

ALTERNATIVES TO INCARCERATION



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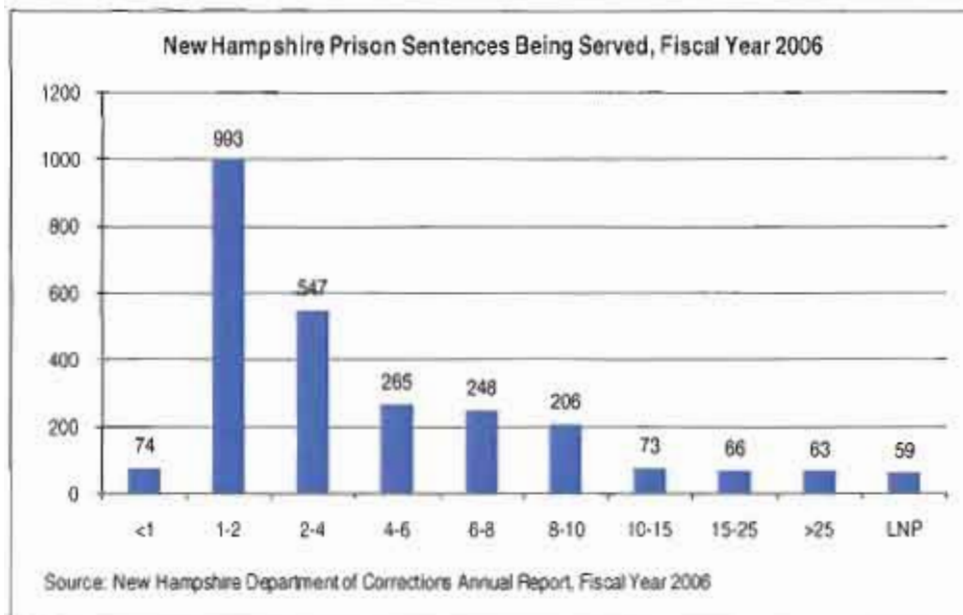
ALTERNATIVES TO INCARCERATION

Part of a comprehensive New Hampshire Department of Corrections Master Plan is to examine spatial needs to accommodate the current and future inmate needs. Another part of this Master Plan is to examine inmate growth and what impacts can be implemented that may have a positive effect. Inmate growth can be impacted by policy decisions. These policy decisions can have a significant impact on the inmate growth potential. The New Hampshire Department of Corrections has historically initiated sound and rationale correctional initiatives that have had an impact on future inmate growth. These initiatives have become part of a comprehensive correctional practice that allows a progression through the institutional system to eventual release and parole. Additionally programs have been implemented upon release that allows for a progressive sanctioning mechanism in the community while under supervised release. The basis of these programs is understanding the population and their needs as well as maintaining safety and security. These programs have had an impact on incarceration numbers. This Master Plan will examine where efficiencies and new initiatives can take place to further impact on the incarceration population in New Hampshire.

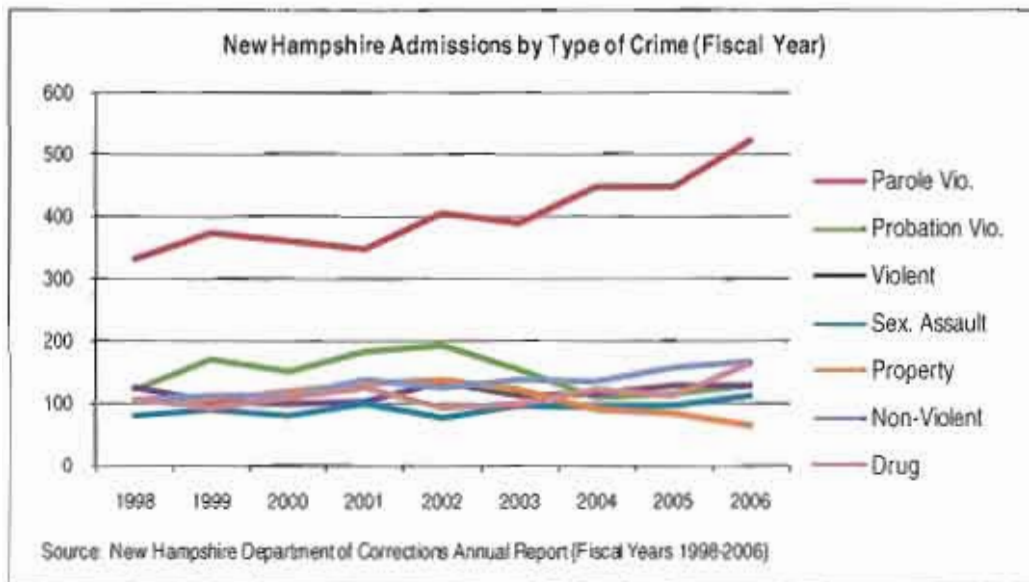
In the Trends and Projections portion of this report, historical data was collected that provided population characteristics. This data will also be repeated in this section for discussion of how to best impact on incarceration numbers.

Characteristics of the Incarcerated Population

When examining the most likely population that might be best suited for initiatives that can have a positive impact on Prison populations, a targeted approach is required. In other words what is the most likely population to be effected and have the largest impact? In 2006 approximately 41% of the inmate population was serving sentences of 2 years or less. In that same year 62% of the population was serving sentences of 4 years or less.



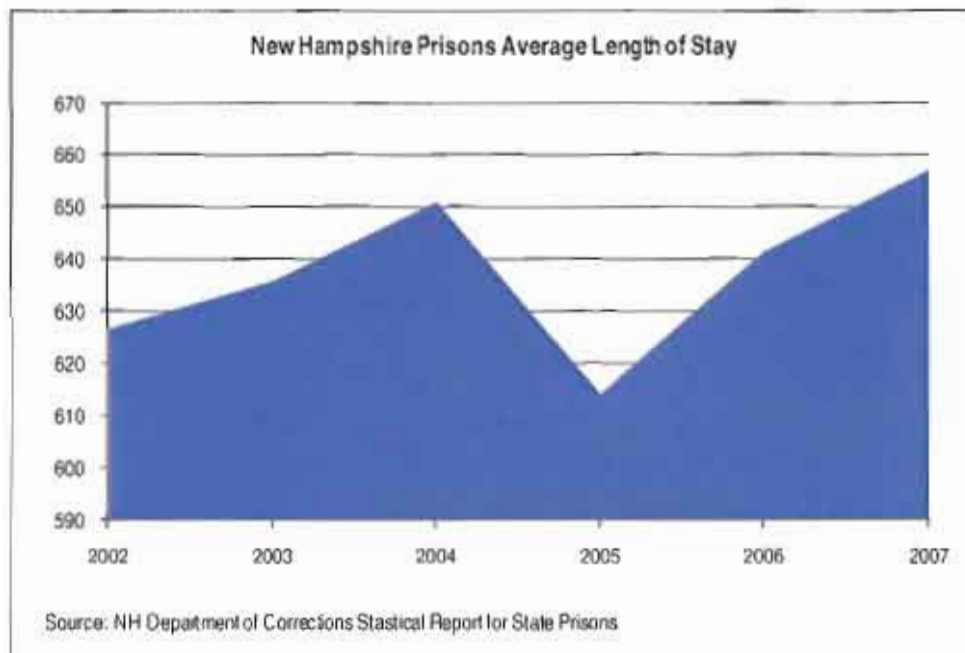
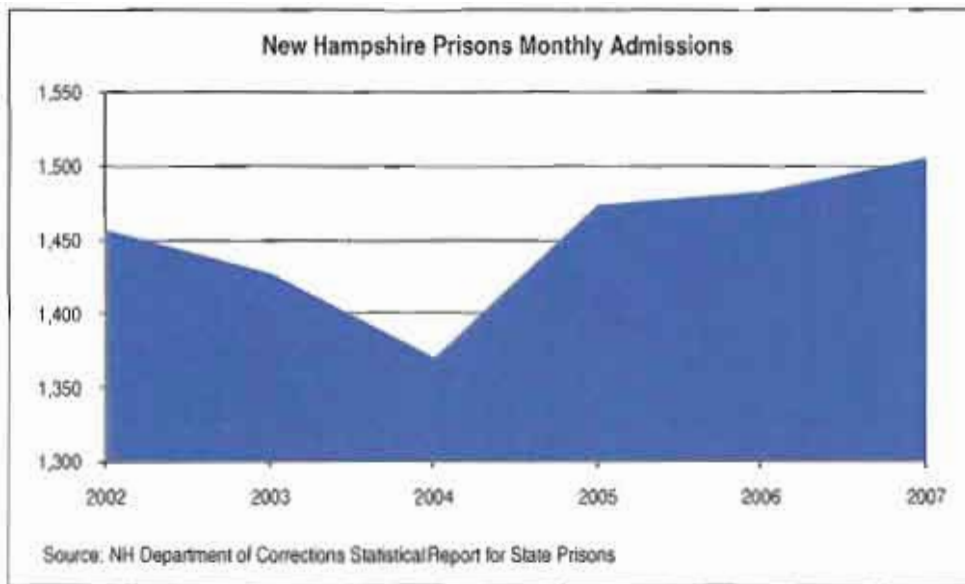
Additionally, parole violators have comprised well over 50% of all admissions into the New Hampshire Department of Corrections over the past several years. Parole violators have been increasing in the percentage of inmates admitted to the Department of Corrections. These are inmates who for one reason or another have been violated under supervision of the Field Services Unit, a Division of the Department of Corrections. This segment of the population has not necessarily committed new offenses. Offenders committed to the New Hampshire Department of Corrections for other offenses have been relatively stable in numbers over the past several years.



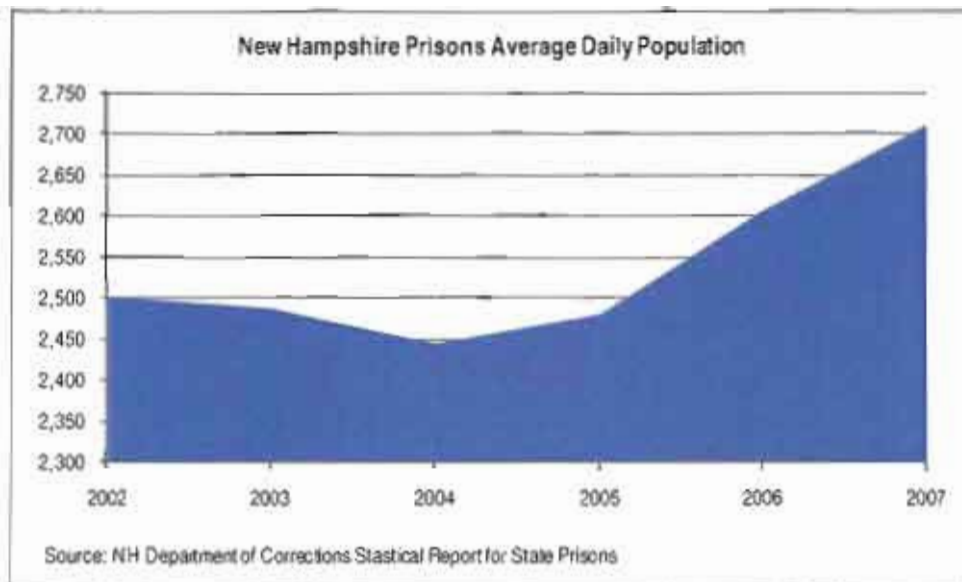
The New Hampshire Department of Corrections has established programs and initiatives for short term offender population that readies inmates for parole. These programs include a less restrictive correctional environment and release readiness programs to include work release and furlough.

Average Daily Population Influences

Factors that influence the average daily population of any correctional system are how many come in the door (admissions, ADM) and how long inmates stay in the system (average length of stay, ALOS). Positive impacts on either of these factors will have a positive impact on the average daily population. Conversely, if both factors rise the average daily population will also rise as has been the case in New Hampshire. Historical data indicate that both the ALOS and ADM have had a recent increase over the past several years.



The average daily population of the New Hampshire Department of Corrections has reflected the increases in ALOS and ADM as one would expect. The population has also increased over the same time period examined.



Existing Programs

There are programs in existence in New Hampshire that are in place that were designed to provide assistance to the offender population that can have a positive impact on the numbers of offenders incarcerated. These programs can be categorized as having impacts on admissions and average length of stay, the two primary factors that influence the average daily population of the New Hampshire Department of Corrections.

1. **Average Length of Stay Programs** – these programs include initiatives that prepare inmates for release and parole readiness. Examples of these programs include, parenting, work readiness, work release, life skills and substance abuse counseling to name a few.

Inmates eligible for these programs are traditionally placed in a classification category that allows active participation in these programs. These inmates are traditionally in a release readiness stage of their incarceration and are participating in the portion of their incarceration plan that prepares them for parole. The Parole Board anticipates that individuals participate in these programs prior to Parole approval.

Inmates in this category of their incarceration are classified as **C-1 inmates** in the New Hampshire Department of Corrections inmate classification scheme. In 2008 approximately 14% (380) of the inmate population is classified as C-1 inmates. Inmates classified as C-1 meet certain criteria. The criteria includes close to parole eligibility, not much time remaining on their sentence, good institutional behavior and a reduced security risk. These inmates participate in community programs and work release. These inmates would have completed educational and substance abuse programming during their incarceration. They are placed in a C-1 correctional environment which is located in close proximity to local communities for ease of employment for work release initiatives. These environments are less secure than traditional incarceration environments.

The primary problem facing the New Hampshire Department of Corrections is that the number of inmates classified and eligible for a C-1 classification rating, outnumber the available C-1 beds. As a result, inmates that are classified and ready for C-1 programming are being housed in C-2 and C-3 correctional environments that cannot allow C-1 programming due to security concerns. When these inmates come up for parole and have not had the benefit of C-1 programming, their chances for making parole are reduced and they remain in the New Hampshire Department of Corrections longer than they normally would, therefore increasing their length of stay.

Another program that is in existence today that has an impact on the average length of stay of inmates is the **Administrative Home Confinement Program (AHC)**. This is a program that allows offenders to serve the latter portion of their incarceration at their residence under the supervision of Electronic Monitoring. The program monitors their movement and allows movement outside their community residence under strict guidelines. Ideally the program would be used after successful completion of C-1 programming and prior to parole release.

Program entrance criteria in the AHC program were established by the New Hampshire Department of Corrections. The entrance criterion requires notifications and approvals of a number of individuals within the criminal justice system as well as institutional personnel. The program has not been utilized to any significant degree. Snapshot data received from the New Hampshire Department of Corrections from 2002-2007 indicate that the program averages 16 participants. If more inmates were placed in this program it could have a further reduction in the length of stay.

2. Admissions Based Programs – Division of Field Services (Parole & Probation) is a Division within the Department of Corrections. This Department is charged with supervising offenders placed under their charge by the courts for probation supervision and by the New Hampshire Parole Board for those offenders released from the Department of Corrections. This department administers a number of programs for the offenders placed in their charge.

The Division of Field Services places offenders in various levels of supervision based on factors established by the department and administered by the individual Parole and Probation Officers. The level of supervision placed on individual offenders is left open to the officer. Increased levels of supervision represent increased security or threat of the offender to assure compliance with supervision requirements.

The **Parole Enhancement Program (PEP)** is a 28 day residential program administered by the Department of Corrections. The program is intended as a wakeup call for offenders placed therein. Parolees are placed in the program by Parole Officers. Participants are individuals who are not compliant under community supervision and are placed back in an incarceration setting to receive special programming and treatment. The residential program is administered by the Department of Corrections and individuals are placed in DOC facilities. The idea of the program is to have individuals participate in this short term residential program rather than traditional parole violation that would require longer periods of incarceration.

To date the program has been underutilized. Incarceration beds have been specially located within the DOC for this program in Laconia. The Probation & Parole Unit indicated that there was a misinterpretation of the program intent and will utilize the program to a fuller extent in the future.

Another program that is utilized by the Parole and Probation Department is the **Halfway Back** program. This program utilizes the Department of Corrections C-1 Facilities to place individuals in these facilities for a short period of time (days) to take them out of their community environments on a temporary basis. Traditionally one to two beds is left open in the Department of Corrections Community Residential Centers (C-1 Facilities) for this use.

The Division of Field Services operates and **Electronic Monitoring Program** similar to the Administrative Home Confinement Program of the Department of Corrections. Data received from the Parole and Probation Department for 2007 indicated that approximately 50 individuals at any given time are participating in this program. This program is used by the agency at the discretion of the courts for probation cases and the Parole Board for parolees. This program is totally administered by a vender agency that notifies the department of violations of movement. This would seem to be the highest and most stringent level of community supervision.

Recommendations

The New Hampshire Department of Corrections has a number of programs in existence that can have a significant impact on the numbers of individuals incarcerated within their agency. It is not a matter of creating additional alternative to incarceration initiatives as much as it is a matter of better utilizing the existing programs.

1. Create more C-1 and C-2 Housing and Release Programming – The overall recommendation of this Master Plan is for the Department of Corrections to have an appropriate amount of beds to match the population needs. The lack of C-1 and C-2 beds within the system has created a bottle neck in the system. As a result inmates do not flow through their incarceration period as efficiently as needed. An institutional plan is developed for all inmates at time of reception. The institutional plans are not being met due to lack of ability of inmates to access the appropriate programming opportunities. This has impacted on the Parole Board's ability to parole individuals who have not had the opportunity to appropriately prepare themselves for release.
2. Develop a Population Management Strategy – The Department of Corrections and the Division of Field Services operate under the same organizational umbrella, however, there does not appear to be an overall organizational philosophy. The Department of Corrections operates the Parole Enhancement Program geared specifically toward the Parole supervision population. The program was developed to positively impact on parolees who are having supervision problems in the community. However, there was a misunderstanding by the Parole and Probation Unit regarding the focus of the program and as a result the program was and currently is underutilized.

Both the Department of Corrections and Division of Field Services need to understand each others' problems and issues and work toward a common uniform goal if offender management. The idea is to reduce the number of technical violators or to better manage that population. Each agency should develop programs that enhance each others' operation.

The National Institute of Corrections (NIC), Community Corrections Division has many studies advocating a comprehensive systematic approach to community supervision. An article written in 2006 which was published by NIC entitled "*An Ounce of Prevention: Proactive Community Supervision Reduces Violation Behavior*" promotes enhanced community supervision and a formalized process of supervision and

revocation. The discretionary approach to community supervision is replaced with a more formalized approach with specific goals to maintain community supervision with supervision enhancements and structures. A formalized hierarchy of supervision is developed and utilized prior to a decision for revocation.

3. Examine Technical Parole Violators – There is a large percentage of Parole Violators within the correctional environment. They are the largest segment of admissions into the institutional setting. The data for these violations need to be examined with a better understanding of the causes for these violations. Anecdotal information indicates that these are repeat offenders that know the system and just do not comply. Data would enhance that understanding as to when these violations occur and the frequency to better understand if there can be improved supervision strategies developed.
4. Increase Use of Electronic Monitoring – Currently there are two programs in place that utilize electronic monitoring capabilities. The Department of Corrections has the Administrative Home Confinement Program (AHC) and the Division of Field Services has their own electronic monitoring program. Both of these programs are implemented by the Division of Field Services. At the present time Departmental Policy is very stringent as to its utilization. The policy also has a number of individual approvals that are required prior to final approval and utilization. Any one of these approvals can deny individual placement in the program.

The policy directive for approval and placement in the program should rest within the Department of Corrections for the AHC program. The Department of Corrections develops the release plans and works with the individuals in the implementation of their incarceration plans. They are the agency that knows the individuals better than others. In this way the use of AHC becomes part of the progression toward release in to the community and becomes more of viable tool for progression to eventual community release.

5. Improved Utilization of the Parole Enhancement Program (PEP) – The PEP program has been underutilized with empty beds. These beds are the same classification as C1 beds and are very precious within the Corrections Department. When they are underutilized it becomes very tempting to utilize the beds for DOC purposes rather than for parole supervision purposes. The program should be a progressive supervision tool for the Division of Field Services. A better understanding of the treatment program needs to have the input and involvement of the Division of Field Services to gain their support and utilization of the program. The desired effect should be to reduce technical violations.