A Preliminary Review of the Metropolitan Detention Center's Community Custody Program

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Introduction

The Institute for Social Research (ISR) was contracted by Bernalillo County in fall 2005 to conduct an evaluation of the Bernalillo County Metropolitan Detention Center (MDC) Community Custody Program (CCP). CCP allows inmates of the MDC who meet eligibility criteria to be out in the community instead of inside the facility while they either await trial or serve their sentence. The program is in accordance with NMSA 33-3-24 which states that the administrator of any jail with the approval of the Board of County Commissioners and the governing body of the municipality, as applicable, may establish a prisoner release program in accordance with provisions of Sections 33-2-43 and 33-2-44 NMSA 1978.

The goals of this program are:

1. To reduce recidivism rates amongst DWI offenders in Bernalillo County.
2. To provide supervision to program inmates in the least restrictive setting, while at the same time considering public safety.
3. To prepare an inmate for re-integration into the community by providing the inmate an opportunity to be responsible for their behavior through the support of family, court resources, and services provided by the CCP.
4. To provide a program inmate avenues to remain employed and continue to provide for the financial needs of their family.
5. To provide the Court with alternative sentencing options placing an emphasis on the non-violent offender with intensive community supervision.

The ISR was contracted to complete three tasks. First, the ISR was contracted to complete a CCP inmate profile that describes successful and unsuccessful inmates. Second and most importantly, was the completion of a CCP inmate outcome study. This study is quasi-experimental in design using historical data on a sample of inmates who transitioned through CCP compared to a historical comparison group of individuals who were eligible for CCP but for whatever reason were never authorized for the CCP program. The purpose of this part of evaluation was to determine the progress CCP has made toward achieving its program goal of reducing recidivism rates among DWI offenders. Information for this task was primarily derived from the CCP database, MDC information system data, and New Mexico Motor Vehicle Division data. Third, was updating the existing CCP inmate database. The new database incorporates a secure web-based design for multiple users that includes user-friendly forms and reports. The upgraded database will allow CCP staff to more efficiently collect and report information about the program.

This report completes tasks one and two relating to the inmate profile and DWI offender outcome study. The third task, involving the update of the existing CCP inmate database was completed separately.

The scope of the evaluation was limited to the first goal of the program that is listed above. While we were limited to evaluating the success of the program regarding its ability to reduce recidivism among DWI offenders the data we collected allows us to provide useful information regarding how well the program serves the goal of public safety. Public safety is a primary goal of the CCP program that is partially stated in some of its written goals and that has been articulated on numerous occasions by Judges and Jail staff. The program can meet the goal of public safety by ensuring that offenders are closely monitored while in the community and that technical violations and any new crimes are dealt with quickly. To a limited extent we discuss how well the program serves public safety as a goal. Future research could be directed towards more completely reporting on the ability of the program to serve public safety and towards documenting the ability of the program to meets it's other stated goals.

Following this introduction is a brief description of the Community Custody Program. The program description is followed by an analysis focused on profiling successful and unsuccessful inmates. This profile should be useful to the program in better understanding the types of inmates who are most likely to complete the program. The CCP inmate profile is followed by the DWI offender specific recidivism study. This portion of the evaluation compares CCP DWI offenders to a matched non-CCP DWI offender group with the intent of measuring the ability of the program to reduce recidivism compared to another group of inmates who were not in CCP.

 Program Description
The CCP program uses the following criteria to determine inmate eligibility:

1. All inmates must have been authorized for participation by the District and/or Metropolitan Court.
2. The program inmate must reside in a 45 mile radius of downtown Albuquerque.
3. Program inmates must have an approved residence and phone where they reside.
4. The program inmate agrees to all conditions of the contract
    a. The inmate must sustain employment and/or school enrollment
    b. The inmate must participate in treatment or counseling for issues related to their current charges
    c. The inmate must provide a minimum of eight hours community service on a weekly basis.
    d. The inmate must submit to drug and alcohol testing on a weekly basis
5. Felons and long term misdemeanors will be on electronic monitoring in addition to other monitoring components.

CCP staff reported they use additional criteria to determine if inmates are

appropriate for the program. Inmates need a permanent address, a feature-free landline phone, and they should not have an extensive criminal history. Importantly, when CCP rejects an inmate, based upon eligibility criteria, a judge can order CCP to accept the inmate into the program.

Inmates are assigned a Community Custody Officer (Tracker) that monitors them. Inmates are monitored three ways:

Day Reporting

- Inmates are required to report in person to the CCP facilities on a daily basis at a time determined by their tracker.
- Inmates are required to report by phone a minimum of two times daily, once in the a.m. and again in the p.m.
- Inmates are required to provide random drug screens on a weekly basis.

Community Monitoring

- Inmates are required to be available as indicated on a daily itinerary for random checks by their tracker.
- Random community checks may be made in person or by phone as determined by policy and/or the Tracker. Random community checks may include a check of the inmates' residency, employment, counseling and any other approved destination.

Electronic Monitoring

- In the conjunction with community monitoring and day reporting, all felons and long term misdemeanants are monitored in the community with electronic monitoring technology.
- On a regular random basis deep lung samples are obtained from program inmates to detect alcohol usage in the home.
- Drive-by technology enables trackers to verify an inmate's presence at expected destinations without ever leaving their vehicle.
- Electronic monitoring technology is designed to immediately notify the tracker of any significant occurrences via alphanumeric paging.

If a client violates any of the conditions of CCP they are immediately discharged from the program, violated, located and taken to jail. Depending on the severity of the violation and the assigned judge, either the program or the judge can reinstate the client.

For administrative and reporting purposes CCP staff use a database to enter inmate information. The database is a stand alone Microsoft Access system

independent of MDC's case management system. CCP staff have access to the case management system at the jail to look up inmates. The database collects basic referral information on each inmate (e.g. case number, assigned Judge, Metro or District Court jurisdiction, type of charges, eligibility status) and program interview information (e.g. program "kick-out" [discharge] date, program start date, type of monitoring, pre-trial or sentenced status, and violation information).

While the database does allow CCP staff to track inmates, the data is not easily extracted for reporting purposes. There are no reports, and individual queries have to be created to pull out information. The majority of the fields are text making it difficult to aggregate information into groups or categories.

CCP Inmate Profile
Using information from the database maintained by CCP staff, successful and unsuccessful inmates were analyzed. The database does not explicitly state whether or not a client is successful or unsuccessful. An inmate was considered successful if they had an exit date (kick out date) and no violations. An inmate was also considered successful if they had a violation but were reinstated and ultimately had an exit date. An inmate was considered not successful if they had a violation with no reinstatement date. Cases that were not yet discharged and those that did not have an exit or a violation were excluded because we could not determine their discharge status. All inmates from January 1996 – September 2005 whose discharge status we were able to determine are included in the analysis below. Using SPSS, a statistical software, discharge status is compared using a number of different inmate characteristics. From the results produced in SPSS, we developed a profile of characteristics that contribute to a successful discharge from CCP. In cases where there is evidence of a relationship between the variables we note if the relationship is statistically significant. In these cases it is unlikely that the observed relationship occurred by chance.

Approximately 75% of inmates successfully completed CCP. Just over 69% of inmates successfully completed CCP without a violation, while almost 6% of inmates successfully completed CCP after being reinstated after a violation. In total, slightly more than 75% of all inmates successfully completed CCP. Table 1 lists CCP discharge status.

Table 1—Discharge Status of CCP Inmates		
	Frequency	Percent
Successful	6197	69.2%
Successful after reinstatement	525	5.9%
Unsuccessful	2234	24.9%
Total	8956	100.0%

When female and male inmates were compared there was no statistical

difference in their success rates. Males were very slightly more successful with a 75% success rate while females had a success rate of 74%. Table 2 lists the discharge status by sex.

Table 2—Discharge Status of CCP Inmates by Sex		Sex		Total
		Female	Male	
Successful	Count	1118	5588	6706
	Percent	74.2%	75.2%	75.1%
Unsuccessful	Count	388	1841	2229
	Percent	25.8%	24.8%	24.9%
	Count	1506	7429	8935
	Percent	100.0%	100.0%	100.0%

The average age of CCP inmates was 33. As age increased so did the likelihood that inmates discharged successfully from CCP. Inmates between 18 and 20 had the lowest success rate with 39% discharging unsuccessfully compared to 11% of inmates over 50. This difference is statistically significant. Table 3 lists discharge status by age group.

Table 3—Discharge Status of CCP Inmates by Age Group		Age Group					Total
		18-20	21-29	30-39	40-49	50+	
Successful	Count	303	2091	2388	1361	567	6710
	Percent	61.0%	72.4%	75.2%	77.9%	88.9%	75.0%
Unsuccessful	Count	194	796	786	386	71	2233
	Percent	39.0%	27.6%	24.8%	22.1%	11.1%	25.0%
Total	Count	497	2887	3174	1747	638	8943
	Percent	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

* significant at .01

Sixty-four percent of CCP inmates were Hispanic, 23% were White, 7% were Native American, 5% were African American and less than 1% were Asian. African Americans were least likely to discharge successfully with 44% discharging unsuccessfully. Native Americans had the highest successful completion rate with only 18% discharging unsuccessfully. This difference is statistically significant. Table 4 lists discharge status by ethnicity.

Table 4—Discharge Status of CCP Inmates by Race/Ethnicity		Race/Ethnicity				
		African American	Hispanic	Native American	White	Total
Successful	Count	251	4267	544	1598	6710
	Percent	55.9%	74.6%	82.3%	79.0%	75.0%
Unsuccessful	Count	198	1455	117	425	2233
	Percent	44.1%	25.4%	17.7%	21.0%	25.0%
Total	Count	449	5722	661	2023	8943
	Percent	100%	100%	100%	100%	100.0%

*significant at .01

Over 71% of inmates in CCP were serving their sentence. Inmates who were in CCP pre-trial were less likely to be discharged successfully. Only 51% of pre-trial inmates discharged successfully compared with 85% of sentenced inmates. This difference is statistically significant. Table 5 lists discharge status by court status.

Table 5—Discharge Status of CCP Inmates by Court Status		Court Status		
		Pre-trial	Sentenced	Total
Successful	Count	1290	5423	6713
	Percent	50.9%	84.6%	75.1%
Unsuccessful	Count	1242	988	2230
	Percent	49.1%	15.4%	24.9%
Total	Count	2532	6411	8943
	Percent	100.0%	100.0%	100.0%

*significant at .01

The majority of CCP inmates were charged with a misdemeanor offense (59.3%). Inmates who were in the program for misdemeanor charges were more likely to discharge successfully. Over 84% of inmates charged with a misdemeanor discharged successfully compared with only 60% of inmates charged with a felony. This difference is statistically significant. These groupings include inmates that were arrested on warrants and probation violations. Since the specifics charges are stored in text we were not able to report type of charges in more detailed misdemeanor and felony types (i.e. burglary and larceny theft) except probation violation, domestic violence, and violent charges which were stored as yes/no fields in the database. Analysis of these charges is listed below. Table 6 lists discharge status by type of charge.

Table 6—Discharge Status of CCP Inmates by Type of Charge		Type of Charge		
		Felony	Misd.	Total
Successful	Count	1783	3638	5421
	Percent	60.2%	84.3%	74.5%
Unsuccessful	Count	1181	677	1858
	Percent	39.8%	15.7%	25.5%
Total	Count	2964	4315	7279
	Percent	100.0%	100.0%	100.0%

*significant at .01

The majority of CCP inmates had cases in the Bernalillo County Metropolitan court (51.6%). CCP inmates with cases in Metropolitan court were more likely to successfully discharge (83.9%). CCP inmates with District court cases had a success rate of 66%. This difference is statistically significant. Table 6 and 7 are similar because the majority of misdemeanors are handled in Metropolitan court. Type of charge was blank for 1,677 cases and appears to have been added to the database in 1999. Table 7 lists discharge status by court jurisdiction.

Table 7—Discharge Status of CCP Inmates by Court Jurisdiction		Jurisdiction		
		District	Metro	Total
Successful	Count	2842	3874	6716
	Percent	65.6%	83.9%	75.1%
Unsuccessful	Count	1488	744	2232
	Percent	34.4%	16.1%	24.9%
Total	Count	4330	4618	8948
	Percent	100.0%	100.0%	100.0%

*significant at .01

As mentioned earlier, some CCP inmates were ordered into the program by a judge after CCP staff screened them as not appropriate for the program. Only 5% of CCP inmates were ordered into the program, however those who were ordered had a lower success rate. Almost 40% of inmates that were ordered into the program unsuccessfully discharged compared with 24% of inmates who met screening criteria. This difference is statistically significant. Table 8 lists discharge status by court jurisdiction.

Table 8—Discharge Status of CCP Inmates by Ordered Status		Ordered		
		No	Yes	Total
Successful	Count	6463	259	6722
	Percent	75.8%	60.5%	75.1%
Unsuccessful	Count	2065	169	2234
	Percent	24.2%	39.5%	24.9%
Total	Count	8528	428	8956
	Percent	100.0%	100.0%	100.0%

* significant at .01

Eleven percent of CCP inmates were probation violators. Probation violators were less likely to successfully discharge (52.6%) than non-probation violators who had a success rate of 78%. This difference is statistically significant. Table 9 lists discharge status by probation status.

Table 9—Discharge Status of CCP Inmates by Probation Status		Probation Violators		
		No	Yes	Total
Successful	Count	6199	523	6722
	Percent	77.9%	52.6%	75.1%
Unsuccessful	Count	1763	471	2234
	Percent	22.1%	47.4%	24.9%
Total	Count	7962	994	8956
	Percent	100.0%	100.0%	100.0%

* significant at .01

Only 4% of CCP inmates had a domestic violence charge. Inmates with domestic violence charges were less likely to successfully discharge (66.9%). Inmates who did not have a domestic violence charge had a success rate of 75%. This difference is statistically significant. Table 10 lists discharge status by domestic violence charge status.

Table 10—Discharge Status of CCP Inmates by Domestic Violence Charge Status		Domestic Charge		
		No	Yes	Total
Successful	Count	6490	232	6722
	Percent	75.4%	66.9%	75.1%
Unsuccessful	Count	2119	115	2234
	Percent	24.6%	33.1%	24.9%
Total	Count	8609	347	8956
	Percent	100.0%	100.0%	100.0%

* significant at .01

Only 1% of CCP inmates had a violent charge. A table showing the relationship between discharge status and violent charge was not constructed due to the low number of inmates (87).

Length of Stay in the Program

The average number of days that inmates stayed in CCP was 75 days. The minimum number of days was less than one day and the maximum was 560 days. Given the wide range in program length of stay the median was calculated. The median length of stay in CCP was 44 days. The mean is higher than the median indicating that it is influenced by higher values. When there is large variation in the values of a particular variable the median is a better statistic to use because it represents the middle score in the data: half the scores are greater than the median and half are less than the median. Consequently the median reflects the typical inmate's program duration since it reflects the mid-value of the group's length of stay.

Violations

All the violation information was entered as free-form text in the database and so it was necessary for us to manually recode violations into the categories found in this report. Approximately 31% of inmates had at least one violation while in the program. The most common violation was a dirty UA (9.9% of all CCP inmates). CCP staff conducts drug tests for methamphetamine, amphetamine, cocaine, opiates, and marijuana.   Any inmate who tested positive for any of these substances was classified as a dirty UA violation. The second most common violation was escape (6.2% of all CCP inmates). An inmate was classified as an escape if they failed to report for 24 hours or more. Approximately 6% of CCP inmates had a violation for alcohol and 5% for failing to comply with program rules. Only 3.2% of all CCP inmates were charged with a new charge or warrant while in the program. Table 11 lists violation reasons.

Table 11—Violation Reasons		
	Frequency	Percent
Alcohol	501	5.6%
Dirty UA	887	9.9%
Escape	556	6.2%
FTC rules	474	5.3%
New charge/warrant	287	3.2%
Other	34	0.4%
No violations	6218	69.4%
Total	8957	100.0%

Inmates who had a violation averaged 51 days in the program before they committed their violation. The minimum number of days to violation was less than one day and the maximum was 526 days meaning there was a large

variation in the number of days in the program overall as well as the number of days to violation. The median number of days to a violation was 30 days, indicating the average is affected by higher values in the range.

Serving Public Safety

The CCP program is designed to provide the Bernalillo County Metropolitan Court and Second Judicial District Court with alternative sentencing options that place an emphasis on providing non-violent offenders intensive community supervision. Unstated in this goal is that offenders in the program should not pose or cause a risk to public safety. Information contained above that describes violations provide useful information to gauge how well the program does at maintaining public safety.

As noted above approximately 31% of all inmates violated the program. The most common violation was a dirty UA (32.4%), followed by escape (20.3%), alcohol (18.3%), failure to comply with program rules (17.3%), arrest on a new charge (10.5%), and other violations (1.5%). Because offenders are monitored closely while they are in the community through drug tests, day reporting, community monitoring and electronic monitoring violations of program rules are discovered soon after they occur. Inmates who violate program rules are arrested and booked into the Jail. Inmates who are violated can be reinstated into CCP. In fact, 525 inmates who were violated were reinstated and completed the program. Approximately 75% of all inmates assigned to the CCP program completed the program

Of particular interest is the small percentage of violations that were due to a new charge. Almost 9 out of 10 violations were due to a technical violation of program rules and were not the result of a new charge. It is also important to note that inmates who were most likely to be successful were those that met program eligibility criteria. Inmates who were ordered into the program and did not meet eligibility criteria, inmates with domestic violence charges and inmates with felony or probation violation charges were less likely to successfully discharge. These are important findings and deserve further study. This preliminary review suggests that inmates assigned to the program, especially those that meet program eligibility criteria perform fairly well while in the program and do not as a group pose a threat to public safety. Individuals who technically violate program rules (i.e. use drugs), or who commit new crimes are arrested and placed in the Jail.

Case - Control Recidivism Study

ISR staff examined information from CCP's tracking database to determine inmates who were in the program for a DWI offense. A random sample of DWI offenders was selected from calendar years 1998 through 2003—an initial evaluation of the original complete data set revealed that those years were most comparable and contained the most complete data entry. These offenders were then matched back into the case management system at MDC to determine when they had been booked for a DWI. A control group of arrestees booked into MDC for a DWI charge during the same time frame was then selected. The control group was matched to the CCP group on year of arrival into MDC, sex, age, ethnicity, and charge.

A table with the names, social security numbers, dates of birth, and arrival dates for the CCP and control groups was provided to the University of New Mexico's Division of Government Research (DGR). DGR is contracted by the New Mexico Highway Department's Traffic Safety Bureau to analyze information in the DWI Citation Tracking System (CTS). To analyze the offenders' DWI histories, we needed DWI arrest data from CTS. DGR used a formula that included date of birth, social security number, and name to help compensate for any errors in data entry to match individuals in CTS to extract DWI arrests. .

DGR staff determined the DWI that was closest to the arrival date for each individual in the CCP and control groups—logically, this arrest can not occur after the arrival date. The arrival date for the CCP group represented the day an inmate began CCP. For the control group the arrival date was the date an inmate was booked into MDC for a DWI. Any offender who had a date difference of more than one year was excluded from analysis.

Since the majority of CCP inmates were sentenced, the number of days from the closest DWI and arrival into CCP was longer than the number of days for the control group. The average number of days to the closest DWI for the CCP group was 129 days before their arrival into the program. This typically represents the number of days from the date the inmate was arrested to the date the case was resolved in court. If an inmate was out on bond they would be booked back into MDC to serve their sentence. At this point the offender would be authorized for CCP. For the control group the average number of days to the closest DWI was 6.5 days. Eighty-five percent of CCP inmates were matched into CTS with a DWI offense within one year of the date they began CCP, while 94% of the control group offenders were matched. Table 12 reports the number of inmates in the CCP and control groups that DGR was able to match in CTS compared with the numbers in the initial groups.

Table 12—Number of Inmates Matched into CTS		
	Group	
	CCP	Control
Matched in CTS within 1 year	1070	1316
Original file provided to DGR	1251	1396

Tables 13 through 17 compare the CCP and control group on the matching variables with the goal of reporting the quality of the match.

Looking at the resulting CCP and control groups, the groups were matched well on year of DWI offense with no statistically significant differences in the number of offenders selected by year. Table 13 looks at the number of offenders per group by year.

Table 13—Number of Offenders by Year				
		Group		
Year		CCP	Control	Total
1998	Count	218	319	537
	Percent	20.4%	24.2%	22.5%
1999	Count	205	254	459
	Percent	19.2%	19.3%	19.2%
2000	Count	159	194	353
	Percent	14.9%	14.7%	14.8%
2001	Count	185	224	409
	Percent	17.3%	17.0%	17.1%
2002	Count	168	189	357
	Percent	15.7%	14.4%	15.0%
2003	Count	135	136	271
	Percent	12.6%	10.3%	11.4%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

The groups were also matched well on race/ethnicity. There were no statistically significant differences in the number of offenders by racial/ethnic group. Table 14 reports the groups by race/ethnicity.

Table 14—Number of Offenders by Race/Ethnicity		Group		
Race/Ethnicity		CCP	Control	Total
AMERICAN INDIAN	Count	138	166	304
	Percent	12.9%	12.6%	12.7%
BLACK	Count	23	20	43
	Percent	2.1%	1.5%	1.8%
HISPANIC	Count	617	746	1363
	Percent	57.7%	56.7%	57.1%
WHITE	Count	284	373	657
	Percent	26.5%	28.3%	27.5%
OTHER	Count	8	11	19
	Percent	0.7%	0.8%	0.8%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

There were no statistically significant differences in the number of males and females in the groups. Table 15 looks at sex by group.

Table 15—Number of Offenders by Sex		Group		
Sex		CCP	Control	Total
FEMALE	Count	201	222	423
	Percent	18.8%	16.9%	17.7%
MALE	Count	869	1094	1963
	Percent	81.2%	83.1%	82.3%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

In terms of age, the groups were also proportionate. Table 16 looks at the groups' composition by age.

Table 16—Number of Offenders by Age Group		Group		
Age		CCP	Control	Total
18-20	Count	37	65	102
	Percent	3.5%	4.9%	4.3%
21-29	Count	289	362	651
	Percent	27.0%	27.5%	27.3%
30-39	Count	420	506	926
	Percent	39.3%	38.4%	38.8%
40-49	Count	232	298	530
	Percent	21.7%	22.6%	22.2%
50+	Count	92	85	177
	Percent	8.6%	6.5%	7.4%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

We were not able to match as closely for the MDC booking charge. There were more offenders booked under a generic DWI in the control group. This may be in part due to the arresting officer just citing DWI without being more specific. Given more time and resources we could have had DGR determine the number of prior DWIs for the CCP group and then had them select the control group based on the number of DWI priors found in CTS. Table 17 reports DWI charges by group.

Table 17—Number of Offenders by Charge		Group		
Charge		CCP	Control	Total
DWI	Count	752	979	1246
	Percent	70.3%	74.4%	52.2%
DWI 2 or higher	Count	318	337	236
	Percent	29.7%	25.6%	9.9%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

Services Received

We were informed by CCP staff that all CCP inmates with a DWI charge receive services from the Addictions Treatment Program (ATP) at Roma Station. The ATP program uses the American Society of Addiction Medicine (ASAM) placement criteria. All DWI inmates at Roma Station should have received Level 1 treatment which according to the criteria is:

"any level of treatment under nine hrs per week. At the Transitional component clients attend three, 1.5 hr. groups per week. These groups are Chemical Dependency Education, Relapse Prevention, and Family Education and Support to the family".

ATP Roma Station length of treatment is 4 weeks (3 sessions per week). Inmates are required to attend AA/NA meetings provided onsite and in the community. Inmates are referred to the Albuquerque Metropolitan Central Intake (AMCI) for assessment so that inmates can receive treatment in the community post discharge.

We did not attempt to verify that all inmates in the CCP group actually participated in ATP Roma Station. Additionally, we did not verify that ATP Roma Station clients actually received the services that were reported to us as being part of the program. Given additional time and resources we could have matched CCP DWI offenders into the ATP database to verify the services they received and their discharge status from ATP. There is no way for us to know what if any services offenders in the control group

Prior Offenses

The DWI that was found to be closest to the offender's arrival date was considered the reference date to calculate prior and subsequent DWI offenses.

Offenders in the control group were less likely to have a prior DWI. Only 10% of CCP offenders did not have any prior DWI offenses compared with 53% of the control group. This difference is statistically significant. Anecdotally this makes sense because most first time offenders would have short jail sentences and are most likely sentenced to the Bernalillo County Metropolitan Court First Offenders program. Offenders with priors are more likely to receive longer jail sentences and receive treatment through ATP Roma Station while they are in CCP. The average number of prior DWIs for the control group was 1.0 with a range of 0 to 12. The average number of priors for the CCP group was 2.2 with a range of 0 to 14. Table 18 lists the number of offenders with prior DWIs.

Table 18—Prior DWI by Group				
		Group		
		CCP	Control	Total
None	Count	110	699	809
	Percent	10.3%	53.1%	33.9%
One or more	Count	960	617	1577
	Percent	89.7%	46.9%	66.1%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

* significant at .01

CCP offenders were twice as likely to have 2 or more prior DWIs when compared to the control group. Table 19 lists the number of priors by group.

Table 19—Prior DWIs by Group				
		Group		
Prior DWI		CCP	Control	Total
None	Count	110	699	809
	Percent	10.3%	53.1%	33.9%
1	Count	323	261	584
	Percent	30.2%	19.8%	24.5%
2	Count	269	168	437
	Percent	25.1%	12.8%	18.3%
3 or more	Count	368	188	556
	Percent	34.4%	14.3%	23.3%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

* significant at .01

Subsequent Offenses

The number of subsequent DWIs was calculated for both groups. Offenders in the CCP group were more likely to have a subsequent offense with 35% having at least one DWI after their discharge from CCP. Twenty-eight percent of the control group had at least one subsequent DWI. This difference is statistically significant. Table 20 lists subsequent DWIs by group.

Table 20—Subsequent DWIs by Group				
		Group		
Any subsequent DWI		CCP	Control	Total
No	Count	690	945	1635
	Percent	64.5%	71.8%	68.5%
Yes	Count	380	371	751
	Percent	35.5%	28.2%	31.5%
Total	Count	1070	1316	2386
	Percent	100.0%	100.0%	100.0%

* significant at .01

When only offenders with priors are considered, the percentage of offenders in the control group with subsequent DWIs rises to 31.9%. The difference between the CCP group and control group is not statistically significant when only offenders with priors are considered. Other research indicates that prior DWIs are the best predictor of picking up additional DWIs. By only looking at individuals with priors, the groups are more comparable. Table 21 lists subsequent DWIs for clients who had priors.

Table 21—Subsequent DWIs for Offenders with Prior DWIs by Group				
		Group		
Any subsequent DWI		CCP	Control	Total
No	Count	622	420	1042
	Percent	64.8%	68.1%	66.1%
Yes	Count	338	197	535
	Percent	35.2%	31.9%	33.9%
Total	Count	960	617	1577
	Percent	100%	100%	100%

The subset of offenders without prior DWIs was also looked at separately. In this case, CCP offenders were more likely to have a subsequent DWI (38.2%). Twenty-five percent of offenders in the control group had a subsequent DWI. This difference is statistically significant. Since the overall number of offenders in CCP group without priors is small, interpretation of this finding is tentative. One explanation could be that there are other differences in criminal history between the groups that contribute to the higher likelihood of the CCP group getting a subsequent DWI. This finding should be further explored. Table 22 looks at subsequent DWIs for offenders with no prior DWIs.

Table 22—Subsequent DWIs for Offenders with Prior DWIs by Group				
		Group		
Any subsequent DWI		CCP	Control	Total
No	Count	68	525	593
	Percent	61.8%	75.1%	73.3%
Yes	Count	42	174	216
	Percent	38.2%	24.9%	26.7%
Total	Count	110	699	809
	Percent	100.0%	100.0%	100.0%

* significant at .01

The information from the CCP and control groups was used in a survival analysis to determine probability of not being rearrested for DWI. The model only looks at the program effects of being in the CCP group versus the control group and does not consider any other variables. The last day in the CTS file was January 13, 2006. The time period from release date to end of the study is a measure of exposure time – the amount of time an offender could be rearrested. Offenders in the CCP group averaged 1,857 days from date of release to the end of the study. Offenders in the control group averaged 1,992 days from date of release to the end of the study.

For offenders who were not rearrested, the end of the study period was used as their end date because as of that date they had not been rearrested.   For offenders that were rearrested, the date of first rearrest was used in the analysis. The average number of days to first arrest was longer for the control group (1,624 days) than the CCP group (1,407 days). Additionally, the proportion of offenders that were not rearrested was larger for the control group (71.9%) than the CCP group (64.5%). The hazard ratio was 1.4 indicating that at any point in the study an offender in the CCP was 1.4 as likely as an offender in the control group to be arrested. This finding was statistically significant. Including number of prior arrests would have allowed us to better understand the effect of CCP given prior DWI history. Current research informs us that offenders with a history of DWI offenses have different rehabilitation needs than first time offenders. Any future evaluation of CCP, a program intended for the former group, would benefit from a thorough understanding of an offender's criminal history. That would allow an evaluation of the effect of CCP on the population for which it was truly intended to serve.

Discussion

Looking at successful and unsuccessful discharges from CCP, inmates who had misdemeanor charges, were sentenced, and had cases in Bernalillo Metropolitan Court were more likely to successfully discharge. These characteristics appear to be consistent with eligibility criteria established by the program. Inmates on felony, probation violation, or domestic violence charges, were ordered, pre-trial

or had cases in District court were less likely to successfully discharge. CCP does not appear to be appropriate for inmates with these characteristics. This information should be shared with judges so that they can better understand what type of inmates do well in CPP.

Generally recidivism for CCP DWI offenders was higher than the control group. When only offenders with priors were considered, the difference between the two groups was not statistically significant. Further research should be conducted comparing CCP DWI offenders to non-CCP offenders. As seen above, the two groups are not comparable on prior DWIs; this could explain a part of the findings. Additional research should focus on a more comparable match for previous DWIs. An evaluation of the other CCP goals should also be considered.

How much should we expect programs like CCP to impact recidivism? To answer this question we briefly reviewed published literature about similar programs. Unfortunately, research on similar programs is scarce. Research on the three components of CCP—day reporting, community monitoring and electronic monitoring—is more widely available, but still quite limited (Patchin and Keveles 2004, Tonry 1999). These three components of CCP are considered intermediate sanctions. Intermediate sanctions "offer criminal justice programs alternatives to prison that provide sentencing options in response to the particular circumstances of the offender and the offense" (Van Vleet and Fowles 7). Unsurprisingly, criminal sanctions that meet the needs of offenders are thought to be more beneficial to offenders (Cullen and Gendreau 2000, Fell, Voas, and Lacey, Jones and Lacey 1999, Patchin and Keveles 2004). Common goals for alternative sanctions are: to have less destructive side effects to the offenders and their families than a prison or jail term, cost saving to counties and states, save bed space for more serious offenders, allow for more rehabilitation than prison or jails, and integrate offenders back into society. As can be seen above, CCP goals are similar to goals of other intermediate sanction programs.

Findings on the effectiveness of intermediate sanction programs are mixed (Patchin and Keveles 2004). The quality and quantity of research is moderate for electronic monitoring programs and low for day reporting centers (Patchin and Keveles 2004). Accordingly, statements on the effectiveness of these programs should be interpreted with caution. Some research finds day reporting centers do not significantly reduce recidivism for DWI offenders, but do aid in the offender's transition back to the community (Jones and Lacey 1999, Patchin and Keveles 2004, Tonry 1999). In some cases, electronic monitoring has been found to be effective in reducing recidivism for DWI offenders (Van Vleet and Fowles, Fell et al.). The ambiguity of these statements should not be discouraging. Rather, it should be acknowledged that these programs are complex and do not meet the needs of every offender who enters the program. (Jones and Lacey 1999).

The successful programs are complex. For example, some programs have multiple treatment components, treatment providers are strongly involved with their client's treatment plan, criminal sanctions involve some confinement, treatment plans are personalized, the offender's family is involved in their treatment, and the program has an aftercare component. These programs do not work for all DWI offenders. First time offenders have different treatment needs from multiple offenders. Recidivism is only one indicator of a successful program—future analysis of the CCP programs should evaluate how well the program meets its other stated goals.

The design of CCP may more realistically impact these other goals provide supervision in the least restrictive setting, prepare an inmate for re-integration into the community, provide a program inmate avenues to remain employed and continue to provide for the financial needs of their family, and provide the court with alternative sentencing options placing an emphasis on the non-violent offender with intensive community supervision. Perhaps it is better to evaluate the success of CCP against these other goals. These additional goals are a priority. In meetings and conversations with judges, members of MCJCC, county staff, jail staff etc., the issues of public safety, good use of scarce resources and jail crowding are often discussed more than recidivism rates.

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