

# EXECUTIVE EXCHANGE

National Association of Probation Executives

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## "SMART SANCTIONS:" TREATMENT CENTER AND PROBATION COLLABORATE TO IMPROVE TREATMENT AND SUPERVISION RESULTS

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*"It doesn't help to send someone off to prison for three years, pluck them out of the community and then plunk them back down if they've got a drug problem-without having provided treatment. Better that we use our resources to provide alternative sanctions that allow them to come back to the community with a better chance of being law abiding citizens."*

*--U.S. Attorney General Janet Reno*

### **Introduction & Background**

Growing concerns about escalating prison costs, prison overcrowding, and high recidivism rates to drug use, criminality, and custody have caused a reevaluation of the "lock'em up" philosophy prevalent in the 1980's and have again focused attention on the courts and probation to help solve these problems in a cost effective, humane manner. The national dialog on punishment is changing from "tough" versus "soft" to "smart" versus "dumb," particularly with drug offenders who crowd the courts, jails and prisons, sometimes pushing more dangerous offenders out onto the streets. Recent studies show that criminal justice sanctions alone, without intensive and effective treatment interventions, are unlikely to change the behavior of chronic drug abusers who come to the attention of the courts. Criminal justice sanctions can stop offenders,

for a while, but are often powerless to change them; treatment programs can often change drug users, if they can hold them in treatment for a long enough period of time. When criminal justice agencies collaborate with effective treatment programs, outcomes can improve public safety, reduce crime, and benefit taxpayers, citizens, and the drug offenders and their families.

As in many urban jurisdictions, the Superior Court of Pima County in Arizona reports that 68.3% of the adult probation population were, at time of sentencing, drug abusers who had recently used drugs and whose terms and conditions of probation included an order for some form of drug treatment. Responding to this fact, the Adult Probation Department of the Superior County in Pima County has developed a number of specialized diversion programs over the past four years in addition to the usual array of probation programs. The Community Punishment Program (CCP) established in 1989 provides state funding for diversion programs. CCP funding provides support to incarceration alternatives characterized by more intensive and specialized supervision, house arrest through electronic monitoring, community service placements and random urine analysis as well as access to treatment programs, education, job placement, housing and transportation support.

DIRECT (Drug Involvement Reversal Through Education, Control and Treatment) is an outgrowth of the CPP program, and began in 1989. This program was designed to provide a much higher level of intervention and supervision for probationers being revoked from regular probation because of drug abuse as well as those sentenced directly from the court. Some of the conditions of this program are day and night surveillance, intensive outpatient treatment for substance abuse, curfews, house arrest through electronic monitoring, weekly schedules that restrict the probationer's movement within the community, eighty-five hours of community service, urinalysis, outpatient treatment for substance abuse, HED completion, and a gradual step system that moves the probationers through the program and on to regular probation caseloads. Probation officers assume dual roles; they are both the enforcers of the court orders and the agents of change. The program targets chemically dependent probationers, particularly those in imminent danger of incarceration or initial sentencing or revocation of probation because of continued drug use. About 34% of all those under CPP sanctions are assigned to DIRECT caseloads.

Amity, Incorporated is a large, nonprofit, drug abuse prevention and treatment agency that provides over a dozen different programs for substance abusers in Arizona and California, ranging from school and neighborhood-based prevention programs for school-aged youngsters, to an HIV prevention program for IV drug users and their

sexual partners, to residential and day treatment programs for pregnant addicts, addicted women and their children. Since many of the participants in Amity's Tucson programs are on probation, and many of them are stipulated to treatment as a condition of probation, Amity and the Adult Probation Department of the Superior Court in Pima County have developed a cooperative working relationship over the past dozen years. Since both Amity and the Probation Department are interested in improved outcomes, several years ago they determined that communication would be improved, manipulation decreased, and offender outcomes would be enhanced if one probation officer (for general probationers) and one Intensive Probation Supervision (IPS) team were assigned to the Amity adult facility for men and women. Implementing this idea proved to be watershed. Over the next year cooperation and trust between Amity, Probation staff, and probationers steadily increased, especially through the use of cross-training sessions and joint staff meetings. Probation officers and the Amity counselors work together as a "treatment team" to set goals, assess residents' progress, and determine discipline. Probation officers working with the "Amity caseload" were able to inform Amity staff about probationer behavior, attitude, drug use, and changes in: court orders, policies, and directions while becoming very knowledgeable themselves about the Amity approach to drug treatment. Success of this approach was measured by lower revocation rates and by increased lengths of stay (LOS) in the program; increased LOS has always been positively associated with better outcomes in the treatment literature. (DeLeon et al., 1979, 1984.)

Although the Probation Department has referred hundreds of probationers to Amity's long term residential therapeutic community (TC) over the years, most of those referrals were supported by Arizona state behavioral health funding. The waiting list for Amity's services was (and is) long-at present often requiring six months to a year before entry. The Probation Department could not secure enough additional funding to purchase beds for all its probationers in need of long term treatment at Amity. While the Probation Department recognized the importance of long term residential treatment for many of its probationers, the expense of that alternative led to a request that Amity develop shorter term and non-residential services. However, funding for Amity's start up costs had not been available.

### **Development of the Proposal for Collaboration**

In 1990 the Center for Substance Abuse Treatment (then called the Office for Treatment Improvement) of the federal Department of Health and Human Services issued a request for proposals for "Model Drug Abuse Treatment Programs for Non-Incarcerated Criminal Justice Populations." Amity executives approached the Chief

Probation Officer and his staff, suggesting the design and development of a cooperative proposal to develop a day and evening education and treatment program for probationers. This would allow the design, start-up, and implementation of the non-residential setting. Three years earlier, in 1987, Amity had parlayed a lengthy cooperative working relationship with the Pima County Sheriffs Department into the federally funded Amity/Pima County Jail Project, which has since become a national model of effective collaboration between a criminal justice agency and a treatment agency. The Probation Department staff were enthusiastic about the collaboration and, over the next couple of months, staff from both agencies met and worked intensively to develop a joint proposal which would target: individuals at high risk for revocation of probation due to substance abuse; those identified through presentence investigations to be appropriate for diversion programming; racial and ethnic minorities and younger offenders (often over-represented in criminal justice populations).

The program design included:

1. Successful "transplantation" of essential TC program elements from the residential setting to a nonresidential setting
2. An escalating sanction design with appropriate supervision levels, urine screens, etc.
3. Assessment and support through a case management system.
4. Educational/vocational assessment and training.
5. Family support and counseling.
6. Health services coordination.
7. Intensive aftercare.
8. A location which allowed all elements of the program to be conducted at one site. Of particular importance, in this regard, was the location of offices for both probation officers and Amity program staff at the same site-encouraging further collaboration, communication and teamwork on all elements of the program.

The proposal was awarded an average of \$460,000 per year with an October 1, 1990 start date. After a lengthy search for a licensable facility, physical renovations, staff hiring and training, the program opened its doors officially in May of 1991. The

program has been in continuous operation since then and is now requesting two more years of funding from the Center for Substance Abuse Treatment (the successor to the Office of Treatment Improvement of the US Department of Health and Human Services).

## **Program Operations and Outcomes**

When it opened its doors the Amity Community Center (ACC) was an attempt to take the key elements of the Therapeutic Community (TC) and bring them into a day and evening program. Amity program managers and counselors were selected who had extensive TC experience and who were enthusiastic about experimenting with a new idea in conjunction with probation officers and managers with similar enthusiasm. Key elements as described in an extensive publication by DeLeon and Rosenthal (1989) were incorporated into the daily or weekly routine of ACC participants. Regular meetings and encounter groups were held. "House meetings," to discuss important contributions and disappointing failures, were held as needed. Special "retreat" and long groups were held on the weekends; special groups were held for Hispanics, for African-Americans, for women. A positive peer culture was developed using ex-addict staff hired and trained by Amity. In the meantime, participants saw their probation officers regularly in the building, had urine screens, and met jointly with probation and treatment staff to discuss progress or the lack of it.

Over the two years of program operation, there have been several key changes:

- Increased efforts to maintain alignment between the Probation Department and Amity. During the first year there was considerable friction and misunderstanding between the two groups, exacerbated by Amity staff turnover. Both organizations corrected this by instituting a series of regular meetings at several levels. Regular meetings between agency executives were held to summarize and to ratify decisions made in the more frequently held meetings of the program and supervision staff: Problems were ironed out, misperceptions corrected, and new ideas proposed. In addition to the meetings described, formal cross-training sessions were conducted for both Amity and the Probation Department staff. These alignment efforts led to significant changes instituted in the second year of the program.
- Increased intensity. During the first year of operation, probationers spent an average of 11.5 hours per week at the ACC. Amity and Probation staff determined that the program, while successful, needed to be more intensive and redesigned it for the third year. New requirements require participants to spend a minimum of 16 hours per week at the Amity Community Center, including at least one treatment

group and one seminar per week, regular probation visits, and a 24-hour treatment group once per month.

- Changes in eligibility requirements for probationers. Starting in the second year of operation only those probationers on DIRECT caseloads or Intensive Probation Supervision (IPS) have been eligible to enter the program. Additionally, efforts have been made to get most probationers assigned to the program to become part of the caseload of the probation staff housed in the Amity Community Center. PO's not resident at the ACC who have probationers in the program must meet with Amity treatment staff and the Probation Department's Amity liaison at the time the probationer becomes assigned and every six months thereafter. This change was made to enhance cooperation between the treatment and supervision components of the program.
- Length of Program. Although originally planned as a short term (3 - 6 month) program, it was felt after the first year that the needs of the population in the program required a longer-term intervention. The program length was changed to a 12-month core period with continuance programming for an additional six months after release from the core.

The program has served 197 individuals from its inception in May 1991. Although the program was originally funded and designed as a six-month program with an anticipated average length of stay of four months, the actual LOS for all participants has averaged 6.3 months with 8.6 months averaged for program completers.

One of the original goals of the program was to achieve a level of participation among minorities that mirrored their high levels of representation in the criminal justice system which, unfortunately, is much higher than their representation in the communities of Arizona. For example the ethnic and racial population breakdown in Pima County is approximately 66% Caucasian, 27% Hispanic, 3% African- American, 3% Native American. A further goal of the Amity/Probation Department Program was to achieve high levels of participation among Hispanics, a minority group frequently under represented in treatment populations. As the table below demonstrates, the Amity/Probation Department Program has been able to more closely reflect the levels of ethnic and racial minorities found at every step in the criminal justice system in Arizona, rather than the local population levels.

Positive urine toxicologies provide a fairly accurate and objective measure of recidivism to substances. As the graph on the next page illustrates, positive urines as a percent of all urine samples taken diminished by more than 50% from 1991 to 1992.

Statistics on discharge status also point to signs of program success and steady improvement over time. Of the 197 program participants since inception, 28% have completed the program, 24% are currently enrolled and 5% transferred into a residential facility. The rate of those leaving the program unsuccessfully dropped from 59% in the 1991-92 grant year to 30% in the 1992-93 grant year.

Participants Ethnicity and Gender Male n = 50 Female n = 21

Race or Ethnic All Status Probationers*	F	M	Amity Program Totals	Pima County Population	
Hispanic	7%	30%	37%	27%	35%
Caucasian	11 %	23%	34%	66%	53.3%
African Am	11 %	16%	27%	3%	8.7%
Native Am	-	3%	3%	3%	-
Other**	3%				

\*Probationer count as of June 30, 1992 = 4,374 .

\*\*Probation Department category includes Native Americans

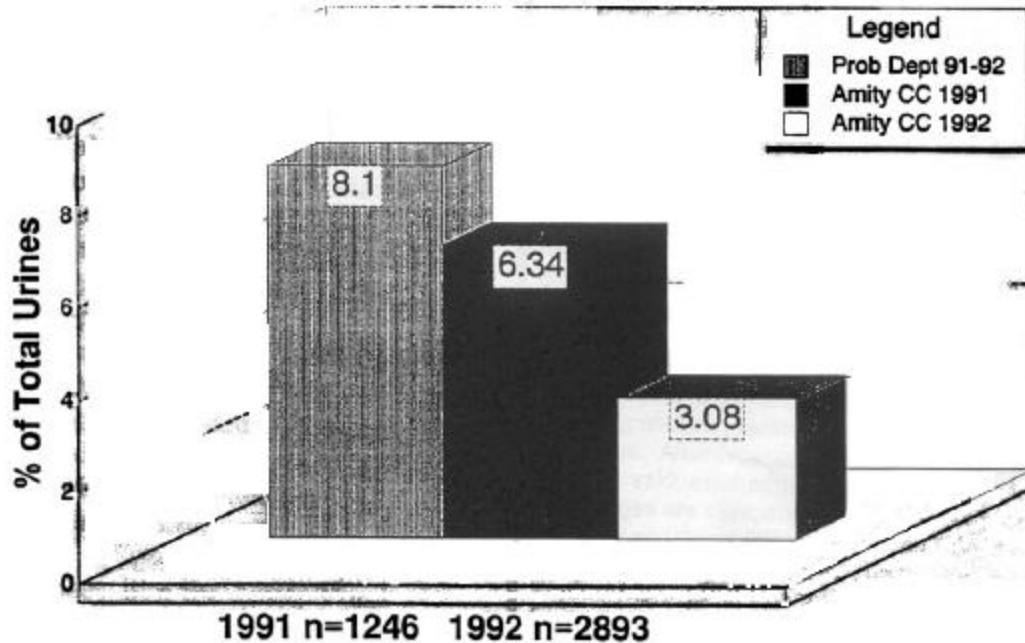
This last statistic is particularly encouraging as many outcome studies for TC programs have shown high attrition rates' in the early stages of treatment-with as many as 50% of clients dropping out of some programs in the first 90 days. (Highboard et al., 1989.) Since length of stay in treatment has been almost universally associated with post-treatment reductions in drug use and criminality and increases in pro-social behaviors, the high retention rate of this program anticipates significant post-treatment gains for the participants.

**CONCLUSION & DISCUSSION**

Collaboration between treatment and supervision works. Although this program is merely two years old, the data collected and discussed shows that it is successful in intervening with probationers who are at very high risk and who, during the program, remain living and working in environments where drugs are readily available. The

program is working successfully with racial and ethnic minorities who are disproportionately represented in the criminal justice system, and who are often not given treatment opportunities. At a cost of approximately \$13.70 per day per participant, the Amity/Probation Department Program is, in addition to supporting 15 hours per day, seven days per week of treatment programming, also supporting most of the cost of the criminal justice supervision for the participants as well as the program evaluation. This compares with an average cost of \$9.86 per day per participant for a high quality, outpatient, drug-free program that is not supporting the supervision or evaluation costs. (Gerstein and Harwood, 1990.).

### Amity Day Reporting Center Positive Urines



National Association of Probation Executives

The program was originally designed as a day program that would use employment of participants as one crucial measure of success. It has been so successful in this area that the program has been redesigned to offer weekend and evening programs since almost all participants are employed!

The elements of residential TCs which have been effective worldwide in working with the most disadvantaged drug users can be effectively "transplanted" into a non residential setting. This cannot be done casually, nor done by those who are not well trained and grounded in TC methodology, but it does provide an important and cost-effective option to residential TC treatment for those who are amenable to and suitable for this alternative. In this program it is important to note that the non residential TC was closely tied to a large, well established residential TC with a great number of experienced TC staff members to provide training and support.

This collaboration suggests the need for more rigorous evaluations to explore client treatment matching and what TC elements have the greatest effectiveness on client growth and change. Highboard and Condelli (in press) show that TC's, unlike other residential programs, have an "x" factor (or factors) that catalyze in-program and post-program pro-social change. This program tends to corroborate their findings and begs for further investigation of what those essential elements are.

This project, like the Amity/Pima County Jail Project, provides important new evidence that criminal justice and treatment organizations that typically work in a non-collaborative manner with the same clients can, when they combine and align their resources, make significant, positive changes in the lives of their mutual clients. These changes can significantly reduce criminal expense and turn "tax takers" into "tax payers."







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