ALTERNATIVE-TO-INCARCERATION PROGRAMS FOR FELONY OFFENDERS: PROGRESS REPORT AND PRELIMINARY FINDINGS FROM A RECIDIVISM ANALYSIS

Submitted to the New York City Office
of the Criminal Justice Coordinator

June 2000

By

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This report was prepared under contract with the New York City Office of the Criminal Justice Coordinator with funding from the New York City Council. Points of view or opinions stated in this document are those of the authors and do not represent the official positions or policies of these organizations or their representatives. Some data on subjects participating in this research were provided to Vera by the Criminal Justice Agency (CJA). CJA is not responsible for the analytic methods used with these data, nor for the conclusions that appear in this report.

We gratefully acknowledge the invaluable work of our project staff—Alison J. Ball, Dimple Chaudhary, Jeanette Martinez, Doreen Miranda, Michael Moran, Michelle Naples, Quwanna Pompey, Julie Qashu, Ellen Rago, Edfra C. Roman, Michael Saarinen, Debbie Sarfati, Renee Sekino, Jena Tarlton, and Jennifer Wallis—and the assistance of Vera's Research Director, Dr. Eileen Sullivan; the former Project Director, Doug Young; Ellen Sweet, Director of Communications; and Jane Grabias, Editor.

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Executive Summary

New York City has established a network of programs designed to serve as alternatives to jail and prison. Alternative-to-incarceration (ATI) programs emphasize rehabilitation rather than punishment, providing a broad set of services to their clients. In response to a longstanding need for objective information about the effectiveness of ATI programs, the Vera Institute of Justice has been conducting an ongoing evaluation of these programs.

In this fourth interim report on the city's ATI programs serving felony offenders, we update our findings based on a larger sample of newly admitted ATI participants. More complete information is presented on the background of participants, the services provided by the ATI programs, and the retention and graduation rates of participants. New to this report are preliminary findings from our analysis of criminal recidivism.

The findings from our interviews with ATI participants continue to reveal that the ATIs serve a varied, yet consistently disadvantaged, population. Participants attending programs for substance abusers and women face greater challenges than participants in the other groups: they have abused drugs more extensively and report more medical and mental health problems. In contrast, the general population and youth groups consist mostly of young men with relatively stable economic, substance abuse, and health characteristics. Despite their differences, all participants lack strong educational and employment histories. The only change in these findings since the last report is a slight increase in the prior criminal history of substance abusers and women.

The report of services provided in the week before the interview continues to suggest that the programs provide services appropriately matched to the needs of participants. Substance abusers and women received the most services, particularly related to drug treatment and mental health problems. All groups report substance abuse services more frequently than anything else. Overall, participants receive a wide range of services and report high levels of satisfaction with programming.

Program completion and retention also varied by the population served. Successful completion rates ranged from a low of 39 percent for substance abusers to a high of 75 percent for the general population. Another 12 percent of substance abusers transferred to a different program, which is considered a more neutral outcome. Sixty-five percent of women and 49 percent of youth completed their ATI program. In comparison to our last report, the completion rate for the substance abusers declined, which may be related to the fact that the substance abuse programs have been admitting clients with more serious drug use and criminal histories. The clear differences in rates of completion and retention across the groups suggest that the standards for outcome and completion in the programs, set by the city at 55 percent, may need to be adjusted so that they are specific to the unique characteristics of the individual offender groups.

Preliminary findings from an analysis of rearrest and disposition charges for the ATI sample and a matched comparison group provide a first look at the impact of ATI programs on recidivism. Future reports will include a more complete and precise examination of the

period of risk for rearrest and a longer period of follow-up. Initially, our data suggest that ATI participants are generally comparable to a matched sample of offenders who did not attend an ATI program in terms of rearrest rate and the severity of both arrest and disposition charges. Some indicators of recidivism, such as the number of rearrests and the percent with felony as opposed to misdemeanor arrests, may, in fact, imply slightly less recidivism in the ATI sample than the comparison sample. In addition, offenders who completed an ATI program were arrested at half the rate of the comparison sample, supporting a positive effect of ATI participation. The large proportion of undetermined or pending charges and sentences in our data, however, temper the conclusions we can draw from our findings to date, and highlight the need for continued tracking of our samples over time.

The current findings on the evaluation of ATIs suggest that the programs are meeting the complex needs of a diverse population of offenders in New York City. Standards for rates of completion are mostly being met by the programs, and the participants are generally satisfied with the services being provided. Preliminary findings from the recidivism analysis also suggest that overall, the participants in ATI programs present no greater risk to the public safety than a comparable group of offenders not attending an ATI program.

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Chapter One

Introduction

Alternative-to-incarceration (ATI) programs in New York City are often used for offenders charged with felonies, typically drug offenses or robbery. These programs emphasize rehabilitation rather than punishment and provide a range of services to their clients, including drug treatment and counseling. By order of the courts, offenders must attend an ATI program for at least six months. During that time they participate in one-on-one and group sessions that address problems contributing to crime, such as substance abuse and unemployment.

The City of New York has made a substantial investment in the evaluation of the ATI system in response to the 1997 report from the New York City Council's Public Safety Committee, *Curbing Crime, Cutting Costs: A Plan to Improve the City's Alternative-to-Incarceration Policy*. This report called for objective information about the effectiveness of ATI programs. Subsequently, the City Council and the Mayor's Criminal Justice Coordinator asked the Vera Institute of Justice to conduct an evaluation of the performance of individual programs and their effect on both offenders and public safety. An integral question addressed in this research is whether alternative sanctions are as effective as other sentences, such as incarceration, in reducing criminal behavior. Specifically, if effectiveness is measured, in part, by the reduction of criminal behavior, whether the use of ATI programs results in more or less crime than other sanctions.

The Vera Institute has just completed the third year of its evaluation of ATI programs in New York City. We begin this interim report to the Office of the Criminal Justice Coordinator and the City Council of New York with an update of our continuing data collection through May 1, 2000. With a larger sample of offenders entering ATI programs, including recently admitted participants, we are able to present more complete information on the background of participants and the services provided by the ATI programs. Additional data from the program files also provides us with more reliable findings on retention and graduation rates for these participants.

In the second half of the report (Chapter Three), we introduce the newest component of our research, an analysis of criminal recidivism. Preliminary findings on rearrest rates for a sample of the first wave of ATI participants that entered our research and a matched comparison sample are presented, using official criminal records from the New York State Division of Criminal Justice Services (DCJS). This first look at the effect of ATI participation on recidivism allows us to begin our examination of the role ATI programs play in preventing crime and ensuring public safety.

Our research addresses six sets of questions:

- Who enters the ATIs and what are their treatment needs? Do their needs and characteristics match the type of program to which they are assigned?
- What are the offenders' self-reported criminal histories?
- What amounts and types of services are provided by the programs? Do the services match the needs of the participants?
- Have there been significant changes in the types of offenders referred to the ATI programs since the discontinuation of the Central Court Screening Service?
- How many ATI clients complete the program? What portion of participants remain in treatment at 30, 90, and 180 days? Are there certain characteristics of offenders associated with failure to complete the program?
- What is the rate of rearrest and the severity of the associated charges and sentence for participants in the ATI programs during the eight months following admission? How does this rate compare to that of a matched group of defendants who were eligible but not placed in the ATI system?

Chapter Two

Status of the Data Collection

Since March 1998 (with a five-month hiatus between August and December 1998) we have been collecting data on ten ATI programs in New York City. (These ATI programs, their services and the populations targeted are described briefly in Appendix A and in more detail in previous reports.[1]) We expect to have sampled enough participants to respond to our research questions and provide complete reports for the ten programs by the end of 2000.

Since our interim report in February 2000, we have completed an additional 106 intake interviews with new ATI participants (Time 1) and an additional 61 three-month follow-up interviews (Time 2). Our current sample includes 624 ATI participants, and is large enough to provide us with fairly conclusive answers to our first four sets of research questions.

In previous reports, we have presented detailed discussions of the results from the Time 1 and Time 2 interviews and the data collected from case file reviews.[2] These findings continue to remain remarkably consistent with those reported in July 1999, and we expect them to remain consistent through the completion of our data collection. To avoid redundancy in this interim report, we provide only a summary of the highlights of our most recent findings rather than a detailed description of the data. Any changes since the last report as a result of the additions to our research sample are described in more detail. For the purpose of comparison, we include the same set of tables for our newly updated and expanded sample of data as presented in earlier reports.

Highlights of Vera's Research Sample

The major findings presented in this chapter on the ATI participants in Vera's research sample, directly correlate to the first five sets of research questions outlined in the Introduction. The findings are broken down according to four targeted groups of offenders identified by the city: women, substance abusers, youth, and the general population. In this chapter we summarize data from the now larger sample of ATI participants, including background information and self-reported criminal history, three-month follow-up information about services provided by the programs, and clients' perceptions of ATI services and milieu. In addition, we have more complete information obtained from program files on a larger sample of participants, and provide an expanded assessment of program retention and completion rates. We report again on information relating to the city's decision to end the experiment with the Central Court Screening Service (CCSS), which operated

[1] (1) Douglas Young, Rachel Porter, and Gail Caputo, *Community Alternative for Felony Offenders: A Preliminary Assessment* (New York, NY: Vera Institute of Justice, 1998). (2) Douglas Young, Rachel Porter, and Gail Caputo, *Alternative to Incarceration Programs for Felony Offenders in New York City* (New York, NY: Vera Institute of Justice, 1999).

[2] Rachel Kramer, Doug Young, and Rachel Porter, *Alternative to Incarceration Programs for Felony Offenders in New York City* (New York, NY: Vera Institute of Justice, 2000).

concomitant with our research until it closed on June 30, 1999. As in the February 2000 report, we present a comparison of the background characteristics of ATI participants who entered the programs under CCSS and those who have entered the ATIs since CCSS closed.

Profile of ATI Participants

The data on the background of our ATI participants are similar to those presented in the last report (Tables 2A and 2B). The one exception is a very slight change in participants' prior criminal history. The updated sample of ATI participants has a higher mean number of prior convictions (2.2 compared to 1.8 in the last report) and a higher mean number of months incarcerated prior to the current offense (8.0 compared to 6.5). These changes can be accounted for primarily by the increase in the means for substance abusers and women. (ATIs for substance abusers and women are not mutually exclusive. Programs oriented toward female substance abusers are included in both categories for substance abusers and women. Therefore, increases in these two categories can be attributed to some of the same ATI participants.) This rise in self-reported criminal history suggests that over the course of our study, the substance abuse programs have been successful in their efforts to enroll offenders with increasingly serious criminal histories.

Overall, our findings continue to reveal that ATIs serve a varied, yet consistently disadvantaged, population. The four groups of ATI participants differ substantially in terms of their background characteristics and need for services. People in the substance abuse and women's programs face greater challenges than participants in the other groups: they are older; have poorer employment and educational histories; have more extensive drug use histories; have more prior convictions; and report more medical and mental health problems. Drug use is a large problem among those in the substance abuse programs, while mental health and medical problems are predominant among those in the women's programs. The disadvantages faced by women in these programs are striking, and mirrored across every sociodemographic and health domain measured in our study.

The general population and youth programs, in contrast, consist mostly of young men with a higher socioeconomic status and few of the substance abuse and medical and mental health problems reported by the other groups. Despite their differences, however, all four groups lack strong educational and employment histories.

The distinctive nature of the four subgroups highlights the need for population-specific programming and treatment. Our profile of these offenders supports the city's decision to encourage the development of ATI programs that meet the needs of these distinct groups, and suggests that it is an appropriate and useful breakdown of ATI participants.

Table 2A: Background Data from Time 1 Intake Interview

Background Variables	Total (n=624)	General Population (n=152)	Substance Abusers (n=260)	Women[3] (n=156)	Youth (n=143)
Demographic and Employment Data					
Age: Mean Median[4]	26.3 21.4	25.0 21.2	30.8 30.0	32.1 32.9	17.6 18.0
Male	70%	99%	61%	0%	90%
Race/Ethnicity: Latino African-American White Other	 38% 50% 4% 9%	 37% 51% 3% 9%	 43% 44% 5% 7%	 46% 40% 5% 9%	 27% 64% 1% 8%
Married	11%	13%	13%	12%	1%
High school diploma or GED	29%	32%	37%	36%	6%
Unemployed at time of interview	84%	72%	86%	95%	91%
Mean weeks worked in prior year	12.5	16.7	14.0	6.9	7.5
Mean employment income, past 30 days	$212	$281	$226	$113	$134
Depends on others for majority of support	78%	67%	73%	74%	95%
Self-Reported Medical, Psychiatric, and Family Problems					
Bothered by chronic medical problem(s)	31%	25%	38%	52%	15%
Experienced emotional abuse in lifetime	29%	28%	34%	47%	12%
Experienced physical abuse in lifetime	17%	14%	23%	36%	3%
Experienced sexual abuse in lifetime	10%	4%	15%	28%	1%
Experienced serious depression in lifetime	51%	47%	52%	66%	45%
Had thoughts of suicide in lifetime	18%	13%	22%	28%	12%
Is very troubled by family problems	20%	17%	23%	26%	15%
Is very troubled by social problems	21%	18%	23%	29%	21%
Is very troubled by psychological problems	31%	21%	34%	51%	28%
Self-Reported Substance Abuse History					
Any prior admission to drug treatment	24%	15%	40%	41%	6%

[3] Women enrolled in substance abuse programs are counted as both substance abusers and women.

[4] The median is defined as the middle value or the fiftieth percentile.

Background Variables	Total (n=624)	General Population (n=152)	Substance Abusers (n=260)	Women[3] (n=156)	Youth (n=143)
Used heroin, cocaine past 30 days	16%	10%	27%	22%	1%
Prior IV drug use	6%	5%	9%	13%	0%
Reports need for alcohol treatment	11%	6%	20%	13%	1%
Reports need for drug treatment	30%	20%	50%	44%	4%

Table 2B: Criminal History of Vera Sample Participants

Criminal History	Total (n=624)	General Population (n=152)	Substance Abusers (n=260)	Women (n=156)	Youth (n=143)
Self-Reported Criminal History					
Ever sold drugs	57%	64%	65%	53%	39%
Ever committed robbery	28%	30%	23%	11%	42%
Ever arrested as juvenile (< 16 years)	29%	25%	23%	11%	56%
Mean prior convictions	2.2	1.7	3.1	3.7	1.4
Mean months incarcerated	8.0	4.1	12.7	12.4	4.3

Comparison of ATI Participants Before and After the Discontinuation of CCSS

Now that we have a larger sample of ATI participants who enrolled after the discontinuation of CCSS (247), our findings on the differences and similarities between offenders recruited by CCSS and those recruited by the ATI programs are more reliable. Although the types of associations and the means and percents for each background characteristic do not differ greatly from those presented in the last report, the statistical significance of some of these associations has changed. The addition of more people to the sample allows us to make stronger conclusions about the meaningfulness (statistical significance) of these associations. Table 2C presents the distribution of all ATI participants by the CCSS status and ATI program.

Table 2C: ATI Vera Study Sample By CCSS Referral Status

Offender Group ATI Programs	Vera Study Sample		
	Total N	**Referred Under CCSS** (2/98 to 5/98; 1/99 to 6/99) N (%)	**Referred After Discontinuation of CCSS** (7/99 to 5/00) N (%)
General population, adult	**152**	**103 (68)**	**49 (32)**
Freedom	152	103 (68)	49 (32)
Substance abusers [5]	**259**	**146 (56)**	**113 (44)**
El Rio	86	42 (49)	44 (51)
Flametree	87	57 (66)	30 (35)
Project Return	25	9 (36)	16 (64)
Crossroads	37	26 (70)	11 (30)
Hopper Home[6]	25	12 (48)	13 (52)
Women	**155**	**85 (55)**	**70 (45)**
DAMAS	64	33 (52)	31 (48)
STEPS	5	5 (100)	0 (0)
Project Return	25	9 (36)	16 (64)
Crossroads	37	26 (70)	11 (30)
Hopper Home	25	12 (48)	13 (52)
Youth	143	**90 (63)**	**53 (37)**
CEP	98	59 (60)	39 (40)
YAP	45	31 (69)	14 (31)
TOTAL	**624**	**377 (60)**	**247 (40)**

Overall, ATI participants placed before and after July 1, 1999, have similar demographic and employment histories; medical, psychiatric, and family problems; substance abuse

[5] Women enrolled in substance abuse programs are counted as both substance abusers and women.
[6] Hopper Home is not a substance abuse program, but all Hopper Home participants in our sample were simultaneously enrolled in a substance abuse program.

histories; and self-reported criminal histories (Table 2D). These findings suggest that a roughly comparable group of offenders has been admitted to the ATIs since CCSS has no longer been responsible for targeting and screening offenders. In the previous report, we presented three exceptions to this similarity, background factors that were statistically different between the two groups. We had found that offenders referred under CCSS reported lower income in the past 30 days; were more likely to report a lifetime history of a serious depression; and were less likely to have had a prior admission to drug treatment and to have used heroin or cocaine in the past 30 days.

In the analysis of the larger sample, one of these factors no longer exhibited a significant difference between the two groups. Income, while still higher among the newer sample of ATI participants, is no longer significantly different from those referred by CCSS. The prevalence of serious depression, however, continues to be significantly less in the non-CCSS sample of ATI participants, while prior admission to drug treatment and recent use of heroin or cocaine occurs significantly more often.

A few associations that were not significant in our last report have now reached statistical significance. Offenders referred after the close of CCSS have a significantly higher mean age; are significantly less likely to be male; and are more likely to be troubled by social problems. These same offenders are less likely to have committed a robbery or been arrested as a juvenile, yet they report a significantly higher number of previous convictions and more time spent in prison or jail.

Based on this information, ATI participants referred since July 1, 1999, are more likely to have a history of problems with substance abuse and more extensive criminal history. These differences might reflect the efforts of the ATI programs to target more serious offenders by modifying both the method and sources of referral to the ATI programs. In particular, a few programs now accept referrals from local drug courts. As a result, offenders being enrolled in the programs are more severely affected by substance abuse. The overall similarity between ATI participants referred before and after the discontinuation of CCSS, however, suggests that the ATI programs have maintained continuity in the responsibilities of targeting, screening, and placing a comparable population of defendants. With a few exceptions, the profile of people admitted to the city's network of ATI programs has remained roughly the same.

Table 2D: Background Information and Self-Reported Criminal History from Time 1 Intake Interview, by CCSS Referral Status

Background Variables	ATI Subjects Referred Under CCSS (2/98 to 6/99) (n=377)	ATI Subjects Referred After Discontinuation of CCSS 7/99 to 5/00 (n=247)	
Demographic and Employment Data			
Age: Mean Median	25.3 20.5	27.7 23.1	**
Male	74%	65%	*
Race/Ethnicity: Latino African-American White Other	 41% 49% 3% 7%	 34% 50% 5% 11%	
Married	10%	11%	
High school diploma or GED	28%	30%	
Unemployed at time of interview	83%	85%	
Mean weeks worked in prior year	13.0	11.6	
Mean employment income, past 30 days	$184	$254	
Depends on others for majority of support	77%	81%	
Self-Reported Medical, Psychiatric, and Family Problems			
Bothered by chronic medical problem(s)	29%	35%	
Experienced emotional abuse in lifetime	27%	30%	
Experienced physical abuse in lifetime	17%	17%	
Experienced sexual abuse in lifetime	9%	11%	
Experienced serious depression in lifetime	56%	44%	**
Had thoughts of suicide in lifetime	18%	17%	
Is very troubled by family problems	19%	22%	
Is very troubled by social problems	18%	26%	*
Is very troubled by psychological problems	31%	31%	
Self-Reported Substance Abuse History			
Any prior admission to drug treatment	18%	33%	**
Used heroin, cocaine past 30 days	11%	22%	**

Background Variables	ATI Subjects Referred Under CCSS (2/98 to 6/99) (n=377)	ATI Subjects Referred After Discontinuation of CCSS 7/99 to 5/00 (n=247)	
Prior IV drug use	6%	5%	
Reports need for alcohol treatment	11%	9%	
Reports need for drug treatment	29%	31%	
Self-Reported Criminal History			
Ever sold drugs	54%	60%	
Ever committed robbery	32%	22%	*
Ever arrested as juvenile (< 16 years)	32%	25%	*
Mean prior convictions	1.6	3.1	*
Mean months incarcerated	5.9	10.9	**

* = p<.05, ** = p<.01

Program Services and Performance

The findings from our Time 2 interviews, which occur three months after enrollment in the ATI programs, are practically the same as those presented in the last report; there are no changes of note. The first part of the Time 2 interview assesses the circumstances and needs of participants in the past 30 days, while they are still enrolled in the programs. These data continue to highlight distinctions between the four offender groups, in line with the findings from the Time 1 interview (Table 2E). Women and substance abusers were more likely to report instability in their lives concerning housing, unemployment, family and social relations, and medical and mental health problems. Substance abuse while in the program occurred infrequently, but was still prevalent among some ATI participants. (It is important to keep in mind that these are merely *reports* of recent drug use, and may represent an underreport of actual use.) The general population group was the most likely to report drinking to intoxication (10 percent), while youth were most likely to report using marijuana (34 percent) in the past 30 days. Youth were also the most likely to report engaging in illegal behavior (16 percent).

The fact that youth are more likely to report marijuana use and illegal behavior in general while attending the programs, could be the result of a number of factors. First, youth who are admitted to ATI programs tend to have more serious offenses (robbery rather than substance-related offenses) than the other ATI groups. This may indicate a greater willingness to commit these and even less severe offenses while still in the programs.

Second, the youth programs accommodate school and work schedules, so that adolescents spend less time at the programs compared to other ATI participants. This results in less daytime supervision of youth and more opportunity for relapse. Third, the youth, by nature of their age, are more volatile.

Table 2E: Status in Life Areas 30 Days Prior to Time 2 Interview

Status in Last 30 days	Total (n=336)	General Population (n=92)	Substance Abusers (n=134)	Women (n=99)	Youth (n=69)
Living with immediate family	66%	73%	52%	49%	87%
Living in an institution	10%	0%	20%	29%	1%
Changed residence	13%	11%	15%	19%	4%
Mean days worked	4.5	8.2	3.1	1.5	3.5
Mean days in school or job training	4.9	4.5	2.5	3.8	8.9
Mean days experienced serious family/social problems	2.4	1.9	3.2	3.3	1.6
Mean days experienced emotional problems	6.4	5.3	7.4	9.6	5.1
Prescribed psychiatric medication	6%	1%	11%	17%	3%
Mean days experienced physical health problems	3.6	2.7	4.3	5.6	2.2
Treated for physical problems	15%	10%	20%	19%	9%
Drank to intoxication	6%	10%	7%	2%	3%
Used: marijuana	15%	14%	8%	5%	34%
heroin	1%	2%	1%	1%	0%
methadone	2%	4%	0%	4%	0%
crack	1%	0%	2%	1%	0%
cocaine	2%	1%	5%	2%	0%
Engaged in illegal behavior	8%	8%	4%	3%	16%

The second part of the Time 2 interview with ATI participants elicited information about attendance at the programs and services received in the previous week (Table 2F). Attendance in the past 30 days continues to be comparable across the four groups, ranging from 15.2 days for the general population to 16.5 days for women. Required attendance (as reported by

the participants) ranged from 16.5 days for youth to about 20 days for both women and substance abusers, suggesting a more full-time curriculum for these populations.

The data regarding the report of services provided in the previous week continue to suggest that the services appear to be appropriately matched to the individual needs of ATI participants (Tables 2F, 2G, and 2H). Both services received at the programs and referrals to outside programs seem to occur in response to the needs of the individual groups of offenders. Based on our data as well as reports from program staff, the general population, which is characterized as relatively stable, receives more vocational and educational services. Youth receive fewer group services but relatively high levels of individual counseling, as a result of greater time spent in school or vocational studies, as well as the programs' emphasis on case management rather than group counseling. Substance abusers and women, who are among the most disadvantaged of the four groups, report receiving the most services. Women in particular bring to the programs a complicated set of problems that require more extensive services oriented toward family and social issues, as well as mental and physical ailments. The curricula of the women's programs indicate the staff's appreciation of the importance of addressing these types of problems, given their potential for being associated with substance abuse and criminal activity.

All of the ATI participants said they received substance abuse services more frequently than anything else. This suggests the programs provide services that address a range of substance-related problems, from preventive substance abuse classes to programming focused on low-level addiction, to treatment for severe abuse and dependency. Although some ATI programs do not target substance abusers, they all provide some form of substance-related treatment. This is appropriate given the history of substance abuse and recent use of drugs or alcohol reported by the offenders.

ATI participants were also asked to rate the utility of the services they received according to a three-point scale: not helpful, helpful, or very helpful. Those who did not receive a particular service were not included in the measure of that service. Once again, the majority of ATI participants rated the sessions very helpful. In general, women were more likely to judge the services very helpful and youth were least likely to view services as helpful.

Table 2F: Participation in Group Services at ATI Programs

Variable Description	Total (N=336)	General Population (N=92)	Substance Abusers (N=134)	Women (N=99)	Youth (N=69)
Mean days attended in month	15.7	15.2	16.4	16.5	15.5
Mean days scheduled in month	18.7	18.2	20.3	20.2	16.5
Mean unexcused absences in month	0.5	1.1	0.3	0.3	0.1
Services reported for the week prior to the interview:					
Vocational Services					
Mean sessions on education or job training	1.3	1.4	1.4	1.3	0.7
Judged service very helpful (number responding)	65% (180)	69% (55)	62% (84)	65% (57)	63% (24)
Mean Sessions on job placement	0.7	0.8	1.0	0.8	0.3
Judged service very helpful (number responding)	68% (105)	73% (30)	63% (59)	65% (37)	80% (10)
Drug Treatment Services					
Mean drug/alcohol tests	1.5	0.6	2.6	2.4	0.9
Respondents reporting one or more positive drug tests	8% (324)	6% (86)	5% (132)	1% (97)	19% (67)
Mean AA/NA sessions	0.5	0.6	0.8	0.4	0.0
Judged service very helpful (number responding)	69% (134)	63% (27)	69% (100)	81% (62)	0% (1)
Mean relapse prevention sessions	0.7	0.6	1.3	1.0	0.0
Judged service very helpful (number responding)	69% (170)	63% (49)	71% (101)	82% (61)	67% (6)
Mean drug/alcohol education sessions	0.8	0.9	1.2	1.0	0.3
Judged service very helpful (number responding)	72% (165)	63% (49)	76% (89)	88% (59)	55% (11)
Mean other sessions in which drug/alcohol problems discussed	1.4	1.0	2.5	2.3	0.1
Judged service very helpful (number responding)	75% (153)	79% (42)	77% (91)	86% (56)	50% (10)
Total mean sessions on drug treatment	3.4	3.1	5.8	4.8	0.5

Variable Description	Total (N=336)	General Population (N=92)	Substance Abusers (N=134)	Women (N=99)	Youth (N=69)
Family Services					
Mean sessions on family problems	1.3	0.7	2.2	2.1	0.0
Judged service very helpful (number responding)	76% (123)	88% (24)	72% (68)	76% (71)	75% (4)
Mental Health Services					
Mean relaxation therapy or acupuncture sessions	0.9	0.2	2.0	1.2	0.0
Judged service very helpful (number responding)	55% (140)	61% (23)	55% (100)	62% (58)	20% (5)
Mean behavior treatment sessions (e.g., role play, rehearsal, theater)	0.4	0.2	0.7	0.9	0.1
Judged service very helpful (number responding)	83% (82)	78% (18)	91% (43)	84% (45)	70% (10)
Mean sessions on psychological/emotional problems	1.2	0.9	2.0	2.4	0.0
Judged service very helpful (number responding)	69% (107)	73% (26)	70% (59)	78% (50)	50% (6)
Total mean sessions on mental health problems	2.5	1.3	4.7	4.5	0.2
Legal Services					
Mean sessions on legal problems	0.6	0.7	0.9	0.7	0.2
Judged service very helpful (number responding)	72% (105)	80% (30)	70% (54)	82% (33)	67% (12)

Variable Description	Total (N=336)	General Population (N=92)	Substance Abusers (N=134)	Women (N=99)	Youth (N=69)
Program Assistance Services					
Receiving material assistance (e.g. food, clothing, housing)	25% (335)	17% (92)	35% (133)	50% (98)	10% (69)
Receiving assistance in coordinating benefits (e.g., food stamps, unemployment)	21% (336)	14% (92)	31% (134)	35% (99)	9% (69)

Table 2G: Individual Counseling Offered Onsite

Variable	Total (n=336)	General Population (n=92)	Substance Abusers (n=134)	Women (n=99)	Youth (n=69)
Average weekly hours in individual counseling sessions (mean)	2.0	2.1	1.5	1.5	1.8
Percent reporting individual counseling in prior week, in the following areas:					
Education/Job training	64%	67%	63%	61%	62%
Job Placement	40%	41%	40%	32%	46%
Drug Treatment	34%	24%	43%	41%	29%
Family problems	34%	28%	33%	58%	26%
Psychological/Emotional problems	37%	24%	38%	58%	36%
Legal problems	35%	29%	36%	35%	33%

Table 2H: Referrals to Outside Services for Group or Individual Services

Percent Referred For ...	Total (n=336)	General Population (n=92)	Substance Abusers (n=134)	Women (n=99)	Youth (n=69)
Education or job training	13%	7%	21%	21%	9%
Job placement	7%	4%	6%	11%	12%
Detoxification	2%	2%	2%	3%	0%
Drug treatment	12%	2%	25%	30%	4%
Family counseling	7%	2%	11%	16%	4%
Emotional/psychological counseling	2%	0%	5%	6%	3%
Physical health	6%	0%	10%	16%	4%
Legal assistance	3%	0%	3%	6%	4%
Material assistance	15%	5%	25%	36%	4%
Assistance in coordinating benefits	27%	20%	43%	47%	7%

The last portion of the Time 2 interview asked participants to assess the program environment, using the Community Oriented Program Environment Scale (COPES). The COPES evaluates the nature and structure of interactions with peers and staff, and the program's rules, organization, and clinical milieu. We asked true or false questions to produce scores in three areas, or dimensions: relationships, personal growth and goal orientation, and system maintenance (see Appendix B). COPES scores range from zero to four, with a higher score indicating greater presence of that area.

The participants' scores continue to suggest that the programs are relatively strong in involving clients in programming, in the practicality of their services, and in their organization, clarity, and control (Table 2I). On the other hand, the participants see the programs as low in spontaneity and low in the level of autonomy they offer. However, they perceive low levels of anger and aggression in both participants and staff.

Differences among the ATI programs remain minimal. Women and substance abusers are more likely than the other groups to characterize staff and other participants in their programs as angry and aggressive. Youth tended to give lower ratings for the programs' levels of involvement, support, and spontaneity, as well as for issues related to their personal growth and goal orientation.

Table 2I: Program Environment

COPES[7] DIMENSIONS AND SUBSCALES	Average Score (from 0 to 4)				
	Total	General Population	Substance Abusers	Women	Youth
Relationships	2.4	2.5	2.5	2.8	2.0
Involvement	3.1	3.3	3.1	3.5	2.8
Support	2.9	3.0	2.9	3.4	2.5
Spontaneity	1.3	1.2	1.5	1.6	0.7
Personal Growth/Goal Orientation	2.3	2.3	2.6	2.5	1.9
Autonomy	1.7	1.8	1.9	1.7	1.3
Practical	3.2	3.3	3.3	3.3	2.8
Personal Problem Orientation	2.6	2.5	2.9	3.0	2.0
Anger and Aggression	1.9	1.6	2.2	2.2	1.5
System Maintenance and Change	3.5	3.6	3.5	3.6	3.5
Order and Organization	3.6	3.7	3.5	3.6	3.6
Program Clarity	3.7	3.8	3.7	3.7	3.6
Staff Control	3.3	3.3	3.3	3.4	3.3

Program Attendance and Completion

Data from the case files cover a small proportion of the total sample (195/624). We will present conclusive findings from this part of the evaluation at the end of the research, when we have access to data on completion for all research participants.

Our current findings on completion and attendance, however, indicate that the ATI programs generally meet rates set by the city (Table 2J). The rate of completion for the entire research sample is 55 percent, which is exactly the graduation rate specified in ATI contracts with the city. Both the general population and women surpassed the contractual target for completion (75 percent and 65 percent, respectively), unlike substance abusers (39 percent) and youth (49 percent). (Twelve percent of substance abusers successfully transferred to another program. These transfers were considered in most cases as a neutral or positive outcome, and not a failure.)

In comparison to our last report, the completion rate for substance abusers has declined from 45 percent to 39 percent. The change in the proportion of this group finishing the programs may be a byproduct of the increases described earlier regarding prior admission to drug treatment, recent use of cocaine or heroin, and the number of prior convictions and months incarcerated. It is possible that the substance abuse programs are admitting more serious offenders, and are having more difficulty keeping them in the programs.

[7] Community Oriented Program Environment Scale.

The median days of retention continue to indicate that ATI participants are generally spending about six months in the programs. The number of people remaining in the programs 180 days or more declined from 47 percent in the February 2000 report to a current level of 40 percent, due in part to the larger number of failures among substance abusers. This group of participants spends less time in their programs compared to the other groups, which may be related to a higher percentage of transfers and a lower completion rate. Substance abusers may also experience more disruption in their lives, resulting in less attendance, less treatment, and more failures. In contrast, the general population, considered more stable economically and socially, may have an easier time successfully completing the treatment program.

These findings highlight the importance of addressing methods to improve both retention and completion in all ATI programs, but particularly among the substance abuser group. The clear differences in retention across the four groups suggests that the standards for monitoring these programs, and the city's contractual rates of completion in particular, may also need to be adjusted so that they are specific to the individual offender groups, setting realistic goals for retention, completion, and other neutral outcomes.

Table 2J: Case File Review of Program Outcomes and Retention

Measure	Total (n=195)	General Population (n=40)	Substance Abusers (n=82)	Women (n=57)	Youth (n=33)
Outcomes					
Completed (n)	55% (108)	75% (30)	39% (32)	65% (37)	49% (16)
Transferred (n)	6% (12)	0%	12% (10)	4% (2)	3% (1)
Failed to complete (n)	39% (75)	25% (10)	49% (40)	32% (18)	49% (16)
Retention					
Median days in program	181	183	142	180	183
In program 30 days or more	94%	100%	90%	88%	100%
In program 90 days or more	77%	93%	65%	75%	85%
In program 180 days or more	56%	75%	40%	58%	61%

Correlates of Program Completion

As in our last report, we examined the association between completion status and select background information collected during the first interview (Time 1). (The sample for these analyses is limited to the 194 participants for whom we have case file review data. Thus, the findings are presented for the sample as a whole, rather than broken down into the four groups of participants (Table 2K)). Previously, only one factor was significantly associated with completion: employment at the time of the interview. People who had a job were significantly more likely to complete the program. This variable did not remain significant in the expanded sample of participants, yet participants who were employed still completed the programs at a higher rate (70 percent) compared to those who were not (53 percent). The only factor that was significant in our larger sample was the use of cocaine or heroin in the past 30 days. Participants who reported use of heroin or cocaine were, not surprisingly, less likely to complete the program (31 percent) compared to those who did not (60 percent). This finding supports our hypothesis in the previous section about the lower completion rate in the substance abuser programs: As ATI programs target more severe substance abusers, the result may be a reduction in the number of people successfully finishing the program.

Although there were no other significant associations, a few background characteristics in addition to employment suggested a borderline association with completion status. People who had graduated from high school or completed a GED were more likely to complete their ATI program (61 percent) compared to those who did not have a diploma or GED (53 percent). As with employment, we would expect education to contribute to the stability of participants' lives and increase the probability of their staying in treatment.

In addition, people who reported a lifetime history of suicidal thoughts were less likely to complete their programs (44 percent) than those who did not (59 percent). This

finding has not changed since our last report and continues to stress the importance of early mental health assessment and the need for making mental health services available to ATI participants.

Although the data on the correlates of program completion are still preliminary, there are certain characteristics of ATI participants associated with successful or unsuccessful completion. Once we have information on our entire sample, we will have more conclusive findings to help ATI staff anticipate the risk for failure among certain participants, modify the delivery of services, and improve rates of retention. Specialized treatment may be beneficial for those most likely to fail a program, such as more severe substance abusers.

Table 2K: Associations Between Program Completion and Select Background Characteristics

Background Characteristics	Percent Complete	N	p-value
Male	53%	126	p=0.42
Female	60%	68	
Race			
African-American	57%	92	p=0.74
Latino	53%	85	
High school diploma or GED	61%	61	p=0.43
No diploma or GED	53%	133	
Employed at interview	70%	37	p=0.08
Unemployed at interview	53%	156	
Chronic medical problems	58%	57	p=0.81
No chronic medical problems	55%	137	
Emotional abuse in lifetime	61%	59	p=0.42
No emotional abuse	54%	129	
Physical abuse in lifetime	55%	38	p=1.00
No physical abuse	56%	150	
Severely depressed in lifetime	57%	97	p=0.89
Not severely depressed	55%	97	
Serious thoughts of suicide in lifetime	44%	39	p=0.12
No serious thoughts of suicide	59%	154	
Prescribed psychiatric medication in lifetime	43%	21	p=0.32
Not prescribed psychiatric medication	57%	172	
Used cocaine or heroin within 30 days of program entry	31%	29	p=0.01 **
No cocaine/heroin use within 30 days	60%	165	
Reports need for drug treatment	48%	65	p=0.15
No needs or drug treatment	60%	129	
Has been in drug or alcohol treatment previously	53%	40	p=0.78
No prior treatment	57%	154	
Has prior criminal convictions	54%	151	p=0.16
No prior convictions	69%	35	
Incarcerated for more than three months in lifetime	50%	54	p=0.30
Incarcerated for less than three months	60%	124	

** = p<=.01

Chapter Three

Recidivism In ATI Participants and a Matched Comparison Sample

To examine the impact of ATI programs and to assess their collective effectiveness in comparison to other sanctions, we have begun to conduct an analysis of rearrest and disposition charges for our sample of ATI participants. This chapter includes the first presentation of our methodology (pages 21 to 27) and some preliminary findings of the analysis of recidivism (pages 27 to 38). Over the course of the next six months we will continue to examine these data and increase the complexity of the analyses. This initial presentation is intended to be an introduction to our methodology and findings.

The recidivism analysis employs a quasi-experimental design, in which we compared rearrest and disposition charges for a sample of ATI participants included in the Vera research and a similar sample of defendants who were eligible to receive ATI placement but, for various reasons, received other case outcomes. We tracked rearrest rates for a period of approximately eight months following a designated reference date. For ATI participants, it was the date of program admission; for the comparison sample, it was the date when ATI placement was evaluated and rejected. Assuming the two groups are well-matched, any differences in outcome, such as a lower rearrest rate for the ATI participants, could be attributed to their involvement in an ATI program.

The ATI and Comparison Samples

The study group consisted of felony offenders, half of whom were placed in an ATI program and subsequently agreed to participate in the Vera research. The other half of the sample, although identified and screened by the Central Court Screening Service (CCSS), were not placed into an ATI program. This portion of the group received other case outcomes, such as incarceration or probation.

The ATI Participants. The sample of ATI participants included all ATI research participants admitted into ten ATI programs (see Appendix A) in New York City from March 1998 through June 30, 1999 (n=377). This recidivism sample is a subgroup of the research participants described in Chapter 2, and is comparable to the research sample as a whole.[8] In the sample, programs focused on substance abusers accounted for the largest proportion (39 percent); programs for women (which included some of the substance abuse programs) 23 percent; the general population programs, 27 percent; and youth-oriented programs, 24 percent.[9] We chose the cut-off date of June 30, 1999, so that the ATI sample would include

[8] See Table 2C on page 7 for the distribution of this sample according to the ten ATI programs and the four offender subgroups. "Referred Under CCSS" represents the 377 ATI participants used in this analysis.
[9] A detailed description of these research participants and how we collected the data can be found in previous reports. (1) Douglas Young, Rachel Porter, and Gail Caputo, *Community Alternative for Felony Offenders: A*

only those participants who were screened while CCSS was in operation, and thus would be contemporaneous with the comparison group.

The Comparison Group. We selected offenders for the comparison group in collaboration with the Criminal Justice Agency (CJA), the parent organization of CCSS. Until June 1999, CCSS was responsible for screening and targeting felony offenders for the ATI programs. CCSS staff screened potentially eligible offenders by using information about their prior record and current criminal charge to identify people who were likely to receive at least a six-month jail or prison term. They then referred appropriate offenders to the ATI programs. CCSS staff made the decision to reject (or not refer) defendants to an ATI based on several factors, including whether the offenders pleaded not guilty or accepted jail time; whether defense counsels, prosecutors, and judges consented to placement; whether court representatives could verify the offenders' community ties; whether offenders met specific criteria for admission into the ATI programs; and whether offenders were willing to attend an ATI program.

Through an agreement with CJA, we used CCSS's records containing the reasons for rejection or non-referral to select our comparison sample. CJA provided us with a subset of offenders not referred through June 30, 1999, including only cases that reached Supreme Court to eliminate people who received criminal court sentences and fines. CCSS staff categorized reasons for not referring offenders to an ATI program and grouped them according to the various sources from which the reason for non-referral originated (for example, adjudicative, district attorney, judge, court representative, or defendant). In an attempt to obtain a group most comparable to our ATI sample, we selected only cases with the following reasons for non-referral within the stated sources: a*djudicative*: cases unavailable for consideration because either a warrant was ordered on the person or the case was missed because it had been disposed without ATI intervention; *defense counsel*: cases refused because of the nature of the instant offense, because either a mandatory state imprisonment was offered or the defendants were offered imprisonment only, or because the defense counsel refused for some other reason; *program*: cases not referred for reasons related specifically to the requirements of the individual ATI programs; and *other/unknown*: cases that were not pursued or rejected for an otherwise not categorized reason.

Using these criteria we selected 3,706 people who were not referred to an ATI program. This group was large enough to generate a comparison sample matched to our ATI participant sample.

Preliminary Assessment (New York, NY: Vera Institute of Justice, 1998). (2) Douglas Young, Rachel Porter, and Gail Caputo, *Alternative to Incarceration Programs for Felony Offenders in New York City* (New York, NY: Vera Institute of Justice, 1999). (3)Rachel Kramer, Douglas Young, and Rachel Porter, *Alternative to Incarceration Programs for Felony Offenders in New York City* (New York, NY: Vera Institute of Justice, 2000).

Matching the Samples

We determined the final comparison sample from the pool of non-referrals through a process of individual and group matching with the ATI sample. Using data from CJA, we selected a set of seven variables representing background characteristics of the offenders, to construct our match. We chose these variables based on their anticipated association with recidivism. They included demographic factors (gender, age), information about the current or instant offense (county/court of prosecution, first arrest, most severe affidavit charge at arraignment, release status leaving criminal court), and information on prior felonies and misdemeanors. We then defined a single numeric matching variable (ranging from 1 to 2,880), incorporating all possible combinations of these seven factors. For example, we would assign a value of 15 for the single matching variable to a defendant with all of the following characteristics: female; between 25 and 35 years old; prosecuted in Brooklyn; not experiencing her first arrest; charged with something other than a drug-related or violent felony offense; made bail and was released; and had no prior felony or misdemeanor convictions.

This single matching variable was defined for each person in the non-referral pool and our ATI sample. We selected a direct match for each ATI participant by randomly selecting cases with the same matching variables from the pool of non-referrals. For example, if there were ten individuals in the ATI sample with a matching variable equal to 15, then ten individuals would be randomly selected from those in the non-referral pool who also had a matching variable with a value of 15. Using this method we were able to match 317 of the 377 ATI participants to a comparison offender from the pool of non-referrals. For the remaining ATI participants who did not have an exact match, we conducted a group match rather than a one-to-one match. We selected 60 people from the remaining group of non-referrals who were as comparable as possible in terms of each of the seven factors. Statistical testing demonstrated that the two samples are comparable in terms of each of these factors; none of the variables were significantly different from each other.

General Characteristics of the Two Samples. As shown in Table 3A, both samples are predominantly male (approximately 75 percent). Almost half of the offenders were 18 to 24 years old, while only a small proportion were less than 18 years old (approximately 10 to 13 percent). Looking at the county of prosecution, offenders were generally distributed evenly across the Bronx, Brooklyn, and Manhattan, with fewer offenders coming from Queens.

For two-thirds of people in both groups, the offense for which they were either placed in an ATI program or screened by CCSS ("the instant offense") was their first arrest. The most severe charge at arraignment was evenly split between drug offenses and violent felony offenses. Following criminal court, the vast majority (85 percent of the ATI sample and 99 percent of the comparison group) did not make bail and were incarcerated.

A little more than two-thirds of both groups had no prior felony or misdemeanor conviction. Among those with the most severe criminal history ("prior felony or greater than

five misdemeanors" in Table 3A), ATI participants were more likely to have a prior felony conviction (41/65 or 63 percent), than the comparison group (29/67 or 43 percent). Although suggestive of a slightly more serious criminal history in the ATI participants, this difference was not statistically significant.

Ideally, our two samples are identical in every way except for their enrollment in an ATI program, so that any difference in recidivism between the two groups could be attributed to participation in the ATI. Although we are reasonably sure the two samples are similar in terms of the seven factors we incorporated into our matching process, there are other factors that we did not consider. For example, taking into account more detailed information about criminal history and the instant offense, CJA's recommendation for ROR (released on recognizance), and characteristics of the offenders indicative of stability (family support or other demographic information) could improve the match between the two samples. In future examinations of these data, we will explore how to make a more precise match with the ATI sample by using different methods for matching, perhaps even selecting additional variables.

Table 3A: Characteristics of ATI and Comparison Samples

Sample Characteristics	ATI Sample (n=377)	Comparison Sample (n=376)
Sex		
Female	24.4% (92)	20.7% (78)
Male	75.6% (285)	79.3% (298)
Age		
Less than 18 years old	13.0% (49)	10.6% (40)
18-24 years old	49.9% (188)	48.4% (182)
25-34 years old	17.0% (64)	19.4% (73)
35+ years old	20.2% (76)	21.5% (81)
County/Court of Prosecution		
Bronx	30.2% (112)	23.1% (87)
Brooklyn	28.8% (107)	29.3% (110)
Manhattan	29.7% (110)	33.0% (124)
Queens	11.3% (42)	14.6% (55)
First Arrest		
No	64.9% (238)	68.8% (253)
Yes	35.2% (129)	31.0% (114)
Unavailable	0.0% (0)	0.3% (1)
Most Severe Affidavit Charge (Arraignment)	42.2% (156)	46.3% (174)
Violent Felony Offense	48.4% (179)	42.0% (158)
Drug Offense	9.5% (35)	11.7% (44)
Neither		
Release status leaving criminal court		
Parole continued (ROR)	0.8% (3)	0.0% (0)
Released on recognizance (ROR)	12.1% (45)	0.3% (1)
Bail made, defendant released	1.6% (6)	0.5% (2)
Bail not made, defendant incarcerated	84.9% (315)	99.2% (373)
Remanded	0.5% (2)	0.0% (0)
Prior felonies and misdemeanors		
No felonies, no misdemeanors	69.2% (261)	66.4% (245)
No felonies, less than 6 misdemeanors	13.5% (51)	15.5% (57)
Prior felony or greater than 5 misdemeanors	17.2% (65)	18.2% (67)

Note: Sample does not add up to 100% for some variables due to rounding.

Measuring Recidivism

Once we had selected the two samples, the New York State Division of Criminal Justices Services (DCJS) provided us with information on all arrests that had occurred since our reference date. For ATI participants, this date was the time of admission to the ATI

programs; for the comparison sample, this was the date of screening for ATI placement and non-referral (the point at which the court screener from CCSS made the decision not to pursue a case). DCJS provided us with unsealed records of official arrests and disposition histories for both samples of offenders.[10] The records included such facts as the date of arrest, top arrest charges, top disposition charges, sentences, and related details.

We defined recidivism through a number of outcome variables. First, we examined the rearrest rate during a fixed tracking period and the time to first rearrest. Second, we looked at the severity of the arrest by considering the top arrest charges and the top disposition charges for the first rearrest. Third, we examined the types of sentences given to offenders who were disposed.

To ensure that every person in our analysis would have the same period of follow-up, or period of tracking for rearrest ("the tracking period"), we measured recidivism for a fixed period of approximately eight months (242 days). For ATI participants, this period would cover their time in the program (typically six months) and, presumably, some time in the community. We used this time frame because it was the maximum amount of time we were able to track the last ATI participant admitted to a program in June 1999. Eight months was the maximum amount of time that we could standardize across everyone in the study.

This approach to selecting a tracking period has both advantages and limitations. On the one hand, it provides a window into a standardized eight-month period following the decision to place or not to place a felony offender into an ATI program. It also allows us to compare the overall level of crime during this period of time for offenders placed in an ATI program compared with those not placed in a program.

On the other hand, while this method does provide a standardized follow-up period, it does not necessarily provide a standardized period of risk. During the eight-month tracking period, it was possible for members of both the ATI and the comparison samples to be incarcerated and thus removed from the risk of rearrest. The effect of incarceration during our tracking period would be a reduction in the period of risk for individual offenders, and an overall average reduction of risk for the two samples. While it is likely that the majority of the ATI participants were in the community and at risk for rearrest, a proportion of this sample may have been incarcerated while they were still enrolled in the program or after they had dropped out or completed. Similarly, the comparison sample varied in the length of the time they may have been incarcerated during the tracking period. Although we do have information about what type of sentence the comparison sample received as a result of the instant offense, we do not have actual release dates from jail or prison and thus do not have an exact measure of how long people were incarcerated.

In an attempt to account for the variability in the period of risk, we separated the comparison sample into four groups using the sentence associated with the instant offense:

[10] We originally submitted a sample of 377 comparison cases to DCJS, but due to complications in matching to their data system, we received arrest data on only 376 of these cases. Thus, one of our selected comparison sample could not be included in these analyses.

incarceration; a split sentence of incarceration and probation; probation; and a fine, no sentence, or sentence pending. We used an offender's sentence in this instance as a very rough proxy for the possibility that some of these offenders were incarcerated during the tracking period and were at a reduced risk of arrest. This separation of our comparison sample should be viewed merely as an approximation, and not an exact indicator of the time at risk or the severity of the instant offense. In some cases, a sentence of incarceration may not have been the most severe sentence, nor did it necessarily represent the greatest reduction in the period of risk. Sentences of incarceration could have been for a short period of time (possibly less time than a split sentence) or may have been accounted for by time already served pre-trial. In addition, offenders in the fourth category were not without some reduction in their period of risk; pending cases included may have ended with a sentence of incarceration. We can assume, however, that offenders included in the incarceration and split sentence categories were more likely to have a reduced period of risk compared to those given probation.

Keeping in mind the limitations of this method of accounting for time at risk, our findings provide an initial examination of the relationship between the ATI sample and our comparison group. None of the subcategories of the comparison group provide a perfect match in terms of an identical period of risk, but collectively they illustrate the range of recidivism in a similar group of felony offenders. In the future we intend to look at the period of risk in more detail and try to obtain a more precise estimate of the time incarcerated and thus a more accurate indication of time at risk.

One byproduct of breaking down the comparison sample to indicate varying periods of risk is that it may also indicate different levels of severity in the instant offense that were not accounted for in the selection of the comparison sample. The determination of a sentence is based on a number of factors, some of which reflect more subtle characteristics of the offenders that are difficult to quantify in a matching variable. By looking at our comparison sample according to the sentence they received as a result of the instant offense, we may have an indirect indicator of some of these subtle factors. Considering these factors may result in a gain of precision in the match between our comparison sample and the ATI sample. The split sentence group, in particular, may offer the best comparison to the ATI sample, taking into account both the issues of matching on the severity of the instant offense and comparable time at risk. This subgroup of the comparison sample has a couple of advantages: First, these offenders received a sentence of incarceration, which is consistent with the fact that targeting for ATI programs includes offenders who are likely to receive a six-month jail or prison term. Second, this subgroup comprises offenders who were likely to have both some time incarcerated and some time in the community while on probation, which is also consistent with our expectation for the ATI sample. While it is important to examine the ATI sample against the entire comparison group because it is impossible for us to know what type of sentence the ATI participants would have received if they had not entered a program, it will be particularly informative to assess comparability with the split sentence subsample.

Another important consideration in this analysis is not only assessing the difference in recidivism between those who enrolled in an ATI program and those who did not, but also taking into account the completion status of the ATI participants. As we prepared this report, we had information on completion status for 181 of the 377 ATI participants. Given the fact that we know the completion status on less than half of the sample and that this subsample is not necessarily representative of the entire sample of participants, our findings regarding completion are very preliminary. For this report we have included completion status in only one table, which presents the association between completion status and the rearrest rate for the 181 participants for whom we have information on completion.

Rearrest Rates

Twenty-four percent of ATI participants were rearrested during the tracking period, compared to 19 percent in the total comparison group (Table 3B). The rearrest rate for the ATI sample is identical to that presented by CJA (24 percent) in their report of in-program rearrests through June 30, 1999.[11] Once the comparison group is broken down by sentence, the rate of rearrest ranges from about 14 percent among those who were incarcerated (and likely to have a briefer period of risk for rearrest) to about 30 percent among those who received a split sentence of imprisonment and probation (perhaps the best match of the comparison subgroups). The rate of rearrest for ATI participants seems to fall in the middle of the distribution of the rearrest rates in the four comparison subgroups, coming closest to the rate for those on probation. The association between the mean number of arrests in the ATI group compared to the comparison sample followed a similar pattern, with the mean for ATI participants (0.30) being less than the group with a split sentence (0.46) and closest to the group on probation (0.32). The majority of offenders arrested during the tracking period were arrested only once. Among those who were arrested, the proportion with more than one rearrest was lower in the ATI sample (19 percent) than in the comparison sample as a whole (21 percent), and in the two subgroups with incarceration sentences (29 percent for those with incarceration and 23 percent for those with a split sentence).

The rates of rearrest suggest that while people in the ATI sample were less likely to be arrested more than once during the tracking period, the overall arrest rate was slightly higher for offenders placed in ATI programs than offenders in the comparison sample as a whole. When the sentence associated with the instant offense (our rough indicator of the variability of time at risk) is taken into account, however, the ATI sample is arrested at a lower rate than those who received a split sentence or a sentence of only probation. The fact that the ATI sample was rearrested at a lower rate than a group who were presumably at risk for a shorter period of time (because they were incarcerated), makes this finding even stronger. If, indeed, the split sentence subgroup represents the best match to the ATI sample, then these findings suggest that participation in ATI programs may play a role in the reduction of recidivism in this group of felony offenders.

[11] M. Eckert, *Centralized Court Screening Service: Fiscal Year 1999 Report* (New York: Criminal Justice Agency, 2000).

Table 3B: Number of rearrests during tracking period for ATI participants and comparison sample[12]

	ATI Participants (n=377)	Comparison Sample by Sentence Associated With Instant Offense (n=376)				
		TOTAL	*Incarceration*	*Incarceration and Probation*	*Probation*	*Other or No Sentence*[13]
Rearrest Count	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)
1 rearrest	19.6% (74)	15.2% (57)	9.9% (15)	24.4% (10)	22.6% (12)	15.4% (20)
2 rearrests	3.7% (14)	2.7% (10)	2.6% (4)	4.9% (2)	1.9% (1)	2.3% (3)
3-8 rearrests	0.8% (3)	1.3% (5)	1.3% (2)	2.4% (1)	1.9% (1)	0.8% (1)
Subtotal of those Rearrested	24.1% (91)	19.2% (72)	13.8% (21)	31.7% (13)	26.4% (14)	18.5% (24)
Not rearrested during 242 days	75.9% (286)	80.9% (304)	86.2% (131)	68.3% (28)	73.6% (39)	81.5% (106)
Total	100% (377)	100% (376)[14]	100% (152)	100% (41)	100% (53)	100% (130)
Mean rearrests	0.30	0.26	0.22	0.46	0.32	0.22

Completion Status. We also calculated arrest rates for the 48 percent of offenders in the ATI sample for whom we had completion status (Table 3C). Although these data are preliminary, they show higher rates of rearrest for those who did not complete the ATI programs. In contrast to the sample as a whole, a little less than 10 percent of offenders who completed an ATI program were rearrested during the tracking period in comparison to about 40 percent of those who did not complete. Some of those who did not complete the programs may have failed because of a rearrest during the tracking period.

It is important to keep in mind that we have not taken into consideration the characteristics of those who completed the programs versus those who did not. As we described in the last section of Chapter 2, offenders who completed the programs were also less likely to report cocaine or heroin use within 30 days of program entry, were more often employed, had less serious psychiatric difficulties, and had fewer prior convictions and less time incarcerated. These characteristics would, no doubt, be associated with rearrest as well as program completion. Offenders who complete the programs may possess many characteristics that make them less likely to be rearrested. In future analyses, we will need to establish, as best as possible, the association between completion status and rearrest independent of such factors.

[12] Tracking period refers to 242 days following reference date, which is the program admission date for ATI participants and the rejection date for the comparison sample.
[13] Other or No Sentence includes cases that are pending and possibly cases that are sealed
[14] Column does not add up to 100% due to rounding.

Our initial findings on the association between program completion and rearrest suggest that offenders who complete the ATI programs have very low rearrest rates, lower than the comparison sample as a whole or any of its subgroups. The apparent positive effect of program completion indicates that participation and completion of the ATI programs is contributing to the prevention of crime in this population, as measured by the rate of rearrest. The suggested effect of program completion on recidivism highlights the need for ATI programs to focus on maximizing the retention of their clients.

Table 3C: Number of rearrests during tracking period for ATI participants by completion status[15]

	ATI participants (n=377)	ATI Participants by Completion Status (n=181)	
		Did Not Complete Program (n=76)	*Completed Program (n=105)*
Rearrest Count	% (n)	% (n)	% (n)
1 rearrest	19.6% (74)	31.6% (24)	6.7% (7)
2 rearrests	3.7% (14)	6.6% (5)	1.9% (2)
3-8 rearrests	0.8% (3)	2.6% (2)	1.0% (1)
Subtotal of those Rearrested	24.1% (91)	40.8% (31)	9.6% (10)
Not rearrested during 242 days	75.9% (286)	59.2% (45)	90.5% (95)
Total	100% (377)	100% (76)	100% (105)
Mean rearrests	0.30 arrests	0.54 arrests	0.13 arrests

Time to rearrest. For offenders who were arrested during the tracking period, we calculated the time to first arrest and broke it down into 30-day units. The percentage of each group arrested within these time frames appears in Table 3D. Contrasting the ATI participants to the comparison sample as a whole, ATI participants were more likely to be rearrested within the first few months of the tracking period. The percentage of ATI participants who were arrested in the first 30 days (18 percent) was considerably less than that reported by CJA (28 percent)[16] in its examination of in-program rearrests. This difference may be a result, in part, of the fact that CJA had information on sealed cases, which were not included in the arrest files provided to us by DCJS. In addition, ATI participants included in our research were limited to those who were available for interviews at the programs. People rearrested very soon after admission were less likely to be available for an interview and less likely to be included in the research sample. The CJA sample included all participants enrolled in the programs.

[15] Tracking period refers to 242 days following reference date, which is the program admission date for ATI participants and the rejection date for the comparison sample.
[16] M. Eckert, *Centralized Court Screening Service: Fiscal Year 1999 Report*, Criminal Justice Agency, New York, NY, February 2000.

Rearrests in the comparison sample appear to be more concentrated between the third and sixth month of the tracking period. This distribution would be consistent with the expectation that some of the comparison sample was incarcerated during part of the tracking period and affected by the varying periods of risk. But once the comparison group is broken down according to the sentence associated with the instant offense, differences around the timing of the first arrest become apparent between the subgroups. (Numbers in the individual cells are small for these subgroups, making the estimates of percentage not very stable and our findings still quite preliminary.) Offenders who received probation only, who would not be affected by the varying periods of risk because they did not receive a sentence of incarceration, still demonstrated a longer period to the first arrest than participants in the ATI programs. Looking at offenders who received incarceration, there appears to be a relatively high percentage of people who were rearrested during the first 30 days of the tracking period. These people possibly either had very short stays in prison or jail or may have served time before the sentence was given. The fact that offenders with a split sentence had no rearrests during the first two months of the tracking period, suggests that some of the offenders in the incarcerated group with an early arrest may have received even shorter sentences than those in the split sentence category.

The mean time to first arrest was on average 3.4 months for the ATI sample and 3.9 months for the comparison sample, with a distribution across the comparison subgroups consistent with the other rearrest findings. The average time to first arrest was highest for those with the split sentence.

The variation in time to first arrest suggests that offenders placed in ATI programs may be committing crimes earlier than the comparison group. It is possible that people who are most likely to be rearrested after enrollment in the ATI programs are arrested early on and fail the programs as a result. This process may screen out ATI participants who are least likely to succeed in the program, offenders who were not a good match for an alternative sanction. It may make sense for the ATI programs to treat the first month of enrollment as additional screening for appropriateness for the programs, using this time to observe what could not be assessed in the court screening. Additionally, the early rearrest rate in the ATI sample may point to the need for the programs to provide enhanced services and support to ATI participants in the first month in anticipation of the potential for early rearrest.

Table 3D: Time to first rearrest for ATI participants and comparison group among those who were rearrested during tracking period[17]

[17] Tracking period refers to 242 days following reference date, which is the admission date for ATI participants and the rejection date for offenders in the comparison sample.

Days between reference date and first rearrest	ATI participants (n=91)	Comparison Sample by Sentence Associated With Instant Offense (n=72)				
		TOTAL	*Incarceration*	*Incarceration and Probation*	*Probation*	*Other or No Sentence*
	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)
1-30 days	17.6% (16)	9.7% (7)	19.1% (4)	0.0% (0)	7.1% (1)	8.3% (2)
31-60 days	19.8% (18)	11.1% (8)	4.8% (1)	0.0% (0)	14.3% (2)	20.8% (5)
61-90 days	15.4% (14)	15.3% (11)	14.3% (3)	23.1% (3)	21.4% (3)	8.3% (2)
91-120 days	11.0% (10)	15.3% (11)	14.3% (3)	15.4% (2)	14.3% (2)	16.7% (4)
121-150 days	9.9% (9)	13.9% (10)	19.1% (4)	23.1% (3)	0.0% (0)	12.5% (3)
151-180 days	8.8% (8)	16.7% (12)	19.1% (4)	23.1% (3)	14.3% (2)	12.5% (3)
181-210 days	7.7% (7)	12.5% (9)	9.5% (2)	15.4% (2)	21.4% (3)	8.3% (2)
211-242 days	9.9% (9)	5.6% (4)	0.0% (0)	0.0% (0)	7.1% (1)	12.5% (3)
Total arrested	100% (91)	100% (72)	100% (21)	100% (13)	100% (14)	100% (24)
Mean time to first rearrest	3.4 months	3.9 months	3.6 months	4.4 months	4.0 months	3.9 months

Severity of Charge

In addition to evaluating the number of rearrests as an outcome of ATI participation, we examined the charges associated with these arrests as an indicator of the severity of the criminal activity. More severe charges, such as felonies rather than misdemeanors, would represent more severe recidivism and potentially more risk to public safety. The relative severity of the charges among ATI participants in relation to the comparison group can speak to the success of the programs. Given the inherent difficulties in examining only arrest charges as indicators of severity, we also look at disposition charges. Arrest charges, which are determined by the arresting police officer, are often reduced during the plea process, as is indicated by relatively lower frequencies of disposition charges in comparison to the arrest charges. The disposition charge tends to be a better indicator of the final outcome of an arrest.

Felony vs. Misdemeanor. Arrest and disposition charges for the first rearrest were categorized according to felony and misdemeanor levels. Table 3E presents the relative proportion of misdemeanors and felonies in both the ATI sample and the comparison sample. This table includes only those who were arrested and received either a felony or misdemeanor charge. Felony arrest charges were less frequent, proportionally, in the ATI sample (49 percent) than in the comparison sample as a whole (63 percent) and in each of its subsamples. While these differences were not statistically significantly different from each other, they indicate a trend that could persist as we continue tracking the samples. The fact that ATI participants were less likely to be arrested for a felony offense than offenders in the comparison sample could indicate a relative reduction in the seriousness of recidivism among the ATI participants. If attendance at an ATI helps reduce the likelihood of

committing a felony in comparison to other sentences, then ATI programs can be viewed as beneficial to public safety.

At disposition, the ATI sample had a slightly higher proportion of felony offenses (38 percent) than the comparison sample as a whole (33 percent). Once the comparison sample is broken down by the instant offense sentence, however, it appears the proportion of felony charges for the ATI sample was less than the comparison group with a split sentence of imprisonment and probation (50 percent), perhaps the best match to the ATI sample. Like the arrest charges, these differences did not reach statistical significance, but they suggest a trend for future exploration.

The reduction in charges from arrest to disposition (Tables 3E and 3F) presumably demonstrates a change that is typical of the plea bargain process. It appears the ATI sample had less of a drop in felony charges from arrest (49 percent) to disposition (38 percent), than the comparison sample (63 percent to 33 percent), suggesting that greater charge reduction occurred in the comparison sample. One possible explanation for this difference is that district attorneys think ATI participants have already been offered leniency and the benefit of an ATI program, rather than what the prosecutors may perceive as a more restrictive sentence. As a result, district attorneys may be less likely to offer a charge reduction in response to a new crime. While they might offer lighter charges to a defendant who has not had the benefit of an ATI, they would be less apt to do so for defendants who have shown they are unlikely to live a law-abiding lifestyle, given the benefit of prosecutorial leniency.

If this hypothesis about charge reduction being less likely among ATI participants is true, then comparisons of the levels of disposition charges between the two study groups would be inherently more biased than comparisons between arrest charges. In contrast to disposition charges, most arrests are made without the knowledge of whether the person is already in an ATI. The effect of the bias would be an overestimate of the severity of the criminal activity in the ATI sample, if we examine disposition charges alone. Keeping this in mind, as well as the fact that the associations were not statistically significant, our findings suggest less severe recidivism among ATI participants than among defendants receiving other sanctions.

Table 3E: Felony and misdemeanor status for first rearrest for ATI participants and comparison sample

Felony and Misdemeanor Charges	ATI Participants (n=91)	Comparison Sample (n=72)				
		TOTAL	*Incarceration*	*Incarceration and Probation*	*Probation*	*Other or No Sentence*
	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)
Arrest Charges						
Felony charges	49.4%(44)	62.7%(42)	57.9% (11)	72.7% (8)	57.1% (8)	65.2% (15)
Misdemeanor charges	50.6%(45)	37.3% (25)	42.1% (8)	27.3% (3)	42.9%(6)	34.8% (8)
Total [18]	100% (89)	100% (67)	100% (19)	100% (11)	100%(14)	100% (23)
Disposition Charges						
Felony charges	37.7% (20)	33.3% (13)	31.3% (5)	50.0% (4)	25% (1)	27.3% (3)
Misdemeanor charges	62.3% (33)	66.7% (26)	68.8% (11)	50.0% (4)	75% (3)	72.7% (8)
Total	100% (53)	100% (39)	100% (16)	100% (8)	100% (4)	100% (11)

Charge Levels. We broke down arrest and disposition charges by felony and misdemeanor, and then by level of felony and misdemeanor (as well as other charges). We observed a regular shift in charge—though not always a reduction—between arrest and disposition. (Note that Table 3E includes only offenders who received a charge of a felony or misdemeanor; Table 3F provides a broader look at the distribution of charges, including the entire sample of those arrested.) At first rearrest, ATI participants received A-level misdemeanor charges more frequently than any other level of charge at both arrest and disposition (37 percent and 25 percent, respectively). In addition, the proportion of violations and infractions increased from arrest to disposition. Violations and infractions did not appear at all among the arrest charges because they were sealed records, and DCJS only provided us with unsealed records. But violations and infractions appear in the disposition charges reflecting, perhaps, a reduction of charge from a higher level.

The category of missing charges also increased in frequency from arrest to disposition. This category probably comprises mostly cases that are pending and not determined, rather than cases that were dismissed or have no charge associated with them. The relatively large proportion of cases that fall into this category (24 percent) suggests that once these charges are determined, the distribution of the other charge levels may change. With a more extended tracking period, we will explore this further.

For offenders in the comparison sample who were arrested, A-level misdemeanors were also the most frequent arrest and disposition charges. The increase in both violations and

[18] Total includes only those who received either a felony or misdemeanor charge.

infractions and the missing categories from arrest to disposition was also in keeping with the ATI participants. In contrast to the ATI sample, however, the A-level misdemeanor and overall misdemeanor categories increased from arrest to disposition, possibly reflecting a reduction from a higher level charge. The missing category was even greater in the comparison sample (35 percent), leaving more room for a shift in the distribution of the other charges once the cases are determined.

This set of findings provides some indication of the effect of ATI participation on the severity of criminal behavior, while also providing a more detailed picture of the distribution of the charge levels in both groups. One of the most important findings in Table 3F, however, is the fact that a relatively large proportion of the disposition charges is still undetermined for both the ATI and comparison groups. This missing information has the potential to shift our findings in the future and highlights the importance of continuing to track these data over time.

Table 3F: Severity level of top arrest and disposition charges for first rearrest for ATI participants and comparison sample

Severity Level of Charge	ATI Participants (n=91)		Comparison Sample (n=72)	
	Arrest Charges	Disposition Charges	Arrest Charges	Disposition Charges
	% (n)	% (n)	% (n)	% (n)
A Felony	1.1% (1)	0.0% (0)	4.2% (3)	0.0% (0)
B Felony	29.7% (27)	11.0% (10)	33.3% (24)	5.6% (4)
C Felony	7.7% (7)	7.7% (7)	5.6% (4)	2.8% (2)
D Felony	7.7% (7)	2.2% (2)	15.3% (11)	5.6% (4)
E Felony	2.2% (2)	1.1% (1)	0.0% (0)	4.2% (3)
Total Felonies[19]	**48.4%(44)**	**22.0% (20)**	**58.4%(42)**	**18.2%(13)**
A Misdemeanor	37.4% (34)	25.3% (23)	29.2% (21)	34.7% (25)
B or U Misdemeanor	12.1% (11)	11.0% (10)	5.6% (4)	1.4% (1)
Total Misdemeanors	**49.5%(45)**	**36.3%(33)**	**34.8% (25)**	**36.1% (26)**
Violation or Infraction	0.0% (0)	17.6% (16)	0.0% (0)	11.1% (8)
Missing	2.2% (2)	24.2% (22)	6.9% (5)	34.7% (25)
Total arrested	100% (91)	100% (91)	100% (72)	100% (72)

Type of Charge: We categorized arrest and disposition charges into the same three groups used to match our ATI and comparison samples: violent felony offenses, drug-related charges, and other charges (Table 3G). The third category includes all types of charges not covered by either violent felony offenses or drug-related charges, as well as charges which were not yet determined. This breakdown provides additional insight into the differences between the two groups in terms of severity of rearrest charge. Drug-related charges were more frequent than violent felony charges in every group at both arrest and disposition. This is consistent with the fact that many of the participants in the ATI programs reported substance-related crimes and problems with substance abuse in our interviews.

In contrast to the comparison sample as a whole, the ATI sample was more likely to have violent felony arrests (20 percent and 14 percent, respectively) and less likely to have drug-related arrests (43 percent and 51 percent, respectively). Although the number of these charges dropped from arrest to disposition, the relationship between the ATI sample and the comparison sample remained the same. Similar to the disposition charge levels (Table 3F), once the comparison sample was broken down by the sentence associated with the instant arrest, this relationship changed for the association between the ATI sample and the comparison sample with a split sentence. In this comparison, violent felony offenses were

[19] The estimates of the total number with both felony charges and misdemeanor charges are identical to Table 3E, but will differ in terms of the percent, because the denominator for this table includes all those arrested in the tracking period, not just those with a felony or misdemeanor.

less frequent and drug-related charges were more frequent in the ATI sample than in the split sentence group for both arrest and disposition. Although statistical testing of the association between the two study groups in terms of these three levels of charge was not significant, the finding still suggests a relationship between ATI participation and the types of charges and thus the severity of the recidivism. The large proportion of charges in the other category, as seen in Table 3F, also suggests that many of the charges are still undetermined and have the potential for shifting these relationships once they are finalized.

The tendency for the ATI program to have more violent offenses than the comparison sample as a whole, and less violent offenses than the comparison sample with a split sentence, could be interpreted in a few ways. Earlier in this report, we discussed the possible differences in severity across the subgroups of the comparison sample. We proposed that the split sentence subgroup is the best match for the ATI sample because it is most likely to be comparable in terms of the severity of the instant offense and the time at risk. Assuming this group is the best match, then the finding from the comparison between the ATI sample and those with a split sentence would also be the most indicative of the true relationship between the groups. Using the sample as a whole may end up biasing the association by including comparison offenders who were not as well-matched to the ATI sample.

Alternatively, given the lack of significance in these findings, it is possible that the apparent differences between the two samples are merely due to chance and do not represent any real differences between the samples in terms of severity of charge. As we continue to track arrests for these samples, we will have more definitive information on the relative level of severity in recidivism. Future analyses will also be informed by the information collected during the Time 1 and Time 2 interviews with the ATI participants. Looking at the association between the characteristics of the participants, as well as the services provided in the programs, will provide us with a more thorough examination of the differences between the study groups.

Table 3G: Top arrest and disposition charges for first rearrest for ATI participants and comparison sample

Top Charges	ATI participants (n=91)	Comparison Sample (n=72)				
		TOTAL	*Incarceration*	*Incarceration and Probation*	*Probation*	*Other or No sentence*
	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)
Arrest Charges:						
Violent Felony Offense	19.8% (18)	13.9% (10)	14.3% (3)	23.1% (3)	21.4% (3)	4.2% (1)
Drug Related Charge	42.9% (39)	51.4% (37)	52.4% (11)	30.8% (4)	57.1% (8)	58.3% (14)
Other Charge	37.4% (34)	34.7% (25)	33.3% (7)	46.2% (6)	21.4% (3)	37.5% (9)
Total arrested	100% (91)	100% (72)	100% (21)	100% (13)	100% (14)	100% (24)
Disposition Charges:						
Violent Felony Offense	5.5% (5)	1.4% (1)	0.0% (0)	7.7% (1)	0.0% (0)	0.0% (0)
Drug-Related Charge	24.2% (22)	26.4% (19)	42.9% (9)	23.1% (3)	14.3% (2)	20.8% (5)
Other Charge	70.3% (64)	72.2% (52)	57.1% (12)	69.2% (9)	85.7%(12)	29.2% (19)
Total arrested	100% (91)	100% (72)	100% (21)	100% (13)	100% (14)	100% (24)

Sentences. The last indicator of the severity of the charges is the sentence associated with the rearrest. Table 3H presents the sentences given for the first rearrests for both the ATI and comparison samples. Of those disposed, the sentence most frequently received was incarceration: twenty-eight percent of the ATI sample, in contrast to 38 percent of the comparison group. This disparity in the proportion receiving the most severe sentence of incarceration may suggest, as the arrest charges did, that recidivism was less severe in the ATI sample. It is important to note that these samples include a relatively large proportion of cases that do not have a sentence; presumably many of these are still pending. The percentages of offenders in each of the categories of sentencing may still shift significantly after we know the outcome of these cases.

Although the lower rate of incarceration does point to less severe criminal activity in the ATI sample, it is not consistent with the conditions often attached to ATI referrals. It is fairly routine for a judge to offer the alternative sanction only under the condition that if the defendant is rearrested, a more severe sentence will be applied. A related finding in Table 3H shows that the percentage of conditional discharges in the ATI sample is actually higher (23 percent) than the comparison sample (15 percent). This difference may account for the disparity in the proportion incarcerated. It is possible that these conditional discharges

represent a judge returning an ATI participant back to a program, rather than sending them to jail or prison. The condition of the discharge would be completion of the alternative program.

Based on these findings, incarceration appears to be lower among offenders rearrested in the ATI sample than those arrested in the comparison sample. Less severe sentencing in this group could point to less severe criminal behavior among the ATI sample, but decisions around sentencing are not entirely based on the severity of the crime. Other factors such as the characteristics of the offenders and their placement in an ATI program could influence the sentencing decision. While it is not clear how large a role the severity of the rearrest played in the smaller proportion of incarceration sentences in the ATI sample, it is still evident that this population was incarcerated less than the comparison sample during our tracking period.

Table 3H: Sentence associated with first rearrest for ATI participants and comparison group who were rearrested during tracking period[20]

Sentence	ATI participants (n=91)	Comparison Sample (n=72)
	% (n)	% (n)
Unconditional discharge	0.0%% (0)	0.0% (0)
Conditional discharge	23.3% (21)	15.3% (11)
Fine	0.0%% (0)	0.0% (0)
Probation	0.0% (0)	1.4% (1)
Probation and jail (split sentence)	1.1% (1)	1.4% (1)
Time served	14.4% (13)	5.6% (4)
Incarceration	27.8% (25)	37.5% (27)
Disposed, not convicted	5.6% (5)	4.2% (3)
No final disposition	27.8% (25)	34.7% (25)
Total arrested	100% (90)[21]	100% (72)

Conclusion

While our initial findings on recidivism suggest comparability between our two study samples and a possible effect of ATI participation, it is important to interpret them in the context of some limitations in our data and analytic approach. First, our tracking period is relatively brief. We were able to examine short-term rearrest rates in this report, but will be in a position to benefit from an extended period of follow-up in subsequent presentations of these data. A longer period of follow-up will provide more opportunity for arrest for offenders in both samples. It will allow us to comment on longer term recidivism and make more conclusive statements about the comparative rearrest rates of the two groups.

Second, our assessment of the period of risk for both the ATI and the comparison samples was only an approximation. Imbalances in the period at risk for rearrest across the groups would bias our estimates of recidivism. If we have overestimated the time at risk for the comparison sample, then the differences between the two groups are overestimated as well. In the future, we will spend additional time defining a more precise period of risk for our sample, resulting in a more balanced comparison of the recidivism.

In addition to these improvements on the limitations of our methodology, future analyses will also incorporate more detailed information about the ATI participants and the comparison sample. The data in Chapter 2 of this report will let us take a much more focused

[20] Tracking period refers to 242 days following reference date, which is the program admission date for ATI participants and the rejection date for the comparison sample.
[21] Column does not add up to 91 participants due to one missing value.

look at the ATI participants and factors associated with their recidivism. We hope that by looking at the association between recidivism and both participant characteristics and program services, we will have a better understanding of the nature of recidivism in this population and can help the programs maximize their success.

Preliminary findings from our examination of recidivism in New York City's ATI programs are mixed, but they do indicate a general comparability between our two samples and suggest some reduction in recidivism among offenders enrolled in ATI programs. Contrasting the ATI sample to a comparison sample, we found that the ATI participants were less likely to have more than one rearrest than the comparison sample. While the ATI sample had a higher rate of rearrest than the comparison sample as a whole, it had a lower rate of rearrest than the subgroup of the comparison sample representing the best match to the ATI participants (defendants who received a split sentence of incarceration and probation). Taking into account whether the participants actually completed the program suggests an even stronger effect of ATI participation. Offenders who completed were rearrested at half the rate of the comparison sample. Other indicators of the seriousness of the recidivism showed that the ATI participants were less likely to have a felony arrest and less likely to have a sentence of incarceration than the comparison sample. Charges of violent felony offenses were slightly higher in the ATI sample than the comparison sample as a whole, but once again, they were lower when compared to the subgroup that received a split sentence.

Although the reduction of recidivism is not the sole indicator of success for the ATI programs, it is certainly a powerful marker of the effectiveness of the ATI system and the value of treatment over incarceration. It also provides our best measure of the impact of alternative sanctions on public safety. Public safety is compromised with an increase in criminal activity, particularly more severe criminal behavior. The findings from our analysis of recidivism suggests that overall, offenders who attend ATI programs present no greater risk to public safety than a comparable group of defendants who do not attend an ATI program. In fact, the differences observed between the ATI sample, especially those completing the programs, and the comparison sample point to the role that ATI programs may play in reducing criminal behavior.

While these findings do not definitively answer the question of whether alternative sanctions such as ATI programs are as effective as incarceration and other sentences, they provide the first set of evidence suggesting positive effects of the ATI system.

APPENDIX A :
ATI PROGRAMMING CHARACTERISTICS

PARENT ORGANIZATION	PROGRAM	TARGET POPULATION: Felony Offenders	PROGRAM LENGTH	HOURS OF PARTICIPA-TION	FOCUS OF TREATMENT	DRUG TESTING SCHEDULE[22]
The Center for Alternative Sentencing and Employment Services (CASES)	CEP	16 – 19 Youthful Offenders	6 mos. 6 mos. Aftercare	3:00 – 7:00 [23]	Self-sufficiency and Living skills	1/month
Center for Community Alternatives (CCA)	YAP	13-15 year old Juvenile Offenders	9 – 12 mos.	Varies by day of week[2]	Education and community service	1/month
The Fortune Society	Flametree	Substance users	6 – 12 mos.	Up to 35 hrs./week	Drug treatment	1-2/month
The Fortune Society	DAMAS	Women[25]	6 – 12 mos.	Up to 35 hrs/week	Living skills	2-3/month
The Fortune Society	Freedom	General population	6 – 12 mos.	Up to 35 hrs/week	Employment and/or education	1/week
The Osborne Association	El Rio	Substance users	6 – 12 mos.	9:00 – 2:00	Drug treatment	3/week
Edwin Gould Services for Children	STEPS	Victims of domestic violence (primarily women)	6 mos. Minimum; 1 year average	Varies by individual need	Living skills/ healing from abuse	No on-site testing. Will refer.

[22] All programs, except STEPS, test at intake. Programs will follow up positive tests with increased testing, counseling and intensified treatment.
[23] Participants are required to be on-site or in approved activities from 9:00 – 3:00 if they are not in school or in a program.
[3] DAMAS currently accepts women with substance use treatment needs; however, once Project Return opens its Day Treatment program, DAMAS will serve only women who do not need drug treatment.

PARENT ORGANIZATION	PROGRAM	TARGET POPULATION: Felony Offenders	PROGRAM LENGTH	HOURS OF PARTICIPA-TION	FOCUS OF TREATMENT	DRUG TESTING SCHEDULE[22]
Project Return Foundation	Women's Day Treatment Program	Substance using women	6 –12 mos	9:00 – 3:30	Drug Treatment	3/week
CCA	Crossroads	Substance using women	6 – 12 mos.	10:00 – 4:30, Evenings	Drug treatment/ healing from abuse	Daily. Decreases over time
Women's Prison Association	Hopper Home	Women	6 – 12 mos.	Residential: 2+ months. Aftercare varies by need	Living skills	3/week

APPENDIX B:
COPES Subscale and Dimension Description

Relationship Dimensions

Involvement (I)	how active and energetic members are in the program
Support (S)	how much members help and support each other and how supportive the staff is toward members
Spontaneity (SP)	how much the program encourages the open expression of feelings by members and staff

Personal Growth Dimensions

Autonomy (A)	how self-sufficient and independent members are in making decisions and how much they are encouraged to take leadership in the program
Practical Orientation (PO)	the extent to which members learn social and work skills and are prepared for discharge from the program
Personal Problems Orientation (PPO)	the extent to which members seek to understand their feelings and personal problems
Anger and Aggression (AA)	how much members argue with other members and staff, become openly angry, and display other aggressive behavior

System Maintenance Dimensions

Order and Organization (OO)	how important order and organization are in the program
Program Clarity (PC)	the extent to which members know what to expect in their day-to-day routine and the explicitness of program rules and procedures
Staff Control (SC)	the extent to which the staff use measures to keep members under necessary controls