

Intermediate & Community Corrections

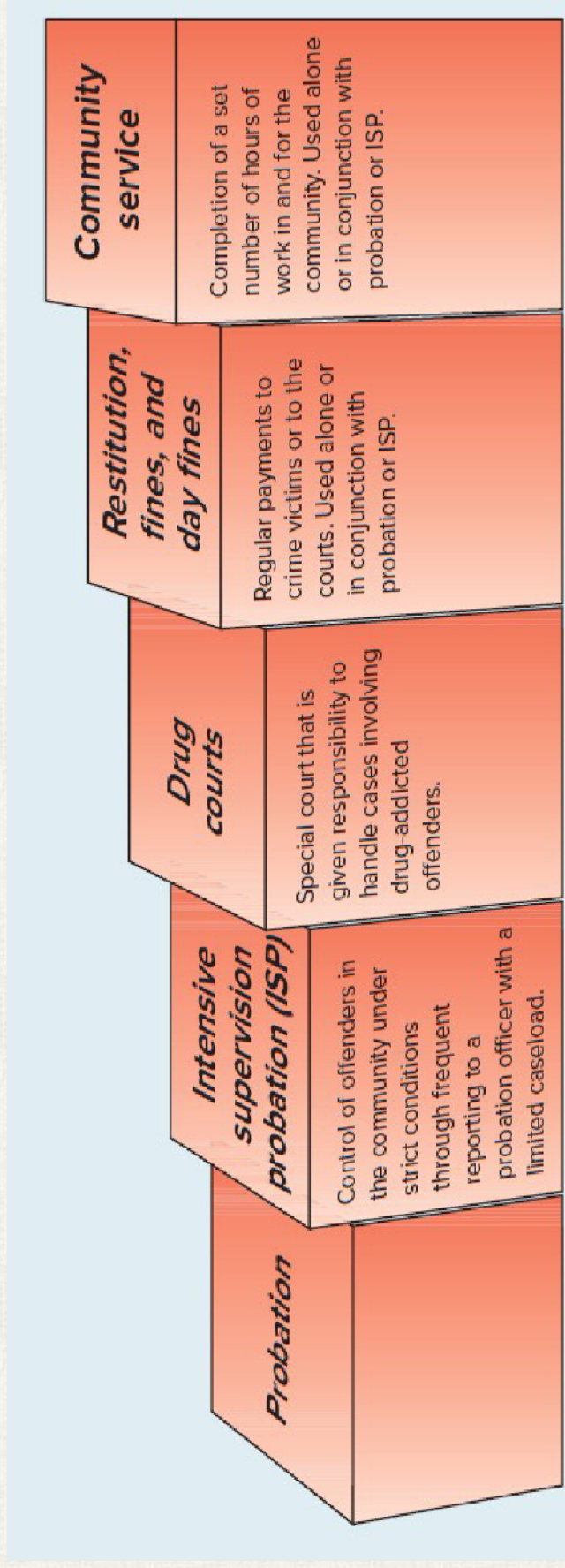
Chapter 5

Intermediate Sanctions

New punishment options developed to:

- Fill the gap between traditional probation and traditional jail or prison sentences.
- Better match the severity of punishment to the seriousness of the crime.

Exhibit 5.1: A Three-Dimensional Continuum of Intermediate Sanctions ¹



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Exhibit 5.1: A Three-Dimensional Continuum of Intermediate Sanctions ²

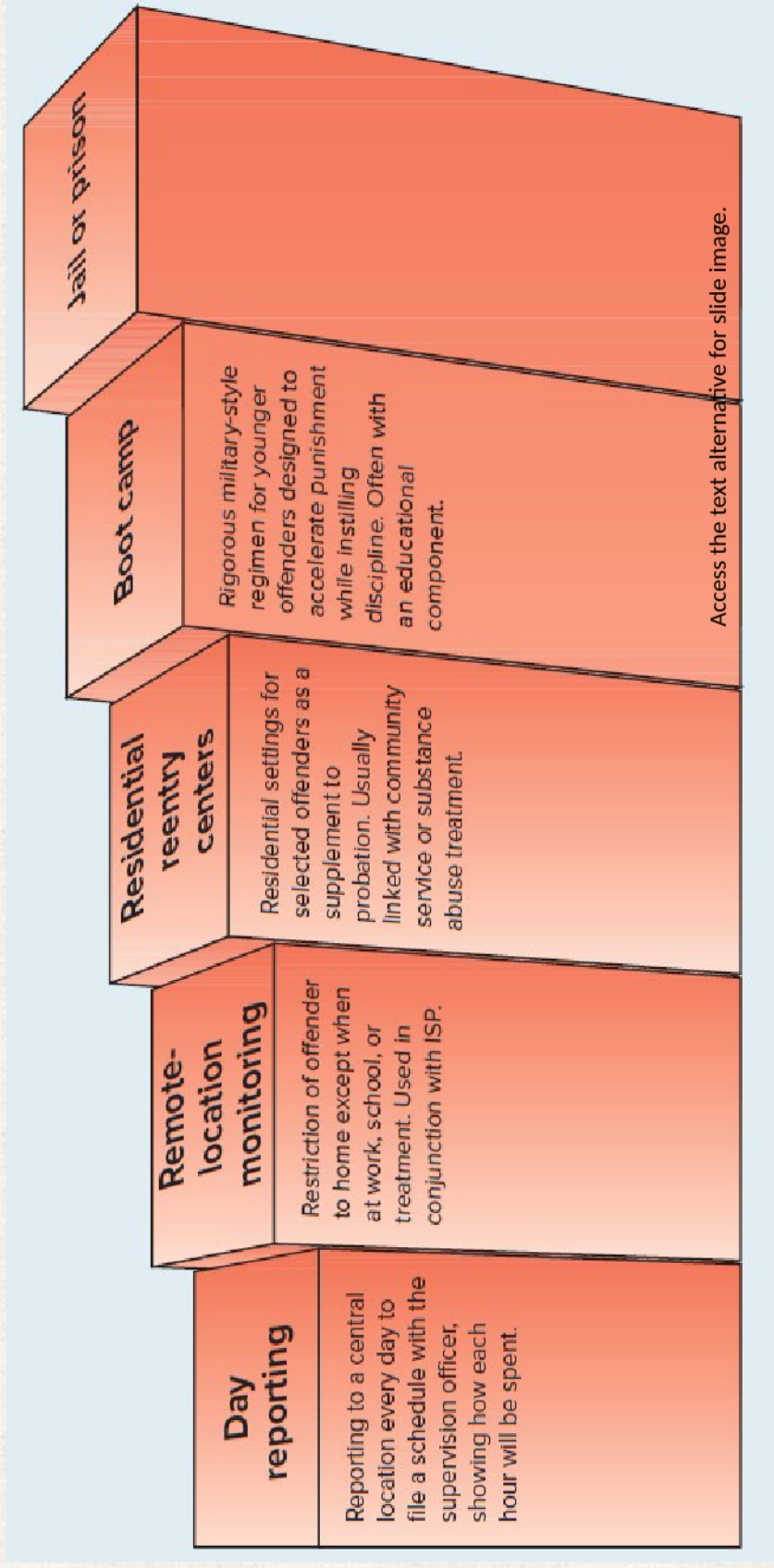


Exhibit 5.2: American Jail Association Resolution

Intermediate Punishments

WHEREAS, the American Jail Association (AJA) recognizes the detrimental impact that crowding places on local jails; and

WHEREAS, many of those who are incarcerated in jails do not pose a known danger to themselves or to society;

- THEREFORE BE IT RESOLVED THAT AJA supports the expansion of intermediate punishments in states and localities throughout America for offenders who do not pose a known danger to public safety. AJA believes that intermediate punishment address real concerns of constituents.

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Value of Intermediate Sanctions

- Provide a means for offenders who are not dangerous to repay their victims and their communities.
- Promote rehabilitation and reintegration of offenders into the community.
- Relatively less expensive.

Types of Intermediate Sanctions

Intensive supervision probation.

Drug courts.

Fines.

Community service.

Day reporting centers.

Remote-location monitoring.

Residential reentry centers.

Boot camps.

Intensive Supervision Probation (ISP)¹

Control of offenders in the community under strict conditions by means of frequent reporting to a probation officer.

- Probation officer's caseload is limited to 30 offenders.

Intensive Supervision Probation (ISP) ²

- Allows offenders to live at home under severe restrictions.
- Protects the community and deters the offender from breaking the law or violating the conditions of release.

Drug Court¹

Special court that treats, sanctions, and rewards drug offenders with punishment.

- More restrictive than regular probation but less severe than incarceration.

Types.

- Veterans Treatment Court.
- DWI Court.
- Family Drug Court.
- Federal Reentry Court.

Drug Court ²

- Juvenile Drug Court.
- Reentry Drug Court.
- Tribal Healing to Wellness Court.
- Back on TRAC clinical justice model.

Cost-effective when compared to probation and/or incarceration.

Fines ¹

Financial penalties used as criminal sanctions.

Rarely regarded as tough criminal sanctions.

- Restricted to minor misdemeanors and ordinance violations.
- Judges lack information on an offender's personal wealth to impose a just fine.
- Mechanisms used are often ineffective.
- Do not affect the affluent.

Fines ²

Day fine: Financial penalty scaled to the defendant's ability to pay and the seriousness of the crime.

- Also called structured fines.
- Follows a structured process that establishes:
 - A unit scale that ranks offenses by severity.
 - A valuation scale for determining the dollar amount per unit for a given offender.

Community Service

- Sentence to serve a specified number of hours working in unpaid positions with nonprofit or tax-supported agencies.
- Used as an intermediate sanction by itself or with other penalties and requirements.

American Correctional Association's Guidelines for Developing Community Service Programs ¹

- Enhance public safety.
- Integrate the offender into the community.
- Contribute to principles of restorative justice.
- Gain public support for programs and promoting acceptance of offenders.
- Enhance the self-esteem of offenders.
- Provide value to government, the community and nonprofit organizations.

American Correctional Association's Guidelines for Developing Community Service Programs ²

- Provide valuable, transferable skills to offenders.
- Balance community service with other responsibilities.
- Restore public confidence in offenders.
- Maintain public confidence in the justice system.

Day Reporting Centers (DRCs)

Nonresidential facility to which an offender reports every day or several days a week for supervision and treatment.

Provide rehabilitation for offenders.

- Require offenders to:
 - Obey a curfew.
 - Perform community service.
 - Undergo drug testing.

Remote-Location Monitoring

Technologies that probation and parole officers use to monitor remotely the physical location of an offender.

- Global Positioning System (GPS) devices and electronic monitoring (EM).

Costs significantly less than incarceration.

Goals of Remote-Location Monitoring

- Incapacitates the offender by restricting him or her to a single location.
- Forces the offender to stay home when not at work, school, counseling, or community service.
- Contributes to rehabilitation by allowing the offender to remain with his or her family and continue employment, education, or vocational training.

Residential Reentry Centers ¹

Medium-security correctional setting that resident offenders are permitted to leave regularly, unaccompanied by staff.

- Must return to a locked facility each evening.

Residential Reentry Centers ²

Achieve community protection by:

- Screening offenders.
- Setting curfews.
- Administering drug or polygraph tests.
- Ensuring that when residents leave the center they go directly to work, school, or treatment.
- Providing a medium-security correctional setting.

Residential Reentry Centers ³

Achieve reintegration by:

- Giving residents opportunities to learn and use legitimate skills.
- Determining obstacles to a resident's reintegration and developing a program to overcome those obstacles.
- Helping the residents to test, use, and refine the skills needed.

Residential Reentry Centers ⁴

Benefits to offenders.

- Provide offenders with necessities.
- Offer residents emotional support to deal with the pressures of readjustment.

Benefit to the criminal justice system.

- Offers low-cost alternatives to incarceration of nonviolent offenders.

Boot Camps ¹

Short institutional term of confinement, usually followed by probation, that includes a physical regimen designed to develop:

- Self-discipline.
- Respect for authority.
- Responsibility.
- A sense of accomplishment.

Boot Camps ²

Distinguishing characteristics from other correctional programs.

- Military drill and ceremony.
- Rigorous daily schedule of hard labor and physical training.
- Separation of boot camp participants from the general prison population.
- Idea that boot camps are an alternative to long-term confinement.

Community Corrections ¹

Philosophy of correctional treatment that embraces:

- Decentralization of authority.
- Citizen participation.
- Redefinition of the population of offenders for whom incarceration is most appropriate.
- Emphasis on rehabilitation through community programs.

Community Corrections ²

Community policing.

- Involves getting residents involved in making their neighborhoods safer.

Community-based prosecution.

- Uses criminal and civil tactics and the legal expertise, resources, and clout of the prosecuting attorney's office to find solutions to a community's problems.

Community-based defender services.

- Provides continuity in representation of indigent defendants and helps defendants with personal and family problems that lead to legal troubles.

Community courts.

- Hear a criminal case in the community that is most affected by the case and include that community in case disposition.

Community Corrections Acts (CCAs)

State laws that give economic grants to local communities to:

- Establish community corrections goals and policies.
- Develop and operate community corrections programs.