

Reconciling the Multiple Objectives of Policies for Drug Offenders: Kansas Experience with Mandatory Treatment

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BJS/JRSA National Conference
St. Louis, October 22, 2009

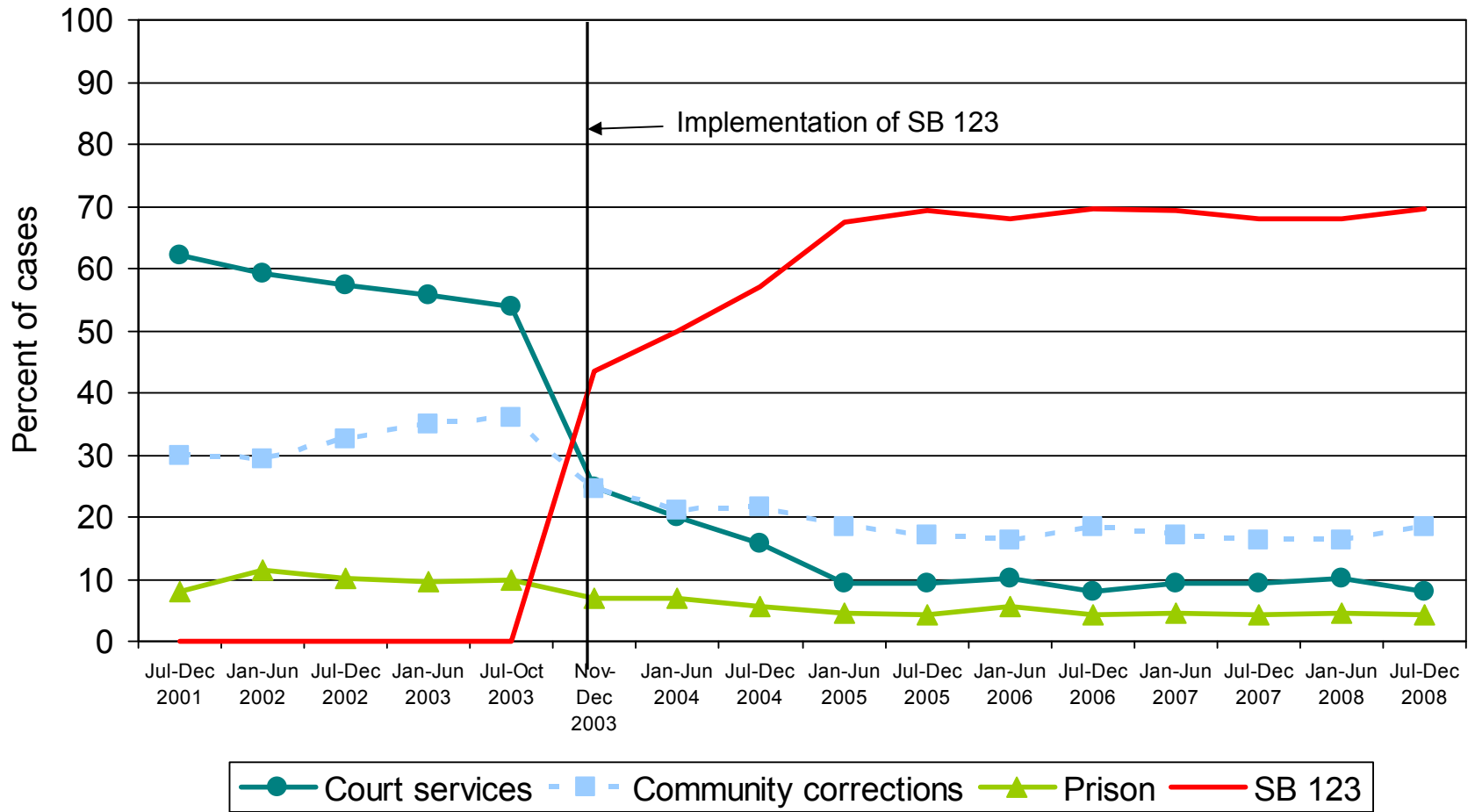
This research is funded by NIJ grant # 2006-IJ-CX-4032

Overview of Senate Bill 123

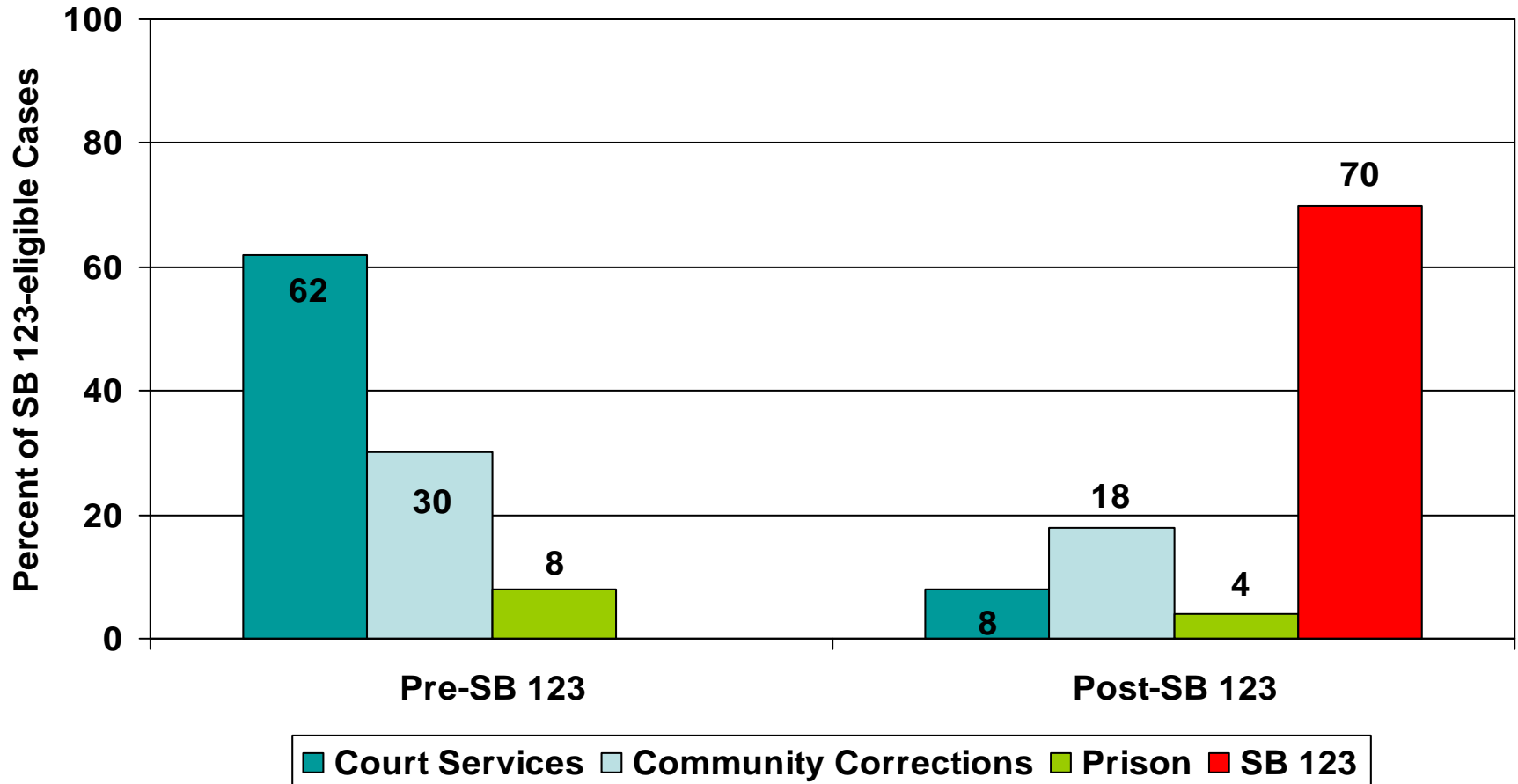
- Institutional constraints: budgets, capacity, support
- Creates a *mandatory* sentence of up to 18 months of supervision and drug treatment in the community.
- Eligibility restricted to those convicted of 1st- or 2nd- offense drug possession w/out a prior conviction for a person, drug sale, or drug manufacture offense.
- Goal: To reduce number of drug possessors going to prison
 - Focus on sentencing decisions (diversion of prison-bound offenders)
 - Attention to revocations
 - Minimize net-widening by limiting discretion
 - Accountability and treatment

Sentencing Practices

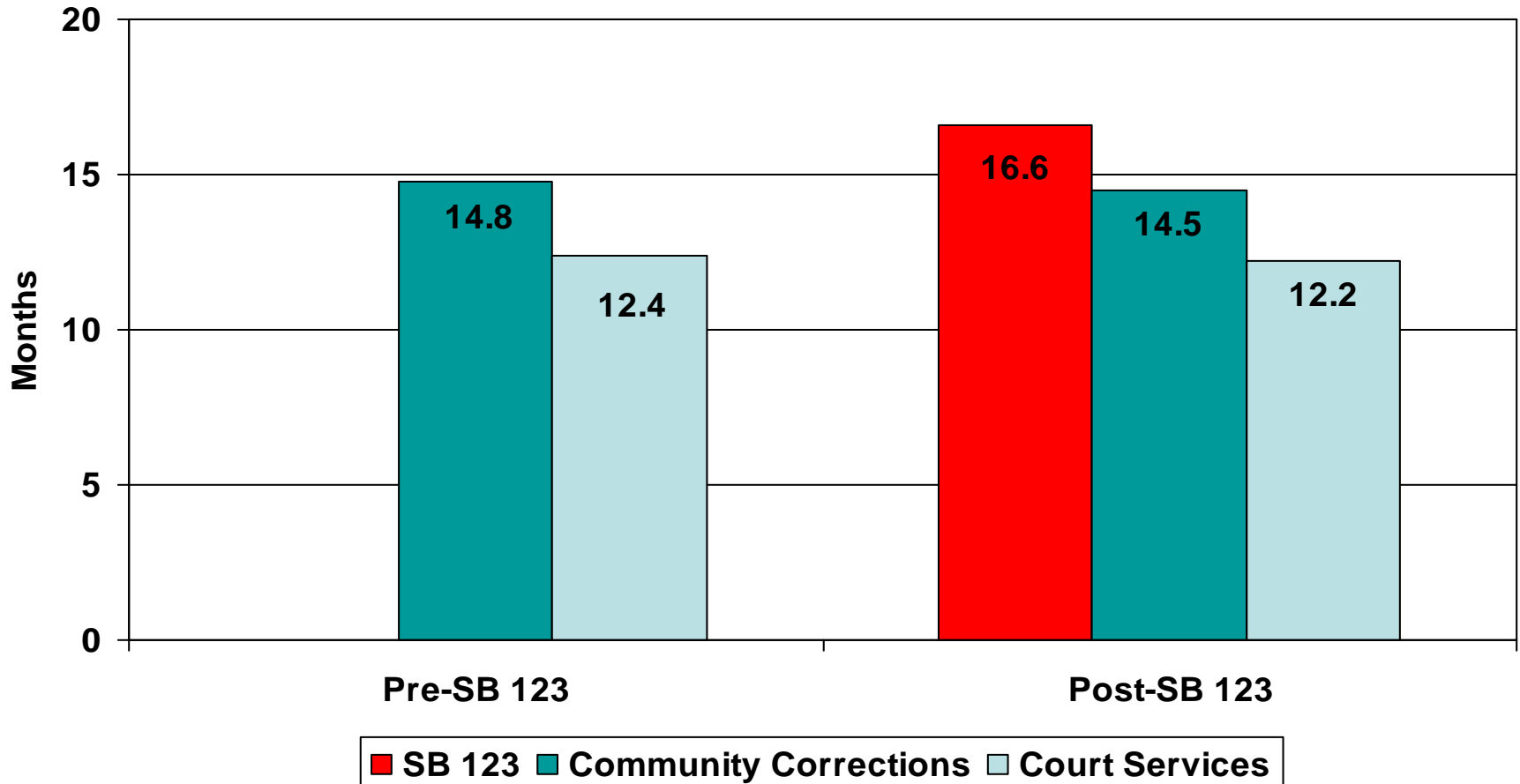
Sentences for SB 123-eligible cases, pre- and post implementation



Sentences for SB 123-eligible cases, pre- and post implementation



Mean sentence lengths for SB 123-eligible cases, pre- and post implementation



Implications I: Sentencing practices

- The number of offenders sentenced under SB 123 is growing steadily with no significant delays in processing.
- SB 123 diverted most eligible offenders to mandatory treatment and, although slight, reduced the number of drug possessors sentenced directly to prison.
- Overall, there are several persistent challenges:
 - Issues of determination of eligibility for SB 123
 - Impact of local sentencing practices (urban vs. rural)
 - Diversion from court services not from prison
 - Increase in overall sentence lengths

Offender-level impacts

Research questions

□ Does SB 123 reduce recidivism rates?

- Do SB 123 offenders perform better than drug possessors sentenced to court services, community corrections, or prison?
- What factors are associated with lower recidivism rates?
- What factors are associated with time to failure?

□ Does SB 123 impact addiction levels and other non-CJ outcomes?

- Do SB 123 offenders show greater improvement in addiction levels and other indicators of performance when compared to drug possessors sentenced to standard community corrections?
- What is the relationship between CJ and non-CJ indicators of offender performance? Do SB 123 participation matter?

Sample, outcomes, models

□ Sample: *Eligible* SB 123 offenders (convicted of 1st/2nd drug possession with criminal histories E-I).

- [SB 123 group] Offenders sentenced to SB 123
Nov '03-Nov '08 N=4,789
- [Comparison group] Offenders sentenced to Prison/C. Corr. /Court Svc
Nov'01-Nov '08 N= 3,053

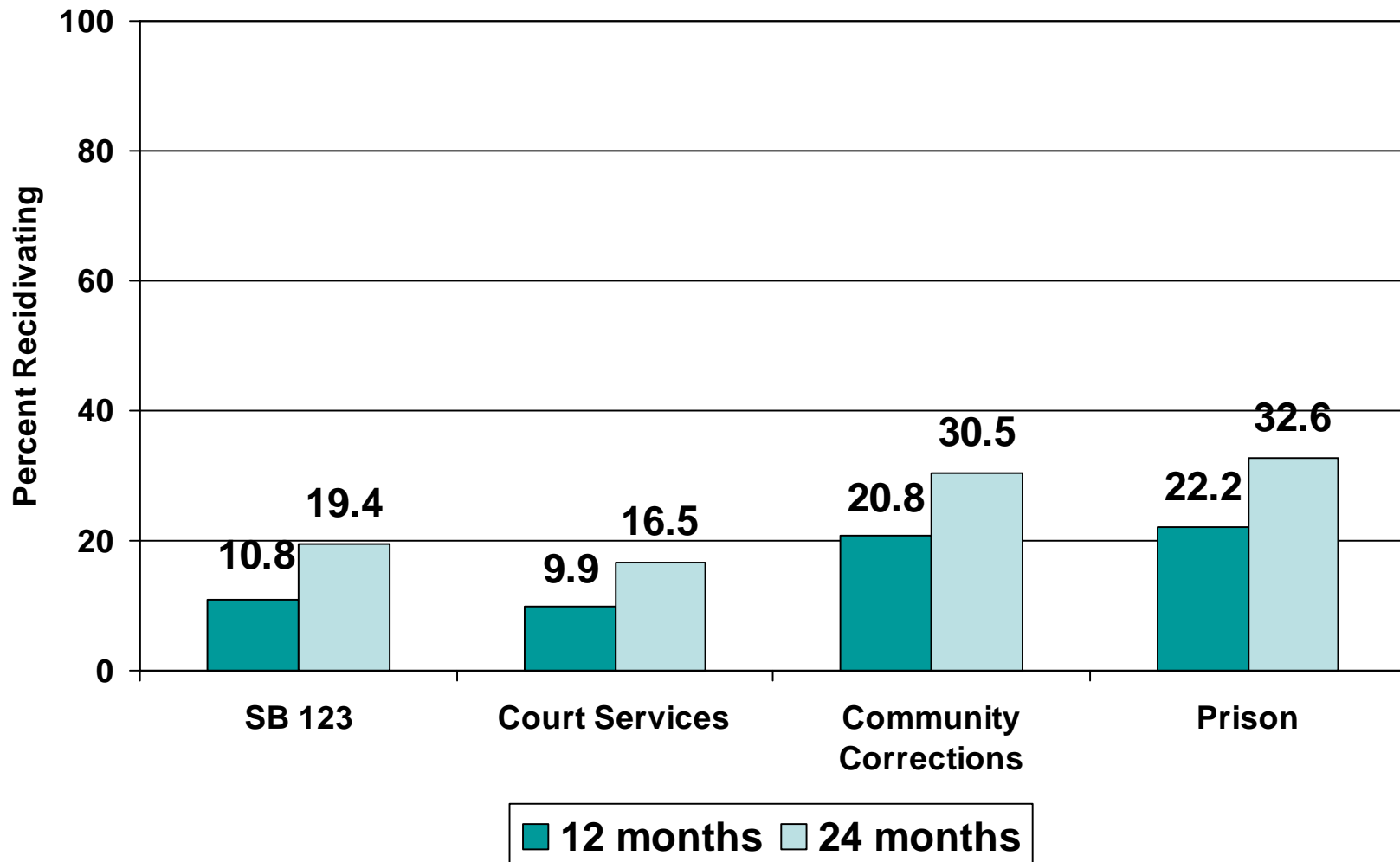
□ Outcomes

- *Recidivism*: Reconviction for a new offense, revocation from supervision (with/without incarceration). Failures at 12/24 months of “exposure in the community”.

□ Models

- *Logistic regression, Propensity Score Matching*

12- and 24-Month recidivism rates



Covariates of recidivism

- Predictors for all failures at 12 and 24-month follow-up
 - Race (Non-White)
 - Age (Younger)
 - Criminal History (More serious)
 - County (Urban)
- Ethnicity – Non-Hispanic offenders are more likely to be revoked than Hispanic offenders.
- Gender – Male offenders are more likely to be reconvicted BUT female offenders are more likely to be revoked.
- Second SB 123 Cohort performs better than first cohort (+ Nov '05).

Using propensity scores

	SB 123	Court Services	Community Corrections	Prison
% White	81.2%	81.6%	76.9%	71.5%
% Hispanic	9.6%	17.6%	10.6%	9.6%
% Male	69.0%	73.8%	76.1%	81.4%
% Age > 36	34.3%	34.6%	41.1%	53.8%
% Crim His G-I	83.3%	92.5%	68.5%	66.6%
% Urban	62.6%	53.5%	53.6%	47.8%

Findings using matched samples:

- SB 123 increases the likelihood of recidivism at 12 and 24 months relative to court services.
- SB 123 has no impact on recidivism relative to community corrections.

Impact of SB 123 at 24-month follow-up

Sample	N	Recidiv. Rate (Treatment)	Recidiv. Rate (Comparison)	Difference	T
		SB 123	Court Services		
Unmatched	2,896/682	.227	.160	.677	3.88**
Matched	668/682	.215	.215	.053	1.96*
		SB 123	C. Corrections		
Unmatched	2,896/940	.227	.296	-.069	-4.30**
Matched	891/940	.259	.288	.029	-1.33

* p<.05 ** p<.01 *** p<.001 (two-tailed tests)

Note: Bootstrapped standard errors (100 replications). Matching based on nearest neighbor without replacement (caliper=.005, restricted to regions of common support).

System-level outcomes

Calculating system impacts

□ Impact of SB 123 on prison population

- Diversion of drug possessors sentenced to prison directly from court.
- Revocations leading to incarceration for all diverted drug possessors
- Key variables: Number of sentences, Time served

□ Cost avoidance

- Community-based supervision & treatment vs. prison
- Other (more general) costs (law enforcement for ex.)

Diversions from prison (preliminary)

- SB 123 has effectively saved prison beds through a reduction in the number of drug possessors sentenced to prison directly from court.
 - SB 123 averted an estimated 463 sentences to prison for drug possessors between 2003-2008 (926 prison beds)
 - However, SB 123 also diverted about 3,500+ from court services (now with longer sentences but enhanced access to treatment)

- SB 123 has also saved prison beds through a reduction in the number of drug possessors revoked and sent to prison.
 - SB 123 averted an estimated 35 new admissions (43 prison beds) resulting from revocations 2003-2008.
 - Through 2008, revocations down for all groups, but same relative change.
 - Why such reduced benefit? *Front-end netwidening*

Conclusion: Offender and System impacts

- SB 123 *increased* recidivism relative to Court Services, had *no impact* relative to Community Corrections, and *decreased* recidivism relative to prison.
- Significant net-widening from Court Services to SB 123
- Overall, SB 123 resulted in 498 fewer admissions (971 prison beds) during the first 5 years of implementation. Only 7% of these averted admissions come from lower revocations.
- Next steps:
 - Prison admissions linked to reconvictions not estimated in the models.
 - Calculate cost avoidance (Treatment through 2008 \$30 M).