate offenders might adopt. From an identity perspective, employment is not a means to an end, but rather the end itself. Still, desistance must be fostered by actively adopting a new identity enabling employment, which in turn supports desistance (Paternoster and Bushway 2009). Latessa (2011) argues the majority of individuals exiting prison have significant needs and are not ready for employment. Simply providing employment, therefore, rarely leads to reduced crime. Recent insights by Davis and Heller (2019), however, suggest employment and training can be a mechanism for introducing new identities, particularly for young people growing up in communities where employment is uncommon. The researchers examine the possible ways summer youth employment opportunity programs can reduce violence. Davis and Heller review several rigorous evaluations and show relatively short summer work programs can reduce mortality and violent crime among lower income youth and young adults, regardless of whether the programs increase schooling levels or employment. The researchers show the

standard economic model of “more work, less crime” does not hold. Instead, exposing individuals to different opportunities, norms, or peer networks leads to sustained behavioral changes.

Davis and Heller’s results are consistent with an evaluation of a transitional jobs reentry program, the Center for Employment Opportunities. The program is one of the first to provide transitional and permanent job placement services to people reentering communities after prison terms. While the program has not been found to lead to long-term employment, it permanently reduces arrest rates. The effects are particularly strong for the most disadvantage ex-prisoners (Redcross et al., 2012). The result is consistent with Davis and Heller’s conclusion that anti-crime benefits exist for everyone, including the most disadvantaged youth, participating in summer employment opportunity programs, even though the employment benefits exist only for a more privileged subset.

A new set of programs, including Roca, the Rapid Employment and Development Initiative Chicago, and Oakland Unite, combine employment-based programming with cognitive behavioral training to target violent young adults at high risk for recidivism.⁷ The focus on high-risk or system-involved youth differentiates them from established programs like Job Corps and the National Guard Youth Challenge Program, as well as newer employment training entities like the nine Pathways for Advancing Careers and Education programs currently being evaluated by Abt, which have enrollment standards automatically disqualifying individuals in the criminal justice system. The traditional programs appear to work by increasing participants’ earnings. YearUp, one of the newer PACE studies focused on the technology industry, has shown an earnings increase of nearly 50 percent in its first year, larger than in prior evaluations (Fein and Hamadyk, 2018).



New programs focused explicitly on the most violent and difficult adults would be unlikely to have the same success as YearUp, in which the participating youth have lower base levels of education and soft skills. Nonetheless, surrounding high-risk youth with a community of supporters consistently presenting an alternative worldview and offering a direct connection to a prosocial lifestyle is likely to decrease recidivism. Indeed, many treatment providers themselves come from the same backgrounds as those receiving treatment. While program participants must ultimately make the decision to choose a different path, the programs suggest behavioral treatment and employment opportunities can give people the chance to make the decision.

⁷ Abt’s Roca and the University of Chicago’s Rapid Employment and Development Initiative are both nonprofit programs undergoing large randomized control trial evaluations. Oakland Unite is run by the county health service, which contracts directly with community nonprofits.



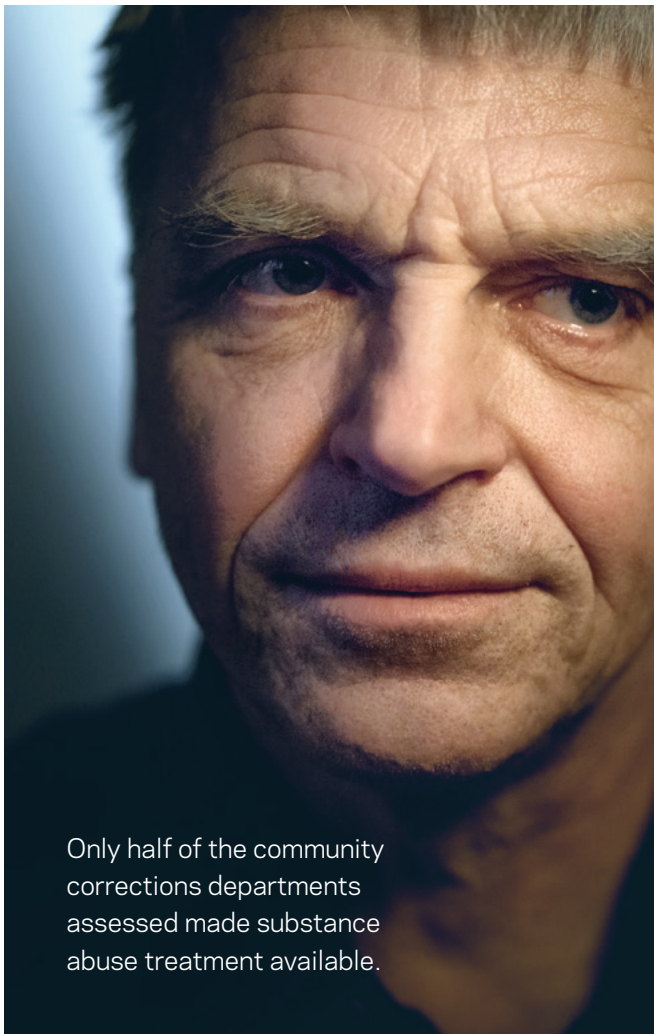
V. System Change and Community Context

Programs like Roca, the Rapid Employment and Development Initiative Chicago, and Oakland Unite work for the criminal justice system from the outside. Oakland Unite, for example, is run by the county health services department, not the correctional system. The structure is intentional and reflects the fundamental belief the criminal justice system itself has had difficulty pivoting from a punitive model to reform and rehabilitation.

Community corrections systems have operated for decades in hierarchical structures emphasizing contacts (supervision), proscribed behavior, and parole and probation revocation threats (Taxman, 2013). While the strategies may deter some individuals from crime, they poorly incentivize the preference changes required to outlast monitoring. For example, intermediate and intensive probation models, developed in the 1980s as secure alternatives for high-risk offenders otherwise destined for prison, struggled with the tension between supervision and treatment (Clear and Latessa, 1993; Petersilia, 1997).

Administrators have for decades attempted to transition community corrections systems to behavioral change models. The movements typically begin by recognizing criminals' exit opportunities are limited because communities with high concentrations of criminal justice involvement lack reform programs, economic opportunities, and social capital. Tucker and Cadora (2003) and, later, Clear (2011) have suggested reinvesting the money spent on incarceration to build and support community rehabilitation and programming structures. The idea developed into the Justice Reinvestment Initiative, a large public-private partnership between the Pew Research Center and Bureau of Justice Administration. Active between 2010 and 2017, the data-driven initiative received \$160 million in federal funds and focused on using evidence-based practices to inform legislative efforts and reduce incarceration levels. Twenty-eight states participated in the process, and evaluators documented its implementation in each. Sabol and Baumann (2020) recently released a detailed review of the initiative and its published assessment materials. The researchers concluded the program increased evidence-based practices in the states but did not achieve its ultimate goals of reducing correctional populations, saving money, and improving public safety. Sabol and Baumann, outlining basic problems with the model's structure and assumptions, suggest the initiative's goals may have been unrealistic. Alternatively, the program may not have fundamentally engaged with the people trapped in the recidivism cycle. If the correctional system's fundamental problem is repeated recidivism, solutions and policies must address it directly to be effective (Taxman et al., 2014).

Taxman et al. (2014) argue the Justice Reinvestment Initiative should have focused on the degree to which programs seeking to address supervised individuals' needs were available, as well as whether the programs were used. The North American criminal justice community more recently has adopted an approach



Only half of the community corrections departments assessed made substance abuse treatment available.

known as Risk, Needs, and Responsivity (Bonta and Andrews, 2007). The model assumes each supervised individual has unique needs and risks, which must be addressed by services both appropriate for the person receiving treatment and provided in a manner helping him or her respond positively (i.e., engage with the desistance process). Taxman suggests most communities fail to relay the options available to the supervised population.⁸

Substance abuse treatment program availability illustrates the problem. Taxman and colleagues (2014) find only half of the community corrections departments assessed made substance abuse

treatment available. In the departments offering treatment, less than 5 percent of the total corrections population participated, and only 4 percent of substance abusers could access the services. In jails, only 14 percent of substance abusers had access to treatment. At least three conditions indicate why substance abuse services are not provided nor utilized by individuals in community corrections. One, individuals are not prepared to engage with treatment. Therapeutic communities are designed around the preparatory process, creating supportive environments to engage individuals in change. Two, probation and parole officers tend not to follow the risk and needs assessments provided. While most US probation and parole departments use risk assessment instruments, it is not clear how officers use the information gathered (Taxman et al., 2014). Research has shown changing the organizations' culture and incorporating new behavioral management approaches is difficult (Taxman, 2008; Vera Institute, 2013), and the singular availability of risk and needs assessments does not guarantee their prescriptions will be followed, especially by officers subscribing to the "supervise and punish" modality (Stevenson, 2018). Three, corrections system supervisees do not take advantage of substance abuse services because they are not available in their communities.

Treatment for individuals under supervision, either in jails or by probation and parole departments, is commonly provided by nonprofit and for-profit providers outside the criminal justice system. Fundamentally, individuals in corrections are unlikely to overcome the issues they face without the required resources, but they face a steep learning curve when engaging with the services for the first time.

The number and quality of local corrections services existing across communities represents an opportunity for further research. Each community offers unique nonprofits and other service providers to their

⁸ The recently passed First Step Act mandates the Risk, Needs, and Responsivity model in the federal prison system. The act offers a process of evaluating the risk tool implementation and the programming that addresses needs and risks.



Research identifying what constitutes a healthy ecosystem of providers and services would help communities improve their corrections systems.

residents, and each court has unique attitudes and preferences about the services offenders need. In other words, the portfolio of services available to recent offenders and high-risk individuals is location-specific. No systematic research has yet suggested what the services should provide, nor how service availability and quality affect outcomes. Research identifying what constitutes a healthy ecosystem of providers and services would help communities improve their corrections systems.

While no clear model suggests the analysis required, the conditions for substantive service ecosystem research have improved. Political support for the Justice Reinvestment Initiative model has waned (Sabol and Baumann, 2020), and researchers and administrators have begun an active search for new models and approaches. Likewise, a renewed focus on communities, rather than states, and increased appetite for criminal justice reform (Sharkey, 2018) may drive larger trends in policy. Furthermore, crime rates are at a 40-year low and criminal justice involvement is at a 50-year low among youth and young adults. The problem, therefore, is shrinking, and the diminished threat of increased crime may make reforms easier

to implement. The recent decline in the correctional population may also lead to excess resources for experimentation via new programs and approaches.

Latessa and Lovins (2019) have identified the development of larger service organizations operating across multiple jurisdictions, including the Center for Employment Opportunities and Roca. Other examples include companies providing halfway house services and juvenile justice group homes across multiple communities. The organizations typically launch in one location and extend their model following positive evaluations. The programs often partner with local criminal justice agencies and seek to fill service coverage gaps. The trend presents an interesting opportunity for returns to scale, as well as more consistent service coverage across areas. Although the models are occasionally evaluated across communities, systematic evaluations of the larger entities and how they impact the local service ecosystem are needed. On the other hand, evaluations of smaller, more localized programs should focus on those that are clearly scalable and replicable across communities.



VI. Frequent Users

The individuals remaining in the criminal justice system, particularly local systems like jails and probation, are an increasingly concentrated group of older people unable to break out of the recidivism cycle. In the Bureau of Justice Statistics' most recent jail inmate survey (James, 2004), 46 percent of inmates were on probation or parole at the time of arrest and 39 percent had served three or more prior sentences. Many faced co-occurring problems, including substance abuse and mental health disorders. Of the population surveyed, two-thirds identified as regular drug users and 77 percent were alcohol- or drug-involved at the time of the offense. While the bureau's inmate survey has been discontinued, the problems are likely worse for the current jail population, given aging.

Turney and Conner (2019) recently published a review of the sparse research on jails. The researchers' work suggests jail inmates suffer more health problems than those in other institutions, including prison. More than 60 percent of jail inmates suffer from substance abuse or dependence, 40 percent have a chronic medical condition, and almost half report a formal mental disorder diagnosis. Jails, in which 54 percent of the population turns over every week,⁹ may not cause the problems, but they serve as a collection point for the afflicted individuals (Zheng, 2019).

The small number of individuals cycling through jails generally are not involved in serious violence, but rather drug, property, and public order crimes. The infractions are often symptoms of underlying issues. The individuals are typically heavy users of other government services, such as emergency rooms and homeless shelters. A study in Camden, New Jersey, found 226 individuals appeared in the top 5 percent of both arrests and emergency room visits (Milgrim et al., 2018). During the four-year study, the same individuals were arrested 3,686 times, with 95 percent for nonviolent offenses. Seventy-five percent of the individuals received at least one mental health-related diagnosis, and more than 40 percent experienced homelessness at least once. To combat the cycle, Camden integrated its health and criminal justice data to identify frequent users and implemented the "Camden Coalition," a case management model designed to meet the users' needs.

Camden is one of a small number of counties and nonprofits grappling with the problem of high frequency users, who impose high costs on local communities and governments through homelessness, emergency room use, and criminal justice system involvement. A recent literature review suggests a lack of data on frequent criminal justice system users makes measuring their cost and addressing the problem difficult (Fuller, Sinclair, and Snook, 2017). Arnold Ventures began focusing significant resources on the problem in 2018, mainly by funding research on which programs and policies effectively address frequent users' needs. Arnold Ventures also supported Data-Driven Justice, an Obama Administration initiative now operating through a website maintained by the National Association of Counties. And a paper from the Executive Session on Prosecution has focused on the need for community-centered court responses to frequent users (Choi et al., 2019).

⁹ Data from 2017.



Solving the frequent user population's problems requires engaging with multiple agencies, including the police, courts, and prosecutors, about how to best serve those with mental health or substance abuse disorders.

Supportive housing and Housing First models, like Frequent Utilizers System Engagement, operate at the intersection of homeless services and the criminal justice and health care systems. The models require cooperation between government and community organizations but can provide a strong connection to services outside the criminal justice context. Solving the frequent user population's problems requires engaging with multiple agencies, including the police,

courts, and prosecutors, about how to best serve those with mental health or substance abuse disorders. While little research has explored the approach, Frequent Utilizers System Engagement is currently the most prominent model, and the Wilson Sheehan Lab for Economic Opportunities currently is evaluating it in Ohio. The work intends to understand the link between homelessness, health care use, and the criminal justice system, primarily jails.



VII. Conclusion

While US crime rates dropped in the years after the mid-1990s, the criminal justice system continued to supervise the same number of people in 2016 that it did in 1995. The supervised population changed considerably, though, growing older and more likely to have had a prior history of criminal justice involvement, increasingly made up of recidivists who had not managed to desist from crime (Rosenfeld et al., 2005).

The supervised population likely will continue to decline from its peak in 2008 even if no action is taken. Younger birth cohorts are engaging in crime at lower rates than past cohorts, and individuals who avoid the criminal justice system entirely cannot become mired in the recidivism cycle. However, millions are already involved in the system, and crime and supervision reduction efforts must grapple with the problem of recidivism among those with prolonged criminal justice involvement.

The prison population represents less than a quarter of individuals under criminal justice control, and almost half of admitted prisoners return from the community as the result of probation or parole failure annually. Recidivism is rooted in community corrections systems, where the challenges of living crime free are magnified. Individuals beginning the personal transformation process in prison or jail often find it

challenging to continue the process in the community under probation or parole.

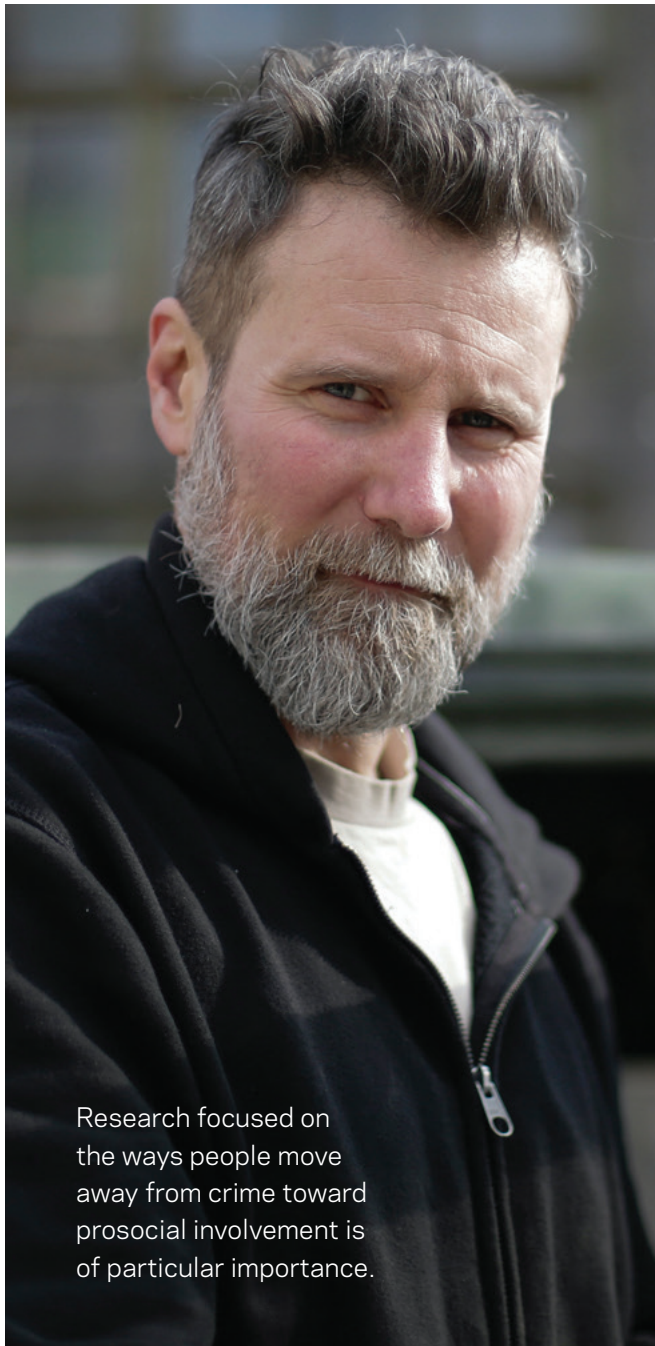
Little research examines parole, probation, and jail as institutions, at least partially because data are difficult to obtain. As a result, more work is needed on how the institutions work together to reduce recidivism and promote desistance. Some communities have attempted to coordinate efforts across agencies through Criminal Justice Coordinating Councils, but each community offers different resources and takes a unique approach to working with the population under community control. Little is understood about how the different approaches can help reduce recidivism.

Importantly, the approaches are not solely government concerns. Nonprofit and private organizations provide most of the treatment services. Yet little is known about how they function or create effective service networks, creating a need to focus on how the services are provided within and across communities. While it is important to identify effective programming, research must also examine the features of an effective treatment ecosystem capable of meeting the needs of those in the criminal justice system.

The community corrections system may not be fundamentally equipped to manage or produce behavioral change, as it was created primarily to provide supervision and control. While researchers have suggested increased supervision may increase desistance (Doleac, 2019), incentivizing life without crime may also be effective. Transitioning the community corrections system to a treatment-orientated framework supporting non-criminal activity, rather than solely catching and punishing criminals, however, may be an impossible task (Taxman et al., 2014).

Evidence suggests the best way to deal with recidivism may be to work outside the criminal justice system. The Oakland Health Services Department

runs a large, independently-funded program focused on reducing recidivism through outside nonprofit entities. The program indicates an inherently service-orientated perspective may be more effective for providing services and reducing recidivism than an organization focused on supervision and control.¹⁰



Research focused on the ways people move away from crime toward prosocial involvement is of particular importance.

Research on the culture and climate of the community corrections system and its focus on recidivism prevention might show how some systems are more effective than others.

Regardless of services provided, it has become increasingly clear reducing recidivism requires finding ways to engage individuals in the process of desistance, perhaps by making a life without crime easier and more rewarding (Doleac, 2019). More research is needed on the services and processes that can help individuals start and stay involved in treatment. Providing individuals with the tools needed to transform their thinking (e.g., cognitive behavioral training) may be effective, as opportunities to work and learn can support a new life approach. Work and educational programs are not ends in themselves, but rather vehicles through which individuals can be engaged in the transformation process. Research focused on the ways people move away from crime toward prosocial involvement is of particular importance (LaVigne and Willison, 2020).

A special approach may be required for frequent users, who recidivate repeatedly, often within a single year. The individuals often have multiple needs and frequently use multiple government services, including health care, homelessness services, and the criminal justice system. Although it is difficult to articulate the problem's full scale, communities have begun recognizing the frequent user population and its extensive reliance on government services. Focusing only on the individuals' criminal involvement may miss a larger set of problems, however, and the population may be best addressed holistically across agencies. Housing First models may prove useful, and the therapeutic communities inside and outside incarceration facilities deserve further research attention.

¹⁰ For more, see the City of Oakland Human Services Department "Oakland Unite" program.



Figure 1

Property and Violent Crime Rates, 1995-2016

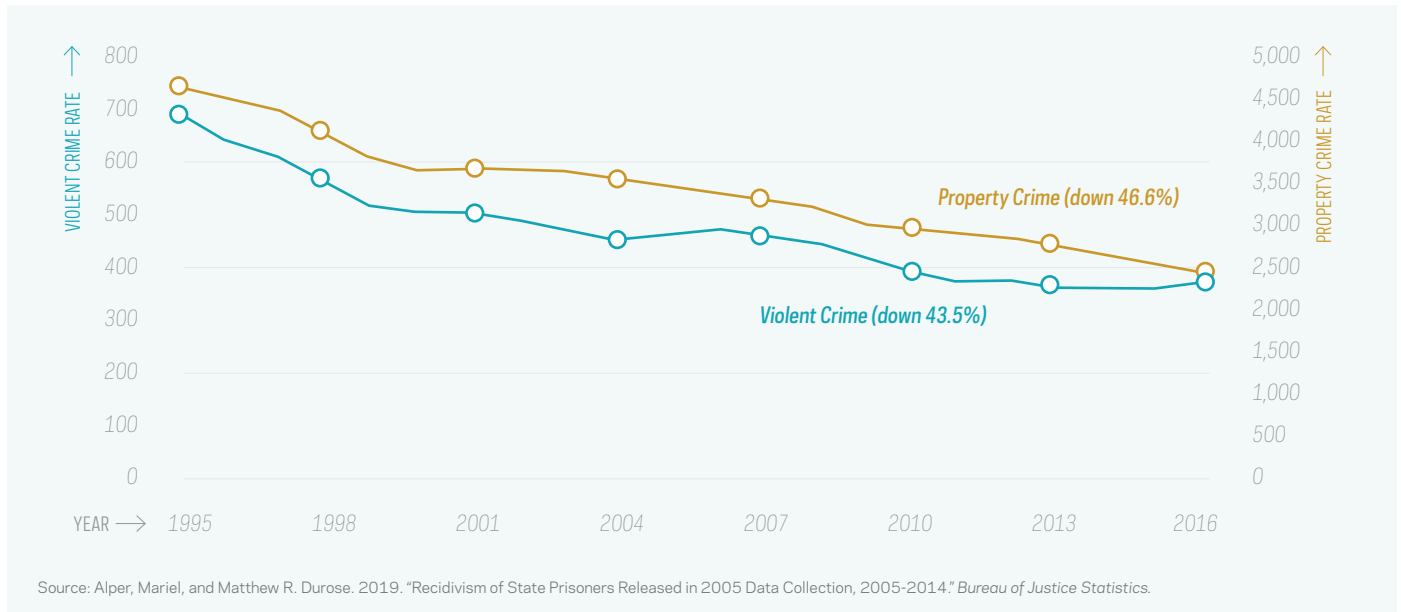


Figure 2

Incarceration and Community Supervision Rates, 1995-2016

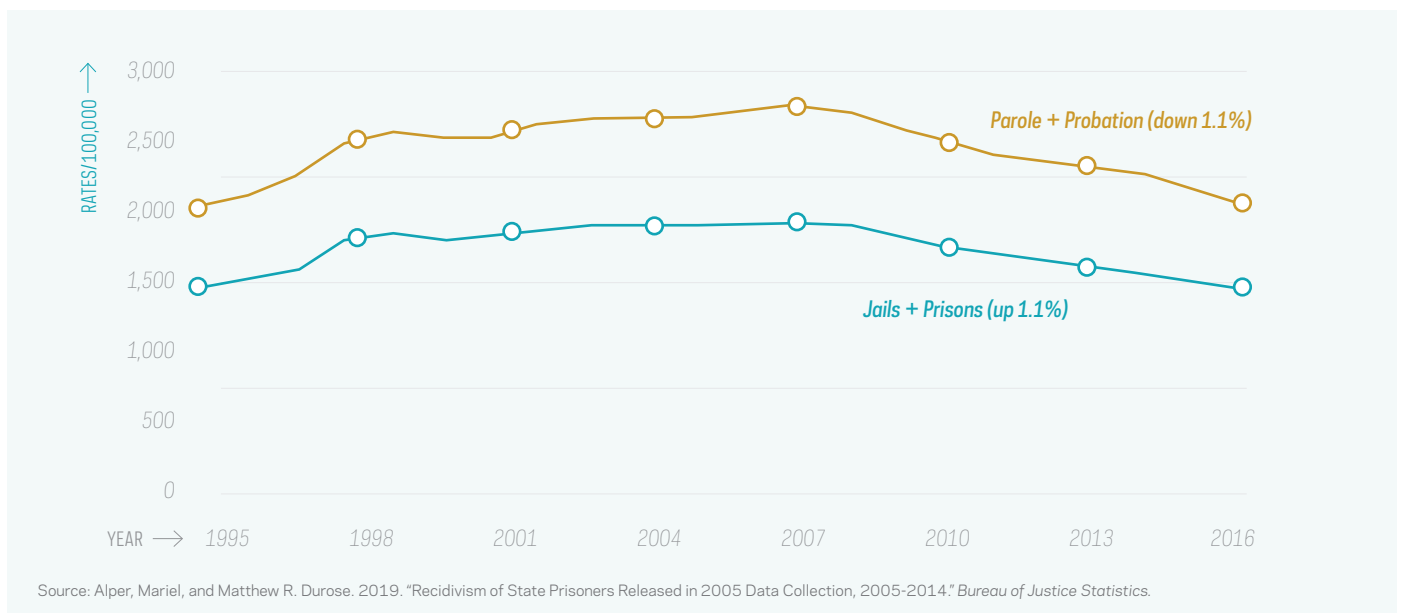


Figure 3

Admissions to State Prisons for New Crimes vs. Parole Violations

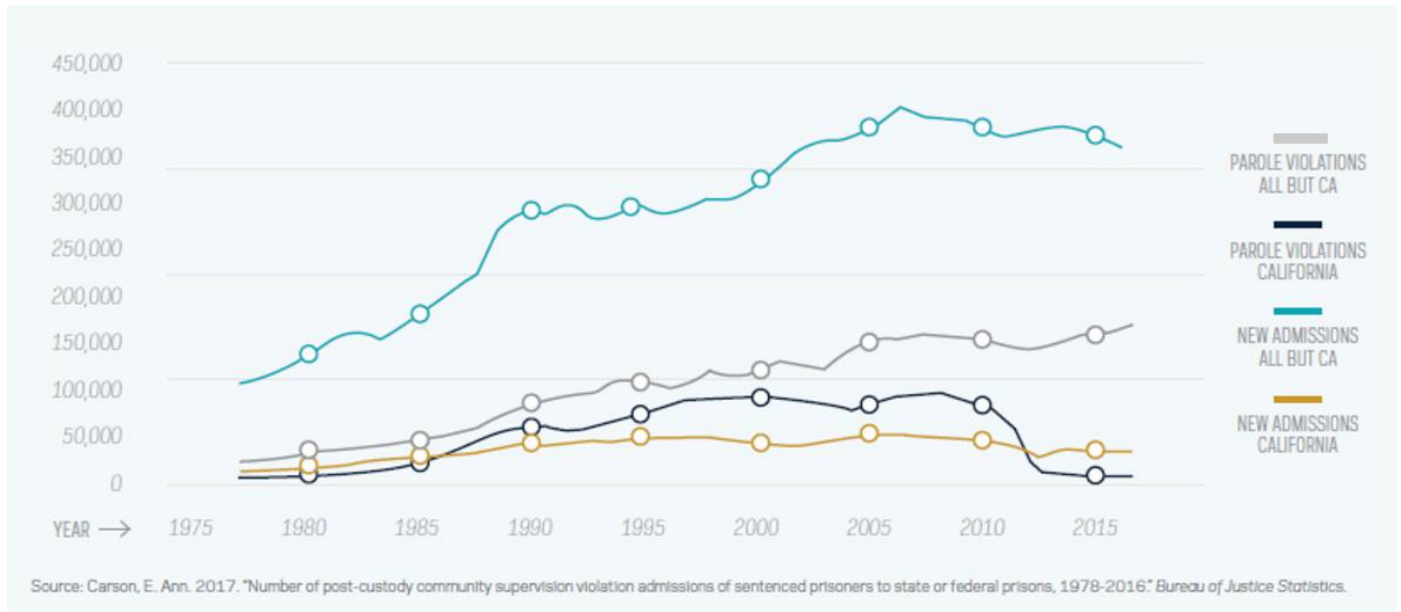


Figure 4

Males Incarcerated in Federal and State Prisons (20- to 24-year-old cohort in 2001)

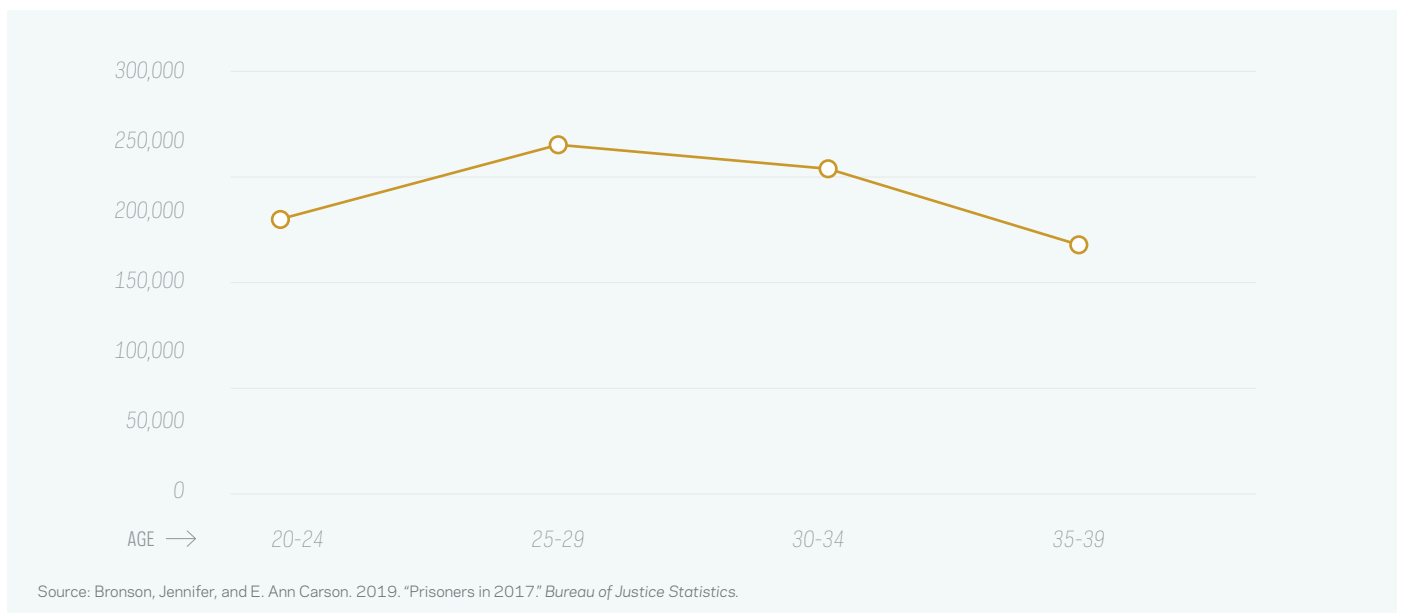


Figure 5

Year of First Arrest and Cumulative Share Arrested, 2005-2014

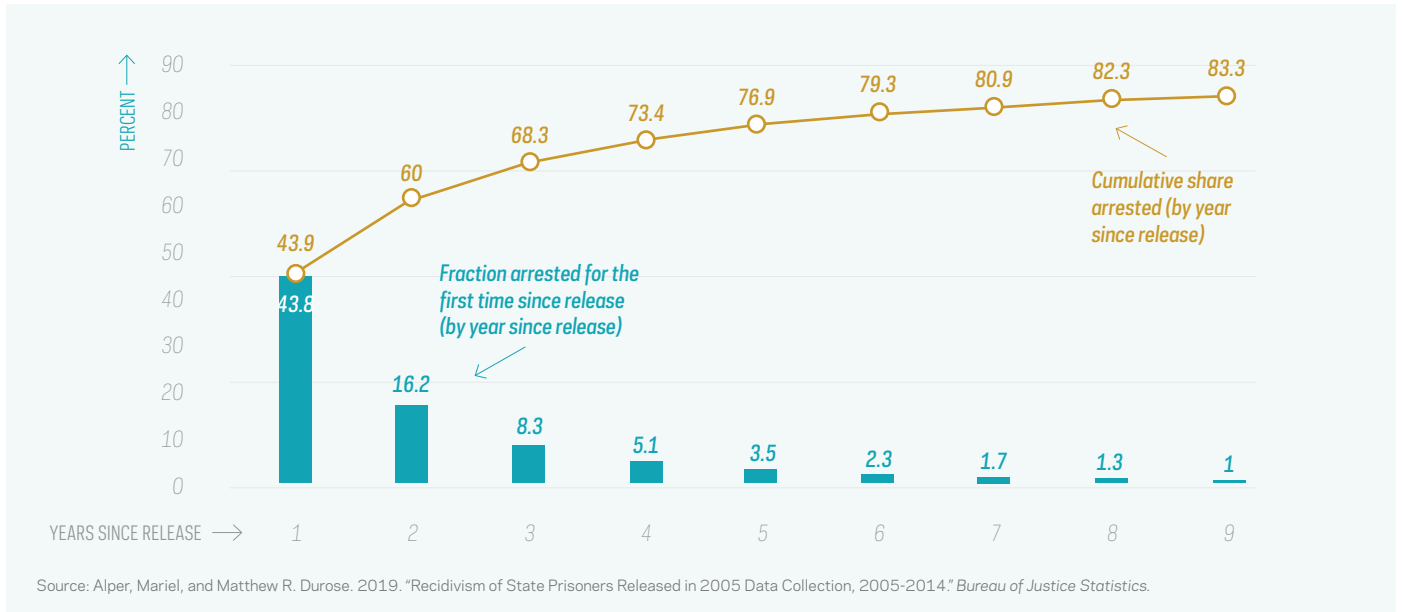
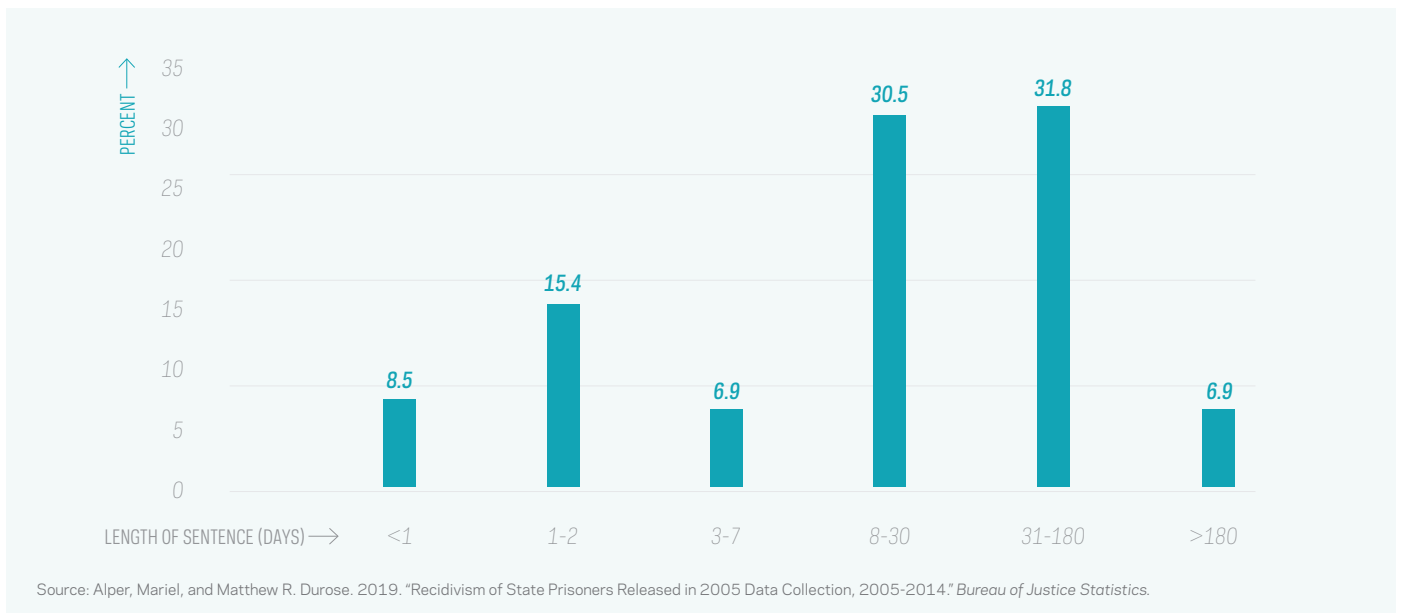


Figure 6

Sentence Length for Convicted Jail Inmates Released in 2014





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