

June 2001

PRISONER RELEASES

Trends and Information on Reintegration Programs



G A O

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Abbreviations

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| AOUSC | Administrative Office of the United States Courts |
| BJS | Bureau of Justice Statistics |
| BOP | Bureau of Prisons |
| DOJ | Department of Justice |
| DOL | Department of Labor |
| GED | General Equivalency Diploma |
| HHS | Department of Health and Human Services |
| NIJ | National Institute of Justice |
| OJP | Office of Justice Programs |
| TRIAD | Treating Inmates' Addiction to Drugs |
| SAMHSA | Substance Abuse and Mental Health Services Administration |
| UNICOR | Federal Prison Industries, Inc. |



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United States General Accounting Office
Washington, DC 20548

June 18, 2001

The Honorable Patrick J. Leahy
Chairman
The Honorable Orrin G. Hatch
Ranking Minority Member
Committee on the Judiciary
United States Senate

The Honorable James Sensenbrenner, Jr.
Chairman
The Honorable John Conyers, Jr.
Ranking Minority Member
Committee on the Judiciary
House of Representatives

American criminal justice policies and other factors in recent years have resulted in record numbers of offenders being incarcerated in federal and state prisons.¹ Although many inmates are serving longer sentences than they would have a decade ago, most federal and state prison inmates are not serving life sentences without the possibility of parole or release.² After inmates complete their terms, they return to communities throughout the nation. Although many are successfully reintegrated into society, other ex-offenders are arrested for new crimes or violations of parole or supervision and are returned to prison. In order to reduce recidivism³ rates—and to enhance public safety, alleviate fiscal pressures associated with ex-offenders being returned to prison, and provide opportunities for ex-offenders to straighten out their lives—policymakers,

¹On June 30, 2000, according to Bureau of Justice Statistics (BJS) data, the total number of inmates in the custody of federal and state prison authorities was 1.3 million. State correctional systems accounted for the large majority (about 90 percent) of inmates nationally.

²According to BJS data, for example, at the end of fiscal year 1997, only 3 percent of federal inmates and 8 percent of state inmates were serving life sentences or had death sentences. For all other inmates, the data showed that more than one-third of the federal inmates and more than one-half of the state inmates were scheduled for release within 5 years.

³Typically, recidivism is defined as the reincarceration of an ex-offender after being convicted of a new crime or for violating a condition of supervised release. Different studies may define recidivism as rearrest, reconviction (which may or may not result in a prison sentence), or reincarceration.

correctional system administrators, and other concerned parties are looking for ways to more successfully reintegrate ex-offenders into communities.

To provide data related to efforts to reintegrate prisoners, we addressed the following questions:

- What are the trends in the number of inmates released from federal and state prisons and the extent of recidivism?
- On the basis of available research, what is known about sentence length and the criminal and drug use histories of federal and state prison inmates and about the extent to which inmates participate in educational, vocational, drug treatment, or other programs designed to address offenders' needs or otherwise help offenders reintegrate into society?
- Within the federal correctional system's three phases—(1) the in-prison phase, which is sometimes called the prerelease phase; (2) the transitional or halfway house phase,⁴ which involves placement in a community-based facility; and (3) the community supervision phase, in which probation officers assist and monitor releasees—what are the programs for preparing and assisting offenders with reintegrating into communities?
- What is the status of the Young Offender Initiative, a federal interagency initiative that would provide federal grants to assist states and local communities with reintegrating offenders released from state prisons, juvenile correctional facilities, and local facilities housing state prisoners?⁵

As agreed, we addressed this report to you because of your legislative and oversight responsibilities for criminal justice issues.

To answer these questions, we conducted a literature search; reviewed applicable studies; and interviewed knowledgeable individuals, such as selected correctional system managers and researchers. To address the question regarding trends in prison releases and recidivism, we analyzed BJS and other data. To determine what is known about sentence length, inmate criminal and drug use histories, and participation in programs

⁴The federal correctional system uses contractor-operated community corrections centers—commonly referred to as halfway houses—for transitioning inmates from a correctional facility to the community.

⁵The full name of the interagency initiative is “Young Offender Initiative: Reentry Grant Program and the Demonstration Grant Program,” which is being designed to target a population of offenders within the age range of 14 to 35 years old (Reentry Grant Program) and 14 to 24 years old (Demonstration Grant Program).

designed to address offenders' needs or otherwise facilitate reintegration into society, we reviewed data obtained by BJS during its most recent (1997) survey of federal and state prison inmates. To identify the federal correctional system's programs for preparing offenders to reintegrate, we interviewed responsible officials and reviewed relevant documentation at (1) the federal Bureau of Prisons (BOP), which is responsible for managing the prerelease phase and the halfway house phase, and (2) the Administrative Office of the United States Courts (AOUSC), which develops and communicates national community-supervision policies for probation officers.⁶ Similarly, regarding the Young Offender Initiative, we interviewed responsible officials and reviewed relevant documentation at the Departments of Justice, Labor, and Health and Human Services (DOJ, DOL, and HHS)—the three participating federal agencies.

We conducted our work in accordance with generally accepted government auditing standards between May 2000 and April 2001. Appendix I presents more details regarding our objectives, scope, and methodology.

Results in Brief

The number of federal and state inmates released to communities has increased more than threefold, from 148,867 in 1980 to 532,136 in 1998, the most recent year for which complete data were available.⁷ For many offenders, however, release from prison involves a revolving door—that is, the releasees often are subsequently reincarcerated. Recidivism rates have been about 40 percent historically, that is, since about 1980. Within the group of recidivists, the number of offenders reincarcerated for violating parole or other release conditions increased more than sevenfold, from 28,817 in 1980 to 209,782 in 1998.⁸ Further, such reincarcerations represent an increasing proportion of all prison admissions—for instance, reincarceration of violators of parole or other release conditions represented 17 percent of all prison admissions in 1980 but increased to 35 percent of admissions in 1998.

⁶National community-supervision policies are established by the Judicial Conference of the United States, which is the policymaking authority for the federal judiciary. Each district court appoints officers and supervises the implementation of policies in the probation system.

⁷In 1998, of the total number of inmates released, 95 percent (506,049) were state prisoners.

⁸In 1998, of the total number of violators reincarcerated, 98 percent (206,152) were returned to state prisons.

Regarding sentence length, BJS' most recent (1997) survey data showed that a smaller percentage of federal inmates than state inmates had less than a year remaining on their sentences (27 percent versus 44 percent), whereas a larger percentage of federal inmates than state inmates were serving sentences of more than 5 years (31 percent versus 18 percent).⁹ Also, the 1997 survey data showed that most federal offenders (62 percent) were imprisoned for drug offense convictions,¹⁰ and almost half (47 percent) of all state offenders were incarcerated for violent offense¹¹ convictions. Further, the 1997 survey data showed that the majority of inmates in both correctional systems—federal inmates (73 percent) and state inmates (83 percent)—had some history of illegal drug use.

Regarding inmate participation in prison programs, survey data were less extensive but indicate that some needs, such as drug treatment, may be unmet. For example, the 1997 survey showed that 57 percent of federal and 70 percent of state inmates reported having used drugs regularly before prison. Although not all drug users may need treatment, our analysis of inmates scheduled to be released within 12 months of BJS' 1997 survey showed that 33 percent of the federal and 36 percent of the state inmates participated in residential inpatient treatment programs for alcohol or drug abuse.¹² Further, BJS' 1997 survey data on inmates scheduled for release indicated the following:

- 27 percent of both federal and state inmates participated in vocational training programs;
- 11 percent of the federal inmates worked in prison industry jobs, compared with 2 percent of the state inmates; and

⁹All estimates presented from the BJS 1997 inmate survey data are surrounded by a 95-percent confidence interval of plus or minus 5 percentage points or less.

¹⁰According to AOUSC, the relatively high percentage of inmates in federal prison for drug offense convictions (62 percent) can be attributed to the effects of longer sentences for such convictions. Also, AOUSC noted that the percentage of defendants appearing in federal courts with a drug offense as their most serious offense remained fairly steady at 35 to 38 percent in the 1990s.

¹¹Violent offenses include murder, nonnegligent manslaughter, manslaughter, rape and other sexual assault, robbery, and assault.

¹²According to AOUSC, because many non-drug felony offenses (e.g., fraud) have relatively short sentences, the inmate population to be released within 12 months will always have a lower proportion of drug offenders (who usually have long sentences) than the prison population as a whole. Thus, AOUSC noted that more than half of the drug offenders in the inmate population released will have participated in drug treatment.

-
- 37 percent of federal inmates participated in prerelease programs, compared with 12 percent of state inmates.

Generally, in the federal correctional system, an inmate's preparation for reintegration is to encompass all three phases of the system. That is, the process is to begin immediately and extend throughout the in-prison phase of the offender's incarceration in a BOP correctional facility, continue during a transitional period in a community-based halfway house for a period not to exceed the final 180 days of the sentence, and further continue during a 3- to 5-year period of community supervision by probation officers. For the in-prison phase, BOP provides programs—including work, education, vocational training, and drug treatment—to help many inmates rehabilitate themselves. According to BOP, providing such programs not only supports correctional management purposes, such as minimizing inmate idleness and increasing the safety of staff, but also prepares inmates for employment opportunities and successful reintegration upon release.

Moreover, BOP's policy is that rehabilitation programming is to continue during the halfway house phase. During this phase, for example, each participating inmate is expected to find and keep a job and, if applicable, continue to participate in drug or alcohol treatment programs. Further, after an inmate is released from BOP's custody, a probation officer is expected to finalize a supervision plan for managing the offender in the community. Under AOUSC guidelines, a supervision plan should reflect a probation officer's statutory responsibilities, which include reducing the risk the offender poses to the community and providing the offender with access to treatment, such as substance abuse aftercare and mental health services. Recently, AOUSC reported that the probation system faces challenges in supervising an offender population that not only is growing but also poses higher risks and has greater needs than ever before. For example, according to AOUSC, the population to be supervised increasingly reflects higher numbers of offenders with violent criminal histories. To help meet these challenges, AOUSC has contracted for a comprehensive assessment of the system's organizational structure, policies, and practices and expects a final report in fall 2002.

Under the Young Offender Initiative, federal discretionary grants are to be provided to help states and communities work together to improve offender supervision and accountability—and essential support services—in order to minimize public safety issues posed by high-risk or special-needs offenders released from state prisons, juvenile correctional facilities, and local facilities housing state prisoners. For fiscal year 2001—

the first year of federal funding for the initiative—designated funding consisted of \$30 million from DOJ, \$55 million from DOL, and \$8 million from HHS. The initiative was in the early stages of implementation at the time of our review. For instance, DOJ, DOL, and HHS jointly developed a solicitation for grant applications, which was issued June 1, 2001. Applications are to be submitted to DOJ by October 1, 2001.

In commenting on a draft of this report, DOJ and AOUSC generally agreed with the substance of the report and provided various technical clarifications, which we incorporated where appropriate.

Background

Given the record number of ex-inmates leaving prisons and returning to communities, research and policy experts have begun to focus attention on reintegration issues. In March 2000, for example, DOJ sponsored a symposium for members of the judiciary and the courts, criminal justice professionals, representatives of victims advocacy organizations, state legislators, and academicians to discuss various sentencing and corrections issues, including the topic of prisoner reintegration and its relationship to public safety.¹³ Generally, the participants anticipated that without successful programs of prisoner reintegration, prison systems would continue to grow in size and cost. Also, in October 2000, a symposium for criminal justice researchers and practitioners was convened by the Urban Institute for the purpose of developing a research and policy agenda for prisoner reintegration.¹⁴ The organizers pointed out that the sheer volume of returning prisoners “creates unprecedented problems of reintegration.”

Symposium participants and other experts also pointed out that more needs to be learned about what policies and programs are most effective in helping offenders successfully reintegrate into communities. However, there seemed to be a consensus among participants and other experts that the need to address basic deficiencies—such as the lack of job skills and dependency on alcohol or drugs—would likely continue. Further, experts

¹³The symposium, titled *Crime Policy in the 21st Century: Sentencing and Corrections*, was sponsored by DOJ’s Office of Policy Development and the National Institute of Justice (NIJ) and was held in Washington, D.C., March 21-22, 2000.

¹⁴This symposium, titled *Reentry Roundtable*, was held in Washington, D.C., October 12-13, 2000. The leadership for organizing the roundtable was shared by the Urban Institute and Joan Petersilia, a researcher at University of California, Irvine.

assert that prisoner reintegration has emerged as a key policy issue, which increases the importance of obtaining more evidence-based evaluations of what types and levels of rehabilitative programs work.

Inmate Releases and Recidivism Reflect a Revolving Door Trend

The severalfold increase in the prison population in recent years has, in turn, led to record numbers of offenders eventually being released and returned to communities. The number of offenders released from federal and state prisons surpassed the half-million mark in 1998. After being released, many individuals—about 40 percent historically—later are sent back to prison for committing new offenses or violating conditions of release.

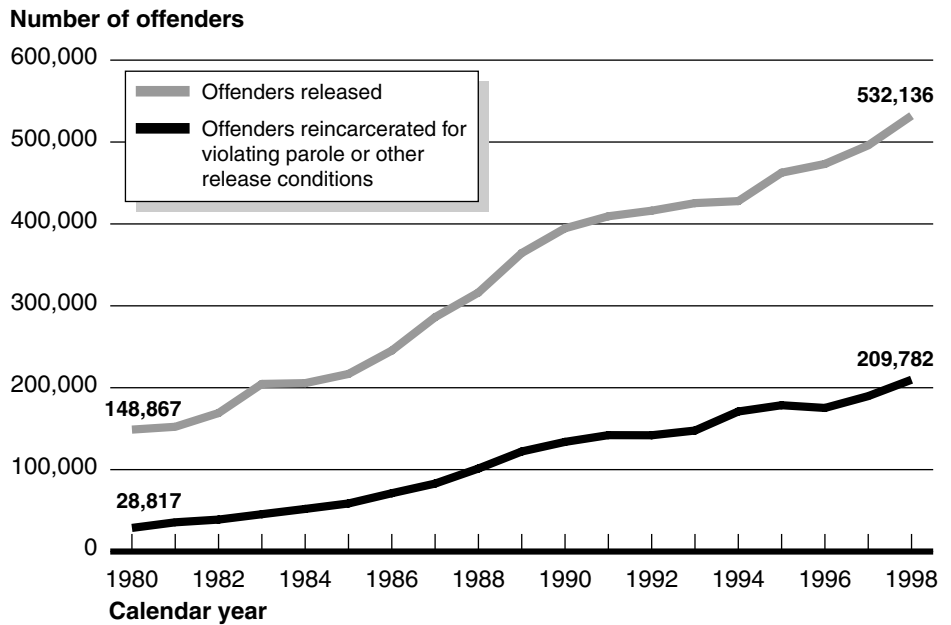
Increasing Number of Inmates Released From and Returned to Prison

Nationally, the total inmate population in federal and state prisons increased almost fourfold during the past 2 decades—from 329,821 at the end of 1980 to about 1.3 million at the end of 1999. In consonance with the trend of larger prison populations, the number of inmates who complete their sentences and return to communities has also risen significantly in recent years. Specifically, as figure 1 shows, the number of federal and state inmates released to communities increased from 148,867 in 1980 to 532,136 in 1998, the most recent year for which complete data were available.¹⁵ Also, figure 1 shows that the number of offenders reincarcerated for violating parole or other release conditions increased more than sevenfold, from 28,817 in 1980 to 209,782 in 1998.¹⁶ These reincarceration data, as noted in figure 1, do not include ex-offenders who were returned to prisons for committing a new crime but were not under parole or supervised release. Nonetheless, the reincarcerations shown in figure 1 represent an increasing proportion of all prison admissions. For instance, reincarceration of violators of parole or other release conditions represented 17 percent of all prison admissions in 1980 but increased to 35 percent of admissions in 1998.

¹⁵In 1998, of the total number of inmates released, 95 percent (506,049) were state prisoners.

¹⁶In 1998, of the total number of violators reincarcerated, 98 percent (206,152) were returned to state prisons.

Figure 1: Trends in Releases From Federal and State Prisons and Returns for Violating Parole or Other Release Conditions



Note 1: For offenders released, no federal data were reported for 1990, 1991, and 1992. For these 3 years, the graph reflects only state prison releases.

Note 2: For offenders reincarcerated, violations of parole or other release conditions can consist of various technical violations, such as not keeping appointments with probation officers or failing a urinalysis test for illegal drug use. Supervision revocations and reincarcerations can also result from the commission of a new crime, an act that violates the most basic of release conditions. However, the reincarceration data shown in the graph do not include returns to prison of ex-offenders who committed a new crime while not under parole or other supervised release.

Source: Compiled by GAO from BJS data.

Recidivism Rates Historically Have Been About 40 Percent

Available studies indicated that recidivism rates historically—since about 1980—have been about 40 percent. Generally, these recidivism rates reflect the trend or pattern for federal as well as state prison offenders. No national recidivism studies that were both current and comprehensive, however, were available. For instance, some studies either were somewhat dated or focused on selected groups, such as first-time offenders.

Recidivism of Federal Offenders

In its most recent survey of federal prison inmates—conducted in 1997—BJS obtained extensive demographic information, including self-reported data about current offenses and prior criminal histories. Although not a study of recidivism, per se, the survey data indicated that 61 percent of federal prison inmates had one or more prior sentences, and 40 percent had one or more prior incarcerations.

The most current BOP study we identified that focused specifically on recidivism of prisoners released from federal prisons was completed in 1994. In its study, BOP analyzed recidivism on the basis of a representative sample of 1,205 federal inmates released to the community during the first 6 months of 1987.¹⁷ Also, in this study, BOP compared results from its earlier recidivism studies, which were based on releasees in 1970, 1978, 1980, and 1982. The 1994 study found that within 3 years of being released from BOP, about 41 percent of the 1987 releasees had either been rearrested or had their parole revoked.¹⁸ Also, the study reported that recidivism rates (rearrest or parole revocation) for the 1978, 1980, and 1982 releasees were very similar, at around 40 percent. Further, the study noted that the 1970 releasees had a higher recidivism rate (about 52 percent), which may be attributed to a disproportionate number of youthful car thieves among that year's releasees.

Another study we identified that focused specifically on recidivism of prisoners released from federal prisons was prepared by the Urban Institute and published by BJS in September 2000. The study focused on a 3-year follow-up of first-time offenders—that is, offenders released from federal prison for the first time during calendar years 1986 through 1994.¹⁹ As table 1 shows, the study found that a total of 215,263 offenders were released from federal prison for the first time between 1986 and 1994, and of this total, 33,855 (16 percent) were returned to federal prison within 3 years. The table also shows that the return percentages increased annually from 1986 to 1994, except for 1993.

It should be emphasized, however, that the return percentages shown in table 1 underestimate the overall prison return rates. For instance, the study's measure of recidivism did not include prisoners who entered state prisons or jails after release from federal prison. Moreover, as designed, the study focused only on offenders who were released from federal prison for the first time during a specific period. Recidivism rates for those who have been in prison more than one time are higher, according to other studies.

¹⁷Miles D. Harer, BOP, Office of Research and Evaluation, "Recidivism Among Federal Prison Releasees in 1987: A Preliminary Report" (Mar. 11, 1994).

¹⁸The study did not report any data on the number of former inmates who were reconvicted or reincarcerated.

¹⁹BJS, Special Report, "Offenders Returning to Federal Prison, 1986-97" (NCJ 182991, Sept. 2000).

Recidivism of State Offenders

Table 1: First-Time Offenders Released From Federal Prison and Returned Within 3 Years

| Year of release | Number of releases | Number of returns to prison | Returns as a percentage of releases |
|-----------------|--------------------|-----------------------------|-------------------------------------|
| 1986 | 21,493 | 2,440 | 11.4 |
| 1987 | 22,889 | 2,942 | 12.9 |
| 1988 | 22,237 | 2,995 | 13.5 |
| 1989 | 22,221 | 3,225 | 14.5 |
| 1990 | 25,389 | 3,948 | 15.6 |
| 1991 | 24,685 | 4,291 | 17.4 |
| 1992 | 24,280 | 4,429 | 18.2 |
| 1993 | 25,224 | 4,593 | 18.2 |
| 1994 | 26,845 | 4,992 | 18.6 |
| Total | 215,263 | 33,855 | 15.7 |

Note: Releases were in 1986 through 1994; returns were in 1986 through 1997.

Source: BJS and BOP data.

The most comprehensive national study we identified regarding recidivism of prisoners released from state prisons was published by BJS in 1989.²⁰ BJS officials told us that the 1989 publication was BJS' most current study of state prisoner recidivism. The study was based on a projectable sample of more than 16,000 prisoners released in 1983. More specifically, BJS projected its findings to the universe of 108,580 persons released from state prisons in 11 states, which accounted for 57 percent of all state prisoners released in the nation during 1983. As indicated in table 2, BJS reported that of the 108,580 prisoners released in 1983, an estimated 63 percent were rearrested for a felony or serious misdemeanor within 3 years, 47 percent were reconvicted, and 41 percent were returned to prison or jail.

Table 2: Recidivism of Prisoners Released From State Prisons in 1983

| Time after release | Rearrested | Reconvicted | Reincarcerated |
|--------------------|------------|-------------|----------------|
| 6 months | 25.0% | 11.3% | 8.4% |
| 1 year | 39.3 | 23.1 | 18.6 |
| 2 years | 54.5 | 38.3 | 32.8 |
| 3 years | 62.5 | 46.8 | 41.4 |

Source: BJS data.

²⁰BJS, Special Report, "Recidivism of Prisoners Released in 1983" (NCJ 116261, Apr. 1989).

Further, in this study, BJS reported that failure rates—rearrest, reconviction, or reincarceration—in the first 3 months following release were more than three times higher than failure rates in the last 3 months of the follow-up period.²¹

Also, in its most recent survey of state prison inmates—conducted in 1997—BJS obtained self-reported data about current offenses and prior criminal histories. Although not a study of recidivism, per se, the survey data indicated that 76 percent of state prison inmates had one or more prior sentences, and 65 percent had one or more prior incarcerations.

New York State Study Reported a Recidivism Rate of 40 Percent

Regarding individual states, a June 2000 report by the New York State Department of Correctional Services presents return-to-custody (readmission) information regarding the 26,932 inmates released in 1996 from the state’s correctional facilities.²² According to the report,

- 40 percent (10,795) of the released inmates were returned to custody within 3 years;
- almost two-thirds of the 10,795 inmates who were returned were recommitted within the first 18 months following release; and
- of the 26,932 inmates released in 1996, 24 percent were returned for violating parole, and 16 percent were returned committing new crimes.

Also, regarding readmission for committing new crimes, the report noted that more offenders were returned to custody for committing a drug offense (45 percent) than any other offense category. For example, the next highest readmission categories reported were property and other offenses (24 percent) and violent felony offenses (23 percent).

²¹During our review, AOUSC officials questioned the value of an 18-year-old study—that is, BJS’ study of prisoners released from state prisons in 1983—and suggested that we delete reference to it. We retained reference to the study because it was the most comprehensive national study we identified regarding recidivism of prisoners released from state prisons.

²²New York State Department of Correctional Services, “1996 Releases: Three Year Post Release Follow-Up” (June 2000).

Sentence Length, Criminal and Drug Use Histories, and Program Participation

Based on BJS' most recent (1997) survey of prison inmates, we developed information on selected characteristics—such as sentence length, criminal history, and drug use history—comparing federal and state inmates.²³

Violent Offenders Received Longer Sentences Than Drug Offenders

As table 3 shows, a smaller percentage of federal inmates than state inmates were serving life sentences or death sentences (3 percent versus 8 percent). For other inmates in federal and state prison systems, the median sentence lengths across all types of inmates who were in prison in 1997 were 7 years and 5 years, respectively. Also, in both federal and state prisons, violent offenders received longer sentences than drug offenders, although the difference in median sentence length between violent and drug offenders was far less pronounced in federal prisons. A smaller percentage of federal inmates than state inmates had less than a year remaining on their sentences (27 percent versus 44 percent), whereas a larger percentage of federal inmates than state inmates were serving sentences of more than 5 years (31 percent versus 18 percent).

Regarding federal offenders and criminal case processing, in February 2001, BJS published more recent data showing that federal incarceration for drug convictions and length of federal prison terms are increasing.²⁴ Among other things, BJS reported the following:

- Drug prosecutions constitute an increasing proportion of the federal criminal caseload, rising from 21 percent of defendants in cases terminating in U.S. district court during fiscal year 1982 to 36 percent during fiscal year 1999.
- The proportion of all federal defendants sentenced to prison increased from 54 percent during fiscal year 1988 to 72 percent during fiscal year 1999. For this same time period, the proportion of federal drug offenders sentenced to prison increased from 79 percent to 92 percent.

²³In a recent report, we used data from BJS' two most recent surveys (1991 and 1997) to present detailed information on inmate characteristics; see *State and Federal Prisoners: Profiles of Inmate Characteristics in 1991 and 1997* (GAO/GGD-00-117, May 24, 2000). Also, we used the BJS data to report more specifically on female inmates; see *Women in Prison: Issues and Challenges Confronting U.S. Correctional Systems* (GAO/GGD-00-22, Dec. 28, 1999).

²⁴BJS, "Federal Criminal Case Processing, 1999" (NCJ 186180, Feb. 2001).

- The length of federal prison sentences imposed increased from an average of 55.1 months during 1988 to an average of 58.1 months during 1999. During this period, federal prison sentences imposed for drug offenses increased from an average of 71.3 months to 75.4 months, and for weapon offenses, sentences imposed increased from an average of 52.3 months to 99.5 months.

Table 3: Sentence Length Information for Inmates in 1997

| Offender characteristic | Federal | State |
|-----------------------------------------------------|---------------------------|------------------|
| Life sentence ^a or death sentence | 3% | 8% |
| For those not serving life or death sentence | | |
| Median sentence length^b | Length in years | |
| All offenders | 7 | 5 |
| Drug offenders | 8 | 3 |
| Violent offenders | 9 | 7 |
| Sentence time remaining^c | Percent of inmates | |
| Less than 1 year | 27 | 44 |
| 1 to 5 years | 42 | 38 |
| More than 5 years | 31 | 18 |
| Number of inmates | 89,072 | 1,059,607 |

Note: The percentages are based on numbers slightly smaller than the total number of inmates because not all inmates responded to the question.

^aSome offenders with life sentences may eventually be released, and some offenders not serving life sentences may never be released. The latter include, for example, older offenders who have very long sentences to serve and younger offenders who have multiple, lengthy sentences to serve nonconcurrently.

^bSentence lengths are based on the number of years that the inmates are anticipated to actually serve, not the number of years in the court-imposed sentences. Actual time served often is less than the number of months or years reflected in court-imposed sentences for various reasons, such as reductions in prison terms for good behavior.

^cTime remaining on sentence is computed from the time of BJS' survey and not from the time of admission to prison.

Source: Compiled by GAO from BJS data.

Drug or Violent Offenses and Prior Incarceration Were Characteristics Common to Many Inmates

As table 4 shows, nearly two-thirds (63 percent) of federal inmates in 1997 were drug offenders, and 15 percent were violent offenders. In comparison, one in five (21 percent) of the state inmates were drug offenders, and nearly one-half (47 percent) were violent offenders.²⁵

Table 4: Criminal and Drug Use Histories of Inmates in 1997

| Inmate history | All inmates | | Releasees ^a | |
|----------------------------------------------|---------------|------------------|------------------------|----------------|
| | Federal | State | Federal | State |
| Current offense | | | | |
| Drug offense conviction | 63% | 21% | 54% | 28% |
| Violent offense conviction | 15 | 47 | 12 | 30 |
| Past criminal history | | | | |
| Under supervision when arrested ^b | 27 | 47 | 30 | 56 |
| Prior incarceration | 40 | 55 | 37 | 56 |
| Prior sentence imposed | 61 | 76 | 56 | 78 |
| Illegal drug use before prison | | | | |
| Ever used any drugs | 73 | 83 | 71 | 85 |
| Used drugs regularly ^c | 57 | 70 | 55 | 73 |
| Used cocaine or crack regularly ^c | 28 | 34 | 26 | 36 |
| Used heroin regularly ^c | 9 | 15 | 8 | 16 |
| Number of inmates | 89,072 | 1,059,607 | 22,583 | 400,821 |

Note: The percentages are based on numbers slightly smaller than the total number of inmates because not all inmates responded to the question.

^aInmates to be released within 12 months from the time of BJS' survey in 1997.

^bIncludes persons who were on parole, supervised release, or probation and those who had escaped and been rearrested.

^cUsed drugs at least once a week for at least 1 month.

Source: Compiled by GAO from BJS data.

Further, regarding past criminal history, table 4 shows that 61 percent of federal inmates and 76 percent of state inmates who were in prison in 1997 had been sentenced before, and 40 percent of federal inmates and 55 percent of state inmates in prison in 1997 had served prior prison sentences. Moreover, not all inmates had a long stretch of “street time” between sentences. Of the inmates who were in prison in 1997, more than

²⁵The type of offender (violent crime and drug offense) is determined on the basis of the primary, or most serious, offense for which offenders were currently sentenced to prison. The primary types of offenses—other than those that involve violence or drugs—involve property offenses (e.g., burglary and larceny) and technical violations (e.g., violations of terms of probation and parole).

one-quarter (27 percent) of federal inmates and nearly half (47 percent) of the state inmates were under supervision at the time of the arrest that led to their incarceration.

To provide the reader with an annual reintegration perspective, table 4 also presents data about inmates scheduled to be released within 12 months from the time of BJS' 1997 survey. Regarding current offenses, for example, table 4 shows that 54 percent of the federal and 28 percent of state inmates to be released were drug offenders—a total of about 124,000 releasees. Further, table 4 shows that 12 percent of the federal and 30 percent of state releasees were violent offenders—a total of about 123,000 releasees. Table 4 also shows that 56 percent of the federal and 78 percent of state releasees had a prior criminal sentence.

Most Inmates Had Used Illegal Drugs Before Prison Admission

Table 4 shows further that it is not just criminal histories generally that characterize the bulk of inmates in prison, but substantial histories of drug use as well. More than 7 in 10 (73 percent) of the federal inmates and 8 in 10 (83 percent) of the state inmates reported having used illegal drugs before their current admission. Nearly 6 in 10 (57 percent) of the federal inmates and 7 in 10 (70 percent) of the state inmates reported having used illegal drugs regularly. Approximately 1 in 4 (28 percent) federal inmates and 1 in 3 (34 percent) state inmates reported having used cocaine or crack regularly. Also, as table 4 shows, the percentages of releasees using various drugs are similar to those for all inmates. For instance, 26 percent of federal inmates to be released reported having used cocaine or crack regularly, compared with 28 percent of all federal inmates in prison in 1997.²⁶

Generally Low Inmate Participation in Prison Programs

BJS' 1997 survey provided less extensive information about inmate participation in prison programs. In table 5, we summarize available information about inmate participation in various programs. About one of every four federal and state inmates—25 percent and 24 percent,

²⁶According to AOUSC, drug histories reported by federal inmates may be overstated since 18 U.S.C. 3621(e)(2)(B) authorizes BOP to reduce the sentence (by up to 1 year) for any prisoner convicted of a nonviolent offense after successful completion of drug treatment. On the other hand, according to BOP, adequate safeguards are in place to prevent inmates who are not drug addicts (or who do not have histories of drug abuse) from participating in drug treatment programs and receiving reduced sentences. Further, it should be noted that BJS' survey of inmates is conducted on a basis of confidentiality. Thus, the survey results are not used for programming services for individual inmates.

respectively—had participated in a drug treatment program since their admission. Further, fewer than half of the inmates in either prison system—federal (45 percent) and state (38 percent)—had been involved in education programs since being admitted. And less than one-third of the inmates had received any vocational training—federal (29 percent) and state (31 percent). Although 87 percent of federal inmates and 60 percent of state inmates had work assignments, only 17 percent of federal and 3 percent of the state inmates had assignments in prison industry jobs. Finally, only 13 percent of federal inmates and 8 percent of state inmates had participated in prerelease programs. However, as would be expected, the data indicate that participation in prerelease programs increased significantly among inmates scheduled to be released within 12 months, particularly among federal inmates (37 percent). Also, regarding the federal prerelease programs, BOP officials said that, since the 1997 BJS survey, BOP has provided more training to staff and placed additional emphasis on the prerelease programs.

Table 5: Inmate Participation in Prison Programs in 1997

| Type of program attended | All inmates | | Releasees ^a | |
|-----------------------------------|---------------|------------------|------------------------|----------------|
| | Federal | State | Federal | State |
| Residential inpatient treatment | 28% | 33% | 33% | 36% |
| Alcohol program | 20 | 24 | 24 | 27 |
| Drug program | 25 | 24 | 28 | 29 |
| Education classes | 45 | 38 | 43 | 35 |
| Vocational training ^b | 29 | 31 | 27 | 27 |
| Any work assignment ^c | 87 | 60 | 87 | 56 |
| Prison industry jobs ^d | 17 | 3 | 11 | 2 |
| Prerelease programs ^e | 13 | 8 | 37 | 12 |
| Number of inmates | 89,072 | 1,059,607 | 22,583 | 400,821 |

Note: The percentages show inmate participation since admission to prison for current offense. They are based on numbers slightly smaller than the total number of inmates because not all inmates responded to the question.

^aInmates to be released within 12 months from the time of BJS' survey in 1997.

^bVocational training includes in-class training and on-the-job training, excluding institutional jobs.

^cWork assignments include institutional jobs (e.g., food services, laundry, grounds maintenance, etc.) and prison industry jobs.

^dFederal Prison Industries, Inc., called UNICOR, operates as an income-producing business. Many state prisons also have income-producing businesses.

^eThese programs include classes covering such topics as budgeting, stress reduction, and job interviewing skills.

Source: Compiled by GAO from BJS data.

Additional Perspectives on Inmate Participation in Drug Treatment Programs

To obtain additional perspectives on substance abuse treatment in federal and state prisons, we reviewed data compiled by HHS' Substance Abuse and Mental Health Services Administration (SAMHSA). In 1997, at the request of the Office of National Drug Control Policy, SAMHSA designed and conducted the first national survey of substance abuse treatment services in adult and juvenile correctional facilities. For adult correctional facilities, as table 6 shows, the survey results showed that on a given day in 1997,

- about 12,500 federal inmates and about 99,000 state inmates received substance abuse treatment and
- most of these inmates were treated within a general facility population setting versus a specialized unit, hospital, or psychiatric unit.

Table 6: Substance Abuse Treatment in Adult Correctional Facilities in 1997

| Treatment setting | Prison inmates in treatment | |
|------------------------------|-----------------------------|---------------|
| | Federal | State |
| General facility population | 6,693 | 66,119 |
| Specialized unit | 5,744 | 30,697 |
| Hospital or psychiatric unit | 71 | 2,162 |
| Total | 12,508 | 98,978 |

Note: The data reflect the number of prison inmates in treatment on a given day in 1997, not all year.

Source: SAMHSA, *Substance Abuse Treatment in Adult and Juvenile Correctional Facilities* (Apr. 2000).

At a congressional hearing in October 2000, a SAMHSA representative testified as follows about substance abuse treatment for offenders:²⁷

“A disturbingly high percentage of offenders are high on drugs or alcohol when they commit crimes. Under the Arrestee Drug Abuse Monitoring ... program funded by the Department of Justice, detained arrestees in at least 23 urban jurisdictions throughout the United States are tested periodically to determine the extent of illegal drug use. In 1999, sixty-eight percent of detained arrestees tested positive for one or more illegal drugs. Those arrested are not tested for alcohol use. If they were, the percentage of persons who are high when arrested would clearly be greater than 68 percent.

²⁷Testimony of Bruce C. Fry, Social Science Analyst, Center for Substance Abuse Treatment, SAMHSA, HHS, before the Subcommittee on Crime, Committee on the Judiciary, U.S. House of Representatives, October 2, 2000.

“When incarcerated in ... state prisons and jails, these offenders are unlikely to receive appropriate substance abuse treatment, although the Residential Substance Abuse Treatment program operated by the Department of Justice is substantially increasing the availability of treatment in state prisons. Earlier this year SAMHSA’s Office of Applied Studies issued a report analyzing whether treatment is provided in correctional settings. Forty-five percent of state prisons and 68 percent of jails have no treatment of any kind.²⁸ More seriously, in most cases where treatment is provided it is minimal. Only 21.8% of all prisons provided treatment in segregated settings, which research shows is the most effective approach. Finally, please note these studies only address whether there is any treatment in these facilities—not whether there are enough treatment slots in these facilities.

“It is estimated that about 70 percent of persons in state prisons need treatment. Since most are not treated in prison, when they leave prison they are at extremely high risk of relapse, and are likely to commit crimes again and again until they are caught and put back into prison, where the cycle begins all over again.”

During our review, while agreeing that there is a need for more substance abuse treatment, BJS officials offered a cautionary comment about statistics that quantify this need. For instance, the officials commented that not all drug users are addicts. Also, the officials noted that BJS’ most recent (1997) survey of federal and state prison inmates showed that the percent of alcohol- or drug-involved prisoners—who, since admission to prison, participated in treatment or other substance programs—increased as the time to expected release decreased.

As table 7 shows, for example, among the alcohol- or drug-involved federal inmates, about 20 percent of the inmates serving their final 6 months reported receiving treatment, compared with 10 percent of the inmates with more than a year until release.

²⁸In commenting on a draft of our report in May 2001, SAMHSA officials emphasized that these percentages were based on 1997 data. Also, the officials commented that the quoted material, which reports that 68 percent of jails have no treatment, might exaggerate the lack of treatment in correctional facilities given that a very low proportion (6 percent) of federal prisons do not provide treatment.

Table 7: Inmate Participation in Substance Abuse Treatment or Other Programs in 1997

| Time to expected release | Treatment^a | Other programs^b |
|---------------------------------|------------------------------|-----------------------------------|
| Federal prisoners | | |
| Greater than 1 year | 10.0% | 24.2% |
| 6 to 12 months | 12.5 | 28.4 |
| Less than 6 months | 20.5 | 36.9 |
| State prisoners | | |
| Greater than 1 year | 12.6 | 31.0 |
| 6 to 12 months | 16.3 | 32.4 |
| Less than 6 months | 18.6 | 34.0 |

Note: These data show inmate participation since admission to prison for current offense.

^aIncludes residential facilities, professional counseling, detoxification units, and maintenance drug programs.

^bIncludes self-help or peer counseling groups and educational or awareness programs.

Source: BJS, Special Report, "Substance Abuse and Treatment, State and Federal Prisoners, 1997" (NCJ 172871, Jan. 1999), p. 9.

Reintegration Addressed in Three Phases of Federal Correctional System

Generally, in the federal correctional system, an inmate's preparation for reintegration is to encompass all three phases of the system. That is, the process is to begin immediately and extend throughout the in-prison phase of the offender's incarceration in a BOP correctional facility, continue during a transitional period in a community-based halfway house for a period not to exceed the final 180 days of the sentence, and further continue after the offender's release during a 3- to 5-year period of community supervision by probation officers. BOP oversees inmate activities during the in-prison phase and the halfway house phase, and U.S. Probation Offices oversee the community supervision phase.

In-Prison Phase: BOP Provides Various Programs

At the end of 1999, BOP housed 125,682 inmates in 98 correctional facilities. For the in-prison phase, BOP provides various programs—including education, work, vocational training, and drug treatment programs—to help inmates rehabilitate themselves. For example, BOP requires all federal inmates to work if they are medically able. BOP recognizes that release preparation begins at initial intake or classification²⁹ and encourages inmates to begin preparing for their release

²⁹In the context of correctional systems, the term "classification" refers to the systematic subdivision of inmates into groups on the basis of their security and program needs.

from prison upon their arrival at the institution. Table 8 describes the programs generally available to inmates during incarceration. As noted in the previous section of this report, not all federal prisoners participate in these programs.

According to BOP, providing inmates with such programs not only supports correctional management purposes, such as minimizing inmate idleness and increasing the safety of staff, but also prepares inmates for employment opportunities and successful reintegration upon release. As supporting evidence, BOP has cited the results of long-term evaluations of its drug treatment and work training programs. For example:

- *Drug treatment.* In fall 2000, BOP reported that an evaluation of its residential drug abuse treatment program showed that offenders who completed the program and had been released to the community for 3 years were less likely to be rearrested or to be detected for drug use than were similar inmates who did not participate in the program. The multisite evaluation—referred to as the TRIAD project (an acronym for “Treating Inmates’ Addiction to Drugs”)—represented an interagency agreement between BOP and the National Institute on Drug Abuse.³⁰
- *Work training.* In a postrelease employment project, BOP evaluated the impact of prison work experience and vocational and apprenticeship training on offenders’ behavior after release to the community. Begun in 1983, the evaluation collected data through 1987 on more than 7,000 offenders. On the basis of the evaluation, BOP concluded that inmates who participated in work and job skills programs were less likely to be returned to federal prisons—even as many as 8 to 12 years after being released.³¹

³⁰BOP, Office of Research and Evaluation, “BOP TRIAD Drug Treatment Evaluation Three-Year Outcome Report—Executive Summary” (Sept. 2000).

³¹William G. Saylor and Gerald G. Gaes, “Training Inmates Through Industrial Work Participation and Vocational and Apprenticeship Instruction,” *Corrections Management Quarterly* (Spring 1997), pp. 32-43.

Table 8: BOP In-Prison Programs for Inmates

| Program type | Program description |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Education | <p>Literacy programs are to allow inmates without a high school diploma (or its equivalent) to earn a General Equivalency Diploma (GED). Under provisions of the Prison Litigation Reform Act of 1995 (P.L. 104-134), inmates lacking high school credentials must participate and make satisfactory progress in the GED program in order to earn the maximum amount of good time credit, which may reduce sentence length. According to BOP, 3,962 federal inmates successfully passed the GED test during the first 9 months of fiscal year 2000.</p> <p>An English-as-a-second-language program is to allow inmates with limited English fluency skills to achieve at least an eighth grade English proficiency level. The Comprehensive Crime Control Act of 1990 mandates that non-English-proficient inmates participate in this program until they function at the eighth grade level in English competency. According to BOP, 18,852 federal inmates (15 percent of the total federal inmate population) were eligible for the English fluency program during calendar year 1999.</p> |
| Work | <p>Inmates are to learn job skills in institutional job assignments, such as food service worker, orderly, plumber, painter, warehouse worker, or groundskeeper. Also, some inmates work in Federal Prison Industries, Inc. (UNICOR) factories that produce, for example, metal products, furniture, electronics, or textiles. According to BOP, most inmates have institutional job assignments, and the other inmates work in UNICOR factories—although a small percentage of inmates have no work assignments due to medical conditions.</p> |
| Occupational or vocational training | <p>BOP reports that it has occupational or vocational training programs that encompass 86 different skill areas, and inmates are provided with opportunities to develop work skills by on-the-job training through institution work assignments and prison industry jobs. For fiscal year 1999, BOP reported that 8,711 federal inmates completed at least 1 occupational training program. Also, as of March 2000, BOP data showed that 9,427 federal inmates (about 9 percent of total federal inmate population) were enrolled in an occupational training program.</p> |
| Drug treatment | <p>According to BOP, its drug treatment programs include substance abuse education, nonresidential substance abuse treatment and counseling, and residential substance abuse treatment. BOP data indicate that approximately 34 percent of the total federal inmate population have a diagnosed substance abuse disorder. For fiscal year 2000, BOP reported that 12,541 federal inmates participated in its residential drug abuse treatment program.</p> |
| Mental health | <p>Psychologists are to provide professional diagnosis, counseling, and treatment on an individual or group basis. In calendar year 2000, BOP data showed that 14,369 federal inmates (10 percent of the total federal inmate population) were diagnosed with a mental health need.</p> |
| Release preparation | <p>Designed to help inmates transition from prison to the community, this program is to offer courses in six core areas—(1) health and nutrition, (2) personal growth and development, (3) personal finance and consumer skills, (4) employment, (5) release requirements and procedures, and (6) information on community resources. Beginning approximately 24 months before release, inmates are encouraged to enroll in and complete at least one course in each core area. Generally, each core area may offer various courses. For example, the health and nutrition core area may include courses about disease prevention, including AIDS awareness, as well as courses about weight management and how to eat nutritionally.</p> |
| Inmate placement | <p>This program is to encourage federal correctional institutions to plan and hold mock job fairs to help inmates hone their job search and interview techniques. In addition, the inmate placement program is to provide job placement services to inmates, help inmates prepare release folders (which include such documents as a social security card, education certificates, and vocational certifications), and help institutions establish onsite employment centers. According to BOP, between 1996 and 2000, the inmate placement program conducted 127 mock job fairs at 66 institutions, with approximately 5,000 inmates participating.</p> |

Source: GAO analysis of BOP data.

The same types of programs as those presented in table 8 are also available to inmates during their transition back to the community (i.e., during the inmates' halfway house stay or during the offenders' term of community supervision). For example, inmates with diagnosed substance abuse addictions who were receiving treatment in prison are to continue that treatment during their transitional period at contractor-operated halfway houses and after release to supervision. Also, inmates who are prescribed medications for diagnosed mental illness are to leave the institution with a 30-day supply to begin their halfway house stays.

Halfway House Phase: BOP Provides a Transition Period

BOP uses contractor-operated community corrections centers, commonly referred to as halfway houses, for transitioning inmates from a federal institution to the community. In 2000, BOP contracted for 282 halfway houses that provided 6,911 beds and served 18,113 inmates.

Normally, 11 to 13 months before each inmate's probable release date from a federal correctional facility, BOP staff are to decide whether the inmate is eligible or appropriate for halfway house placement. According to BOP, in calendar year 2000, of the total 40,674 inmates released from a federal correctional facility, about 55 percent (22,561 inmates) were ineligible or inappropriate for halfway house placement or were initially deemed eligible but were not transferred to the halfway house. BOP officials explained this to us as follows.

- Deportable aliens are the largest category of federal inmates ineligible for halfway house placement.³² Other ineligible or inappropriate categories include (1) sex offenders; (2) inmates undergoing inpatient medical, psychological, or psychiatric treatment; (3) inmates serving sentences of 6 months or less; (4) inmates who refuse to participate in an institution's Release Preparation Program; and (5) inmates who pose a significant threat to the community.
- Some of the reasons an eligible inmate may not be transferred to a halfway house are the inmate's sentence was too short or a change of plans occurred that precluded halfway house referral; difficulties were experienced in relocating the inmate to an appropriate supervision district; or the halfway house declined to accept the inmate.

³²BOP data indicate that 13,519 deportable aliens were released from federal correctional facilities in 2000.

Under BOP policy, inmates ineligible or inappropriate for halfway house placement or otherwise not transferred to a halfway house are to complete their sentences in a federal correctional facility, and a unit team is to prepare these inmates for life after prison.

In 2000, of the total 40,674 inmates released from a federal correctional facility, about 45 percent (18,113 inmates) were transferred to a halfway house. Generally, the halfway house transition period is not to exceed the final 180 days of an inmate's sentence.³³ During this period, the inmate must find and keep a job, pay a subsistence charge to help defray the cost of the halfway house stay,³⁴ continue to participate in applicable drug or alcohol treatment programs, and follow all other rules and regulations of the halfway house—or else risk being returned to the BOP institution. According to BOP officials, approximately 40 percent of inmates living in halfway houses are enrolled in drug treatment programs. If the inmate graduated from a federal correctional facility's residential drug abuse treatment program, BOP policy requires the inmate to participate in the halfway house's drug treatment program.

According to BOP, about 90 percent of inmates successfully complete their halfway house transition periods and are released from BOP custody and transferred to probation offices for supervision in the community by probation officers. The 10 percent of inmates who do not successfully complete their transitions in a halfway house are returned to federal institutions because, for example, the inmates refused to find and keep a job while living in the halfway house, disregarded curfew, or failed a drug urinalysis test.

Typically, 90 days before releasing an offender for community supervision, BOP is to notify the U.S. Probation Office in the jurisdiction where the offender was originally sentenced and where the offender will be supervised, if different from the sentencing jurisdiction. Once notified, the Probation Office is to assign a probation officer to the case. Typically, the probation officer then is to verify or assess the suitability of the offender's proposed residence and prospective employment. Just before release, BOP is to send the Probation Office an updated information packet on the

³³According to BOP data, the average halfway house stay length was 104 days in calendar year 2000.

³⁴This charge is 25 percent of the inmate's gross income not to exceed the average daily cost of the halfway house placement.

offender. The packet is to include, for example, the progress reports of the offender's conduct while serving his or her sentence, medical treatment received (including drug treatment), and the extent of schooling.

Community Supervision Phase: Probation Officers Are to Assist and Monitor Offenders

As of September 30, 2000, according to AOUSC, there were 2,097 probation officers appointed by 93 district courts dedicated to supervising 101,081 ex-offenders. AOUSC's Federal Corrections and Supervision Division—which has responsibility for general oversight and program support for the federal probation and pretrial services system—provides policy and program guidance to probation officers, whose primary responsibility is the community supervision of federal offenders.

Within 72 hours after being released from BOP custody, each offender under supervision is to contact a designated probation officer. At this contact, the probation officer is to conduct an interview, which marks the beginning of a 60-day period, generally referred to as the "initial assessment period." During this period, a probation officer is expected to finalize a supervision plan for managing the offender. Under AOUSC guidelines, a supervision plan should reflect a probation officer's responsibilities³⁵ to (1) enforce the conditions of supervision; (2) reduce the risk the offender poses to the community; and (3) provide the offender with access to treatment, such as substance abuse aftercare and mental health services.³⁶

Some offenders require more intensive supervision than others because, for example, they have a substance abuse problem. Still others suffer from more than one problem, such as offenders with a dual diagnosis of substance abuse and mental illness. For all such cases, AOUSC policy encourages probation officers to develop supervision plans to cover multiple treatment modalities to address all of an offender's problems. In addition, BOP and AOUSC have signed an interagency agreement that calls for a continuation of the type of substance abuse treatment in the community that was provided in prison and halfway houses and explains the coordination necessary to request the court to modify the conditions

³⁵Title 18, section 3583 of the U.S. Code provides for inclusion of a term of supervised release after imprisonment. Section 3603 specifies the duties of probation officers.

³⁶AOUSC, *Supervision of Federal Offenders—Monograph 109* (revised Aug. 11, 1993). In March 2001, AOUSC officials told us that Monograph 109 was currently under revision.

of release. At the time of our review, BOP and AOUSC were in the process of developing a similar agreement regarding mental health treatment.

To help probation officers determine appropriate levels of supervision and assess the risks that offenders pose to communities, the Federal Judicial Center developed a Risk Prediction Index. This tool is to be used to summarize an offender's background characteristics relevant to potential recidivism—characteristics such as the offender's age, criminal history, drug use history, education level, family situation, and the outcome of prior periods of supervision.

Offenders are typically supervised in the community for a period of 3 to 5 years. During this time, the probation officer is expected to maintain an awareness of the offender's conduct as well as problems related to family discord, residence or employment instability, educational deficiencies, or financial concerns. According to AOUSC:

- A probation officer, through timely and active intervention, can reduce the number of violations and revocations—and equally important, decrease the risk of danger to the community.
- Each probation office has at its disposal a wide variety of supervision tools and community-based social services to assist offenders with reintegration issues.³⁷ These resources can be used, as needed, to address offenders' needs. For instance, even though probation offices do not have a GED program, per se, the offices can help offenders locate, register, and attend classes to obtain a GED.

In the most recent decade, the population of federal offenders under community supervision increased by 22 percent—from about 83,000 at the end of fiscal year 1991 to more than 101,000 at the end of fiscal year 2000. AOUSC projects that the community supervision population, which includes probationers, parolees, mandatory releasees, and supervised releasees,³⁸ will increase an additional 21 percent by 2006.

³⁷Appendix II presents an overview of the supervision tools and community-based social services available for probation officers to use in assisting offenders with reintegration.

³⁸Supervised release is a sentence created by the Comprehensive Crime Control Act of 1984 that requires supervision of offenders for a term of 3 to 5 years once they are released from prison to the community.

In recent years, supervised releasees have been the only growing segment of the federal community supervision population. Since 1991, the number of supervised releasees increased more than 400 percent—from about 12,000 at the end of fiscal year 1991 to about 65,000 at the end of fiscal year 2000. According to AOUSC:

- Increasing numbers of offenders sentenced in recent years to community supervision following a period of incarceration are more hard core—that is, more and more have serious criminal histories of violent crimes and weapon violations.
- The increasing population of hard-core offenders under community supervision poses greater risks to federal officers and the public. Thus, these offenders require close supervision, which places increased workload demands on probation officers.

AOUSC projects that increasing numbers of offenders released from federal prisons in fiscal year 2001 and beyond will be in high-risk supervision categories—that is, offenders with serious criminal histories. This projection reinforces an observation that we reported in 1997:

“During fiscal years 1991 through 1995, the number of offenders sentenced with serious criminal histories grew at a significantly greater rate than did those with less serious criminal histories. Further, available data suggest that inmates released from BOP prisons in fiscal years 1997 through 2001 may include a greater number of high-risk offenders than did the population released through fiscal year 1996.”³⁹

On September 30, 2000, to help address the challenges that the probation system faces, AOUSC awarded a contract for a comprehensive assessment of how well the system’s current organizational structure, policies, and practices support its mission.⁴⁰ The study is to be divided into three stages over approximately 24 months, with a final report expected in late 2002. The report is to include sections covering the program areas of substance abuse and mental health. In addition, the report is to address a number of specific reintegration issues, including the following:

³⁹ *Federal Offenders: Trends in Community Supervision* (GAO/GGD-97-110, Aug. 13, 1997), p. 5.

⁴⁰ AOUSC awarded the contract to PricewaterhouseCoopers. The Urban Institute and Wooten Associates (a supervision consulting firm located in Laytonsville, MD) are subcontractors.

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- Are the probation system’s supervision policies and practices effective?
 - What percentage of offenders under supervision violate conditions of release?
 - How often do offenders successfully complete supervision without committing new crimes?
 - Are the federal judiciary’s substance abuse and aftercare programs effective, and are some better than others?
 - What has been the experience of other jurisdictions using alternative structures or approaches, and how do they compare with the current federal system in terms of effective service delivery and cost?

In addition to the ongoing external assessment, AOUSC recently established an internal committee to update the agency’s strategy and policy for reintegrating (i.e., supervising and assisting) offenders newly released to communities. Also, AOUSC has started a lecture-and-discussion series to help create a dialogue with experts in the field of criminal justice. One purpose of the series is to provide information to a supervision workgroup of probation officers, supervisors, and AOUSC officials. The workgroup, in turn, is to develop recommendations for updating pretrial services and postconviction supervision policies. Further, AOUSC is considering options for improving the surveillance of sex crime and other offenders under home confinement. According to AOUSC, these reintegration measures are being taken to enhance public safety, provide correctional treatment, and help ensure that offenders comply with conditions of supervision.

Implementation of the Young Offender Initiative Is Evolving

DOJ, DOL, and HHS—in response to the large number of offenders being released from state prisons and returning to communities—are developing a federal grant program, the “Young Offender Initiative: Reentry Grant Program and the Demonstration Grant Program.” Under the Reentry Grant Program component, applicants are to target a population of young offenders (within the age range of 14 to 35 years old) returning to the community from incarceration (minimum of 12 consecutive months for adults, 6 consecutive months for juveniles) who pose a risk to community safety. The Demonstration Grant Program component is to fund separate awards for communities to target young offenders (within the age range of 14 to 24 years old) who are already involved in the criminal justice system or gangs—or who are at risk of such involvement.

The goal of the interagency initiative is to help states and communities work together to improve offender supervision and accountability and essential support services in order to enhance community safety through

the successful reintegration to the community of high-risk or special-need offenders released from state prisons, juvenile correctional facilities, and local facilities housing state prisoners.

For fiscal year 2001, the first year of federal funding for the Young Offender Initiative,

- DOJ designated \$30 million to support development of reintegration programs that are to focus on offender supervision and accountability through various law enforcement efforts,
- DOL designated \$55 million to be used for employment and training services for offenders, and
- HHS designated \$8 million to provide a continuum of substance abuse and mental health services for offenders.

By making federal grants available, the goal of the interagency Young Offender Initiative is to help state and local agencies and communities develop reintegration programs.⁴¹ Such programs are intended to reduce recidivism by allowing grant recipients to create broad-based state and local partnerships to provide a combination of surveillance, sanctions, incentives, and support services for offenders.

Focus on High-Risk Offenders and Communities

Under the Young Offender Initiative, interagency resources are to jointly target the same communities, especially areas with high concentrations of returning offenders. And communities are to be encouraged to target offenders who pose significant public safety risks and who are likely to benefit from structured interventions. According to DOJ:

- Special emphasis is to be placed on high-risk offenders returning to the community from incarceration (minimum 12 consecutive months for adults and 6 consecutive months for juveniles).
- Also, a focus is to be given to offenders with special needs, such as those who need job training or substance abuse treatment, as well as those diagnosed with both substance abuse and mental illness disorders.

⁴¹According to an Office of Justice Programs (OJP) official, nonprofit organizations may be eligible for Young Offender Initiative grants if the organizations are partnered with the appropriate state and local agencies.

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- Resources are to be targeted to offenders 14 to 35 years of age because this group accounts for a large portion of the offender reentry population at risk.
 - However, resources also are to be used for assisting a select number of jurisdictions in developing reentry programs for youth in custody of the juvenile justice system.

In May 2001, in commenting on a draft of this report, SAMHSA provided us with information explaining that inmates with certain impairments or deficits will require extensive planning for aftercare following release from correctional facilities. SAMHSA noted, for example, a need to focus on individuals who have neurological impairments caused by fetal alcohol-associated brain damage and individuals who have two or more physical and/or mental disorders occurring simultaneously, such as substance abuse and diabetes. Regarding impairments due to prenatal alcohol exposure, according to SAMHSA:

- Empirical evidence suggests that afflicted individuals are at heightened risk for involvement with the criminal justice system.
- Such offenders, whether male or female, are multi-problem individuals who have great difficulty living independently; thus, aftercare should be extended as long as possible.

Generally, SAMHSA emphasized that high-risk offenders probably will need comprehensive services that include, among others, educational help, job training, and substance abuse and mental health treatment.

Joint Efforts for Developing Grant Solicitations and Selecting Applicants

DOJ, DOL, and HHS have joint responsibility for developing solicitations for grant applications from jurisdictions interested in applying for federal funds available under the Young Offender Initiative. The first solicitation—for the Reentry Grant Program component of the Young Offender Initiative—was issued June 1, 2001. Applications are to be submitted to DOJ by October 1, 2001. To ensure quality applications in response to the solicitation, the federal agencies anticipate holding a preapplication workshop and using other means to respond to questions that prospective applicants have regarding the Initiative's goals, program elements, and other reentry-related issues. Also, the agencies anticipate jointly selecting grantees and making awards. According to the solicitation, approximately \$79 million is available to fund approximately 25 grants of up to \$3.1 million each to applicants that demonstrate a collaborative effort and broad-based community support.

A second solicitation—for the Demonstration Grant Program component of the Young Offender Initiative—is to be issued at a future date. According to the federal agencies, this grant program will fund separate awards totaling up to \$11.5 million for communities to target young offenders within the age range of 14 to 24 years old.

Applicants may apply for awards under both solicitations. However, according to the federal agencies, applicants are to be eligible to receive only one award for the same or similar target populations.

Various Models or Approaches for Reintegration Programs

Generally, according to DOJ, the expectation is that the federal funds will be used to establish broad-based coalitions to support the reintegration of offenders. In establishing such reintegration coalitions, grant applicants may use various models or approaches, including, for example, reentry partnerships, reentry courts, and juvenile reentry programs. Generally, these models or approaches are reflected in the pilot projects that preceded and contributed to formulation of the Young Offender Initiative.⁴²

Reentry Partnerships

Reentry partnerships are to have representatives from numerous entities, such as state, local, or tribal law enforcement agencies (including corrections agencies); businesses, municipalities, and faith-based groups; and other governmental and community organizations. The partners are to work together to develop and implement reentry plans for offenders scheduled for release. The plans are to encompass a network of community resources, including, for example, employment and treatment resources. One or more of the partnering entities are to take the lead in managing the reentry process. However, to ensure accountability and supervision, law enforcement agencies are to be required partners.

⁴²Appendix III provides information about various (1) pilot projects that preceded and contributed to formulation of the Young Offender Initiative and (2) legislative proposals that would provide federal grants to states and local communities, similar to the Young Offender Initiative.

Reentry Courts

Reentry courts—similar in concept to drug courts⁴³—are to help reduce recidivism and improve public safety through the use of judicial oversight of returning offenders. For instance, reentry courts are to

- review offenders’ reentry progress and problems,
- order offenders to participate in various treatment and reintegration programs,
- use drug and alcohol testing and other checks to monitor compliance,
- apply graduated sanctions to offenders who do not comply with treatment requirements, and
- provide modest incentive rewards for sustained clean drug tests and other positive behaviors.

Juvenile Reentry Programs

Juvenile reentry programs are to address the public safety concerns and needs of youth in custody of the juvenile justice system. Jurisdictions receiving grants to develop juvenile reentry programs are to use either a reentry partnership or a reentry court approach. Law enforcement agencies, including juvenile justice correctional agencies, are to be required partners in the reentry programs.

An Evaluation Component to Identify What Works

Under current plans, in order to fully assess reentry programs to identify what works, the Young Offender Initiative is to have a national evaluation component. According to an OJP official, a contract for national evaluation probably would be awarded to an external research entity, as was done for the ongoing national evaluations of the various pilot projects that preceded and contributed to formulating the Young Offender Initiative.⁴⁴ For example, in October 2000, NIJ contracted with the University of Maryland’s Bureau of Governmental Research to evaluate eight pilot reentry partnerships.

Regarding the prospective national evaluation of the Young Offender Initiative, the OJP official explained that

⁴³A drug court is a special court given the responsibility to handle cases involving less serious drug-using offenders through supervision and treatment programs, which include frequent drug testing; judicial and probation supervision; drug counseling, treatment, and educational opportunities; and the use of sanctions and incentives. See *Drug Courts: Information on a New Approach to Address Drug-Related Crime* (GAO/GGD-95-159BR, May 22, 1995) and *Drug Courts: Overview of Growth, Characteristics, and Results* (GAO/GGD-97-106, July 31, 1997).

⁴⁴The pilot projects are discussed in appendix III.

-
- tentative plans call for all sites, involving a total of about 25 grant awards, to be included in the national evaluation and
 - because all sites are to be part of the national evaluation, each grant recipient will be expected to collect and report a core set of data.

In reference to core data requirements, the OJP official said that the participating federal agencies—DOJ, DOL, and HHS—were engaged in continuing discussions and that final decisions were not expected before fall 2001.

Agency Comments

We provided a draft of this report for comment to DOJ, DOL, HHS, and AOUSC. During the period May 17-30, 2001, we received written or oral comments from all of these agencies.

On May 24, 2001, DOJ's Audit Liaison Office (Justice Management Division) provided us with a written response indicating that the draft had been reviewed by representatives of OJP, BOP, and the Criminal Division. DOJ generally agreed with the substance of the draft and provided various technical clarifications and updated information, which we incorporated in this report where appropriate. Also, a representative of NIJ—a component of OJP—commented essentially as follows regarding inmates' need for drug treatment:

- Estimates showing that most inmates need drug treatment are based on the results of BJS survey questions to inmates about their drug use.
- BOP has used other questions from the federal inmate survey to approximate the DSM-IV⁴⁵ criteria applicable to determining substance abuse and dependence to produce an estimate of 34 percent of inmates who “need” treatment, that is, have a diagnosable condition.

While the scope of our work did not include reviewing DSM-IV criteria, we acknowledge that there can be a distinction between regular drug use and drug addiction. Also, there can be multiple methods—including self-reporting and diagnostic assessments—for determining what percentages of inmate populations need treatment for substance abuse. Each of these methods has limitations and may not produce a “right” percentage.

⁴⁵American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders – Fourth Edition* (DSM-IV), Washington, D.C., 1994. The manual is the main diagnostic reference of mental health professionals in the United States.

Nonetheless, there is general recognition that the need for substance abuse treatment exceeds the availability of existing programs, particularly in reference to state prisons. For example, at a congressional hearing in October 2000, a SAMHSA representative testified that 45 percent of state prisons had no treatment of any kind.

In further commenting on a draft of this report, the NIJ representative noted the following regarding recidivism:

- No one really knows what the recidivism rate is in the United States, although the rate presumably is around 40 to 50 percent.
- The 1994 BOP report on recidivism was based on a sample of inmates released in 1987. There are now many more drug offenders in federal custody, and it is unclear how they compare with those who were in federal prisons in the 1980s.
- Also, BJS' 1997 survey of inmates reveals next to nothing about recidivism rates, given that many of these inmates have been in prison for many years and may have many years yet to serve.

As indicated previously, we found no national recidivism studies that were both current and comprehensive, although available studies indicated that recidivism rates historically have been about 40 percent. The 1994 BOP study was the most current study we identified that focused specifically on recidivism of prisoners released from federal prisons. The 1994 study, which now is somewhat dated, nonetheless was comprehensive in that it was based on a representative sample of federal inmates released in 1987. To reiterate, the 1994 study found that within 3 years of being released from BOP, about 41 percent of the 1987 releasees had either been rearrested or had their parole revoked. Regarding drug offenders in federal custody, the scope of our work did not include comparing current inmate populations and characteristics with those of the 1980s. We do note, however, that BJS data show that drug prosecutions constitute an increasing proportion of the federal criminal caseload, rising from 21 percent of defendants in cases terminating in U.S. district court during fiscal year 1982 to 36 percent during fiscal year 1999. Regarding BJS' 1997 survey of inmates, we acknowledge that the survey is not a study of recidivism, per se. But the survey results are relevant and informative in that they tend to reinforce the perspective that recidivism rates are high. For example, the survey results showed that 40 percent of federal and 55 percent of state prison inmates in 1997 had one or more prior incarcerations.

In another comment on a draft of this report, the NIJ representative questioned the statistical validity of using BJS' 1997 data to calculate prison program participation percentages for inmates scheduled to be released within 12 months (see table 5). We conducted these analyses at the suggestion of knowledgeable BJS staff. Also, in preparing to conduct the analyses, we discussed the design of our work with the BJS staff, who had earlier used the 1997 survey data to analyze inmate participation in substance abuse treatment programs. Specifically, as presented in a January 1999 report, BJS analyzed program participation in reference to time expected to release—less than 6 months, 6 to 12 months, and greater than 1 year.⁴⁶ See table 7 for a summary of BJS' analysis.

On May 30, 2001, DOL provided us with oral comments. These comments generally were technical clarifications and updated information, which we incorporated in this report where appropriate.

On May 18 and 30, 2001, we received written comments from SAMHSA, a component of HHS. These comments were mainly technical clarifications and updated or additional information, which we incorporated in this report where appropriate. Regarding high-risk offenders, for example, SAMHSA provided information explaining that inmates with certain impairments or deficits—for example, individuals with neurological impairments caused by fetal alcohol-associated brain damage—will require extensive planning for aftercare following release from correctional facilities. Also, SAMHSA noted the following:

- Regarding co-occurring disorders in prison populations, applicable inmates should receive treatment for both substance abuse and mental illness; recidivism can be expected to be higher if only one problem is addressed.
- The sheer number of people in state prisons and jails with mental illness and dual diagnoses dwarfs the number in federal prisons.
- The National Commission on Correctional Healthcare has developed standards for mental health and substance abuse treatment in prisons, jails, and juvenile justice settings.

On May 17, 2001, we received written comments from AOUSC. Overall, AOUSC said that the draft report accurately described the judiciary's

⁴⁶BJS Special Report, "Substance Abuse and Treatment, State and Federal Prisoners, 1997" (NCJ 172871, Jan. 1999), p. 9.

reintegration programs. Also, AOUSC provided technical clarifications, which we incorporated in this report where appropriate.

We are providing copies of this report to the Chairman and Ranking Minority Member, Subcommittee on Administrative Oversight and the Courts, Senate Committee on the Judiciary; the Chairman and Ranking Member, Subcommittee on Constitution, Federalism, and Property Rights, Senate Committee on the Judiciary; the Chairman and Ranking Minority Member, Subcommittee on Youth Violence, Senate Committee on the Judiciary; the Chairman and Ranking Minority Member, Subcommittee on Crime, House Committee on the Judiciary; the Attorney General; the Secretary of Labor; the Secretary of Health and Human Services; the Director of BOP; and the Director of AOUSC. We will also make copies available to others on request.

If you or your staff have any questions about this report or wish to discuss it further, please contact me at (202) 512-8777 or Danny R. Burton at (214) 777-5600. Other key contributors are acknowledged in appendix IV.



Laurie E. Ekstrand
Director, Justice Issues

Appendix I: Objectives, Scope, and Methodology

Objectives

Our review focused on the following questions:

- What are the trends in the number of inmates released from federal and state prisons and the extent of recidivism?
- On the basis of available research, what is known about sentence length and the criminal and drug use histories of federal and state prison inmates and about the extent to which inmates participate in educational, vocational, drug treatment, or other programs designed to address offenders' needs or otherwise help offenders reintegrate into society?
- Within the federal correctional system's three phases—(1) the in-prison phase, which is sometimes called the prerelease phase; (2) the transitional or halfway house phase, which involves placement in a community-based facility; and (3) the community supervision phase, in which probation officers assist and monitor releasees—what are the programs for preparing and assisting offenders with reintegrating into communities?
- What is the status of the Young Offender Initiative, a federal interagency initiative that would provide federal grants to assist states and local communities with reintegrating offenders released from state prisons, juvenile correctional facilities, and local facilities housing state prisoners?¹

Scope and Methodology

In addressing these questions—and to obtain historical and contemporary perspectives—we reviewed a variety of reports and studies on correctional treatment or programming for inmates and offenders under community supervision. The literature presented a variety of conclusions or observations ranging from “nothing works” to “some things work for some types of offenders and more research is needed.” We did not attempt to systematically or thoroughly review the literature to synthesize research results regarding the efficacy of correctional treatment or programming. We do, however, provide references to research studies or other source documents we used in addressing the objectives of this review.

Trends in Prisoner Releases and Recidivism

To determine trends in the number of inmates released from federal and state prisons and the extent of recidivism, we used data collected or published by two agencies—the Bureau of Justice Statistics (BJS) and the Bureau of Prisons (BOP). More specifically, regarding number of inmates released, we obtained information from BJS' series of publications on

¹The full name of the interagency initiative is “Young Offender Initiative: Reentry Grant Program and the Demonstration Grant Program,” which is being designed to target offenders within the age range of 14 to 35 years.

correctional populations and national prisoner statistics. Similarly, regarding recidivism, we extracted information from relevant BJS and BOP reports. According to BJS and BOP officials, at the time of our review, these reports were the most current studies of recidivism they had conducted. Further, although not a study of recidivism, per se, we reviewed data from BJS' most recent survey of prison inmates, conducted in 1997, which collected extensive demographic data, including information on prior sentences and prior incarcerations.

Also, as suggested to us by a BJS official, we contacted the New York State Department of Correctional Services to discuss its research or studies of recidivism regarding inmates released from that state's correctional facilities (see p. 11).

Sentence Length, Criminal and Drug Use Histories, and Participation in Prison Programs

Regarding sentence length, criminal and drug use histories, and inmate participation in prison programs, we summarized selected information from the results of BJS' most recent (1997) survey of inmates in federal and state prisons. An overview of the scope of BJS' survey is as follows:

- The survey population consisted of 91 federally owned and operated facilities and 1,409 state prisons that held sentenced inmates as of June 30, 1996—89,072 sentenced inmates in the custody of federal facilities and 1,059,607 inmates in state correctional facilities.
- From this population, the final survey sample selection consisted of 40 federal facilities and 275 state facilities.
- At the selected facilities, inmate interviews were conducted from June to October 1997. A total of 4,041 federal inmates and 14,285 state inmates were interviewed regardless of the inmates' sentence length.
- On the basis of the survey sample data, BJS used weighting factors to yield national estimates of the characteristics of the federal and state prison populations at the middle of 1997.

Based on generalized variance estimates provided by BJS, all of the national estimates that we present in this report are surrounded by a 95-percent confidence interval of plus or minus 5 percentage points or less.

To obtain additional perspectives on substance abuse treatment in federal and state prisons, we reviewed data compiled by the Substance Abuse and Mental Health Services Administration (SAMHSA) of the Department of Health and Human Services (HHS). In 1997, at the request of the Office of National Drug Control Policy, SAMHSA designed and conducted the first

national survey of substance abuse treatment services in adult and juvenile correctional facilities.

Federal Correctional System Reintegration Programs

To obtain an overview of federal correctional system programs, we reviewed BOP's currently applicable guidance documents covering relevant in-prison and halfway house programs and functions. Similarly, at the Administrative Office of the United States Courts (AOUSC), we reviewed currently applicable guidance used by probation officers for supervising offenders in the community.

We interviewed responsible BOP officials at headquarters and at two field locations in Texas: the South Central Regional Office in Dallas, which is one of BOP's six regional offices, and the Federal Corrections Institution at Seagoville, which we toured. We selected these locations because our assigned staff were based in Dallas. Further, we interviewed staff of BOP's contractor-operated halfway house in Hutchins, TX. We also toured this facility.

To better understand the problems and challenges of supervising federal offenders in communities, we reviewed various reports and studies, including two BJS special reports: *Federal Offenders under Community Supervision, 1987-1996* (NCJ 168636, Aug. 1998) and *Offenders Returning to Federal Prison, 1986-1997* (NCJ 182991, Sept. 2000). Also, in Washington, D.C., we interviewed officials at AOUSC, the Federal Judicial Center, the U.S. Sentencing Commission, and the Department of Justice (DOJ). Further, we interviewed probation officers in the U.S. Probation Office in the Northern District of Texas.

Status of the Young Offender Initiative

Regarding the status of the Young Offender Initiative, we contacted officials at the three federal departments—DOJ, Department of Labor (DOL), and HHS—participating in the Initiative. These officials provided us with information on the Young Offender Initiative's purposes and components, as well as the various pilot projects that preceded and contributed to formulating the Young Offender Initiative. Further, we discussed with DOJ, DOL, and HHS officials the amounts and uses of federal funds designated for the Young Offender Initiative and the plans for interagency management of the funds and grant activities.

In addition to interviewing responsible federal officials, we reviewed budget submissions, appropriations bills, and other available documentation that provided information on the status of the Young Offender Initiative. For example, among other sources, we reviewed the

Proposed FY 2001 Offender Reentry Initiative Preliminary Plan (Dec. 21, 2000), which was prepared by DOJ's Office of Justice Programs (OJP) and submitted to the House and Senate Appropriations Committees in response to a requirement in the explanatory language of the conference report for H.R. 4942.

Also, we reviewed a Web site (www.ojp.usdoj.gov/reentry) established by OJP that is dedicated to providing reentry information. The Web site includes an electronic link so that individuals can subscribe to the "Reentry Report," which is a quarterly newsletter published to facilitate information sharing among reentry initiatives sponsored by OJP. The Web site also provides descriptions of reentry initiatives in participating states. We reviewed these descriptions; however, we did not physically visit any of these reentry locations to make first-hand observations.

Finally, to provide a broader contextual perspective, we identified and reviewed four recent legislative proposals that would provide federal grants to local communities (similar to the Young Offender Initiative). Two of the legislative proposals (S. 2908 and H.R. 5563) were introduced during the 106th Congress, and the other two proposals (S. 194 and S. 304) were introduced in the 107th Congress.

Appendix II: Supervision Tools and Community-Based Social Services Used by Federal Probation Officers

To assist offenders with reintegration issues, AOUSC policy encourages federal probation officers to develop individualized supervision plans through the use of appropriate supervision tools and community-based social services. Table 9 presents examples of the various resources—tools and services—used by federal probation officers to assist offenders with reintegration issues.

According to AOUSC officials:

- Approximately 3,000 local vendors provide a variety of services, such as vocational training, literacy and educational training, drug- and alcohol-abuse treatment, and mental health treatment.
- Through national contracts, vendors provide urine testing services and electronic monitoring equipment and monitoring services. Vendors do not directly supervise offenders. Rather, the monitoring done by vendors is limited, for example, to alerting probation officers that the monitoring equipment has been tampered with or that the person has left the designated areas.
- Probation officers perform all the direct supervision services, including, for instance, using a portable (“drive-by”) electronic monitoring unit to detect whether an offender wearing a bracelet is within 300 feet of a designated location.

Table 9: Supervision Tools and Community-Based Social Services Used by Federal Probation Officers

| Tools and services | Description |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basic services | Probation officers may need to help offenders obtain services, such as welfare and food stamps, to meet basic needs. Officers also may make arrangements for emergency temporary housing and financial assistance for the purchase of necessities, such as food, clothing, medicine, and child care. In addition, referrals may be made to anger management, parenting, and money management counseling services. Also, transportation may be arranged for offenders to travel to and from treatment facilities, vocational training, or placement programs. |
| Employment assistance | Probation officers may refer offenders for testing and work skills evaluations, preemployment training, classroom training, and skill-development community service placements. Also, probation officers may make direct referrals to employment or job placement agencies. Further, medical examinations may be obtained to determine employment suitability. |
| Literacy, education, and vocational training | Literacy, GED, and vocational training programs are available, as is access to higher education institutions. According to AOUSC, stipends are available for clients attending such programs. |
| Diagnostic assessment of substance abuse | A formal substance abuse assessment may be conducted by a licensed professional. The assessment may include a comprehensive diagnostic interview and testing, followed by a prognosis report and treatment plan. |
| Detoxification services | Probation officers may request inpatient and outpatient detoxification services. Such services may include, for example, a physical examination and report; medication, such as methadone, antabuse, or trexan; laboratory work; and residential placement. |

**Appendix II: Supervision Tools and
Community-Based Social Services Used by
Federal Probation Officers**

| Tools and services | Description |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Substance abuse treatment | Educational, counseling, residential, and medical approaches to treatment are available to address substance abuse problems of varying types and seriousness. These approaches or programs include substance abuse prevention and treatment readiness groups; individual, family, and group substance abuse counseling; intensive outpatient group or individual treatment; short-term residential treatment; longer term placement in a therapeutic community setting; and methadone maintenance. |
| Drug detection | Probation officers and service providers may collect urine specimens, which are sent for analysis to a national laboratory under contract with AOUSC. On-site drug testing laboratories are utilized in some districts to analyze specimens and provide results in less than 1 hour. Hand-held, portable drug-testing devices are also used to produce results in 5 to 10 minutes. Further, in conjunction with other testing methods, a sweat patch may be used to detect the presence of drugs in perspiration. |
| Alcohol detection | Hand-held breathalyzers and saliva swabs can be used to detect alcohol use. In some districts, remote alcohol detection equipment—connected to a telephone line—is used to measure the alcohol content in a breath sample and immediately transmit the results over the telephone line. Also, some districts use a vehicle ignition lock device, which links a breathalyzer to an offender’s vehicle. The ignition cannot be started unless the offender blows into the device and registers a breath alcohol content level below a prescribed point. |
| Diagnostic assessment for mental health | Probation officers may arrange for psychological and psychiatric evaluations, which include comprehensive diagnostic interview and testing, followed by a prognosis report and a treatment plan. |
| Mental health treatment | Mental health services include individual, family, and group counseling and prescriptions for psychotropic medication. |
| Community and home confinement | A probation officer may recommend that the court require an offender to reside in a community corrections center or to remain in his or her residence for all or part of the day. Both of these options are used as alternatives to incarceration, permitting the officer to work with the offender in the community. |
| Community service | Probation officers may use a variety of civic, nonprofit, public, and private organizations to place offenders required to perform community service. Such placements are generally designed to (1) benefit the community and may also include elements that use any special skills the offender may possess, (2) enhance the offender’s awareness of the consequences of his or her actions, and (3) sharpen the offender’s employment skills. |
| Sex offender treatment | Sex offender management includes the use of polygraph examinations and penile plethysmograph testing, as well as special sex offender therapy programs. |
| Remote location verification | Continuously signaling electronic monitoring devices may be used to monitor compliance with a home confinement condition. This tool is used to detect, for example, whether an offender wearing a tamper-resistant transmitter “bracelet” is within 150 feet of a monitoring device attached to a telephone in the home. In driving by a particular location, a probation officer may use a portable (“drive-by”) electronic monitoring unit to detect whether an offender wearing a bracelet is within 300 feet of that location. An automated telephone contact system that combines caller identification and voice verification technology may be used to determine whether an offender is at a particular location. Also, according to AOUSC, global positioning systems that use the military’s satellite network are being field-tested for use in remote location verifications. |

Source: AOUSC data.

Appendix III: Pilot Reentry Projects and Legislative Proposals

This appendix discusses (1) various pilot projects that preceded and contributed to formulating the Young Offender Initiative and (2) four legislative proposals (S. 2908, H.R. 5563, S. 194, and S. 304) that address prisoner reintegration.

Pilot Projects That Preceded the Young Offender Initiative

Eight pilot reentry partnerships and nine pilot reentry courts preceded and contributed to formulation of the Young Offender Initiative. These 17 pilots, which were planned or implemented before fiscal year 2001, were initiated largely with state and local resources, with some technical assistance support from OJP. According to DOJ officials, the various pilot sites may be eligible to apply for funding under the Young Offender Initiative when the grant solicitation period becomes effective.

Eight Pilot Reentry Partnerships

In May 1999, state correctional administrators from several sites met with DOJ representatives to discuss reentry challenges and approaches. The site representatives discussed, for instance, the profiles of returning offenders in their communities, existing reentry efforts, and approaches to building collaborations to support reentry. Subsequently, according to OJP, a number of jurisdictions interested in exploring reentry management developed concept papers, and OJP offered to provide technical assistance support for eight pilot reentry partnerships (see table 10).

Table 10: Pilot Reentry Partnerships (Sites and Target Populations)

| State | Site | Target population |
|----------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Florida | Lake City (Columbia County) | Offenders returning to Columbia County. As of October 2000, 50 inmates from across the state had been selected to participate in the initial reentry partnership group. |
| Maryland | Baltimore (3 neighborhoods) | Male offenders returning to target site. |
| Massachusetts | Lowell | Offenders released upon completion of their sentences with no supervised release requirement |
| Missouri | ZIP codes with Weed and Seed ^a sites | Male and female offenders with children under 18 years of age returning to the target sites. |
| Nevada | Clark County (ZIP codes with Weed and Seed sites) | Offenders returning to the target sites. |
| South Carolina | Columbia (specific ZIP codes) | Offenders released to the target sites under supervision. |
| Vermont | Burlington (Old North End neighborhood) | Offenders furloughed to the target site. |
| Washington | Spokane (specific ZIP codes) | High-risk offenders released to the target site from one of four institutions. |

^aWeed and Seed is a community-based multiagency program to “weed out” crime from targeted neighborhoods and then “seed” the sites with a variety of programs and resources to prevent crime from recurring. See *Federal Grants: More Can Be Done to Improve Weed and Seed Program Management* (GAO/GGD-99-110, July 16, 1999).

Source: OJP.

Nine Pilot Reentry Courts

In September 1999, OJP announced a “call for concept papers” from jurisdictions “willing to test the concept of a reentry court.” According to an OJP official, this outreach effort gave applicants the flexibility to target juvenile populations, if desired. The announcement also stated that

- selected jurisdictions would be invited to participate in three technical assistance cluster meetings—with the first anticipated in February 2000—over a 15-month period to discuss issues, approaches, progress, and challenges; and
- while there is no programmatic funding available, OJP will cover travel expenses for the cluster meetings and offer technical assistance to the selected sites.

Of the 21 proposals received from jurisdictions throughout the country, OJP selected nine (see table 11). As indicated, one of the pilot reentry courts (West Virginia) was to target juvenile offenders.

Table 11: Pilot Reentry Courts (Sites and Target Populations)

| State | Site | Target population |
|---------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| California | San Francisco Sheriff’s Department | Violent felony offenders whose state sentences were suspended in lieu of county jail time and lengthy postrelease supervision. As of April 2000, the site plans to oversee 12 offenders per month. |
| Colorado | El Paso County | High- and low-level offenders with substance abuse problems and mental illness. As of April 2000, program plans called for serving 30 to 60 parolees. |
| Delaware | Delaware Superior Court, New Castle County | Offenders sentenced to community service as a condition of release. As of September 2000, 18 offenders had entered the program. |
| | Delaware Superior Court, Sussex County | Domestic violence offenders sentenced to community service as a condition of release and who are at risk of re-offending. As of September 2000, 18 offenders had begun the program. |
| Florida | Broward County, Florida Drug Court | Nonviolent third-degree felons with substance abuse problems. |
| Iowa | Department of Corrections–Des Moines | Offenders discharged from prison without community supervision. |
| | Department of Corrections–Waterloo | Offenders with dual diagnoses of substance abuse and mental illness. |
| | Department of Corrections–Cedar Rapids/Iowa City | Offenders with mental health disorders. |
| Kentucky | Louisville/Jefferson County and Lexington/Fayette County | Probationers with substance abuse problems. |
| New York | Division of Parole, Harlem | Nonviolent parolees sentenced for drug possession or sale who are Harlem residents. |
| Ohio | Richland County, Adult Probation Department | Offenders subject to postrelease control supervision or judicial release. As of April 2000, program plans called for targeting up to 90 postrelease control offenders and approximately 110 judicial release offenders returning to Richland County. |
| West Virginia | Department of Military Affairs and Public Safety, Division of Juvenile Affairs | Violent juvenile offenders who will be released in certain counties. As of September 2000, three 16-year-old offenders were enrolled. |

Source: OJP.

Evaluation of Pilot Projects

In October 2000, the National Institute of Justice (NIJ) awarded a grant to the University of Maryland's Bureau of Governmental Research to evaluate the eight pilot reentry partnerships. According to NIJ, the grantee plans to complete the evaluation and submit its evaluation report to NIJ by fall or winter 2001.

Also, at the time of our review, NIJ was still in the process of selecting a contractor to evaluate the nine pilot reentry courts. NIJ anticipated that the evaluation would start in October 2001 and last about a year.

In addition, some of the pilot reentry partnerships and pilot reentry courts have begun self-evaluation efforts. According to an OJP official, as volunteer participants, the pilot reentry partnerships and pilot reentry courts were not required to conduct self-evaluations, but OJP encouraged the pilot participants to track their progress so that mid-course corrections, if needed, could be made.

Legislative Proposals

In the 106th Congress, two bills were introduced that addressed prisoner reintegration. In July 2000, Senator Joseph Biden introduced the "Offender Reentry and Community Safety Act of 2000" (S. 2908) and in October 2000, Representative Henry Hyde introduced an identical bill (H.R. 5563) before the House of Representatives. Neither of these bills was enacted during the 106th Congress.

Also, in the 107th Congress, two bills that address prisoner reintegration were introduced. In January 2001, Senator Biden reintroduced the "Offender Reentry and Community Safety Act of 2001" (S. 194). In February 2001, Senator Orrin Hatch introduced S. 304, the "Drug Abuse Education, Prevention, and Treatment Act of 2001"; Title VI of the bill is the "Program for Successful Reentry of Criminal Offenders into Local Communities." As of May 2001, neither of these bills had been enacted.

These bills seek to address the public safety threats of offenders returning to communities by providing funding to

- establish projects in several federal judicial districts, the District of Columbia, and BOP, using new strategies and emerging technologies to help successfully reintegrate released offenders into the community;
- establish court-based programs to monitor released offenders, using court sanctions to promote positive behavior;
- establish state offender reentry projects, using government and community partnerships;

- establish intensive aftercare projects for juvenile offenders; and
- evaluate these reentry programs to determine their effectiveness.

S. 2908, H.R. 5563, and S. 194 would authorize, over 5 fiscal years (2001 through 2005), approximately \$6 million to BOP, \$18.7 million to the federal judiciary, and \$23.6 million to the Court Services and Offender Supervision Agency of the District of Columbia. Also under S. 2908 and H.R. 5563, grant funding totaling \$60 million annually for fiscal years 2001 and 2002—plus any sums necessary for fiscal years 2003 through 2005—would be available to local grantees. Under S. 194, grant funding totaling \$60 million annually for fiscal years 2002 and 2003—plus any sums necessary for fiscal years 2004 through 2006—would be available to local grantees. Under all three bills (S. 2908, H.R. 5563, and S. 194), the \$60 million would be provided to local grantees as follows: \$40 million would be used to establish adult offender state and local reentry partnerships; \$10 million would be used to establish state and local reentry courts; \$5 million would be used to establish juvenile offender state and local reentry programs; and \$5 million would be used to conduct reentry program research, development, and evaluation.

S. 304 would authorize, over 3 fiscal years (2002 through 2004), approximately \$3.4 million to BOP, \$11.2 million to the federal judiciary, and \$13.9 million to the Court Services and Offender Supervision Agency of the District of Columbia. Also under S. 304, grant funding of \$47 million for fiscal year 2002—plus any sums necessary for fiscal years 2003 and 2004—would be available to local grantees. Of this \$47 million, \$40 million would be used to establish adult offender state and local reentry partnerships; \$5 million would be used to establish juvenile offender state and local reentry programs; and \$2 million would be used to conduct reentry program research, development, and evaluation. No grant funding would be provided to establish state and local reentry courts under S. 304.

Appendix IV: GAO Contacts and Staff Acknowledgments

GAO Contacts

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Acknowledgments

In addition to the above, David P. Alexander, Ann H. Finley, Michael H. Little, Donna M. Leiss, Mary K. Muse, Ronald J. Salo, Andrea Sellers, Douglas M. Sloane, Susan Wallace, and Ellen T. Wolfe made key contributions to this report.

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