Implementation Progress and Early Outcomes of Evidence-Based Practices



Virginia Department of Corrections

Program Development and Evaluation Unit

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Executive Summary

This report on the progress of evidence-based practices (EBP) in the Department of Corrections responds to Item 387. C of the Virginia Appropriations Act which directs:

"The Department of Corrections to report on its progress in implementing evidence-based practices in selected probation and parole districts, and recommend steps to expand this initiative into additional districts. The report shall place particular emphasis on measuring the effectiveness of these practices in reducing recidivism. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2008."

The first section of the report introduces the reader to the scope, implementation steps, and operational definitions of EBP. EBP is not a single program but a layered process that includes the use of offender assessment tools, probation officer communication skills and intervention methods proven to increase an offender's readiness to change, training and delivery of EBP-compliant treatment services, and comprehensive evaluation of program delivery and program outcomes. EBP involves a system-wide change that requires organizational development and collaboration with criminal justice partners as well as probation officer and treatment provider skill development.

The second section covers the reasons why implementing evidenced based practices is of utmost importance at this time. This section includes statistics about the rising number of prisoners nationwide and in Virginia, basic crime statistics in Virginia, and information about what other states are doing to respond to their crises of growing prison populations. Virginia's new court commitments increase an average of 3.2% per year. A record number of 16,247 offenders are projected to be committed in 2013 (2007 Secretary of Public Safety Forecast). Of this projected number, it is estimated that almost half have been on probation and parole before being re-committed for a technical offense or new crime. It is this population that EBP in Community Corrections targets for recidivism reduction that research says is probable if EBP is implemented correctly and with high fidelity. Virginia, like other states across the U.S., is bending under the financial pressures to build new prisons. If Virginia does not implement alternatives to prison incarceration, the prison bed shortage is estimated to be 3,300 by 2013 with an additional 900 bed shortfall when temporary and emergency beds are no longer used. This would mean an additional three to four new prisons would be needed at approximately \$100 million per

institution for capital costs (or an additional \$300 to \$400 million), plus an additional \$23,000 average cost per year (at today's costs) for each prisoner housed in a major institution (approximately \$76 million additional operational funds are needed).

The third section of the report outlines the programs found effective in reducing adult offender recidivism according to a massive meta-analysis study of over 500 offender programs conducted by the Washington State Institute for Public Policy in 2006. Using recidivism reduction figures from this study, VDOC researchers calculated that if EBP is fully implemented in all P&P districts, it has the potential to reduce probationer/parolee recommitments in a range from 600 minimum to 980 maximum per year. In addition to the cost savings from decreasing new prison construction and prison operations costs, Virginia would save on other criminal justice costs (victimization costs, police and court costs, and jail incarceration costs). These cost savings are dependent on how quickly statewide implementation is achieved and whether sufficient funding is available for EBP infrastructure and offender treatment needs.

Early outcome evaluations of the impact of EBP show several success markers:

- 1) unsuccessful case closings are down by 2% in EBP sites when compared with closely matched control sites;
- 2) technical and new crime recommitments are down 3.2% in EBP sites compared to control sites;
- 3) revocation rates in the EBP sites have dropped 4.3% over the control sites:
- 4) the percentage of white offenders re-arrested in EBP sites is 6% lower than white offenders in non-EBP sites;
- 5) approximately 4% fewer black offenders are recommitted and an additional 2.5% fewer white offenders are recommitted to DOC from EBP sites when compared to non-EBP sites; and
- 6) there are 2.7% fewer black offenders recommitted on technical offenses from EBP versus non-EBP sites.

These research results are considered preliminary because EBP is not fully implemented in the four original pilot sites (EBP leaders are now planning to train clinicians and probation officers about EBP-compliant treatment services) and not

enough probationers have been exposed to EBP practices to have a statistically stable sample size.

The VDOC plans to expand the number of EBP pilot sites from the original four to nine sites in FY2009. VDOC needs the following to expand and institutionalize EBP: caseload control positions to handle P&P population growth and the expanded duties required for EBP; adequate funding for the necessary intensive treatment of high risk offenders; and funding for infrastructure costs including training costs, support personnel costs, Virginia CORIS, and electronic supervision.

If EBP programs and services are implemented with high fidelity, we expect that VDOC will see reduced recidivism and resulting cost savings such as those projected in the WSIPP study. It is important to understand that re-commitment reductions will not happen tomorrow – full EBP statewide implementation will happen incrementally as will cumulative recommitment and re-arrest reductions. With sufficient funding to continue expansion of EBP, we anticipate that approximately five new EBP Probation and Parole sites will be started each year for the next six years until all Probation and Parole district offices in Virginia are using EBP.

It is important to emphasize that VDOC can only achieve the estimated EBP savings in the form of reduced recommitments, lower arrests, and saved prison bed space if there is a commitment to the following: 1) adequate funding to establish effective EBP treatments and services; 2) comprehensive training of Probation Officers and treatment service providers on what we expect and how to deliver EBP services; 3) holding providers accountable for EBP-compliant services by fidelity audits and outcome evaluations; and 4) by using evaluation outcome results, determine what programs and services are ineffective, improve promising programs and services, and replicate programs that prove effective in reducing recidivism and recommitment.

Implementation Progress and Early Outcomes of Evidence-Based Practices

I. Scope, Implementation Steps, and Operational Definitions of Evidence Based Practices in Virginia Community Corrections

Rigorous scientific research is the cornerstone of Evidence Based Practices (EBP) with criminal offenders. The impacts of offender treatment programs and other interventions are examined using stringent and proven scientific research methods. Without a research approach to correctional practice, effective treatment and services would be overlooked while ineffective and potentially harmful programs may be maintained. Evidence based practice provides criminal justice professionals not only with the means of evaluating programs but also identifies key program elements integral to offender success, thus allowing for replication of effective recidivism reduction programs.

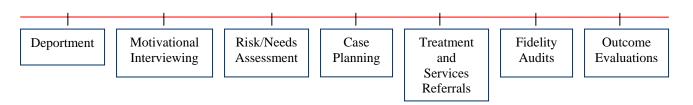
By appropriating taxpayer resources to effective offender treatment programs and services, legislators are able to increase public safety and engender trust. Evidence also suggests that implementing EBP programs results in substantial cost savings. The Washington State Institute for Public Policy (WSIPP) conducted a comprehensive cost-benefit analysis in 2006, which concluded that implementing a moderate-to-aggressive portfolio of EBP options would result in substantial reductions in criminal justice costs by reducing recidivism. The WSIPP researchers estimated that implementing EBP would save taxpayers in Washington State approximately two billion dollars over a twenty-five year period (Aos, Miller, & Drake, 2006). Given the reported efficacy of EBP programs and services for adult offenders, the Virginia Department of Corrections (VDOC) has begun an EBP initiative that could reap considerable benefits including reductions in offender recidivism, needed prison bed space, and projected criminal justice cost savings if supported by state government officials and legislators.

Defining Evidence-Based Practices

As a concept, evidence-based practices (EBP) encompass an array of offender services and treatments as well as employee practices that altogether result in lower

offender recidivism. Figure 1 presents a paradigm that outlines the EBP implementation steps followed by definitions of terms.

Figure 1: EBP Implementation Steps



The key EBP components depicted in Figure 1 includes deportment, motivational interviewing, risk/needs assessment, case planning, EBP treatment and service referrals, fidelity audits of EBP compliance, and outcome evaluations of EBP impact.

<u>Deportment:</u> The first EBP implementation step is to assess and improve office and probation staff deportment. Deportment is defined as "the manner in which one conducts oneself". Deportment in a Probation and Parole district office includes examining the professional and physical appearance of the office environment, promoting courteous and respectful interactions with offenders and the public, and probation officers promoting their image as professionals with specialized skills.

It is important that the offender feels comfortable with correctional staff. Creating a trusting relationship and comfortable environment can improve the likelihood that the probation officer will get quality and accurate information from the offender. Treating an individual with respect is likely to lead to changes in the offender's self-image possibly resulting in more pro-social behaviors. Another key component of deportment is providing a professional environment for office visits with probationers. Interviews with offenders should occur in an uninterrupted and confidential environment with minimal distractions.

<u>Motivational Interviewing:</u> Motivational interviewing (MI) is a process of effective communication that emphasizes the importance of listening skills, affirmations, and self-motivating statements. The goal of effective communication is to motivate offenders to change. Effective communication promotes offender-probation officer engagement. The

PO is more attentive to the criminogenic needs of offenders and also assists offenders to meet their transition needs. Additionally, motivational interviewing has therapeutic value because the PO encourages offenders to analyze whether their decisions and actions produce their desired results. Using motivational interviewing, the probation officer encourages the offender to reconsider habituated thoughts that may lead to impulsive actions or criminal activity. Through MI, the offender is motivated to change not just to satisfy short term goals like probation compliance but longer term goals of pro-social behavioral changes. By using motivational interviewing, the probation officer is also better able to prioritize a client's criminogenic needs. Many high risk clients have multiple criminogenic needs, requiring them to change more than one target behavior. Staff can use the active listening skills of MI to determine which behaviors the client is most motivated to change at a particular time.

<u>Risk/Needs Assessment</u>: A risk/needs assessment instrument is an actuarial tool that measures an offender's risk of recidivism and risk of violence and delineates the offender's criminogenic needs. The risk assessment is important because it allows correctional staff to determine the appropriate level of supervision that an offender should receive. The criminogenic needs portion of the risk/needs assessment is designed to assess treatment and other needs that could lead to criminal behavior if left untreated. Needs assessment may indicate treatment for substance abuse, violent behavior, sex offending, mental illness, psychopathy, or vocational/educational training needs. Criminogenic needs can best be addressed with evidence-based treatments that have proven effective in reducing the causes of criminal behavior (Aos et al., 2006).

<u>Case Plans:</u> Case planning is an important part of the EBP process because it ensures that offenders are directed to treatments, services, and supervision that are best suited for them. The offender is actively involved in crafting the case plan which becomes an indepth and individualized contract between the offender and the probation officer tailored to the offender's specific risks and needs. Supervision level and treatment priorities follow the offender's case plan. As the offender progresses in both supervision and treatment goals, the case plan is revised to reflect his/her progress.

EBP Treatment and Service Referrals: The ultimate goal of EBP is to ensure that offenders receive the treatment and services they need to reduce their crime-related problems and thus reduce their likelihood of committing another crime. VDOC is basing the initial scope of EBP treatment and services on meta-analysis research that identified programs that consistently reduced the recidivism of adult offenders. This study was conducted by the Washington State Institute for Public Policy (WSIPP) in 2006 and delineated 317 programs and services (including specialized programs for mentally ill offenders, sex offenders, drug abusers, violent offenders, and other criminal types needing cognitive-behavioral treatment) that decreased the recidivism of adult offenders. These treatment programs reduced recidivism in a range from 4.3% to 20% depending on the type of offender and type of treatment intervention. The identified programs have withstood rigorous scientific scrutiny and produced recidivism reductions in replicated programs. The EBP research-driven approach follows the traditional medical model crime is seen as a problem that needs to be solved and various approaches are tested to determine what works best to reduce it. The goal of the EBP model is to improve the criminal justice system by ensuring that offenders are directed to the programs and resources that have been demonstrated to meet their individual needs and reduce the likelihood of them re-offending.

Supervision and treatment are determined for each offender. Some low risk offenders may not need treatment. In fact, treatment may have an adverse effect on some offenders. Additionally, some low risk offenders will not require much supervision and may use automated verification systems such as Robocuff to meet their probation reporting requirements. By ensuring that offenders are given appropriate supervision and treatment, VDOC can shift personnel resources to provide the most intensive supervision and treatment to higher risk offenders.

<u>Fidelity Audits of Offender Treatment and Services:</u> To ensure that treatment and services are being delivered to offenders that are compliant with EBP standards of quality, three activities are currently being implemented in VDOC. First, curricula of EBP treatment services for sex offenders, substance abusers, mentally ill, chronic offenders, and violent offenders are being developed according to the components and

delivery standards of those programs that research found effective in reducing recidivism. The second step involves training all treatment providers and probation officers using these treatment curricula. The treatment providers will be trained so they will be able to deliver EBP-compliant services. The probation officers will be trained so they will become informed consumers of EBP-compliant services. There will be recurring fidelity audits of treatment services to ensure that offenders are getting EBP services likely to produce recidivism-reduction changes.

Ongoing Evaluation of EBP Impact: Without the evaluation and research component, EBP may become just another fad in the criminal justice field. Evaluation and research provide the crucial litmus to determine the efficacy of treatment programs. Research is conducted at every level of the EBP model to ensure that the applied practices are effective. Research is conducted to ensure that deportment practices work, that risk/needs tools measure what they are intended to measure, to determine if offender services meet EBP standards, and most importantly to evaluate the impact of treatment and the entire EBP model.

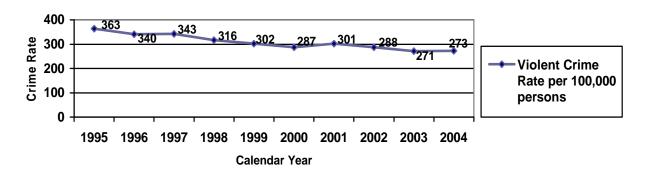
II. Reasons to Implement Evidence Based Practices

Business as usual is not a viable option if our goal is to solve Virginia's prison bed shortage and decelerate the need for new prison construction. The following section provides Virginia crime and incarceration trends that point to an urgent need to implement alternatives to offender incarceration and decelerate the need for new prison construction to meet growing bed space demands.

Virginia Crime Trends

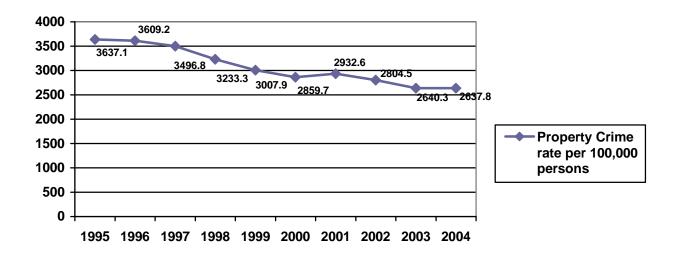
Virginia's crime trends have roughly followed the national pattern over the last two decades, although Virginia's felony crime rates have been somewhat lower than the national rates. Virginia experienced a slightly steeper increase in violent crime rates than the national average during the 1970s. In the late 1980s and early 1990s, both the national and Virginia crime rates exhibited a similar increase (Virginia Department of Criminal Justice Services (DCJS), 2005). Since the mid-1990s, the violent crime rate in Virginia has declined, albeit slower than the national rate of decline.

Chart 1: Virginia Violent Crime Rate Trend, 1995-2004¹



More recent research indicates that the number of felony crime arrests in Virginia increased slightly from 2005 to 2007. This increase in felony crime arrests was also seen on the national level. Virginia crime rates were lower than national rates on all major violent and property crimes with the exception of murder and forcible rape offenses (DCJS, 2005; FBI, 2006).

Chart 2: Virginia Property Crime Rate Trend, 1995-2004²



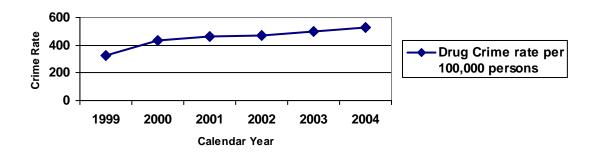
For property crimes, trends in Virginia have remained similar to the national pattern. Virginia's property crime rates reached a high point in the mid-1980s and the early 1990s and then began to decline gradually.

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¹ DCJS (2005)

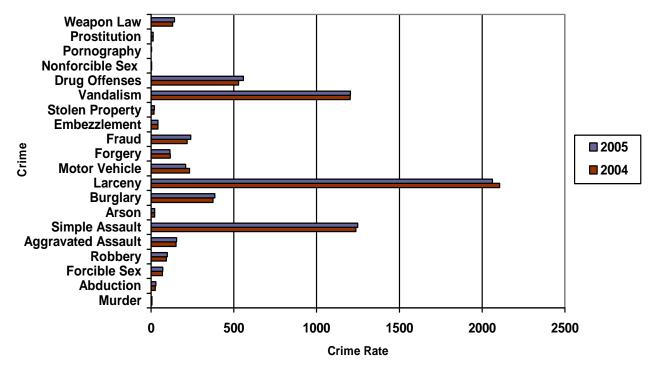
² Ibid.

Chart 3: Virginia Drug Crime Rate Trend, 1999-2004



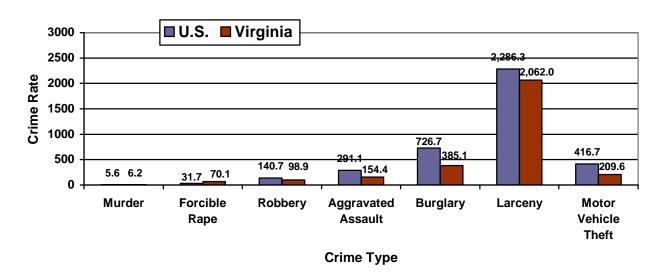
In the past decade, drug crime rates have remained relatively stable in Virginia, with a slight increase due to an increase in marijuana arrests (DCJS, 2005).

Chart 4: 2004-2005 Virginia Crime Rates (per 100,000 persons)³



³ Virginia State Police (2006)

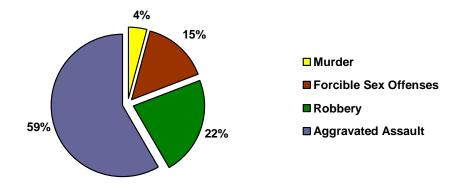
Chart 5: 2005 National and Virginia Crime Rates per 100,000 persons⁴



In 2005, the total number of arrests for felony crimes (e.g., violent crimes, property crimes, drug crimes, prostitution, weapons law violations, and gambling) in Virginia was 120,053. The Virginia State Police (2006) reported the felony arrest rate to be 15.92 arrests per 100,000 Virginia inhabitantsⁱ.

The Virginia State Police (2006) reported that 23,040 violent offenses were committed in the Commonwealth in 2005, resulting in a crime rate of 1.2 violent crimes per 1,000 inhabitants. Adult offenders committed approximately 19,446 of these violent crimesⁱⁱ. Aggravated assault and robbery were the largest types of violent offenses (Virginia State Police, 2006).

Chart 6: Virginia's Violent Offenses in 2005⁵



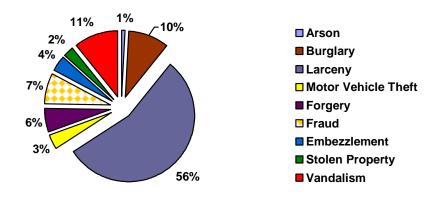
⁴ FBI (2006); Virginia State Police (2006)

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⁵ (Virginia State Police, 2006)

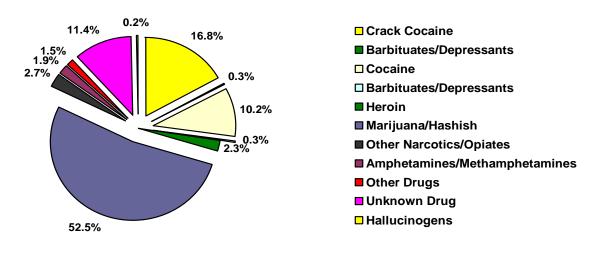
A total of 333,009 property offenses were committed in 2005, which resulted in a property crime rate of 5.28 offenses per 1,000 inhabitants. The largest percentage of property offenses was larceny. Adult offenders committed approximately 266,074 of the property offensesⁱⁱⁱ.

Chart 7: Virginia's Property Offenses in 2005⁶



In 2005, juvenile and adult offenders committed a total of 42,238 drug offenses, resulting in a crime rate of 3.93 offenses per 1,000 inhabitants. The Virginia State Police (2006) identified marijuana-related offenses as the largest type of drug offense, with crack cocaine as the second-highest category. Adult offenders committed approximately 38,606 of the total drug offenses^{iv}.

Chart 8: Virginia's Drug Offenses in 2005 by Type of Drug⁷



⁶ Ibid.

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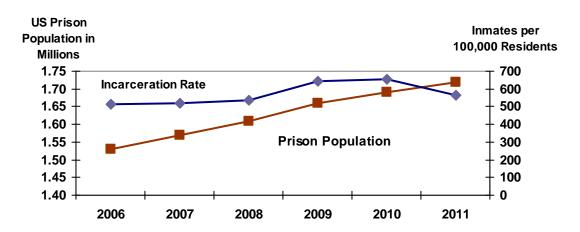
⁷ (Virginia State Police, 2006)

Trends in Historic and Forecasted Prison and Probation/Parole Populations

The number of prisoners nationwide has surpassed 2.2 million (BJS, 2005a). Consequently, corrections agencies and legislators have placed a high priority on searching for alternatives to incarceration including offender rehabilitation programs that lower crime rates and retard re-commitment to prison. However, due to strict laws and penalties previously enacted by federal and state governments, the need for prison beds nationwide has grown exponentially. These laws include but are not limited to the following: the Comprehensive Crime Control Act (1984), which abolished federal parole and created a Sentencing Commission to set guidelines for federal crimes; the 1986 Anti-Drug Abuse Act, which imposed mandatory sentences for crack cocaine; and the 1994 Violent Crime Control Law Enforcement Act, which created the "three-strikes" law.

According to Gelb (2007), the cost of constructing and operating local, state and federal jail and prison systems has increased from \$36 billion in 1982 to \$186 billion in 2003. In contrast, there has been no substantial decrease in recidivism rates during this time. No state is projecting a decrease in prison populations over the next five years (Gelb, 2007). In addition, only a few states anticipate no growth in their correctional populations. Current estimates suggest that the national prison population will continue to grow to more than 192,000 prisoners by 2011. This growth translates into the need for new prison construction that will exceed \$12.5 billion, with an additional \$15 billion in operational costs. Chart 9 shows the projected (2006 to 2011) incarceration rate compared to the growth in the prison population (Gelb, 2007).

Chart 9: Projected National Prison Population and Incarceration Rates, 2006-2011



Trends by Region

Only a few northeastern states, including Connecticut, New York, and Delaware, anticipate no growth in their prison populations over the next five years (Gelb, 2007). The Northeastern region of the United States is also expected to maintain the lowest incarceration rates in the entire nation due in part to slow demographic growth and low crime rates. To help reduce prison populations, Massachusetts and New Jersey have increased parole grant releases and have opposed increasing sentence lengths. Additionally, Connecticut plans to increase the number of community corrections officers and thereby reduce caseload size. They hope that the lower officer-offender ratio will result in greater engagement between the two, translating into lower recidivism (Gelb, 2007).

New York has experienced a large decline in its prison population due in part to the drastic reforms in its prison system and police innovations (Straub & O'Connell, 1999). CompStat (COMPuterized STATistics) is an organizational tool used by the New York City Police Department to reduce crime rates. This system was implemented in 1994 in order to improve management of departmental resources, so that heavy crime areas would be staffed more effectively. Weekly information on a wide variety of offenses is compiled by each district within the NYPD. These statistics are then presented in various report formats that enable comparisons among commanders, among districts, and among different points in time within the same district. The information that is gathered by CompStat is used to evaluate problem areas, to deploy resources more effectively, and to review and maximize both staff and departmental performance (Straub & O'Connell, 1999).

In the Midwestern region of the U.S., incarceration rates are expected to increase due to truth-in-sentencing laws. Truth-in-sentencing laws require offenders to serve a significant portions of their sentences by limiting or eliminating parole eligibility and credits for good behavior (BJS, 1999). Consequently, these laws result in longer prison stays. The incarceration rate in Illinois is expected to increase due to newly enacted laws that extend parole terms, particularly for sex offenders. Due to sentencing reform initiatives, the prison population in Ohio has recently declined. However, over the next 10 years, the Ohio prison population is expected to increase by 37% due to a surge in the

number of incarcerated white female inmates from rural counties (Gelb, 2007). The prison population in Kansas is expected to increase due to a rise in probation violations and the passage of new sex offender legislation. In contrast, the prison growth rate in Iowa is expected to decline due to fewer new court commitments, higher rates of probation and community supervision admissions, and relaxed truth-in-sentencing laws (Gelb, 2007).

Traditionally, the Southern region of the U.S. has the highest rates of incarceration, but escalating prison construction costs have pushed some Southern states to reconsider their sentencing laws and incarceration practices. For example, Georgia law no longer requires some offenders to serve 90% of their sentences. Instead, it allows them to be considered for early release (Gelb, 2007). In an effort to decrease the incarceration rates in Maryland and West Virginia, new parole guidelines have been adopted that increase parole grant rates for low-risk prisoners. In addition, Maryland's legislature approved new parole hearing procedures to ensure that prisoners who are being granted parole are released from prison when they are eligible. Maryland has also shortened the length of time a prisoner is incarcerated before they can be eligible for parole (Gelb, 2007).

In Louisiana, recent hurricanes damaged state facilities, reducing the number of prison beds available. Consequently, the Louisiana state legislature passed several bills that reduced the length of incarceration. To reduce their prison population, Louisiana legislature passed a law that ended mandatory prison time for certain non-violent offenders. They also reduced sentences for drug possession and mandated that only violent offenders who have committed multiple offenses can receive a sentence of life imprisonment (Pollock, 2004). It granted more credit for good time served to prisoners who completed treatment programs and demonstrated satisfactory work conduct records. The legislature also set a 90-day limit on the amount of time that technical violators serve in prison for a first revocation (Gelb, 2007).

Due to rising population rates, nearly all states in the Western region of the United States anticipate growth in their prison populations. In this region, Montana is estimated to have the largest growth in their prison population at 41% (Gelb, 2007). If the Arizona legislature passes Proposition 301, which disallows probation and mandates

prison for 1st and 2nd offense drug possession for methamphetamine, the prison growth rate in Arizona could surpass Montana. Other factors that could contribute to the expected rise in Arizona's prison population include new policies that disallow plea bargaining for repeat offenders and a truth-in-sentencing law that requires offenders to serve a minimum of 85% of their sentence (Gelb, 2007). California, a determinate law state with no discretionary parole, is now examining discretionary parole and changes to the two-and-three-strike legislation, as well as possibly eliminating the need for formal parole for low-risk offenders. California has experienced a high rate of probation supervision violations, and the "at-risk" population (i.e., young males) is growing and threatens to overwhelm an already stressed prison system. Recent efforts to reduce prison overcrowding in other states such as Arkansas, California, Idaho, Oregon and Texas include mandating substance abuse treatment instead of prison as a sentencing option for drug offenders (Pollock, 2004). The following chart shows the projected change in national incarceration rates, by regions, between the years 2006 and 2011.

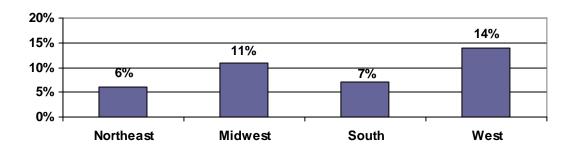
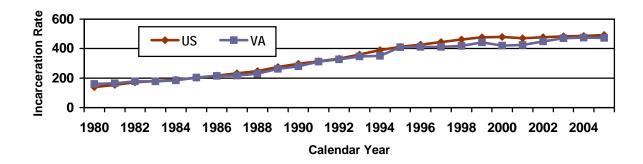


Chart 10: Projected Change in Regional Incarceration Rates, 2006-2011

<u>Virginia Incarceration Rates</u>

According to the BJS (2006), the national rate of incarceration (number of sentenced inmates incarcerated under State and Federal jurisdiction per 100,000 population) has been increasing steadily from 139 per 100,000 citizens in 1980 to 491 per 100,000 in 2005. Similarly, there has also been a continual rise in Virginia's prison incarceration rate, from 161 per 100,000 Virginians in 1980 to 472 per 100,000 Virginians in 2005.

Chart 11: Incarceration Rates for the US and for Virginia, 1980 – 2005



National studies indicate that increasing the incarceration rate by 10% reduces crime rates by 2% to 4% (Aos et al., 2006). The authors note, however, that as incarceration increases, diminishing returns erode the effect that incarceration has on crime rates.

<u>Virginia New Court Prison Commitments</u>: As Table 1 illustrates, the total number of new court commitments to the VDOC has been increasing steadily since 1999. The number of commitments in 2006 was 51% higher than it was in 1998 (Virginia Department of Corrections, 2007).

Table 1: Actual Total VDOC Commitments, 1998-2005

CY	Commitments	Percent Change
1998	8,659	
1999	8,569	-1.0%
2000	9,183	7.2%
2001	9,995	8.8%
2002	10,751	7.6%
2003	11,090	3.2%
2004	11,106	0.1%
2005	11,668	5.1%
2006	13,077	12.1%
Average	Annual Growth: 5.4%)

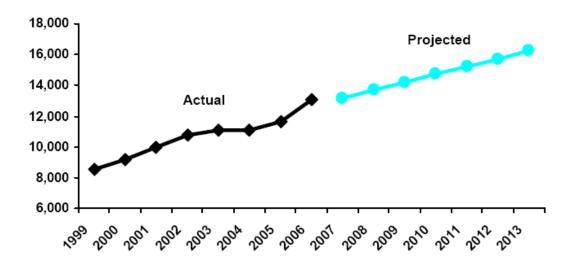
Table 2 displays the forecasted total SR new court commitments for FY2007 through FY2013.

Table 2: 2007 Virginia SR New Court Commitments Forecast, 2007-2013

CY	Commitments	Percent Change
2006	13,077	
2007	13,160	0.6%
2008	13,674	3.9%
2009	14,188	3.8%
2010	14,703	3.6%
2011	15,217	3.5%
2012	15,730	3.4%
2013	16,247	3.3%
Average Annu	al Growth: 3.2%	

Chart 12 displays both the actual number of prison commitments and the projected number of VDOC prison commitments for FY2000 through FY2013.

Chart 12: 2007 SPS Total SR New Court Commitment Forecast



<u>Virginia Probation Violators</u>: Included in the new commitment data are technical violators who were recommitted to the VDOC for violations of probation, as well as probationers recommitted for a new crime. Both the numbers of probation violators and new crime recommitments have increased steadily over the past several years. Chart 13 shows the number of probation recommitments between FY2002 and FY2006. It also differentiates between offenders who were returned to VDOC for a new crime and those returned for a technical violation (failure to report, did not report as required, positive drug tests, failure to comply, etc.). Of the total number of probation and parole VDOC

recommitments during the FY2002 to FY2006 period (n = 26,557), 82.4% (n = 21,891) were recommitted for a new crime and 17.6% (n = 4,666) were recommitted for technical violations. Probationers and parolees likely to be recommitted to VDOC are targeted by EBP recidivism reduction efforts.

5000 4000 3000 2000 1000 0 2002 2003 2004 2005 2006 3,949 4,497 4,396 4,359 4,690 ■ New Crime 840 782 905 ■ Technical 954 1,185 4,789 5,279 5,301 5,313 5,875 **Total Violators in New Commitments**

Chart 13: VDOC Probation Technical and New Crime Recommitments (2002-2006)

<u>Virginia Prison Population</u>: As a result of the increases in the SR population, the number of new prison commitments is growing, resulting in additional need for prison bed space. According to the 2007 Virginia forecast report, the prison population in Virginia will reach 44,744 by FY2013.

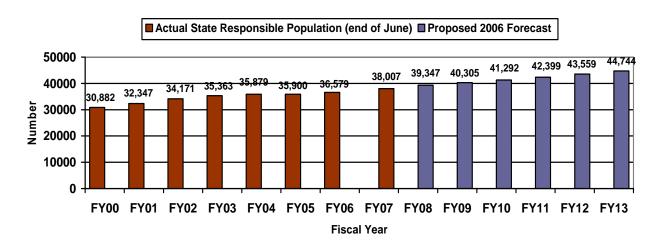


Chart 14: State Responsible Prison Population Forecast

The Gap between Prison Bed Supply and Demand

In order to address the gap between supply and demand for prison beds in Virginia, two major prison expansions and three new prison facilities were funded. The two expansions, at Deerfield Correctional Center and St. Brides Correctional Center (Phase 2), will add 600 and 800 prison beds respectively. Three new prisons, Green Rock Correctional Center, Pocahontas Correctional Center, and Grayson Correctional Center, will each add 1,024 beds. These expansions and two new facilities are completed. A Correctional Center is in the construction phase in Grayson County. Based on the 2007 SR forecast, VDOC officials have indicated that if no construction is scheduled past the Grayson facility scheduled to open in 2010, there will be a shortage of 2,300 beds by June 30, 2011, with an additional 1,000 bed shortage by June 30, 2012. This shortage is due to the rise in SR new court commitments. An additional shortage of approximately 900 beds will also occur when "Temporary/Emergency Beds" are taken off line.

Table 3: VDOC Prison Expansion and New Facilities by FY2010

Name of Facility	Number of Additional Beds
Deerfield Expansion	600
St. Brides (Phase 2) Expansion	800
Green Rock (new facility)	1,024
Pocahontas (new facility)	1,024
Grayson (new facility)	1,024
Total Additional VDOC Prison Beds by FY2010	4,472

Table 4: VDOC Cumulative Prison Bed Shortage past 2010

New Beds through FY2010: 4,472		
Bed Shortage if No New Beds past 2010		
FY2011:	2,300	
FY2012:	3,300	
When Temporary/Emergency Beds Are Closed	4,200	

With the projected prison bed shortage, it is clear that Virginia needs to consider other options to reducing the need for new prison construction.

III. Potential Benefits of Implementing EBP Programs and Services

A meta-analysis conducted by the Washington State Institute for Public Policy (WSIPP) in 2006 delineated 317 programs and services (including specialized programs for mentally ill offenders, sex offenders, drug abusers, and other cognitive-behavioral treatment programs) that decreased the recidivism of adult offenders. Table 5 presents the findings of the WSIPP study.

Table 5: Adult Offender Treatment Programs that Reduce Recidivism

Table 5: Adult Offender Treatment Programs that Reduce Recidivism		
Type of Adult Offender Program	% Change in Crime Outcomes	
Mentally Ill Offender Program	-20.0%	
Intensive <u>Treatment</u> & Supervision programs	-16.7%	
Drug Treatment in Community Corrections	-9.3%	
Vocational Education in Prison	-9.0%	
Adult Drug Courts	-8.0%	
Sex Offender Cognitive-Behavioral Treatment in Prison and Community Corrections Aftercare	-7.0%	
Education in Prison (basic education or post-secondary)	-7.0%	
Cognitive-Behavioral Treatment in Prison and Community Corrections	-6.3%	
Correctional Industries Programs in Prison	-5.9%	
Drug Treatment in Prison (Therapeutic Community)	-5.7%	
Drug Treatment in Jail	-4.5%	
Employment and Job Training Programs in Community Corrections	-4.3%	

^{*} The highlighted programs are ones applicable to the probation & parole population

Following are brief descriptions of the treatment programs and training programs that consistently reduce recidivism rates for adult offenders.

<u>Cognitive-Behavioral Therapy:</u> The goal of cognitive behavioral programs is to identify and to replace offenders' pro-criminal thoughts, attitudes, and behavior with pro-social thoughts, feelings, and actions. The main elements of CBT for adult offenders include cognitive restructuring (i.e., identifying and changing dysfunctional or distorted thinking patterns), cognitive and social skills training (i.e., improving one's ability to correctly identify social cues and respond in an appropriate manner), behavior modification (i.e., reinforcing productive and appropriate behavior), and training in self-control and problem solving (Landenberger & Lipsey, 2005; Pearson, Lipton, Cleland, & Yee, 2002).

Many CBT programs in correctional settings also include training in moral reasoning, anger management, and relapse prevention (Pearson et al., 2002).

<u>Treatment of Mentally Ill Offenders:</u> VDOC reports that approximately 15% of the institutional offender population and 7% of the community corrections offender population are mentally ill. Programs for mentally ill offenders include mental health screening, acute inpatient care, long-term intermediate care, and individual counseling (Barr, 2003; Haimowitz, 2004). These programs also provide crisis intervention, supportive therapy, integrated substance abuse counseling, social and cognitive skills training, medication management and monitoring, housing support, vocational rehabilitation, and specialized dual diagnosis groups.

<u>Employment Training and Job Services:</u> Job placement programs help offenders find stable employment with a decent wage as quickly after release as possible. These programs teach job application skills, interview skills, and social skills for the workplace. Some programs also help with specific educational and vocational skills (e.g., GED classes, mechanic classes). Successful programs usually involve job placement and work place mentoring (Wilson, Gallagher, & MacKenzie, 2000).

Intensive Treatment and Supervision: Corrections has attempted intensive supervision programs before with disappointing results. The difference in these programs is the primary emphasis on intensive treatment with supplemental close supervision. Close communication between the probation officer and clinician is also important to offender success. These programs are primarily for violent offenders who need ongoing strict supervision and surveillance to safeguard public safety. The supervision component holds offenders accountable for their behavior by probation officer visits to their workplaces and homes as well as regular probation visits. The monitoring function may include GPS tracking, urinalysis, polygraph monitoring, and other compliance-testing technologies. Intensive treatment is based on cognitive behavioral techniques and focuses on identifying triggers and addressing criminogenic needs to eradicate criminal thinking patterns and criminal behavior. CBT will involve cognitive restructuring, anger management techniques, and developing pro-social skills, as well as other components depending on the offender's individual criminogenic needs (Bucklen, 2004; Smiley, Mulloy, & Brown, 1997).

<u>Sex Offender Treatment:</u> In many ways, sex offender containment programs resemble intensive treatment/intensive supervision programs. Successful programs include close communication between the probation officer, clinician, and polygraph examiner. Sex offender containment programs, currently established in seventeen P&P districts in Virginia, include sex offender cognitive behavioral treatment, intensive probation supervision by specialized sex offender POs, and frequent polygraph testing. The containment model is called the "triad approach" because of a three pronged approach. The offender is "contained" by the three elements of the triangle—intensive treatment, close supervision, and polygraph testing (English, 1998).

<u>Substance Abuse Treatment</u>: The main emphasis of evidenced based drug treatment programs is to identify, confront, and alter the attitudes, values, and thinking patterns that lead to substance abuse. Substance abuse treatment that is primarily psycho-educational (teach about the types and effects of drugs) have little impact on sobriety and recovery. However, research indicates that cognitive behavioral based substance abuse programs average a recidivism drop of 9.3%. Cognitive behavioral techniques include cognitive restructuring, self-monitoring, modeling, and relapse prevention rehearsal. Substance abuse treatment should begin in the prison setting and continue in community substance abuse programs (Springer, McNeece, & Arnold, 2003). For example, an offender may transition from a prison therapeutic community (TC) to a community-based transitional TC.

III. Potential Benefits of Implementing EBP Programs and Services

In 2007, VDOC's Program Development and Evaluation Unit conducted a costbenefit analysis based on WSIPP's meta-analysis. The results indicated that initiating a statewide EBP initiative in Virginia could save the Commonwealth a substantial amount of money by curbing recidivism rates. Cost benefit analyses consider the cost of implementing a program versus the monetary benefits resulting from the program. The end goal is decreasing offender recidivism which will reduce crime costs such as police costs for investigation and arrest; prosecutorial and court costs; jail costs; prison incarceration costs; probation and parole costs; as well as victimization costs for property losses and health care costs for medical and mental health needs resulting from violent crime. With new tools for more concise assessment of risks and needs, better communication between probation officers and clinicians, and offender referral to appropriate and effective treatment and ancillary services, Virginia hopes to have the recidivism reductions reported for adult offenders in the WSIPP meta-analysis of EBP impact.

Applying the crime change statistics identified in WSIPP's report to the Virginia's P&P population, researchers estimated the potential recidivism reduction expected if these programs were faithfully replicated in Virginia's Probation and Parole (P&P) districts. The projected avoided P&P recommitments are based on forecasts of the CY2007 data as reported in the 2006 VDOC Forecast Report.

It is important to point out that EBP is only partially implemented in four pilot sites with another five sites beginning the EBP implementation process in 2008. The original EBP pilot sites have incorporated deportment assessment and remediation, motivational interviewing, assessment of risk and needs, and case planning. In the coming year, training on effective evidence based treatment practices is planned for clinical providers and probation officers. In subsequent years, fidelity audits of EBP compliance will be conducted. Only when full implementation of EBP is achieved across criminal justice agencies can we expect maximum effectiveness in recidivism reduction.

This cost benefit study estimates the <u>potential outcomes</u> if EBP were fully implemented with high fidelity. Since many offenders need more than one treatment intervention, the recidivism reduction potential using one intervention versus multiple interventions was calculated as a range of minimum and maximum impact. Using the recidivism reduction figures of the WSIPP study, researchers estimated that if EBP were implemented statewide in the 43 P&P offices, there would be a minimum recommitment reduction of approximately 600 offenders per year and a maximum recommitment reduction estimated at about 980 offenders per year. However, these reductions can only be achieved if EBP treatment and infrastructure are implemented that comply with the program standards of EBP programs identified in the WSIPP study.

It is important to note that a moderate EBP plan stretches the implementation schedule over the next six years, thus the yearly investment in treatment and infrastructure is spread over many years. The potential savings from avoided new prison

construction means that for every 1,024 avoided recommitments, Virginia would be saving approximately \$100 million in new prison construction costs per prison and about \$76 million in operating costs per year. This is not taking into consideration the state savings in police and court costs, victimization costs, and jail costs. Again, it is emphasized that these figures represent the potential impact of statewide EBP implementation on the cost savings from avoided recidivism and new prison admissions. This is presented as an example of what can occur, but the reality is that full statewide implementation of EBP is very unlikely before 2013. In addition, full statewide implementation depends on funding for EBP treatment, training, evaluation, and infrastructure needs. With gradual EBP implementation, Virginia should see proportionate reductions in offender recidivism.

During the interim, Virginia will continue to need additional prison beds. Although there are no short-term solutions that will make a demonstrable impact on the climbing Virginia prison admissions, VDOC needs to plan and implement incarceration alternatives now to impact the upward and costly trend of prison incarceration.

IV. Early Outcome Results of EBP Impact

The following section reviews the results of early stage evaluation outcomes of the impact of VDOC evidence based practice. There are several reasons that current research results need to be considered preliminary. First, the four original EBP sites have achieved only partial implementation of evidenced based practices, thus maximum effect cannot be assumed at this time. EBP efforts in the four pilot sites have increased since these evaluations have been conducted. The positive results that are reported in early outcome studies will most likely be bolstered by current EBP implementation efforts. When these analyses were conducted, the pilot sites had been trained in and were beginning to use motivational interviewing. In other words, although the results reported here are very encouraging, even greater results are expected in the near future.

Second, research norms generally set a minimum three year lapse period before reliable recidivism results can be measured. Evidence based practices of motivational interviewing, risk/needs assessment, and case planning have not been in effect for three years. The number of offenders exposed to motivational interviewing and other EBP

practices will continue to rise as time passes. With greater numbers of offenders exposed to EBP, researchers should be able to find more consistent results.

The research methods in these early studies and those that will be employed in future studies are considered scientifically rigorous. The quasi-experimental research design compares the EBP sites with matched control groups.

Research staff has investigated the initial impact of EBP on variables such as successful case closings, re-arrest data, re-incarceration, and revocations. The results indicate that EBP is beginning to have a positive impact in the EBP pilot sites. Pilot sites have indicated fewer unsuccessful case closings, lower recidivism rates, and lower revocation rates. Further analyses indicate that EBP is making a positive effect on young and old, male and female, and white and black offenders.

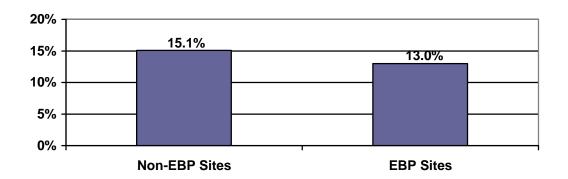
The Impact of EBP on P&P Case Closings

Although evidence-based practices (EBP) implementation is still in the early stages in Virginia's four Probation and Parole District offices, a quasi-experimental study was conducted to determine if implementation of EBP had significant impact on the number of revocations coming from the EBP sites versus the number of revocations in matched control sites. Case closing data was gathered from the four EBP pilot sites and from the matched control sites. Control sites were matched to the experimental EBP sites on offender characteristics (offenders' race, age, most serious crime, and gender) and Probation and Parole (P&P) office characteristics (probationer/parolee caseload statistics, revocation rates, and the locality's crime rates). The study's population included 3,812 EBP pilot site probationers or parolees and 3,937 control site probationers or parolees that were supervised between FY2004 and FY2006. The number and type of case closings in each P&P office over the three year period were analyzed. Successful case closings included those that were closed because the offender reached the mandatory probation period, indeterminate cases closed due to offender progress, transfer to other states or other P&P districts, and death of the offender. Unsuccessful case closings included revocation for technical offenses, absconding, or new crimes.

At the time of data collection, motivational interviewing was the only evidencebased practice that had been implemented in the four EBP pilot sites. Motivational interviewing (MI) emphasizes the importance of listening skills, affirmations, and eliciting self-motivating statements. Motivational interviewing increases offender-probation officer engagement and POs are more active in assisting with the offenders' transition needs. In addition, MI has therapeutic value by helping offenders to analyze whether their decisions and actions produce their desired results. Because of the therapeutic and need-reduction benefits of MI, it was hypothesized that MI would result in a significant reduction in unsuccessful case closings.

A chi-square analysis was conducted to test the hypothesis that early EBP efforts would have a positive impact on case closing outcomes. The results indicated that offenders in the control group were significantly more likely to have an unsuccessful case closing than those receiving MI ($\chi^2 = 7.24$, p < .01). While the control group had an unsuccessful case closing rate of 15.1%, the EBP pilot sites demonstrated an unsuccessful case closing rate of 13.0%.

Chart 15: Unsuccessful Case Closings in EBP and Non-EBP P&P District Offices



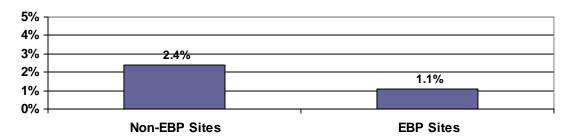
The Impact of EBP on Technical Offender Recommitments

Another quasi-experimental study was conducted to examine the possible impact of MI on technical offender recommitments. In order to test the efficacy of MI in reducing technical offense recommitment, researchers used a quasi-experimental design matching offender characteristics in EBP sites and control sites. Statistical analyses were performed to examine whether the MI group differed significantly from the control group on the following variables: age, sex, gender, race, and most serious offense. Results indicated that the MI group did not differ significantly from the control group on any of the demographic variables. However, even though the groups did not differ significantly

on the aforementioned variables, these variables were still held constant in a multiple regression analysis in order to ensure the fidelity of the results. The total study population was 2,137 (experimental group, n = 1,033; control group, n = 1,104).

Results indicated that the number of technical violator recommitments differed significantly between the control and EBP pilot sites ($\chi^2 = 5.22$, p < .05). The number of technical violator recommitments in the non-EBP sites more than doubled the number in the EBP pilot sites. The EBP sites had a 1.1% rate of recommitment recidivism for technical offenders (n = 10); the non-EBP offices had a 2.4% rate of recommitment recidivism for technical offenders (n = 26).

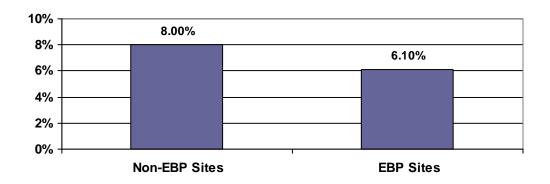
Chart 16: Probationers Recommitted for Technical Violations in EBP and Non-EBP Sites



The Impact of EBP on New Crime Recommitments

An additional analysis was conducted on new crime recommitments and revealed that the EBP pilot sites had a total recommitment recidivism rate of 6.1% compared with 8.0% for the control group ($\chi^2 = 2.85$, p = .09).

Chart 17: Probationers Recommitted for New Crimes in EBP and Non-EBP Sites



The Impact of EBP on Total Recommitments (Technical and New Crime Offenses)

Results also indicated that EBP has had a positive effect on the total number of recommitments. The EBP sites had a significantly lower recommitment rate than the control sites. The recommitment rate for the EBP sites was 7.1% compared to 10.3% for the control sites ($\chi^2 = 7.1$, p < .01).

12% 10% 8% 6% 4% 2%

EBP Sites

Chart 18: Probationers Recommitted for All Offenses (New Crime and Technical) in EBP and Non-EBP Sites

Revocation Rates in EBP and Control Sites

Non-EBP Sites

0%

Another way of determining whether EBP is having an effect in the four pilot sites is by conducting a trend analysis on revocation rates. The revocation rates for the four control sites seem to stay relatively stable at about 28% from 2003 to 2007. On the other hand, the revocation rates for the four pilot sites gradually declined from a rate of approximately 21% in 2003 to a rate of about 17% in 2007. Although it is impossible to know whether the decline in revocation rates is due solely to EBP, the evidence here and in the previous section suggests that EBP is having a positive impact. The decline in revocation rates from 2003-2007 was 1.62% for the control sites whereas the decline for the EBP sites was 4.36%.

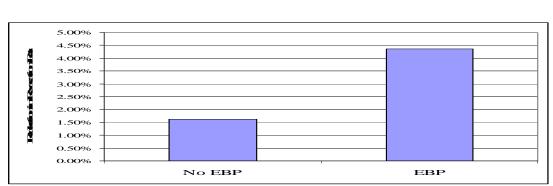


Chart 19: Revocation Reduction in EBP and Control Sites – 2003 to 2007

The opposite end of revocations is successful case closings. An earlier 2006 study indicated that EBP pilot sites had 9% more successful case closings than their matched control sites.

100% 80% 72% 73% 60% Pilot -Control 40% 20% 0% July 2003 - July 2004 July 2004 - June 2006 July 2006 - June 2008

Chart 20: Successful Case Closures for EBP and Control Sites: 2003 - 2006

Successful case closure is defined as the percentage successful to total cases closed. Results indicate that successful case closures rose in EBP pilot sites over a two year period after implementation of EBP. Successful case closures in control group sites decreased during the same two year period.

EBP and Black Offenders

Approximately 12.8% of the U.S. population is black while 37.5% of the U.S. prison population is black (Tonry, 1994). The PEW foundation recently released a report indicating that 1 in 15 black adults is behind bars (PEW, 2008). Additionally, they found that 1 in 9 black adults between the ages of 20 and 34 is in prison. The overrepresentation of black offenders in U.S. and Virginia prisons is alarming and deserves special attention.

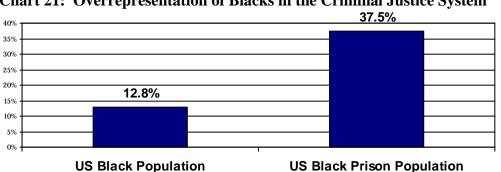


Chart 21: Overrepresentation of Blacks in the Criminal Justice System

Virginia's overrepresentation of blacks in our VDOC prison system is even more pronounced than national statistics. For the calendar year 2006, 19.9% of Virginia's population was black. Virginia's prison population is approximately 62.5% black. Additionally, approximately 67% of those who return to Virginia's prisons after release are black (CY06).

Little research has been done to determine why blacks are over-represented in U.S. prison systems and even less research has been done to determine what can been done about this problem. The following analyses were conducted to determine whether Virginia's EBP initiative is having an effect on black offender recidivism and recommitment in Virginia.

The research findings indicate that EBP sites have a lower percentage of white probationers re-arrested for new crimes, but the re-arrest rates for black offenders in EBP sites and control sites are not significantly different. However, there is a significant difference in the recommitment rates of black offenders in EBP and non-EBP control sites. Approximately 4% less black offenders were recommitted in EBP sites versus the number of black offenders recommitted in non-EBP sites. There were also fewer white offenders recommitted in EBP sites versus non-EBP sites but the percentage difference was not as great (2.5%).

Chart 22: Percentage of Offenders Re-arrested in EBP and Control Sites by Race

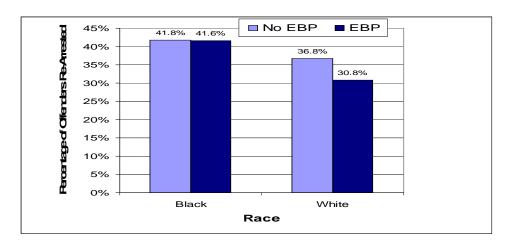


Chart 23: Offenders Recommitted for any Offense in EBP and Control Sites by Race

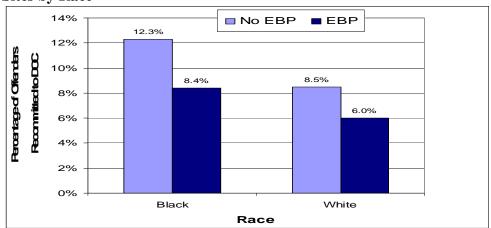
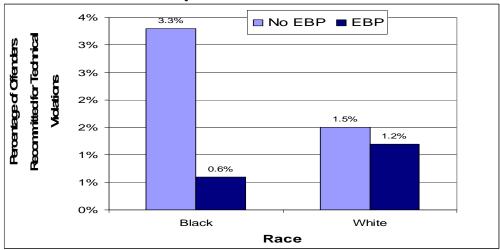


Chart 24: Percentage of Offenders Recommitted for a Technical Offense in EBP and Control Sites by Race



There was a noteworthy difference in the recommitment rates for technical violations of black offenders in EBP and non-EBP control sites. Almost three percent (2.7%) fewer black offenders were recommitted in EBP sites for technical violations versus the number of black offenders recommitted in non-EBP sites. The percentage difference of white offenders recommitted from EBP sites versus non-EBP sites for technical violation was very small.

V. Current Status and Future Plans for EBP Expansion in VDOC's Division of Community Corrections

The previous section suggests that EBP may be instrumental in having a positive effect on successful case closings, reduced number of revocations, and fewer prison recommitments. The VDOC began a serious commitment to implement EBP in 2005 when the Department designated Charlottesville, Lynchburg, Williamsburg, and Winchester to be EBP pilot sites. Probation officers in the four pilot sites were trained in motivational interviewing and encouraged to implement more evidence-based procedures, such as behavioral reward and sanction systems. Subsequently, probation officers were trained in and applied risk/needs assessment and case planning. As mentioned previously, in the coming year, training on effective evidence based treatment practices is planned for clinical providers and probation officers. In subsequent years, fidelity audits of EBP compliance will be conducted. There will be ongoing evaluations of the impact of EBP programs and practices on offender outcomes.

It became apparent that leadership of EBP needed more than fragmented services previously provided by outside vendors or by one person who had many other tasks. VDOC did not have resources to hire the needed positions to lead this major initiative so two VDOC Deputy Directors, Jim Camache and Cookie Scott collaborated and agreed to designate the former Research and Management Services Evaluation Unit (now named the Program Development and Evaluation Unit- PDE) to a multiple year assignment to spearhead EBP implementation in Probation and Parole offices. The new unit is an innovative hybrid that has combined the resources of Administration with those of Community Corrections to establish a leadership and support team of research and clinical staff to oversee the EBP initiative.

During the next three years, VDOC plans to expand the number of EBP Probation and Parole sites. During 2008, an additional five sites will begin the EBP implementation process. These new EBP sites will be trained in motivational interviewing, deportment, risk/needs assessment, and case planning. The PDE staff will begin to train clinicians and probation officers in the older EBP sites on evidence based treatment practices. Fidelity audits will assess EBP compliance of service providers in subsequent years. There will also be various evaluations conducted of the impact of EBP initiatives.

What Does VDOC Need to Expand and Institutionalize EBP?

In order to continue expansion of EBP and institutionalize the practices that have been found to reduce recidivism, VDOC will need to invest in the following:

- Caseload control positions to adequately handle P&P population growth and expanded duties of EBP Probation Officers;
- Adequate funding to cover intensive treatment for mentally ill, sex offenders, substance abusers, violent offenders, and chronic offenders;
- Funding for infrastructure needs: internal and external training, evaluation, support staff, probation staff salary incentives, and assessment tools;
- Provide funding for electronic supervision capability;
- Continued funding for VirginiaCORIS;
- Adequate training resources; and
- Move probation cases off supervision that only have financial obligations.

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¹ The Virginia State Police (2006) report "offense" statistics rather than "arrest" statistics. Offense statistics refer to individual incidents of a given crime. Therefore, there may be several offenses within a single criminal event. An arrest refers to the overall criminal event. Arrests are listed according to the most serious offense committed at the time of arrest. For example, although the number of felony arrests in

Virginia was 120,053 in 2005, the number of felony offenses totaled 445,867.

ii The Virginia State Police (2006) *Crime in Virginia* report combines juvenile and adult arrest data when figuring total arrest and offense counts. Because EBP principles will not be applied to juvenile offenders in Virginia by VDOC, the combination of juvenile and adult data results in an inflated count for the current study. In order to account for this inflation, the percentage of juvenile arrests was calculated by comparing the summary arrest data for each category with the data located in the adult arrest tables in this report. The percentage of juvenile arrests was then multiplied by the number of felony offenses for the total arrest and

offense counts as well as the number of counts within each category. For example, to calculate the total number of arrest and offense counts, the total number of adult felony arrests (102,566) was subtracted from the number of felony arrests (120,503). This value (17,937) represents the number of arrests that are attributable to juveniles, which comprises 14.9% of the total number of felony arrests. To estimate the total number of adult felonies, 14.9% was multiplied by the overall felony offense total (445,867) and the resulting value (66,434) was subtracted from the felony offense total. These calculations result in an estimated 379,433 felony offenses committed by adults. This estimate should be used in calculations rather than the overall total because it is a more accurate estimate of crime in the population that may be served by DOC implementation of EBP principles.

iii Ibid.

iv Ibid.