

Background Paper 87-6

SENTENCING REFORM  
AND  
ALTERNATIVES TO INCARCERATION



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I

INTRODUCTION

According to the United States Department of Justice, more than 1 percent of the U.S. population is under some form of correctional supervision (jail, parole, prison or probation). Based on current incarceration rates, 3 to 5 percent of the males born in the United States today are likely to serve a sentence in an adult state prison sometime in their lives. (U.S. Department of Justice, Crime and Justice Facts, 1985, page 25)

An increase of more than 39,000 during 1985 brought the number of inmates in federal and state prisons to more than half a million, an all-time record. The prison population has now grown for 11 consecutive years. (U.S. Department of Justice, "Prisoners in 1985," page 1)

Overall, state prisons in the United States are estimated to be operating at approximately 110 percent of capacity. States have employed many methods to alleviate crowding. Construction of permanent and temporary facilities, backups in local jails, double-bunking, intensive community supervision programs, early paroles, and sentence rollbacks have all been used to make room for new inmates.

Nevada has the highest incarceration rate in the Nation-- 448 inmates per 100,000 people in 1986. California ranks 21st with 198 inmates per 100,000 population. ("Ranking the States," page 10)

Nevada's prison population is now over 4,500. As recent as 1981, the prison population was less than 2,000. By 1990, the prison population is projected to approach 6,000. Unless something is done to reverse this trend, the State of Nevada and its taxpayers will have to spend millions of dollars for new prison construction or come up with less expensive alternatives to incarceration.

On March 26, 1987, a special committee on corrections was appointed by Assemblyman Joseph E. Dini, Jr., speaker of the Nevada assembly, to study alternate sentencing. The members of the committee include Assemblyman Robert M. Sader, chairman of the assembly committee on judiciary; Assemblyman Marvin M. Sedway, chairman of the assembly committee on ways and means; and Assemblymen Matthew Q. Callister, David E. Humke, James J. Spinello and Bob Thomas.

Assemblyman Sader, chairman of the special committee, requested the research division of the legislative counsel bureau to prepare a report regarding alternatives to incarceration and sentencing. This background paper, which is written in response to Mr. Sader's request, presents the following information:

- A review of the recommendations for alternatives to sentencing and incarceration which have been made by legislative study committees since 1980;
- A discussion regarding alternative programs for alcohol and drug offenders;
- A description of alternative forms of treatment for sex offenders;
- An analysis of "boot camp" incarceration as an alternative to traditional prison incarceration;
- A presentation of the proposal to authorize the use of house arrest as an alternative form of incarceration;
- A section which lists other possible alternatives for legislative consideration; and
- A summary of the major alternatives to sentencing and incarceration.

## II

### RECOMMENDATIONS FROM LEGISLATIVE STUDIES

Prison overcrowding, alternatives to incarceration and sentencing reform are subjects which various committees and subcommittees of the Nevada legislature have investigated throughout the 1980's.

## A. NEVADA PRISON SYSTEM STUDY

Legislative Counsel Bureau Bulletin No. 81-4, "Nevada Prison System," was published in October 1980. This study includes a discussion of alternatives to incarceration and recommendations pertaining to multipurpose supervision centers, expansions of the 120-day evaluation program and the honor camp program, and continuation of the restitution program.

Assembly Concurrent Resolution No. 41 of 1979 (File No. 129) directed the legislative commission to study the Nevada prison system and alternatives to incarceration. The subcommittee appointed by the legislative commission presented the following findings and recommendations for alternatives to incarceration:

1. The subcommittee recommended that two multipurpose centers, one in Washoe County and one in Clark County, Nevada, be established on a trial basis under the administrative supervision of the department of parole and probation. The centers would be used to provide structured supervision to adult offenders who have not previously served time in any state prison institution. Two types of offenders would be housed in the centers: (a) convicted offenders could be assigned to the centers as a condition of probation if the department of parole and probation's presentencing investigative report recommended such an assignment--which could include, especially in the case of a property offender, restitution to the victim of the offender's criminal activities; and (b) convicted offenders who have violated the conditions of their probation could be assigned to the center for a period of time for both structured supervision and punishment purposes.
2. In 1979, the legislature enacted Senate Bill 575 (chapter 571) which provided for the commitment of certain convicted felons to the department of prisons for a period not exceeding 120 days for evaluation purposes prior to sentencing. In order to be eligible for this program, the convicted felon must have "never been held in any detention facility for more than 30 consecutive days." The department of prisons told the subcommittee that as of April 1979, 11 individuals had been sentenced to the department under the 120-day program for evaluation purposes; and other testimony indicated that the law possibly excluded individuals from the program who had been unable to post bail and had been held in a county jail for more than 120 days while awaiting and during trial.

The subcommittee recommended that chapter 571, 1979 legislature, be amended to provide eligibility for the 120-day evaluation program for any convicted felon who has not been sentenced to a detention facility for more than 6 months.

3. The department of prisons operates honor camp and restitution programs that allow inmates to live and work away from the more structured, institutional prison environment. The honor camp program was reestablished by the legislature in 1977 through the appropriation of funds to establish a 36-inmate camp or prison farm adjacent to the northern Nevada correctional center. In reestablishing the camps, which had been closed in the late 1960's, the legislature detailed a number of qualifications that must be met before an inmate could be assigned to a camp. These qualifications included the provision that an inmate would not be eligible for assignment to a camp if the inmate had "committed an assault on any person."

In 1979, the legislature expanded the honor camp program by appropriating funds to expand the northern camp to 100 inmates and to start a 36-inmate camp in southern Nevada (Lincoln County). The 1979 legislature also provided for two restitution centers, one in Washoe County and one in Clark County, with a capacity of between 30 and 40 inmates each.

These two programs provide the department of prisons additional flexibility in placing and programming inmates and provide additional bed capacity at considerably less cost, both capital and operating, than the traditional prison setting. Operationally, the two programs run about one-third to one-half of the average per inmate costs experienced in the system's four institutions. Also, both programs have the additional advantage of having inmates help participate in the cost of their maintenance and supervision through a system of charges to program participants.

The subcommittee recommended that the statutory provision prohibiting the department of prisons from assigning inmates who have committed an assault to forestry honor camps be repealed. The department had no such statutory requirements in its other programs--i.e., restitution centers and work-living programs--and was able to assign inmates based on its own classification findings. Assignment to the honor camp program should also result from the internal classification decisions of the department of prisons.



The subcommittee also recommended that the restitution program established by the 1979 legislature be continued and that provision be made to permit an inmate to initiate the restitution process by volunteering to make restitution to the crime victim.

(Legislative Counsel Bureau Bulletin No. 81-4, pages 38 through 43)

#### B. PRISON MASTER PLAN STUDY

Legislative Counsel Bureau Bulletin No. 83-3, "Prison Master Plan," was published in November 1982 and includes an extensive section on evaluation of alternatives to incarceration. The evaluations pertain to ongoing alternative programs in Nevada which include the 120-day evaluation program, honor camps, parole and probation programs, residential centers and restitution centers.

Senate Concurrent Resolution No. 56 of 1981 (File No. 198) directed the legislative commission to conduct an interim study toward the development of a master plan for the Nevada prison system and, among other things, report on the successes of alternatives to incarceration as used in this state. The study report's section on evaluating alternatives begins with the following statement:

There are three programs that offer true alternatives to incarceration in the State of Nevada: probation, residential centers for convicted offenders operated by the department of parole and probation (i.e., halfway house), and parole. The state also operates a program that provides for preliminary evaluation of convicted offenders (120-day program) as well as two "traditional programs" (honor camps and restitution centers), that are under the control of the department of prisons.  
(Legislative Counsel Bureau Bulletin No. 83-3, page 64)

The legislative commission's subcommittee on the prison master plan recommended:

- Expansion of the use of probation as an alternative to probation.
- Continuation of the department of parole and probation's residential center program.

- Expansion of the department of prisons' honor camp program.
- Expansion of the state's restitution program to allow more inmates to participate in the program and to serve as a "halfway out" program for parolees in danger of revocation. (Nevada Revised Statutes [NRS] 209.4827)
- Adoption of objective parole guidelines for use by the state board of parole commissioners.
- Removal of the parole board from approving or denying work release candidates and placing the work release program under the jurisdiction of the department of prisons. (NRS 213.300)

### C. STUDY OF PAROLE FUNCTION

Legislative Counsel Bureau Bulletin No. 85-14, "The Function Of Parole In The Criminal Justice System," was published in September 1984. This study includes a discussion of alternatives to Nevada's sentencing and parole system.

Senate Bill 375 of 1983 (chapter 572) created a legislative committee to study the function of parole in the system of criminal justice. The committee made the following recommendations:

#### 1. Sentencing Guidelines

Creating a 13-member commission appointed by the governor to develop statewide sentencing guidelines.

Providing a presumptive fixed sentence with only good time credit earned reducing the term of imprisonment.

Determining which felony offenders should be incarcerated and those who should be placed on probation, provide restitution, fined or punished by some other alternative sentence.

Allowing judges to depart from guidelines for compelling reasons.

Developing sentence ranges without consideration to the impact on the prison population unless it is determined that the guidelines will exceed prison population projections.

## Minnesota's Sentencing Guidelines--

The parole study committee reviewed the sentencing guidelines developed by the states of Minnesota and Washington and was particularly interested in the Minnesota model which was designed to control prison population and reduce sentencing disparity. Minnesota's sentencing guidelines determine punishment on a grid based on two factors: (1) the severity of the offense; and (2) the offender's prior criminal history. (Legislative Counsel Bureau Bulletin No. 85-14, page 130)

A copy of the Minnesota sentencing guidelines grid is included as Appendix A.

### 2. Parole Guidelines

Creating a five-member committee appointed by the governor to develop formal parole guidelines.

Allowing the parole board to make release decisions outside the guidelines.

Providing that guidelines apply to existing prison populations and that violent inmates and career criminals should serve longer terms than the nonviolent, nonhabitual offender.

Examining the possibility of including the setting of an early presumptive parole date for inmates.

Discontinuing parole guidelines for inmates sentenced under sentencing guidelines.

### 3. Revisions in Good Time Credits

Providing additional days of good time credit per month for good behavior, participation in work or educational related programs inside and outside the prison, and for meritorious or exemplary service. (NRS 209.446)

Directing the board of prison commissioners to adopt regulations concerning the earning, forfeiture and restoration of good time credit.

Removing the parole board from the formal process of revoking good time credits except at a parole revocation hearing.

4. Expansion of Honor Camp Program

5. Expansion of Parole Board

Expansion from three to five members and basing the two new members in southern Nevada.

D. FELONY SENTENCING COMMISSION'S REPORT

The most recent information concerning alternatives to incarceration in Nevada and other options is provided in the report of the commission to establish suggested sentences for felonies entitled "Sentencing Felons In Nevada" and dated December 1986. This commission and its report were mandated by the 1985 session of the Nevada legislature.

Senate Bill 70 (chapter 617, Statutes of Nevada, 1985) created the commission for establishing suggested sentences for felonies. This 13-member commission, appointed by the governor, worked closely with the department of prisons and the department of parole and probation in collecting and analyzing data relative to sentencing in this state. Based on the information received, the commission was to establish a range of suggested sentences for felonies and a system for determining which range of punishment applies to particular offenders. In December 1986, the commission completed its report for submission to the 64th session of the legislature, the supreme court, district courts and the governor.

Among the commission's conclusions are the following:

- Serious and repetitive offenses should be severely punished; isolated and less serious offenses should be punished less severely; and, severity of punishment should be relatively uninfluenced by other factors.
- Alternatives to incarceration should be carefully studied in order to find means for punishment and deterrence which do not require expensive, burdensome and largely unproductive and unnecessary incarceration. Sentencing courts in Nevada do not have enough options. Usually the choices are either probation or prison. The courts should also have opportunities to consider alcohol and drug rehabilitation centers, community service, youth centers, restitution and low-security work camps, among others. (Commission to Establish Suggested Sentences for Felonies, page 7)

The commission's recommendations are as follows:

1. Probation Revocations

The commission recommended that the statutes be amended to allow the sentencing judge to retain jurisdiction over a probation case so that at the time of revocation the court may modify the previously suspended prison sentence consistent with the circumstances involved in the revocation proceedings. The commission believes that all such modifications would necessarily have to act to reduce the previously suspended incarceration term.

2. Consecutive Sentences

The commission recommended that the statutes be amended to make the setting of sentences as concurrent or consecutive a discretionary function of the court when felony probationers commit an additional felony while under probation supervision.

3. Mandatory Sentences

The commission recommended that the mandatory imposition of prison and/or fine should be eliminated. The discretion should be left to the judge who has the benefit of all the information available in each case as to whether prison, and not some other alternative and/or a fine should be imposed.

4. Pre-Sentence Reports

A pre-sentence report by the department of parole and probation is currently provided for each defendant who pleads guilty or nolo contendere or is found guilty of a felony. The statute also allows the defendant, with the consent of the court, to waive the pre-sentence investigation and report. This is an extremely important document which is utilized by the department of prisons as well as the judge when a prison sentence is imposed. The commission recommended that the waiver of a report should not be permitted in felony cases unless there is already one prepared, whether for the sentence imposed or a previous sentence, which is under 5 years old.

5. Monetary Distinction Between Misdemeanor and Felony in Property Crimes

Within the list of most crimes against property in the Nevada Revised Statutes, the monetary distinction between a misdemeanor and a felony is \$100. If the value of the property is under \$100, the crime is a misdemeanor; if it is \$100 or above, the crime is a felony. The commission recommended that this disparity be corrected and that a more realistic distinction between misdemeanors and felonies in property crimes be set at \$500.

6. Further Study

The commission recommended that the entire system of treatment and punishment of persons convicted of crimes should be thoroughly examined.

III

ALTERNATIVES FOR ALCOHOL AND DRUG OFFENDERS

A. ALTERNATIVES TO INCARCERATION FOR CONVICTED DUI OFFENDERS

There are 10 states (Alaska, Arizona, Louisiana, Maine, Nevada, Pennsylvania, Tennessee, Washington, Virginia and Wyoming) which require jail or prison time for the first conviction of DUI. States all over the Nation are raising their drinking age and strengthening their penalties. This only compounds overcrowding in the prison system.

There are presently eight states which require community service for the first DUI conviction. Three of these states--Hawaii, Louisiana and Utah--allow community service time in lieu of jail time.

A second option which is gaining popularity is "house arrest." Florida law enforcement agencies use "house arrest" primarily for repeat traffic or first time DUI offenders. The arrest period is 60 days on the average.

B. TREATMENT PROGRAMS FOR DRUNK DRIVERS

There is some debate over whether it is more beneficial for the offender and for society to treat rather than punish the chronic DUI offender.

According to the National Association of State Alcohol and Drug Abuse Directors, almost every state subcontracts the provision of alcohol and drug abuse services to privately owned, nonprofit treatment facilities. Approximately 26 states have adopted laws on alcohol treatment, but most states retain the traditional DUI penalties.

In Louisiana, the state owns and operates 22 outpatient and 10 outreach clinics which provide assessment and referral services to persons with alcohol and drug abuse problems.

#### 1. Arizona's Separate Facilities Approach

Under Arizona Revised Statutes (ARS) 28-692.01 (F), a person who is convicted of a third or subsequent DUI violation within a period of 5 years is guilty of a class 5 felony and must serve not less than 6 months in prison. If the court determines that the person is a habitual abuser of alcohol or drugs, the court must require the person to obtain treatment under its supervision.

Arizona presently has two minimum security correctional facilities for these felony DUI offenders. The Aspen facility, located near Phoenix, Arizona, was opened in September 1983. The second facility opened in 1986 in the city of Douglas which is in the extreme southeastern corner of the state.

The Douglas facility consists of an old motel which was converted for use as a DUI correctional prison. The Arizona Legislature appropriated \$1.4 million to purchase and convert this facility. There has also been a proposal for an additional 100-bed facility in Tucson, Arizona.

The legislative philosophy behind this approach is essentially punitive. State law in Arizona authorizes the director of the Department of Corrections to enter into cooperative agreements for the use of inmate labor on public works projects. These work programs generally include labor intensive positions such as parks and recreation projects, cleaning drainage and flood control ditches, providing labor for the surplus state property operation, and working in motor pools.

Alcohol and drug abuse rehabilitation programs are conducted at these DUI facilities during the evening hours. The state pays \$45,000 annually, at a rate of \$30 per hour, for a contract to provide rehabilitation programs, such as Alcoholics Anonymous, stress management and group counseling, at the Aspen facility.

## 2. Nevada's Approach to DUI Convictions

In 1983, Nevada's DUI laws were revised to include much stiffer penalties.

Currently, state prison sentences are given to offenders of DUI upon conviction of a third or subsequent offense within 7 years and for a DUI offense which results in a death or substantial bodily harm to another person.

The following penalties are provided for DUI in NRS 484.3792:

First offense* (within 7 years)	Misdemeanor. Two days to 6 months in jail or 48 hours of community work; a fine between \$200 and \$1,000; and payment of tuition for and completion of educational course on drug abuse.
Second offense* (within 7 years)	Misdemeanor. Ten days to 6 months in jail; and a fine between \$500 and \$1,000.
Third or subsequent offense (within 7 years)	One to 6 years in state prison; and a fine between \$2,000 and \$5,000.

Statistics on the number of DUI offenses available from the department of motor vehicles and public safety are limited to the years 1984 through 1986. These figures indicate that there has been a 12.1 percent increase in the number of DUI arrests in Nevada. The data also shows that more than half of the DUI arrests result in court conviction.

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\*The punishment for a first or second offense DUI may be reduced under NRS 484.3794 if the offender undergoes a program of treatment for alcoholism or drug abuse for at least a year. Although this is an option, the state does not provide the treatment.



NUMBER OF DRIVING UNDER THE INFLUENCE OFFENDERS  
COMMITTED TO NEVADA'S DEPARTMENT OF PRISONS  
1982 THROUGH 1987

<u>Year</u>	<u>No. of New</u> <u>Commitments</u>	<u>% Change</u> <u>From Previous Year</u>
1982	28	-
1983	43	53.6
1984	97	125.6
1985	133	37.1
1986	155	16.5
1987 (through March 30)	31	-

Source: Statistics office in Nevada's department of prisons and calculations by the research division of the legislative counsel bureau.

The table above shows the number of new DUI offenders committed to Nevada's department of prisons since 1982. These offenders were committed for third or subsequent and felony DUI convictions. According to the department of prisons, DUI punishments generally have ranged between 1 and 4 years in the state prison with most offenders getting a 1 year sentence.

Most DUI offenders serve their sentences in honor camps and restitution centers. No cost figures are available for DUI convictions. However, the average annual cost per inmate in fiscal year 1986 for minimum security custody was \$5,172.

The table shows that the number of new commitments for DUI increased significantly but the rate of increase declined in 1986. As of March 30, 1987, the department of prisons had 162 inmates in its custody as a result of DUI offenses.

IV

ALTERNATIVES FOR SEX OFFENDERS

A. SEX OFFENDER STATISTICS

The National Institute of Corrections (NIC) indicates that presently 20 to 25 percent of all prison inmates in the United States have been involved in some sex offense.

The NIC projects that this percentage will increase significantly because sentences for sex offenders are becoming more lengthy. According to NIC, a state's legislature or courts could double the size of its prison population by toughening sex offender laws or imposing stiffer sentences.

There is an ongoing debate between corrections professionals and psychologists as to the proper approach to the punishment or treatment of the sex offender. Seven states (Georgia, Kentucky, Missouri, New Jersey, North Carolina, Oregon and Washington) require counseling and treatment for convicted sex offenders.

#### B. PUNISHMENT OF SEX OFFENDERS IN NEVADA

Under the provisions of NRS 200.375, any person convicted of sexual assault is not eligible for parole unless a board consisting of:

1. The administrator of the mental hygiene and mental retardation division of the department of human resources;
2. The director of the department of prisons; and
3. A physician authorized to practice medicine in Nevada who is also a qualified psychiatrist

certifies that the convicted person has been under observation and is not a menace to society.

In addition, convicted sex offenders must register with the local law enforcement agency in their resident county. Sex offenders must notify the law enforcement agency of any address change.

There are no treatment programs available for convicted sex offenders. However, Nevada does have an interstate compact with California and Oregon allowing for the transfer of inmates from the Nevada state prison to a treatment facility in either state. The compact has not been effective due to overcrowding in the California prison system. The only way to transfer an inmate for treatment is to accept a California inmate in return. According to Nevada's department of prisons, there have been no transfers to either state in the last year.

### C. METHODS OF TREATMENT FOR SEX OFFENDERS

As an alternative to incarceration, many states have developed treatment programs either within the prison or in conjunction with their state hospitals.

Approximately 90 percent of the institutions which treat sex offenders use both group and individual treatment plans. (Halleck, page 149) The most common form of treatment is the use of psychotropic (mind altering) medication, including the use of antiandrogen, antianxiety and antidepressant drugs. (Halleck, pages 152 through 153) Sixty-one percent of the sex offenders under treatment receive medication. The primary function of these drugs is to decrease the sex drive and make the offender more amenable to counseling. Eleven percent of the programs use psychoanalysis or psychotherapy. (Halleck, page 149)

Behavior modification is widely used in sex offender treatment programs. Some forms of behavior modification include:

1. Helping the sex offender to develop social skills;
2. Using covert sensitization where offenders are taught to pair an unpleasant thought with a fantasy of their preferred deviant sexual activity; and
3. Encouraging offenders to fantasize toward appropriate activities or appropriate objects. The technical term for this activity is "shaping" and it is intended to redirect the sexual preferences of the offender toward mature rather than immature partners. (Halleck, page 160)

In addition to these techniques, many programs use the penile plethysmograph to measure a male sex offender's erectile response to a variety of stimuli. This approach enables the psychiatrist to understand the motivations of the offender and develop an appropriate treatment program. (Halleck, page 161)

### D. THE SEX OFFENDER UNIT CORRECTIONAL TREATMENT PROGRAM AT THE OREGON STATE HOSPITAL

The Sex Offender Unit (SOU) at the Oregon State Hospital (OSH) is modeled after the Sex Offender Program at Western State Hospital in Fort Steilacoom, Washington, established in 1966.

The Oregon program is considered to be the best and most progressive program for the treatment of sex offenders in the Nation. The unit is in the OSH, however, the hospital has a treatment program available to inmates who did not qualify for the SOU. Oregon's program was created in 1978, and the unit houses 33 sex offenders at a time. Sex offenders who are serving the last few years of their sentence at the Oregon State Penitentiary and the Oregon State Correctional Institution are eligible. (Knopp, page 188)

Since 1979, the SOU has graduated 20 sex offenders into the aftercare phase of the program. Two of the 20 committed thefts and were returned to prison. Part of the aftercare program requires the offender to live and work within 25 miles of the OSH.

In addition to the SOU, the OSH has a Social Skills Unit (SSU) which developed a program geared toward lower functioning sex offenders. These offenders have a history of institutionalization and were abused as children (60 percent). (Knopp, page 188) The program is somewhat experimental, but the six offenders which have completed the SSU program have not returned to prison. (Knopp, page 203)

The program lasts approximately 24 to 30 months. Prior to enrollment into the program, the offender must pass a 60-day evaluation period during which the SOU staff evaluate his chances for treatment. The program is followed by an "after-care" period involving a 3- to 6-month community release during which the offender must find a job, and 18 months of intensive outpatient treatment. During the aftercare period, all aspects of the offender's life are closely monitored by a specially trained parole officer. Since Oregon has a determined sentence structure, an offender's sentence is not shortened by his participation in the program. (Knopp, page 209)

The SOU uses all methodologies listed earlier, with an emphasis on group therapy. As a last resort effort, the SOU staff may use depro-provera (an antiandrogen drug) and the penile plethysmograph.

## "BOOT CAMP" INCARCERATION

"Boot camp" incarceration generally refers to an intense 3- to 4-month regimented program designed primarily for certain first time, nonviolent youthful offenders to provide an alternative to a traditional correctional setting.

The objectives of "boot camp" incarceration programs include instilling discipline, enhancing confidence and self-esteem, promoting alternatives to criminal behavior, and diverting certain offenders to discourage them from returning to the criminal justice system. These programs generally emphasize discipline, physical training, hard labor, structured activities such as marching drills, limited free time, and educational sessions or classes.

### A. STATE PROGRAMS

At least four states--Georgia, Louisiana, Mississippi and Oklahoma--have implemented "boot camp" incarceration.

The program in Georgia was established in December 1983 as the Special Alternative Incarceration Program (SAIP). The SAIP is authorized under section 27-2709.1 of the Code of Georgia Annotated. An initial evaluation based on 1984 data for the program in Georgia was completed in March 1986. (Flowers)

Louisiana's program began in January 1987 and is known as the Intensive Motivational Program of Alternative Correctional Treatment, or the IMPACT Program. Louisiana's Department of Corrections has developed an excellent document which provides an overview of the objectives, policies, procedures, programs and standards involved in the IMPACT Program.

The Regimented Inmate Discipline (RID) Program in Mississippi began in April 1985 and appears to be one of the most publicized "boot camp" incarceration programs. The director of Mississippi's RID Program--Dr. Nanolla Yazdani--is a correctional psychologist who emphasizes psycho-correctional training in his program to help offenders adjust their thinking and behavior. Preliminary data from this program indicates a recidivism rate of about 3 percent compared to an approximate 50 percent rate for the general prison population nationwide.

Oklahoma's Regimented Inmate Discipline (R.I.D.) Program is a part of the Specialized Offender Accountability Program (S.O.A.P.). The S.O.A.P. was devised in November 1983 in response to legislation enacted in April 1983 by the Oklahoma Legislature. The basic purpose of S.O.A.P. is to develop plans to ensure an appropriate degree of accountability for the behavior of each eligible offender. Offenders begin their participation in this program through commitment to the R.I.D. Program.

## B. PROGRAM RESULTS

Corrections officials in the states with "boot camp" incarceration are positive about the operation, results and success of the programs on youthful, first time, nonviolent offenders. According to Dr. Yazdani, at least 22 other states--including California, Delaware, Florida, Michigan, New York, Oregon, Texas and Wyoming--are looking at the possibility of establishing similar programs. Due to the shorter sentences and other savings, the annual costs for the "boot camp" incarceration programs in these states range from about one-fourth to a little more than one-third of the annual cost for the general prison population.

Upon completion of the "boot camp" incarceration program, offenders may be released, given probation, placed on parole with intensive supervision, assigned to house arrest or work release programs, given a reduced sentence, or incarcerated if unsuccessful. The options vary among the states depending upon the criteria for the program.

# VI

## HOME INCARCERATION/ELECTRONIC MONITORING

### A. DESCRIPTION AND USE

Home incarceration provides another option for the "marginal offender" who would otherwise be incarcerated. The offender is sentenced to confinement in his or her own home and is not allowed to leave the confines of the home except for employment and emergencies. Supervision levels range from normal probation to intensive probation.

This concept is an innovative offshoot of intensive supervision and can be used in conjunction with restitution programs and work furlough. While the military has used "house arrest" for a number of years, the concept is

relatively new in the traditional correctional setting. As an alternative form of incarceration, it increases the sanctions presently available to the court and provides intermediate disposition between straight probation and prison, as well as providing another option for supervision following early release from prison.

Basically, home incarceration further restricts the conditions of intensive supervision by requiring that the probationer not leave the confines of his or her home without authorization.

Electronic monitoring devices were initially used for home incarceration in 1983 in an experimental program developed by a New Mexico district judge. The idea was derived from a "Spiderman" comic strip that featured the use of an electronic bracelet. The concept has begun to pique the interest of criminal justice officials nationwide who are looking for a viable solution to overcrowded prisons. There are at least 20 jurisdictions using electronic monitoring devices to provide "supervision" of the homebound offender. These jurisdictions include state or local programs in Arizona, California, Colorado, Delaware, Florida, Illinois, Indiana, Kentucky, Michigan, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Texas, Utah and Virginia.

There are several types of electronic devices used for verification of compliance with the conditions of home incarceration (see Appendix B--U.S. Department of Justice publication entitled "Electronic Monitoring Equipment"). Manufacturers and monitoring officials report a substantial savings over the costs of incarceration. In addition to less costly supervision, home incarceration allows the offender to continue working so that he may provide for his family (saving further costs to the state such as aid to dependent children and medicaid benefits), make restitution to his victim, pay taxes, and contribute to the local economy.

## B. BACKGROUND MATERIALS

The following materials are available to provide a more indepth background on the history and use of home incarceration and electronic monitoring:

- California Senate Bill 2469 (chapter 1500, Statutes of 1985) which establishes a home detention pilot program in two California counties;

- Kentucky Revised Statutes 532.200, et seq. (Enact. Acts 1986, chapter 243) which authorizes local jurisdictions to place certain persons on home incarceration;
- California Senate Bill 1658, introduced during the 1984 legislative session. Senate Bill 1658 died in the Assembly Committee on Criminal Law and Public Safety;
- Arkansas House Bill 1545 which has passed both houses and is awaiting the governor's signature (the bill was amended to limit the plan to a 2 year pilot program);
- Florida Statutes 948.001, et seq., which authorizes home detention as part of Florida's community control program;
- An Innovations report from The Council of State Governments entitled "House Arrest: Florida's Community Control Program";
- A United States Department of Justice press release dated February 1, 1986, regarding the use of electronic monitoring devices;
- A U.S. Department of Justice NIJ Reports entitled "Monitoring offenders at work and at home through electronics";
- An article from the August 1986 Corrections Today entitled "House Arrest--The Oklahoma Experience";
- An article from the March 26, 1987, USA Today entitled "Device allows convicts to serve time at home"; and
- An article from the January 16, 1987, Wall Street Journal entitled "What's New in Prison Jewelry."

## VII

### OTHER ALTERNATIVES

#### A. NATIONAL GOVERNOR'S ASSOCIATION REPORT

Appendix C contains the summary section of a 1982 report prepared for the National Governor's Association (NGA) by the National Institute of Corrections entitled "Reducing Prison Crowding: An Overview of Options." Some of the options discussed in the NGA report include:



- Intensive supervision (probation) programs designed to provide more intensive supervision than is common with traditional probation.
- Extend work release options. Release of offenders for participation in work or study can help reduce prison population if the residential portions of the offender's time is spent someplace other than a state prison, such as a work release center, a local confinement facility, or a halfway house.
- Issue shorter sentences. Sentence lengths in the U.S. are among the longest in the industrialized nations, yet research on the impact of sentence length has failed to establish that longer sentences serve to deter crime more effectively than shorter ones. (National Governor's Association, page 11)
- Use intermittent confinement, such as weekend or night sentences.

#### B. SHOCK PROBATION

Another option mentioned in the NGA report is the use of "shock" confinement, more commonly known as "shock probation." Shock probation is:

\* \* \* a form of split sentencing designed to give the first-time or the less "sophisticated" offender a brief taste of prison life for shock effect, and then place-ment on probation. To work most effectively, the offender should not know whether he or she is on shock probation when sentenced. (California, page 36)

Shock probation is used in several states (Georgia, Idaho, Indiana, Kentucky, Maine, North Carolina, Ohio and Texas). This method is a feature of some of the "boot camp" incarceration programs.

#### C. EARLIER PAROLE FOR NONVIOLENT INMATES

Under the provisions of NRS 213.120, an inmate becomes eligible for parole after serving one-third of his sentence (not less than 1 year) less good time earned. Before July 1979, the amount of the sentence to be served as a prerequisite to parole was one-fourth. The legislature changed the law in 1979 as one part of several efforts to get tough on crime by increasing the penalty. Inmates convicted of the most serious crimes are excluded from the one-third law.

At a joint hearing of the senate and assembly committees on judiciary on March 27, 1987, R. Bryn Armstrong, chairman of the state board of parole commissioners, recommended legislation that would allow the parole board more flexibility in granting earlier parole and lowering the statutory standards for release.

Nevada's parole rate for first time applicants is around 33 percent, compared to the national average of approximately 60 percent. (Reno Gazette-Journal, page 1C) The parole approval rate has consistently dropped almost every year since 1979 when it was 65 percent.

## VIII

### SUMMARY

In recent years, there have been numerous studies and reports concerning sentencing reform and alternatives to incarceration. Since 1979, the Nevada legislature has initiated four major studies which have made proposals for alternatives to sentencing and/or incarceration.

The following is a list of some of the major recommendations which have emanated from the studies and reports which have been discussed in this background paper:

- Alternative programs for alcohol and drug offenders.
- Alternative programs for sex offenders.
- "Boot camp" incarceration.
- Developing parole guidelines.
- Developing sentencing guidelines.
- Earlier parole for nonviolent offenders.
- Expanding prison honor camps and restitution centers.
- Extending work release programs.
- Halfway houses for probationers and parolees.
- House arrest.
- Intensive supervision in probation.

- Issuing shorter sentences.
- Shock probation.
- Using intermittent confinement.

## IX

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## X. APPENDICES

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APPENDIX A

Minnesota Sentencing Guidelines Grid

#### IV. SENTENCING GUIDELINES GRID

##### Presumptive Sentence Lengths in Months

Italicized numbers within the grid denote the range within which a judge may sentence without the sentence being deemed a departure.

Offenders with nonimprisonment felony sentences are subject to jail time according to law.

SEVERITY LEVELS OF CONVICTION OFFENSE		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
Unauthorized Use of Motor Vehicle Possession of Marijuana	I	12*	12*	12*	13	15	17	19 18-20
Theft Related Crimes (\$250-\$2500) Aggravated Forgery (\$250-\$2500)	II	12*	12*	13	15	17	19	21 20-22
Theft Crimes (\$250-\$2500)	III	12*	13	15	17	19 18-20	22 21-23	25 24-26
Nonresidential Burglary Theft Crimes (over \$2500)	IV	12*	15	18	21	25 24-26	32 30-34	41 37-45
Residential Burglary Simple Robbery	V	18	23	27	30 29-31	38 36-40	46 43-49	54 50-58
Assault, 2nd Degree	VI	21	26	30	34 33-35	44 42-46	54 50-58	65 60-70
Aggravated Robbery	VII	24 23-25	32 30-34	41 38-44	49 45-53	65 60-70	81 75-87	97 90-104
Criminal Sexual Conduct, 1st Degree Assault, 1st Degree	VIII	43 41-45	54 50-58	65 60-70	76 71-81	95 89-101	113 106-120	132 124-140
Murder, 3rd Degree Murder, 2nd Degree (felony murder)	IX	105 102-108	119 116-122	127 124-130	149 143-155	176 168-184	205 195-215	230 218-242
Murder, 2nd Degree (with intent)	X	120 116-124	140 133-147	162 153-171	203 192-214	243 231-255	284 270-298	324 309-339

1st Degree Murder is excluded from the guidelines by law and continues to have a mandatory life sentence.

\*one year and one day



APPENDIX B

"Electronic Monitoring Equipment"



## **Electronic Monitoring Equipment**

30

(Purpose: To monitor an offender's presence in a given environment where the offender is required to remain)

## Introduction

Electronic monitoring of criminal offenders on house arrest or in community corrections' programs is an alternative to traditional forms of supervision in some jurisdictions. All four basic types of electronic monitoring devices are designed to verify that an offender is where he or she is required to be at a given time.

This pamphlet describes the four types of devices and presents the National Institute of Justice's latest information on manufacturers and distributors of the equipment as of February 1987.

Device that uses a telephone at the monitored location

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### Continuously signaling

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A miniaturized transmitter is strapped to the offender and it broadcasts an encoded signal at regular intervals over a range.

A receiver-dialer, located in the offender's home, detects signals from the transmitter and reports to a central computer when it stops receiving the signal from the transmitter and when it starts receiving the signal again; it also provides periodic checks.

A central computer or receiver accepts reports from the receiver-dialer over the telephone lines, compares them with the offender's curfew schedule, and alerts correctional officials to unauthorized absences.

Manufacturer/Distributor:

BI Home Escort. BI Incorporated, 6175 Longbow Drive, Boulder, CO 80301.  
Telephone 303-530-2911.

Supervisor. CONTRAC, Controlled Activities Corp., 93351 Overseas Highway, Tavernier, FL 33070.  
Telephone 305-852-9507.

Home Detention Network.  
Innovative Security Systems, Inc.,  
1711 Worthington Road, Suite 108,  
West Palm Beach, FL 33409.  
Telephone 305-697-2777.

In-House Arrest System. Correctional Services Inc., 2715 Australian Avenue, Suite 105, West Palm Beach, FL 33402.  
Telephone 305-833-4550.

Contac. Monitech, 419 Wakara Way,  
Salt Lake City, UT 84108.  
Telephone 801-584-2543.

Prisoner Monitoring System. Controlec,  
Inc., Box 48132, Niles, IL 60648.  
Telephone 312-966-8435.

ASC II b.\* Advanced Signal Concepts,  
P.O. Box 1856, Clewiston, FL 33440.  
Telephone 813-983-2073.

Home Incarceration Unit.\* Tekton I.D., Inc,  
111 N. Peters Street, Suite 204,  
Norman, OK 73069.  
Telephone 405-364-9808.

\*This device can transmit to the central unit  
over either telephone lines or long-range  
wireless repeater system.

Device that uses a telephone at the monitored location

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Programmed contact

---

Each of the five devices in this column  
uses a central computer which functions  
similarly. But each uses a different sys-  
tem to verify the presence of the offender.

A computer is programmed to call the  
offender during the hours being monitored  
either randomly or at specifically  
selected times. It prepares reports on the  
results of the calls.

1) Strapped on the offender's arm is a  
wristlet, a black plastic module.

When the computer calls, the wristlet is  
inserted into a verifier box connected to  
the telephone to verify that the call is  
being answered by the offender being  
monitored.

Manufacturer/Distributor:

On Guard System. Digital Products  
Corporation, 4021 Northeast 5th Terrace,  
Ft. Lauderdale, FL 33334.  
Telephone 305-564-0521.

2) Voice verification technology assures  
that the telephone is answered by the  
offender being monitored.

Manufacturer/Distributor:

Provotron. VoxTron Systems Inc.,  
190 Seguin St., New Braunfels, TX  
78130.  
Telephone 512-629-4807.

3) The offender wears a wrist watch which is programmed to provide a number unique to that offender at that time. The number is entered into a touch-tone telephone in response to the call.

Manufacturer/Distributor:

The Watch. Behavioral Systems Southwest,  
P.O. Box 2843, Pomona, CA 91769-2843.  
Telephone 714-623-0604.

4) Visual verification technology assures that the telephone is being answered by the offender being monitored.

Manufacturer/Distributor:

Luma Visual Telephone. Luma Telecom, Inc.,  
Crystal Square-1206, 1515 Jefferson Davis Hwy.,  
Arlington, VA 22202.  
Telephone 703-892-4790.

5) The offender carries a digital read-out pager which displays the number to be called to verify the presence of the offender. This system includes voice identification message delivery and retrieval, locale verification, and does not require the offender to have a telephone at the residence, but to have close access to one.

Manufacturer/Distributor:

Protective Sentry Pager Program.  
Gray & Henry, Inc. (GHI), 444 Brickell  
Avenue, Suite 51-259, Miami, FL 33131.  
Telephone 305-577-3477.

Device that uses a telephone at the monitored location

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### Cellular telephone

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The link is a small transmitter worn by the offender.

The locator unit, placed in the offender's home or other approved location, receives the signal from the link, records it, and relays the information by regular or cellular telephone to the local area monitor.

The local area monitor is a microcomputer and information management system. This equipment is placed with the network manager (the leader of a small group of people in the offender's neighborhood who supervise him and encourage him to succeed). It receives information from the offender and coordinates communications among the network members. Each local network can supervise 15 to 20 people.

If required, a remote management center located in a correctional agency can be added to provide increased security and back-up functions.

Manufacturer/Distributor:

SCAN System. Life Science Research  
Group, 515 Fargo Street, Thousand Oaks,  
CA 91360.  
Telephone 805-492-4406.

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Continuously signaling

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A transmitter is strapped to the offender which sends out a constant signal.

A portable receiver, in the car of the officer who is monitoring the offender, is tuned to receive the signal from the specific transmitter when the officer drives within one block of the offender's home.

Manufacturer/Distributor:

Cost-Effective Monitoring System. Dr.  
Walter W. McMahon, 2207 Grange Circle,  
Urbana, IL 61801.  
Telephone Day 217-333-4579 or  
Evening 217-367-3990.

## APPENDIX C

"Reducing Prison Crowding: An Overview Of Options"

**REDUCING PRISON CROWDING: AN OVERVIEW OF OPTIONS**

Prepared for:

The National Governor's Association

By:

The National Institute of Corrections

February 21, 1982

ORIGINAL



Many different approaches to coping with prison crowding are currently being tried around the United States. The matrix which follows is suggestive of the number and range of mechanisms available for tackling the crowding problem. It is organized around changes that can be made in three different areas to affect prison crowding:

- o changes aimed at affecting the number of people who enter prisons;
- o changes aimed at affecting the length of time people spend in prisons; including release mechanisms; and
- o changes aimed at altering system capacity.

In addition, the matrix reflects that a variety of actors have the ability to put such options into play: depending on the mechanism in question, legislators, prosecutors, the defense bar, the judiciary, private agencies, probation and parole agencies, governors, and departments of corrections are the principal actors considered. In actual practice, the cooperation of a number of these actors often must be obtained for the mechanisms to be used effectively. Following the matrix are brief descriptions of the options listed or examples of jurisdictions where they are in use. The number following each item on the matrix refers to the page number of the corresponding description. Options listed in more than one category are described only the first time they appear.

There is no one correct formula for attacking the prison crowding problem. Whether any particular mechanism might prove valuable in a given jurisdiction depends on the characteristics of that jurisdiction -- its current justice system practices, the dimensions of its crowding problem, the public climate concerning crime and punishment, fiscal constraints, and the like. This summary of approaches now being tried may help stimulate creative thinking in tailoring responses to local problems. In addition, it should be helpful to decisionmakers in answering the question frequently voiced, "But what are the alternatives?"

Principal  
Actors

Options that Affect  
Who Goes to Prison

Options that Affect  
Length of Stay in Prison

Options that Affect  
System Capacity

A. LEGISLATURES

1. Decriminalize. (1)

- a. Pure decriminalization. (1)
- b. Reclassification/downgrading to decrease imprisonable offenses. (1)
- c. Substitution of non-criminal responses for certain offenses. (1)

2. Revise penal/sentencing codes. (1)

- a. Provide alternatives to custodial sentencing. (1)
  - 1. Special probation conditions.
  - 2. Restitution.
  - 3. Community service orders.
  - 4. Financial options.
  - 5. Intensive supervision
  - 6. Direct sentence to community-based facilities.
  - 7. Intermittent confinement.
- b. Adopt presumption for least drastic means. (2)
- c. Create Sentencing Commission to set guidelines. (3)

3. Restructure state/local responsibility for offenders. (3)

- a. Provide incentives for communities to retain offenders. (3)

1. Revise penal/sentencing codes. (4)

- a. Reduce sentence lengths. (4)
- b. Create Sentencing Commission to set guidelines. (4)

2. Revise "good time" credits. (4)

3. Adopt presumptive parole on first eligibility. (4)

4. Authorize placement of pregnant offenders in community. (4)

5. Repeal mandatory sentences. (5)

1. Establish standards and capacity limits for facilities. (5)

2. Expand placement options for Department of Corrections.

- a. Immediate screening for community placement. (5)
- b. Extend work release options. (5)
- c. Expand temporary absence provisions. (6)
- d. Authorize contracts with local government, other agencies for placement of offenders. (6)

3. Appropriate/issue bonds for construction, renovation or acquisition of facilities. (6)

4. Adopt emergency overcrowding measures. (7)

5. Demand accurate short- and long-term cost information. (7)

**Principal  
Actors**

**Options that Affect  
Who Goes to Prison**

**Options that Affect  
Length of Stay in Prison**

**Options that Affect  
System Capacity**

- b. Redefine local responsibility  
for lesser offenders. (3)
- c. Adopt comprehensive community  
corrections law. (3)

- 4. Authorize placing women with  
small children in community. (4)

Principal Actors	Options that Affect Who Goes to Prison	Options that Affect Length of Stay in Prison	Options that Affect System Capacity
B. <u>PROSECUTORS</u>	<ol style="list-style-type: none"> <li><u>1. Adopt policies on sentencing recommendations. (8)</u> <ol style="list-style-type: none"> <li>Emphasis serious offenders going to prisons; alternative penalties for non-serious offenders.</li> <li>Emphasize victim needs.</li> <li>Increase use of financial penalties.</li> </ol> </li> <li><u>2. Expand knowledge of non-custodial options. (8)</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Adopt policies on sentencing recommendations. (8)</u> <ol style="list-style-type: none"> <li>Emphasize scaling sentence length according to offense seriousness.</li> <li>Emphasize victim needs.</li> </ol> </li> <li><u>3. Endorse combination penalties to decrease custodial stays. (8)</u></li> </ol>	
C. <u>DEFENSE BAR</u>	<ol style="list-style-type: none"> <li><u>1. Defendant-oriented pre-sentence reports. (9)</u></li> <li><u>2. Retain private agencies to prepare assessments and recommendations for non-custodial penalties. (9)</u></li> <li><u>3. Appeal custodial sentences. (9)</u></li> <li><u>4. Expand knowledge of non-custodial options. (9)</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Defendant-oriented pre-sentence reports. (9)</u></li> <li><u>2. Retain private agencies to prepare assessments and recommendations for alternatives. (9)</u></li> <li><u>3. Appeal long sentences. (9)</u></li> <li><u>4. Expand knowledge of non-custodial options. (9)</u></li> <li><u>5. Monitor contracts affecting time served. (9)</u></li> <li><u>6. Represent offenders in revocation and parole proceedings. (9)</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Sue crowded/substandard facilities. (10)</u></li> <li><u>2. Appeal sentences to inappropriate facilities. (10)</u></li> <li><u>3. Seek lower custody placements. (10)</u></li> </ol>

Principal  
Actors

Options that Affect  
Who Goes to Prison

Options that Affect  
Length of Stay in Prison

Options that Affect  
System Capacity

41

D. JUDICIARY

1. Expand use of non-custodial sentences-- (11)
  - a. Pursuant to existing authority.
  - b. Pursuant to revised statutory schemes.
2. Require that pre-sentence reports explore non-custodial sanctions. (11)
3. Increase use of specialized assessments/diagnosis. (11)
4. Use sentencing guidelines. (11)
5. Appellate review of sentences. (11)
6. Employ sanctions short of revocation for probation/parole violations. (11)

1. Issue shorter sentences. (11)
2. Appellate review of sentences. (12)
3. Use intermittent or "shock" confinement. (12)

1. Refuse to sentence to Substandard facilities. (12)
2. Defer commencement of sentences for less serious offenders depending on availability of capacity. (1

E. PUBLIC  
NON-  
CRIMINAL-  
JUSTICE  
and  
PRIVATE  
AGENCIES

1. Provide programs, services, contracts for-- (12)
  - a. Offenders with special needs (e.g., mentally ill, retarded, addicted, or alcoholic offenders).
  - b. Community pre-sentence investigations and reports
  - c. Community supervision.
  - d. Advocacy at hearings.
  - e. Community-based facilities.

1. Provide programs, services, contracts for-- (12)
  - a. Offenders with special needs.
  - b. Re-entry.
  - c. Advocacy at hearings.
  - d. Offender supervision.

1. Provide programs, services, contracts for-- (12)
  - a. Offenders with special needs.
  - b. Community-based facilities
  - c. Offender supervision.

Principal Actors	Options that Affect Who Goes to Prison	Options that Affect Length of Stay in Prison	Options that Affect System Capacity
F. <u>PROBATION and PAROLE AGENCIES</u>	<ol style="list-style-type: none"> <li><u>1. Expansion of pre-sentence report function. (14)</u> <ol style="list-style-type: none"> <li>Greater emphasis on non-custodial options.</li> <li>Broader use.</li> </ol> </li> <li><u>2. Reorganize to provide non-traditional supervision and compliance monitoring. (14)</u></li> <li><u>3. Revise revocation policies-- (14)</u> <ol style="list-style-type: none"> <li>To favor non-custodial back-up sanctions.</li> <li>To reduce violations for non-serious behavior.</li> </ol> </li> <li><u>4. Adopt differential supervision levels. (14)</u></li> <li><u>5. Decrease the length of probation and parole supervision. (14)</u></li> <li><u>6. Use contract probation. (14)</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Adopt contract parole. (14)</u></li> <li><u>2. Adopt parole guidelines. (15)</u> <ol style="list-style-type: none"> <li>Favoring release at first eligibility.</li> <li>Based on clear standards.</li> <li>Designed to reduce time served.</li> </ol> </li> <li><u>3. Provide special screening for early release. (15)</u></li> <li><u>4. Use "mini parole." (15)</u></li> <li><u>5. Speed parole hearing process. (15)</u></li> <li><u>6. Revise revocation policies. (15)</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Provide special screening for early release. (15)</u></li> </ol>
G. <u>GOVERNORS</u>	<ol style="list-style-type: none"> <li><u>1. Assume a leadership role in examining corrections policy and practice. (16)</u> <ol style="list-style-type: none"> <li>Appoint special study commissions.</li> <li>Convene interagency task forces.</li> <li>Require full impact statements on prison proposals.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li><u>1. Assume a leadership role in examining corrections policy and practice. (16)</u></li> <li><u>2. Increase use of clemency. (16)</u> <ol style="list-style-type: none"> <li>Holiday commutations.</li> <li>Across the board term reductions.</li> <li>Special reviews for candi-</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li><u>1. Assume a leadership role in examining corrections policy and practice. (16)</u></li> </ol>

Principal  
Actors

Options that Affect  
Who Goes to Prison

Options that Affect  
Length of Stay in Prison

Options that Affect  
System Capacity

DEPARTMENTS  
OF  
CORRECTIONS

1. Reclassify offenders. (17)
2. Use contract release. (17)
3. Screen for immediate community placement. (17)
4. Develop phased re-entry. (17)
  - a. Pre-release.
  - b. Work and study release.
  - c. Temporary absence.
  - d. Halfway houses.
5. Increase opportunities for work credits. (18)
6. Expand services to increase offender skills and performance. (18)
7. Adopt standards for disciplinary infractions. (18)
8. Increase administrative "good time." (18)
9. Reduce delays and bureaucratic obstacles to processing and movement of offenders through the system. (18)

1. Establish standards and capacity limits. (19)
2. Contract with private, governmental, or specialized programs for offender housing supervision, and services. (19)
3. Develop and operate more placement options. (19)
4. Acquire, renovate, and construct facilities. (19)

**Principal  
Actors**

**Options that Affect  
Who Goes to Prison**

**Options that Affect  
Length of Stay in Prison**

**Options that Affect  
System Capacity**

- d. Promote active public education efforts.
- e. Use criminal justice planning agency staff, or other staff, for policy analysis and guidance.

dates for pardon or commutation.