

Intermediate Sanctions for Women Offenders

Four or five large-population jurisdictions will be assisted in examining their sentencing practices for women offenders and developing a system of correctional options that is more rational, effective, and appropriate for their needs. The program will build on NIC's past experience in this area gained by working with nine other jurisdictions.

In each participating jurisdiction, a community corrections agency will be required to take the lead in forming a policy team of key criminal justice decisionmakers, human services administrators, and public and private community corrections managers. The policy team will convene on a regular basis to engage in the development of an effective range of community sanctions for women offenders. With staff support from the community corrections agency, the policy team will be required to:

- . Develop a sound information base regarding the offense and background characteristics of the jurisdiction's women offenders under community supervision; current sentencing practices, supervision processes, and programs; and responses by community corrections and human services agencies.
- . Use the database and the experiences of the team members and others to explore the existing community sanction options for women offenders and identify gaps in the range of sanctions and services.
- . Develop a sound conceptual plan for creating a range of desired intermediate sanctions that includes both concrete action steps for implementation within 6 months and a statement of where the community corrections system should be in 3 to 5 years in its sanctions policies and services for women offenders.
- . Document the policy and program development process.

Three leaders on each jurisdiction's policy team will attend four national meetings, during which they will clarify their: 1) project framework and work plan, 2) project objectives and problem-solving activities, 3) information base development and analysis, and 4) strategies to effectively manage a work group and establish links with community resources. Their travel and per diem expenses to attend the national meetings will be paid by NIC. Additional team members may attend the meetings at the jurisdiction's expense.

Eligibility and Application Procedures

State, county, and large-city (200,000+ population) adult probation, parole, or other community-based corrections agencies with sufficient staff and resources, including an automated management information system, to support the policy and program development effort are eligible to participate. Applicants must identify three policy team leaders who will attend the national meetings and must make a commitment to participate in the entire 12-month program.

Application letters must be prepared in accordance with the procedures for applying for direct technical assistance given on page 4. They must be received by the NIC Community Corrections Division no later than 4:00 p.m. Eastern time, December 15, 1995. Applications will be evaluated based on the extent to which they address the program objectives and demonstrate sufficient leadership, commitment, and experience in the jurisdiction to accomplish the program goals. For more information, contact Phyllis Modley, NIC Community Corrections Division, 202-307-3106, x133.

FOURTH NATIONAL MEETING
NATIONAL INSTITUTE OF CORRECTIONS
Intermediate Sanctions for Female Offenders

Wisconsin: Racine County Female Offender Project
January, 1995 Report

I. Context of Policy Development

A. Background of the Project

The Special Legislative Committee on Women Offenders in the correctional system met in 1992-1993 to study how women were served in the correctional system and to propose policy and funding changes for legislative and DOC decisions. The special committee was comprised of key actors in the legislative, judiciary, university, and legal communities and public and private agencies which serve women. The committee brought in national experts on programming for women and encouraged the DOC to apply for this grant as one way of improving sanctioning options.

The Division of Probation and Parole (DPP), on behalf of the Wisconsin Department of Corrections (DOC), developed the grant proposal. The DOC also obtained support from the Wisconsin Department of Health and Social Services (DHSS) for this grant application. This support was critical because DHSS supervises the county departments of human services, which are statutorily responsible for providing mental health, alcohol and drug abuse, and child protective services at the local level. One focus for this Project was to explore the impact of female offender sanctioning on out-of-home placements for children.

The committee also recommended that the 1993-95 Biennial Budget include \$360,000 in its second year for community-based programs for the female offender. This was included in the budget and had an impact on the services available for female offenders' in Racine County which was targeted by DOC for an implementation project using this funding. The use of these funds is further explained in an attachment; please see "Comprehensive Community Treatment" and Part IV of this report on Project Accomplishments.

B. Project Organization

The initial Project leadership was provided by Jan Cummings, DPP Southeast Regional Chief; Jeanne Phelan, DPP Unit Supervisor in Ozaukee County; and Anne Mikkelsen, Adult Services Specialist, DPP Central Office. The scope of the Project was reduced to center on only Racine County, which has both an urban and rural population, rather than the way it was initially envisioned where Policy Groups would be developed in two adjoining counties. It is to be noted none of the DPP leadership came from persons working directly out of Racine County.

In spring, 1993, the DPP staff met with the chief judge for Racine County and obtained his support for the Project. He subsequently selected Judge Nancy Wheeler to represent the court on the Policy Group. In summer, 1993, the staff met with the Racine County Human Services Department (RCHSD) staff to discuss the Project. The county executive supported the Project and assigned two RCHSD staff members to participate on the Policy Group. Jean Mandli, Director of the Center for Community Concerns (a local group with a long-standing ability to bring together diverse groups to develop programs), agreed to be a Policy Group member and also recommended a volunteer citizen representative for inclusion on the Policy Group.

In August and September, 1993, staff from the Division of Intensive Sanctions (DIS) and DPP contacted key actors in the criminal justice/human services community to introduce the Project. In September, DPP/DIS held a meeting to explain the Project, seek suggestions for additional Policy Group membership, and outline expectations for Policy Group members. In September, the Policy Group was constituted, albeit with seemingly tentative commitments from at least some of its members. (See attachment #1.)

The Policy Group elected the volunteer from the Center for Community Concerns as its chairperson. In April, 1994, the chair resigned and Judge Wheeler was elected to assume that position. At that time, the leadership group was reconstituted and an executive group was formed. The executive group included Judge Wheeler, Jan Cummings, Jeanne Phelan, Marco Tejada, and Anne Mikkelsen.

II. Project Activities

The Policy Group agreed to meet on the second Monday of each month over the lunch hour for one and one-half or two hours. Jeanne Phelan developed the agendas (see example, Attachment #2) and took minutes for all meetings. The staff/executive group initially met monthly to plan Policy Group meetings.. Later, the staff/executive group met to complete specific tasks, e.g., to review other states' data collection instruments, to receive technical assistance, and to test data collection instruments. From April, 1994 to present, the focus of the Project has been the development of a data collection instrument and conducting a sentencing/dispositional study.

The study's purposes are: to obtain an accurate profile of the Racine County female offender, including information related to children being affected by sanctioning; to describe the characteristics of offenders who receive certain dispositions; and to identify whether certain offenders could be served in a community setting or could be considered for different dispositions/conditions. Project staff received technical assistance for the data collection instrument/analysis from NIC consultant Mary Mande and from Professor Stan Stojkovic of the University of Wisconsin-Milwaukee. The study will not be completed until February, 1995. At that time the Policy Group will be in a position to make data-driven recommendations relevant to female offender sanctioning. Lastly, the Project will conduct informational

forums in March, 1995, to present the findings and recommendations to criminal justice system actors, service providers, and other interested parties.

II. Issues and Information Development

A. Initial and Subsequent Policy Issues

The initial goals of the Project included:

1. to identify the sanctioning options available to female offenders in Racine County;
2. to identify what non-correctional community-based services are available to female offenders and their children in Racine County; and
3. to develop policies and procedures which promote or expand both community-based sanctions for women and services for these women and their children. This included the identification of a specific approach to change the service response system for female offenders and their children in Racine County.

The Policy Group did describe the current criminal justice system (see Mapping Exercise, Attachment #3) which helped clarify the respective roles of the actors in that system and presented factors which affect the recommendations/ decisions at all points in the process. This led to a good preliminary discussion about the availability of services to offenders. The discussion did not lead to an in-depth review of services actually provided to female offenders. Further information on family-focused or children's services also was not gathered. The Policy Group did consider the feasibility of conducting an outcome study to assess the extent to which community-based services were beneficial in helping female offenders successfully complete supervision. The Project did not have sufficient time, staff resources, or Policy Group commitment to conduct a second study.

B. Information Development

In June, 1994, Mary Mande assisted the Project's executive group in developing a data collection instrument for a court record and DOC case file record review of prison-bound females convicted in 1992 and 1993 in Racine County. In July and August, staff developed the instrument and pretested it. The Project Director contacted Gateway Technical College and Carthage College to recruit and hire six students to conduct the case reviews. Additionally, a seventh student was selected to develop the database, complete data entry, and prepare a preliminary, descriptive analysis of the data.

In October, the students were trained on the use of the instrument (see Attachment #4), court files, and case records including the presentence investigation. Students conducted the record reviews and preliminary data are now available. An in-depth analysis of the

data is planned for February, 1995. The Policy Group will meet to review the data and formulate its recommendations at that time.

IV. Project Accomplishments and Selected Options

A. Benefits from the Project

- + Brought together people who would not otherwise have a forum for discussing female offenders' issues and programs.
- + Facilitated communication and helped to both identify and break down barriers to communication by allowing Policy Group members both to raise questions and to explain their roles, responsibilities, and statutory limitations. It also allowed participants to learn one another's language.
- + Provided an opportunity to present information on the new DOC Division of Intensive Sanctions (DIS) program. This allowed for discussion regarding use of DIS as a dispositional option in Racine and statewide.
- + Implemented a cooperative team approach for providing staff services to the Policy Group by assigning joint tasks to staff from different agencies at the local and state levels.
- + Involved Racine County's premiere, private community advocate agency (Center for Community Concerns) in a leadership role in garnering support for the Project and sharing information with the community.
- + Provided a vehicle for agencies to increase their awareness of issues affecting the female offender and her children and to expand the working relationships developed in the Project into other specific needs areas, e.g., the recently created Family Violence Task Force involves key actors in the criminal justice system and provides DOC and Policy Group members additional opportunities to address female-specific issues which could conceivably provide a means for helping to implement Project recommendations.
- + Involved faculty and students from the local technical college, a private college, and the university in data collection and analysis.
- + The analyzed data in its final, written document may be used by a wide range of agencies to aid in planning for services and for further policy development. It will also help educate the larger community on the needs of the female offender and their community's response.
- + Provided the foundation for collaboration with the Racine County Human Services Department for planning for and providing training to contract and agency staff on the Comprehensive Community

Treatment approach for female offenders and their families (see Attachment #5).

- + Key players met other key players; this facilitated networking between members on other issues unrelated to this Project.
- + Created a database of Racine County female offender demographics which is something previously not available on a county-wide basis.

B. Intermediate Sanctions--Selected Options

We have completed our data collection process, and initial interpretation has been made available to executive group members. We have received approval for technical assistance for more sophisticated data interpretation. We expect to present the data and interpretation to the Policy Group for the development of policy recommendations at its February, 1995, meeting.

The major process recommendation is to hold a public education forum to present findings and recommendations from this Project. It is expected that this will be held in March, 1995, in Racine.

V. Project Feedback

The executive group is developing a brief survey of Policy Group members to assess their views on the project implementation and to develop ideas on how to implement the Group's recommendations. This will be conducted in March, 1995. In March of 1994, project staff formally solicited feedback on the Project to assess the Policy Group members' interest 'in continuing and improving the Project. time the Policy Group members generally reported that the Project was felt to be worthwhile. Members also reported that they believed it took extra time to understand the scope of the Project and how they could be best involved in it.

YORK COUNTY FEMALE OFFENDERS INTERMEDIATE SANCTIONS PROJECT
Case Summary for NIC National Meeting - January 1995

I. Background and Context

Context for Policy Development

York County is located in the rapidly growing area of Central Pennsylvania. just north of Baltimore, Maryland. With a population of 339,547, York County is a diverse jurisdiction with an urban core, York City, numerous suburban areas. and substantial rural areas.

The county's judicial and correctional system have also experienced substantial growth. Criminal misdemeanor and felony charges lodged with the court increased from 1,905 in 1981 to 3,091 in 1991. The average daily prison population increased from 370 in 1987 to 579 in 1992. The overall caseload in the York County Probation Department increased from 2,543 in December 1987 to 3,047 in December 1992. The women offender caseload within the Probation Department increased from 178 in 1988 to 372 in 1992.

In 1971, a three year study resulted in the formation of Atkins House, a private, non-profit, residential alternative to incarceration for women offenders. Atkins House presently has three facilities, with a residential program for fourteen women, specialized individual counseling and various treatment groups available to women on probation. All services are mandated under a contract with the York County Probation Department.

In 1989, the York County Probation Department created a special unit (Alpha Unit) within the department to serve women offenders. All women are placed on one of several specialized caseloads within the unit, which includes substance abuse and intensive probation.

Background on Project

The York County Probation Department and Atkins House have a twenty year history of cooperative effort on behalf of women offenders. While York County has a wide range of sentencing options for women offenders, there is no data available to determine the patterns of utilization of these options, nor to determine the effectiveness of these options in reducing the incarceration rates of this population or of impacting the recidivism rates.

Recognizing this lack of data. the RFP for this project was of immediate interest. The Chief Probation Officer and the Executive Director of Atkins House. along with key members of their staffs made the decision to pursue this grant. An important consideration was the willingness of York College to provide assistance with the data collection and analyses.

Prior to submission of the grant application, individuals in the criminal justice system and the human services network were contacted regarding their willingness to serve on the Policy Team.

Project Organization and Policy Group Membership/Leadership

The work group was originally comprised of the Chief Probation Officer, the Executive Director of Atkins House, a member of the York College faculty, the Associate Director of Atkins House, and the Supervisor of the Alpha Unit of the York County Probation Department. However, soon after the project was approved, additions were made to this core group. The Work Group presently consists of the original members plus an assistant public defender, the York County Intermediate Sanctions Coordinator, a "computer expert" from York College, an additional staff member from Atkins House and two additional probation officers.

The Policy Team is comprised of criminal justice professionals as well as human services providers from both the public and private sector. Whenever possible the heads of departments/agencies are the representatives. There are also representatives from three state correctional organizations. The Policy Team presently has seventeen members. It is chaired by a York County Court of Common Pleas Judge. This lends credibility as well as providing additional incentive for participation.

II. PROJECT ACTIVITIES

The following were identified as project goals:

1. the development and implementation of a data collection system which will provide information needed to track women offenders in the criminal justice system in York County.
2. an educational project to inform criminal justice professionals, including police, judges, prosecution and defense attorneys, jail personnel. probations officers and treatment professionals, of the implications of the study.

3. the identification of gaps in the' sentencing options available and formulation of short range and long range plans for developing a full range of intermediate sentencing options for women offenders.
4. the establishment **of** a community advisory task force to assist in identifying, planning, developing, and marketing new sentencing options for women offenders.

The project work group initially met on January 7, 1994. The Policy Team initially met on April 8, 1994. The work group does the planning and presentation for the Policy Team meetings. In addition to the assistance from NIC, staff and a student intern from York College are providing computer and technical assistance for the data collection aspect of the Project.

One of the first activities was a "focus group of female offenders", some of whom had been incarcerated and some of whom had received an alternative sentence. The purpose was to have them identify factors which they perceived had influenced their sentences so that this information could be included as variables in our research. A local marketing research organization donated the use of their facilities and resources for this activity.

A one-day retreat for the Policy Team was held on June 3, 1994. (see attached minutes) The discussions identified various goals for the project and for the individual participants. The concepts of "sanctioning" and "intermediate sanctions" were discussed with no consensus gained. A plan/direction for the project was also developed.

One of the Policy Team meetings featured an assistant district attorney from Minnesota, who has been a participant in a sanctioning policy project. The attorney shared her original skepticism and the many benefits realized from the endeavor (including many ancillary. to the goals of the project).

The focus of the Policy Team meetings has been to provide the members with a basic knowledge of the York County criminal justice system and how it operates day-to-day. This was critical because the Policy Team is comprised of individuals who are not familiar with the details of the criminal justice system. A diagram (attached) of the "system*" was developed from arrest through sentencing. This diagram was used to illustrate the "decision points" and the numbers of offenders being processed in criminal court. A list of sanctioning/sentencing alternatives was developed through group discussion. Two "female offender" scenarios were developed and presented to the Policy Team members in order to determine what each member considered to be an appropriate sanction or sentence.

The Policy Team has discovered the difficulty in retrieving data to develop the profile of a female offender. The county is not fully computerized and with the assistance of York College the requisite data for 1992 and 1993 will be gleaned from probation records. It is hoped that a data base and program will be developed for future statistical analysis.

The next step for the project is dependent on the data collection and information developed. An evaluation or assessment of current sanctions will be made to determine which ones are effective. in addition to determining what new sanctions are needed.

A benefit the Policy Team meetings has been information sharing between service agencies and an understanding of what the various agencies can provide.

The work group has held 19 meetings. The Policy Team has held 7 meetings.

III. Issues and Information Development

Initial and Subsequently Identified Policy Issues

The major policy issues have centered around the need of all parts of the system for accurate information, assessment process, and the need to expand the options for female offenders, including options for probation and parole violators.

The Policy Team recognized that even basic summary data is difficult to find, piecemeal, and not available to all parts of the system. Also lacking is information regarding a description of resources, availability of those resources, costs, and "effectiveness" of our efforts. Attached is a list of questions developed by the Policy Team.

Assessments of defendants for supervision plan development and sentencing are done in a minority of court cases, perhaps 25% of our female offenders. When an assessment is performed, it usually occurs through a pre-sentence investigation. Cases involving female offenders seem particularly prone to plea bargaining and as a result issues are often overlooked. The Policy Team seems to believe that a more universal assessment system needs to be established.

The Policy Team recognizes that York County has a range of options presently available for sentencing, however, the capacity of those resources is limited. Of particular interest is the need for non-incarceration sanctions for violators, particularly since female offenders appear more often for technical probation/parole violations.

Information Development

The York County Project is still in the process of gathering information. We are nearing completion of our "systems map", but we need to fill in numbers for defendants and identify decision points and factors assisting those decisions. York College has secured data for male and female defendants for the past five years and has begun to assemble the data for a first review (attached is the data base information currently available). We have also gathered an assortment of piecemeal information from probation/parole records, Pa. State Police Uniform Crime Reports, and Pa. Sentencing Commission reports.

Recently, a survey was circulated to our criminal court judges. This survey is an attempt to gain some initial idea of what the options the judges use, why they use them, and what new options they believe would be useful. (Attached are the survey questions)

IV. Projected Accomplishments and Selected Options

Benefits from the Project:

An assessment of the benefits from the York County Project should be prefaced with the understanding that we are only beginning to embark upon the data collection process. Lacking this definitive information, the Policy Team has been precluded from proceeding with specific sanctioning and program strategy. At this stage, the most pervasive benefits have been the facilitation of the networking process and the resulting educational dissemination among the group members.

(1) NETWORKING

The Policy Team, consisting of a wide-array of community service providers as well as Criminal Justice professionals have been able to interface with issues common to their respective agencies. There appears to be the beginning of an awareness that the population being addressed is a common one and that further measures could be taken to streamline and promote service access among agencies. At the present stage, the topic of "service gaps" has not been broached.

(2) EDUCATION

The mapping process, which has been a central project in the Policy Group meetings, has proven to be an enlightening didactic exercise for both community members as well as criminal justice personnel. Both groups are sometimes quite amazed by the limitations of their knowledge of the most basic functioning of their local Criminal Justice system. Having been provided the "nuts and bolts" of the system, members are facing the challenge of processing "the system" on a more informed level. Although many of the community members are at the initial phase of attempting to absorb the concrete functioning and "lingo" of the system, for those who have had years of direct involvement, this process has resulted in a valuable recognition of where roles and values coalesce and where perceptions of purpose sometimes diverge.

This project has allowed- us to pursue creative methodology to access information from integral players in the system. We have utilized the focus group process for female offenders and hope to be able to attempt this approach with county judges.

The "work group" is becoming aware of our personal limitations regarding basic computer processes and data collection as well as those limitations of our current data systems. This project has afforded us the opportunity and impetus to analyze our current system and to identify and solicit knowledgeable individuals to assist in the improvement of this system.

Ancillary Benefits

The NIC Female Offenders Project coincides with the York County Intermediate Punishment Plan as well as Pennsylvania's implementation of new sentencing guidelines focusing on intermediate punishment. Noting this statewide initiative, the Female Offenders Project has afforded York County the opportunity to target a population which would have potentially gone unnoticed amidst the state's larger programming initiative.

Intermediate Sanction - Selected Options

The Policy Team has not yet begun to recommend specific program options.

V. Project Feedback

No formal evaluation feedback has been obtained at this time. However, improved interagency communication, information as to the availability of services, and problem area identification have been realized.

Dallas County Female Offender Project April 1993 to Present

I. Background and Context

The Dallas County Community Supervision and Corrections Department, formerly called the Adult Probation Department, directly supervises in excess of 30,000 felony and misdemeanor offenders on any given day. Of that number approximately 20%, 6000 probationers are female.

The department compiles an annual Community Justice Plan which is submitted to the State of Texas. The plan contains demographic information regarding the profile of offenders under supervision in this jurisdiction, outlines the current array of programs, services and sanctions in our continuum of sanctions, and proposes new or enhanced programs, services and facilities to fill gaps in the continuum.

We began to realize that most of the planning effort was devoted to the male population. We learned that women had less access to counseling and treatment, employment opportunities, educational opportunities, transportation, etc., than did their male counterparts. That realization led us to apply for the NIC grant to participate in this project and to learn much more about female offenders in Dallas.

During the past twenty months we have learned that African American females are over represented in the female offender population. The majority of the women studied by our project are drug abusers, mothers with the custody of minor children, under educated and employed, if at all, in unskilled, low paying jobs. These women have few skills necessary for daily adult living, who tend to be in unstable relationships. A significant number of the women sampled are addicted to crack cocaine and a significant number are poor women who have been convicted of Welfare Fraud.

At the beginning of this project women were waiting longer to gain access to programs facilities and programs than were their male counterparts, serving more time in jail and prison than males who had been convicted of the same or very similar offenses and represented a misunderstood segment of the offender population.

Women no longer wait longer than their male counterparts to obtain counseling and treatment. The percentage of treatment beds dedicated to females has been increased from 20% to 28% The department, with the help of the projects policy group, is developing initiatives to house, correct, supervise and rehabilitate females in new and different ways in Dallas County. We are making proposals to the State of Texas for funding an array of new or enhanced services for female offenders in an expanded continuum of sanctions.

Background on Project:

The department made its decision to apply for participation in the project due largely to realization that the female offender had gone relatively unnoticed and that much was not known about the risk and needs presented by women in the offender population. Jim Mills, Assistant Director of the CSCD, Pam Riddle, Public Information Officer for the CSCD, and District Judge, Janice Warder initiated the development of a Policy Group. Judge Warder suggested that the group be divided into a primary, small, working group that would act as the core of the project, serve to some degree in a staff capacity, and provide information to the larger policy group. She suggested that Assistant District Attorney, Lana McDaniel be added to the work group. Jim Mills suggested that Deputy Chief of Police, Pam Walt be added to the work group. Both of these individuals was contacted and both agreed to serve on the core, or work group.

The work group then made proposals regarding the make up of the larger policy group. It was decided to make the group as diverse and eclectic as possible. The larger group is comprised of all of the members of the work group, with Judge Warder serving as the Chairperson and Jim Mills serving as the Project Director, as well as a member of the Council of Churches, a local psychiatrist, a Deputy Chief from the Sheriffs Office, a County Criminal Court at Law Judge, a former television journalist, a defense attorney, the Director of the Dallas Council on Alcohol and Drug Abuse, a citizen member of the state Judicial Advisory Council, and a member of Child Protective Services.

Pam Riddle, the CSCD Public Information Officer, was the only member of the CSCD staff assigned to act as primary staff to the council, and actually to do the work of preparing for meetings, recording minutes, gathering the offender profile data, arranging travel, etc.

II. Project Activities

The policy group met approximately once each month. The work group generally met at least once each month, just prior to the larger group meeting. Please find a chronology of the female offender project attached to this summary.

III. Issues and Information Development

The group initially wanted to have a better understanding of the female offender profile. They were concerned to know the number of females under community supervision in Dallas County, to know what percentage of the offender population is female, to be advised as to what services, facilities, programs and sanctions existed for women in our local continuum of sanctions, and to ascertain whether women were punished more severely than men for having committed similar offenses. Some of the members of the group were aware that females seemed to wait longer in jail before being assigned to programs or services, and to serve longer times in prison than did their male counterparts for having committed similar offenses. The group was also eager to discover what punishment philosophies prompt the criminal justice community and the

citizenry to act as they do in sentencing female. We discussed the possible paternal concern that the system has for females and discussed what the ramifications of a paternal attitude might be. It quickly became clear that a great deal of discussion and interchange would be necessary prior to an examination of whatever data we might later decide to collect. The substantive work of the policy group continued to focus on the issues addressed above throughout the course of the project.

IV. Information Development

Initially information was shared between members of the work and policy groups regarding the role and viewpoint of the police towards their role in the criminal justice system and their view as to how women were being handled in the process of arrest, book-in and incarceration. The judges in the group gave anecdotal accounts of actual cases and explained their rationale in sentencing. The probation department provided information as to the number of females under community supervision and described many of the programs, facilities and services which exist for females in the local continuum of sanctions.

The state was embarking on a cohort study of all felony offenders sentenced to probation during the month of October 1993. Every probation department in the state was required to fill out a questionnaire on each newly probated offender for that month and to report the data to the state. The policy group decided to piggy back onto that project, to ask some additional questions that were particularly germane to females and to utilize the cohort study and our own questions as our data source to provide the female offender profile.

V. Project Accomplishments and Selected Options

- * Highly useful exchange of information and ideas between members of the policy group. Better understanding of the various components of the local criminal justice system and the way in which these various elements view female offenders;

- * The introduction of all concerned in the project to the use of intermediate sanctions as they are applied to female offenders;

- * The introduction of all concerned to thinking seriously about punishment philosophies, their differences and what we hope to accomplish by punishing offenders or ordering them into various sanctions;

- * The opportunity to put on a seminar at the APPA conference to share findings with probation and parole agencies and officers throughout the nation;

- * The opportunity for our District Judges to become more familiar with the unique challenges presented by female offenders;

- * The opportunity to plan for and develop new or enhanced services, programs and facilities to meet the needs of female offenders in our community;

- * The opportunity to plan and provide services and programs for the children of female offenders to assist in unifying and enhancing the relationship between the women and their children;

- * The opportunity to educate the public as to the unique needs of female offenders and the difference between risk to the community which exists between male and female offenders.

Intermediate Sanctions - Selected Options:

The following programs, facilities and services will all be incorporated into the Community Justice Plan for FY '96 -'97 and we will be asking the state to fund these programs for females.

- * 200 Bed Substance Abuse Treatment Facility for Females and their minor children under 5 years of age;

- * Assessment Center for Males and Females to assess all relevant risk and needs at the time of probation and to make placement for services;

- * Pre trial diversion and supervision services for both males and females to divert low risk offenders, i.e., welfare fraud mothers from jail and prison.

VI. Project Feedback

Positive feedback has been received from the NIC staff with whom we have worked, from members of the teams from Oregon and Wisconsin, from the policy group members, from the persons who attended our seminar at the APPA convention, from Leslie Acoca, a member of the administrative staff of the California Department of Corrections, from our District Judges, and others.

Intermediate Sanctions for Female Offenders: Oregon Project Report

Background and Context

Context for Policy Development

Oregon has long been concerned with the growing number of female offenders in its correction's system and with the lack of accessible, appropriate sanctioning options and interventions for female offenders. Oregon data suggest that the number of female offenders incarcerated in state prisons was increasing at a faster rate than seen with the male population. The Governor's Task Force on Corrections Planning recommended in its 1990 report that policy makers concerned with female offenders address two key objectives:

- Breaking the cycle of dysfunction that female offenders and their children experience.
- Making substance abuse treatment available to female offenders in prison and on community supervision.

In 1991, the Department of Corrections White Paper suggested several approaches to providing appropriate and effective sanctions and interventions for female offenders believed to be associated with improved outcomes for female offenders and their children:

- A holistic approach to the female offender;
- Programs that are of sufficient duration and continuity to have the desired impact and that include an aftercare component;
- Opportunities to improve parenting skills and preserve the family unit;
- Gender-specific services focusing on the special needs of female offenders in a context geared to the experiences of women; and
- Substance abuse treatment geared to the female offender.

In July of 1992, the Department of Corrections convened a statewide planning session attended by sixty people committed to developing effective correctional responses to female offenders. Participants discussed many issues and agreed on the importance of several principles that are keys to future strategy development:

- Agency collaboration should be based on clearly defined roles and responsibilities and focused on continuity for individual offenders;
- Assessment of female offenders should be coordinated, non-duplicated and individualized;
- The effectiveness of treatment is often dependent on the availability of ancillary support such as child care, transportation and health care;
- Identification and response to the special treatment needs of female offenders should not result in incarceration or supervision beyond the time that is otherwise required by criminal justice system sanctions;
- Prevention and early intervention are vital. A continuum of sanctions and interventions should be available to respond to offenders at every stage of their involvement with the justice system;
- Staff training should be broad-based and should focus on increasing awareness of gender-specific issues including decision making protocols and successful, effective, supportive intervention strategies; and

- Information regarding the effectiveness of particular sanctions and interventions with specific types of female offenders must be systematically obtained and analyzed.

The Oregon Female Offenders Network was created in part because of this meeting. This group also served as a catalyst for development of Oregon's proposal to participate in the NIC project on Female Offenders in the Community.

The Board of Parole and Post-Prison Supervision in 1992 began a pilot project empowering parole officers by giving more discretion to impose specified intermediate sanctions in response to violations of parole conditions. During the 1993 legislative session, this process was expanded and codified into statute as Administrative Probation and Structured Sanctions and now applies to all offenders under community supervision whether on probation or parole and is automatic for all offenders who commit their crime after September 1, 1993. The Structured Sanctions Process holds offenders accountable for their behavior and empowers the probation/parole officer to directly impose a sanction without going to court or to the Board of Parole, allowing for early intervention in the non-compliant behavior of offenders. The term "structured sanctions" refers to the sanctioning grid which determines the level of sanction appropriate given the seriousness of the non-compliant behavior and the risk level of the offender. This structure facilitates consistency in sanctioning decisions statewide.

Elements of the administrative probation/structured sanctions strategy include:

- Swift, sure and short responses to offender violations;
- Sanctions imposed based on risk level and the seriousness of the violation;
- Early intervention in problems that may reduce drug use and other criminal behavior and more effectively protect the public;
- Reduction in the need to use prison resources to intervene with many non-criminal violations;
- Increased the availability of community-based incremental sanctions such as electronic monitoring, day reporting, intensive supervision, work centers, home custody, work crews, and other sanctions; and
- Reductions in court time and associated costs for violation hearings, thus reserving court hearings for violations requiring a revocation to prison.

The 1993 Legislature, faced with a shrinking budget and growing prison population, saw Structured Sanctions as a tool to reduce revocations to prison and stay within the number of prison beds available in 93-95. Targets of a 50% reduction in non-new conviction revocations were set by the Legislature to preserve prison beds for more violent and high-risk offenders. This significantly affects female offenders. From October of 1992 through September of 1993, 74% of all female admissions to prison were probationers or parolees revoked without a new conviction. [Compared to 52% of the male population.]

Background on Project

A central goal of the Oregon Intermediate Sanctions for Female Offenders project has been to examine the characteristics of female offenders on probation or parole and to identify which factors appear related to success on community supervision.

Project Organization and Policy Group Membership/Leadership

In 1993, the Department of Corrections and the Oregon Criminal Justice Council collaborated in establishing the Intermediate Sanctions for Female Offenders Policy Group. The Group included key decision makers and representatives of agencies and groups influential in policy development around female offender issues. The group has served as the policy and program planning group for the NIC

funded policy development project. After an initial slow start, the group has become a cohesive and dedicated group of decision makers who has directed the work of the study and reached consensus on several key recommendations described in the final section of this document. Initially, the project had both a work group and a policy group which created serious confusion. In April of 1994, the Work Group and Policy Group were combined and a Leadership Group established. By acting as an executive committee of the full group, a more cohesive, coordinated direction for the process was established. Finally, the initial Policy Group had co-chairs: one from the Department of Corrections appointees and one from the Criminal Justice Council appointees. This changed in April to a Chair and Vice-chair.

The project is staffed by portions of three Department of Corrections employees:

- 0.25 FTE project coordinator: coordinate overall project, edit final document
- 0.25 FTE special projects assistant: staff support, assignment monitoring, gathering and compilation and distribution of materials; coordination of copying and other tasks
- 0.25 FTE executive support staff: clerical support including arrangements for meetings, coffee, lunches, minutes, compilation of information, copying and other clerical support tasks

The case file data collection effort was facilitated by a contract consultant who was retained with the grant funds received from NIC. The consultant was also charged with completion of a final policy report.

Project Activities

The Policy Group established a regular schedule of once-monthly meetings. These meetings were scheduled for four hour blocks and were well attended. Additionally, the Policy Group conducted three full-day special meetings for the mapping process and discussion. Finally, the Group held one meeting at the Women's Correctional Center with a panel of female offenders and a subsequent extended meeting with a panel of parole/probation officers.

Issues and Information Development

Initial and Subsequently identified Policy Issues

Early in the project, it was discovered that little information existed about female offenders on community supervision. This clearly guided much of the desire to focus on an extensive data collection process resulting in what is likely the first comprehensive data collection on female offenders in the community in Oregon.

Information Development

To ensure that policy development is information-driven, the Policy Group supervised and often directly participated in several types of information collection activities;

- **DECISION MAPPING:** The Policy Group, along with other key Oregon decision makers, devoted several lengthy meetings to the task of defining and describing twelve key decision points in Oregon's criminal justice process. For each decision point, the group identified the options available; the decision makers and others who influenced the decisions; the information used to make the decisions and the articulated policies and unspoken rules that guide the decisions. Policy Group members were aware of decision making issues particularly used for female

offenders, but their description of Oregon's decision making process is largely relevant for all offenders.

- **RESOURCE INVENTORY DEVELOPMENT:** The Policy Group and its staff assembled an inventory of sanction options, treatment and other resources available to female offenders in Oregon counties. This provides a comprehensive view of current resource allocations and can be the foundation for recommendations to enhance and augment the continuum of intermediate sanctions and interventions for female offenders across the state.
- **CONSULTATION WITH FEMALE OFFENDERS:** The Policy Group invited a panel of female offenders including current prison inmates and women on community supervision to share their perspectives on ways Oregon's human services, criminal justice and correction's systems have affected their lives. The Policy Group found this to be a powerful addition to its perspectives on optimal approaches for interviewing successfully with female offenders.
- **CONSULTATION WITH PAROLE/PROBATION OFFICERS:** At a separate meeting of the Group, a panel of parole/probation officers representing a diversity of counties detailed their experiences and concerns regarding female offenders. The Policy Group had the opportunity to explore with line staff approaches that may increase female offenders' probability of success on community supervision.
- **TREND DATA:** Department of Corrections staff have continued throughout the project to provide the Policy Group with updated information regarding the numbers of female offenders flowing through key decision points in the correction's system.
- **CASE REVIEW DATA COLLECTION:** The Policy Group has collaborated actively with DOC staff and consultants in assembling and analyzing information about female offenders who succeed or fail on probation and parole.

Through these diverse information collection and analysis activities, the Policy Group has refined its knowledge of female offenders in Oregon and sharpened its understanding of the decision making and resource application issues that affect the outcome of community supervision for female offenders. A profile of the female offender in the community emerged from these various activities, providing a basis upon which recommendations were developed.

Project Accomplishments and Selected Options

Benefits from the Project

Because the project is not yet completed, the full benefits are unknown. Clearly, however, a dialogue between various key actors in the criminal justice and human service systems has commenced. At a minimum, the Policy Group will have added a significant piece to the picture of the offender in Oregon. As noted above, the profile of the female offender may be the first completed in Oregon. This information will assist the Department of Corrections, the criminal justice system and other agencies in more precise planning of supervision, sanctions and interventions through the remainder of the decade.

Intermediate Sanctions - Selected Options/Observations

A number of observations/issues have been identified by the Group. Many of these are expected to be incorporated into final policy recommendations. The following list represents a preliminary look at some of the issues identified by the Policy Group:

GOALS FOR THE PROJECT

- Reduction in use of prison
- Break intergenerational cycle
- Address special needs of female offenders

POLICY ISSUES AND OBSERVATIONS

- There is a critical need to build a useful information base and ongoing data collection process related to female offenders.
- Outcome research of sanctions and interventions should be designed and funded.
- Policy makers should establish resource allocation priorities.
- The needs of the children of female offenders who are sole providers before incarceration are not being addressed.
- The length of substance abuse treatment programs is too short to adequately address relapse.
- Little information is available about whom female offenders were living with and the number of children living with them at the time of incarceration.
- Are minority women more likely to be incarcerated?
- Effective communication between social services, other state agencies and the criminal justice system would enhance the effectiveness of services provided to female offenders.
- Children's Services Division and Corrections are often partners in providing services to female offenders, but they do not act as if they know it.
- Success does not mean making female offenders into people just like us or changing offenders into model citizens. It does mean not returning to prison within three years of release.
- Do more female offenders plea bargain than men?
- What are the reasons behind the higher revocation rates for female offenders?
- Can the Oregon Justice Information Network tell us how many people are on bench probation by gender?
- Facilities and programs available for female offenders are not always known to key criminal justice players. Training is recommended.
- Defense attorneys need information about the notification process including the key points, names and numbers.
- Field/community key information does not follow defendant into Department of Corrections custody - and vice versa. Duplication of psychiatric evaluation seems to occur frequently.
- The linkage between the Department of Corrections and other agencies is important.
- Information about special issues of the female offender should be provided to law enforcement, courts, district attorneys and corrections professionals.
- Training should be designed for law enforcement, courts, district attorneys and corrections professionals related to working with female offenders.
- Corrections and Children's Services Division should move toward uniform, agreed upon goals for female offenders.
- Multi-agency coordination/collaboration should be improved, particularly at the line staff level.
- The criminal justice system should initiate a dialogue with the Commission on Children and Families related to female offenders and their children.
- Consideration should be given for the development of a legislatively established coordinating council on female offenders.

- The idea of the “one-stop shop” - a community human service center which addresses all needs of the offender - is endorsed.
- Substance abuse treatment slots are needed at all decision points especially for female offenders and their children.
- The length of substance abuse treatment is not long enough to match the period of incarceration and probation.
- More study of revocation patterns of female offenders under Administrative Probation and Structured Sanctions should occur.
- There should be more screening for pregnant offenders at all levels in the criminal justice system:
 - Ask the question
 - Training
 - Provide information to the offender: Prenatal, drug-affected, etc.
- Drug-free transition housing for female offenders and their children should be available.
- Barriers to obtaining Section 8/HUD housing should be removed.
- When a female offender is taken into custody, questions regarding children and status as custodial parent should be routinely asked.
- Providers in the foster care system should receive specialized training regarding the parent’s incarceration.
- Diversion for female offenders should be expanded.

Project Responses

Again, it is too soon to fully realize the impact of the project. Participants, however, have indicated that the process has personally been very positive with a large increase in knowledge about the female offender and the system she must function within. When the final report is published in March of 1995, it is expected that presentations will be given to both Senate and House Judiciary Committees of the Oregon Legislative Assembly, the Oregon Criminal Justice Council and the Department of Corrections Community Corrections Advisory Board.

ATTACHMENTS: OREGON INTERMEDIATE SANCTIONS FOR WOMEN PROJECT

- A. Sample Agenda
- B. Creating a Vision
- C. Oregon Female Offender Data Collection Form. May 1994
- D. Findings and Observations

DATE: July 12, 1994
TO: Women's Intermediate Sanctions Policy Group
FROM: Barbara McGuire, Administrator
Community Corrections, Option I

DEPARTMENT OF
CORRECTIONS

COMMUNITY
CORRECTIONS

NEXT POLICY GROUP MEETING
JULY 20, 1994 (WEDNESDAY)
1:00 P.M. TO 5:00 P.M.
DEPARTMENT OF CORRECTIONS
DOME BUILDING - 2575 CENTER ST. N.E.
ROOM 108
SALEM, OREGON

AGENDA

1. Adoption of Agenda Chair
2. Review and Acceptance of Minutes Chair
3. Modify Timelines Chair, Staff
4. Preparation for Next Mapping Process Staff
Presentation of 6/16 Decision Points Holly G./Bill P.
5. REPORT: Data Collection Analysis Teri Martin
6. REPORT: Resource Manual Update Bill Penny

Next Meeting

- Assignments
- Agenda items
- Need outside facilitator for balance of mapping process?
- NEEDS FROM 6/16/94 MTG.
 - DA/Def. Atty for Charging Decision Pt.
 - FTA # information
 - Jurisdictional Prosecution Issues
 - Jail Recog/Matrix Information
 - Consideration of focus group surveys

Barbara Roberts
Governor



2575 Center Street NE
Salem, OR 97310-0470
(503) 945-9050
FAX (503) 378-4908

The Oregon Policy Group has been committed to consensus decision making from its inception. One of the first products of the group effort is the following vision statement describing the Group's core values, goals and strategies for accomplishing the goals. Although the Group began its discussion from the perspective of issues particularly relevant to female offenders, the final statement evolved as a vision of an optimal criminal justice system for the State of Oregon without regard to the offender's gender.

Vision Statement of Criminal Justice System Values and Goals

Core Values: To preserve personal dignity, honor diversity and support families and communities while promoting public safety.

Criminal Justice System Goals

- Sanction offenders equitably, consistently and humanely.
- Apply the least restrictive sanctions necessary to reduce the risk of re-offending.
- Impose the least intrusive interventions necessary to change behaviors that lead to criminal activity.
- Hold offenders accountable for harm to victims and the community.
- Facilitate offenders' integration into a healthy and support environment.
- Promote system accountability, efficiency and cost-effectiveness.

System Strategies and Methods

- Balance commitment to individualized responses to offender behavior with concern for consistency and uniformity.
- Provide interventions that are both tolerant of and provide for measured and appropriate responses to the phenomenon of relapse.
- Employ sanctions that are certain, swiftly administered, and as short in duration as necessary to accomplish sanctioning goals.
- Provide for continuity in case management throughout offenders' involvement with the justice system.

- Make available the appropriate array of supervision, interventions and sanctions.
- Develop and implement programs that are gender- and culture-relevant
- Collaborate among justice system agencies with other organizations and across jurisdictions.
- Provide staff with training and support necessary to achieve system goals
- Provide for ongoing evaluation of sanctioning and intervention processes and outcomes.

The Policy Group believes that application of these values, goals and strategies will create an optimal criminal justice and corrections system for offenders, staff and the public.

OREGON FEMALE OFFENDER DATA COLLECTION FORM, May 1994

SID Number: _____ Name: _____

1. Years of education completed at revocation or discharge: _____
(write in number of years; GED = 12; enter '99' if unknown) (number)

2. Marital status at revocation or discharge: (1) Never married (2) Divorced
(3) Separated (4) Married (5) Unknown _____

3. Where was offender living at revocation or discharge
(1) Her own home (2) Someone else's home (2) Treatment facility
(3) Institution (4) Homeless (5) Unknown _____

4. With whom was offender living at revocation or discharge: (check all that apply)
(1) Alone _____
(2) With children _____
(3) With spouse or significant other _____
(4) With other family _____
(5) With friends _____
(6) Unknown _____

5. Legal monthly income at revocation or discharge: _____
(write in amount rounded to the nearest ten; w-rite in "9999" if unknown) (amount)

6. Source(s) of income: (check ail that apply) (1) Employment _____
(2) Spousal support _____
(3) Other relatives _____
(4) Public benefits _____
(5) Other _____
(6) Sources unknown _____

7. Were there co-defendants charged in the current offense incident?
(1) Yes, male only (2) Yes: female only (3) Yes, male and female.
(4) Yes, gender unknown (5) No (6) Unknown _____

Please answer 8-11 considering all current convictions, not iust the most serious offense.

8. If restitution was ordered, what was the total dollar amount? (write in amount;
enter '8' if not applicable, and '9' if unknown) \$ _____

9. If restitution was ordered, how much did offender actually pay? (write in amount;
enter '8' if not applicable, and '9' if unknown) \$ _____

10. If fine was ordered, what was the total dollar amount? (write in amount;
enter '8' if not applicable, and '9' if unknown) \$ _____

11. If fine was ordered, how much did offender actually pay? (write in amount;
enter '8' if not applicable, and '9' if unknown) \$ _____

12. If there were other court-ordered financial obligations, what was the total dollar amount?

(write in amount; enter '8' if not applicable and '9' if unknown)

\$ _____

13. If there were other court-ordered financial obligations, how much did offender pay?

(write in amount; enter '8' if not applicable and '9' if unknown)

\$ _____

14. Treatment and support services may be required as part of the original sentence conditions, required later in response to violations, or simply offered as opportunities: The following tables **summarize types of sanctions and services that may either have been ordered and/or received during the current supervision period.** In the "ordered at time of sentencing" column, all court- (or Parole Board) imposed conditions (sanctions and services) should be checked

	At Time of Sentencing		Resulting From Violation(s)	
	Ordered	Received	Ordered	Received
Sanctions				
Jail				
Work center				
Forest camp				
Electronic monitoring				
Home custody				
Work crew				
Community service				
Day reporting				
Curfew				
Polygraph				
Restitution				
Fine				
Urinalysis				
Abstain from alcohol				

Services received during the supervision period but not ordered (either at sentencing or resulting from violations) should be indicated by a check in the fourth column only (i.e, no other boxes in that row should be checked).

	At Time of Sentencing		Resulting From Violation(s)	
	Ordered	Received	Ordered	Received
Services				
Alcohol and drug: outpatient				
intensive outpatient				
day treatment				
inpatient				
AA/NA				
Mental health treatment				
Anger management				
Parenting skills training				
Life skills training				
Cognitive restructuring				
Education or vocational training				
Employment services				
Health care				
Income assistance				
Food, clothing or work tools				
Child care				
Housing assistance				
Transitional housing				
Other (specify)				

15. For probationers only, was the offender ever considered in violation but continued on probation *without* court action? (include 'no action' reports to the court)

(1) **Yes** (2) **No** (3) No evidence in file

Offender's violation behaviors (*check all that apply*):

Failure to meet payment schedule	_____
Failure to report truthfully or notify PO as directed	_____
Failure to follow directives of court or PO	_____
Prohibited use of alcohol or drugs	_____
Possession of controlled substance	_____
Irregular or unsuccessful participation in treatment programs	_____
Absconded supervision	_____
Refusal to comply with imposed sanctions	_____
New non-person misdemeanor offense	_____
New DUI offense	_____
New non-person felony offense	_____
Prohibited contact with minors/victims/survivors	_____
Possession or use of dangerous/deadly weapon	_____
New person to person offense	_____

16. For probationers only, number of times during this supervision period found in violation and continued on probation *with* court action?

(enter '88' for not applicable)

_____ (number)

Offender's behaviors/violations that precipitated these actions (*check all that apply*, for all of these incidents):

Failure to meet payment schedule	_____
Failure to report truthfully or notify PO as directed	_____
Failure to follow directives of court or PO	_____
Prohibited use of alcohol or drugs	_____
Possession of controlled substance	_____
Irregular or unsuccessful participation in treatment programs	_____
Absconded supervision	_____
Refusal to comply with imposed sanctions	_____
New non-person misdemeanor offense	_____
New DUI offense	_____
New non-person felony offense	_____
Prohibited contact with minors/victims/survivors	_____
Possession or use of dangerous/deadly weapon	_____
New person to person offense	_____

17. For parolees (including women on both probation and parole), number of times during this supervision period found in violation and continued on supervision by Board: _____
(enter '88' for not applicable) (number)

Offenders' behaviors/violations that precipitated these actions (*check all that apply*, for all of these incidents):

Failure to meet payment schedule	_____
Failure to report truthfully or notify PO as directed	_____
Failure to follow directives of court or PO	_____
Prohibited use of alcohol or drugs	_____
Possession of controlled substance	_____
Irregular or unsuccessful participation in treatment programs	_____
Absconded supervision	_____
Refusal to comply with imposed sanctions	_____
New non-person misdemeanor offense	_____
New DUI offense	_____
New non-person felony offense	_____
Prohibited contact with minors/victims/survivors	_____
Possession or use of dangerous/deadly weapon	_____
New person to person offense	_____

18. For offenders whose probation or parole status was revoked, indicate the behaviors or violations that precipitated the revocation (*check all that apply*):

Failure to meet payment schedule	_____
Failure to report truthfully or notify PO as directed	_____
Failure to follow directives of court or PO	_____
Prohibited use of alcohol or drugs	_____
Possession of controlled substance	_____
Irregular or unsuccessful participation in treatment programs	_____
Absconded supervision	_____
Refusal to comply with imposed sanctions	_____
New non-person misdemeanor offense	_____
New DUI offense	_____
New non-person felony offense	_____
Prohibited contact with minors/victims/survivors	_____
Possession or use of dangerous/deadly weapon	_____
New person to person offense	_____

NOT APPLICABLE = successfully completed supervision _____

Supervision, Treatment and Other Resources

The Resource Inventory was initially developed as a directory for women-specific interventions and sanctions throughout the State of Oregon. This directory evolved into an inventory of women-specific interventions and sanctions with an inventory of all interventions and sanctions accessible/available to women throughout the State. The intent of this examination was twofold. First, a picture is provided of the available interventions and sanctions and the slots or beds available compared to the total number of women under community supervision or incarcerated in state prisons. Second, gaps can be identified and examined throughout the state and in each county.

The Women-Specific Services and Sanctions inventory is presented in two sorts: Programming displayed geographically and programming displayed by type. The program information was obtained through a program survey distributed to the Women Offenders Planning Network, the Policy Group, the Department of Corrections Directory of Correctional Services, the Oregon Office of Alcohol and Drug Programs and the Metropolitan Public Defenders

Perspectives of Female Offenders and Probation/Parole Officers

To contrast the statistical, data-heavy analysis of the case file review of female offenders, the Intermediate Sanctions for Female Offenders Policy Group met with a panel of female offenders and a panel of parole/probation officers who work with female offenders in the community. The panel format encouraged an open discussion and a fresh, and perhaps, a more realistic view of the issues and concerns facing female offenders in the criminal justice system and the policy recommendations to address these issues.

The Policy Group met with a panel of four female offenders at the Oregon Women's Correctional Center on April 12, 1994. The female offenders represented a mix of prison incarcerated women and women under community supervision. The panel allowed for an exchange between the Policy Group and the female offenders with a variety of key issues emerging.

To supplement the information obtained from the first panel, the Policy Group met with a panel of four parole/probation officers on May 19, 1994. These officers specialized in and had expertise in supervision of female offenders or development of gender-specific programming. The officers also

¹ This was the approach identified in the original grant proposal: "explore existing community sanction options for female offenders and identifying the range of sanctions and interventions.

represented a mix of state and county officers and urban, suburban and rural jurisdictions. This panel also surfaced many issues and needs specific to the female offender population.

Of interest is the comparison of issues that emerged from each panel. In examination of profile information, both panels identified chemical dependency as a leading cause of criminal activity and abuse (sexual, physical, emotional) as the primary causal factor of chemical dependency. To address chemical dependency both panels identified longer-term residential treatment, continuing care programs and transitional housing as high need areas. Life skills and parent training were also identified as high needs.

In focusing the issue of children, both panels viewed Children's Services Division (CSD) as an integral player in the criminal justice system. There was a need voiced for an improved collaboration with Children's Services Division in the transition of children back to the offender and providing the offender with training to develop the needed parenting skills and tools to make that transition effective. The panels also showed that what often makes a difference is a supportive, committed individual that does not give up on the women - often the parole/probation officer.

One notable area of disagreement between the panels was related specifically to sanctions. The female offender panelists believed they were treated inequitably, receiving more supervision and harsher sanctions than male offenders. Parole/probation officer panelists felt the lower risk supervision levels frequently assigned to female offenders resulted in less and shorter supervision lengths that negatively influenced the benefits of supervision.

Summary of Issues from Parole/Probation Officer Panel

- Most female offenders are under supervision for drug-related offenses. A primary factor leading to the chemical abuse is sexual abuse.
- Negative relationships, specifically with men, is a leading cause of unsuccessful supervision and return to chemical use (co-dependency).
- There is a high need for chemical dependency treatment services for female offenders with long-term residential/in-patient the highest need.
- Following the primary treatment or release from custody, there is a high need for transitional housing as part of continuing (aftercare) care.
- There is a need for Life Skills, parenting, employment and job skill training.
- Because female offenders are involved in less serious crimes and receive lower risk assessment scores, they are typically under supervision for too brief of period to benefit fully from community interventions.

- There is an ongoing dilemma of parole/probation officers being overwhelmed with paper work that takes a significant amount of time away from direct client interventions and the need to collect data for ongoing evaluation.
- There is a need for development of an improved dialogue with Children's Services Division (CSD). Often female offenders with children are faced by CSD with having their children returned to their custody or risk loss of them before the female offender has had the time and opportunity to develop needed skills.
- As part of the development of a dialogue with CSD, there is a need for a collaborative effort and an overlapping of services with other community agencies such as Adult and Family Services, Employment Division and the court system. These efforts should tie into Oregon Benchmarks.
- There is a need for gender-specific training and chemical dependency training for staff.
- Parole/probation officers have the role of a support case manager, who is often seen as the one individual who is there to help, care and "hang in there" with the female offender and is often the one individual who makes a difference.

Summary of Issues from Female Offenders Panel

- Female offenders may be carrying the effects of early physical, sexual and emotional abuse.
- Abuse of alcohol and drugs often begins in early teenage years.
- Intervention did not occur when these women were children. Sometimes their needs were ignored even when the female offender (as a child) asked caseworkers for help in getting them out of an abuse situation.
- Crimes are often committed to purchase drugs.
- Many female offenders have prostituted to obtain money.
- Most female offenders have committed their crimes with someone else.
- Most female offenders have one or more children.
- Sometimes, it may be better for their children to be away from abuse parents. Children can be a distraction from working on issues related to continuing chemical abuse and criminal behavior.

- Many children of female offenders are in state custody under Children's Services Division case supervision. Some children are with other family members, but many are in foster care.
- Treatment is best received when the offender is receptive to treatment and ready to try an alternate lifestyle.
- Turning Point (institutional long-term residential chemical dependency treatment program at Columbia River Correctional Institution) has made a difference in the lives of some female offenders.
- Transition programs that allow children can help effectively reunite the family.
- Long-term chemical dependency continuing care is the only way for some offenders.
- Tolerance for relapse is critical. Relapse is a part of recovery and is as much a learning tool as the treatment.
- Many female offenders have not completed high school. The interruption was often due to family dysfunction and non-academic problems.
- Judges can make a positive difference in the life of the female offender by holding her accountable for her actions early in her appearances before the Court.
- Fear of prison is not a deterrent to committing crimes.
- Jail can be a positive time out to give the offender an opportunity to clean up, detox and go out and try again.
- Equal punishment between men and women is needed. Women are sanctioned more severely and supervised more closely.
- Transportation is needed for children of mothers in prison. Children need to be brought to visit their mothers while in prison. A place within the prison must be developed that is suitable for the needs of the child.
- Being in jail custody while pregnant with support programs can make a positive difference.
- Assistance is needed such as parenting skills training before reuniting the female offender and children after release from prison. The offender may not have the skills to discipline children without **abuse**.
- Transportation in the community is often a problem with public transportation a

time-consuming alternative.

- A committed, caring person can make a significant difference for female offenders. Seeing something in the offender to nurture and believe in is irreplaceable. This person can be a criminal justice professional such as the parole/probation officer or someone outside the system such as a mentor.
- Most female offenders do not trust or like other women.

Profile of Female Offenders on Probation and Parole in Oregon

Introduction/Overview

To develop a more effective continuum of intermediate sanctions for female offenders, Oregon policy makers need to understand the characteristics of women under community supervision and the factors associated with success or failure. The Policy Group therefore invested significant resources in assembling and analyzing information about women who succeed or fail on probation or parole. Beginning in September of 1993 with a preliminary listing of the types of information that would ideally be collected to help in policy development, the Group collaborated closely with technical consultant Teri Martin to develop a female offender profile data collection strategy, a sampling plan and a manual data collection format.

Before completing the manual data collection form and method, existing data sources were examined including the September 1992 **From Community Supervision to Prison: A Study of Felony Probation and Parole Revocations** and the Department of Corrections automated Offender Profile System (OPS). By early April 1994 a data base containing selected OPS information on 2295 Oregon female offenders discharged from community supervision between September 1, 1992 and August 31, 1993 had been created.

After several drafts, the final manual data collection form was adopted by the Policy Group in April. Preliminary analysis of the OPS data was discussed at the May meeting. Following pilot testing and final revision of the data collection form, manual data collection on a sample of 473 cases was completed with the assistance of thirty probation/parole officers. By mid-June, the manually-collected data had been entered into a data base combining the OPS data with that data extracted from paper case files. At the July meeting of the Policy Group, preliminary analysis of the manually-collected data was presented and discussed.

Sampling Plan and Survey Design

The Policy Group considered a range of options in selection of the optimal data collection strategy. Consideration of information quality, time and resource constraints influenced the Group's decisions regarding sampling and manual data collection approaches.

Sampling Plan

Policy Group members considered several issues and options before final development of a sampling plan:

- *Should the data be collected retrospectively, on a sample of female offenders terminated successfully or revoked from probation or parole supervision during a period in the recent past, or should the data be collected prospectively on women exiting from supervision from a specified date forward?*

Although a prospective sampling would enable collection of information not currently recorded in OPS or paper case files, the Group concluded that a retrospective sampling plan would be more cost effective, provide more timely results and enable the collection of baseline data describing female offender characteristics and system responses immediately prior to the October 1993 implementation of the new Structured Sanctioning System.

- *Should the data be representative only of probationers and parolees statewide, or should the sample be drawn to enable examination of regional differences (e.g., for the five largest counties plus three other clusters of counties in eastern, northwestern **and** southwestern Oregon?*

Statistically adequate comparisons of subgroups, such as probationers and parolees succeeding and failing in each major county or region, requires a data base that includes a minimum of 100 cases from each subgroup. Because the Policy Group concluded that some critical data elements must be collected through a manual case file review, regional representation (which would have required manual data collection on at least 1,600 cases encompassing at least two years of exits) was deemed infeasible.

The Policy Group chose to develop a retrospective data base representing women convicted of felonies statewide who were discharged successfully or unsuccessfully from community supervision during the year immediately preceding implementation of the Structured Sanctions system. ***It is important to note that cases are successful or unsuccessful for this analysis based on the case closure codes used in the Offender Profile System*** About three quarters of the “successful” cases were terminated at sentence expiration (which simply means the sentenced ended, but does not necessarily indicated successful completion and compliance with all conditions of supervision), with another one-sixth terminated early. The remaining successful cases were either converted to bench probation (7%) or discharged from parole by the Board (2%). A substantial majority of the unsuccessful cases (88%) violated probation or parole and were revoked to prison while 6% were revoked to jail and 6% were “revoked/terminated without sanction.”

Survey Design

A preliminary survey designed was developed as an ideal data collection designed to encompass

data information believed to be the most relevant to intermediate sanctions policy development and most related to the success or failure of women on community supervision. After deciding which of the various elements were available in the Offender Profile System, the Group began the process of developing a strategy to collect the remaining information from the paper files. Based on the collective experience of the Group members familiar with record-keeping practices in the field offices, many desired data elements were modified or eliminated to make data collection from the files more reliable. Some information types were identified as unlikely to be available and were eliminated from the data collection (e.g., number, age and relationship of children for whom the offender is responsible; history of physical or sexual abuse; type of substances abused; mental health history). Other data element definitions were modified to fit more closely the way in which information is recorded in most paper case files (e.g., living arrangements). The resulting data collection form is a compromise between the optimal information desirable for policy development and the reality of record keeping priorities in the current system.

A sample of 569 cases was randomly selected from the total of 2,295 probationers and parolees exiting between September 1, 1992 and August 31, 1993 for additional data collection. The sample included all successful parole cases, one-half of parole and one-half of probation failures and approximately 10% of the probation successes. The sampling goal was to obtain data on 100 to 159 cases in each of the four groups while minimizing the total data collection workload.

Data was manually collected from paper files by probation/parole officers on 473 or 83% of the cases selected. Some cases had been 'purged' since more than a year had elapsed between case closure and data collection. This data collection problem occurred primarily in counties other than the four largest (Multnomah, Washington and Marion). The following shows the distribution of the cases for which data was available.

CASE TYPE	TOTAL NUMBER	SAMPLE OBTAINED	% OF TOTAL IN SAMPLE
Parole: Success	157	143	91%
Failure	213	75	35%
Probation: Success	1575	118	7%
Failure	350	137	39%
All Successes	1732	261	15%
All Failures	563	212	38%
All Cases	2295	473	83%

Despite data collectors' best efforts, the sample obtained under-represents parole failures. Although one-half (106) were randomly selected for the manual data collection, just seventy-five cases were obtained. Results of analysis of factors associated with success or failure on parole

should be interpreted cautiously.

Data analysis of OPS variables was conducted using all 2,295 cases exiting during the sample year. OPS data and manually collected data on each of the 473 sample cases were merged into a single data base. So that comparisons across the four subgroups (successes and failures on probation and parole) are valid, sample cases were weighted according to the proportions of each group obtained in the manual data collection process. Because this weighting process was employed, only percentages are reported in tables derived from weighted data.

Summary

Some general observations that can be made from the profile data on female offenders:

- Probationers are much more likely to succeed on community supervision than parolees.
- Many of the same factors are significantly associated with success/failure for both probationers and parolees.
- Nearly all factors associated with success under supervision (prevalence of substance abuse problems, level of employment, stability in the community as measured by address changes) differ significantly between probation and parole.
- The risk assessment instrument, particularly the total score, is significantly associated with probability of success for both probationers and parolees with the largest decline in probability of success for those with scores below 8.
- Some interventions (e.g., alcohol and drug treatment) seem to be significantly related to the probability of success. The measurable effect, however, appears smaller than many of the risk scale factors examined.
- The process of collecting and analyzing this data also provides insights useful to future analysts and information system designers:
- Because they differ significantly on a range of variables, women probationers and parolees should not be aggregated together in future analyses of characteristics of women on community supervision.
- Many of the profile elements identified by the Policy Group as critically to a full understanding of female offenders (e.g., marital and family status) are not reliably recorded in paper or automated case records.

South Carolina Probation, Parole, and Pardon Services
Women's Grant Intermediate Report
October 31, 1995

I. Introduction

As a part of the National Institute of Corrections (NIC) grant project; *Intermediate Sanction for Female Offenders* the Department began to more fully examine the issue of female offenders in the criminal justice system. Currently, we are still in process with this examination. However, the preliminary data and information are significant. While not complete the information, to date, suggests some encouraging and discouraging trends for female offenders in the criminal justice system. This report will present information on female offenders as they might progress through the criminal justice system. We will start with admissions, move to custody and then to services.

II. Admissions

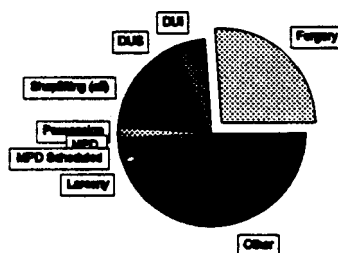
Court Conviction Data

Women, unlike male offenders, seem to commit a few crimes in higher percentages. As one can see from Chart 1 the percentage of female offenders committing forgery is remarkably higher than all other offenses.

Chart 1

Convictions for Female Offenders

1993 Court Data



Forgery composes 26.3% of all the crime convictions for female offenders. Forgery is both bad checks and forgery on others checks. As with other crimes, this crime initially appears in misdemeanor court and then moves into felony court

with repeated offenses. Driving under a suspended license (DUS) and driving under the influence (DUI) are the next most common at 9% and 4.9% respectively. As we will see, however, these convictions have a minimum affect on the system and seldom end in incarceration. When taken as a whole shoplifting accounts for 8.9% of convictions. We will look closely at shoplifting, later, because of some special allowances in law shoplifters are eligible for incarceration but not probation. Larceny is the next most common conviction at 3.1%. Rounding out our list of top crimes for court conviction we come to the drug crimes. When taken as a whole drug crime is the single largest category of convictions. When taken as individual crimes Manufacturing /Distribution /Possession (MPD) composes 2.1% of convictions. This is followed by Possession of crack, 2.0%, and MPD of scheduled substances at 2.0%.

To sum up this section, it appears that property crimes and drug crimes are the two top categories of convictions in court actions. DUI and DUS are a problem but do not seem to have major problems and thus will not be considered further.

The shoplifting crimes are problematic. Shoplifting offenses are adjudicated in Magistrates Court at a lower level and Circuit Court on repeated offenses. Magistrates' court is this state's version of a misdemeanor court and circuit court is the felony court. As a misdemeanor court they cannot place someone on probation. Additionally, they cannot, based on recent state law, incarcerate an individual. However, magistrates circumvent this law by sentencing individuals at multiple settings to consecutive sentences. Thus, they can place an individual in prison but not on probation. Given the short sentences, less than 1 year, these individuals receive; they do not end on parole.

Probation and Parole Admissions

There is a very close relationship between admission to probation and court convictions. However, the subtle differences suggest the crime that most often result in incarceration. By looking at parole we find out who receives post incarceration supervision. As you will see the data suggests that several female offenders "max out". This simply means they serve their complete sentence and are returned to the community with no supervision.

Forgery again is the most common crime for probation admissions and the second most common crime for parole admissions. This suggests those changes in forgery sentencing patterns would have a dramatic effect through the entire criminal justice system. DUI and DUS also appear as a top crime. Drugs, shoplifting and larceny round out the top list of admission. However, drugs, shoplifting and larceny are the most common admissions for parole, but only in the upper quarter of crimes for probation admissions. This suggests that these crimes are more likely to end in incarceration than probation. Although, as we will see later, probation is often very successful for these types of crimes.

Table 1
Admissions to Community Corrections

	Probation			Parole		
	Ranking	#	%	Ranking	#	%
Forgery	1	244	16.9	2	25	12.3
DUI	2	207	9.3	20	2	1.0
DUS	4	95	4.3	0	0	0
MPD Schedule	9	61	2.7	3	16	7.9
MPD Crack	11	40	1.8	1	28	13.8
Larceny > 200	10	54	2.4	5	8	3.9
Shop lifting	25	25	1.1	4	9	4.4

Clearly drug offenses are more likely to end in prison than the other crime listed, This is suggested by the higher number of parolees. Forgery continues to have major impact on both systems. This does raise the question of what factors influence forgery. Is the forgery an attempt to manage poverty or is it to buy drugs? The high rate of drug convictions hints that the forgery may be an attempt to secure money to buy drugs. If true this reflects a potential gender difference in crime. Men burglar and rob to gain funds for drugs. Women use less violent and confrontive crime to the same end. Within our existing data we can only speculate on this.

Department of Corrections Admissions

The Department of Corrections condenses their information, as do many other

agencies. What is most striking about their intake data is the dramatic difference between historical patterns of admissions and today's admissions. Very clearly the impact of drugs and drug crimes has increased the number of women entering prison. In 15 years Dangerous Drugs went from a limited crime to the leading cause for incarceration of female offenders. Table 2 shows the changes in the last 15 years.

Table 2
Department of Corrections Female Admissions
Top Five Most Serious Offenses

As of 6/30/80	n= 347	As of 6/30/95	n=1,010
Homicide	33%	Dangerous Drugs	31%
Robbery	14%	Homicide	16%
Larceny	13%	Larceny	9%
Forgery	11%	Forgery/ Counterfeiting	7%
Assault	7%	Fraud	7%

The rates of homicide have dropped while the rates of drug abuse have increased. This trend is supported by national data that shows that incarceration for drugs for females is up 115% in the last 20 years. The question of the relationship between drugs and the property crimes remains, given the consistently high rating of the property crimes.

Also, notable is the dramatic increase in the number of female offenders. The growth from 347 in 1980 to 1,010 in 1995 represents an astounding growth of 191%. This growth is absolutely unprecedented in any aspect of the criminal justice system. More and more women are going to prison and they are going because of drugs.

III. Custody Information

For women in both incarceration and probation we have some data describing their conditions, personal characteristics and historical antecedents. Each department measures different variables in different fashions. Thus, the information is not transferable from prison to probation. This weakness is one major reason that additional research is needed.

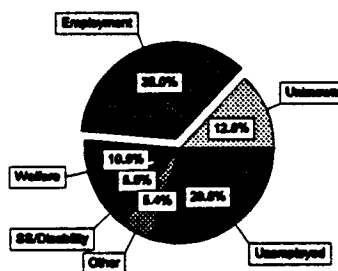
Probation Custody Information

The Department uses a modified Wisconsin risk instrument to evaluate risk for failure under supervision. This instrument requires the agent to make judgements about the degree to which a problem or condition is present in the offender. Some information is easy to measure, like recent employment history. Other dimensions are much more difficult to measure, for example emotional need. The result of this process leads to high confidence for some data elements and lesser confidence in other elements. For the purpose of this report we will only look at elements that we are reasonably confident in.

Three data elements which are very related are: monthly income, source of income and time employed. All three elements suggest that the majority of female offenders are in or near poverty. Six point three percent of the female probationers have an income over \$1,001 per month. This compares to one half percent for parolees. Additionally, 38% of probationers and 49.8% of parolees have no reported monthly income. Again the data suggests that female offenders are in or near poverty.

When we examine employment the same picture emerges. For both parolees and probationers the majority receive their income through means other than employment.

Chart 2
Source of Income, Probation

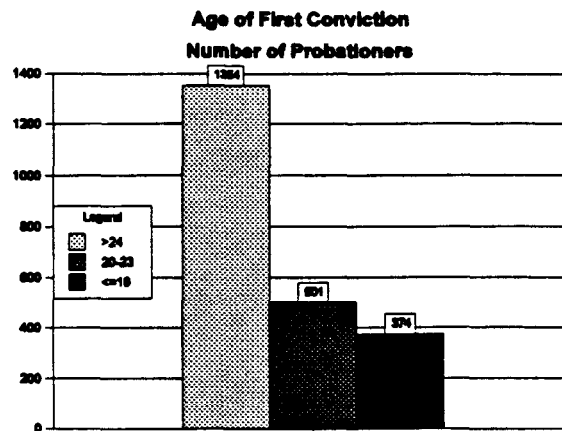


The information about time employed is less discouraging. Of those probationers employed 51.5% have been employed over 9 months and 49.8% of the parolees have been employed over 9 months. Eleven point four percent of probationers were employed between 6 and 9 months. This is very close to the 10.3% of parolees employed the same period of time. This suggests that those that are

employed are mildly secure in their employment. This bodes well for case outcome as we will see.

Criminal history has always been a valid predictor of future criminal behavior. Three indicators are very indicative of the criminal history of the female offenders: age of first conviction, prior history of supervision, and prior convictions. As chart 3 indicates the female offenders are generally older than 24. This is very different than for male offenders where the majority is under 24.

Chart 3



One interesting discrepancy exists in the information on prior conviction. Eighty one point seven percent of probationers and 50.7% of parolees had no prior period of supervision. The question concerns the 50.7% of parolees who were never under supervision. Who are these women? What crime or conditions to their crime resulted in direct incarceration? This group could be the violent offenders. Although we know that a majority of female offenders are in prison for property and drug offenses. This suggests a number of drug and property offenders are not given an opportunity to try probation and are sent to the more expensive option of incarceration.

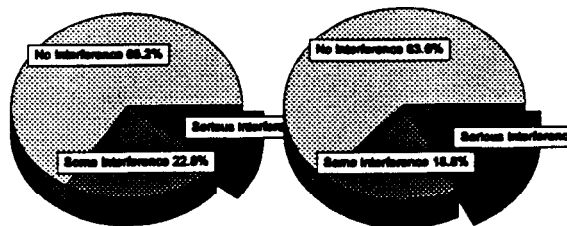
These same question arise when we examine the number of prior convictions for female offenders. Forty five point four percent of probationers had no prior convictions and a large 37.9% of parolees had no prior convictions. The questions remain the same for this group. How did they end up in prison instead of community supervision?

Alcohol and other drug use is a clear antecedent to crime. Continued use of alcohol and other drugs is a definite risk factor for future criminal behavior. With the department's current instrument the agents evaluate the offender's impairment with alcohol and other drugs. There are no objective criteria for this evaluation and thus alcohol and other drug use and problems is under reported. Even with

these limitations the amount of alcohol and other drug use is quite large. This can be seen from chart 4.

Chart 4

Alcohol and Drug Problem



The risk assessment results in a numerical score which suggests the overall risk for failure under supervision. Based on several validation studies we have determined that a score of 19 or higher is indicative of risk. For probationers 65.3% of the offenders had a risk under 19. With parolees the rate of under 19 scores is 37.5%. What is interesting is that over a third of parolees would be low risk offenders on probation. This suggests that these women may have been easily managed on probation and community supervision.

