Lecture 13: Probation and Institutionalization

Probation and Parole/Aftercare

- Probation: conditional release in community under the supervision of probation officer
  - a SENTENCE imposed by a judge
  - allows juvenile to remain in the COMMUNITY
  - but her freedom is CONDITIONAL (law + rules)
  - and she is SUPERVISED by probation officer
  - Juvenile court orders probation in 58% of cases (58% person, 59% property, 59% drugs; 54% other)
- Parole or aftercare is supervised conditional release from an institution.
  - decision by corrections or social services
  - tied to indeterminate sentence

Classic PO Supervision Typology – still true? (summary by Burfeind & Bartusch)

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<th>EMPHASIS ON CONTROL</th>
<th>EMPHASIS ON REHABILITATION</th>
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<td>Low</td>
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<td>Service broker</td>
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<td>Rule enforcer</td>
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<td>High</td>
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<td>Therapeutic caseworker</td>
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<td>Moral reformer</td>
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- Current functions of probation officer
  - Supervise (control) & assist (rehab) probationers
  - Intake screening
  - Prepare PSI/Social History
Probation v. “ISP”

- Intensive Supervised Probation (ISP)
  - small caseloads (12) + matched officers
  - “Intermediate sanction” (between ...)
  - Potentially tough but cheap, often combined with electronic monitoring, urinalysis, restitution, etc
  - Evaluation? No difference between ISP and institutionalization in police arrests, but higher rates of revocation (Lerman 1975; Sherman 1998)
  - High services (MH/CD; family, recreation, Todd Clear’s restorative “Corrections of Place”)
  - Treatment 68% new violent crime; Control 56%
  - Few other differences w/ regular probation
  - Sample mostly male and Latino, age 17-
- “Intensive Aftercare Model” for parole
  - May be more promising esp. for 1st offenders

Institutionalization

- “detention” versus “commitment”
  - Detention: held as case is processed (36%)
  - Commitment: court-ordered to institution (64%)
- 43,580 youth in residential placement in 2017
  - 38% local; 33% state; 29% private
  - Offense: 41% violent; 22% property; 6% drug; 12% public order; 16% technical violations; 4% status
  - Race: 41% African American; 33% White; 21% Hispanic; 2% American Indian; 1% Asian
  - Gender: 85% male; 15% female (36% of status)
- MN: 675 youth (1947 in ‘01)
  - 33% private, 85% male
  - Offense: 41% violent; 22% property, 4% drug; 16% public order; 13% technical; 4% status
  - Race: 42% African American; 35% White; 7% Latino; 10% American Indian; 2% Asian; 4% other

Juvenile Decarceration: 50% drop since 2000 in US & MN

One day count of juveniles in residential placement facilities, by facility operation, 1997-2017

- Number of placements in residential facilities by gender and racial orientation
- Trend in placements by gender and race from 2000 to 2017
How effective are institutions in reducing delinquency?

- MNDOC (adult): 35% felony reconviction in 3 years, 25% reincarceration
- No comparable national juvenile recidivism data, but 55% rearrested in first year (Snyder & Sickmund 2006)
- Red Wing ('95 LAB): 91% had adult records by 23, 69% imprisoned (But! Selection)
- EJJ: Extended Juvenile Jurisdiction
  - Juvenile Ct imposes adult & juvenile sanction
  - Adult sentence is suspended pending violation/revocation (prosecutor may designate for murder or file motion for any felony)

Recidivism vs. “Suppression”

- “Suppression effect” = (#arrests before - #after) / #before
  - “everything works” over time
    - In Provo: Institution suppressed 61%; community 69% vs. 72% in community
  - Why does rate almost always drop after treatment?
- Cost factor
  - ~$285/day per diem at Red Wing
  - “Intensive” aftercare is cheaper, but may lead to technical violations.
### What about Incapacitation? Wolfgang's Delinquency in a Birth Cohort

- 6% of boys in 1945 Philadelphia birth cohort did 52% of offenses (18% of police contacts) - Incapacitation: remove opportunity for crime by institution (or death). Punish for FUTURE, not past
- If we locked up everybody after 1st arrest, we would prevent 66% of offenses. Why not?  
  - Half never do another; We can't predict recidivism well; Very expensive; only 10% are “personal index”  
  - 1958 cohort: 7.5% had 61% of police contacts;  
  - Incapacitation after 3 contacts would prevent 43% of offenses, but would lock up 28% unnecessarily
- A few chronics do a lot of delinquency, but we can’t fairly and reliably identify them  
  - too many errors, too costly
- Conclude: Reserve institutions for serious (violent) offenders with long histories

### CWB: Gendrau's “Effective Correctional Intervention”

- Core Principles  
  1. Organizational culture  
  2. Program Implementation & Maintenance  
  3. Management/Staff Capabilities  
  4. Criminogenic Risk/Need Assessment  
  5. Program: Systematic, Responsive  
  6. Core Correctional Practice:  
     - modeling, reinforcement, problem-solving, cognitive change, effective authority, relationship practices, motivational interviewing (p. 428)

### Saving Rehabilitation?

- Week 14 – 12/3 & 12/5 Conclusions, Class Discussion, and Review  
  - A. Institutionalization and Conclusion  
- 12/10 – 2nd Exam  
- 12/16 – 2nd Exam (finals week), 8 AM MONDAY  
- evals