Community-Based Corrections

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Community-based corrections programs have become an essential component of both the juvenile and adult justice systems. The best-known community corrections programs are probation and parole. In 1990 state and federal agencies supervised 2.7 million adults on probation and more than 500,000 on parole. Three percent of the adult male population was on either probation or parole in 1990 (Jankowski, 1991). Other widely used community corrections programs include restitution, in which the offender repays or repairs the damages resulting from his or her crime; house arrest, in which the offender may not leave home except for work or other approved activities; and community service, in which the offender is ordered to perform unpaid work as repayment to the general community.

Definitions
To understand the role of community corrections programs, it is necessary to differentiate the functions of punishment and corrections. Punishment is a retributive reaction to an offender’s violation of the law. Through punishment, society indicates its disapproval of certain forms of behavior such as violence, theft, and the use of illicit drugs. A secondary goal of punishment may be to deter future violations by the offender (specific deterrence) or similar violations by other potential offenders (general deterrence). Punishment, however, primarily is social retribution for a wrongful act.

Corrections, on the other hand, is primarily an effort to influence or correct unlawful behavior. Corrections programs seek to reduce future law violations by teaching offenders that certain behaviors are wrong and will result in negative consequences and that other types of behavior may be substituted for illegal acts. Whereas punishment is simply an event, corrections is a process through which behavioral outcomes are achieved. Community corrections programs can involve elements of punishment as well as corrections.

Community corrections offers an alternative to incarcerating adjudicated juveniles and convicted adults. If well managed, such programs can be a more cost-effective method of achieving the goals of rehabilitation, control, and punishment. Offenders who remain in their own communities avoid the negative effects of imprisonment, potentially enhancing their rehabilitation. Supervision in the community enables offenders to repay damages directly to the community rather than simply “doing time” in a state-operated facility. Community corrections advocates argue that because the vast majority of incarcerated offenders eventually return to the community, providing punishment and supervision in the community allows them to work and receive treatment in the same social context in which they must live after their release from the justice system. In other words, community corrections can greatly enhance an offender’s adjustment to society after release from supervision, and this is thought to reduce the likelihood of recidivism.

Structures and Functions
Community corrections are administered under a variety of organizational and governmental structures. In some jurisdictions either the state or the local government has complete responsibility for community corrections. In other jurisdictions the state and local governments share this responsibility. Increasingly, community corrections programs are operated by private companies under contract to a state or local government.

Community corrections programs can be used at either the “front end” or the “back end” of the justice system. In other words, they can be used for first-time, low-risk offenders who have not been incarcerated (sometimes not even convicted) or for more serious offenders as an alternative to incarceration and a means to supervise those being released, or paroled, to the community from correctional institutions.

With the exception of those who commit federal crimes, offenders are tried and sentenced by state or county courts. (Technically, juveniles receive adjudications and dispositions rather than convictions and sentences.) In criminal or juvenile court cases that do not involve a period of confinement, the responsibility for carrying out the community-based sentence usually remains with the court that imposed the sentence. One jurisdiction may use only a rudimentary form of community corrections, such as traditional probation and fines, whereas another jurisdiction may have an elaborate array of programs that offer various levels of punitive and offender control.

A court decision to impose a term of community corrections is based largely on the degree to
which the offender is thought to present a risk to the public safety. In other words, the court must assess the likelihood that the offender will commit new crimes if allowed to remain in the community. The court is also likely to consider whether available programs will be able to address the offender’s rehabilitation needs. Often, the decision must also take into consideration the seriousness of the criminal act and the public’s attitude toward the offender. In highly visible or notorious cases, a court may be reluctant to sentence an offender to a community-based program even if the probability of rearrest appears to be low.

ORIGINS OF COMMUNITY CORRECTIONS

Interest in community-based corrections is as old as prisons themselves. Prisons were introduced in the United States in the late 1700s, although the use of physical confinement as a form of punishment had already existed for centuries. Although prisons were initially welcomed as a “cure” for crime, it soon became apparent they could never accomplish this unrealistic goal. As Morris (1974) observed, “prisons have few friends” (p. ix). Almost as soon as the first prisons were completed, reform movements began to call for their improvement or abolition. Dissatisfaction with the ineffectiveness of prisons and their generally inhumane conditions became widespread. During the mid-1800s, prison reformers argued that community settings would be more effective for offender rehabilitation and that the treatment of offenders should be individually designed, an approach that was impossible in the prisons of the 19th century. A community corrections movement began to flourish in the United States during the late 19th century, along with other social reform efforts.

The oldest and most widely used community corrections program is probation. The first use of formal probation in the United States occurred in Boston in the 1840s, when a shoemaker named John Augustus became concerned that drunks and vagrants were receiving inadequate care and were too often imprisoned inappropriately. He proposed to the court that it release such offenders to his custody and he would attempt to reform them and help them find employment. Augustus reportedly performed this service for hundreds of people and eventually attracted the attention of other communities and courts. In 1878 Massachusetts became the first state to have paid probation officers, and by 1915, 33 states had passed laws authorizing the use of paid probation officers. Probation was initially far more popular for juvenile offenders, but by the mid-1950s adult probation programs had been established in every state.

PROGRAMS AND SERVICES

Community corrections includes a wide range of programs and services to divert prison-bound offenders, control and supervise offenders who have been given community-based sentences, and supervise offenders at the end of their prison terms. Because offenders sentenced to community corrections remain in the community, they can live in their own homes and maintain access to employment opportunities. They must meet regularly with a supervisor who closely monitors their activities and associations. Frequently, courts impose a number of conditions that offenders must meet to continue in community-based programs. For example, a court may require a convicted drug offender to submit to random drug tests or order a suspected gang member to stay away from other gang members and certain neighborhoods. Offenders may be ordered to maintain employment or engage in a job search or, in the case of a juvenile offender, to attend school regularly. If the offender violates any of these conditions, the court can revoke the community-based sentence and subject the offender to more severe controls or immediate incarceration.

Although they have been granted a community-based sentence rather than imprisonment, offenders in a community corrections program are not “free.” Each program model involves various degrees of control on the movements and activities of offenders. The essence of community corrections, however, is that these restrictions do not prevent offenders from realizing the benefits of living in their own homes and communities. Locked detention facilities and jails, even those located in or near residential areas, are not community-based programs. Similarly, boot camps are not considered community corrections programs, although they are often promoted as alternatives to incarceration. If a locked facility or boot camp is operated as a day program, however, and offenders are able to return to their own homes at night, such a program might be considered a community corrections program. As in all criminal justice policy, the use of community corrections is most appropriate when it offers an effective balance between protecting the public and controlling or rehabilitating the offender.

Community corrections programs can be placed on a continuum of severity. At one end of the continuum are the least punitive, least expensive, and most widely used correctional sanctions,
such as fines and traditional probation supervision. On the other end of the continuum are more punitive, control-oriented, and costly programs, such as intensive supervision and electronic surveillance. Many of the following community corrections programs are also called "intermediate sanctions," because on a continuum of severity they would fall somewhere between traditional probation and prison.

Informal Diversion
Many courts have found that diverting first-time offenders and those who have committed minor crimes from formal court processing can be a cost-effective alternative to formal conviction and sentencing (Baker & Sudd, 1981). In the adult justice system, "pretrial diversion" or "deferred prosecution" programs became popular during the 1980s for their potential to reduce the administrative and financial burdens of prosecution and trial while effectively intervening in relatively minor cases. In such cases, a prosecutor, intake worker, or other screening officer is authorized to handle the case informally before formal charges are filed. In lieu of prosecution, the offender agrees to some type of service or sanction, often a term of community service, restitution, or informal probation. The offender avoids the stigma of a formal trial and possible conviction, and the court benefits by providing some sanction for cases that might otherwise end in dismissal. Diverted or deferred cases also move quickly through the system because they do not involve protracted courtroom procedures.

Informal processing is particularly widespread in the juvenile justice system. In the early 1990s one-half of all delinquency cases referred to juvenile courts across the country were handled informally without the filing of a petition or a formal adjudication hearing (Butts et al., 1993).

Suspended Sentence
One of the most basic community corrections programs is the suspended sentence. An offender who is convicted of a relatively minor offense and sentenced to a period of supervision or confinement is granted a suspension of the sentence pending the satisfaction of other conditions. For example, an offender who is convicted of theft and sentenced to six months in jail may be granted a suspended sentence provided that he or she completes the terms of restitution imposed by the court. Suspended sentences, in fact, are often the legal basis for the existence of community corrections programs. Instead of ordering the offender to pay restitution or serve time in jail, the court is actually permitting the offender to earn the right to avoid incarceration.

Victim-Offender Mediation
Victim-offender mediation programs are also known as dispute resolution, arbitration, and conciliation programs. The idea behind this program model is to avoid the formal court process by informally mediating the "disputes" between offenders and victims. The aim of victim-offender mediation is to restore the losses incurred by victims and, just as important, to involve offenders in a face-to-face confrontation with the consequences of their behavior.

Technically, the court does not impose a solution in mediated cases. Instead, a mediator assists the involved parties in reaching their own resolution. For instance, under a mediator's supervision, a youth accused of vandalism or theft would engage in a discussion with the victim to arrive at an acceptable method of repairing damages or replacing stolen property. Through the mediation process the youth might agree to repaint a wall that he or she marred with graffiti, for example, or to pay for damages to a car that he or she stole. Programs may also involve "indirect mediation" if offenders and victims do not wish to meet. In these cases the mediator functions as a go-between to arrange a mutually agreeable method of resolution and restitution.

Restitution
Both the adult and juvenile justice systems increasingly require offenders to compensate victims for losses resulting from their offenses. The use of restitution has been advocated as a way to move the entire justice system away from retributive justice and toward a restorative justice model. Under the restorative justice concept, the mission of law enforcement, the courts, and corrections is not simply to punish offenders but to restore losses to victims and peace to the community. In this view, one of the basic aims of any corrections program is to hold offenders accountable for their actions.

Restitution programs involve actual cash payments to victims of crime, usually property crime, which accounts for the vast majority of all crimes committed. Payments to victims are sometimes made directly by offenders, or they can be made by the court after the offender has first paid the court. Offenders lacking the financial resources to pay restitution are sometimes provided with work to earn restitution money. Restitution appears to achieve public safety goals as well as rehabilitative goals and is at least as effective as more tradi-
tional dispositions such as probation (Galaway & Hudson, 1990).

Community Service

Offenders in community service programs are closely supervised as they perform socially useful, unpaid labor: road repair and cleanup, gardening and landscaping of public spaces, working in a local food bank, or any number of other specialized tasks that take advantage of the offender's skills and employment background. Proceeds from community service work are often diverted as restitution payments to victims or are used to pay the costs of the offender's supervision. Unlike victim restitution programs, community service can also be used for cases that do not involve an individual victim (for example, drug possession). Community service programs are proving to be especially popular as they encourage the community to become more aware and involved with the justice system.

Traditional Probation

Traditional probation, the most widely used community corrections program, involves the suspension of a more restrictive sentence for a defined period of supervision in the community. During this period the offender is free to remain in the community, to work, and to attend school. In exchange for this freedom, the offender must agree to specific behavioral conditions through a formal agreement or contract with the court. Typically, probation agreements incorporate conditions meant to control as well as rehabilitate the offender. For example, a contract may require an offender to meet regularly with a probation supervisor and adhere to a strict curfew.

Probation contracts include provisions for the revocation of probation should the offender violate the conditions stipulated in the contract. If probation is revoked, the court reinstates the offender's suspended sentence and incarcerates him or her for the remainder of the sentence. To ensure the offender's understanding of the importance of the probation contract, some jurisdictions use "shock probation" programs in which offenders begin their sentences with a brief period of incarceration before being released to community supervision.

Intensive Probation

Intensive probation is similar to traditional probation but involves closer supervision and a greater degree of control over the offender's behavior. Offenders must agree to more rigorous supervision contracts and meet with their probation worker several times a week or, in some cases, several times a day. Probation supervisors have much smaller caseloads than their counterparts in traditional probation programs. One survey of probation programs found that the average intensive probation caseload was 22 clients per worker, whereas workers in a traditional probation program supervised an average of 120 offenders (Byrne, Lurigio, & Baird, 1989).

Although many believe that intensive supervision is what all probation programs should provide, public agencies do not always have the funds to deliver on such a promise. Most jurisdictions use intensive probation only for low-risk offenders who would otherwise be incarcerated and for offenders with special needs or risk factors such as chronic drug abuse. Intensive probation programs proliferated in the United States during the 1980s, when many state and local governments simultaneously faced growing correctional caseloads and corresponding budgets that made incarceration an avenue of last resort. In response, there was an increased willingness to experiment with supervising larger numbers of offenders in the community. Intensive probation programs are currently the most widely used community corrections programs after traditional probation (U.S. General Accounting Office, 1990).

House Arrest and Electronic Surveillance

Electronic monitoring or in-home surveillance is an increasingly popular community corrections program, as it offers a high degree of offender control yet avoids most of the costs of confinement. Electronic monitoring is primarily a punishment program in which surveillance and control are the primary objectives. An offender sentenced to a period of electronic monitoring is confined to the home, and electronic equipment is used to enforce this order. In many such programs the offender wears a nonremovable wrist or ankle bracelet that sends a signal confirming the offender's presence via a customized phone whenever the probation officer places a call to the offender's home. Other programs use equipment that can detect whether the offender is within a prescribed distance of a specialized phone. If the offender attempts to leave the defined area, the phone automatically places a warning call to the probation office. Any violation of these conditions constitutes an infraction of the probation contract and can result in the offender's incarceration.

These programs are sometimes called "house arrest plus" because the offender is usually subjected to regular face-to-face or telephone contact with probation officers as well as electronic surveillance (Dilullo, 1989). Although offenders sentenced to electronic monitoring have more
freedom than they would in prison, a period of house arrest and intensive probation supervision can often be more onerous.

**Growth of Community-Based Corrections**

During the 1980s and early 1990s, many state and local policymakers began to reconsider the importance of community corrections. Several factors combined to make the limited choice of incarceration versus traditional probation appear insufficient: a growing prison population, rapidly increasing costs of building and operating prisons, a greater need for effective supervision of more serious offenders, high rates of recidivism for offenders placed on traditional probation, and increased public demand for accountability from law enforcement and the courts.

The use of community corrections programs increased dramatically during the 1980s and early 1990s. The Bureau of Justice Statistics reported that the number of adults supervised by state or federal probation agencies increased 126 percent between 1980 and 1989 (Greenfield, 1992). Of the 4.3 million adults under correctional supervision in 1990, 74 percent were being supervised in the community; 61 percent were under some form of probation (Jankowski, 1991).

The increased use of community corrections, however, did not reduce the growth of the U.S. prison population. The number of state and federal prisoners grew 168 percent between 1980 and 1992, from 329,821 to 883,503 (Gilliard, 1993).

From the 1930s through the 1970s, the per capita rate of state and federal prisoners remained relatively constant at between 100 and 150 prisoners per 100,000 U.S. residents (Greenfield, 1992). Between 1980 and 1992, the U.S. imprisonment rate grew 137 percent, from 139 to 329 prisoners per 100,000 residents (Gilliard, 1993). Throughout the 1980s and early 1990s, the rate of imprisonment in the United States set a new record every year. By the early 1990s the United States had earned the dubious distinction of having the highest per capita imprisonment rate in the world, surpassing the previous leaders, the former Soviet Union and South Africa.

**Effectiveness of Community-Based Corrections**

From the beginning of the community corrections movement, many people were skeptical about the effectiveness of any criminal justice program that did not rely on incarceration. However, quality evaluations of correctional effectiveness were rare until the 1980s. Lipton, Martinson, and Wilks (1975) surveyed much of the existing research evidence on correctional effectiveness. The authors studied more than 200 separate evaluations of correctional treatment programs and found the results less than impressive. The news media summarized their conclusions as "nothing works." Although the phrase was greatly misleading, it influenced numerous policymakers.

**Current Studies**

More recent studies have found evidence that community corrections programs such as intensive probation, restitution, and electronic monitoring can be effective for some offenders (Andrews et al., 1990; Barton & Butts, 1990; Gendreau & Ross, 1987; Greenwood & Zimring, 1985; McCarthy, 1987; Petersilia, 1987). No single program model, however, is effective in every case and every jurisdiction. The effectiveness of a corrections program is closely related to its initial conceptualization, the extent of its political support, and the skill with which it is implemented (Petersilia, 1990a).

The poor reputation of community-based corrections often is the result of inadequate funding and poor implementation. The caseloads of probation officers, for example, have increased to impossible levels in many large cities. In 1990 one-half of all probationers in Los Angeles County were being supervised by a probation officer with a caseload of at least 1,000 other offenders (McShane & Krause, 1990).

**Issues in Evaluations**

Some of the continuing political problems with community corrections may result from the fact that such programs are often described and evaluated as alternatives to incarceration. Researchers typically evaluate community corrections programs by comparing their effects on recidivism with those of incarceration. In reality, however, community corrections programs often serve as an alternative to doing nothing. Community corrections are often used for offenders charged with misdemeanors, minor drug offenses, lesser property crimes, and other offenses that do not usually result in incarceration.

Conversely, community corrections programs are also criticized for contributing to a problem known as "net widening"—the tendency of the justice system to use alternative programs as supplements to rather than substitutes for incarceration (for example, Ezell, 1989). Many of the benefits of community corrections programs can be reaped only if such programs draw their clientele from the offender population most likely to be incarcerated.

When they draw instead from those likely to be outside the "net" of the corrections system (that is, offenders not likely to be incarcerated), the
existence of community corrections programs does nothing to reduce, and may even increase, the scope and costs of the justice system.

**Public Perceptions**
The criminal justice system receives a great deal of media attention, yet it is often difficult for the public to discern the various levels of punishment and control provided by correctional programs. In popular discourse, anything less than incarceration is dismissed as a “slap on the wrist,” suggesting that confinement is the only just response to crime. Offenders sentenced to community-based corrections, however, can receive highly punitive dispositions, as they are often subject to more than one sanction. An offender may be ordered to pay fines and court costs in addition to victim restitution; he or she may also be ordered to perform several weeks or months of community service work and to submit to long periods of probation supervision. In some states the courts impose “combined sanctions” that involve a relatively brief period of incarceration followed by an extended term of probation, community service, or other community-based sanctions. Some researchers have found that serious and repeat offenders may actually prefer a short stay in prison to an extended sentence of intensive probation (Petersilia, 1990b).

**Public Support**
Public support for community corrections often surprises policymakers who assume that their constituents favor high rates of imprisonment and would disapprove of sentencing offenders in the community. However, researchers have found that the public supports the use of community corrections provided that the programs are operated safely, incorporate some elements of punishment (for example, restrictions on freedom of movement, unpaid labor, or victim restitution), encourage offenders to develop useful skills and new ways of controlling their behavior, and offer treatment to offenders who need it (for example, drug abusers).

Gottfredson and Taylor (1984) found that state legislators in Maryland believed that the public wanted the predominant response to crime to involve state-operated prisons. When surveyed, however, a sample of Maryland residents actually supported the use of community-based probation and parole. Although state lawmakers predicted that nearly two-thirds of their constituents would agree to ending parole, only 25 percent actually did. The legislators also predicted that less than 40 percent of the public would favor the use of community rehabilitation centers, whereas 73 percent indicated such support in the survey.

**Critical Factors**
Bennett (1991) also found high levels of public support for community corrections. The critical factor in the public’s support for community-based corrections seemed to be awareness of the programs as well as confidence that the programs would be well managed and would exercise close control of offenders. Bennett’s study asked each respondent to indicate whether prison was the most appropriate response to a series of crimes. Initially, prison was the preferred response of 63 percent of respondents. After being introduced to the idea of community corrections and listening to a description of restitution and intensive supervision programs, however, only 27 percent of the respondents preferred prison. Even for cases involving serious felonies, most respondents supported community-based corrections. Bennett concluded that the public does not favor imprisonment for its own sake, but rather expects a corrections system that is accountable and demonstrates an active concern for public safety. Thus, the public’s demand for prisons may be due more to frustration with the management of the criminal justice system than to an emotional desire for vengeance and retribution.

**Conclusion**
The use of community corrections programs is critical to the effectiveness and fiscal stability of the criminal justice system. Without access to a full range of community-based alternatives, the corrections system would be able to offer only incarceration as a serious sanction for convicted offenders and adjudicated delinquents. From a public safety perspective, the vast majority of offenders do not require incarceration. Community corrections are absolutely necessary for the courts to provide control, supervision, and treatment for many offenders. If community corrections programs are adequately funded and competently managed, effective supervision of even greater numbers of offenders might be possible. Society would be well served by any reductions in imprisonment made possible by the judicious use of community corrections programs.

**References**

FURTHER READING

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For further information see
Adult Corrections; Conflict Resolution; Criminal Behavior Overview; Deinstitutionalization; Juvenile and Family Courts; Legal Issues: Low-Income and Dependent People; Peace and Social Justice; Police Social Work; Probation and Parole; Rehabilitation of Criminal Offenders; Social Planning; Substance Abuse: Legal Issues; Victim: Services and Victim/Witness Assistance Programs.

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