Overview

In accordance with Act 112 of 2004, which created the State Intermediate Punishment (SIP) Program, the Pennsylvania Department of Corrections (PA DOC) is required to provide the Judiciary Committees of the Pennsylvania General Assembly with a program performance report in alternating years with the Pennsylvania Commission on Sentencing. This report provides current descriptive statistics and performance analysis of the SIP program.

Highlights

- Of the estimated 22,123 offenders who appeared SIP eligible from May 2005 through September 2014, approximately 5,232 (24%) were court referred to the PA DOC for an SIP evaluation.

- Of those 5,232 offenders who have been court referred for an SIP evaluation from May 2005 through September 2014, 83% were found eligible by the PA DOC.

- From program inception in May 2005 through September 2014, 4,318 offenders were sentenced to the SIP program.

- As of September 30, 2014, 836 offenders were in the SIP program: 310 in Phase 1 (prison), 100 in Phase 2 (community-based treatment), 304 in Phase 3 (outpatient treatment), and 122 in Phase 4 (community supervision). The number of SIP participants has increased by about 51 since last year.

- As of September 30, 2014, there were 2,403 graduates from the SIP program since its inception.

- Between program inception and September 2014, 849 SIP participants were removed from the program, representing a program failure rate of 20%. This is in comparison to a program failure rate of 30% for non-SIP therapeutic community programs operated by the PA DOC.

- Overall recidivism rates are lower for SIP participants than for a comparable group of non-SIP offenders at three years (42.2% v. 52.4%). There is no difference in the overall recidivism rates of SIP participants and the comparison group at 6 months, 1 year, and 5 years. SIP participants have a higher rearrest rate than the comparison group at 6 months (11.4% vs. 5.9%) and 1 year (20.7% vs. 14.7%). SIP participants are not under parole supervision.

- The Commonwealth saves approximately $33,250 per SIP participant. The 2,403 current SIP graduates have thus saved the Commonwealth approximately $79.9 million. This is a conservative estimate, as other costs are likely saved including the cost of parole supervision.
Background and Goals of SIP

The SIP program was created in response to concerns about the link between substance abuse and crime and the finding that many persons commit crimes while under the influence of alcohol and/or other drugs. SIP was designed as a sentencing alternative, with the goal of enhancing public safety through a period of incarceration while at the same time reducing recidivism through intensive substance abuse treatment. Act 112 of 2004, which created the SIP program, was signed into law by Governor Rendell on November 19, 2004 and became effective on May 18, 2005. Act 122 of 2012 expanded and modified SIP eligibility requirements.

Program Description

SIP consists of four phases and lasts a total of 24 months. Phase 1 involves confinement in a State Correctional Institution (SCI) for a period of no less than seven months. Currently, all male SIP participants are sent to either the Quehanna Boot Camp or SCI Chester and female SIP participants are sent to either the Quehanna Boot Camp or SCI Cambridge Springs for programming. During this first phase, at least four months are spent in a therapeutic community (TC) treatment program, which is an intensive inpatient alcohol and other drug treatment program. Phase 2 involves a minimum of two months in a community-based TC treatment program. Phase 3 involves a minimum of six months of outpatient addiction treatment. During this period, the participant may be housed in a community corrections center or placed in an approved transitional residence. Phase 4 consists of PA DOC supervised reintegration into the community for the balance of the 24 months of the program.

Referrals

From May 2005 through the end of September 2014, an estimated 22,123 offenders who were admitted to the PA DOC met the basic statutory requirements for SIP eligibility. Of these 22,123 offenders, 5,232 were actually court referred to the SIP program. Therefore, from May 2005 through September 2014 approximately 24% of SIP eligible offenders were court referred for an SIP evaluation by the PA DOC.

Table 1 presents SIP court referral rates by county for the time period of May 2005 through the end of September 2014. Of those counties with large numbers of offenders who were eligible for SIP, Washington (78%), Franklin (61%), Monroe (52%), and Jefferson (51%) had the highest referral rates. Counties with high numbers of eligible offenders but low program referral rates include Berks (4%), Lehigh (5%), Chester (12%) and Delaware (12%). Referral rates for Philadelphia and Allegheny were both below the overall average, at 15% and 18% respectively.

Of the 5,232 offenders who have been court referred to the PA DOC for an SIP evaluation since May 2005, approximately 83% were found eligible and sentenced to SIP. The remaining 17% of court referred offenders are either awaiting approval/sentencing to the SIP program or were found ineligible for the program by the PA DOC for a variety of reasons. By far the most frequent reason for ineligibility is detainers or other pending legal action against the offender (approximately 34% of those not approved by the PA DOC).
Other reasons for ineligibility include the offender: 1) refusing to participate in recommended treatment, 2) being assessed as an escape risk, 3) receiving institutional misconducts, 4) possessing a serious medical or mental health condition impairing functional treatment participation, or 5) being assessed as not in need of SIP treatment services.

Admissions

From the inception of the program in May 2005 through the end of September 2014, 4,318 offenders were sentenced to the SIP program. Figure 1 presents a graphical representation of the annual trend in SIP admissions. SIP admissions have grown steadily from program inception through 2009, declined slightly, and since September 2011 the admissions appear to resume increasing, but at a slower rate.

Figure 2 shows admissions to the SIP program by county, which are mapped as a percentage of the SIP eligible DOC admissions by county. The map in Figure 2 shows Philadelphia county, which had the highest number of candidates eligible for the SIP program, only having 621 of their 4,547 eligible candidates admitted to the program (14%). Allegheny county had the second highest number of eligible candidates for the SIP program, but only had 13% of their eligible candidates admitted to the SIP program. Figure 2 also indicates that only 5 of all the Pennsylvania counties admitted more than 50% of those who appeared eligible for the program. This map, in conjunction with the program referral data in Table 1, highlight the underutilization of the program and need to increase the referral and admission rates to SIP.

Population

As of September 30, 2014, 836 offenders were in the SIP program. Table 3 presents key demographic statistics on those participants. The average SIP participant is a 35 year old white male with a drug charge who is assessed as a medium risk for criminally re-offending and is diagnosed as alcohol/drug dependent. Of the 836 offenders in the SIP program as of September 30, 2014, 310 were in Phase 1 of the program (in-prison phase), 100 were in Phase 2 (community-based residential treatment phase), 304 were in Phase 3, (community-based outpatient treatment phase), and 122 were in Phase 4 (community supervision phase).
Figure 1: Annual SIP Program Admissions

Figure 2: SIP Admissions as Percent of Eligible by County
May 2005 through September 2014
Completions and Removals

As of September 30, 2014, there have been 2,403 graduates from the SIP program. The first program completer was in July of 2007. Since that time, program completions have steadily grown. Currently, program completions average about 28 per month.

Between program inception and the end of September 2014, there have been 849 removals from the program, representing a failure rate of about 20% of total admissions to the program since inception. The largest category of removals (32%) was for escape. Other reasons for removal include relapse, behavioral issues, threats or assaults on staff member, inmate, possession of a controlled substance, or a variety of other reasons resulting in insufficient time to complete the program requirements.

Outcomes - Recidivism and Cost Savings

One primary measure of program performance is recidivism. This year’s report contains six-month, one-year, three-year and five-year recidivism rates for SIP participants as well as for a comparable group of offenders who did not go through SIP. Offenders in the comparison group met the basic statutory requirements for SIP eligibility, were released from the PA DOC during the same timeframe as the SIP group and looked similar to the SIP group in terms of their basic demographic profile (i.e., age, race, gender, committing county, offense type, and criminal risk/needs assessment results). This report is the first SIP report for which we have a sufficiently large number of released SIP offenders in order to calculate five-year recidivism rates, which provides a longer term measure of success of the program.

Table 4 provides the six-month, one-year, three-year, and five-year recidivism rates for these two groups. Three measures of recidivism are used in this table: rearrest, reincarceration, and overall recidivism. The ‘overall recidivism’ measure is a combination of the rearrest and reincarceration recidivism, and measures the first incident of either a rearrest or a reincarceration. Reincarceration rates are further broken down by reincarceration for a parole violation and reincarceration through the court for a new crime (see Appendix for further details about the methodology used).
As illustrated in Table 4, the six-month rearrest rate for the SIP group is 11.4% while the six-month rearrest rate for the comparison group is 5.9%. The one-year rearrest for the SIP group is 20.7% and the comparison group is 14.7%. In both cases, the rearrest rates were significantly lower for the comparison group. The three-year rearrest rate for the SIP group is 38.9%, compared to a 38.3% rearrest rate for the comparison group. The five-year rearrest rate for the SIP group is 51.3% and 50.9% for the comparison group. These are not statistically significant differences, meaning that we cannot rule out that the difference is simply due to chance alone.

Examination of the reincarceration rates for both the SIP and comparison group shows that those offenders in the SIP group are returning to prison at a much lower rate than those in the comparison group at six months (2.4% v. 7.5%), one year (4.8% v. 17.5%), three years (13.9% v. 39.9%), and five year (18.7% v. 46.9%). These results are highly statistically significant. One important caveat here is that SIP completers are not under parole supervision and thus cannot return to prison for a parole violation. The only potential parole violators in the SIP group are those who were expelled from the SIP program and subsequently released under the normal parole supervision process after serving additional time. The difference in parole violation rates, due to SIP completers not being under parole supervision, explains the bulk of the difference between the SIP group and the comparison group in their overall reincarceration rates.

Interestingly though, the new court commitment reincarceration rate for the SIP group is higher than for that of the comparison group at all follow-up periods: six months (0.5% v. 0.0%), one year (1.7% v. 0.1%), three years (9.5% v. 0.5%), and five year (13.9% v. 6.8%).

### Table 4: Recidivism Rates

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<thead>
<tr>
<th></th>
<th>6-Month Recidivism Rates</th>
<th>1-Year Recidivism Rates</th>
<th>3-Year Recidivism Rates</th>
<th>5-Year Recidivism Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SIP (n=2,653)</td>
<td>Comparison Group (n=5,586)</td>
<td>SIP (n=2,459)</td>
<td>Comparison Group (n=5,045)</td>
</tr>
<tr>
<td><strong>REARREST</strong></td>
<td>Total: 11.4%</td>
<td>5.9%*</td>
<td>Total: 20.7%</td>
<td>14.7%*</td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td><strong>REINCARCERATION</strong></td>
<td>Court Commit</td>
<td>0.5%</td>
<td>Court Commitment</td>
<td>1.7%</td>
</tr>
<tr>
<td></td>
<td>Parole Violator</td>
<td>1.9%**</td>
<td>Parole Violator</td>
<td>3.1%**</td>
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<tr>
<td></td>
<td>Total: 2.4%**</td>
<td>7.5%</td>
<td>Total: 4.8%**</td>
<td>17.5%</td>
</tr>
<tr>
<td><strong>OVERALL RECIDIVISM</strong></td>
<td>Total: 12.9%</td>
<td>11.6%</td>
<td>Total: 23.2%</td>
<td>24.7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>3-Month Recidivism Rates</th>
<th>5-Month Recidivism Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SIP (n=1,592)</td>
<td>Comparison Group (n=2,929)</td>
</tr>
<tr>
<td><strong>REARREST</strong></td>
<td>Total: 38.9%</td>
<td>38.3%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REINCARCERATION</strong></td>
<td>Court Commit</td>
<td>9.5%</td>
</tr>
<tr>
<td></td>
<td>Parole Violator</td>
<td>4.4%**</td>
</tr>
<tr>
<td></td>
<td>Total: 13.9%**</td>
<td>39.9%</td>
</tr>
<tr>
<td><strong>OVERALL RECIDIVISM</strong></td>
<td>Total: 42.2%*</td>
<td>52.4%</td>
</tr>
</tbody>
</table>

Statistically significant lower rates denoted as: *p<.05, **p<.01
There are at least two possible suggestions for interpreting the above rearrest and reincarceration findings: 1) the new crime rate increased for the SIP group because completions are not subjected to parole supervision, under which a new crime may have been preempted and prevented through good supervision, or 2) new criminal behavior is no more or less likely among the SIP group but simply is handled differently between the two groups, with criminal behavior more dealt with through parole revocations among the comparison group but more dealt with through arrests and/or the courts for the SIP group.

Examination of the overall recidivism rates (i.e., the first incident of either a rearrest or a reincarceration) shows that overall recidivism rates are lower at the three year follow-up time period for SIP participants than for the comparison group: 42.2% v. 52.4%. All other follow up time periods do not show any statistical difference between the SIP participants and the comparison group. Clearly much of the lower 3-year overall recidivism rate for SIP participants is driven by the fact that SIP completers are not under parole supervision and thus not subjected to technical parole violations.

Another measure of program success is cost effectiveness. SIP graduates save prison bed space as a result of their reduced stay in prison while in the program, as well as a result of their reduced stay in prison due to subsequent reincarceration since SIP completers are not subject to parole supervision and thus cannot be returned to prison for a parole violation. Current estimates indicate that on average the Commonwealth will save approximately $33,250 per SIP participant due to their total reduced stay under PA DOC custody. Thus, the Commonwealth has saved a total of approximately $79.9 million on the 2,403 SIP participants who graduated the program as of the end of September 2014. This is likely a conservative estimate, as other costs are likely saved including the cost of parole supervision. This is a substantial increase in cost savings from that reported in the last SIP report, which demonstrates the ability of the program to exponentially increase cost savings as the number of referrals to the program and subsequent number of program completers grows.

This analysis provides evidence that SIP appears to be effective in its goals of diverting low level, drug involved offenders from lengthy prison stays while controlling their criminal recidivism. The best conclusion at this point is that SIP participants have generally lower longer-term overall recidivism rates compared to offenders who did not go through the SIP program, and that the cost savings to the Commonwealth due to shorter lengths of stay in prison for SIP participants is substantial. Thus the SIP program appears to be successful across multiple measures of success, and it is to the Commonwealth’s advantage to fully maximize utilization of the program in order to more efficiently utilize scarce prison beds, lower costs and reduce recidivism for substance abusing offenders.

SIP-HOPE Pilot

In September 2014, a pilot initiative was introduced within the SIP program in order to test its ability to further enhance positive outcomes among SIP participants. This new initiative is called the SIP-HOPE program, and is being pilot tested at two sites within the community phases (Phase 3 and 4) of SIP. The two pilot sites for this initiative are Riverside and Scranton Community Corrections Centers (CCC).

SIP-HOPE is based on a program originally developed among probationers in Hawaii, called Hawaii Opportunity Probation with Enforcement (HOPE). The HOPE model is essentially a monitoring and sanctioning system. The three key components of the HOPE model are: 1) clearly defined and communicated expectations of rules, 2) close, enhanced monitoring of program participants for adherence to the rules, and 3) swift and consistently-delivered, but moderate and graduated, sanctions for each and every infraction of the rules. Sometimes the HOPE model is also referred to as the Swift, Certain, and Fair (SCF) sanctioning approach. A key underpinning is that to most effectively deter rule violations and reduce recidivism, the swiftness and certainty of punishment matter more than the severity of punishment.

The original Hawaii HOPE program was so successful at reducing drug use and recidivism rates that it is now being tested in at least 18 states around the country, primarily among probationers but also among state parolees and inmate populations. The Pennsylvania state legislature, in Act 122 of 2012, also enabled and encouraged county probation offices in Pennsylvania to use the HOPE model.
Under SIP-HOPE, all participants entering SIP Phase 3 at the two pilot sites are first introduced to the SIP-HOPE expectations through an orientation video in which Secretary Wetzel clearly outlines nine forbidden behaviors. These nine forbidden behaviors primarily revolve around substance use. The video communicates that each and every infraction of one or more of these nine rules will with 100% certainty result in an immediate sanction. Sanctions for infractions of the nine rules are clearly outlined, beginning with a 1 to 2 day return to incarceration for a first violation, and graduating to SIP expulsion after a fifth violation. Enhanced monitoring of SIP participants is used to detect violations, primarily through weekly random instant drug testing.

Since SIP-HOPE is a new initiative, it is too early to report on outcomes. Early and very preliminary results suggest a significant decrease in positive drug test results, but more follow-up time is needed. Future SIP reports will provide results from this pilot initiative as they are available.
Appendix A: Methodology

The PA DOC typically defines recidivism as return to state custody for any reason (e.g., parole violation, new offense, etc.). For the purposes of this evaluation, recidivism was operationalized in three ways: rearrest, reincarceration, and overall recidivism. Reincarceration was further broken down into two categories: parole violators and new court commitments. All recidivism rates in this report compare the SIP group to a similarly matched comparison group, with the SIP group representing all SIP participants (both program completers and expulsions) released from PA DOC custody during the same timeframe. The formulation of the comparison group is described in detail below.

Examination of reincarceration rates provides insight into whether SIP is achieving the goal of reducing prison resources used for low-level, drug-involved offenders. Examination of rearrest rates, on the other hand, serves more as a proxy of whether SIP is actually controlling the criminal behavior of SIP offenders. We felt it critical to examine both measures because SIP participants are not under any sort of parole supervision as part of the SIP program, and can only return to prison for a new crime. Rearrest rates also allow for a broader picture of recidivism by capturing reoffending that results in a county jail or intermediate sanction sentence, which would not be captured in the reincarceration rates. Additionally, we hope that the overall recidivism measure of recidivism will provide a useful overall estimate of the impact of SIP on recidivism, by combining the rearrest rates and reincarceration rates together into one measure.

A primary challenge in developing this report was to form a comparison group of similar inmates who did not go through the SIP program. Our first step was to identify a pool of inmates who had been released from DOC custody and met the basic statutory requirements for SIP participation but did not get sentenced to the program. Thus, we identified a group of inmates who: 1) had a non-violent offense as defined by the SIP act, 2) indicated alcohol or other drug dependency as measured by a score of 3 or higher on the TCU Drug Screen II and subsequently participated in a therapeutic community while incarcerated, and 3) had a minimum sentence of 24 months or greater.

This comparison group was then further matched to the SIP group using propensity score matching techniques in Stata v10 statistical software package. It has been demonstrated that in most cases propensity score matching is superior to traditional multivariate regression approach for estimating treatment effects where participants are non-randomly assigned to different groups, as is the case here with the SIP versus the comparison group. The two groups were matched on the following variables: age, race, gender, committing county, offense type (violent, property, DUI), RST criminal risk score, and TCU Drug Screen II score for alcohol or other drug dependency. After the matching procedure, the two groups were found to be “balanced” (i.e., statistically equivalent) on all matching variables. We thus had a reasonably high degree of confidence in the equivalence of the two groups, based on all of the important variables that we were able to observe for the two groups.

Having formed the comparison group, we then were able to estimate the six-month, one-year, three-year, and five-year recidivism rates of both the SIP participants and the comparison group, in accordance with reporting requirements for SIP outlined in Act 112 of 2004. This was the first report where we had a sufficiently large sample of SIP participants to look at five year recidivism rates.

The SIP cost savings figures in this report were generated in the following manner. Current statistics reveal that SIP graduates spend approximately 17 months less in prison on average than a comparison group of non-SIP inmates. As of September 30, 2014, a total of 2,403 SIP program completers had been released from PA DOC custody. Current PA DOC budget numbers indicate that the per diem cost of incarceration per inmate is approximately $94.20 for a group size of 900 or more inmates. Since the 2,403 SIP completers would have otherwise spent an average of 17 more months in prison at a per diem cost of $94.20, then we can estimate that the Commonwealth saved approximately $117 million for these 2,403 offenders ($94.20/day * 17 months * 30.4 days/month * 2,403 offenders). This cost savings is offset by a longer length of stay among SIP participants in the Community Corrections system, however. Current statistics indicate that all SIP participants spend 9 months on average housed in Community Corrections Centers (CCCs), while otherwise comparable non-SIP offenders spend 3.5 months on average in CCCs or either are paroled directly home. About half of non-SIP parolees are paroled to a Center and the other half are paroled directly home. The average per diem cost in a CCC is $80 per offender.
Thus, for the 2,403 SIP completers, their CCC cost would be approximately $42.4 million higher than it otherwise would have been [($80/day * 5.5 months * 30.4 days/month * 1,202 offenders) + ($80/day * 9 months * 30.4 days/month * 1,201 offenders)]. This leads to a net cost savings of $74.6 million ($117 million cost savings from less prison time minus $42.4 million cost increase due to increased CCC time).

However, one additional cost savings can be added to this estimate. Since SIP graduates cannot return to prison for a parole violation, substantial prison bed space is saved. On average, parole violators serve 14 months in prison. Based on recidivism rates from Table 4 of this report, we can estimate that approximately one-sixth (401) of SIP graduates would have otherwise been returned to prison within a year for a parole violation had they not participated in SIP. PA DOC’s per diem cost for a group size of 300 to 599 inmates is estimated to be $30.90 per offender. Thus an estimated additional savings of $5.3 million in parole violator prison beds is realized for the 2,403 SIP graduates ($30.90/day * 14 months * 30.4 days/month * 401 parole violators). Adding this cost savings to the total net cost savings leads to an estimated grand total cost savings of $79.9 million. Dividing this figure by 2,403 SIP graduates leads to an estimated cost savings per SIP graduate of $33,250.