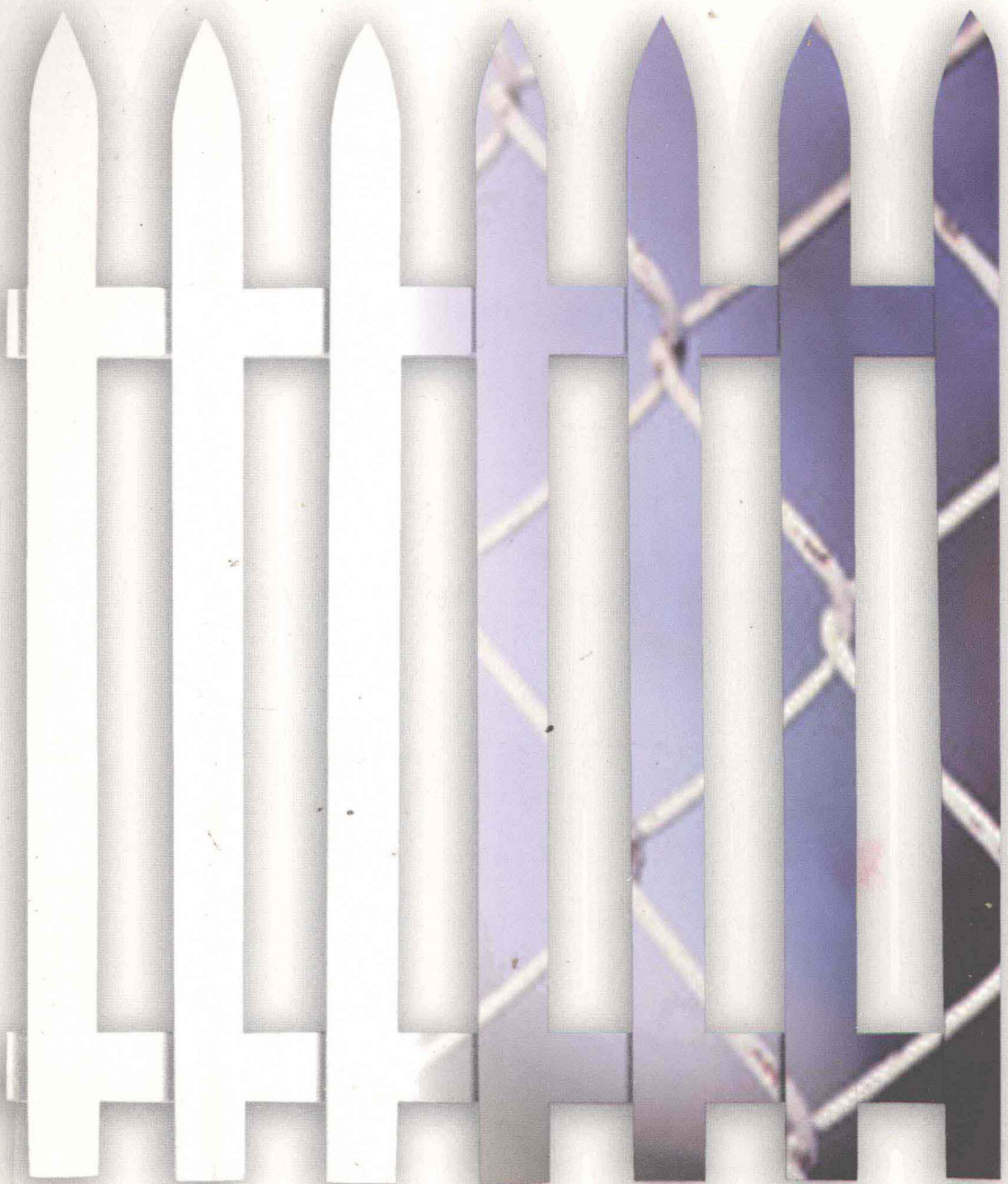


# Community-Based Corrections

third edition



BELINDA RODGERS MCCARTHY & BERNARD J. MCCARTHY, JR.

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# Community-Based Corrections

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Third Edition

**Belinda Rodgers McCarthy**  
*University of Central Florida*

**Bernard J. McCarthy, Jr.**  
*University of Central Florida*



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## Dedication

For Megan, Matthew, and our parents,  
with special thanks to June Shaw, whose  
skill and good humor contributed much  
to our efforts

# Preface

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Much has changed since we first set out to prepare a textbook on community-based corrections. In the 1980s when we began the task of preparing the text, the major focus of community-based corrections was on offender rehabilitation and reintegration—providing opportunities for individuals to develop the skills necessary to function successfully in the community and test those abilities in situations of “graduated release.” At the time of the second edition, community corrections was under transition—intermediate sanctions were beginning to develop and win some support among both academics and criminal justice practitioners. Reintegration was still an important correctional objective, but cost effectiveness issues were becoming increasingly more important in the public debate.

Today, community safety and offender control are the dominant themes in community corrections, and there is a strong emphasis on punishing the offender, especially those who commit violent and repeat offenses. Intermediate sanctions have gained widespread support, largely because they make it possible to better match the level of community control and offender punishment to the criminal than traditional measures. Cost effectiveness is still an important issue, but our understanding of the true costs of community-based sanctions is still continuing to evolve.

In this third edition of the text, we examine the wide array of correctional programs commonly referred to as community-based corrections and describe the applications of these programs to specific offender groups as well as to the larger population of adult male offenders. This examination views community-based corrections as a component of the larger system of corrections, which is in turn a major component of the criminal justice system. Throughout this text, community-based correctional strategies are compared with traditional measures and/or institutional strategies. The interconnectedness of law-enforcement activities, judicial practices, and corrections is continuously emphasized.

Our reasons for writing this book and our interest in revising it remains the same. As faculty members in various criminal justice departments, we have taught a variety of corrections, criminal justice, and research courses. We originally wrote this book because we were unable to find any single text that addressed all of the major programs, problems, and offender groups that we considered necessary for a comprehensive discussion of community-based corrections.

Since that time, our interest in the field of community corrections has continued to increase, as we have followed the fascinating evolution of non-institutional approaches to offender control. We have witnessed the

expansion and renewal of community-based programs in ways designed to make the criminal justice system more accountable to the public. Many of the changes we have observed have been very positive, but they are complex—every movement toward greater community control has impacts for costs, offenders, criminal justice practitioners, and the rest of the criminal justice system. This text provides the reader with comprehensive information about the changing nature of community corrections in a manner designed to promote understanding and critique of the significance and potential of these sanctions.

We encourage the reader to approach this text as a sourcebook on community-based corrections—a guide to “how the programs developed, why they grew in popularity and variety, where they are now, and how they can be used most effectively.”

We consider community-based corrections to be a dynamic, exciting, and complex approach to offender change and justice-system reform.

Throughout the text, we have focused on the interplay among program cost, community protection, recidivism, and offender change—a focus that encourages readers to continuously question program objectives and results. By adopting an attitude of curiosity mingled with healthy skepticism, the reader can achieve not only an understanding of the current status of community corrections but also an ability to anticipate future correctional dilemmas and to evaluate alternative proposals for problem resolution.

The organization of this text parallels the flow of persons through the criminal justice system. We examine each program in accordance with the sequence of decisions governing criminal justice processing.

Chapters 2 through 8 describe seven types of community-based correctional programs used for adult offenders, defining them and examining their unique histories. Contemporary forms of the programs are described,

and both exemplary and typical programs are represented for purposes of illustration. Problems and issues are discussed in a manner designed to provide a guide for local program assessment.

Research and evaluation studies of community-based programs are an important part of each chapter. Although many programs have not yet been subjected to intense and comprehensive study, what is known is presented, and suggestions for future research are offered where appropriate. Prospects for the future are examined at the end of each chapter. These prospects are not our predictions but simply our attempt to assess a program's potential for further development and expansion.

Chapters 9 through 11 look at special problems and needs of female, juvenile, and drug- and alcohol-abusing offenders and the community-based correctional programs designed to meet these needs. In chapter 12, we look at the future of community corrections by focusing on efforts to plan, organize, and unify correctional efforts.

We are indebted to the following reviewers for their diligence in reading the manuscript of this third edition and for their useful suggestions. They are Charles K. Eden, California State University at Sacramento; Robert Fosen, The American University; Donald Gilbert, Hudson Valley Community College; Hilary Harper, University of South Florida; Robert Heiner, Spring Hill College; William E. Osterhoff, Auburn University at Montgomery; John Smykla, the University of Alabama; and Stan Stojkovic, University of Wisconsin–Milwaukee. We would also like to thank Sabra Horne, Claire Masson, and Ruth Cottrell for all their many contributions to this manuscript.

Belinda Rodgers McCarthy  
Bernard J. McCarthy, Jr.

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# Community-Based Corrections

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# Contents

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Preface / xv

## **Chapter 1**

### **Introduction to Community-Based Corrections / 1**

Objectives of Community-Based Corrections / 1

Community Protection / 1

A Continuum of Sanctions: Fitting the Punishment to the Crime / 2

Rehabilitation and Reintegration / 5

Cost Effectiveness / 6

Objectives in Conflict / 7

Development of Community-Based Corrections / 7

The Emergence of Community-Based Corrections / 8

The Reexamination of Community-Based Corrections / 10

Contemporary Community-Based Corrections / 13

*Chaos in the Courts / 14*

*First Federal 3-Strikes Conviction Ends a Criminal's 25-Year Career / 18*

The Future of Community-Based Corrections / 20

Perspectives on the Study of Community-Based Corrections / 32

Systems Analysis / 32

The Correctional Continuum / 33

Summary / 34

## **Chapter 2**

### **Diversion Programs / 37**

Diversion in the Criminal Justice System / 38

Traditional Diversion / 38

Avoidance of Unnecessary Arrest and Prosecution / 38

Development of Formal Diversion Programs / 39

The Philosophy of Diversion / 40

Objectives of Diversion Programs / 40

Offender Change Objectives / 40

Criminal Justice System Objectives: Serving the Victim and the Community / 41

Contemporary Diversion

Programming / 41

The Diversion Controversy / 43

Diversion Program Models / 44

Alcohol Detoxification Centers / 44

Domestic Violence / 45

*For Homeless, a Stirring of Hope / 46*

Programs for Drug-Abusing Offenders / 48

Comprehensive Diversion Programs / 53

*Sometimes, Speed Works in Oakland, Drug Rehab Starts Fast—and Shows Promise / 52*

Community Dispute-Resolution Programs / 57

*Diversion Services / 58*

Problems and Issues in Diversion / 61

Alternatives to Diversion / 62

Decriminalization / 62

Other Alternatives to Diversion / 63

## New Directions in Diversion

Programs / 63

*Little Known Shoplifting Law Flawed,**Critics Say* / 64

Summary / 64

**Chapter 3****Pretrial Release Programs** / 68

## Objectives of Pretrial Release

Programs / 69

Increased Release Rates / 69

Speedy Operations / 69

Equal Justice / 69

Low Failure-to-Appear (FTA) Rates / 69

Protection of the Community / 70

Minimum Economic Costs with Maximum  
Benefit / 70

## Historical Development of Pretrial

Release Programs / 70

English Origins / 70

*Amendment VIII* / 71The Beginning of Contemporary Pretrial  
Release Programs / 72Bail Reform in the Federal Judicial  
System / 73Emergence of Supervised Pretrial Release  
Pretrial Service Agencies / 73The Federal Bail Reform Act of 1984  
and Its Impact / 74

## Continuing Problems of Jail and

Bail / 74

Local Jails / 75

Jail Overcrowding / 75

Use and Administration of Bail / 76

Bail Reform—Bail Guidelines, Deposit Bail  
Systems, and Federal Efforts / 77Nonfinancial Pretrial Release Program  
Models / 79

Prebooking Releases / 79

Postbooking Releases / 80

The Milwaukee Court Intervention Unit / 85

Orange County's Day Reporting Program / 86

## Effectiveness of Pretrial Release

Programs / 87

The Enhanced Pretrial Services Project / 87

Electronic Monitoring / 87

Research on Urine Monitoring / 88

Differentiated Case Management: Drug Courts  
as an Alternative to Pretrial Release / 89

## Problems and Issues in Pretrial

Release / 90

Preventive Detention and Pretrial Crime / 90

Restrictions on and Conditions of Pretrial  
Release Conduct / 91

## Assessing the Economic Costs / 91

Costs and Benefits / 91

Cost Effectiveness / 92

## Future Directions in Pretrial Release / 92

Summary / 93

**Chapter 4****Probation** / 96

Defining Probation / 96

Objectives of Probation / 97

Court Use of Probation / 98

Historical Perspective / 99

The English Tradition / 99

Early U.S. Practices / 100

*John Augustus and the Beginnings  
of Probation* / 101

Probation Today / 101

Trends and Issues in Probation / 103

Administrative Issues / 103

Granting Probation / 103

*Interstate Compact for the Supervision  
of Parolees and Probationers* / 107Types of Offenders Served by Probation  
Services / 108

Granting Probation / 108

Sentencing Guidelines / 108

*Guidelines Grid* / 111

Standardized Sentencing Instruments / 112

Presentence Investigation Report (PSI) / 114

*"Love Made Me Go There, Whiskey  
Made Me to Shoot Her"—The**Alabama Seventeenth Judicial Circuit  
Sentencing Project* / 116

Probation Supervision / 117	
Supervisory Styles / 117	
<i>ROBO-PO: The Life and Times of</i>	
<i>a Federal Probation Officer</i> / 118	
Service Delivery Strategies / 120	
Caseload Management / 120	
Conditions of Probation / 121	
<i>A Man Must Get Written Consent</i>	
<i>for Sex</i> / 124	
Revocation / 124	
Research on Probation / 125	
Outcome Measures / 125	
Studies on Recidivism / 126	
Evaluations of Specific Treatment	
Strategies / 128	
The Rand Study / 128	
Innovations in Probation / 129	
Probation Classification Systems / 129	
Domestic Violence / 130	
The Future of Probation / 130	
Intensive Supervision Programs (ISPs) / 130	
Summary / 133	
<i>Program Profile: The Trend Toward</i>	
<i>Multidisciplinary Treatment of</i>	
<i>Domestic Violence: Avoiding</i>	
<i>Recidivism in Virginia</i> / 134	

## **Chapter 5**

### **Economic Sanctions: Fines, Fees, Restitution, and Community Service / 138**

Fines / 139	
Impediments to the Use of Fines / 139	
Day Fines / 141	
How Day Fines Are Calculated / 142	
The Staten Island Experiment / 143	
The Milwaukee Municipal Court	
Experiment / 146	
Structured Fines Research / 147	
Fees and Surcharges / 147	
Revenue Generation / 148	
Fee Schedules / 148	
Debt Collection: The Enforcement of	
Fines and Other Charges / 150	

Problems of Enforcement / 150	
New Jersey's Model Court Collection	
Process / 150	
The Privatization of Collection Activities / 152	
Restitution and Community Service / 152	
<i>Restitution Is an Ancient Principle</i> / 153	
Contemporary Applications / 153	
Extent of Use / 154	
Historical Perspective / 154	
Contemporary Support for Restitution and	
Community Service / 155	
A Closer Look at Correctional Objectives / 156	
"Doing Justice": Judicial Attitudes	
Toward Community Service	
Sentences / 158	
The Restitution/Community Service	
Process / 160	
Program Models: Community Supervision and	
Residential Alternatives / 163	
<i>Georgia Department of Corrections</i>	
<i>Community Service Guidelines for</i>	
<i>Agencies Supervising Offenders</i> / 164	
Alternatives to Restitution: Victim	
Compensation Programs / 167	
Restitution and Victim Compensation: Costs	
and Benefits / 168	
Summary / 170	

## **Chapter 6**

### **Intermediate Sanctions / 173**

The Eras in Community Corrections / 174	
The Community Corrections Era / 174	
Intermediate Sanctions as the Focal Point of	
Community Corrections / 174	
Objectives of Intermediate Sanctions / 175	
Community Protection / 175	
Enhancement of the Correctional	
Continuum / 176	
Economic Objectives / 176	
Definition of Intermediate Sanctions / 179	
Scaling Correctional Options and the	
Correctional Continuum / 179	
Evaluating Intermediate Sanctions / 182	

*Inmate Preferences for Incarceration over Intermediate Sanctions* / 184

**Intensive Supervision Programs (ISPs)** / 186

    Program Development / 186

    ISP Goals / 187

    Program Illustrations / 189

    Research on ISPs / 189

*Georgia's Intensive Supervision Program* / 190

*New Jersey's Intensive Supervision Program* / 192

*Massachusetts' Intensive Supervision Program* / 194

*The Experience of the BJA/NIJ Prison Diversion Programs* / 195

    Future of ISPs / 197

**Boot Camps** / 198

    Definition / 198

    Program Objectives / 198

    Program Development / 198

    Boot Camps Today / 200

*Local Jurisdiction Boot Camp: Harris County (Houston) Texas* / 202

    Research on Boot Camps / 204

*Program Variation Within the NIJ Study: The Examples of Georgia and New York* / 206

*Boot Camps Offer No Quick Fix* / 208

    The Future of Boot Camps / 211

**Home Confinement and Electronic Monitoring** / 212

    Objectives / 212

    Program Development / 213

    Implementation Issues / 214

*Defective Electronic Monitoring Equipment May Lead to Further Crime and Civil Liability* / 216

    Program Effectiveness / 218

    The Future / 218

*Home Confinement and Electronic Monitoring in a Rural Setting* / 219

**Day Reporting Centers** / 221

    Objectives / 221

    Development of Day Reporting Centers / 221

    Program Characteristics / 222

*Prison Without Walls: A Typical Day Reporting Experience* / 223

*A Composite Day Reporting Center* / 225

    Program Illustrations / 226

    Future of Day Reporting Centers / 230

**Summary** / 230

## **Chapter 7**

### **Community Residential Centers (Halfway Houses)** / 234

**Objectives** / 236

    Benefits to the Offender / 236

    Benefits to the Community / 237

    Benefits to the Justice System / 238

**Historical Perspective** / 238

    Program Models / 240

**Program Planning and Operations** / 244

    Target Population Selection / 244

    Location and Site Selection / 245

    Personnel and Training / 246

    Treatment Services / 247

    Resident Security and Community Protection / 248

    An LEAA Exemplary Project / 249

*Montgomery County Pre-Release Agreement* / 250

**Problems and Issues in Halfway Houses** / 250

    The Dilemma of Being Half In and Half Out / 250

*Freedom: Halfway House Style* / 252

    Halfway House/Community Relations / 253

    A Profile of a Multifaceted Community Correctional Agency / 253

*The Inmate Code in a Halfway House: A Source of Resistance to Constructive Reintegration* / 254

*The Mariana (Florida) Community Center* / 256

**Program Evaluation** / 257

    National Evaluation Program / 257

    NEP Recommendations / 259

    GAO Survey / 260

    Minnesota Evaluation / 260

The Future of Halfway Houses / 261
Management by Objectives / 261
Management Information System / 261
Mutual Agreement Programming / 262
Summary / 262

## **Chapter 8**

### **Parole and Temporary Release Programs / 265**

<i>A Judge's Warning to the Parole Authorities</i> / 266
What Is Parole? / 266
Objectives / 268
Historical Development / 269
<i>Molester Seeks Castration; Texas Agrees: Soon to Leave Prison, Man Wants Testicles Removed as Precaution</i> / 271
Contemporary Parole / 273
Administrative Structure / 275
Essential Elements of Parole / 276
Sentencing Flexibility / 276
<i>Sentencing Models</i> / 277
Changes in Parole Powers / 278
Qualified Parole Board / 278
<i>The Truth About Polly Klaas</i> / 279
<i>The Iowa Parole Board</i> / 280
Qualified Parole Staff / 280
Freedom from Influence / 282
Effective Parole Administration / 282
Proper Parole Procedures / 282
Promising Parole Strategies / 286
The Future of Parole / 291
<i>Abolishing Parole: Why the Emperor Has No Clothes</i> / 292
Summary of Parole / 293
Temporary Release Programs / 294
Types of Contemporary Programs / 294
<i>Willie Horton and the Presidential Election of 1988</i> / 298
Objectives / 298
Problems and Issues / 299
New Directions / 300
Summary of Temporary Release Programs / 301

## **Chapter 9**

### **Problems and Needs of Female Offenders / 304**

Special Problems of Female Offenders / 305
Women and Crime / 305
<i>"Women Doing Crime, Women Doing Time"</i> / 308
The Female Offender and the Criminal Justice System / 310
Social Roles and the Needs of the Female Offender / 311
Services / 312
Economic Assistance / 312
<i>Girl Scouts Beyond Bars: Florida's Programs</i> / 314
Programs for Parents / 314
Survival Training / 316
Community-Based Correctional Programs / 318
Major Issues in Programming / 318
National Council on Crime and Delinquency (NCCD) Survey / 319
NCCD Program Illustrations / 321
Program Effectiveness / 323
Drug Treatment Programs / 324
Intermediate Sanctions / 326
Issues in the Treatment of Female Offenders / 326
Summary / 327

## **Chapter 10**

### **Programs for Juveniles / 329**

Criminal Justice and Juvenile Justice / 330
Overview of the Juvenile Justice System / 330
The Offenders / 334
Processing Juvenile Offenders / 336
A Closer Look at Intake / 338
Community-Based Programs for Juveniles / 339
Programs for Runaways / 340
Juvenile Diversion Programs / 340
Outreach Programs / 340

Programs Targeting Minority Youth / 342	
<i>Mentoring Men of Distinction</i> / 343	
Mentoring Programs / 343	
Youth Service Bureaus / 343	
Youth Courts / 346	
Specialized Programs / 346	
<i>Teens Face Jury of Their Peers</i> / 347	
Diversion and the Juvenile Justice System / 348	
Community Alternatives to Secure Detention / 348	
Home Detention Programs / 349	
Temporary Shelter Programs / 349	
<i>Detention Aftercare in New York</i> / 350	
Detention Aftercare / 351	
Juvenile Probation Programs / 351	
Programs for Youths with School-Related Problems / 351	
Drug Treatment Programs / 354	
Restitution and Community Service Programs / 355	
<i>Making a Difference</i> / 357	
Day Treatment Programs / 358	
Wilderness Experience Programs / 359	
Marine Institute Graduates Celebrate Love, Life Skills / 360	
Specialized Programs / 361	
Community-Based Residential Programs for Juveniles / 363	
Foster Care / 363	
Group Homes / 364	
Independent Living Programs / 366	
Juvenile Aftercare / 366	
Research and Program Models for Serious Chronic Delinquents / 368	
Research on Urban Delinquency and Substance Abuse / 368	
The OJJDP Plan / 370	
Problems and Issues in Community-Based Correctional Programs for Youths / 374	
Treatment versus Control / 374	
Deinstitutionalization of Juvenile Corrections / 375	

The Future of Community-Based Correctional Programs for Juveniles / 376
Crime Control Moderated (Usually) by Continuing Concern for Rehabilitation / 376
Continued Efforts to Develop Alternatives to Confinement / 376
Summary / 379

## **Chapter 11**

### **Problems and Needs of Drug- and Alcohol-Abusing Offenders / 383**

Special Problems of Drug Abusers / 384
Drug Abuse and Crime / 384
<i>Fact Sheet: Methamphetamine</i> / 385
<i>Emerging Drugs</i> / 386
The Narcotics User: A Portrait in Diversity / 386
Characteristics of Narcotics Addicts / 388
The Addict Personality / 389
Causes and Purposes of Drug Addiction / 389
Postaddiction Syndrome / 390
Treatment of Drug Abusers / 391
Methadone Maintenance / 391
<i>Prison: A Self-Contained Treatment Community</i> / 392
Therapeutic Communities / 393
<i>Learning Life Skills Through Delancey Street</i> / 394
Community-Based Correctional Programs for Narcotics Addicts / 394
<i>Bureau of Justice Assistance Fact Sheet: Treatment Accountability for Safer Communities</i> / 396
<i>Probation Work with Drug Offenders</i> / 398
<i>Narcotics Addicts on Parole</i> / 400
New Directions in the Treatment of Narcotics Addicts / 400
<i>I Did Drugs Until They Wore Me Out. Then I Stopped.</i> / 402
<i>The Wildcat Project: Typical Clients</i> / 404

**Special Problems of Alcohol**

Abusers / 405

Alcohol and Crime / 405

Research on Arrested Persons / 405

Studies of Prisoners / 406

Effects of Alcohol / 406

***The Stages of Alcoholism* / 407**

The Alcoholic and the Problem Drinker / 408

Causes of Alcoholism / 408

Diagnosing the Problem / 408

**Treatment of Alcoholics and Problem Drinkers / 409**

Goals / 409

Methods / 410

***Alcoholics Anonymous: The Twelve Steps* / 411****Community-Based Correctional Programs for Alcoholic Offenders / 412****The Effectiveness of Alcohol**

Treatment / 413

Alcohol Consumption / 413

Behavioral Impairment and Adjustment / 413

Patient and Treatment Characteristics / 413

**The Hazelden Rehabilitation Program, Center City, Minnesota / 414**

Treatment Prerequisites and the Criminal Justice System / 414

***Heavy Drinking: Long-term Effects* / 416**

Summary / 416

***Goals of the 1995 National Drug Control Strategy* / 418****Chapter 12****Planning for the Future / 421****The Importance of Planning / 422**

The Planning Process / 422

Policy Implementation / 423

Benefits of Planning / 425

**The Intermediate Sanctions Planning Process / 425**

A Working Policy Group / 426

Goal Development / 426

Developing Baseline Information / 428

***County's Conservative Attitude Liberalizes Treatment of Lawbreakers* / 429**

Sentence Monitoring / 431

Targeting Offender Populations / 431

Implementing Sentencing Policy / 433

**Reorganizing Community-Based Corrections / 434****Programs and Strategies for the Correctional Planner / 436**

Subsidies and Community Corrections Acts / 436

Community Correctional Centers / 437

Contracting for Community Correctional Services / 439

**Summary / 441****Conclusion / 442****Index / 445**

# 1 Introduction to Community-Based Corrections

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## OBJECTIVES OF COMMUNITY-BASED CORRECTIONS

- Community Protection
- A Continuum of Sanctions: Fitting the Punishment to the Crime
- Rehabilitation and Reintegration
- Cost Effectiveness
- Objectives in Conflict

## DEVELOPMENT OF COMMUNITY-BASED CORRECTIONS

- The Emergence of Community-Based Corrections
- The Reexamination of Community-Based Corrections
- Contemporary Community-Based Corrections
- The Future of Community-Based Corrections

## PERSPECTIVES ON THE STUDY OF COMMUNITY-BASED CORRECTIONS

- Systems Analysis
- The Correctional Continuum

## SUMMARY

*Community-based corrections* is the general term used to refer to a variety of sanctions and noninstitutional correctional programs for criminal offenders. These include:

1. Efforts designed to divert accused offenders from the criminal justice system or jail prior to prosecution
2. Sentences and programs that impose restrictions on convicted offenders while maintaining them in the community
3. Efforts designed to smooth the transition of inmates from prison to freedom. Diversion, pretrial release, fines, restitution and community service, probation, intensive supervision, house arrest, electronic monitoring, day reporting, boot camps, residential centers, temporary release, and parole and other forms of prison release form a continuum of options for dealing with offenders in the community. Although these sanctions and programs differ in the restrictions they impose and the types of offenders they serve, their similarities outweigh their differences.

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## Objectives of Community-Based Corrections

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### Community Protection

All community-based correctional programs must deal with the issue of community protection. This objective is recognized in every sanction and every program at several stages. First, addressing the issue of *eligibility*, is a



determination of what broad classes of offenders might be eligible for a particular form of sentence or program. Later there is a *selection process*—a case-by-case review of individuals who meet program eligibility requirements. Programs deal with eligibility criteria and the process of selection in a variety of ways. Diversion and pretrial release programs usually specify which offenders are eligible and/or ineligible for their programs, and then staff examine each offender's personal characteristics to determine his or her suitability for their programs. Legislatures and sentencing commissions give careful consideration to the types of offenders they wish to make eligible for nonincarcerative sentences; their judgments appear in penal codes and sentencing guidelines. Judges then work within the framework of the sentencing structure in their jurisdiction to determine the level of risk posed by each offender they must sentence. Correctional and parole authorities review inmates for temporary release and parole, first according to statutory and program guidelines, and then at an individual review or hearing.

In addition to carefully devising eligibility criteria and selection processes, community correctional programs also make judgments about the type of *restrictions* or *level of control* an offender will require upon release to the community. Control may be accomplished in a variety of ways, such as through the use of prescriptive and proscriptive restrictions on offender behavior. Conditions may specify the level of supervision the offender will receive, a curfew, and/or requirements that the offender attend school or get a job. Other conditions may restrict the use of alcohol and prohibit drug use and any contact with persons engaged in illegitimate activities. Sometimes offenders are required to live in a supervised environment, such as a halfway house or a diversion center that provides daily structure.

Enforcing these conditions can be difficult, often requiring frequent telephone calls and personal visits to the offender at work and at home and contacts with family members, em-

ployers, and other associates. The purpose is to use rules and rule enforcement both to deter the offender from inappropriate conduct and identify, before crime occurs, those persons who cannot be maintained in the community.

Although it is impossible to achieve the level of incapacitation that prisons provide, community-based programs attempt to provide offender monitoring sufficient for the degree of risk posed by each program participant. *Risk assessment*—the process of identifying and classifying offender risk—and *risk management*—the development of levels of structure and supervision sufficient for each level of risk—are among the greatest challenges confronting community-based corrections today.

## A Continuum of Sanctions: Fitting the Punishment to the Crime

There is general agreement in our society that the punishment should fit the crime. That is, more severe offenses should be met with more punitive responses. While there is much debate over how aggravating and mitigating factors should influence this equation, and how other objectives like rehabilitation and deterrence should be accounted for, the desire to see offenders receive the right amount of their “just deserts” is a strong one. This principle seems to be at the heart of much of our system of justice: punishment should be neither too light nor too harsh in response to the harm done by a criminal act.

It is also readily apparent that the range of behavior included within criminal conduct is extremely broad and diverse. Prohibited conduct ranges from the virtually harmless to the dangerous and destructive. Offenses range from those that attack persons or property to those that harm virtually no one but the lawbreaker. And offenders themselves are a diverse group, including naive first offenders as well as chronic predators and everything in between. Obviously, any effort to properly fit punishments to such diverse behavior re-