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Executive Summary

This evaluation sought to assess the effectiveness of the Swift and Sure Sanctions Probation Program in the State of Michigan. The Swift and Sure Sanctions program is based on the principle that sanctions for probation violations, no matter how small the transgressions, are met with swift (within 72 hours) and certain (jail time) sanctions. The short-term outcomes of Swift and Sure are to decrease the:

1. time between violations and the imposition of sanctions.
2. number of probation violations.
3. number of probation revocations.
4. number of participants sentenced to prison.

The long-term goal of the program is to reduce the recidivism rate among participants and thus reduce costs to the taxpayers.

Michigan Public Act 63 (2011) provided funding for a four-site pilot of the Swift and Sure model in Barry, Berrien, Isabella, and Wayne counties. The program was later expanded in the State with the passage of Public Act 616 (2012), which stated

It is the intent of the legislature to create a voluntary state program to fund swift and sure probation supervision at the local level based upon the immediate detection of probation violations and the prompt imposition of sanctions and remedies to address those violations (Michigan Public Act 616 2012, p. 2).

The present study includes the aforementioned pilot sites, as well as counties that implemented Swift and Sure between October 1, 2012 and September 30, 2013. These counties include: Allegan, Bay, Cass, Eaton, Ingham, Kalamazoo and Livingston.

The study design included an examination of the predictors of successful discharge vs. unsuccessful discharge among Swift and Sure participants (n=379) in the 11 counties, as well as recidivism among all program participants. In addition, a quasi-experimental assessment of recidivism among Swift and Sure participants and a probation-as-usual comparison group (n=379) comprised of individuals residing in counties without a Swift and Sure program was conducted. Swift and Sure program participant demographics, pre-program characteristics and in-program characteristics were obtained from the Drug Court Case Management Information System (DCCMIS). Data for the probation-as-usual comparison group was provided by the Michigan Department of Corrections (MDOC). Recidivism in the current study was defined as any

arrest after enrollment in the Swift and Sure program (Swift and Sure participants) or after the initiation date of probation (comparison group). Thus the “recidivism clock” was started immediately after Swift and Sure participants began the program and immediately after the start of probation for the comparison group.

The quantitative findings of the current evaluation include:

- Overall, 39.8% of those participants discharged prior to October 2, 2013 were successful while 60.2% were unsuccessful.
- Successful participants had a significantly higher level of education, were more likely to be employed, were less likely to have a precipitating offense classified as a violent or property crime, and also had fewer probation violations while enrolled in the program.
- Swift and Sure participants who recidivated while enrolled or after discharge were younger, had more probation violations while enrolled and committed a precipitating offense classified as a violent crime.
- Swift and Sure program participants were 36% less likely to re-offend as compared to the probation-as-usual group.
- An examination of recidivism by offense type revealed that Swift and Sure participants had significantly lower recidivism in six of the eight categories. These were total recidivism, total misdemeanors, total felonies, property offenses, alcohol/drug offenses and “other” offenses.
- A statistically significant association between group membership and being sentenced to jail as a result of recidivism exists. Swift and Sure participants had a lower percentage of jail sentences (13.7%) than the probation-as-usual group (21.6%).
- Of Swift and Sure participants, 4% were sentenced to prison as a result of re-offending compared to 5.3% of the probation-as-usual group. This difference was not statistically significant.

In addition to the quantitative data collected on Swift and Sure participants and the comparison group, the external evaluation team also conducted site visits (July 2014 – October 2014) at all eleven programs. The evaluative task was to determine whether the Swift and Sure program was implemented and operating as intended across sites included in the study time period. The site visits proved to be an invaluable tool to the overall

evaluation of Swift and Sure. The data provided through interviews and focus groups with program staff revealed both similarities and differences both among and between the programs. These important nuances could not have been ascertained from quantitative data and are vital for assessing program theory and related outcomes.

The analysis of costs and benefits found positive returns on investment. More specifically, the study found:

- The 11 Swift and Sure sites spent an average of \$60,001.87, or \$20,000 per month (\$652.19 per day), on the Swift and Sure program, averaging \$820.45 per month per participant (\$26.75 per day).
- The analysis estimates the costs to the taxpayer in terms of criminal justice system and victimization costs based on re-arrests in both groups. The total average outcome cost per Swift and Sure participant was estimated to be \$11,220.01, compared to an average cost of \$12,516.84 for comparison group members, for an average benefit of \$1,296.82 per person.
- The outcome-cost analysis suggests that less recidivism and resultant declines in incarceration for those enrolled in the Swift and Sure program pays off in reduced system and victimization costs.

In summary, the evaluation of the Swift and Sure Sanctions Probation Program suggests that a reduction in recidivism is associated with participation in the program as compared to probation-as-usual. Moreover, the cost-benefit analysis reveals substantial costs savings to the taxpayers of Michigan in terms of lower correctional costs and increased public safety.

Probation in the United States: What do the Numbers Suggest?

At the end of 2013, there were a total of 4,751,400 adults under the supervision of community-based criminal justice agencies across the United States, which represents a decline of almost 30,000 adults from yearend 2012 (Herberman, & Bonczar, 2015). This observed decline was a result in fewer adult men and women being sentenced to probation. In spite of this slight decline, probationers comprised 82% of the overall community supervision caseload within the United States.

During 2013, there was a 3.4% decrease in the community supervision population within the State of Michigan and there were 2,545 per 100,000 adults under community supervision at yearend (a total of 195,200 individuals). Only seven states¹ and the District of Columbia observed a greater percent reduction in their community supervision population during 2013 (Herberman & Bonczar, 2015). In terms of adults on probation in Michigan, there was a 3.4% reduction in 2013 and a total 2,305 per 100,000 adults on probation supervision at yearend. Seven of the eight jurisdictions cited previously enjoyed the same or greater percent reductions in their probation population. The only exception was that New Mexico had a lower percent reduction (1.2%) than Michigan and New York had the same percentage reduction as Michigan (3.4%). Interestingly, the rate of incarceration among United States' probationers at the highest risk of violating probation conditions during 2013 "remained stable at 5.4%, following a 4-year period of gradual decline" (Herberman & Bonczar, 2015:1). This suggests a need for programming that addresses the areas of risk and need for this high-risk population of probationers across the country.

¹ These include: Connecticut (10.3%), District of Columbia (6.9%), Kansas (7.4%), Kentucky (8.6%), Minnesota (3.7%), Missouri (7.8%), New Mexico (3.5%), and Rhode Island (3.5%).

Probation in Michigan

Michigan has been supervising adults convicted of felony offenses in the community for over one hundred years (since 1913). While judges in local jurisdictions determine the specific length of probation to be served and the conditions by which probationers must comply, the maximum length of time by statute is five years for a felony offense and two years for a misdemeanor². With that said, there are several standard conditions by which all probationers must comply: 1) refrain from engaging in criminal behavior, 2) not leave the State of Michigan unless given permission by a supervising probation agent, and 3) report to a probation agent as directed. The sentencing court, based upon nature of the crime(s), criminal history, and an individual's personal characteristics (e.g., employment, housing, substance abuse, etc.), can impose additional probationary conditions.

The Michigan Department of Corrections' (MDOC) mission is to protect the public by assisting individuals under their supervision to become productive members of their communities. In order to do this, the MDOC administers the COMPAS risk and needs assessment at the time of the writing of each potential probationer's pre-sentence investigation report (PSI). The COMPAS is a validated risk and needs instrument that identifies each individual's level of risk in several areas (e.g., violence, recidivism, etc.) and the specific areas of concern (e.g., substance abuse, peers, criminal thinking, etc.). The results of this assessment are then used to determine the supervision plan. In addition, probationers must also meet with their probation officers (typically twice a month unless additional reporting is needed), submit to drug and alcohol testing, and

² It should be noted that a few exceptions exist to the authorized probation term for some offenses.

engage in treatment (if appropriate) as directed. It is the responsibility of the MDOC to ensure that treatment and programming are available to meet the needs of probationers and supervising agents must respond to violations of the probation order as appropriate using their discretion. This mission statement is similar to the mission statements of other departments of correction and rehabilitation across the country.

Intensive Probation Programs as an Alternative to Incarceration

Intensive community supervision programs were created as alternatives to incarceration in an effort to increase public safety, reduce incarceration costs, and reduce recidivism through the implementation of rehabilitative and remedial strategies. In the 1980s, concerns regarding case overload and prison overcrowding were raised in jurisdictions across the United States. In response, the development of alternative-to-incarceration programs (ATIs) represented an attempt at criminal justice reform that utilized local communities and the justice system to deter individuals from engaging in criminal behavior. More specifically, ATI programs attempted to facilitate behavior change among individuals by providing intensive supervision, establishing clearly defined consequences for criminal behavior, and affording access to treatment (e.g., drug/alcohol, mental health, etc.) and other support services, which include: education, employment, housing, etc. (Drake 2011; Weissman 2009; Palumbo et al 1994).

Effective ATI programs often adhere to the risk and need principles (Lowenkamp et al. 2006). The risk principle suggests that “the intensity of treatment should be matched to the risk level of the offender” (Bonta et al. 2000, p.314) while the need principle “makes a distinction between criminogenic and noncriminogenic needs” (Bonta et al.

2000, p.314). Through adherence to these principles, programs can specify a target population that has the most to gain from successful program completion. Programs that identify areas of risk and need and use this information to match treatment modalities have been associated with reductions in recidivism (Bonta et al. 2000; Lowenkamp et al. 2006). Additionally, it has been shown that the clients of probation officers trained in the principles of risks and needs have more favorable recidivism rates than clients on probation with officers not trained in such techniques (Bonta et al. 2011). Intensive supervision programs have also been shown to be the most effective for high-risk offenders, as they require intensive levels of programming and supervision in specific areas (Bonta et al. 2000; Evans et al. 2011; Lowenkamp et al. 2006).

The specific supervision strategies employed within ATI programs include: electronic monitoring, home confinement, drug testing, and regular supervision appointments (Weissman 2009). In addition, ATIs work to increase participants' access to treatment and other support programs. ATI staff members (i.e., social workers, lawyers, counselors, and correctional staff) work with criminal justice professionals, participants, and family members to develop a community support system with appropriate supervision and treatment for clients at risk of offending or reoffending (Weissman 2009). In order to deter criminal behavior, many ATI programs developed a system of severe and certain sanctions to be imposed if the terms of program participation were violated (Weissman 2009). This response is based upon the assumption that individuals weigh the costs (i.e., potential risks of getting caught) and benefits (i.e., potential reward/gain to result from the act) of criminal behavior before acting (Durlauf and Nagin 2011; Hawken and Kleiman 2009). It is argued that programs imposing harsh

sanctions that far outweigh the perceived benefits of specific behavior serve as an effective alternative to incarceration (Maxwell and Gray 2000).

Maxwell and Gray (2000) found that when offenders are aware of the certainty of punishments they are more likely to be successful in ATI programs and comply with supervisory conditions as well as abstain from criminal activity. Moreover, Nagin and Pogarsky (2006) assessed criminal decision-making and found that the severity and certainty of consequences deterred criminal behavior. Interestingly, the certainty of consequences had a larger impact on deterrence than severity.

With an estimated 6.9 million individuals under adult correctional control (Glaze 2013), alternatives to incarceration are increasingly under scrutiny to provide accountability within their community and reduce recidivism. Although many ATI programs have evolved over time, research regarding the effectiveness of these programs has been generally positive. More specifically, many studies have found that there are reductions in recidivism only when offender treatment is a significant component of intensive supervision programs (Bonta et al. 2000; Drake 2011; Evans et al. 2011; Lowenkamp et al. 2006; Lowenkamp et al. 2010; Pappozzi and Gendreau 2005; Weissman 2009). Studies have shown that intensive supervision programs that do not provide this treatment aspect typically have little to no effect on offender recidivism (Pappozzi and Gendreau 2005; Drake 2011), while those that do may reduce recidivism from 10-30% (Pappozzi and Gendreau 2005). In sum, the literature is relatively consistent in demonstrating that “programs that target high-risk offenders, require them to be in the program longer, and have more referrals (particularly referrals for treatment programming) were the programs that saw the greatest decreases in recidivism”

(Lowenkamp et al. 2006, p.7). However, Latessa and Lowenkamp (2006) suggest that exclusively punitive methods in correctional programs are less effective in reducing recidivism than those that contain punishments *and* restoration. Furthermore, correctional programs failing to incorporate treatment with punitive measures could potentially *increase* recidivism in offenders.

Theoretical Foundation

Elements of several criminological theories can be seen as the foundation for many intensive supervision programs. More specifically, elements of deterrence theory, rational choice theory, and social learning theory provide a theoretical basis for understanding how and why these programs would yield the intended outcomes of reduced recidivism, lower incarceration rates, and pro-social functioning among participants.

Deterrence theory is premised on the belief that individuals will engage in crime if they do not fear apprehension and severe punishment. In order to dissuade individuals from engaging in criminal behavior, proponents argue that sanctions for transgressions must be clearly articulated (certain), swiftly imposed, and severe. Rational choice theory is a modification of deterrence theory and argues that individuals have free will, and are hedonistic and rational beings. Hedonism refers to the belief that individuals choose to engage in criminal behavior after making a rational and calculated determination as to the risk of pain and pleasure derived from a specific act. Rationality is the assumption that all individuals have the capacity to make sound judgments based on logic. Finally, free will is the belief that all individuals are able to make decisions regarding what to do in a given

situation based upon what is in their best interest. “Deterrence and rational choice theory both assume that human action is based on “rational” decisions and are informed by the probable consequences of that action” (Akers 1990, p.654). Therefore, ATI programs seeking to discourage criminal behavior through the threat of swift and certain sanctions being imposed for all transgressions embody the principles of both deterrence and rational choice theories.

Social learning theory attempts to explain criminal behavior by identifying it as learned action with one’s social environment and communication with others. More specifically, it is argued that behavior is shaped by past events and associated consequences. Behaviors that result in punishment are less likely to occur in the future, whereas behaviors rewarded are more likely to occur in the future (Akers 1990). Social learning theory provides an explanation for how and why rewards and punishments can be used to maintain or modify behavior.

Hawaii’s Opportunity Probation with Enforcement Program (HOPE)

In response to increasing doubt about the effectiveness of probation programs in meeting the needs of offenders and reducing recidivism, Judge Steven Alm created Hawaii’s Opportunity Probation with Enforcement (HOPE) in 2004 (Hawken and Kleiman 2009). HOPE was designed to increase compliance with probation conditions and reduce recidivism among probationers. To achieve this goal, the program was established as a supervision program that focused on imposing immediate sanctions for violations as a way to deter future transgression. While HOPE was not expressly grounded in social science theory, the program theory embodies the principles of

deterrence, rational choice, and social learning theories. Participants are encouraged to take responsibility for their actions and the resultant consequences in order to effect behavioral change. HOPE participants must be eighteen years of age or older, and considered to be at high risk for recidivism and probation violations (Hawken and Kleiman 2009).

Placement in HOPE begins with an initial warning hearing where the Judge informs each participant about the purpose of the program, behavioral expectations, and consequences for violations (Hawken and Kleiman 2009). HOPE participants must call into the HOPE hotline each day to learn whether or not they have to submit to a drug/alcohol screen (must be done by 2 pm). Participants are subjected to random drug testing during the first two months of enrollment. Failure to comply with any probationary conditions results in the immediate filing of a probation violation, the issuance of a bench warrant, and the scheduling of a violation hearing (Hawken and Kleiman 2009). Most violation hearings are held within 72 hours of the violation, and after short period of incarceration in the local jail, most participants are allowed to continue enrollment in the program (Hawken and Kleiman 2009). HOPE probation officers have 4 or more years of experience and training in Cognitive Behavioral Therapy and Motivational Interviewing.

A randomized controlled trial of the HOPE program found that program participants were “55% less likely to be arrested for new crimes, 72% less likely to use drugs, 61% less likely to skip supervisory appointments, and 53% less likely to have their probation revoked” than participants on standard probation (Pew Center on the States 2010, p.1; National Institute of Justice 2008; Hawken and Kleiman 2009). HOPE’s

demonstrated success appealed to many within the criminal justice system attempting to address the problem of probationer non-compliance. The rise in popularity of HOPE led to several states and individual jurisdictions adopting the principles of HOPE in developing their own supervision programs.

Programs Modeled After HOPE in the United States

Since the implementation of HOPE in 2004, individual jurisdictions across the United States and several states have developed HOPE-like programs in an effort to replicate the positive outcomes observed in Hawaii. What follows is a brief summary of these programs and associated program evaluation findings that exist to date.

Probation Accountability with Certain Enforcement Program (PACE)

A more recent program modeled after HOPE is the Probation Accountability with Certain Enforcement (PACE) program, which began in Anchorage, Alaska in 2010. The program was designed to handle the “increasingly unmanageable number of probation violations being filed monthly in the Anchorage superior court” (Carns and Martin 2011, p.1). Key team members of the program were trained in Hawaii by HOPE staff before the launch of the program in July 2010 and fidelity to the HOPE model has been consistent over time.

High-risk probationers are identified and assigned to PACE. Compliance with the program includes following all probation conditions, random drug testing, and meetings with probation officers (Carns and Martin 2011). Failure to comply with these conditions results in an immediate arrest or the issuance of a bench warrant for arrest. Court hearings are subsequently scheduled within 72 hours, at which time the judge may impose

sanctions, including a jail term of two to three days. The essence of the program is that “every single violation that was included in the PACE program [is] dealt with quickly, and a sanction [is] imposed each time” (Carns and Martin 2011, p. 2).

Carns and Martin (2011) conducted an evaluation of the outcomes of PACE participants during the first three months after entry into the program, and three months prior to their participation in the program. The specific variables examined included: the number of positive and missed drug tests, the number of probation revocations, the number of missed meetings with probation officers, the number of incarceration days served, and the number of new arrests or charges. The findings showed that PACE participants had fewer positive drug tests following acceptance to the program. Additionally, 64% of PACE participants had no positive drug tests while enrolled and 54% had no petitions to revoke probation filed in the three months following their acceptance into PACE (Carns and Martin 2011). Similar to evaluations of the HOPE program, positive drug tests, new petitions to revoke probation, and new arrests were concentrated among only a few PACE participants. The success of the program led to a statewide expansion of PACE across Alaska in April 2014 (Swift, Certain and Fair 2014).

Supervision with Intensive enForcemenT (SWIFT)

The principles and success of the HOPE program also influenced the development of the Supervision With Intensive enforcement (SWIFT) program in Texas. The program was originally named the Special Sanctions Court, and was created by the Fort Bend County Judiciary in 2004 with the goal of increasing the number of successful probation completions and decreasing reliance on incarceration (Snell 2007; Swift, Certain and Fair 2014). When the program expanded to Tarrant County in 2011 it became known as

SWIFT (Stevens-Martin 2014). Created in response to prison overcrowding, the program incorporated many of the same principles of the HOPE program and adhered to the philosophy of swift and certain sanctions for every violation of community supervision (Stevens-Martin 2014).

Felony offenders who are assessed as moderate- to high-risk and meet other eligibility criteria may be placed into the program. After an initial warning hearing, any subsequent technical violations are set for docket the day after they are discovered. Sanctions for violations can include a minimum jail sanction of two days, increases in community restoration hours, weekly reporting to the court or supervision officer, substance abuse treatment, and appropriate classes (Stevens-Martin 2014). As with HOPE, offenders who test positive for illicit drug use are not necessarily ordered to treatment. Offenders may request placement in treatment programs, or may be ordered by the court after testing positive three or more times (Stevens-Martin 2014).

Snell (2007) evaluated the original Special Sanctions Court program and employed several data collection strategies (i.e., observing court sessions, interviewing staff and clients) in order to compare program participants to a group of offenders sentenced to felony probation before the program was created. The results indicated that SWIFT participants were “much less likely to commit violations, have their probation revoked, and commit new offenses” (Snell 2007, p.19). Background characteristics such as being female, fully employed, and having a lower number of prior offenses, were shown to be predictive of whether or not probation would be completed successfully by SWIFT participants. Additionally, several program rewards and sanctions were also found to predict probationer success. This included things such as rewarding probationers

by decreasing community service hours and sanctioning probationers for non-compliance with jail time (Snell 2007). Stevens-Martin (2014) examined outputs for the initial pilot program of SWIFT and found that “offenders experienced a 19.72 percent reduction in technical violations and a 23.52 percent reduction in positive drug tests” (Stevens-Martin 2014, p. 77).

Supervision, Monitoring, Accountability, & Treatment (SMART)

In July of 2012, the state of Kentucky sought to replicate HOPE through the development and implementation of the Supervision, Monitoring, Accountability, and Treatment (SMART) program. This program was created in an effort to increase community safety, reduce prison growth, and reduce imprisonment costs (Kentucky Justice and Public Safety 2013).

SMART is a high intensity substance abuse program with immediate and certain sanctions for probation violations (Kentucky Justice and Public Safety 2012, p.13). The program allows probation officers to use intervention tools that are direct and structured to ensure that probationers who have not been successful in other probationary settings will comply with the conditions of their probation and be deterred from engaging in criminal activity (Kentucky Justice and Public Safety 2012).

The Kentucky Justice and Public Safety (2014) found that of the 294 pilot participants, 70 successfully graduated, 82 were referred to other treatment, and 72 were terminated (Kentucky Justice and Public Safety 2013). SMART was also found to be effective in reducing the number of positive drug tests, the number of violations, the cost of imprisonment, and reducing recidivism by 27% among all program participants.

A process and outcome evaluation of SMART was conducted to ensure that the program was being implemented as intended and producing the expected results. The process evaluation consisted of interviews with three administrators, six judges, thirteen attorneys and twenty-six correctional personnel and the findings demonstrate “improvements in communication and collaborations, improvements to the probation system, and improvements in probationer opportunities” (Shannon et al. 2015, p. 59). Data for the outcome evaluation was provided from the Kentucky Offender Management System (KOMS) and the results demonstrated a reduction in drug use as a result of random drug testing, as well as increased compliance with probation conditions due to the guarantee of direct and immediate sanctions for violations (Shannon et al. 2015).

Washington Intensive Supervision Program (WISP)

The Washington Intensive Supervision Program (WISP) was created in 2010 to reduce drug activity and parole violations in Seattle, Washington (Hawken and Kleiman 2011). The structure and process of WISP is similar to that of HOPE, however WISP’s target population is parolees not probationers (as seen in HOPE and other programs).

The WISP program staff is comprised of hearing officers, community corrections officers, and a crime reduction unit (Hawken and Kleiman 2011). Hearing officers issue sanctions at violation hearings, while the community corrections officers coordinate hearings, treatment and incarceration, curfews, and drug testing; which is different from the other probation-based programs (Hawken and Kleiman 2011). The crime reduction unit assists the community corrections officers by finding participants who have missed appointments and/or curfew (Hawken and Kleiman 2011).

A randomized controlled trial evaluation of WISP revealed that the swift and certain sanctions design of the program reduced drug use, incarceration, and criminal activity among program participants (Hawken and Kleiman 2011; Washington Department of Correction 2012).

24/7 Sobriety

The 24/7 Sobriety program was started in South Dakota in 2005 as an innovative approach to reduce problem drinking. The approach is “based on the idea that the certainty and rapidity, rather than the severity, of the punishment more effectively deters problem drinking” (Kilmer et al. 2013, p. e37). Legislation then extended the program to include illegal drugs as well as be a possible condition of pre-trial release, probation, parole, and suspended sentencing (Caulkins and DuPont 2010). The program aims to reduce recidivism through the imposition of swift and sure sanctions in response to violations, intensive testing for drug/alcohol use, and intensive monitoring of participants’ behavior.

The 24/7 Sobriety program monitors abstinence from alcohol and drugs using four modalities: twice-daily breath testing for alcohol (PBTx2), ankle bracelets that monitor alcohol consumption continuously, sweat patches for drug monitoring, and urine testing for drugs (Loudenbourg et al. 2010). The majority of program participants are “required to demonstrate alcohol sobriety by submitting to a breath test twice daily at a twelve-hour interval in the presence of a law enforcement officer” (Loudenbourg et al. 2010, p. 2). Positive drug/alcohol tests result a sanction of between one to two days in jail.

An evaluation of the South Dakota program included data that was collected from 2005-2010. Initial findings indicate that the 24/7 Sobriety program is successful in addressing sobriety and reducing recidivism (Loudenburg et al. 2010). Findings show that 24/7 participants “generally had lower recidivism rates at one, two, and three years when compared to controls” (Loudenburg et al. 2010, p. 2). Another study published in 2013 examined the public health impact in South Dakota of the 24/7 Sobriety program. Kilmer, et al, (2013) “conducted differences-in-differences analyses comparing changes in arrests for driving while under the influence of alcohol (DUI), arrests for domestic violence, and traffic crashes in counties with the program to counties without the program” (Kilmer et al. 2013, p. e37). Findings revealed a 12% reduction in repeat DUI arrests and a 9% reduction in domestic violence arrests following the adoption of the program. The study concluded that “in community supervision settings, frequent alcohol testing with swift, certain, and modest sanctions for violations can reduce problem drinking and improve public health outcomes” (Kilmer et al. 2013, p. e37).

Swift and Sure Sanctions Probation Program

Given the aforementioned mission of protecting the public while facilitating behavior change among individuals on probation, the Swift and Sure Sanctions Probation Program was born. In 2011, the Michigan Legislature passed Public Act 63, which appropriated funds to support the implementation of four pilot Swift and Sure sanctions programs in Barry, Berrien, Isabella, and Wayne counties. These sites were selected based upon the fact that they were operating other problem-solving courts within their jurisdictions and had expressed an interest in addressing the criminal justice system’s revolving door among high-risk probationers. Then, in 2012, the Michigan Legislature

passed Public Act 616, which was titled the “probation swift and sure sanctions act.”

More specifically,

It is the intent of the legislature to create a voluntary state program to fund swift and sure probation supervision at the local level based upon the immediate detection of probation violations and the prompt imposition of sanctions and remedies to address those violations (Michigan Public Act 616 2012, p. 2).

PA 616 articulates five objectives for all Swift and Sure Programs funded through the

State Court Administrative Office (SCAO):

1. Probationers are to be sentenced with prescribed terms of probation meeting the objectives of this chapter. Probationers are to be aware of their probation terms as well as the consequences for violating the terms of their probation.
2. Probationers are to be closely monitored and every detected violation is to be promptly addressed by the court.
3. Probationers are to be arrested as soon as a violation has been detected and are to be promptly placed before a judge for a hearing on the violation.
4. Continued violations are to be addressed by increasing sanctions and remedies as necessary to achieve results.
5. To the extent possible and considering local resources, probationers subject to swift and sure probation under this chapter shall be treated uniformly throughout the state.

In addition, PA 616 specifically outlines several mandatory program elements for all Swift and Sure programs, which include: a) clearly established eligibility criteria; b) the initial warning hearing; c) regular probation meetings; d) violation hearings within 72 hours; e) possible sanctions (e.g., confinement in jail, additional reporting requirements, etc.) and remedies (e.g., counseling for mental health and/or substance abuse, increased drug/alcohol testing, etc.); f) the need to create a sanctions grid; and e) the need to establish criteria for deviating from established sanctions/remedies in special circumstances.

Local officials are at liberty to structure their Swift and Sure programs as they see fit as long as the aforementioned program elements are in place. Based upon the guidance

provided by the Michigan Legislature through PA 616, Figure 1 represents a visual depiction of the program theory for Swift and Sure. Program theory “explains why the program does what it does and provides the rationale for expecting that doing so will achieve the desired results” (Rossi, Lipsey, and Freeman, 2004, p. 134). In other words, program theory articulates the assumptions around the specific mechanisms of change (i.e., the relationship between the needs of the target population and planned activities) and the improved conditions that are expected to result (i.e., the impact). Clearly explicating program theory is fundamental to the evaluation process given that evaluation activities are designed to determine whether the program being implemented is in accordance with the articulated program theory (i.e., how the program is *supposed to* operate).

Items listed in the resources (also known as inputs) column represent specifically what is needed to implement Swift and Sure programs. Given the focus of the program, personnel from a variety of criminal justice domains serve specific roles within the program. More specifically, representatives include: members of the judiciary, Prosecuting Attorneys, defense attorneys, Michigan Department of Corrections probation officers, Swift and Sure program staff (e.g., coordinator, case manager), treatment personnel (i.e., substance abuse and mental health), and law enforcement personnel. The target population for Swift and Sure is high-risk probationers. “High-risk” was defined by SCAO as scoring an 8 or higher on the COMPAS risk/needs assessment and having a history of probation non-compliance. Because the focus of the program is on swift and sure sanctions, court docket availability and jail space are vital resources to the operation of the program. Moreover, given the needs of this target population, mental health and

treatment services, as well as drug/alcohol testing supplies are needed resources. Finally, a database to track the information on Swift and Sure participants is also an obligatory resource.

The activities column specifies what tasks are completed within Swift and Sure programs and the outputs column designates how often these activities should occur. The COMPAS risk/needs assessment is conducted (one time) by an MDOC agent to determine eligibility for the program and participants enter the program during the initial warning hearing. During the initial warning hearing participants are notified of the purpose of the program, specific probation conditions, expectations for participation, and the consequences for failing to comply with the stated expectations. Participants are required to meet with their supervising probation agent and Swift and Sure program staff³ and submit to drug testing as directed. For participants in need of substance abuse and/or mental health treatment, Swift and Sure staff members make referrals to local service providers for screening, assessment and treatment. The number of sessions for these services will vary from person to person. Sanctions hearings are held on an as-needed basis but must be held within 72 hours of the violation. The hearings will result in the imposition of a sanction, which includes incarceration in jail for a specified period of time.

It is believed that these activities together will result in several outcomes at both the individual and programmatic level. First, at the individual level, it is believed that by participating in the Swift and Sure program:

³ It should be noted that while most Swift and Sure programs employ a coordinator and/or case managers to meet with program participants and provide support services (e.g., referral to agencies, drug testing, etc.) this was not true for all programs included in the study. In programs that did not, the supervising probation agent(s) provided all case management-like services.

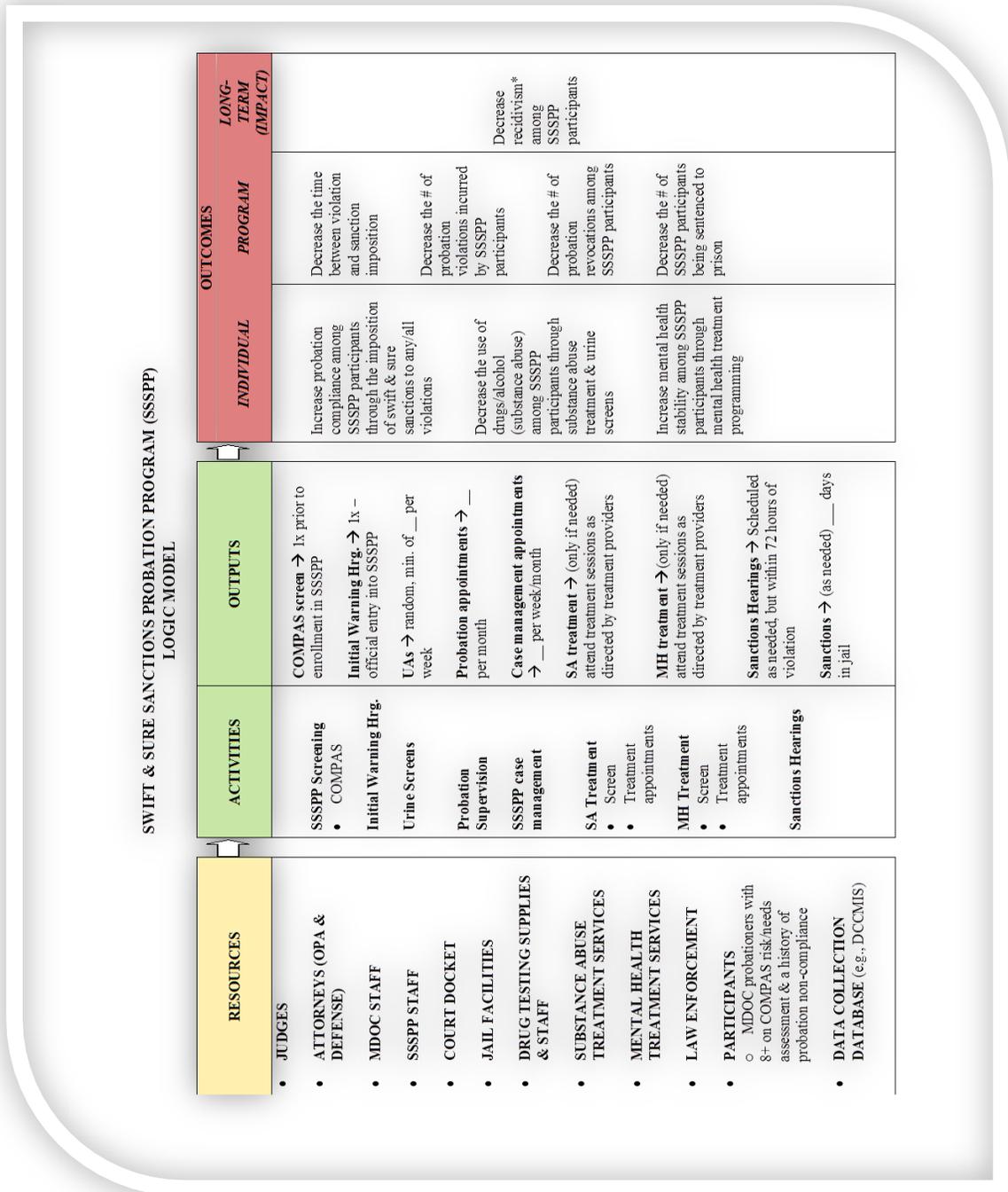
1. Participants' level of compliance will increase through the imposition of swift and sure sanctions.
2. Participants will decrease their use of drugs/alcohol through drug testing and substance abuse treatment (if applicable).
3. Participants will increase their mental health stability through mental health treatment (if applicable).

In terms of outcomes for the program, it is believed that implementing the Swift and Sure program will result in a decrease in the:

1. time between violations and the imposition of sanctions.
2. number of probation violations.
3. number of probation revocations.
4. number of participants sentenced to prison.

The long-term impact of the Swift and Sure program is to reduce the recidivism rate and thus reduce costs to the taxpayers.

Figure 1: Swift and Sure Sanctions Probation Program Logic Model



Research Design

The Swift and Sure evaluation is based on data from multiple sources including the Michigan State Court Administrative Office (SCAO), the Michigan Department of Corrections (MDOC), the Judicial Data Warehouse (JDW), local Swift and Sure program staff and local criminal justice staff. Table 1 outlines the information that was obtained from each data source. Together, these data allowed us to assess the fidelity and effectiveness of the Swift and Sure model within the State of Michigan.

Table 1: Summary of Data Sources

Data Source	Data	Provided by
DCCMIS (Drug Court Case Management Information System)	<ul style="list-style-type: none"> Swift & Sure Participants (demographic and programmatic) 	<ul style="list-style-type: none"> SCAO
OMNI	<ul style="list-style-type: none"> Comparison Group (demographic and probation) 	<ul style="list-style-type: none"> MDOC
JDW	<ul style="list-style-type: none"> Recidivism for Swift & Sure Participants and Comparison Group 	<ul style="list-style-type: none"> SCAO
ICHAT	<ul style="list-style-type: none"> Recidivism for Swift & Sure Participants not located in JDW 	<ul style="list-style-type: none"> Evaluation Team
Local Swift & Sure Files	<ul style="list-style-type: none"> Missing Data for Swift & Sure Participants Site Visit Interviews and Focus Group 	<ul style="list-style-type: none"> Local Swift & Sure Staff
Grant Financial Reports	<ul style="list-style-type: none"> Swift & Sure quarterly reports 	<ul style="list-style-type: none"> SCAO
Local and State Cost Figures	<ul style="list-style-type: none"> Transaction costs 	<ul style="list-style-type: none"> Local and State CJ Staff

Quantitative Research Design

The sample for the Swift and Sure participants is composed of 379 individuals in the study time period (October 1, 2011-September 30, 2013) from a total of 11 counties⁴. Data for each participant were obtained via DCCMIS and was provided to the evaluation team by SCAO. The research design included an examination of the predictors of successful discharge vs. unsuccessful discharge among Swift and Sure participants in the 11 counties, as well as an analysis of recidivism among this group.

In addition, a quasi-experimental assessment of recidivism among Swift and Sure participants and a comparison group comprised of probation-as-usual individuals residing in counties without a Swift and Sure program during the study time period was conducted. Specifically, data for all offenders placed on probation during the study time period was obtained from MDOC. These data included: demographics, charges, legal orders, sentences and COMPAS score categories. These data were utilized to select a comparison group of probation-as-usual for the recidivism analysis using propensity score matching, a statistical technique that allows researchers to “...adjust a treatment effect for measured confounders in non-randomized studies...” (Thoemmes 2012, p.1).

Qualitative Research Design

In addition to the quantitative data collected on Swift and Sure participants and the comparison group, the external evaluation team also conducted site visits to each of the eleven programs included in this study. These visits were conducted between July 2014 – October 2014 and each lasted for approximately four hours. The evaluation team contacted each Swift and Sure coordinator to arrange the site visit at a time that was

⁴ The original data file contained 395 cases; however, individuals were removed for duplicate records and missing data. In addition, we included participants discharged through 10/2/13.

convenient for as many program staff members as possible. While on site, the evaluation team met with program staff to discuss the impetus for program development, goals and objectives, program structure and process, strengths and challenges, as well as strategies for program improvement. As schedules allowed, the evaluation team was able to observe four sanctions hearings during the eleven site visits. The evaluation team relied on the use of field notes to document the information obtained from program staff and observations. These field notes were thematically coded and are presented later in this report.

The data gathered during these site visits were also used to prepare individual site reports for all eleven programs. These reports outlined the process by which participants are referred to and enter the program, program requirements, eligibility and exclusionary criteria, graduation and expulsion criteria, drug testing protocol, sanctions, and the role of program staff. The strengths and challenges identified by program staff were also summarized according to theme. In addition, the demographic characteristics of each program's participants enrolled during the study time period were summarized and compared to the overall Swift and Sure sample. Moreover, a brief summary of programmatic and legal characteristics of participants was provided based upon their status in Swift and Sure (i.e., successfully completed, unsuccessfully discharged, still enrolled) as of September 30, 2013 (the end of the study time period).

Measures

Measures used in the study included demographic data, pre-program information, and in-program information for each Swift and Sure participant included in the sample. Demographic data and legal measures were included for the probation-as-usual group. In addition, recidivism data were obtained for both groups.

The individual demographic data for Swift and Sure participants was obtained from DCCMIS and included age at program entry, race, sex, education level at entry, employment status at entry, and marital status at entry. The race measure originally included categories for African American, White, Hispanic/Latino, Multi-racial, and Native American. However, due to small numbers in the latter groups, the variable was recoded into three categories representing White, African American and other. Education level at entry was recoded to create three categories: less than high school graduate, high school graduate or GED obtained, and more than high school or GED. The latter category includes those participants who completed some college, some technical school, graduated from college or technical school, or attended graduate school. Employment at entry was recoded to two categories to represent participants who were either unemployed or not working (including those not in the labor force) and those who were employed (either part-time or full-time). The demographic data available for the comparison group from MDOC included date of birth (used to calculate age at probation initiation), race, and sex.

The pre-program measures available for the Swift and Sure participants included the number of previous misdemeanors, the number of previous felonies, sentencing guidelines cell type, type of precipitating offense, and COMPAS score category. Type of precipitating offense and COMPAS score category were available for the comparison group. The sentencing guidelines cell type measure was recoded to include three categories: misdemeanor, intermediate, and straddle/presumptive prison. While the misdemeanor category is not part of the sentencing guideline cell type classification, the high number of Swift and Sure participants with this classification warranted the

retention of this separate category. Type of precipitating offense was created by categorizing the offense that initiated enrollment in Swift and Sure or probation for the comparison group into one of five categories: violent, property, alcohol, drug, and “other”. The final pre-program measure, COMPAS score category, provided categories of high, medium, and low.⁵

In-program measures obtained from DCCMIS included in the analyses were: the number of misdemeanors while enrolled, the number of felonies while enrolled, the number of probation violations while enrolled, the number of drug/alcohol tests administered, the number of positive drug/alcohol tests, and the number of days enrolled in the Swift and Sure program.

Recidivism in the current study was defined as any charge after enrollment in the Swift and Sure program (Swift and Sure participants) or after the initiation date of probation (comparison group). Thus the “recidivism clock” was started immediately after Swift and Sure participants began the program and immediately after the start of probation for the comparison group.⁶ Each charging incident was classified into 1 of 5 categories: violent, property, alcohol/drug, traffic or “other” based on the offense categories provided by JDW.

⁵ For individuals with more than one COMPAS assessment, the most recent COMPAS score was utilized for the general recidivism and violent recidivism tools.

⁶ Subsequent offenses for the swift and sure participants were through 7/23/14 and 1/15/15 for the comparison group.

Analysis Strategy

The analysis proceeds with a description of the Swift and Sure sample and comparison group demographic characteristics, as well as the Swift and Sure sample pre-program and in-program characteristics. This is followed by an examination of the factors that predict successful completion or unsuccessful completion of the Swift and Sure program. Lastly, we examine the predictors of recidivism among the Swift and Sure participants and between the Swift and Sure participants and the comparison group.

Quantitative Findings

Descriptive Statistics

Table 2 presents the demographic characteristics for the Swift and Sure sample and the comparison group. Looking first at the Swift and Sure sample, the majority of participants were White (57.8%) and male (79.9%) with an average age of 29.6 years at program entry. Swift and Sure participants generally had either less than a high school diploma or graduated from high school or obtained a GED. Three-quarters of the sample reported being unemployed or not working. The distribution of the demographic characteristics among the comparison group was similar to the Swift and Sure sample, which is an indication that the two groups are similar with regard to these measures.⁷

⁷ The bi-variate analysis (chi-square and T-test) of the differences between the swift and sure participants and the comparison group revealed no significant differences.

Table 2: Demographic Characteristics for Swift & Sure
Statewide Sample & Comparison Group

	Swift & Sure (n=379)	Comparison (n=379)
Race		
White	57.8	59.9
African American	34.3	32.5
Other	7.9	7.7
Age at entry/initiation of probation (avg.)	29.6	29.9
Sex		
Male	79.9	76.3
Female	20.1	23.7
Marital Status		
Married	10.9	--
Single	78.9	--
Divorced/Separated/Widowed	10.8	--
Education		
Less than HS	40.6	--
HS Diploma/GED	41.4	--
More than HS/GED	17.9	--
Employment		
Unemployed/Not working	75.7	--
Employed	24.3	--

The available pre-program measures for the Swift and Sure sample and the comparison group are presented in table 3. Among the Swift and Sure participants, the median number of previous misdemeanors was 4.0 whereas the median number of previous felonies was 1.0.⁸ The precipitating offense category distribution was similar between the Swift and Sure sample and the comparison group with the highest percentage of offenses being drug offenses with the lowest percentage falling within the alcohol offense category. The COMPAS score categories reveal that the majority of Swift and Sure participants and the comparison group were classified as “high” for the general

⁸ A median statistic represents the 50th percentile in a distribution. The median is a more accurate statistic than the mean (average) when extreme values are present.

recidivism assessment. The distribution for the violent recidivism score categories was also similar between the two groups.

Table 3: Pre-Program Characteristics for Swift & Sure Statewide Sample & Comparison Group

	Swift & Sure	Comparison
Previous Misdemeanors (median)	4.0	--
Previous Felonies (median)	1.0	--
Cell Type		--
Misdemeanor	9.5	--
Intermediate	42.0	--
Straddle	39.3	--
Presumptive Prison	9.2	--
Precipitating Offense		
Violent	19.8	18.2
Property	19.0	20.3
Alcohol	7.1	8.4
Drug	35.4	32.7
Other	18.7	20.3
COMPAS General Recidivism		
High	71.2	69.4
Medium	19.0	20.3
Low	9.8	10.3
COMPAS Violent Recidivism		
High	45.4	44.3
Medium	32.7	33.2
Low	21.9	22.4

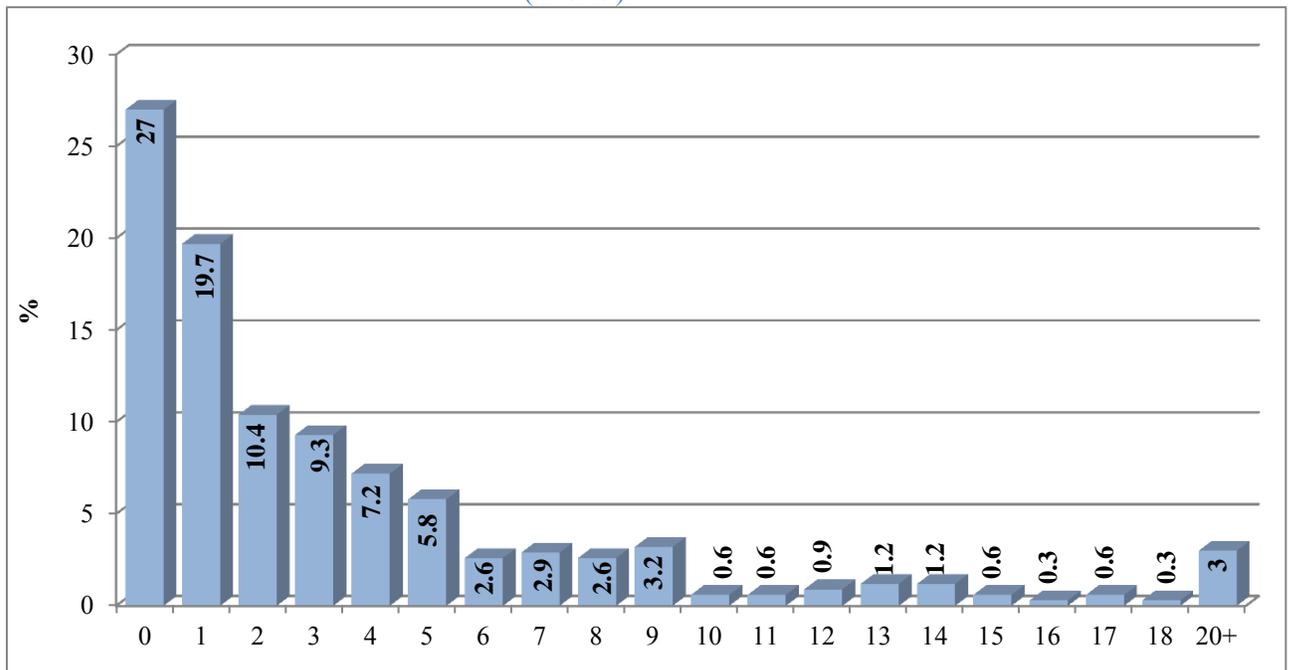
In-program measures are presented in table 4 for the Swift and Sure sample. The average number of misdemeanors while enrolled was found to be .21 while the average number of felonies was .18. The median number of probation violations while enrolled was 2.0 per participant. The median number of drug/alcohol tests administered to all Swift and Sure participants was 41.0 with 66.5% of the sample having at least one positive drug/alcohol test while enrolled and the median percentage of positive drug/alcohol tests per participant was 1.44%. Finally, the median number of days in the Swift and Sure was 269.

Table 4: In-Program Characteristics for Swift & Sure Statewide Sample & Comparison Group

	Swift & Sure	Comparison
Misdemeanors While Enrolled (avg.)	.21	--
Felonies While Enrolled (avg.)	.18	--
Probation Violations While Enrolled (median)	2.0	--
Drug/Alcohol Test Administered (median)	41.0	--
At least 1 Positive Drug/Alcohol Tests While Enrolled	66.5	--
% of Drug/Alcohol Tests that were Positive (median)	1.44	
Number of Days in Program (median)	269.0	--

Figure 2 displays the distribution of positive drug/alcohol tests for those Swift and Sure participants who had at least one test administered. The number of positive tests ranged from 0 to 36 with 27% of those tested having zero positive screens. The top 3% had 20 or more positive screens while enrolled in the program.

Figure 2: Percent Distribution of the Total Number of Positive Drug/Alcohol Tests Among Swift & Sure Participants with at Least One Drug/Alcohol Tests (n=345)⁹



Given the importance of the handling of probation violations (PV) for the Swift and Sure programs, figures 2-4 provide more detail regarding PVs among program

⁹ Of the 379 swift and sure participants, 34 had zero drug/alcohol tests administered.

participants¹⁰. Figure 3 shows the number of probation violations for Swift and Sure participants. Of the 379 participants, 19.8% (n=75) had zero probation violations while enrolled in the program while 1.1% (n=4) participants had 10 PVs. The largest percentage of participants (26.1%; n=99) had one PV while enrolled in the program.

Figure 3: Number of Probation Violations Among Swift & Sure Participants (n=379)

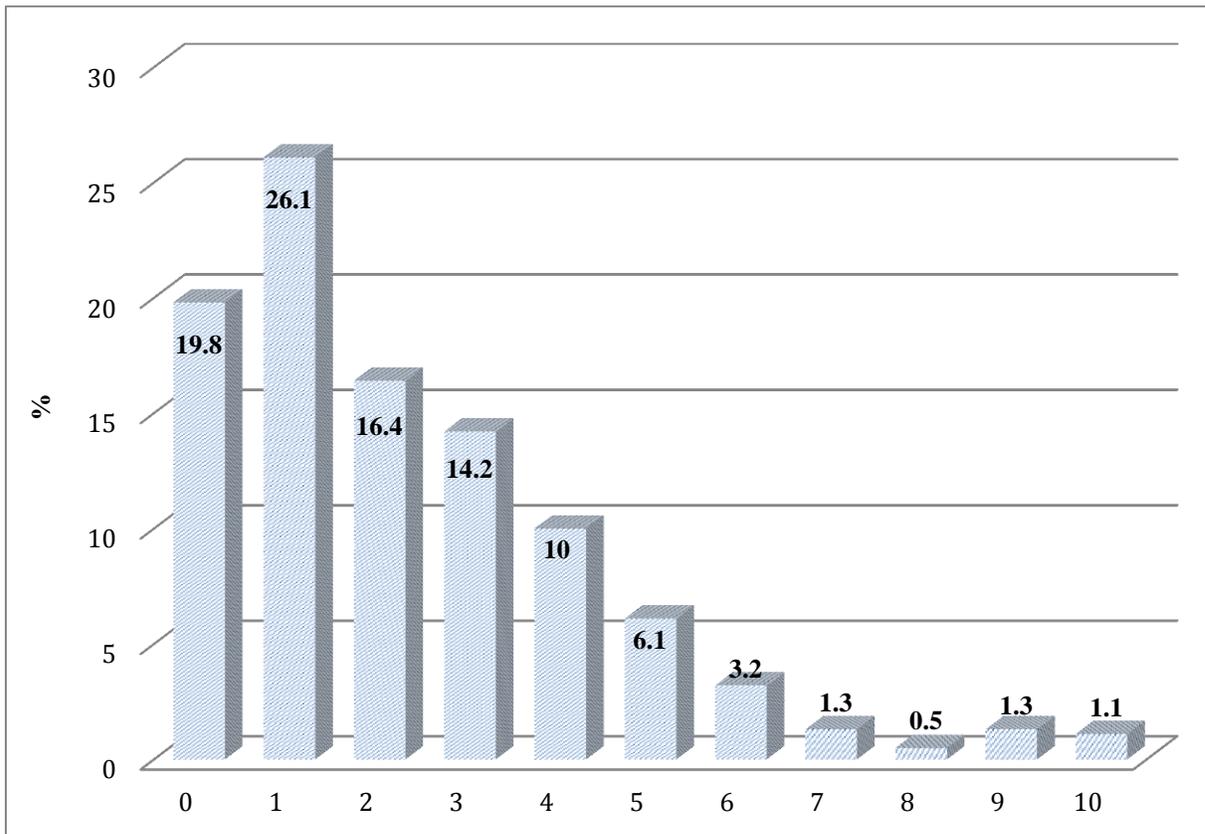
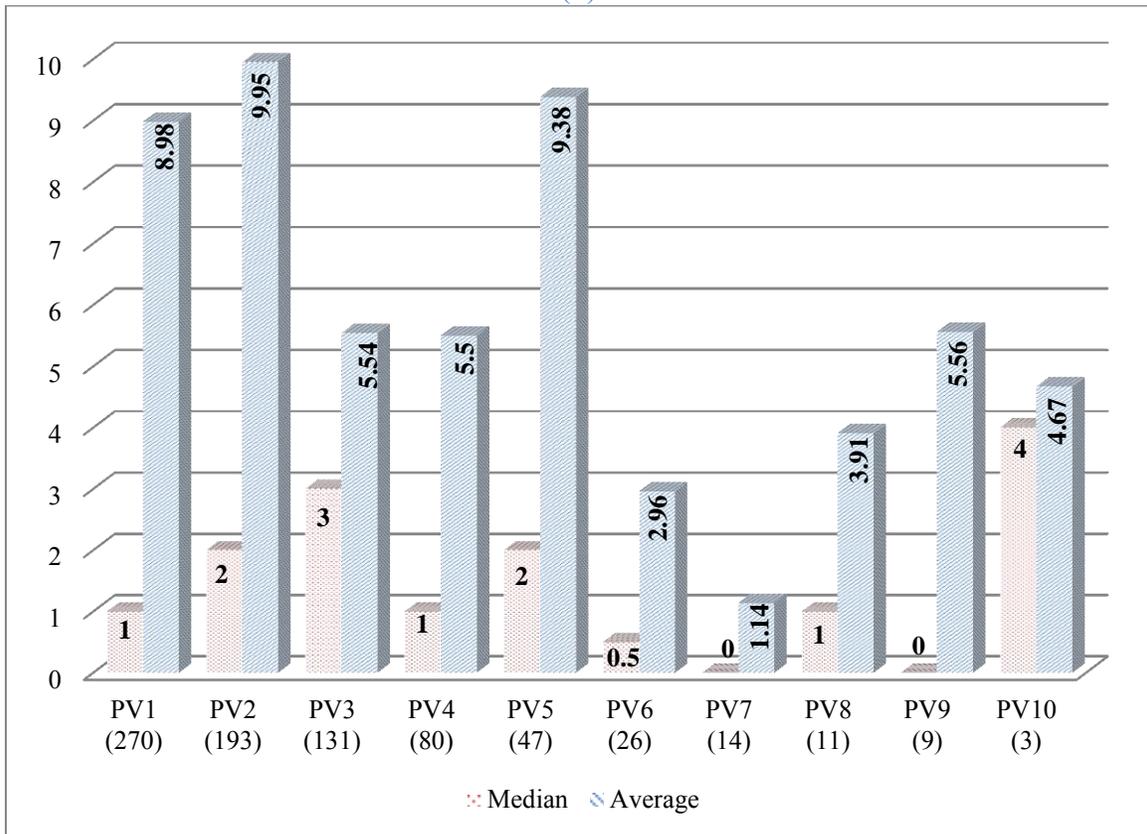


Figure 4 presents the median and average number of days between a PV and the associated sanction. The median number of days ranged from zero (meaning the sanction occurred the same day) to 4 days. The mean number of days had a high of 9.95 days and

¹⁰ Probation violation information was collected by the evaluation team using DCCMIS records. Some discrepancies in the total PVs and dates of sanctions is the result of the inability to identify sanction dates associated with some probation violations.

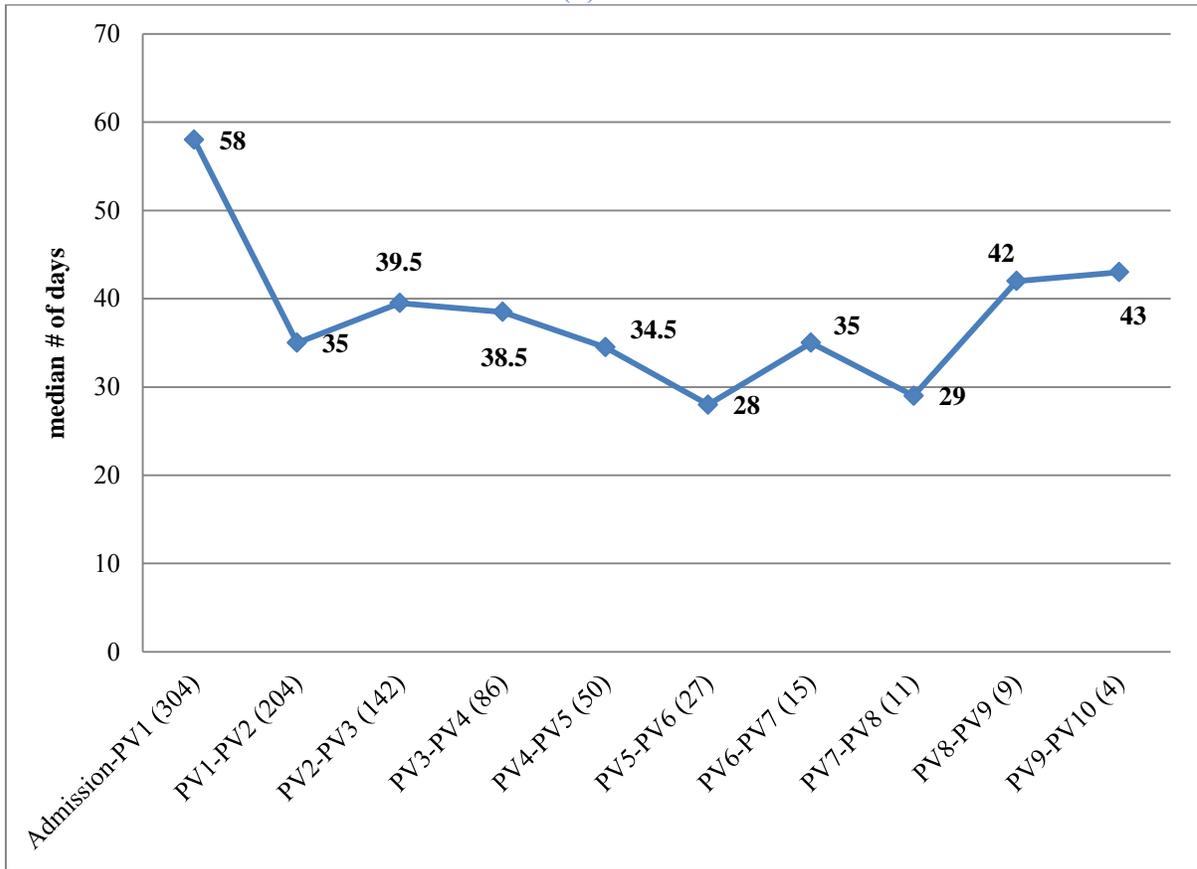
a low of 1.14 days between probation violation and sanction. However, it should be noted that the average is inflated considerably due to extreme values in the number of days to sanction.

Figure 4: Median and Average Number of Days from Probation Violation to Sanction (n)



Finally, figure 5 presents the time between subsequent probation violations for Swift and Sure participants while enrolled. Of the 304 participants having at least one PV, the median number of days from enrollment to their first PV was 58 days. As the number of PVs increases, the trend line tends to level off with a slight increase among those with 9 or more PVs.

Figure 5: Median Number of Days Between Probation Violations for Swift & Sure Participants
(n)



Successful Discharge vs. Unsuccessful Discharge

To assess the differences between the Swift and Sure participants who were successfully discharged and those who were unsuccessfully discharged (as of 10/2/13), we examined demographics, pre-program and in-program measures using bi-variate analyses (chi-square test and t-test). Of the 171 Swift and Sure participants discharged during the study time period, 39.8% were successfully discharged and 60.2% were unsuccessfully discharged. Table 5 presents the results of the comparisons for the demographic characteristics. Of the demographic variables, education level at entry and employment status at entry were statistically significant indicating a difference between

the two groups. While 52.4% of unsuccessfully discharged participants reported an education that was less than high school, only 33.8% of successful participants fell into this category. Conversely, 42.6% of successfully discharged participants had a high school diploma or GED as compared to only 35.9% of those unsuccessfully discharged. A similar trend is revealed for those with more than a high school diploma/GED. The percentage of successful participants who were employed either part-time or full-time (32.4%) was more than twice the percentage of unsuccessful participants in this category (14.6%). A higher percentage of unsuccessful participants (85.4%) reported being unemployed/not working as compared to successful participants (67.6%).

Table 5: Demographic Characteristics for Swift & Sure Statewide Sample by Discharge Status (as of 10/2/2013)
(n=171)

	Successfully Discharged (n=68)	Unsuccessfully Discharged (n=103)
Race		
White	57.4	50.5
African American	30.9	36.9
Other	11.8	12.6
Age at entry (avg.)	28.6	27.0
Sex		
Male	75.0	81.6
Female	25.0	18.4
Marital Status		
Married	11.8	6.8
Single	79.4	86.4
Divorced/Separated/Widowed	8.8	6.8
Education*		
Less than HS	33.8	52.4
HS Diploma/GED	42.6	35.9
More than HS/GED	23.5	11.7
Employment*		
Unemployed/Not working	67.6	85.4
Employed	32.4	14.6

*p < .05 **p < .001

Table 6 displays the pre-program characteristics for all discharged Swift and Sure participants. Looking at the average number of previous misdemeanors and felonies, we see that those successfully discharged had an average of 4.79 and 1.21, respectively, whereas the unsuccessful group had an average of 6.29 and 1.64, respectively. However, based on the bi-variate analyses, these differences were not statistically significant nor were any of the other pre-program measures. Thus while examining the group percentages illuminates the trends between the groups, inferences of their significant differences cannot be made.

Table 6: Pre-Program Characteristics for Swift & Sure
Statewide Sample by Discharge Status
(as of 10/2/2013)

	Successfully Discharged (n=68)	Unsuccessfully Discharged (n=103)
Previous Misdemeanors (avg.)	4.79	6.29
Previous Felonies (avg.)	1.21	1.64
Cell Type		
Misdemeanor	22.1	19.4
Intermediate	45.6	39.8
Straddle	32.4	35.9
Presumptive Prison	0	4.9
Precipitating Offense		
Violent	20.6	25.2
Property	14.7	27.2
Alcohol	13.2	5.8
Drug	25.0	23.3
Other	26.5	18.4
COMPAS General Recidivism		
High	72.1	79.6
Medium	17.6	15.5
Low	10.3	4.9
COMPAS Violent Recidivism		
High	45.6	55.3
Medium	39.7	36.9
Low	14.7	7.8

*p < .05 **p < .001

Lastly, table 7 displays the in-program characteristics by discharge type with statistically significant differences between successfully discharged and unsuccessfully discharged participants. Specifically, the average number of probation violations while enrolled was higher for unsuccessfully discharged participants at 2.87 as compared to 1.04 for successful participants. Two of the three measures examining drug/alcohol tests were also statistically significant. Successful participants had an average of 64.84 drug/alcohol tests administered and unsuccessful participants had an average of only 33.18 administered. In addition, the average percentage of positive drug/alcohol tests was 1.3% for successfully discharged participants and 10.1% for unsuccessfully discharged participants. Finally, the average difference in the number of days in the program was statistically significant between the two groups with successful participants having an average of 267.8 days and unsuccessful participants having an average of 159.5 days.

Table 7: In-Program Characteristics for the Swift & Sure Statewide Sample by Discharge Status (as of 10/2/2013)

	Successfully Discharged (n=68)	Unsuccessfully Discharged (n=103)
Misdemeanors While Enrolled (avg.)	.12	.20
Felonies While Enrolled (avg.)*	.03	.29
Probation Violations While Enrolled (avg.)*	1.04	2.87
Drug/Alcohol Test Administered (avg.)**	64.84	33.18
At least 1 Positive Drug/Alcohol Tests While Enrolled	54.4	66.0
% of Drug/Alcohol Tests that were Positive**	1.3	10.1
Number of Days in Program (avg.)**	267.8	159.5

*p < .05 **p < .001

In order to assess the unique impact of the various characteristics presented in the bi-variate analyses, logistic regression analyses were conducted to identify the variables that predict successful discharge from the Swift and Sure. Logistic regression is a

statistical method that “...allows one to predict the discrete outcome such as group membership from a set of variables...” (Tabachnick and Fidell, 2001, p. 517).

Table 8 presents the results of the logistic regression model examining the impact of the demographic characteristics while also controlling for the total number of days in the program. Of the predictors, three measures were significant: more than high school/GED, employment status, and number of days in the program. Using the odds ratio located in the third column, we see that participants who had more than a high school diploma/GED were almost 3 ½ times more likely to successfully complete the program than those with less than HS/GED. In addition, being employed increased the odds of success by 144%.

Table 8: Logistic Regression Models Predicting Swift & Sure Successful Discharge vs. Unsuccessful Discharge with Demographic Characteristics (n=171)

	β	$SE \beta$	e^{β}
Age at entry	-.001	.023	.999
Sex	.493	.447	1.64
Race (White)			
Black	.564	.434	1.76
Other	.178	.561	1.20
Education Level (less than HS/GED)			
HS/GED	.733	.419	2.08
More than HS/GED	1.24	.530	3.46*
Employment Status (unemployed/not working)	.891	.453	2.44*
Marital Status (single)			
Divorced	.238	.746	1.27
Married	.834	.681	2.30
Number of Days in Program	.009	.002	1.01**
Constant	-3.38		
χ^2	48.51		

*p < .05 **p < .001 reference group in parentheses

The results of the logistic regression examining the pre-program characteristics and successful vs. unsuccessful discharge are presented in table 9. In addition to the number of days in program, two types of precipitating offenses were statistically significant. Swift and Sure participants with a violent precipitating offense have a decrease in odds of successful discharge of 74.2% compared to participants classified as an “other” type of offense. Similarly, participants with a precipitating offense categorized as a property offense had an 81.3% decrease in odds of being successfully discharged.

Table 9: Logistic Regression Models Predicting Swift & Sure Successful Discharge vs. Unsuccessful Discharge with Pre-Program Characteristics (n=171)

	β	SE β	e^{β}
Pre-Misdemeanor	-.038	.037	.962
Pre-Felonies	-.064	.089	.938
Cell Type (misdemeanor)			
Intermediate	.233	.481	1.26
Straddle/ Presumptive Prison	-.207	.530	.813
Precipitating Offense (other)			
Violent	-1.36	.577	.258*
Property	-1.68	.598	.187*
Alcohol/Drug	-.363	.480	.695
COMPAS Score Category Index	-.383	.325	.682
Number of Days in Program	.009	.002	1.01**
Constant	-.380		
χ^2	48.70		

*p < .05 **p < .001 reference group in parentheses

The final logistic regression model (see table 10) examines the in-program predictors for successful or unsuccessful discharge. Among the predictors in the model, the total number of probation violations while enrolled in Swift and Sure was significant and negative. This indicates that an increase in the number of PVs while enrolled decreases a participant’s odds of successful discharge by 74.4%.

Table 10: Logistic Regression Models Predicting Swift & Sure Successful Discharge vs. Unsuccessful Discharge with In-Program Characteristics (n=146)

	β	$SE \beta$	e^{β}
Misdemeanors While Enrolled	-.355	.503	.701
Felonies While Enrolled	-.476	.878	.621
Probation Violations While Enrolled	-1.36	.264	.256**
% of Drug/Alcohol Tests that were Positive	-.121	.085	.886
Number of Days in Program	.015	.003	1.01**
Constant	-.478		
χ^2	111.27		

*p < .05 **p < .001

Recidivism Analyses

Given that recidivism was defined as any occurrence since the admission day, we assessed the predictors of recidivism among all Swift and Sure participants in the sample. Table 11 presents the results of the multivariate regression models predicting total recidivism. Model I includes the demographic characteristics and model II includes the pre- and in-program measures. Model III presents the results of a stepwise regression model that begins with all of the measures in models I and II and statistically reduces the model to include the measures that are statistically significant.

Turning first to model I, three demographic measures (age at entry, having more than HS/GED, and being married) were found to be significant predictors of total recidivism for the Swift and Sure participants. Age at entry reveals that older participants have lower levels of recidivism compared to younger participants. Similarly, those with an education level of more than a high school diploma/GED have lower recidivism as compared to those with less than a high school diploma. Interestingly, participants who

were married at the time of program entry had higher levels of recidivism as compared to those who were single at the time of program entry.

Within model II, participants with a violent precipitating offense as compared to those with a precipitating offense categorized as “other” had a higher level of total recidivism. The COMPAS score index and the percentage of drug/alcohol tests that were both significant and positive indicating that participants scoring higher on the COMPAS and participants with a higher total percentage of positive drug/alcohol tests had higher levels of recidivism.

Column three presents the final model containing all measures within the previous two models. Using stepwise linear regression, the significant predictors are age at program entry, a violent precipitating offense, the number of probation violations, and the number of days in the program. Specifically, older participants have lower levels of recidivism as do participants enrolled longer in the program. Similar to model II, those with a violent precipitating offense have higher levels of recidivism. In addition, participants with more probation violations also have higher levels of recidivism.

Table 11: OLS Regression Models Predicting Total Recidivism
Among Swift & Sure Participants

	Model I	Model II	Model III
	β	β	β
Demographics			
Age at entry	-.222**		-.162*
Sex	-.059		
Race (White)			
Black	-.029		
Other	-.065		
Education (less than HS/GED)			
HS/GED	-.025		
More than HS/GED	-.109*		
Employment (unemployed/not working)	-.063		
Marital Status (single)			
Divorced	.006		
Married	.124*		
Pre/In Program			
Pre-Misdemeanor		-.006	
Pre-Felonies		.004	
Cell Type (misdemeanor)			
Intermediate		-.071	
Straddle/ Presumptive Prison		-.167	
Precipitating Offense (other)			
Violent		.206*	.191**
Property		-.010	
Alcohol/Drug		.012	
COMPAS Score Category Index		.108*	
Probation Violations While Enrolled		.100	.140*
% of Drug/Alcohol Tests that were Positive		.126*	
Number of Days in Program			-.179**
N	379	344	344
R ²	.053	.072	.115

*p < .05 **p < .001 reference group in parentheses

To assess the impact of Swift and Sure program participation on recidivism, we first examined whether or not an individual had *any* subsequent offenses. Among Swift and Sure participants 37.7% committed at least one offense after enrolling in the

program, whereas 46.7% of the comparison group members did the same after being placed on probation. Based on the bi-variate analysis (chi-square test) there is a significant association between group membership and any recidivism. In other words, significantly fewer Swift and Sure participants re-offended. The results of the logistic regression presented in table 12 reveals that Swift and Sure participants are 36% less likely to re-offend compared to the comparison group while controlling for the other variables in the model. Age at program entry was also significant and negative indicating that for each year increase in age, the odds of recidivism decrease by 3.3%. The odds of re-offending also decrease for females by 44.5% compared to males. Lastly, higher scores on the COMPAS scale index increased the odds for recidivism by 61%.

Table 12: Logistic Regression Models Predicting Recidivism among Swift & Sure Participants and the Comparison Group (n=758)

	β	$SE \beta$	e^{β}
Swift & Sure Participant (comparison group)	-.447	.155	.640*
Age at entry	-.034	.008	.967**
Sex	-.588	.199	.555*
Race (White)			
Black	.199	.170	1.22
Other	.030	.294	1.03
Precipitating Offense (other)			
Violent	.206	.253	1.23
Property	-.024	.252	.976
Alcohol/Drug	-.124	.217	.883
COMPAS Score Category Index	.477	.134	1.61**
Constant	-.205		
χ^2	76.56		

*p < .05 **p < .001 reference group in parentheses

In addition to *any* recidivism, we examined specific categories of recidivism (see Table 13). The mean difference in total recidivism as well as total misdemeanors,

felonies, property, alcohol/drug, and “other” recidivism were statistically significant. The means for the comparison group were consistently higher in these categories than the Swift and Sure participants.

Table 13: Mean Differences in Recidivism for all Swift & Sure Participants & Comparison Group
(n=758)

Recidivism Category	Swift & Sure	Comparison Group
Overall Total**	.72	1.13
Total Misdemeanor*	.37	.54
Total Felony*	.35	.59
Violent	.21	.20
Property**	.10	.28
Alcohol/Drug*	.19	.29
Traffic	.12	.09
Other**	.10	.26

*p < .05 **p < .001

Table 14 presents a summary of the findings for each category of recidivism. For simplicity, we have noted the measures that were statistically significant and the direction of the relationship as either negative (—) or positive (+). Looking at the first row, participation in Swift and Sure or the comparison group, the findings indicate that in 6 out of the 8 categories of recidivism Swift and Sure participants had significantly lower levels of recidivism, while controlling for all other variables in the models. Additionally, age at entry was significant and negative in five of the eight categories and higher scores on the COMPAS score category index increased levels of recidivism in all categories except alcohol/drug recidivism.

Table 14: OLS Regression Models Predicting All Categories of Recidivism between Swift & Sure Participants & the Comparison Group (n=758)

	Recidivism Category							
	Overall Total	Total Misd.	Total Felony	Violent	Property	Alcohol/Drug	Traffic	Other
Swift & Sure Participant (Comparison Group)	—	—	—		—	—		—
Age at entry	—	—	—	—		—		
Sex	—		—			—		
Race (White)								
Black					—			
Other								
Precipitating Offense (Other)								
Violent				+				
Property								
Alcohol/Drug								
COMPAS Score Category Index	+	+	+	+	+		+	+

reference group in parentheses

Lastly, table 15 presents the percentage of Swift and Sure participants and comparison group who were sentenced to jail and/or prison for their subsequent offenses. The bi-variate analysis shows that there is a statistically significant association between group membership and being sentenced to jail as a result of recidivism. Swift and Sure participants had a lower percentage of jail sentences (13.7%) than the comparison groups (21.6%). However, the group percentages for a prison sentence are quite similar with 4% of Swift and Sure participants with a prison sentence compared to 5.3% of the comparison group. While a slightly lower percentage of Swift and Sure participants were sentenced to prison, the differences between the two groups in this category were not statistically significant.

Table 15: Percentage Receiving a Jail and/or Prison Sentence for Recidivism by Group Membership
(n=758)

	Swift & Sure	Comparison
Jail*		
Yes	13.7	21.6
No	86.3	78.4
Prison		
Yes	4.0	5.3
No	96.0	94.7

*p < .05 **p < .001

Qualitative Results

The data gleaned from the site visits serves as the basis for our assessment of the Swift and Sure program theory (discussed previously). More specifically, the evaluative task was to determine whether the Swift and Sure program was implemented and operating as intended across all eleven sites included in the study time period. For the sake of presentation, this section is organized by activity outlined in the Swift and Sure logic model (see Figure 1). All eleven sites did employ the use of the COMPAS risk/needs assessment to determine eligibility for Swift and Sure. While this tool has a wealth of empirical support for the validity and reliability of its findings, program staff (i.e., judges, coordinators, probation agents) expressed frustration with one specific limitation of the COMPAS. Specifically, it was reported that young (under 21) individuals in need of the structure and programming available from Swift and Sure were not eligible based on the fact that their COMPAS score was too low (under 8). Relatedly, it was reported that on occasion older individuals did not score high enough on the COMPAS despite having lengthy criminal histories and a history of probation failures.

Thus, the concern was that age may restrict Swift and Sure program eligibility given the influence this has on the COMPAS score.

In addition to the COMPAS score (8 or higher) participants must be identified as high-risk in order to be eligible for the Swift and Sure program. Program staff noted that during the study time period the definition of high-risk within the Swift and Sure model was modified. This change to the Swift and Sure program admissions criteria is important to consider, as the pool of individuals eligible for participation in the program during the study time period became more restrictive.

In addition to the standard eligibility criteria (i.e., COMPAS score and being identified as high-risk) the majority of the Swift and Sure programs had additional criteria that must be met in order for participants to be enrolled in the program. Examples include: County resident, straddle cell or presumptive prison sentencing guideline score, substance abuse issue, participants voluntarily entering the program, etc. In addition, several programs also identified several exclusionary criteria that serve to restrict the Swift and Sure target population. Examples of exclusionary criteria include: sex offenders, violent criminal history, homeless, presumptive prison sentencing guideline score, severe mental illness, to name a few. All Swift and Sure programs in the study time period had an established process by which participants eligible for the program were referred to the Swift and Sure coordinator for formal acceptance into the program. While the specific referral mechanisms varied from site to site, there was a clear referral process in place in all Swift and Sure programs.

All eleven Swift and Sure sites reported that participants entered the program at the initial warning hearing. While the external evaluation team did not observe any initial

warning hearings during the site visits, staff reported that at this juncture, the Judge explains to participants the purpose of the program, expectations regarding participation, and the consequences for violations. According to staff, these initial warning hearings are short in duration and do not involve much dialogue on the part of those in attendance. It should be noted that while a defense attorney representative was present during the initial warning hearings in some programs, in others participants were not afforded legal representation.

All eleven Swift and Sure sites had an established drug/alcohol screening protocol and ten of the eleven programs confirmed that substance abuse was an area of risk for the target population. However, the degree to which the screening protocols comported with best practices varied widely. Research indicates that drug/alcohol screening should be observed, randomly administered (including weekends and holidays), test for a range of drugs and alcohol, and occur a minimum of twice per week during the term of enrollment (Marlowe 2012).

Given that the target population for Swift and Sure is high-risk probationers under the jurisdiction of the Michigan Department of Corrections, minimum probation supervision is one of the activities consistent across all eleven programs included in the study time period. While the frequency of mandatory probation appointments varied both across *and* within programs, it appears as though Swift and Sure participants are meeting with their supervising agents at least twice a month.

The majority of the Swift and Sure programs included in this study funded a coordinator and/or case manager(s) to monitor compliance with probation and Swift and Sure requirements, make appropriate referrals to community-based service providers,

provide case management services, perform drug testing, etc. Of those Swift and Sure programs that included these activities in their program theory, the services provided by the coordinator/case managers were perceived as invaluable. Several probation officers commented on how helpful it was to be able to share the workload and that having a team of professionals working together and toward the same goal is one strength of the Swift and Sure model.

While ten of eleven programs asserted that the Swift and Sure participants have needs in the areas of substance abuse and/or mental health, these services were available to varying degrees within all eleven jurisdictions. While some jurisdictions had an array of community service providers specializing in substance abuse and/or mental health willing to serve the Swift and Sure population (e.g., Cass County has an impressive menu of treatment services available in the areas of trauma, mental health, and substance abuse), other communities had either very few service providers or none at all. In addition to the availability of services (or lack thereof) within the local jurisdictions, transportation was reported to be a significant barrier for participants by program staff in all eleven Swift and Sure programs. While the ability to provide bus tokens to participants and have the cost reimbursed by the SCAO grant was acknowledged by program staff to be a great asset, it was noted that existing public transportation scheduling limitations was still a significant obstacle. Moreover, program staff from multiple Swift and Sure sites expressed frustration with the requirement that grant funds would only reimburse treatment costs for a maximum of 90 days beginning with the first treatment episode.

One of the hallmark features of the Swift and Sure model is the formal response by the Court for all violations of participants' conditions of probation (and thus the Swift and Sure program). Staff from all eleven programs reported that the goal was to hold sanctions hearings within 72 hours of the violation. None of the sites reported experiencing any scheduling difficulty associated with scheduling the hearings within 72 hours. However, a few sites reported that arresting participants once a bench warrant had been authorized was challenging given the limited availability of law enforcement. Relatedly, the cost associated with law enforcement working overtime to serve bench warrants on Swift and Sure participants was prohibitive in at least one jurisdiction. While the specific sanctions imposed for violations varied across sites, the most often used sanction was a period of confinement in jail (or a similar facility). Other sanctions utilized by a few programs included: community service hours, increased drug/alcohol testing, increased frequency of reporting with case manager/probation officer, etc. It should be noted that many of these Swift and Sure sites were operating under the recommended "three strikes and you're out" model where participants were unsuccessfully discharged after committing their third (or fourth) violation.

Program staff reported using the Drug Court Case Management Information System (DCCMIS) database for maintaining demographic and program-related information for individual participants. This web-based system is maintained by SCAO and is capable of storing a wealth of information related to program participation. Reviews of DCCMIS' utility for tracking Swift and Sure participant information were mixed, with some programs reporting that the database was user-friendly and helpful in tracking all activities related to individual participation. For example, staff members can

record all drug/alcohol screens administered and the associated results, the number of case management/probation appointments, the date of all probation violations, sanctions hearings, and the specific sanction imposed. However, other programs reported less familiarity with the system as a whole and therefore were less likely to use the database to its full capacity. The varying level of DCCMIS utilization reported during the site visits was evident upon the external evaluation team's review of the Swift and Sure program data. Not only were some data unavailable for some programs, there was also inconsistency in the method of recording participant information. For example, the location of probation violation and sanctions information within the DCCMIS database varied considerably across all programs.

In sum, the site visits proved to be an invaluable tool to the overall evaluation of Swift and Sure. The data provided through interviews and focus groups with program staff revealed both similarities and differences both among and between the eleven programs included in this study. These important nuances could not have been ascertained from quantitative data and are vital for assessing program theory and related outcomes.

Conclusions

The objective of this evaluation was to assess the effectiveness of the Swift and Sure Sanctions Probation Program in the State of Michigan. Utilizing qualitative, quantitative, and financial data, we sought to provide a detailed picture of how Swift and Sure has operated within the eleven sites included in this study, the outcomes that have resulted from its implementation, and how Swift and Sure participants fare compared to

Michigan Department of Corrections probationers not receiving Swift and Sure services. What follows is a summary of the findings. It should be noted that due to limitations in the data made available to the evaluation team, some evaluation questions could not be fully assessed. We provide recommendations for the specific data needed to completely answer the proposed evaluation questions under the recommendations section of this study.

Swift & Sure Sanctions Probation Program Participants

As presented in the quantitative analyses, a total of 379 Swift and Sure participants were included in the current study. The majority (71.2%) of participants were identified as high-risk based on the general recidivism COMPAS tool. This classification is in accordance with the program eligibility requirements set forth in Public Act 616. Just over one-third (35.4%) of Swift and Sure participants were enrolled in the program as a result of having committed a drug-related offense. This finding is not surprising given information ascertained from program staff that the majority of Swift and Sure participants had drug/alcohol dependency issues. In addition, close to 20% of Swift and Sure participants had a precipitating offense categorized as violent, and another 20% committed a property offense prior to enrollment. Relatedly, Swift and Sure participants committed, prior to enrollment, an average of 5.9 misdemeanors and 1.8 felonies. Slightly less than half (48.5%) of Swift and Sure program participants' sentencing guideline score (SGL) fell into the straddle and presumptive prison categories. While examining SGL scores provides some insight into the nature of offending in the Swift and Sure participant pool, this finding may be suppressed given that three Swift and Sure sites did not enroll presumptive prison participants during the study time period. Moreover,

two of these three sites specifically excluded presumptive prison offenders from Swift and Sure program eligibility, while the third site required approval from the prosecuting attorney prior to program admission. Also, during the study time period almost 10% of Swift and Sure participants in two sites committed a misdemeanor prior to program entry and thus no SGL score was calculated. In conclusion, these findings suggest that the Swift and Sure program is serving the identified target population (i.e., high-risk probationers); however, given the aforementioned exclusionary criteria adopted by some sites, a thorough review of Swift and Sure program eligibility criteria is warranted.

As noted in the program theory section in this report, Swift and Sure participants comply with specified activities, such as: attending the initial warning hearing, drug/alcohol testing, probation conditions, case management, and, if applicable to the participant, substance abuse and/or mental health treatment. Of these specified activities, data were only available for drug/alcohol testing and probation violations. Unfortunately, the inconsistency in (and in some cases lack of) the recording of data for the remaining program activities prohibited the evaluation team from examining the extent and effectiveness of these program components. While two-thirds of Swift and Sure participants tested positive at least once while enrolled in the program, the median number of total drug/alcohol tests administered to Swift and Sure participants was 41.0 (mean = 62.3). Thus, the median number of screens administered per week was 0.72 per participant. While there is a dearth of research examining the frequency/intensity of drug/alcohol testing within intensive probation programs, the extant drug treatment court research is clear that the most effective programs utilize drug/alcohol screens at least twice a week with participants (Rossman and Zweig 2012). The importance of consistent

drug/alcohol testing cannot be overstated given the stated need of the target population and the extant body of literature that has documented the high level of effectiveness associated with comprehensive and frequent drug testing on reducing recidivism (Carey, Mackin, and Finigan 2012; Marlowe 2012).

One impetus behind the development of the Swift and Sure program within the State of Michigan was to more swiftly respond to violations of probation. Per Public Act 616, one goal of the program is to address violations of probation within 72 hours of their occurrence. As noted in the program theory section, if the court swiftly (within 72 hours) and surely (with a prescribed jail term) responds to any/all violations, there will be a reduction in probation violations. During the study time period, Swift and Sure participants committed an average of 2.27 probation violations (median = 2.0). While no data was available for the comparison group, this average was comparable to the findings of Shannon et al.'s (2015) evaluation of the SMART program in Kentucky. Specifically, the SMART participants committed an average of 2.3 probation violations and the control group committed an average of 1.2 violations (58). The higher number of probation violations among SMART participants is not surprising given the more intense supervision as compared to probation-as-usual. Given this finding, one may assume a similar trend would have been observed between Swift and Sure participants and the comparison group.

The assessment of the swiftness with which Swift and Sure sanctions were imposed revealed that the median number of days between all probation violations and associated sanctions was three or less (see Figure 3). However, the average number of days between violation and sanction was much higher with a maximum of almost ten

among Swift and Sure participants committing their second violation. One explanation for this finding is that some participants absconded from the program and were not arrested within the 72-hour window. In addition, program limitations may have also contributed to the delay in addressing probation violations given the availability of law enforcement to arrest participants on bench warrant status. Overall, these findings suggest that approximately one half of Swift and Sure violations are being formally addressed by the Court within the required 72-hour timeframe. These findings should be interpreted with caution given the inconsistent collection of data regarding probation violations and the associated sanctions.

Given the high-risk nature of the target population for Swift and Sure, identifying demographic, pre-program, and in-program characteristics of successful participants will yield valuable information for program stakeholders. As noted previously, of those Swift and Sure participants discharged during the study time period, almost 40% were successfully discharged¹¹. The multivariate analyses revealed that among demographic variables included in the model, a higher level of education and employment significantly increased the odds of successful completion of Swift and Sure. These findings are consistent with a vast body of literature examining the influence of education and employment on successful completion of similar programs, such as drug treatment courts (DeVall and Lanier, 2012).

Among the pre-program characteristics of Swift and Sure participants, a negative relationship was found with regard to type of precipitating offense. More specifically,

¹¹ This program retention rate was undoubtedly influenced down by the practice of many of the swift and sure sites to unsuccessfully discharge participants after they had accumulated three or four probation violations.

Swift and Sure participants having committed a violent or property offense prior to program enrollment were significantly less likely to complete Swift and Sure compared to those participants committing an offense classified as “other.” The programmatic implications for this finding are numerous. For example, it is interesting to note that while the type of precipitating offense did influence the likelihood of success, the number of misdemeanors and felonies committed pre-program was not predictive of successful Swift and Sure completion. This suggests that the heterogeneity of Swift and Sure participants may influence the overall effectiveness of the program. Furthermore, the “three strikes and you’re out” model may be ineffective for certain categories of offenders (e.g., violent and property).

Lastly, among the in-program variables included in the model, the number of probation violations committed while enrolled was a negative and significant predictor of successful completion. Not surprisingly, an increase in the number of probation violations leads to decreased odds in successful program completion. Again, the aforementioned “three strikes” policy may be responsible for this finding. Program staff reported frustration with unsuccessfully discharging participants from the program after three violations. Indeed, this may be counterintuitive to working with this high-risk population and is in opposition to HOPE program theory.

As displayed in the Swift and Sure program logic model (see Figure 1), reducing recidivism among the target population is the long-term outcome (i.e., the goal) of the program. The Swift and Sure program theory asserts that this goal will be met if the Court responds to all violations swiftly and certainly, reduces substance abuse through access to treatment services (if applicable) and regular drug/alcohol testing, and increases

access to mental health treatment (where appropriate). One way to assess the impact of Swift and Sure program participation on participants' recidivism is to identify the factors that predict re-offending among the target population. The multivariate results of the current study found four factors to be significant when predicting the odds of recidivating. More specifically, when a participant is retained in the program for an increased number of days, the odds of recidivating are lower. Relatedly, recidivism is higher among participants with a higher number of probation violations. Hence, the policy of unsuccessfully discharging participants after three or four probation violations may be contributing to the recidivism rates among Swift and Sure participants. Other factors, such as, age at the time of program entry and the commission of a violent precipitating offense, were found to be significant predictors of re-offending. It may behoove Swift and Sure programs to re-evaluate the programming provided to sub-groups of the target population (i.e., younger participants, violent offenders, etc.) in order to improve retention rates and thus reduce recidivism.

Swift & Sure Participants versus Comparison Group Members

As discussed in the research design section of this report, this study was designed as a quasi-experiment due to the fact that random assignment into Swift and Sure programs or probation-as-usual (comparison group) was not possible. Thus, propensity score matching was employed to ensure that comparison group members chosen for inclusion in the study were statistically equal to Swift and Sure participants with regard to variables of interest. The matching technique yielded a comparison group with a similar distribution with regard to demographics, precipitating offense, and COMPAS score categories. It should be noted that these measures were the only data provided for the

comparison group on which we were able to match with the Swift and Sure programs participants.

The evaluation team compared recidivism for participants and members of the non-Swift and Sure comparison group (probation-as-usual). The question to be answered is whether or not Swift and Sure participation had an impact on recidivism. Based upon the analyses, the answer is yes. More specifically, we found that the odds of *any* recidivism among Swift and Sure participants were 36% lower than the odds for the comparison group members. This finding was statistically significant while controlling for other common risk factors known to influence recidivism (i.e., age, sex, race, etc.).

In addition to examining differences between Swift and Sure participants and comparison group members with regard to *any* recidivism, we also examined total recidivism and offense types by categories¹². According to the results, Swift and Sure participation resulted in decreased levels of recidivism in six of the eight recidivism categories while taking into account demographic characteristics, as well as level of risk. More specifically, total recidivism, total misdemeanors, total felonies, property, alcohol/drug, and “other” re-offending were all statistically significant. However, participation in Swift and Sure was not a significant factor in predicting a subsequent violent or traffic offense. Thus, these findings support the assertion that participating in Swift and Sure will reduce recidivism as compared to probation-as-usual and is consistent with the findings of similarly focused research on the imposition of Swift and Sure sanctions (The Pew Center on the States 2010).

¹² The categories included: total recidivism, total misdemeanors, and total felonies. In addition, the offense types included were: violent, property, drug/alcohol, traffic, and “other.”

Cost-Benefit Analysis

(Prepared by Dr. Michael O. Maume, University of North Carolina Wilmington)

A primary objective of the evaluation of the Swift and Sure Sanctions Probation Program is to assess the costs and benefits of the program based on investments and outcomes measured thus far. This portion of the report describes the methodology and findings of the cost evaluation for the program investment, as well as a cost analysis of the outcomes of the Swift and Sure participants and comparison group members. The research questions for this portion of the evaluation are as follows:

- What are the average program costs associated with the Swift and Sure program?
- What are the average outcome costs or savings when Swift and Sure participants are compared with comparison group members on probation in other counties?

Methodology of the Cost-Benefit Analysis

In addition to assessing the efficacy of any criminal justice reforms or programs, evaluating programs based on expenditures and possible savings is a pressing concern. For criminal justice programs operating out of the public sector, costs are typically described in terms of both operating costs and costs to state taxpayers. For this analysis, we employed a methodology that assesses full, rather than marginal, costs, following the transactional approach used in evaluations of drug treatment courts and other criminal justice programs (Crumpton et al. 2004). This approach includes an assessment of the costs of the Swift and Sure program, as well as costs to taxpayers based on a comparison of recidivism outcomes for Swift and Sure participants and probationers from non-Swift and Sure counties that constitute the comparison group. The latter analysis is based on cost estimates derived from previous research along with estimates provided by agency staff.

Swift & Sure Sanctions Probation Program Costs

The operating costs were estimated using the financial reports provided by the Swift and Sure program sites. These reports detailed the expenditures of funds provided by the Swift and Sure grants, which itemized the direct personnel, contractual, supplies and travel costs to operate the Swift and Sure program in each of the 11 counties. Therefore, it is important to note that the program costs are only costs to the taxpayers insofar as the state's grant-making was derived from general funds. The cost analysis assumes that the costs of the program would be identical if they were funded by general operating budgets at the local and state levels, rather than grant funds from the state. The Swift and Sure local grant expenditures are described in Table 16.

While 11 Swift and Sure program sites were in operation during the study time period, the program did not commence in several counties until the 2013 fiscal year, and funds were not expended in all 11 counties until the end of 2013. In order to account for costs across all sites, the analysis is based on expenditures from the 4th quarter of 2013 (7/1/13 -- 9/30/13). The overall figures in the below table indicate that the expenditures on the program in this quarter varied greatly across these sites, from \$6,553 (Livingston) to \$163,732 (Cass). Generally, counties that implemented Swift and Sure more recently reported less expenditure by the end of FY 2013.

Table 16: Swift & Sure Program Grants Funds Allotted and Spent, FY2012-FY2013

County	Total allotted, 2012	2012Q1	2012Q2	2012Q3	2012Q4	2012 Spent	Total allotted, 2013	2013Q1	2013Q2	2013Q3	2013Q4	2013 Spent
Allegan							\$103,717			\$3,891	\$14,023	\$17,914
Barry	\$263,186		\$3,477	\$21,115	\$20,704	\$45,296	\$263,186	\$28,586	\$25,300	\$23,632	\$44,343	\$121,861
Bay							\$380,149			\$5,138	\$35,458	\$40,596
Berrien	\$199,978		\$1,657	\$16,640	\$13,614	\$31,911	\$304,626	\$14,007	\$13,190	\$50,595	\$75,032	\$152,824
Cass							\$253,809		\$9,425	\$77,130	\$163,732	\$250,287
Clinton							\$334,371				\$5,600	\$5,600
Eaton							\$169,576		\$1,378	\$18,340	\$19,472	\$39,190
Ingham							\$101,531				\$8,756	\$8,756
Isabella	\$351,844	\$29,918	\$34,186	\$49,087	\$84,972	\$198,163	\$312,941	\$82,015	\$60,293	\$73,232	\$56,324	\$271,864
Kalamazoo							\$151,845		\$4,241	\$6,064	\$13,531	\$23,836
Livingston							\$105,105			\$1,713	\$6,553	\$8,266
Wayne	\$184,992			\$8,750	\$13,175	\$21,925	\$218,405	\$13,038	\$8,859	\$9,035	\$18,369	\$49,301

Program Costs

Table 17 includes estimates of the average costs of program transactions based on a review of financial documents provided by the 11 Swift and Sure sites. The table specifies the average cost of the given transaction, the number of units (transactions) reported in the time period, and the average cost per participant. The total figure below this is the average cost of the Swift and Sure program per participant, which is based on the dollars spent divided by the number of Swift and Sure participants enrolled in the program in the last quarter of 2013 ($M=24$). All reported costs are in 2013 dollars.

Table 17: Average Swift & Sure Costs Per Participant, FY2013, 4th Quarter

Transaction	Avg. dollars spent	Avg. unit cost	Avg. units per month	Avg. # of transactions per participant	Avg. cost per participant per month
Case management	\$15,011.37	\$24.00	110 hours	13.8	\$319.26
Drug test supplies & testing	\$5,952.54	\$23.29	100 tests	14.6	\$63.30
Individual treatment	\$1,936.13	\$73.67	6 sessions	0.8	\$20.49
Group treatment sessions	\$7,391.50	\$41.06	24 sessions	3.7	\$97.37
Residential treatment	\$13,112.17	\$78.00	51 days	3.8	\$88.27
Residential facilities (e.g., KPEP)	\$6,830.00	\$29.00	73 days	6.8	\$87.47
EHM/house arrest	\$3,237.17	\$8.90	64 days	5.9	\$18.50
Jail days as sanction	\$6,531.00	\$37.00	49 days	8.5	\$125.80
Total	\$60,001.87				\$820.45

Case management includes personnel (salary and fringe) and travel reimbursement costs. Sites varied in these costs based mainly on the number and type of

staff designated to operate the program and supervise participants; most counties assigned at least one probation officer to the program on a full-time basis.¹³

Drug test supplies and testing combine costs for drug testing supplies and the costs for internal or external agencies to provide drug screening services, the most common of which was urinalysis testing. The unit costs are based on the drug screening services only, with the middle column above indicating that the sites paid for an average of 100 drug screens per month at an average cost of \$23.29 for each test (ranging between \$5 and \$71 per test across sites).

Individual treatment sessions consisted mainly of outpatient substance abuse treatment, and averaged \$73.67 per session. Individual involvement in *group therapy* sessions—often at the same facility or with the same counselor—averaged \$41 per session. *Residential treatment* (e.g., detoxification) services averaged \$78 per day. Other *residential facilities* (e.g., Kalamazoo Probation Enhancement Program, or KPEP) provided both supervisory and treatment services.

Three sites employed various electronic home monitoring (EHM)/ house arrest services, such as SCRAM alcohol monitoring. The average cost per probationer per day was \$8.90.

An important component of the Swift and Sure Sanctions Probation Program is the use of short periods of jail confinement for probation violations. As noted elsewhere, the Swift and Sure sites varied substantially in their use of *jail days as a sanction*. At one site, Barry County, Swift and Sure probationers were required to spend more than a few

¹³ Case management dollars spent were based on all personnel and travel reimbursement costs. Case management units (days) and unit costs were calculated based on hours worked and average hourly wages (salary and fringe benefits) reported in Allegan, Berrien, Cass, Isabella, Kalamazoo, Livingston, and Wayne.

days in jail prior to being admitted into the program. In Cass County, an intermediate sanctions facility (Twin County Probation Center) was used for jail sanctioning purposes. Only five out of the 11 sites used jail days as a sanction during this particular quarter, with costs averaging \$37 per day. The Swift and Sure grants allowed counties to reimburse sheriff's departments for jail costs (e.g., beds, food, supervision, and overhead costs).

Overall, the 11 sites spent an average of **\$60,001.87**, or **\$20,000** per month (**\$652.19** per day), on the Swift and Sure program, averaging **\$820.45** per month per participant (**\$26.75** per day).

Cost-Benefit Analysis of Program and Comparison Outcomes

Recidivism outcomes for the Swift and Sure participants and comparison group members were described above. The analysis in this portion of the evaluation estimates costs to the taxpayer in terms of criminal justice system and victimization costs based on re-arrests in both groups. Costs for both groups are then compared to determine whether the extent of recidivism in the Swift and Sure group relative to the comparison translates to a benefit to state taxpayers or additional costs. Table 18 includes average outcome costs for Swift and Sure participants and the comparison group.

Table 18: Average Outcome Costs per Person, Swift & Sure vs. Comparison

Transaction	Average unit cost	# of events per Swift & Sure participant (n=379)	Average cost per Swift & Sure participant	# of events per comparison individual (n=379)	Average cost per comparison individual
Re-arrests	\$978.17	0.72	\$704.28	1.13	\$1,105.34
Felony Court Cases	\$1,307.46	0.35	\$457.61	0.59	\$771.40
Property Victimizations	\$5,742.20	0.10	\$574.22	0.28	\$1,607.82
Violent Victimizations	\$45,161.41	0.21	\$9,483.90	0.20	\$9,032.28
Total Average Costs			\$11,220.01		\$12,516.84

Re-arrest costs are based on a cost multiplier for total recidivism across both groups. The estimate used for the cost of an arrest is \$978.18, which multiplies law enforcement salary figures by the average time involved to investigate and process an arrest (prior to booking).¹⁴

The estimated cost of processing *felony court cases* is based on figures provided by SCAO staff, and is an average of state court costs to process felony cases. The number of events is based on felony recidivism counts for both groups. The estimate is \$1307.46 per case. The Swift and Sure group averaged 0.35 felony cases per person, and the comparison group averaged 0.59 felonies per person, resulting in a savings of **\$313.79** when the two group averages are differenced.

Victimization costs are based on direct costs to crime victims based on lost earnings, health care costs, human services, and property losses and damage. *Property*

¹⁴ Arrest costs were derived from a heavily-cited crime-cost analysis (Cohen et al. 1994:Table 16) and adjusted to fiscal year 2013 dollars using Consumer Price Indices (<http://www.bls.gov/cpi/cpid1412.pdf>).

victimizations are estimated at \$5,742.20 per incident, and *violent victimizations* at \$45,161.41 per incident.¹⁵

The total average outcome cost per Swift and Sure participant was estimated to be **\$11,220.01**, compared to an average cost of **\$12,516.84** for comparison individuals, for an average benefit of **\$1,296.82** per person.

To investigate potential investment benefits further, we examined recidivism cost outcomes for those successfully discharged from the Swift and Sure compared to those who were unsuccessful. Not surprisingly, the recidivism rates for unsuccessful participants were higher. Table 19 documents the differences in system and victimization costs between these two groups. The average cost per successful participant was estimated to be **\$8,866.32**, compared to **\$19,365.12** for unsuccessful participants. The benefit to taxpayers for those who are successfully discharged compared to those who are not is more than twofold higher.

¹⁵ Victimization costs were estimated from a recent meta-analysis of crime costs studies by McCollister and colleagues (2010) and adjusted to fiscal year 2013 dollars. Violent crime figures averaged victimization costs for rape and sexual assault, aggravated assault, simple assault and robbery. Property crime costs included estimates for larceny/theft, burglary, motor vehicle theft, arson, embezzlement, stolen property, forgery/counterfeiting, and fraud. To account for the relative prevalence of each crime (e.g., larcenies account for half of all property crimes), we weighted the dollar estimates for each violent crime by the proportion of violent crimes accounted for by that specific crime; the same weighting was done for property crimes.

Table 19: Average Outcome Costs per Swift & Sure Participant, Successful vs. Unsuccessful Discharge (n=171)

	Average unit cost	# of events per successful participant (n=68)	Average cost per successful participant	# of events per unsuccessful participant (n=103)	Average Cost per unsuccessful participant
Transaction					
Re-arrests	\$978.17	0.66	\$645.59	1.16	\$1,134.68
Felony Court Cases	\$1,307.46	0.19	\$248.42	0.68	\$889.07
Property Victimizations	\$5,742.20	0.13	\$746.49	0.11	\$631.64
Violent Victimizations	\$45,161.41	0.16	\$7,225.83	0.37	\$16,709.72
Total Average Costs			\$8,866.32		\$19,365.12

Summary of Cost Benefit Analysis

The program cost analysis indicates a per-diem cost that is likely equivalent to the costs of other intensive probation programs. The outcome-cost analysis suggests that less recidivism and resultant declines in incarceration for those enrolled in the Swift and Sure program pays off in reduced system and victimization costs. There also appears to be a substantial financial incentive associated with successfully completing the Swift and Sure program. Any financial savings should be weighed against the program costs, as well as the costs and benefits associated with stricter supervision of program participants. In relation to the former, program costs should be compared directly to the costs of probation-as-usual, after subtracting supervision fees collected from probationers. For the latter, it could be that initial hearings, increased drug testing and community supervision,

and using jail days as a sanction may yield a higher rate of probation violations in the short term, but lower recidivism and incarceration rates in the long term. A longer follow-up period could indicate the sustainment and possible improvement of taxpayer benefits should Swift and Sure program recidivism rates remain low.

Limitations

As with all evaluation and research projects, it is important to note the limitations when considering the implications of the above-listed findings and conclusions. First, there were a relatively small number of Swift and Sure participants enrolled and discharged during the study time period. Having a small sample size restricts the analyses that can be employed to answer evaluation questions while also reducing the precision of estimates within the analyses performed. Small sample size therefore also reduces the power of tests to identify program effects.

Second, the availability of program-related activities for Swift and Sure participants was limited. For example, no data were available regarding the number of case management and/or probation appointments. Relatedly, the data collection across the 11 sites was inconsistent for the measures included in the study. For example, some sites recorded activities such as probation violations and the associated sanction consistently where as other sites did not. This hindered the ability to adequately assess if programs were meeting the 72-hour to sanction hearing requirement.

Fourth, as noted previously, limited data were available on the comparison group. For example, data such as drug/alcohol testing, probation violations, and probation

appointments would be advantageous to fully understand the degree to which Swift and Sure is different from probation-as-usual.

Lastly, it is important to note that utilizing official crime data as a measure of recidivism only includes offenses known to law enforcement. Thus, these data likely provide an underestimate of the level of criminal activity.

Future program evaluations of Swift and Sure could be improved and enhanced with an expanded study time period, which would increase the sample size of participants. The inclusion of additional programmatic data for the Swift and Sure participants will allow evaluators to better assess the outcomes stated in the logic model. Relatedly, as mentioned above, questions as to which program (i.e., Swift and Sure or probation-as-usual) yields the best outcomes can only be made when comparable data is provided for both groups.

Recommendations

Based upon the findings of this study and the review of the available literature on intensive probation programs, several recommendations for program improvement have emerged. These recommendations are organized into two categories: program design and program implementation and Public Act 616. Program design recommendations focus on the current Swift and Sure model and strategies to ensure fidelity to the program theory, while program implementation recommendations offer suggestions to improve upon the delivery of the program to participants. Suggestions for modifications to Public Act 616 as they relate to future program evaluations are offered.

Prior to presenting the recommendations, we recognize the influence that local criminal justice entities have on the structure and operation of programs operating within their respective jurisdictions. As noted by O’Connell, Visher, Martin, Parker, and Brent (2011),”...programs must be carefully designed considering the local legal structure and the policies and practices of the corrections institutions, treatment providers, and probation department” (266). While we present recommendations for change across all Swift and Sure programs, we are cognizant of the fact that local officials can and should design programs with local need and the community context in mind.

Program Design and Implementation

1. Based upon the quantitative and qualitative analyses of drug/alcohol testing (i.e., urine screens) conducted for this study, we have concerns regarding the intensity and frequency with which Swift and Sure participants are being tested for drugs and/or alcohol. Given the Swift and Sure target population, the extant research in this area, and the anecdotal information gathered during site visits, it is imperative that the drug/alcohol testing protocol involves random, observed, and comprehensive testing. More specifically, drug/alcohol testing *must* occur on a truly random basis (including weekends and holidays), must be observed by staff or probation officers, and should be comprehensive enough to detect the use of all substances. Research within drug treatment courts has found that “the most effective and cost-efficient Drug Courts perform urine drug testing no less frequently than twice per week on a truly random basis for at least the first several months of the program...drug testing should continue unabated in order to be certain that relapse is not occurring during other adjustments to the program regimen” (Marlowe, 2012, p. 2). Thus, it is recommended

that the current drug/alcohol testing protocol be expanded and enhanced to include the aforementioned best practices regardless of who is responsible for conducting the drug/alcohol screens.

2. Relatedly, the lack of emphasis on substance abuse treatment within the Swift and Sure Program is in direct contradiction to a vast body of research examining the effectiveness of intensive probation programs. Dating back to the early 1990s, researchers have consistently found that criminal justice programs integrating strict supervision with access to treatment had greater success in terms of lower recidivism rates, higher retention rates, and lower overall costs (see for example: Andrews et al. 1990; Lowenkamp et al. 2010; Petersilia and Turner 1993). In light of the Swift and Sure practice of limiting the number of treatment episodes reimbursable with grant funds it is recommended that this policy be modified. In accordance with the practices of the current HOPE model, participants should be allowed to request substance abuse treatment when needed without restricting treatment length (Hawken, Alm and Warner 2014). This program modification would bring Swift and Sure in line with similarly focused intensive probation programs.
3. Within Swift and Sure, graduated sanctions are utilized as the response to probation violations. The number of days to which participants are sentenced to jail increases as the number of probation violations increases. While the imposition of severe punishments was traditionally thought to deter non-compliant behavior, more recent research has called this approach into question (Shannon et al. 2015; Wright 2010). Findings from an evaluation of Kentucky's SMART program concluded "...that programs which focus on the certainty of sanctions are more effective than programs

which focus strictly on severity of sanctions” (Shannon et al. 2015:59). Moreover, recent modifications to the HOPE program involved moving away from the use of graduated sanctions. In fact, at present, sanctions for minor transgressions do not involve incarceration. While we were in not a position to recommend completely removing graduated sanctions from the Swift and Sure program design, we highly suggest that program staff and stakeholders carefully consider the effectiveness of the use of graduated sanctions.

4. According to Swift and Sure program theory during the study time frame, it was recommended that participants be unsuccessfully discharged after accumulating either 3 or 4 probation violations, depending on the Swift and Sure program location. During the site visits, the majority of Swift and Sure program staff indicated that this criterion was counter-productive given the target population being served and impacted most heavily those participants with a substance use issue. As noted in Recommendation #1 above, Swift and Sure participants have limited access to substance abuse treatment (i.e., maximum of 90 days). Consequently, this limited treatment access coupled with the “three strikes” policy may lead to a higher rate of unsuccessful discharge from the program. It would follow that unsuccessful discharge from the program would also result in a cessation of substance abuse treatment due to a lack of Swift and Sure funding for the treatment. Moreover, premature discharge from the program reduces the total number of days within the program, which has been found to have a significant and positive effect on recidivism (Lowenkamp et al. 2006). To this end, it would behoove SCAO to revisit the program discharge

recommendation and consider revising the Swift and Sure discharge criteria while retaining specificity in the requirements.

5. While DCCMIS was used during the study time period to track participants, the inconsistency and under-utilization of the system was apparent. Site visit interviews and focus groups revealed that staff was not adequately trained on how to record the required data elements for the program, which led to missing and inaccurate information. The advantages of DCCMIS are abundant for program staff, program monitors, and program evaluators. To this end, we would highly recommend that Swift and Sure program staff receive training on how to consistently and accurately enter participant data into the system. In addition, a standard method of data entry should be implemented so that all program sites are entering information uniformly and in the same location within DCCMIS.
6. The philosophy of a program has an undeniable impact on the success (or failure) of the program. By design, intensive supervision programs (such as Swift and Sure) involve the close monitoring of participants' behaviors by multiple stakeholder groups (e.g, law enforcement, probation, program staff, judge). Consequently, it is imperative that these various stakeholders have an understanding of the program's operating philosophy and work collaboratively to achieve program goals. As noted by Lowenkamp et al. (2010), "...empirical evidence capable of specifying the relationship between program philosophy and effectiveness does not yet exist, it can be inductively reasoned that program philosophy may impact program effectiveness through its relationship[s]..." (370). During the study we found that there was varying level of support and commitment to the program within and across the

program sites. It is suggested that stakeholders within each site meet regularly to ensure a clear and consistent understanding of the program philosophy and their respective roles. Moreover, it would benefit SCAO to establish a training protocol for Swift and Sure program staff and stakeholders to ensure this objective is met.

7. The Swift and Sure program, while not a problem-solving court per se, has been implemented within jurisdictions that operate one or more problem-solving courts. Questions have been raised as to how Swift and Sure differs from these already established programs. Others have expressed an interest in identifying how these programs might work together in a single jurisdiction. Evidence from the program site visits revealed that individuals could transition between programs in some counties, whereas in other locales individuals did not. The latter jurisdictions had no clear protocol of operation between the Swift and Sure program and the other problem-solving courts. We would recommend that each county establish a roadmap for how Swift and Sure and other problem-solving courts can work together to efficiently and effectively serve their respective identified target populations.

Public Act 616 Modifications

Based upon a review of Public Act 616, we have provided some suggested modifications to the Act as one strategy for institutionalizing the evaluation of Swift and Sure Sanctions Probation programs in the State of Michigan. These modifications are based upon a review of Public Act 224 (2004), which established drug treatment courts within the State and outlines specific data to be collected for all drug treatment court participants enrolled in SCAO-funded programs.

Below is a suggested list of data that should be required of all programs and included in Public Act 616:

- Demographic information (age, race, education, employment, marital status, number of dependents, and housing status)
- Referral sources and date
- Enrollment date
- COMPAS score
- Probation violation history, as well as pre-program criminal history information, including precipitating offense
- Record of probation appointments (including missed appointments)
- Substance abuse testing dates and associated results
- Dates of all probation violations while enrolled in Swift and Sure, as well as the dates and outcomes of all sanctions hearings
- Treatment provided, including intensity, dosage, outcomes
- Discharge type (successful and unsuccessful) and date
- Important program transition dates

By requiring Swift and Sure program staff to collect and record these data in the DCCMIS database, future program evaluations will be positioned well to assess the specific impact these programmatic components have on participants' successful completion of the program and on recidivism.

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Appendix A: Demographics, Pre-, and In-Program Characteristics of Swift and Sure Sanctions Probation Program by County

Table A.1: Demographic Characteristics for Swift and Sure Programs by County

Counties	Allegan	Barry	Bay	Berrien	Cass	Eaton	Ingham	Isabella	Kalamazoo	Livingston	Wayne
Race											
White	83.3%	100%	89.5%	50.4%	84.2%	80%	30%	67.0%	27.3%	100%	5.6%
African American	11.1%	0%	10.5%	48.7%	15.8%	20%	60%	8.3%	72.7%	0%	94.4%
Other	5.6%	0%	0%	0.9%	0%	0%	10%	24.8%	0%	0%	0%
Avg. age at program entry	29.9	35.1	27.6	28.3	39.1	24.4	29.4	28.6	36.7	21.6	27.3
Sex											
Male	100%	95%	68%	82%	79%	60%	80%	71%	95%	20%	92%
Female	0%	5%	32%	18%	21%	40%	20%	29%	5%	80%	8%
Marital Status											
Married	11.1%	15.8%	5.3%	2.6%	26.3%	0%	20%	14.7%	18.2%	0%	8.3%
Single	72.2%	52.6%	89.5%	90.6%	57.9%	100%	60%	71.6%	72.7%	80%	91.7%
Div./Sep./Wid.	16.7%	31.6%	5.3%	6.8%	15.8%	0%	20%	13.8%	9.1%	20%	0%
Education											
Less than HS	27.8%	36.8%	47.4%	42.7%	15.8%	40%	70%	35.8%	27.3%	60%	63.9%
HS Diploma/GED	66.7%	52.6%	42.1%	41.9%	73.7%	40%	10%	35.8%	59.1%	40%	19.4%
More than HS/GED	5.6%	10.5%	10.5%	15.4%	10.5%	20%	20%	28.4%	13.6%	0%	16.7%

Figure A.1: Precipitating Offense Categories for Swift and Sure Programs by County

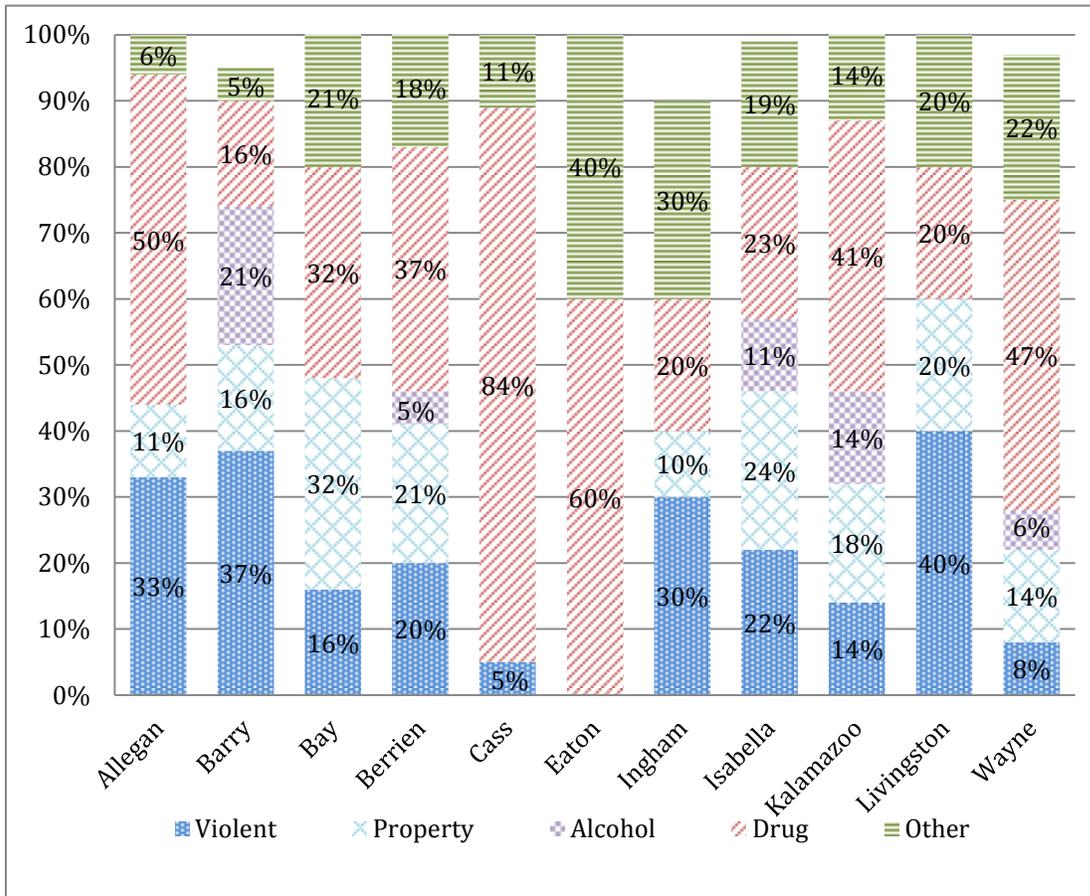


Figure A.2: Sentencing Guideline Cell Type Categories for Swift and Sure Programs by County

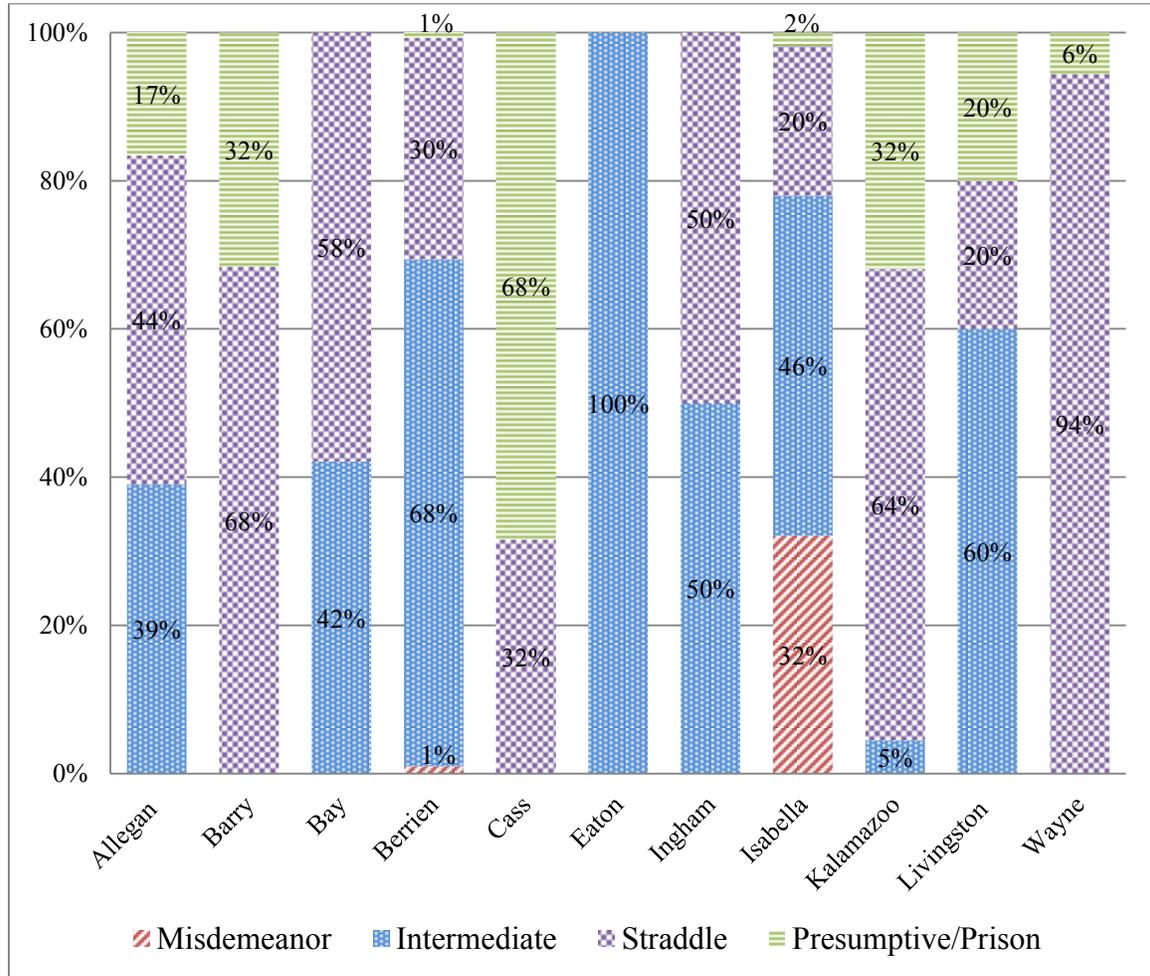


Figure A.3: COMPAS Score General Recidivism Categories for Swift and Sure Programs by County

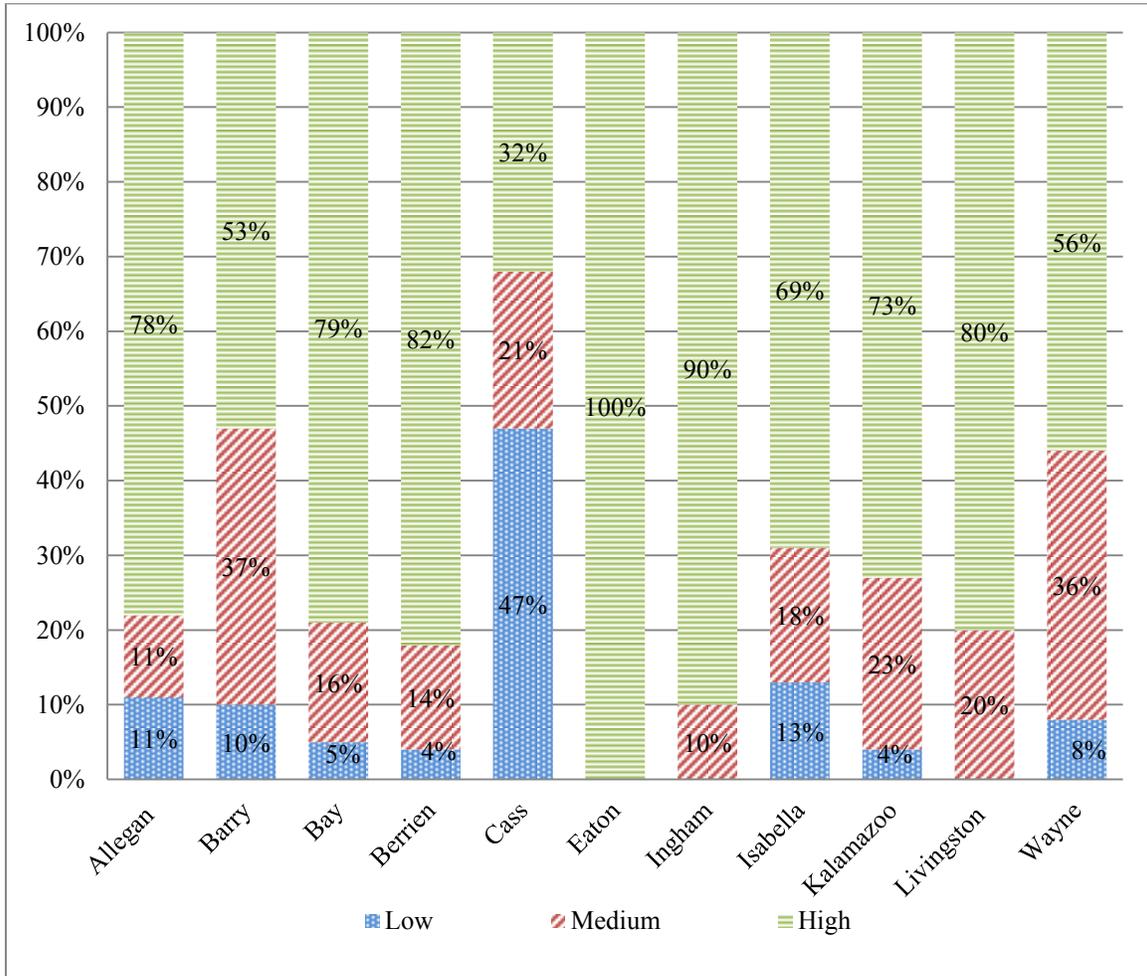


Figure A.4: COMPAS Score Violent Recidivism Categories for Swift and Sure Programs by County

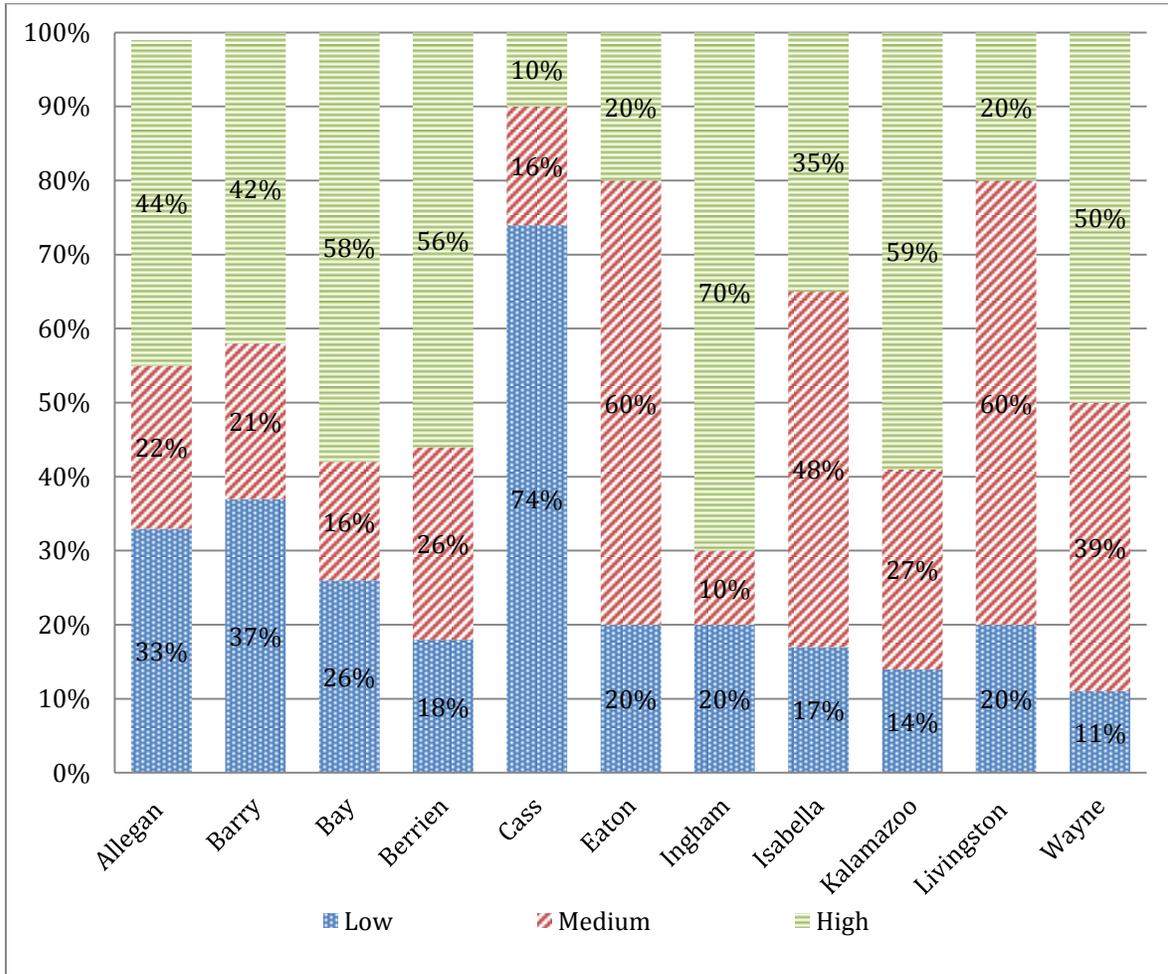


Figure A.5: Breakdown of the Average Number of Pre-Program Misdemeanors and Felonies for Swift and Sure Participants by County

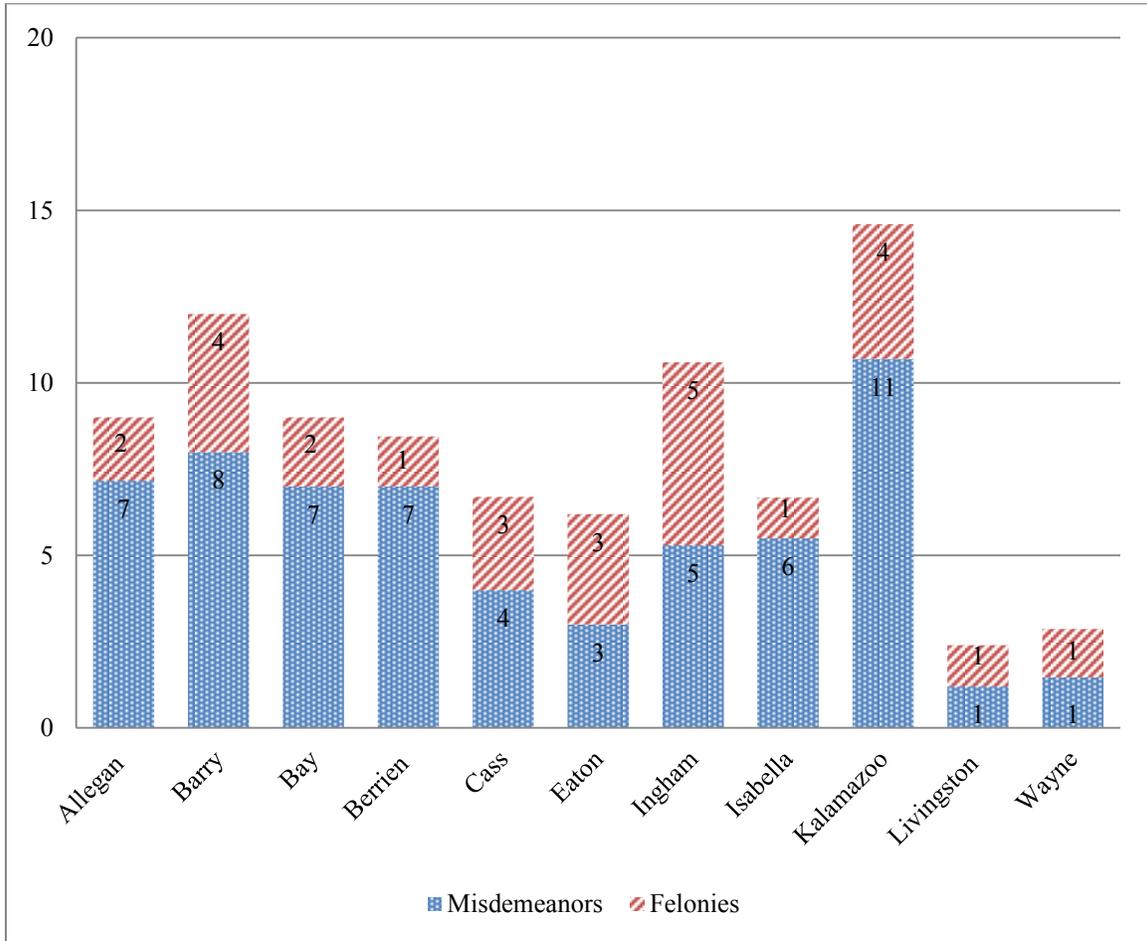


Table A.2: In-Program Characteristics for Swift and Sure Programs by County

Counties	Allegan	Barry	Bay	Berrien	Cass	Eaton	Ingham	Isabella	Kalamazoo	Livingston	Wayne
Avg. # of Misdemeanors While Enrolled	0.2	0.1	0.2	0.3	0.1	0.2	0	0.3	0.2	0	0.1
Avg. # of Felonies While Enrolled	0.6	0	0.4	0.2	0.1	0.4	0	0.2	0	0	0.2
Avg. # of Drug Tests Administered	43.3	159.6	42.8	37.5	85.6	125.6	28.1	99.6	50.6	0	2.7
# of Participants with at least 1 Positive Drug Tests While Enrolled	11	11	17	79	3	5	9	76	19	0	22
Avg. # of Days in Program	204.3	345.5	234.6	255.6	361.5	136	205.1	295.3	172.7	233.4	244.6

Table A.3: Swift & Sure Sanctions Probation Program Characteristics by County

Counties	IWH	Exclusionary Criteria	Eligibility Criteria	Graduation Criteria	Expulsion Criteria	DT	CM	SA Tx	MH Tx
Allegan	+	-None	-Non-compliant probationers	-Pay all fines/cost -Obtain/Maintain Employment -Counseling	-4+ violations -New felony	O	+	O	—
Barry	+	-Eligible for the adult DTC/ Public Act 511 status	-Straddle & Presumptive SGL priority	-Complete the SSSPP program (24 months) -Obtain/maintain employment -Engage in counseling -Remain on probation for at least 90 days post-program	-New felony conviction -Lack of progress within the program & on personal goals -Severity of violations -Absconding 90+ days -Unsuccessful discharge approved by Judge	+	+	+	O
Bay	+	-None	-Intermediate, straddle cell & presumptive SGL	-PO recommends successful completion -Complete at least one-half of the term of probation (minimum of one year)	-4+ probation violations -Absconding for more than six months -Committing a new offense	+	O	+	—
Berrien	+	-Intermediate & Presumptive SGL -Inability to fully participate	-Straddle cell SGL priority -Drug and alcohol issue that influences criminal behavior	-One year of clean time while on probation -Complete the SSSPP program (24 months) -Obtain/maintain employment -Display a civil attitude - Judge ultimately determines	-4+ violations -Absconding 90+ days -Committing a new offense -Unsuccessful discharge approved by Judge	O	—	O	—
Cass	+	-Sex offenders -Violent offenders criminal history case-by-case basis.	-Straddle cell & presumptive priority	-Comply with the terms of probation & SSSPP -Complete all treatment programming -LSI-R post-test assessment shows a reduced risk of recidivism	-Repeated violations (after options have been exhausted) -New conviction (excluding misdemeanor) -Unsuccessful discharge approved by Judge	O	+	+	+
Eaton	+	-Violent offenders -Not a county resident -Lack stable housing	-Non-violent precipitating offense -OPA approves	-Comply with the terms of probation -Remain violation-free for 90 days prior to graduation -Pay all fines/costs ordered by Court and the county	-4+ violations -Commission of a new felony or violent misdemeanor -Lack of program progress (Judge's discretion)	O	+	+	—

Counties	IWH	Exclusionary Criteria	Eligibility Criteria	Graduation Criteria	Expulsion Criteria	DT	CM	SA Tx	MH Tx
Ingham	+	-Criminal sexual conduct charge(s)	-Diagnosed substance abuse and/or mental health issues -Intermediate & straddle cell SGL -Presumptive SGL approved by OPA	-Complete 12 months (minimum) of SSSPP -PO recommends to the Judge	-4+ probation violations	O	O	+	+
Isabella	+	-None	-17 or older	-Complete 9+ months of SSSPP with only 1 substantial violation (last 90 days must be violation-free) -PO & case manager recommend to the Judge -Complete probation term	-4+ probation violations	O	O	—	—
Kalamazoo	+	-None	-17 or older -Straddle cell or presumptive SGL	-Complete probation term	-4 positive/missed drug screen violations -5 failing to appear violations -Convicted of a crime (excluding traffic misdemeanors, with the exception of an alcohol-related driving offense) -Absconding for 1+ week	+	—	O	O
Livingston	+	-Presumptive SGL	-Individuals with substance abuse issues -Intermediate and straddle cell SGL	-Comply with and complete all terms of probation -PO & case manager recommend to the Judge	-Positive urine screens (on 3rd violation) -Failing to appear and missed urine screens (on 4th violation) -Commission of a new offense	O	O	—	—
Wayne	+	-None	-12+ months remaining on probation term -Straddle cell or presumptive SGL -No substance abuse issue -Judge retains discretion	-Complete 12 months (minimum) of SSSPP and be violation-free for past 90 days -No demotion in phases -May remain on probation	-4+ probation violations (Judge retains discretion) -Committing a violent and/or serious offense	O	O	—	—
Legend: + = fully implemented O = partially implemented — = not a program component			IWH = Initial Warning Hearing DT = Drug/Alcohol Testing CM = Case Management	SA Tx = Substance Abuse Treatment MH Tx = Mental Health Treatment					