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ABSTRACT

JurisLIT was a literacy training effort operated jointly by the Sacramento County Probation Department, the Sacramento County Office of Education, the Los Rios Community College District, and the Superior and Municipal Courts of Sacramento County from March 1990 to March 1994. The program required selected probationers aged 18-30 to participate in literacy training programs. Later, high school requirements and General Educational Development (GED) programs were added and, in some cases, some individuals enrolled in colleges or trade schools. Its greatest accomplishment was the collaborative relationship that was established. The number of offenders who learned to read and write, received high school diplomas or GED certificates, and obtained employment indicated success. However, the number of participants who violated their probation and the lack of any statistically significant reduction in recidivism demonstrated that the program did not meet all its objectives. A job development program was established that performed assessment of the probationers' interests, job skills, educational level, and motivation for success. Emphasis was placed on gaining employment skills in job workshops. As part of the program, library resources for correctional facilities were assessed, and educational programs for offenders were identified. Evaluation findings indicated no short-term effects of participation in literacy training on recidivism. (YLB)

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JURISLIT



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**Sacramento County
Probation Department
August 31, 1994**

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August 31, 1994

LEONARD BROWN
ASST. CHIEF PROBATION OFFICER
ASST. COUNTY PAROLE OFFICER

Hon. Willie Brown, Speaker, California State Assembly
Hon. Bill Lockyer, President Pro-Tempore, California State Senate
Hon. Tim Leslie, Member, California State Senate

Dear Mr. Speaker, Mr. President, and Senator Leslie:

I am pleased to transmit herewith the final report of the JurisLIT program, a literacy training effort operated jointly by the Sacramento County Probation Department, the Sacramento County Office of Education, the Los Rios Community College District, and the Superior and Municipal Courts of Sacramento County, between March 1990 and March 1994.

The report was written by four entities. The chapter on evaluation was written by a distinguished, independent evaluation agency, the University of Southern California-Sacramento Center, and the chapter on education was written by the Sacramento County Office of Education. The chapter on the involvement of the Superior and Municipal Courts was written by the Court. The remainder of the report was written by the Sacramento County Probation Department.

The program not only enriched the lives of many people during the four years of its operation, but it also continues to enrich the lives of individuals via related programs which it encouraged. It also seems apparent that many participants, who were previously unemployed and supported either by welfare funds or by illegally-obtained monies, are today employed, contributing members of California's society.

Those of us who had the pleasure of association with the JurisLIT program wish to thank the Legislature, especially Senator Leslie, for making the experience possible.

Cordially,

ROBERT E. KELDGORD
Chief Probation Officer

REK:br
Enclosure

TABLE OF CONTENTS

Introduction.....	1
JurisLIT Task Force	7
What is Success?.....	8
Experience Elsewhere.....	23
Educational Opportunities for Probationers - Sacramento Superior and Municipal Court Involvement.....	31
The Job Scene.....	33
Libraries.....	36
Educational Programs for Offenders.....	39
"Trial and Error".....	44
The Empirical Evaluation.....	49
Summary and Recommendations.....	74
Appendix.....	76

I N T R O D U C T I O N

The JurisLIT program is testimony to the concern, dedication and inspiration of the Honorable George Nicholson, who, as a Judge of the Sacramento County Municipal Court, motivated the program in 1989.

Judge Nicholson, who is today a Justice of the California State Court of Appeals, then presided over a criminal court, in which he noted that many offenders, especially those who reoffended, were illiterate.

JurisLIT is also testimony to the interest and legislative leadership of Assemblyman Tim Leslie. Assemblyman Leslie, who today serves in the Senate, introduced AB 1870 and secured its approval - despite major fiscal burdens. AB 1870 established and funded the JurisLIT program which operated between March 1990 and March 1994.

While major credit for the enactment of AB 1870 must go to Assemblyman Leslie, it should also be noted that the legislation enjoyed very distinguished, bi-partisan sponsorship. Co-authors included Senator Quentin Kopp, Senator Robert Presley, Senator John Doolittle (now a Member of Congress), Assemblyman Lloyd Connelly (now a Judge of the Superior Court), and Assemblyman John Vasconcellos.

During the period that AB 1870 was being considered by the Legislature, it enjoyed the endorsement of the California Judicial Council, the Sacramento County Bar Association, the Sacramento County Indigent Criminal Defense Panel, the Capitol City Trial Lawyers' Association, the Sacramento Metropolitan Chamber of Commerce, the Los Rios Community College District, and other equally-distinguished groups.

Among the individuals who supported AB 1870 were Sacramento County's Sheriff, District Attorney, Chief Probation Officer, and Superintendent of Schools, plus President Donald Gerth of California State University-Sacramento, and California State Librarian Gary Strong. The implementation of the program was

facilitated by the efforts of Superintendent of Public Instruction Bill Honig.

AB 1870, a copy of which may be found in the Appendix, spoke clearly to the need for the JurisLIT program, and noted that some 30% of California's public school students drop out before high school graduation. The Bill also noted that, of California's high school graduates, some 30% are semi-literate or illiterate, and suggested that the combination of drop-outs and illiteracy may well threaten the economic vitality of the State.

Further, AB 1870 observed that the combination of drop-outs and illiteracy is a contributing factor to burgeoning drug traffic and abuse, increased crime rates, and escalating prison populations.

AB 1870 was rather unusual in that it required specific measurements of the JurisLIT program's success--namely a seventy-five percent improvement in the rate in which participants avoided additional criminal activity during their participation in the program, an average two grade progress for each year in the program, and a formal, objective evaluation by an independent source.

AB 1870 mandated specific, multi-disciplinary, public and private sector cooperation and communication--an objective which JurisLIT achieved beyond the greatest of expectations!

AB 1870 also imposed a limited duration for the program, and required the funding of academic oversight.

Finally, AB 1870 required the publication of an objective and candid final report on the successes and failures of the project.

While the choice of recidivism as a measurement factor was unfortunate, as is discussed later in this report, the fact remains that, unlike much legislation which addresses social and criminal justice issues, AB 1870 did not speak in terms of vague, "wishful thinking." It is respectfully suggested that future legislation would be well-advised to incorporate the same general themes as did AB 1870.

Optimism and confidence in JurisLIT were expressed in May 1990 when the American Bar Association's Special Committee on Law and Literacy visited Sacramento to learn about the new literacy program. The Special Committee was formally welcomed by the Governor. Two days of hearings were then conducted, during which several witnesses testified. Spokane attorney Michael Hemovich, the Special Committee's Chair, concluded, "JurisLIT may be the most progressive thing in the criminal justice field...since I've been in the practice at the bar." (Ternus, "ABA's law/literacy committee probes merits of local 'read or go to jail' plan," Sacramento Daily Recorder, 1 (May 15, 1990).)

In 1991, Sacramento's Bishop Francis A. Quinn declared, "I wish to take this occasion to commend you and the members of the Superior and Municipal Courts of Sacramento in promoting literacy initiatives. This is certainly an important concern for all of us." (Letter to Justice Nicholson, February 12, 1991.) JurisLIT received other commendations from both the American Bar Association's Judicial Administration Division and its Task Force on Literacy, and then First Lady Barbara Bush.

Judicial leaders in both Arizona and California expressed support for the JurisLIT program, for its closely-allied program, READ-OUT, which is described in detail in a subsequent section of this report, and for similar programs.

"More of us...need to be involved," declares former Arizona Supreme Court Chief Justice Frank X. Gordon. He concludes, "As Lawyers for Literacy stated: 'Not enough of us work for literacy: not enough teachers, volunteers, parents, businesses--nor enough lawyers.' I would add 'nor enough judges.'" (Gordon, "Literacy Programs for Those on Probation: Do They Make a Difference," The Judges' Journal, 2, 37, vol. 32, no. 1 (Winter 1993).) JurisLIT and READ-OUT may help achieve former Chief Justice Gordon's goal, as judges from throughout California and many other states, including Alabama, Idaho, Indiana, Louisiana, Nebraska, New York, New Mexico, Oregon, Pennsylvania, Texas, and Washington, have inquired about both Sacramento programs during the past five years.

In 1992, California's Chief Justice Malcolm M. Lucas addressed the Regional Literacy Symposium held at the National Judicial College in Reno. The symposium was co-sponsored by educational, legal, and judicial organizations from throughout the western states. While he noted the literacy leadership California's judiciary had already provided, Chief Justice Lucas presented a compelling portrait of additional reforms needed to improve literacy efforts by all involved in dispensing justice. Ultimately, more was said in 1994, in Justice in the Balance 2020, the final report of the Chief Justice's Commission on the Future of the California Courts:

"Literacy programs in the context of corrections are meeting with widespread success. Not surprisingly, there is a strong link between literacy and crime. The Correctional Education Association reports that over 70 percent of the nation's prison population do not have a high school diploma. Equally surprising is that educating probationers can assist them in finding jobs and reentering society. Sacramento County has institutionalized two projects that aim to help (county probationers and county jail inmates) break the cycle of illiteracy and crime. JurisLIT allows probationers to reduce their probation time by participating in literacy programs. In the READ-OUT program, (county jail) inmates can shorten their sentences by successfully participating in educational programs aimed at earning a GED or improving their reading, writing, and mathematical skills. Prison (county jail and probation), literacy and vocational training alone cannot prevent recidivism. But there is good evidence that it can help many (prison and county jail) inmates (and probationers) rejoin society. RECOMMENDATION 9.16 The State should commit resources to effective literacy and job-training programs for both incarcerated and nonincarcerated offenders." (Pp. 160-161.)

Finally, JurisLIT is testimony to the dedicated efforts of the educators and probation officers who administered the program, with special recognition to Ms. Linda Murai from the Sacramento County

Office of Education, who provided important staff services and leadership for the program.

In the simplest of terms, the program required selected probationers, between the ages of 18 and 30, to participate in literacy training programs. Later, at the suggestion of participants, high school requirements and GED programs were added to the effort, and, in some cases, individuals enrolled in colleges or trade schools.

The program had many significant accomplishments, but none was greater than the exceptional "collaborative" relationship which was established between the Courts, the Probation Department, the Sacramento County Office of Education, the Elk Grove Unified School District, the Los Rios Community College District, numerous other public school districts, and the University of Southern California.

Did the program succeed? The number of offenders who learned to read and write, the number who received high school diplomas or GED Certificates, and the number who obtained employment and were removed from the welfare rolls illustrate clearly that by many measurements JurisLIT was a success.

The creation of a new, "spin-off" scholarship program at American River College, in which selected probationers continue their formal education, is another measurement of JurisLIT's success. Of the students in the program's inaugural class, some 75% are graduates of the JurisLIT program.

On the other hand, the number of participants who violated their probation, and the lack of any statistically-significant reduction in recidivism, illustrate that the program did not meet its objectives in all respects.

The enabling statute required that recidivism be the criterion on which the success of the program was measured. This was a very unfortunate choice of criteria, since there are other measurements which, in the opinion of many, better assess the success or failure of a program. Within the field of criminology, there are at least four accepted definitions of recidivism. In addition, the most current professional literature discounts recidivism, by itself, as

an adequate measure of success or failure. The most current criminological thinking is that success or failure should be measured by a number of factors, including the offenders' ability to gain and retain employment, the length of time that an offender is arrest free, the amount of community service provided by offenders, cost analysis, the offenders' abstinence from drug use, educational gains by the offender, restitution by the offender, and improved social skills by the offender.

Finally, it should be noted that the JurisLIT program attracted national attention, and may well have motivated similar programs elsewhere. Inquiries were received from courts, probation officials, and educators from throughout the nation.

JURISLIT TASK FORCE

The JurisLIT program was greatly assisted by the advice, counsel, and encouragement of a multidisciplinary task force, consisting of the following:

- David Meaney, Ed.D., Sacramento County Superintendent of Schools - CHAIR
- Richard Beymer, Assistant Chancellor, Los Rios Community College District
- Cecil Canton, Ed.D., Assistant Professor, Department of Criminal Justice, California State University-Sacramento
- Jeffrey Chapman, Ph.D., Director, University of Southern California, Sacramento Center
- Terry Cummings, Chief Deputy, Sacramento County Probation Department
- David Foos, Commissioner, Sacramento County Municipal Court
- Martin Fricks, Assistant Director, University of Southern California, Sacramento Center
- Hon. Michael Garcia, Judge, Sacramento County Superior Court
- Robert E. Keldgord, Chief, Sacramento County Probation Department
- Donald B. Slivka, Chief Deputy, Sacramento County Probation Department
- Hon. Jane Ure, Judge, Sacramento County Municipal Court
- Linda Murai, Executive Officer

In addition to the valuable assistance provided by the JurisLIT Task Force, equally important assistance was provided by Gail Zittel, Principal, Adult Education, Elk Grove Unified School District, and by her staff.

The "true heroes" of this experience, however, were the deputy probation officers and educators who operated the program on a day-by-day basis.

What is Success?

When the statute which created JurisLIT was written, it required that the success or failure of the program be measured by "recidivism"--a vaguely understood term about which there is virtually no agreement among criminological authorities and about which there is increasing dissatisfaction by professional associations.

The result is that, when measured by this criterion, JurisLIT appears not to have succeeded, when, in fact, it succeeded in many, many aspects. It succeeded in "whetting" the academic appetite of numerous young offenders who, motivated by the program, earned GED certificates and high school diplomas, and, in some cases, are today continuing their education in colleges or trade schools. It succeeded in removing offenders from welfare rolls and placing them on jobs, thus reducing costs to taxpayers. It succeeded in developing a "model," collaborative program involving the courts, the Probation Department, community colleges, public school districts, private offender-serving agencies, employment development programs (both public and private), a State university and the University of Southern California. This "partnership" of public and private entities remains in place. Finally, it established a procedure whereby selected offenders may still be "screened and tested" for literacy deficiencies and, when appropriate, referred to local colleges for literacy training and to local adult education programs for GED certificates or high school diplomas.

Unfortunately, that essential ingredient which may no longer exist is the "cajoling, threatening, encouraging, and nurturing" presence of assigned probation officers. With the termination of State monies which, among other things, funded the JurisLIT officer positions, it may well be necessary to reassign the officers to other functions.

The inappropriateness of measuring the success or failure of the JurisLIT program - or any criminological program - on the basis

of an ill-defined term known as "recidivism," is, perhaps, best described in the Winter 1994 issue of Perspectives, published by the American Probation and Parole Association. Perspectives reports as follows:

If external stakeholders, e.g., legislators, reporters and the general public, were assigned the task for determining the effectiveness of probation/parole programs, many of these programs would be evaluated on the basis of recidivism rates. Recidivism would be used because it is a measure that many stakeholders recognize and think they understand. Many of the programs' positive aspects would never be known because recidivism rates measure a limited aspect of the mission, goals and objectives of probation/parole programs.¹

Perspectives continues with the following observation:

Traditionally, stakeholders, especially uniformed ones, have used recidivism rates as the "yardstick" to evaluate these programs. The definition of recidivism will vary but many program evaluation efforts will use it as the primary, if not sole, measure of program success. As a result, probation/parole programs are often labeled a failure or success based upon recidivism rates. An example of this phenomenon can be found in the following quote from the Los Angeles Times.

In a bleak assessment of a popular, experimental anti-crime program, the Rand Corp. has found that increased supervision alone does not dissuade felony probationers from committing more crimes.

The study, released this week by the Santa Monica-based think-tank, found that adult probationers who were placed in these programs had arrest, conviction and incarceration rates similar to or higher than those placed on probation with routine supervision. (Rohrlich, 1991, January 31, pp.A3)

In the title and the opening paragraphs of this article, Rohrlich labeled the intensive probation supervision programs in Los Angeles, Ventura and Contra Costa, California counties a failure. One would have to read the entire article to discover that "offenders who received counseling, were employed, paid restitution and did community service were shown to have less recidivism, committing crimes at rates 10% to 20% less than the others" (Rohrlich, 1991, January 31, pp. A3. A24).

¹ Perspectives, American Probation and Parole Association, Winter 1994, Vol. 18, No. 1. "Alternative Outcome Measures: The Concept". Timothy Matthews, Director, American Probation and Parole Association; Harry N. Boone, Jr., Ph.D., Research Assoc., APPA, and Vernon Fogg, Program Administrator, Colorado State Judicial Department.

The problem is not with the use of recidivism as a measure of probation/parole program success; the problem is with the use of recidivism rates as the primary or only measure of program success.²

What measures should be used to measure program success in probation and/or parole departments? Each department should derive a list of outcome measures based upon their department's goals and objectives. Most departments will have the following goals: (1) protect the community; (2) deter criminal and/or drug activity; (3) rehabilitate the offender; and (4) provide punishment for the offender. From these four departmental goals a number of potential outcome measures could be generated.

Protect the Community

Most departments would list community protection as the number one departmental goal. There are a number of activities conducted by a probation/parole department that will provide evidence of efforts to protect the community. The number of person-to-person contacts with the offenders, phone contacts, collateral contacts, days on electronic monitoring, and curfews provide evidence that the offender's activities are being observed.

Deter Criminal Activity and Provide Appropriate Punishments

The goals of deterrence and punishment need to be considered together because many of the activities used to deter further criminal activity also serve as punishments for past criminal activities. Some potential measures of successful achievement of these goals would include: reduced drug use, reduced criminal activity, restitution paid, and community service performed.

Rehabilitate the Offender

Ultimately the goal of probation/parole departments is to return the offender to the community as a productive member of society. Some measures of success in this area may include: reduced drug use, referrals to treatment/counseling, progress in treatment/counseling, educational activities, and vocational training.³

Program evaluation must be encouraged; however, poorly planned and conducted evaluation efforts are worse than no evaluation at all. Departments must carefully select outcome measures that accurately measure the effect of departmental efforts. The evaluation results must be prepared and presented in a form that interested stakeholders can understand and use. Evaluation is essential for continued program growth and success.⁴

Clearly, there is no more agreement on what constitutes "recidivism" than there is agreement as to whether or not recidivism, however defined, should be the dominant means of assessment. Once again, the Journal of the American Probation and Parole Association addresses the issue:

Because recidivism is the most widely used measure of program success or failure, researchers, community corrections personnel, interested stakeholders, and the general public would argue that they have a complete understanding of the term. However, it could

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be argued successfully that recidivism is misunderstood by many of these same interested parties. Recidivism is misunderstood because of the numerous operational definitions that are applied to the term. For example, recidivism could be defined as any of the following: any new arrest, new felony arrest only, any new conviction, new felony conviction only, any new commitment of 60 days or more, or new prison commitment only (Hoffman and Stone-Meierhoefer, 1980). Include new technical violations and "an arrest for the same crime" and you have at least eight definitions of recidivism.

The results from studies using different definitions of recidivism should not be compared. Fox (1980) found that the recidivism rates for a group of parolees released from Kentucky correctional institutions over the period January 1, 1974, through December 31, 1976, ranged from 13.1 percent to 37.2 percent depending upon the operational definition of recidivism that was used.

A review of the literature confirmed the fact that a number of definitions for the term recidivism were used in research studies ranging from technical violations to incarceration for a new crime. In some instances, multiple definitions of recidivism were used within the same study. Some of the definitions found in the literature are summarized in the following.

Technical Violations:

Nine studies used a technical violation as their definition of recidivism (Petersilia and Turner, 1993; Commonwealth of Virginia, 1992; Hairston, 1988; Jamison, 1981; Murphy, 1981; and Fox, 1980). Three studies (Vito, 1987; Lunden, 1987; and Vito, 1986) defined recidivism as a technical violation that resulted in the offender being incarcerated.

New Arrest:

A number of authors used any new arrest as a measure of recidivism (Petersilia and Turner, 1993; Chavaria, 1992; Jones, 1991; Cadigan, 1991; Schumacker, Anderson, and Anderson, 1990; Glaser and Gordon, 1990; Irish, 1989; Corbo, 1988 Greenwood and Turner, 1987; Erwin and Bennett, 1987; Vito, 1986; Walsh, 1985; Arriessohn, 1981; Byles, 1981; Jamison, 1981; and Fox, 1980). Clarke, Lin, and Wallace (1988) further defined arrest as any arrest in which the offender was fingerprinted. A felony arrest was the definition for recidivism used by Tauber (1992); Vito (1987); Lichtman and Smock (1982); and Fox (1980). Vito (1986) and Lunden (1987) defined recidivism as a new arrest which resulted in incarceration of the offender. Lichtman and Smock (1982) and Murphy (1981) used arrest for a misdemeanor offense as the definition of recidivism. Murphy (1981) also divided the arrests into violent felonies or nonviolent felonies and considered them as two separate measures of recidivism. Fox (1980) also used a violent felony arrest as a definition of recidivism. In one study an arrest for the same crime as the initial conviction was used to define recidivism (Fox, 1980).

Ashford and LeCroy (1988); Pogrebin, Poole, and Regoli (1984); McPherson, McDonald, and Ryer (1983) used all referrals to define recidivism for their study of juvenile offenders. McPherson, McDonald, and Ryer (1983) also looked at recidivism of juvenile offenders based upon criminal referrals.

New Convictions:

A number of studies defined recidivism as a conviction for a new offense. These studies included: Jones (1991); Commonwealth of Virginia (1991); Hairston (1988); Erwin and Bennett (1987); Corbo

(1988); Michigan Department of Management and Budget (1986); Vito (1986); Lichtman and Smock (1982); and New Jersey Administrative Office of the Courts (1980). Researchers from the Commonwealth of Virginia (1991) divided the convictions into new felony convictions, new drug felony convictions, and convictions for new identical drug crimes.

Incarcerations:

Incarceration was used as the definition of recidivism in a number of studies. These studies included: Latessa and Travis (1991); Glaser and Gordon (1990); Texas Adult Probation Commission (1988); Latessa (1988); Corbo (1988); Erwin and Bennett (1987); Latessa (1982); Vito and Allen (1980); Fox (1980); Gottfredson, Mitchell-Herzfeld, and Flanagan (1981); and Collier (1980). Gottfredson, Mitchell-Herzfeld, and Flanagan (1982); Fox (1980); and Collier (1980) limited their definition of recidivism to incarceration in a person.

Problems with Recidivism as an Outcome Measure

The use of recidivism as an outcome measure has numerous problems. The literature review provided documentation on a number of these problems.

Definition(s) of Recidivism:

From information presented in the previous section, it should be clear that recidivism does not have a universal agreed upon definition. The definition of recidivism is usually based upon the individual needs of the researcher as well as the type of data available. There is tremendous variance in the amount of time involved in the recidivism studies. The numerous operational definitions and the time variance in recidivism studies make it nearly impossible to compare research results.

Recidivism is a Measure of the Response of the Criminal Justice System:

Recidivism rates can be influenced by various components of the criminal justice system (Waldo and Groszold 1979 and Maltz and McCleary 1977). Increased/decreased activity by law enforcement agencies or a change in judicial philosophy could have an impact on recidivism rates. A "get tough on crime/drugs" strategy will increase the number of new arrests. A new judge may want to limit formal technical violations to revocable offenses. Given either scenario, was the change in recidivism rates due to changes in the behavior of ex-offenders or changes in police/judicial actions? Unless the valuator had employed an experimental research design, it would be impossible to determine what factor had influenced the recidivism rates.

Dichotomous Measure of Recidivism:

Recidivism is always treated as a dichotomous variable. An offender is either arrested or not arrested, convicted or acquitted, a success or failure.

The use of recidivism as an outcome variable is replete with problems, one of which is that it is inherently limited in sensitivity by being assessed as a binary variable, as it usually is, for example, if reincarceration is the measure. A great deal of information is lost when something as complex as possible criminal activity that may or may not culminate in detection, arrest, and conviction is expressed as a simple dichotomy. Some persons engage in clear-cut criminal activity, some in borderline criminal activity, and some in no criminal activity; some persons are

arrested without any hesitation, some are almost not arrested, some are almost arrested, and so on (Sechrest, White, and Brown, 1979, pp. 71-72).

Waldo and Griswold (1979), Maltz and McCleary (1977), and Giacobbe and Schneider (1986) also referred to the problems of using a dichotomous variable to represent recidivism. By using a dichotomous measure of recidivism, the partial successes are ignored. For example, an offender may have gone a year without a positive drug test. This would be a tremendous success for an offender with a heroin or cocaine addiction; however, if the one positive drug test resulted in a technical violation, incarceration or revocation, the offender would be classified as a failure.

Other Problems:

Some of the other problems identified during the literature review included:

- The criminal justice system has a multitude of goals, and the reduction of recidivism is just one of these (sometimes conflicting) goals (Waldo and Griswold, 1979).
- In evaluative research, we are concerned with recidivism only to the extent that it serves as a proxy for the success or failure of the programs. Since other factors affect recidivism data, it is fallacious to conclude that nonrecidivism demonstrates rehabilitation or success (Waldo and Griswold, 1979)
- It is implicitly assumed that the offender is in need of some kind of "correction" and that the "correction" delivered by the program will effect a permanent behavioral change in the offender (Maltz and McCleary, 1977).
- Recidivism rates are more indicative of the failings of the criminal justice system (and of society in general) than the failings of individual offenders (Maltz and McCleary, 1977).
- Recidivism is not a measure of effectiveness for the entire program, but for only one part of it (Maltz and McCleary, 1977).
- Recidivism is normally measured using only officially reported events, not self-report or actual events. This makes them suspect as measures of effectiveness, since they are very sensitive to policy shifts within the data-collecting agencies (Maltz and McCleary, 1977).

Waldo and Griswold (1979) offered seven recommendations to make future recidivism studies more comparable than they have been in the past. The following recommendations focus on the development of more uniform definitions and measures of recidivism.

- Future recidivism studies should use FBI indicators of recidivism. The use of FBI rearrest and reincarceration information would allow greater comparability among studies.
- An appropriate group of experts should be convened to determine what kinds of offenses to include when measuring recidivism.
- The use of continuous measures of recidivism should be more fully explored.
- Follow-up periods in studies of recidivism should range from a minimum of three years and a maximum of five years.
- There should be a continued reliance on official measures, although self-report measures should be used when possible.
- Greater attention should be focused on the reliability and validity of recidivism measures.
- At a minimum, studies of recidivism should only be compared

within a context that considers: the sample, the length of follow-up, the quality of the research design, and how recidivism is measured.

Summary of Research on Recidivism

Recidivism is the most common outcome measure used in community corrections research. Even though recidivism is the most commonly used outcome measure, the operational definitions used for the measure are as varied as the research projects themselves. There are some common elements of the definitions such as technical violations, new arrests, revocations, new convictions or incarceration; however, the variations in the operational definitions make comparison of research findings nearly impossible.

A second factor that makes comparison of recidivism findings nearly impossible is the length of time used for the recidivism measure. Three years is generally considered the standard time for a recidivism study; however, recidivism studies vary from less than one year to five or more years.

A great deal of concern has been raised about the use of a dichotomous measure for a variable as complex as return to criminal activity. Should a program be labeled a success or failure based solely on the number of offenders who were arrested for a new crime within a specific period?⁵

If, however, recidivism, by whatever definition, is not to be the basis for evaluation of criminal logical programs, what shall be the basis?

In an attempt to answer this question, the American Probation and Parole Association conducted a survey of experienced probation and parole administrators, academicians, line officers, and other interested parties. The survey was conducted in 1993. The appropriate outcome measures, in the view of the respondents, were as follows:

- Amount of restitution collected
- Number of offenders employed
- Technical violations
- Alcohol/drug test results
- New arrests
- Fines/fees collected
- Number completed supervision
- Hours community service
- Number sessions of treatment
- Number/ratio revocations
- Percent financial obligations collected
- Employment stability/days employed
- New arrests: crime type/seriousness
- Meeting needs of offenders
- Family stability
- Education attainment
- Costs/Benefits/Services/Savings

5 op cit

Days alcohol/drug free
Number of treatment referrals
Time between technical violations
Marital stability
Wages/taxes paid
Compliance with court orders.⁶

In the same survey, respondents were asked to identify those factors which, in their judgment, should not be used for program evaluations. The inappropriate outcome measures were identified as the following:

Recidivism
Revocation rates
Technical violations
New arrests
Single measure
Public/media perception
New conviction
Number of positive drug tests
Cost of services/efficiency
Number of contacts
Number of clients
Client evaluation.⁷

In contrast to the "failure" of the JurisLIT program, when measured on the basis of "recidivism," the following comment by Deputy Probation Officer Shelli K. Fischer illustrates some of the program's achievements:

In the past two years, 22 of my cases earned their GED certificates. Four others have completed the JurisLIT 200 hours/2 grade level requirements at American River Learning Center. Many of the GED graduates started at American River College Learning Center. Two students were referred to the Library Literacy Program as they were nonreaders. At the present time, over 50% of my cases are either employed full or part time and are attending school. These individuals all came to the program unemployed and on welfare or receiving financial assistance. Now, they are out of that system, as are their families. Their children are learning, also, that education is important and the only way out of a condemned life of anguish and frustration. Through the JurisLIT program, participants were given the dignity and self-confidence that comes from the ability to read.

An examination of some brief case histories also illustrates, on an individual basis, how the program often succeeded:

6 Perspectives, American Probation and Parole Association, Winter 1994, Vol. 18, No. 1. "Recommended Outcome Measures for Program Evaluation," Harry N. Boone, Jr., Ph.D., Research Associate, APPA.

7 op cit

Daniel, age 19, was placed on five years probation after having pled guilty to a drug related offense. Conditions of probation included 60 days in the Sacramento County Jail with credit given for nine days time served; all drug orders to include testing and nonassociation; search and seizure; no weapons; JurisLIT program and all of the general conditions of probation as authorized by statutes of the State of California.

He was living with his grandmother in West Sacramento, was unemployed and had no valid driver's license. Referral to the American River program was unreasonable at the time, so he participated in the Yolo High School Adult Education Program and passed his GED test.

Presently he lives with his aunt and uncle in West Sacramento. He is a full-time student at American River College and is a recipient of a scholarship.

Antonio, age 19, was placed on five years probation after having pled guilty to a drug related offense. He was ordered to serve 120 days in the Sacramento County Jail, with credit for time served of 55 days; all drug orders to include testing; search and seizure; JurisLIT; and all of the general conditions of probation.

The defendant is one of four children who, after his parents' divorce, were removed from their father's custody by Child Protective Services when it was determined that the father had severely beaten them. Several months later the defendant was returned to his father's custody. After being abused again, at the age of six years, he was placed with his mother. He was still living with his mother when placed on probation. The defendant's juvenile record reflected an alcohol and drug abuse history.

Fourteen months after being placed on probation and in the JurisLIT program, the defendant was convicted of DUI with three priors and driving on a suspended license. Again, he was granted five years probation and ordered to serve 210 days in the Sacramento County Jail, with credit for time served of 53 days, plus 30 days to run consecutively; search and seizure; alcohol rehabilitation program to include testing; not drive with any measurable alcohol; \$400 restitution; fines and penalty assessments; and all of the general conditions of probation.

He requested to remain in the JurisLIT program. Although for statistical purposes, he was "a failure," he was allowed to remain in the program. He completed his GED program. Presently, he is a full-time student at American River College and is a recipient of a scholarship. He is also working part

time, is married, and recently became the father of a son. The defendant has not reoffended in two years.

Simone is an attractive 22-year-old who is the mother of two (2) sons, ages 20 months and six years. The family finances are derived from an AFDC grant. She attends American River College, relying on Regional Transit to commute from her apartment in Del Paso Heights to the campus.

On December 12, 1990, Simone was granted five years, felony probation for possession of rock cocaine. Probation orders included standardized drug orders, as well as participation in the JurisLIT program. Simone attended American River College where she completed 1-1/2 units.

On February 12, 1992, the subject was rearrested by the Sacramento Police Department for possession of rock cocaine for sale. She appeared in Court for a dispositional hearing on May 22, 1992, when she was reinstated to probation for five additional years. Combined sentences included 395 days total jail time, and the order that her original probation grant terminate upon her release from jail. With the termination of the original grant, Simone became ineligible for the JurisLIT program.

Simone was granted County Parole on August 26, 1992. She contacted the probation office in September and requested that she be allowed to return to the JurisLIT program. It was agreed that, if the Court modified her probation to allow her to participate, she would begin as a "new student" and that all previously completed hours would not count toward fulfilling the requirements of the program.

In her letter to the Court, Simone requested the program because it "motivated me to strive for a better education. The program would be beneficial towards my future goals." The grant was modified December 29, 1992 to include the JurisLIT program.

Simone is in the process of realizing her goals. She completed the required hours during June 1993. In December 1993, she was accepted into the scholarship program at American River College. She's currently a part-time student who has set her sights on a four year degree.

Simone's case is noteworthy in that she does not represent a straightforward progression through the JurisLIT program. In spite of a serious setback, which resulted in many months of incarceration, she initiated action to return to the program.

Donna is a 29-year-old female whose past use of methamphetamine has left her with extensive dental damage. Her parents provide her with room and board. She is in the process of trying to regain custody of her two children. Her oldest child is placed with her parents; the youngest child resides with her ex-in-laws.

This probationer was granted five years probation on September 17, 1990, for injury to her child. Included in her probation grant were orders that she participate in a program of professional counseling and in the JurisLIT school program. With encouragement, Donna completed a program of professional counseling, where she focused on her parental neglect and her failure to protect her children. In addition, she attended American River College and completed 200 hours of literacy training. Initial testing revealed Donna was functioning at the sixth grade, eighth month. A subsequent test elicited a score of seventh grade, fourth month.

Following the completion of her school hours, Donna attended 12 job development workshop meetings through October 20, 1993. Donna worked on writing resumes and refining her interviewing techniques. In spite of the workshops, Donna was unable to secure employment.

On May 6, 1993, Donna was granted an early release from probation based upon her completion of the JurisLIT program and the satisfactory completion of all other conditions of probation.

Although Donna satisfactorily completed the school program, she did not satisfy all of the criteria, as she did not progress two grade levels. She did realize eight months of academic growth, but needs additional training to acquire job skills. Further, for Donna to be a viable candidate for many jobs, she would need to have extensive dental work completed. In short, Donna represents a probation success that was not a JurisLIT success (she did not make two years of academic progress).

Marni is a twenty-one-year-old female placed on felony probation for a drug related assaultive offense. Marni came into the program as a single mother on welfare, and became sufficiently motivated to arrange for day care and full-time school participation. She began her program by enrolling in a private college and earning her medical assistant's certificate. While attending the private college, she began studying for her GED certificate through the Folsom-Cordova Adult Education Program and subsequently earned her certificate a few months after completion of her medical assistant program. After earning her GED certificate, she enrolled in Sierra College in the nursing program and is

currently maintaining above a "B" average. She saved enough money to pay of her Court-ordered obligations and was terminated from probation in December 1993.

Tricia is a twenty-two-year-old female placed on probation for a felony drug related offense. She began attending classes at the Sacramento City College Student Learning Center and became so motivated that she started helping other program participants with their studies. Tricia switched from SCC after 145 hours of class time to the Sacramento Skill Center in order to participate in a hazardous waste disposal certification program. She completed an eighty hour course of instruction at the Skill Center before switching, once again, to another program emphasizing heavy equipment training related to hazardous waste removal. Although her probation expired before she completed her studies, Tricia continued to contact the probation officer, and recently finished her GED certification.

Denise is a twenty-nine year old female placed on probation for felony drug related offenses. Denise entered the program as a single mother of two young children who is trying to help a chronically invalid parent. She struggled for three years to complete a total of 287 hours at the Sacramento City College Learning Center before dropping out of school to care for her mother and attempting home study of the GED requirements. Although Denise ultimately demonstrated only 1.4 grade level improvement, her dogged determination to make progress was frequently noted by all those who worked with her.

Steven is a twenty-six-year-old male who was placed on probation for felony assault with a vehicle. Steven entered the program as a married father of a young child who, because of child care problems, arranged to have his young daughter accompany him to GED study classes and Probation Department job development seminars. Steven subsequently secured full-time employment with a local video distributor and is presently studying nights toward completion of his GED certificate (four out of five tests are completed).

Steve is a twenty-three-year-old male placed on probation for felony burglary. Steve immediately secured employment upon his release from jail and began working at two part-time jobs, in addition to pursuing a GED certificate. He earned his GED certificate in November 1993 and is trying to decide what type of local career college to attend. Steve's restitution obligations preclude his termination from probation at this time.

Kyla is a twenty-four-year-old female placed on probation for felony drug offenses. Kyla is a single mother on welfare who

also has responsibility for helping her mother and the children of an absent sister. Kyla began classes at Sacramento City College, attending only 32 hours before dropping out and incurring a violation of probation for a new drug offense. She completed her subsequent jail sentence and re-enrolled at SCC for a short time before being transferred, due to a need to find work. Kyla found employment as a nurse's assistant and continued to contact the probation officer intermittently, eventually earning her GED certificate in February 1994. Kyla is a good example of someone who initially failed to avoid further criminal involvement, and then later felt a renewed commitment to improving her personal situation.

Teng, a twenty-year-old immigrant, was referred to the Sacramento Chinese Community Service Center where he was placed in the work experience program at California Middle School as a janitor. This was the young man's first significant job. He had prior "odd job" experience doing gardening, which included raking, hoeing, mowing lawns, and operating a weed eater. On his first evaluation, he was rated "very good to excellent." His employer commented that he "works diligently, completes tasks as requested, works on his own or with a group effort, takes on additional responsibility and seeks additional challenges." After this work experience contract expired, he was again placed by the employment agency as a cabinet maker/woodworker and continues to be employed to date. While employed, this probationer continued to attend classes and complete 200 hours at the Learning Center at American River College. More significant than these accomplishments was the noted increase in the self-esteem and confidence acquired by this young man. His diligence and motivation paid off, and he successfully completed the JurisLIT program.

Steve, a twenty-six-year-old male whose wife worked full time, leaving him to assume the majority of the child care responsibilities for his eight year old daughter, managed to attend a majority of the job workshops by being allowed to bring his child to the class. This individual's biggest barrier to success was his inability to follow through with his career goals. Every few weeks he had a new "get rich" scheme. Eventually he was able to focus his career goals and secure full-time employment, where he could use his inventory and customer service skills. He is earning approximately \$7.50 an hour, accruing vacation time and has health care benefits. He is extremely happy with his employment. Currently, he has passed four of the five tests required to earn his GED certificate. With the structure and guidance

provided by the JurisLIT program, this young man made good progress attaining his education and employment goals.

Louis, a nineteen-year-old male, without much family support or guidance, but with an interest in pursuing his education, recently attained his GED certificate and is currently enrolled at American River College under the scholarship program. Louis requires a great deal of supervision, but responds when given structured limits. He has been experiencing some problems with completion of his homework assignments and tardiness. The school counselor is aware of his need for guidance, and it is hoped with continued monitoring he will progress through college.

Senior Deputy Probation Officer Kenneth E. Brown summarized the situation and identified the inherent value in the JurisLIT program when he reported as follows:

Each of the examples involves a probationer who was not visibly motivated to change his/her educational status before being assigned to the JurisLIT program. Although there are numerous adult education and career counseling opportunities available in the community, probationers have been unmotivated to effect change on their own. The probation framework offers an opportunity for officers to apply pressure to those probationers who have the basic ability to succeed, but don't have the personal willpower or "know-how" to initiate and continue the educational process. The ability of officers to offer the "carrot" of early release from probation in return for educational success has resulted in many probationers deciding to earn diplomas or GED certificates. The fact that some probationers are involved in the program just to secure an early release does not negate the fact that they will be better equipped to become productive, law-abiding citizens.

On the other hand, there were, undeniably, many cases in which probationers failed the JurisLIT program, when assessed by any criteria. Some brief, case histories of these failures are as follows:

Rhonda, a twenty-eight-year-old female, with an eight year substance abuse problem associated with her addiction to methamphetamine, proved to be an inappropriate candidate for the JurisLIT program. She continued to abuse drugs even after the probation officer had secured enrollment for her in a program to increase her clerical and computer skills. It was hoped that, with training, she could improve her typing skills from approximately 30 words per minute to 45 words per minute, in order to compete for a job as a relay technician for the deaf. She was told that enrollment would have to be delayed until she could demonstrate successful participation in a drug

rehabilitation program and submit negative urinalysis test for substance abuse. Rhonda continued to abuse methamphetamines and to associate with other substance abusers. She is currently pending her second violation of probation hearing.

Aaron, the first participant in the JurisLIT program, is a 22 year old male. His current residence is a California State prison.

He was granted four years probation on March 26, 1990, for possession of narcotics. Probation orders included all standardized drug orders as well as the directive that he participate in the JurisLIT program.

Aaron enrolled at Sacramento City College on April 24, 1990. He attended school regularly through August 16, 1990, completing 17.4 hours. He never returned to school again. In addition, he failed to report to the probation officer. A violation of probation was filed, but he failed to appear and a bench warrant was issued.

He was arrested on the bench warrant and returned to Court, and then was reinstated to probation on his original terms and conditions, and ordered to contact his probation officer immediately regarding JurisLIT.

Aaron failed to do so. He was located and advised that he'd been reinstated to probation and arrangements were made for him to report on five consecutive Mondays to submit urine samples. Aaron failed to report and worked hard at avoiding surveillance.

A second violation was alleged, based on JurisLIT failure, failure to keep appointments for urinalysis testing, and failure to keep scheduled appointments at his home and in the probation office. Aaron failed to appear for Court; a bench warrant was issued and probation was revoked.

On November 8, 1990, the subject was arrested. On December 7, 1990, he was sentenced. He was reinstated on probation, ordered to serve 120 days credit time served 30 days. The JurisLIT order was deleted.

He was subsequently rearrested in October 1991, for transportation of narcotics. He appeared in Court on July 1, 1992, when he was sentenced on the new charges, and this probation case, to three years State prison.

Experience Elsewhere

Shortly before the inauguration of JurisLIT in Sacramento County, the State of Arizona began a similar, but more extensive, far more enriched, program in several county probation departments.¹

The Arizona program, which is known as the Literacy, Education, and Reading Network (LEARN), not only includes the literacy training element which was the basis for JurisLIT, but, in addition, contains a program known as PALS. PALS is an acronym for "Principle of the Alphabet Literacy System." It is an innovative, computer-based literacy training program developed by IBM. Unlike the literacy training program within JurisLIT, the PALS program incorporates touch typing and word processing skills.

One of the Arizona departments which pioneered the program has been the Pima County Probation Department in Tucson. Approximately 1,000 offenders per year participate in the Tucson-based program, and since 1988, approximately 4,500 persons have participated.

Unlike JurisLIT, which was funded for only a limited time, and which now faces possible discontinuation due to a lack of funds, the Tucson program is funded on an ongoing basis by the State of Arizona. Seventy five percent (75%) of its funds come from the Arizona State Supreme Court, and twenty five percent (25%) are provided by the Arizona State Department of Education.

Also unlike JurisLIT, which provided funds for probation officers and evaluation only, the Arizona program provides funding for an educational component in the Probation Department. At present, the Pima County Probation Department staff includes nine educators who, in addition to probation officers, work on the program.

At present, some sixteen states are reportedly looking at the possibility of replicating the Arizona program - among them Texas, Florida, Montana, and Nevada.

¹ Information provided by Gayle R. Siegel, Program Manager, Education Services, Pima County Probation Department, Tucson, Arizona

Like JurisLIT, the Arizona program is evaluated on the basis of recidivism, but with a significant variation. In Arizona, recidivism is restricted to **felony arrests/felony convictions only**, whereas, in JurisLIT, recidivism includes any offense - perhaps even an incident which began as an infraction.

Evaluation of the Arizona program reveals that nearly seventy percent (70%) of those offenders who graduate from the PALS course are able to complete their terms of probation successfully, as compared with some forty one percent (41%) of the offenders who "dropped out" of the program, and with some forty six percent (46%) of the offenders who were assigned to a control group.

When examined in terms of the GED component, some seventy five percent (75%) of the GED graduates completed probation successfully, as contrasted to some forty one percent (41%) of the GED "drop-outs" and some forty six percent (46%) of the control group.

When examined in terms of one of the factors within Arizona's definition of recidivism - namely **felony arrests** - PALS graduates experienced an arrest rate of only twenty three percent (23%), while the PALS "drop-outs" had a rate of twenty seven percent (27%) and persons in the control group had a rate of thirty six percent (36%).

When examined in terms of the other factor included with Arizona's definition of recidivism, **conviction of a felony**, PALS graduates had a conviction rate of eight percent (8%), while PALS "drop-outs" had a rate of sixteen percent (16%), and the control group had a rate of ten percent (10%).

GED students were also examined in terms of new **felony arrests** and new **felony convictions**. Only nine percent (9%) of the GED graduates sustained a new felony arrest, as contrasted to twenty percent (20%) of the GED "drop-outs" and thirty six percent (36%) of the control group.

Finally, the data relative to new felony convictions revealed that zero percent (0%) of the GED graduates sustained a new felony conviction, as contrasted to nine percent (9%) of the GED "drop-outs" and ten percent (10%) of the "drop-outs."

Arizona's program is significantly different than JurisLIT in yet another way. In Arizona, any offender over the age of eighteen may participate. In JurisLIT, participation was restricted to offenders between the ages of eighteen and thirty.

The Arizona experience has value for JurisLIT in that it reaffirms the value of a multi-phased program, such as JurisLIT eventually became, although JurisLIT was originally designed solely as a literacy training effort.

The Arizona program also has value, in that elements from both JurisLIT and the Arizona effort, when combined, provide "futurists" with a "blueprint" for a model.

In general, the differences and similarities between JurisLIT and the Arizona effort are as follows:

<u>Issue</u>	<u>Arizona</u>	<u>JurisLIT</u>
State funded?	yes	yes
Permanent funding?	yes	no
Literacy training?	yes	yes
GED program?	yes	yes
Education unit in Probation Department?	yes	no
Touch typing and word processing training?	yes	no
Age restrictions?	over 18	18-30
Definition of recidivism	felony only	any offense
Operates in concert with jail- based educational program?	yes	yes
Job development training?	no	yes
High school graduation program?	no	yes
Trade school program?	no	yes
"Spin off" scholarship program at community college?	no	yes

The "READ-OUT" Program:

As the JurisLIT program was being launched, there was, in the embryonic stage, another, closely related program entitled "READ-OUT." The JurisLIT program began in March 1990, and the READ-OUT program was begun on October 9, 1990, as a joint effort of the Elk Grove Unified School District-Adult Education Program, the Courts, and the Sacramento County Sheriff's Department.

READ-OUT became a reality, in large measure, because of the vision and leadership of then Municipal Court Presiding Judge John R. Lewis who felt it to be an important complement to JurisLIT.

Educators and judges have both noted that the JurisLIT program played an important role in "paving the way" for READ-OUT. As one jurist, who was present at the birth of both programs, noted, "The early work of the JurisLIT program, and its efforts to educate the bench about literacy matters, greatly enhanced the Court's receptivity towards the READ-OUT program."

While the two programs were designed to provide services in two distinct settings, they often served the same offender population, and a close working relationship existed between the two programs. In many instances, the offender began his/her literacy training while in custody, and then continued that effort when released on probation. During the lifetime of the JurisLIT program, the Principal of the Adult Education Program and her staff members frequently attended meetings of the JurisLIT Task Force and offered encouragement, advice and counsel.

In late 1993, there were 259 inmates enrolled in the READ-OUT program, 185 males and 74 females. Of the inmates to whom the program was available, this represented a 29% participation rate for the males and a 37% participation rate for the females, with an overall participation rate of 31.3%. The total number reflected a slight decline from the previous year; however, this was consistent with the decrease in inmate population at the facility. As a percentage of the population, school participation was comparable with that of previous years, and it was anticipated that enrollment will increase with the addition of new classes.

In late 1992, 263 inmates were enrolled in classes. Compared with the prior year, which was the first year of the program, 1992 showed an overall increase of 81.4% in enrollment: a 66.4% increase for the males and a 126.3% increase for the females.

Total annual enrollment for the first year of READ-OUT was 890. In the second year of the program, 946 inmates enrolled, representing a 6.3% increase. The third year of the program showed significant gains in student enrollment, with 1,294 individuals

registering for school. This was a 46% increase over the first year figures and a 37% increase over last year's enrollment.

The READ-OUT program is an in-custody literacy and education incentive program intended to reduce crime, enhance literacy, improve education attainment, diminish correctional costs, and reduce jail overcrowding.

By participating in school through this program students/inmates may earn early releases in three ways:

1. Fifteen hours of active classroom participation can earn one day off up to a maximum of two days off earned in a month.
2. For those who do not already have a high school diploma or GED, completing the requirements to obtain either one can earn the inmate up to 10 days off, provided that he/she has completed at least 75 hours of adult education classroom work.
3. Students identified as functionally illiterate (reading below the fourth grade level) can earn four days off his/her sentence for each increase in reading grade level, up to a maximum of 10 days. Again, the student must have positively participated in at least 75 hours of adult education classroom work.

The maximum number of "days off" any student can earn is twenty.

As with the JurisLIT program, the GED certificate has become an important aspect of the READ-OUT program. The GED diploma is Federally sanctioned and looked upon as the equivalent of a high school diploma by many employers and state agencies. It therefore represents an important accomplishment in the lives of many people. The test is made up of five parts: Writing skills, social science, science, literature and mathematics. The examinee must pass all five sections in order to receive the GED diploma. An inmate in the READ-OUT program may earn ten days off his/her sentence by passing the General Education Development (GED) test.

Each year READ-OUT participants demonstrated high interest in the GED. During the first year, 120 GED certificates were issued and the second year saw 144 certificates issued. The third year had an increase to 174 graduates out of a possible 228.

The tracking of those individuals who completed their GED programs, to determine whether the certificates were of value in achieving outside employment, would be of great value in assessing the program; however, many inmates prefer to disassociate themselves from all jail contact after their release.

Additionally, after having many of their daily needs taken care of and their decisions made for them during incarceration, many people find that returning to society requires considerable readjustment and refocusing of priorities. Often the goal of employment becomes secondary to immediate needs such as food, clothing, and shelter. This factor could also explain why only three individuals took advantage of the opportunity offered by Elk Grove Adult Education last year for inmates to complete their GED testing at no cost after their release.

If the offender were released on probation, and if the JurisLIT program is to continue, the "tracking" of these individuals would be technically possible. However, when the offender is released without probation, and, in the absence of the JurisLIT component, and the absence of any research capability by the Probation Department, there appears to be little opportunity to assess the impact of the GED program upon the offender's life.

The success of the READ-OUT program is further illustrated by the fact that, over a two year period, tax savings (i.e. achieved through a reduction in the number of custody days in the County Jail) have amounted to almost \$750,000. Moreover, recidivism appears to have been reduced by up to one third for those participants who pursued their literacy efforts to include receipt of a GED certificate.

In 1992, the Elk Grove Unified School District and its adult education staff planned and filed a Federal grant request with the United States Department of Education. Titled "Literacy, Local Corrections, and the Law: A Vision for Achievement, Accountability, and the Future," it was to be an extension of READ-OUT. The ideas and programs anticipated for the project were to be shared with local probation and corrections agencies throughout the nation. Extending what is now an institutional tradition in

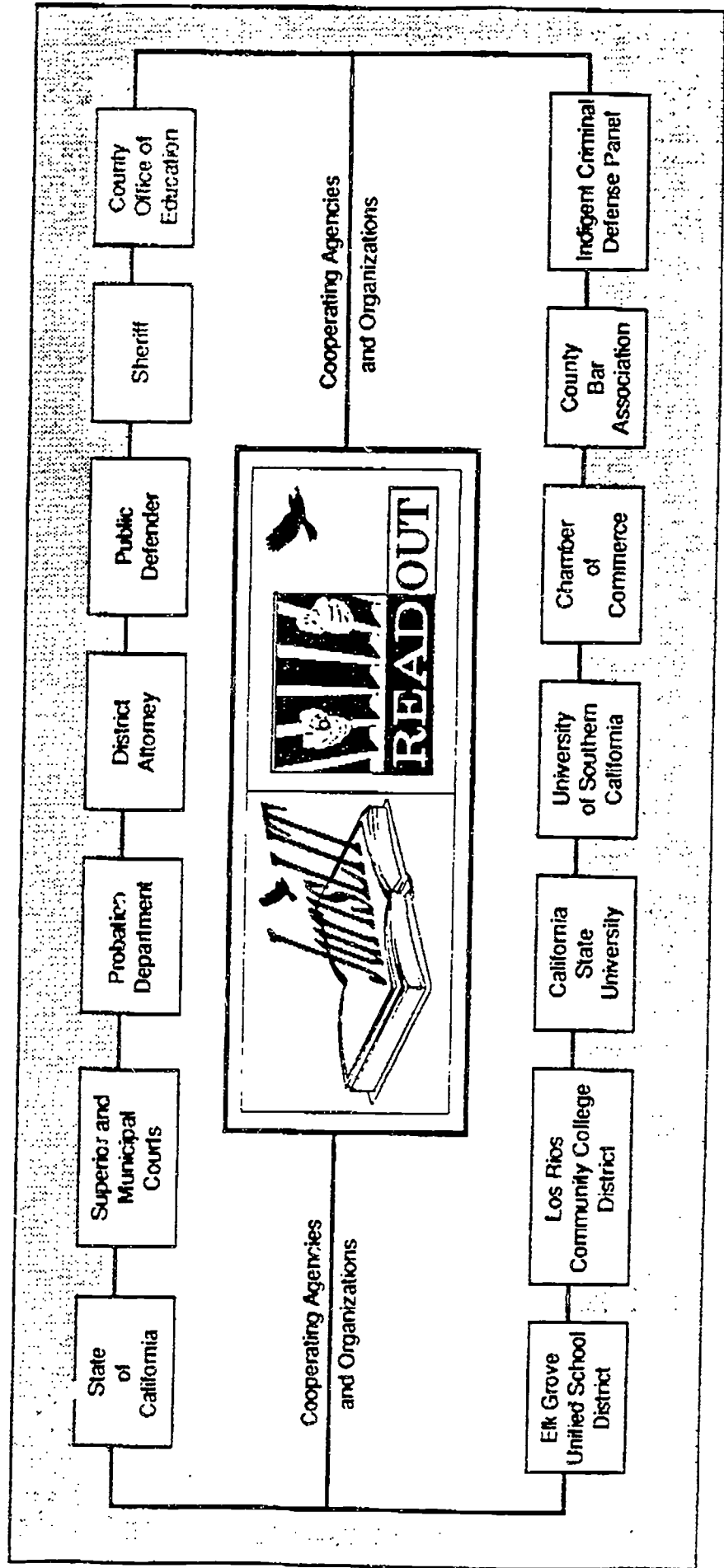
Sacramento, the grant contemplated communication and collaboration with leading legal and judicial organizations. Bi-partisan support for the project came from Congressmen John Doolittle, Vic Fazio, and Robert Matsui. Although this project was not funded, the Elk Grove District plans to continue its efforts to expand READ-OUT.

The collaborative, interagency relationships between JurisLIT, READ-OUT and numerous other programs and entities are illustrated by the diagram at the end of this chapter.

In summary, the JurisLIT program was pleased to have provided encouragement and support for the very successful READ-OUT program. Unlike the JurisLIT program, for which funds were provided for only a limited time, the READ-OUT program continues to serve the offender population, with ongoing funds generated by the student attendance factor (ADA).

JurisLIT and READ/OUT

Multi-Jurisdictional Projects to Improve Literacy,
 Increase Employment, Diminish Jail Overcrowding, and Reduce Crime
 in Sacramento County



Educational Opportunities for Probationers -
Sacramento Superior and Municipal Court Involvement

The Sacramento Superior and Municipal Courts, together with all local criminal and juvenile justice agencies, continue to pursue the development of innovative educational and crime prevention programs. Under the direction of the Criminal Justice Cabinet, various subcommittees of the Cabinet are in the process of evaluating existing youth and adult offender programs, eliminating or modifying those programs, and proposing new programs. Those subcommittees to the Cabinet include the Intermediate Punishments Committee, the Drug Court Steering Committee, and the Juvenile Institutions and Programs Committee. Most programs being proposed by those committees have an offender education component to them. Examples include:

1. A recently proposed drug court will include an intensive drug and education and treatment approach in lieu of prosecution for certain qualified, non-violent drug offenders. Additionally, the drug court will provide education for those needing it in the areas of parenting, vocational training, anger/stress control, academic/GED advancement, and a variety of social skill needs of the offender.
2. The domestic diversion program currently provides education and counseling to couples and family members confronting violence in the home.
3. The statutory drug diversion program provides a specified number of hours of drug education and counseling for those meeting the statutory criteria to obtain dismissal of charges upon entry into the program.

In addition, the Court continues to participate in the READ-OUT program. The READ-OUT program, which is described in detail elsewhere in this report, is an in-custody literacy and education-incentive program for inmates housed at Rio Cosumnes Correctional Center. By participating in school while in custody the students may earn an early release of up to 20 days.

In addition, through the READ-OUT program, a number of rehabilitative and vocational classes are offered to the inmates. (Please see "Experience Elsewhere" section of this report for a more extensive explanation of the program.)

Also, under the auspices of Judge Lloyd G. Connelly, the Court has participated in a program through American River College in which specified probationers are provided scholarships to pay for the cost of tuition, books, child care, and transportation. The same probation officers who administer the JurisLIT program serve as field officers for the probationer in this program. Currently, 14 students are receiving scholarships and are in school.

placed on gaining employment skills, rather than job placement itself. The job workshops provided the following information:

- setting priorities and personal goals;
- defining and obtaining self-esteem;
- reaching goals that have been set;
- being motivated and ambitious;
- filling out an application properly and completely;
- compiling information pertinent to all applications;
- understanding the process in which the application is used;
- learning techniques and composition of a good resume, cover letter, thank you note, etc.
- learning to identify the resume as a job seeking tool;
- preparing a resume which will highlight their "transferrable skills" and assets;
- learning the dos and don'ts of interviews;
- preparing for the interviews;
- learning how to communicate effectively through body language and appearance;
- participating in mock interviews;
- learning how to research employers prior to the application and interview;
- learning how to identify areas where job opportunities exist and recognizing sources to which they may already have access (networking);
- learning how to conduct informational interviews;
- learning proper telephone techniques and etiquette;
- being persistent in follow-up with job leads through phone contact and letters;
- budgeting money;
- dealing with barriers such as child care, transportation; substance abuse, etc.

The following agencies/employers were contacted and volunteered their time to speak at the job workshop seminars to explain their programs, give tips for employment, and motivate the probationers:

- The Mexican-American Alcoholism Program;
- Educational and Business Micro-Computers, Inc.
- Employment Development Department;
- Private Industry Council;
- Sacramento Job Corps Center;
- Sacramento City Unified School District/Skills Center;
- San Juan Employment Center;
- Bel-Air;
- La Familia;
- Grant Union High School (Campus Verdes);
- UCC Lincoln Training Center;
- Community Connection;
- Job-Out (Rio Cosumnes Correctional Center).

The Job Scene

Fundamental to the development of the JurisLIT program was the realization that, in order to become employed in today's increasingly-complex society, individuals must have the ability to read and write. Additionally, it was recognized that, in order to become productive, law-abiding citizens, individuals must be employable.

Accordingly, as required by the enabling statute, and as an important ingredient in the JurisLIT program, there was established a "job development" program. The responsibility for this effort fell to Senior Deputy Probation Officer Janine Keefer.

After the program was established, referrals were made to it by other probation officers. Initially, referrals to the program were restricted to JurisLIT participants, but, as other officers and other offenders learned of the program's success, the services were also made available to them.

An assessment of the probationers' interests, job skills, educational level and motivation for success was performed. Initially, probationers were seen individually and in small groups. As the program progressed, job seminars were scheduled and guest speakers were presented. Areas of focus were pre-employment skills (i.e. motivation/goal-setting, master applications, resume writing, interviewing, job search and job placement). More specifically, the participants were taught techniques for planning their futures. Discussions involved how to match one's abilities, interests, and preferences with possible career choices, where to look for a job, how to apply, and how to conduct oneself in an interview. And, finally, it was emphasized to the participants how to keep a job by learning good basic work habits.

It became apparent that the majority of those probationers assigned to the JurisLIT program were so lacking in pre-employment skills, due to their low literacy levels, that an emphasis was

The officer also concentrated on establishing collaborative efforts with SETA (Sacramento Employment Training Agency), EDD, The Program Operators Association, The Community Resource Council, and The Job Developers Consortium to place probationers in employment programs. Furthermore, she continued to conduct weekly job workshops and meet with probationers individually to discuss their special needs. In addition, employment announcement boards were established at both Probation field offices.

The majority of the probationers were dealing with significant barriers to success. Those barriers included long term substance abuse, homelessness/transiency, strong gang affiliation, lack of child care, lack of reliable transportation, poor hygiene/proper clothing, etc. Of those probationers who participated in the job workshops, many expressed an appreciation for the referrals to employment services.

The "job development" aspect of JurisLIT is another example of ongoing benefits from the program. Although funding for the JurisLIT program ceased on March 31, 1994, the same coalition of employment-related, public and private agencies continues to meet regularly and is known as the Community Resource Council. Without the motivation of JurisLIT, it is highly doubtful that this body would ever exist.

The fact that many previously-unemployed probationers were able to locate employment during the most severe economic recession experienced in California since the Great Depression of the 1930s, is testimony to the effectiveness of the job development aspect of the JurisLIT program.

Libraries

When AB 1870 was enacted, creating the JurisLIT program, it required, among other things, an assessment of existing library resources, those in construction, and any library resources planned for local juvenile and adult correctional facilities.

A survey of existing local juvenile and adult custodial facilities revealed the following:

Sacramento County Boys Ranch

The Sacramento County Boys Ranch opened a new library on December 23, 1992. The new library has been furnished with approximately three hundred (300) new books geared to motivate the wards to enjoy reading. The library is stocked with multi-cultural books, lower level readers, and some "look" books for those individuals who have very limited reading skills. Included within the library are science fiction books, National Geographics, encyclopedias, fiction, auto mechanic books, books on horticulture, romance novels, and some autobiographies.

Juvenile Hall

The school program has no existing library within the Juvenile Hall and detainees are not allowed to check out books from the classrooms.

However, the Juvenile Service Council-Volunteers in Probation has been donating paperback books to the juvenile facilities (Juvenile Hall, Warren E. Thornton Youth Center, Morgan Center, Boys Ranch) for the past twenty-five years. The Post Office also donates magazines which are divided among the juvenile institutions. Currently, the Juvenile Service Council is working on a program to involve community groups in sponsoring youth oriented magazine subscriptions to the juvenile institutions.

In November 1992, two libraries were opened at the north end of Juvenile Hall. Also, two libraries are planned to open at a later date in the south end units.

The library within the boys' unit opened in November of 1992. Topics include some reference books (a GED manual, career planning books, books on writing resumes, etc.), and books pertaining to muscle development, auto mechanics, sports, science fiction, fiction, biographies, and some books written by ethnic writers. A portion of the books is geared for lower level readers in order to meet the needs of this population. Currently on order by request from the male detainees are books on animals and a set of encyclopedias. The reference

books remain within the library, but the general reading books can be checked out by the detainees and taken to their rooms.

The library within the girls' unit opened in mid December 1992, and contains approximately four hundred to five hundred new books. Topics include books about the female body, child care, child development, GED manuals, romance novels, science fiction, mysteries, biographies, and some books written by ethnic writers. Additional books are still on order. Again, a portion of these books are geared for those with lower level reading abilities.

Thus far, the detainees have expressed a great deal of interest in the new books and the general response to the libraries has been good.

Warren E. Thornton Youth Center

The Center's library consists of more than 200 books, some of which have been purchased. In addition, there are magazines donated by the Post Office and paperback books, Bibles, Narcotics Anonymous and Alcoholic Anonymous books donated by the Juvenile Service Council, staff and community organizations. Books may be checked out by the wards, and a staff member is assigned to "librarian" duties, assisted by a ward.

William K. Morgan Center

The teaching staff utilizes the library at the Education Media Center at the County Office of Education to rent media equipment/videos, and check out State adopted textbooks for the detainees. The Morgan Center consists of two classrooms, each of which contains a library of various books (approximately three hundred), such as nonfiction, fiction, ethnic reading, criminal justice materials, three sets of encyclopedias, dictionaries, and a Thesaurus. The population at the Morgan Center is a very transient population which ranges from approximately twenty-two to thirty juveniles. One classroom serves juveniles fifteen (15) to eighteen (18) years and the other classroom serves juveniles fourteen (14) years and younger. Magazines and paperbacks are allowed in the units and are donated by community volunteer workers.

Rio Cosumnes Correctional Center

The main library consists of approximately two thousand five hundred donated books. Topics include fiction, Readers Digest, Bibles, and approximately five hundred reference books, including remedial books, nonfiction books, and encyclopedias which are outdated (1967-1972), but are still usable.

The women's library consists of approximately three hundred books, most of which are leisure reading, with some limited sources of remedial books.

There are six classrooms (five male, one female) which contain a variety of older textbooks (English, math, science, economics, business, political science, etc.), and college catalogs which can be checked out by the inmates.

The Rio Cosumnes Correctional Center Inmate Law Library is available to all inmates by appointment only. Law resources include a Prisoner's Rights Source Book/Prisoner's Rights Handbook. Legal books and materials may be requested and delivered to the inmate's housing unit pending their availability.

Sacramento County Main Jail

The main library consists of approximately three hundred to five hundred high school curriculum books (English, math, history, science, psychology, health, government, etc.) dated from 1972 to present. The detainees are seen by a teacher in groups of up to three or four at a time. The detainees are enrolled in an Independent Study Program and assisted toward achieving their high school diploma or GED certificate.

The Law Library consists of approximately seven hundred fifty to one thousand legal books. The legal materials contained in the library were recently updated to include the most current editions. The library is available to all the inmates by appointment only. Priority is given to the Pro Per cases (those inmates representing themselves). The legal materials are divided by State and Federal/National Codes, rules, cases, digests, treatises, citators, dictionaries, and self-help law books.

Educational Programs for Offenders

Educational programs for youthful offenders under 18 years of age in Sacramento County are similar to those in other California counties as they are mandated programs to be provided by the respective County Office of Education. For incarcerated youth, educational programs are provided by the Sacramento County Office of Education in four Probation Department facilities:

Juvenile Facility

Juvenile Hall
Warren E. Thornton
Youth Center
William K. Morgan Center
Sacramento County Boys Ranch

School Program

El Centro Junior/Senior High
Esperanza Junior/Senior High
Morgan Junior/Senior High
Carson Creek Junior/Sr High

Each of these schools is operated year-round providing on the average 240 days of instruction. On a daily basis there are approximately 365 total youth in attendance at the four sites combined.

For many youth, these educational programs offer a continuation in their junior or senior high education which has been interrupted by incarceration. For others, the educational experience represents a chance to catch up on skills and content they have missed because of irregular school attendance before incarceration. Because the awarding of credits is done in smaller units than the typical five units of credit given for a semester course in traditional high schools, students can acquire credits even in a brief stay which can make high school graduation more of a possibility when they are released and return to a regular school.

A large number of the youth (16 and older) have earned so few high school credits by the time they are incarcerated that earning a high school diploma based on amassing the needed credits is unachievable. For these students, the General Education Diploma (GED) examination is a more realistic goal for certifying

accomplishment of high school level education. The GED examination is available to youth at all facilities.

After being released from one of the Probation Department operated facilities, the majority of the students under 18 return to regular schools (junior or senior high schools in their home communities). For some students, both from the parent and student perspective and/or their home school perspective, the regular high school is not an ideal place for them to continue their education. Recognizing this problem, the Sacramento County Office of Education established Community Schools in 1984. These are a category of schools provided for legislatively that are operated by County Offices of Education to serve the special needs of high risk youth, especially those on probation. In the past 10 years the County Office has operated from two to five such schools in non-traditional school facilities such as office complexes, strip malls, or other mixed use community locations. Classes tend to be smaller than regular high school classes with a high adult to youth ratio. For several years in a collaborative arrangement, a probation officer has been an on-site staff person at the larger of the Community Schools. The goal of these programs is to increase student motivation to attend school regularly, develop good study habits, fill in missing credits, and transition students back to their regular high school at an appropriate time. GED training and assessment is also provided at the Community Schools.

All Sacramento County Juvenile Court and Community Schools are able to award high school diplomas for those who complete their requirements while attending one of the schools. During 1992-93, 14 high school diplomas were awarded. During the same time period, 112 Juvenile Court and Community School students took the GED examination. Eighty percent or 90 of these students passed the examination.

None of the programs described above is particularly unique within California. An outgrow or extension of these programs called **Linkage to Education** is atypical and exemplary. Begun about seven years ago, Linkage to Education has sought to raise the expectations and horizons of young people incarcerated or on

probation and enrolled in one of the Court Schools or Community School programs. Using a one-on-one, "counseling" and advising approach, students were encouraged to set their goals on attending a community college and then transferring to a four year school. The coordinator of the program, individualizes his services to motivate and guide young people in applying for college (community college or four-year college), applying for financial aid if needed, planning schedules, organizing personal aspects of his/her life to assure success in school, and being on-call to resolve school and personal problems. This program has received local, state and national recognition for its success but providing stable funding has been an on-going problem. Since its inception there have been approximately 250 young people enrolled in college through participation in the Linkage to Education program.

Educational opportunities for adult offenders in Sacramento County jails are provided by the Elk Grove Unified School District through the adult education program. Average Daily Attendance (ADA) revenue is the major funding mechanism for the programs through the state. The Inmate Welfare Funds have provided a secondary source of financial support. There are two locations for these programs: the main jail used for pre sentencing holding and the Rio Cosumnes Correctional Center (RCCC) for post sentencing incarceration of men and women.

In the main jail, education is offered through independent study. This seems the best approach given the rapid turn-over of the inmates and the lack of space. There are two part-time teachers who provide independent study with materials and instructional activities appropriate to the educational needs of each person. Brief individual sessions are held in a common room that is used for other purposes. Inmates then take the materials back to their cells to do their own reading and work. All inmates, even those in maximum security, can avail themselves of the independent study program. A seven hour parenting group is also offered to interested inmates also sponsored by Elk Grove Adult Education and sanctioned by the courts to meet court ordered parenting class requirements.

A much more ambitious and successful educational program is provided at RCCC. As recently as five years ago, there were three staff members. Today there are nine certificated staff members and three support staff (two clerical and one paraprofessional instructional aide). The program has evolved and become more integrated into the regimen of the facility run by the Sacramento County Sheriff's Department. Now as part of the orientation to RCCC, all inmates are tested for basic skills in reading, writing, and mathematics. Those who have not finished high school, have not obtained a GED or who score low particularly in reading are encouraged to enroll in the school program. Through collaborative work with the Sheriff's Department, school attendance can serve as a "job;" i.e., inmates who need literacy training (based on test scores) are required to attend school as their assigned job.

The GED preparation program is seen as perhaps the most important aspect of the RCCC educational program. Inmates see that there will be positive consequences for their future if they can obtain a GED. GED testing is provided and the rate of passing is quite high. For example between October 1992 and April 1993, 194 GED certificates were issued representing a 98% passing rate among those who took the examinations. For some inmates, the length of time at RCCC is not sufficient to do GED preparation and then take all parts of the examinations. Elk Grove Adult Education, recognizing this as a problem, has extended the opportunity to complete the examination after they have been released at no additional charge.

Another component of the RCCC educational program is the literacy program. Students eligible for this program are those who score below the fourth grade in reading on a standardized, norm referenced assessment, the TABE (Tests of Adult Basic Education). The TABE, by design, is the same instrument used in determining pre and post reading score levels for JurisLIT participants. By recognizing that there was a group of inmates with low skill levels in mathematics, reading, and writing, special efforts were made to reach out and make such inmates feel comfortable about improving their skills. GED preparation is not an attainable short-term goal

for literacy students. Instead the goals are to motivate and provide instruction to help them to acquire and improve basic skills. Since the literacy program was initiated, these students constitute approximately 8 to 10% of all of those enrolled in the RCCC educational program. Based on pre and post testing on the TABE the average gains for the 1992-93 school year were: 1.9 years in reading, 1.6 years in mathematics, and .5 year in writing.

During October 1990, inspired by the focus that the newly initiated JurisLIT program was placing on the role of literacy in working with youthful and adult offenders on probation, a special program was begun at RCCC with a similar focus on literacy. The program, called READ-OUT, sprang from the same premise that illiteracy and/or low educational attainment was a frequently occurring characteristic of those convicted of crimes. The special features of the program were that through participation in the educational program at RCCC, inmates could decrease their term of incarceration. Both GED preparation and literacy students are eligible for READ-OUT participation. During the first 12 month period, 890 inmates received reduced sentences of an average of 5.7 days per person. By the end of the third year, 1,294 students had been enrolled in the program.

One additional component of the educational program at RCCC is the personal growth classes. These are seen as a positive adjunct to the academic classes and focus on the effects of substance abuse on the individual and the family. Topics covered include co-dependency, communication, recovery, self-esteem and domestic violence. There seems to be a positive relationship between those who participate in the personal growth classes and progress in academic subjects.

Data Source: READ-OUT: Annual report of the "READ-OUT" program at the Rio Cosumnes Correctional Center, Elk Grove Unified School District, 1992-93.

"Trial and Error"

When the JurisLIT program was created, it established a "trial and error," "pilot" program, designed to test hypotheses, to experiment, and to make modifications.

As the program developed, there were a number of significant changes, most of which improved the program. Coincidentally, most of the changes were reinforced and validated by the experience of the similar program in Arizona.

Perhaps, the most significant change in the program was in respect to content. As originally envisioned, JurisLIT was to provide literacy training and job development only. In the early months of the program, however, it was suggested by a number of participants that, in addition to their exposure to JurisLIT, they wished to complete the GED program or, in some cases, to receive a high school diploma, or even to attend college or a trade school.

Those persons who operated the JurisLIT program were to learn a lesson. The JurisLIT participants, while mostly appreciative of that program, also wanted a program which provided some tangible evidence of success - namely, a GED certificate or a high school diploma. In some cases, the desired item was a certificate from a trade school.

Accordingly, arrangements were made for the literacy students, whose academic appetite had been "whetted" by the JurisLIT experience, to enroll in GED programs at local adult education centers, in various trade schools, or in continuation high school programs which granted a diploma.

Cumulative records reveal that 177 JurisLIT participants enrolled in GED programs and that 69 received GED certificates, and many others continue to be participants in the GED effort.

Similarly, records reveal that 17 JurisLIT participants enrolled in high school classes and that three (3) received diplomas.

Also, cumulative records reveal that 74 JurisLIT participants enrolled in colleges and that 20 enrolled in trade schools.

Another major change in the JurisLIT program was in respect to the age of eligible participants. As originally written, the enabling statute required that the offenders be between the ages of 18-25. Soon, however, the Courts and individual offenders over the age of 25 expressed a desire to widen the age of eligibility.

Specifically, it was noted that a number of offenders, between 25 and 30 years of age, had expressed interest in the program. At the same time, the County's Superintendent of Schools, who chaired the JurisLIT Task Force, unveiled some research which illustrated that the "optimum" age at which "drop outs" return to school is 27. Accordingly, Assemblyman Leslie successfully sought an amendment to the law, and the program was made available to numerous, additional offenders.

Perhaps, the most rewarding modification of the JurisLIT program occurred in late 1993. At that time, a local judge, acting unofficially and at his own expense, created a series of scholarships at the American River College. The judge was able to secure additional donations for the program from fellow members of the local Bar. In early 1994, this special scholarship program was inaugurated, and seventy five percent (75%) of the charter scholarship students were graduates of the JurisLIT program.

Not all of the changes in the JurisLIT program were universally viewed as positive. For example, when the program was designed, it was envisioned that the JurisLIT training would be a required condition of probation - just like many other conditions of probation. Further, it was expected that failure to abide by the JurisLIT condition of probation would, like any other failure on probation, be the subject of disciplinary action by the Courts.

It is interesting to note that, as the JurisLIT concept was developed, it was endorsed by virtually all segments of the County's criminal justice system, as well as by educators and others. Among the entities which endorsed the program was the County's Public Defender's Office.

The Public Defender's support was, however, short-lived. Deputy Probation Officer Georgine Brunelle reports as follows:

The Public Defender's Office made it clear that all violations based exclusively on JurisLIT failure would be contested and appealed if the violation resulted in additional jail time for the probationer. The Public Defender's argument must have been persuasive, as it became clear to the JurisLIT officers that violations based solely on JurisLIT failure would incur no additional jail time.

It should be noted, however, that, when probationers violate any condition of probation, they almost always violate several such conditions. For example, the JurisLIT probationer who failed to abide by the requirement of literacy training almost always also failed to comply with other conditions, such as the nonuse of drugs and alcohol, failure to pay a fine or restitution, failure to report to the probation officer, possession of a firearm, or associating improperly with other persons.

Accordingly, when the Courts were provided with evidence of **multiple** violations, including the JurisLIT requirement, many defendants were sent to jail or to State prison.

A very troublesome segment of the JurisLIT program was in the selection of "appropriate" candidates for the program. In practice, probation officers who were investigating the criminal and social backgrounds of offenders were asked to "identify" those persons who met the program's criteria and who seemed to have difficulty with reading and writing.

Unlike some other literacy programs, such as that in Arizona, where probation officers personally administer a simple, two page instrument designed to assess the offender's literacy level, the cases in Sacramento were referred to the campuses of the Los Rios Community College District for formal evaluation.

For reasons which are not entirely clear, it appears that not all persons referred to the JurisLIT program were, in fact, appropriate candidates. Deputy Probation Officer Brunelle reports as follows:

In order to implement the program, it was necessary to "identify youth and adult offenders who are potentially amenable to educational opportunities." Specifically, a screening method was to be developed which would "assist the Courts to select those defendants who are most likely to succeed in and benefit from the pilot project. The selection criteria employed for this purpose may include limited reading ability, a low level of educational attainment, or a lack of employment skills."

Four criteria were established for participation on the program: The defendant's age, employment history, educational attainment, and reading and writing skills. Based on these criteria, court officers were directed to make referrals to the program.

As the referrals were processed, it became apparent that probationers who met the criteria were not necessarily the most appropriate candidates for a school program. Generally, an individual who was "strung out" on drugs and/or abusing alcohol was not likely to make school a priority. Neither was the homeless candidate, the out-of-state resident, the mentally ill individual, the parents without child care, nor the probationer without money for tuition, books or transportation. Equally questionable were individuals with a history of serious violence, sexual abuse or child abuse.

Many candidates were eventually transferred from the program when it became apparent that participation in JurisLIT would prevent a hardship. However, most of these transfers were not accomplished before countless hours were spent processing people into the JurisLIT program. Hours that could have been spent more constructively if candidates had been thoroughly screened during the selection process.

There were, for those persons who operated the JurisLIT program, some other surprises. One major surprise has already been described - the unexpected desire of participants to continue educational pursuits which resulted in a GED certificate, a high school diploma, a trade school certificate, or, in some cases, a college education.

Another area of great surprise was that many JurisLIT participants, or persons who would be required to participate in JurisLIT if not employed, were, for the first time in their lives, able to secure legitimate, productive employment. Even more amazing is the fact that these persons located employment during the greatest economic recession to exist in California since the 1930s-40s. Again, Deputy Probation Officer Brunelle reports:

Unemployment or part-time employment were criteria used to determine participation in JurisLIT. It is interesting that 34 probationers, when faced with the prospect of going to school or securing full-time employment, found jobs. With few exceptions, prior to working, these individuals secured funds through General Assistance and/or by residing with women who collected AFDC grants.

Two other probation officers have reported similar findings:

This caseload is one which illustrated the employment impact of JurisLIT. When the caseload was organized, 14.4% of the offenders - who heretofore claimed an inability to locate employment - succeeded in finding gainful jobs. Once again, it seemed clear that, without the motivation of JurisLIT, these individuals would have continued to exist on welfare or by committing crimes. Amazingly, this success in job-finding occurred just as California was sliding into a major recession with unemployment of 11%.

This caseload again illustrated the employment impact of the JurisLIT program. Twenty-five of the participants (18.9%) were unemployed when they entered the program, and most were on welfare. Today, they are gainfully employed and self-supporting, despite California's severe economic climate.

There was yet another area of surprise to those persons who operated the JurisLIT program. This surprise came in the area of transportation.

As the program was being designed, none of the "experts" who came together ever thought that transportation would be a problem. Soon, however, it was determined that there were probationers who were not only under Court order to attend classes, but who were also sincerely motivated to succeed - but who simply could not get to class, due to a lack of transportation.

The problem was essentially solved, however, when Commissioner David Foos of the Municipal Court, who served on the JurisLIT Task Force, intervened on behalf of JurisLIT. Commissioner Foos approached the Regional Transit District, and soon arrangements were made for JurisLIT participants to receive low cost "tickets" for public transportation.

This "spirit of cooperation" by transit authorities was simply characteristic of what may have been one of the most significant results of JurisLIT - namely, extreme cooperation and collaboration by innumerable public and private agencies.

THE EMPIRICAL EVALUATION

Introduction

The JurisLIT Program commenced as a result of the passage by the California State Legislature of Assembly Bill No. 1870, the Youth and Adult Offender Education and Crime Prevention Act of 1989. This bill was passed in the belief that high semiliteracy and illiteracy rates and an elevated high school drop out rate among youthful Californians are contributing factors to rising crime rates and increasing youth and adult custodial populations. The goals of the Legislature in enacting this legislation were to encourage the evaluation and cataloging of existing drop out prevention programs and literacy programs for probationers and inmates; to encourage local experimentation with new adult probationer and inmate literacy programs and the expansion of existing ones; and to encourage interagency cooperation in the identification of youthful offenders who might profit from educational programs.

In line with these goals, one aspect of the Youthful Offender Education and Crime Prevention Act of 1989 provided for the funding of a pilot study in Sacramento County to test

the effects on recidivism, that is, the commission of new crimes, of mandating literacy training for youthful and adult probationers as a condition of probation. This came to be the JurisLIT Program.

The legislation delineated specific criteria for the evaluation of the pilot study. There must be an improvement of at least 75 percent in the rate at which participants avoid additional criminal activity. The participants must also show an average increase in reading ability of two grade levels for each year of instruction under the program.

Data collection for the empirical evaluation of the JurisLIT Program began in March of 1990 and ceased as of the end of December, 1993. Three interim reports¹ were prepared during the JurisLIT Program's tenure. Detailed discussion of the methodology appears in the second interim report. This chapter is the final empirical evaluation of the JurisLIT Program.

¹ Balvanz, B., Chapman, J., Fricks, M. (April 5, 1991). *The JurisLIT Program First Interim Evaluation Report*. Sacramento, California: Sacramento Center School of Public Administration, University of Southern California.

Balvanz, B., Chapman, J., Fricks, M. (October, 1992). *The JurisLIT Program Second Interim Evaluation Report*. Sacramento, California: Sacramento Center School of Public Administration, University of Southern California.

Balvanz, B., Chapman, J., Fricks, M. (January, 1994). *The JurisLIT Program Third Interim Evaluation Report*. Sacramento, California: Sacramento Center School of Public Administration, University of Southern California.

Implementation of the JurisLIT Program

As an aid to understanding the outcomes and limitations of the empirical evaluation of the JurisLIT Program, a brief recapitulation of its implementation is in order. The implementation of the JurisLIT Program involved the combined efforts of the Sacramento County Probation Department, the Los Rios Community College District, and the Sacramento County Department of Education, along with the cooperation of the Sacramento County Courts. The University of Southern California, Sacramento Center provided the formal academic evaluation required by the legislation.

The Sacramento County Probation Department performed initial assessments of eligibility for the program on incoming offenders and assigned those found to be eligible to either the treatment group (those to receive literacy training via the JurisLIT Program) or the control group. Initially, offenders eligible for the JurisLIT Program were to be assigned to the treatment or control group based on the last digit of a docket number assigned on a sequential basis to each incoming offender. This was to be the method for generating random assignment of subjects to the treatment and control groups. Offenders in the treatment group were to be supervised by one of a small cadre of probation officers that had reduced caseloads consisting of only participants in the JurisLIT Program treatment group. Those

offenders in the control group were not given this form of intensive supervision, but were assigned to other probation officers in the standard manner of the department. Since analysis showed some deviation in the correspondence between group assignment as determined by docket number and group assignment as determined by name of probation officer, the name of each subject's probation officer was used to determine whether he or she was in the treatment or control group, not his or her recorded docket number. Subjects whose probation officer was one of the cadre of probation officers referred to earlier were considered to be in the treatment group, and, indeed were the only ones who received literacy training via the JurisLIT Program. The importance of this is that although treatment versus control group membership could still be reliably ascertained, random assignment to one or the other group could no longer be guaranteed. The validity of any statistically significant differences found between the treatment and control groups was thus weakened. This compromise of the random assignment methodology was a result of the day-to-day workings of a criminal justice system (judges, public defenders, and adult services counselors) trying to rehabilitate and positively influence youthful offenders to forego criminal activity. Close monitoring of the demographic makeup of both groups indicated the two groups remained essentially equivalent despite these variances from random assignment methodology.

The assignment of treatment group members to special probation officers also introduced a possible confounding variable: the extra attention from the probation officers. However, the adverse experimental effects of this are ameliorated by the fact that other research seems to suggest that this kind of intensive supervision does not result in reduced recidivism².

The actual literacy training was provided by the Los Rios Community College District. Subjects were given an initial literacy assessment and, after completion of training, a final literacy assessment. Training was to consist of 200 hours of participation in either class-oriented or self-paced, computer-assisted training at Los Rios Community College District facilities.

The special probation officers assigned to supervise probationers in the treatment group also had the authority to recommend excusing selected probationers from mandatory participation in literacy training, or "transfer them out" of the JurisLIT Program. In the following analyses comparisons of group equivalence on demographic variables include persons in this "transferred out" group. Comparisons of effects on recidivation are limited to the treatment and control groups.

² Petersilia, J., Turner, S. (1990). Comparing intensive and regular supervision for high-risk probationers: Early results from an experiment in California. *Crime & Delinquency*, 36(1), 87-111.

One final point about the implementation of the JurisLIT Program is important for understanding the following analyses. Although the underlying basis of the JurisLIT Program is a putative relationship between lack of literacy skills and propensity for criminal behavior, the evaluation principally tests the hypothesis that mandated participation in literacy training as a condition of probation will reduce concurrent recidivism. The reason that this hypothesis is so carefully examined is that the data collection was terminated before most of the subjects in the treatment group had completed literacy training. However, because data are available for the very small numbers who actually completed the program, there will be some brief discussion of the effects of increased literacy skills on subsequent recidivism.

Empirical Analyses

Group Equivalence

During the JurisLIT Project the equivalence of the experimental groups was monitored periodically. Since subjects entered and left the study throughout its four-year duration, it was possible that the treatment and control groups might drift apart demographically over time. Furthermore, there was the possibility that transferring subjects out of the study might bias either the control or treatment

group. The tables in this section compare the treatment and control groups on some basic demographic variables. In the following tables the treatment group consisted of those who were mandated to participate in literacy training via the JurisLIT Program. Members of the control group received no literacy training via the JurisLIT Program. The transferred out group consisted of those who were initially determined to be eligible for the study and assigned to either the treatment or control group but were subsequently removed from the study altogether.

Table 1 shows the gender distribution of the three groups.

Table 1: Gender Distribution By Experimental Group

	Female	Male	Total
Control Group	25	171	196
<i>Percent</i>	12.76	87.24	100
Treatment Group	92	438	530
<i>Percent</i>	17.36	82.64	100
Those Transferred Out	32	107	139
<i>Percent</i>	23.02	76.98	100
Total	149	716	865
Frequency Missing	9		

An overall analysis of the data in Table 1 indicates a statistically significant difference in the gender distribution of the three groups

($\chi^2 = 6.029$, $p = 0.049$). A similar analysis, but including just the treatment and control groups showed that there was no statistically significant difference in the gender distribution of the treatment and control groups at the five percent level ($\chi^2 = 2.243$, $p = 0.134$). The slightly higher proportion of women in the transferred out group is not unreasonable, given that a lack of child care was a frequent reason for removing subjects from the study.

From Table 2 it can be seen that the racial distribution for all three groups was similar ($\chi^2 = 7.524$, $p = 0.111$). Races other than White or Black were combined into an Other category due to their small numbers.

Table 2: Racial Distributions of Experimental Groups

	Black	Other	White	Total
Control Group	71	17	114	202
Percent	35.15	8.42	56.44	100
Treatment Group	181	21	330	532
Percent	34.02	3.95	62.03	100
Those Transferred Out	51	5	84	140
Percent	36.43	3.57	60	100
Total	303	43	528	874

The ethnic (Hispanic versus not Hispanic) distributions were also similar for all three groups (Table 3, $\chi^2 = 0.125$, $p = 0.94$).

Table 3: Hispanic Versus Not Hispanic Distributions of Experimental Groups

	Not Hispanic	Hispanic	Total
Control Group	149	43	192
Percent	77.6	22.4	100
Treatment	404	125	529
Percent	76.37	23.63	100
Those Transferred	107	33	140
Percent	76.43	23.57	100
Total	660	201	861

Frequency Missing 13

Given the nature of the independent variable, namely, participation in literacy training, it was important that the persons in the treatment and control groups have similar educational backgrounds. Table 4 shows the distribution of the variable highest grade completed at the time of initial arrest for each of the experimental groups. A chi-square analysis indicated that the proportions of each group having completed a certain grade level by the time of initial arrest were not statistically different ($\chi^2 = 9.138$, $p = 0.166$).

Table 4: Highest Grade Completed At Time Of Initial Arrest By Experimental Group

	Control Group	Treatment Group	Those Transferred Out	Total
Grades 0-8	5	42	14	61
Percent	3.7	8.11	10	
Ninth Grade	19	80	15	114
Percent	14.07	15.44	10.71	
Tenth Grade	56	195	45	296
Percent	41.48	37.64	32.14	
Grades 11-12	55	201	66	322
Percent	40.74	38.8	47.14	
Total	135	518	140	793
Percent	100	100	100	

Frequency Missing 81

In Table 4 grades 5 through 8 were combined and grades 11 through 12 were combined to provide large enough numbers in each cell to ensure a valid statistical analysis.

The proportion of each experimental group committing a felony versus a misdemeanor did not differ significantly between groups (Table 5, $\chi^2 = 0.455$, $p = 0.796$). In each group about 80% of the subjects were initially arrested for felony offenses.

Table 5: Nature of Offense At Initial Arrest By Experimental Group

	Felony	Misdemeanor	Total
Control Group	114	26	140
Percent	81.43	18.57	100
Treatment Group	423	100	523
Percent	80.88	19.12	100
Those Transferred Out	110	30	140
Percent	78.57	21.43	100
Total	647	156	803

Frequency Missing 71

The type of initial offense did not appear to differ between experimental groups (Table 6, $\chi^2 = 7.618$, $p = 0.267$).

Table 6: Type of Initial Offense by Experimental Group

	Control Group	Treatment Group	Those Transferred Out	Total
Against Person	28	113	41	182
Percent	20.29	21.61	29.29	
Against Property	53	195	43	291
Percent	38.41	37.28	30.71	
Drug-related	43	182	47	272
Percent	31.16	34.8	33.57	
Other	14	33	9	56
Percent	10.14	6.31	6.43	
Total	138	523	140	801
Percent	100	100	100	

Frequency Missing 73

Analysis of Subjects Removed From The Study

A content analysis of the reasons listed for removing subjects from the study, that is, "transferring them out" resulted in the list in Table 7. The subjects in Table 7 make up the transferred out group shown in some of the initial tables in the section on group equivalence. The most frequent reason, by far, was that the subjects were working (42.1%,. (Anecdotally, there is some indication that probationers were encouraged to seek work so that they could avoid literacy training by being transferred out.) This was followed by child care as a reason (15%). The category Not Interested (13.6%) included subjects who either were not interested in attending training or would otherwise not cooperate with the JurisLIT Program. The Unclear category (14.3%) included those transferred out for reasons that were not clear on the subject's record.

Table 7: Reasons For Removing Subjects From The JurisLIT Program

Reason	Frequency	Percent
Transferred Out		
Child care	21	15.0
Diploma/GED	3	2.1
Low Scores	5	3.6
Moved	3	2.1
Not Interested	19	13.6
Prison	1	0.7
Transportation	9	6.4

Unclear	20	14.3
Work	59	42.1
Total	140	100%

Analyses of Simple Percentage-Recidivating Rates

Table 8: Percentage Recidivating By Treatment and Control Groups

	No		
Control Group	43	159	202
<i>Percent</i>	21.29	78.71	100
Treatment Group	96	436	532
<i>Percent</i>	18.05	81.95	100
Total	139	595	734

Approximately 79% of the control group recidivated, as compared to 82% of the treatment group (Table 8). The difference between the control and treatment groups was not statistically significant ($\chi^2 = 1.002$, $p = 0.317$).

Survival Analyses

The analyses of recidivism in the previous section indicate that

there is generally no difference in recidivism rates between the treatment and control groups during the period of the study, but those analyses compare simple percentages of each group recidivating. Such a comparison can sometimes be misleading. It could be that even though the proportions of each group that recidivate are similar, there is a difference in the average length of time it takes people in one group or the other to recidivate. In other words, the average survival time might differ between the two groups.

Since some subjects either did not recidivate at all or recidivated after the final data collection, no survival period data are available for them. The observations for these subjects are termed censored to indicate that it is not certain what finally happened to them. To simply compare the average survival times (times between release and re-arrest) for those that did recidivate would not take into account those who did not recidivate during the study period, the censored observations, and would not be appropriate. Special techniques have been developed to handle data including censored observations. The analytical technique used here was the Kaplan-Meier technique³.

Table 9 shows mean and median survival times calculated using the

³Norusis, M. J. (1992). *SPSS for Windows Advance Statistics Release 5*. Chicago, Illinois: SPSS Inc.

Kaplan-Meier technique along with their respective confidence intervals. The 'Number of Events' column provides the number of each group who recidivated during the study period. The 'Number of Censored Events' column shows the number of subjects in each group who had not recidivated by the end of the study period. Notice that the percentages in the 'Percent Censored' column are the same as the percentages who did not recidivate given in Table 8.

Table 9: Survival Time Data By Group

Group	Number of Events	Number of Censored Events	Percent Censored	Mean Survival Time (Days)	95% Confidence Interval	Median Survival Time (Days)	95% Confidence Interval
Control	159	43	21.29	513	450 to 577	326	252 to 400
Treatment	436	96	18.05	441	405 to 478	299	261 to 337

The mean and median survival times for the treatment group appear to be somewhat shorter than those for the control group. The overlapping confidence intervals suggest, however, that these differences may not be statistically significant. This was confirmed by a Tarone-Ware test, based on the weighted difference between the observed and expected number of recidivations at each time point⁴, which showed the survival times for the control and treatment groups not to be

⁴ Ibid., p. 264.

significantly different at the 5% level of confidence (Tarone-Ware statistic = 3.36, $p = 0.0668$).

Figure 1: Survival Functions of Treatment and Control Groups

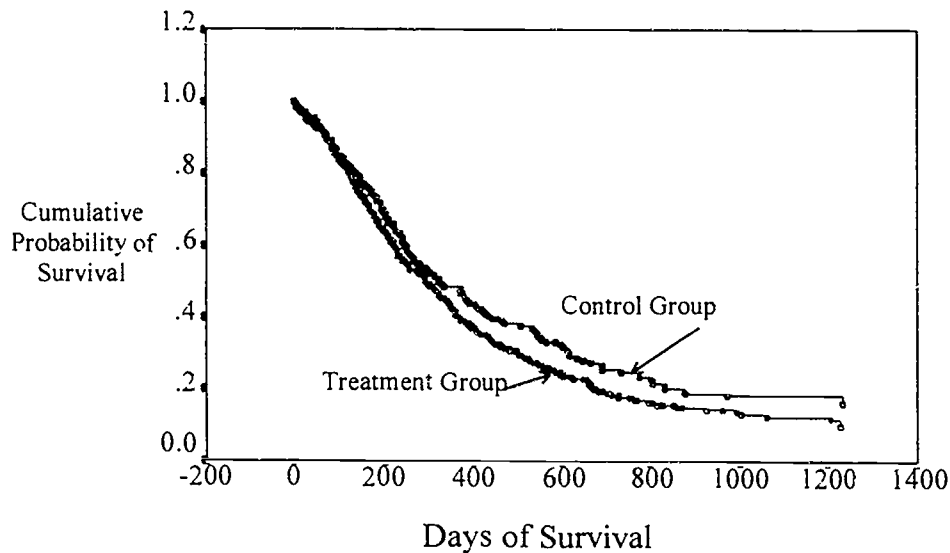


Figure 1 shows the cumulative survival functions for the control and treatment groups. The horizontal axis shows the length of the survival period (the time from initial arrest to the time of first subsequent arrest) in days. The vertical axis shows the cumulative probability of a person surviving a given length of time. The graph shows that, for both groups, the cumulative probability of surviving, i.e., not recidivating, decreases fairly rapidly with time. This implies that most of the persons, in either group, who recidivated, did so sooner rather than later. The fact that the graphs in Figure 1 are both stretched to the right is consistent with the much higher values for mean survival times (as compared to the median survival

times) shown in Table 9. The relatively fewer high survival times elevated the means.

Logistic Regression Analyses

Table 10 below shows the results for a logistic regression using several different risk factors as independent variables..

Table 10: Multivariate Logistic Regression Results

Risk Factor	β	S. E.	Wald	df	Sig.	R	Exp(β)
Age	.0853	.0417	4.1805	1	.0409	.0588	1.0890
Experimental Group				1			
Treatment	.2506	.2465	1.0338	1	.3093	.0000	1.2848
Control							
Hispanic	.1550	.2610	.3529	1	.5525	.0000	1.677
Non-Hispanic							
Type of Offense at				3			
Initial Arrest							
Against Person	.0487	.4382	.0123	1	.9115	.0000	.9525
Against Property	.2905	.4269	.4630	1	.4962	.0000	1.3371
Drug-related	-.0146	.4213	.0012	1	.9724	.0000	.9855
Other							
Nature of Initial				1			
Offense							
Felony	-.1891	.2736	.4777	1	.4895	.0000	.8277
Misdemeanor							
Highest Grade Completed	-.1482	.1058	1.9603	1	.1615	.0000	.8623
at Initial Arrest							
Race				2			
Black	.5007	.2527	3.9624	1	.0475	.0553	1.6499
Other	-.0125	.5347	.0005	1	.9813	.0000	.9875
White							
Gender				1			
Male	.3980	.2780	2.0502	1	.1522	.0089	1.4889
Female							
Employment Status at				2			
Initial Arrest							
Full-time	-.2189	.4173	.2751	1	.5999	.0000	.8034
Part-time	.5421	.4566	1.4094	1	.2352	.0000	1.7196
Unemployed							
Constant	1.0947	1.3912	.6192	1	.4314		

The two variables Age and Highest Grade Completed At Initial Arrest in

Table 10 were treated as continuous, or numeric, variables in the logistic regression analysis. The remaining variables listed in Table 10 were treated as categorical variables. In the categorical variables in Table 10 the β coefficients are based on simple comparisons to the reference category. The reference category is listed in *italic* as the last variable for each categorical variable and has no data associated with it in the table. For example, the reference category for race is *White*. The β coefficients for the other race groups compare how much more or less likely they are to recidivate than Whites.

The β column in Table 10 displays the regression coefficients. The last column, the $\text{Exp}(\beta)$ column is e^β . For age at release on probation, for example, β equals .0853 and $\text{Exp}(\beta)$ equals $e^{.0853}$, or 1.0890. For a continuous variable like age at release on probation, the value in the $\text{Exp}(\beta)$ column is the factor by which the odds of a subject's recidivating are increased (or decreased if β is negative) for each one-year increase in age. In this case, a one-year increase in age at release on probation means that a subject's odds of recidivating are 1.0890 times what they were before. Hence, in this study, older subjects appear to be slightly more likely to recidivate than younger subjects.

The column in Table 10 labeled S. E. gives the standard error for β . The column labeled Wald provides the value of a statistic that

tests whether the value β of is significantly different from zero. The column labeled Sig. gives the probability of obtaining by chance the value of the Wald statistic given in the table or a larger value. For age, Sig. equals .0409 which suggests that the contribution of age to predicting the probability of recidivation is statistically significant at the 0.05 level. The column labeled R provides a statistic that is used to assess the partial correlation between the given independent variable and the dependent variable⁵. A positive value for R indicates that as the independent variable, age, for example, increases in value so does the likelihood of the subject recidivating.

The only other predictor in Table 10 to have a β coefficient significantly different from zero is Black race. In this case, the independent variable race is a categorical variable. For a categorical variable like race, the value in the Exp(β) column is the factor by which the odds of recidivating for a subject in a particular category are increased (or decreased if β is negative) in comparison to a reference category. For race, the reference category in this analysis is White (the category in italics). A person of Black race, therefore, has odds of recidivating that are 1.6499 times the odds of a person of White race recidivating.

⁵ Ibid., p. 5.

The independent variable of particular interest, experimental group, did not have a category with a β coefficient significantly different from zero. The β coefficient for the treatment group was .2506, but the probability associated with the Wald statistic, .3093 in the Sig. column, suggests that the β coefficient is not significantly different from zero at the five percent level. This implies that members of the treatment group were no more or less likely to recidivate than members of the control group.

Analysis of Those Who Completed Literacy Training

Out of the 532 persons included in the treatment group for the analyses in this study, 28, or about 5 percent, had completed literacy training, as determined by the existence of final literacy assessment scores in their records. Another 43 had accumulated varying numbers of hours of literacy training, but had not received a final literacy assessment.

The literacy training program in which the treatment group members were to participate was to include 200 hours of training. The average number of days between the initial literacy assessment and the final literacy assessment for those completing training was 455, or about one and a quarter years, with a standard deviation of about 225 days.

Table 11: Recidivation In Treatment Group Members Completing Literacy Training Versus Treatment Group Members Not Completing Literacy Training

Treatment Group Members Who:		Did Not Recidivate	Recidivated	Total
Did Not Complete Literacy Training	Frequency	81	423	504
	Percent	16.07	83.93	100
Completed Literacy Training	Frequency	15	13	28
	Percent	53.57	46.43	100

Table 11 shows that a smaller percentage of those in the treatment group who actually completed literacy training recidivated as compared to those in the treatment group who had not completed literacy training. The difference was statistically significant ($\chi^2 = 25.223$, $p = .000$).

Table 12: Recidivation In Control Group Members Versus Treatment Group Members Who Completing Literacy Training

Group		No Recidivation	Recidivated	Total
Control Group As A Whole	Frequency	43	159	202
	Percent	21.29	78.71	100
Treatment Group Members Who Completed Training	Frequency	15	13	28
	Percent	53.57	46.43	100

In Table 12, the members of the treatment group who actually completed literacy training are compared to the control group as a

whole. Significantly fewer of the treatment group members who completed literacy training recidivated (Table 12, $\chi^2 = 13.591$, $p = .000$).

Conclusions

The effects on recidivism of mandated participation in literacy training as a condition of probation were examined in three different ways. The enabling legislation for the JurisLIT Program stated one criterion for program success to be a 75% reduction in recidivism as a result of literacy training. In line with this, a comparison was made of the simple percentages recidivating in the treatment and control groups. No statistically significant difference was found. Since most of the treatment group members included in this comparison had not completed literacy training, this result suggests that mandated participation in literacy training had no effect on concurrent recidivism rates. To enable comment about the effects of literacy training on subsequent recidivism would have required allowing all treatment group members to either complete training or recidivate and then track those who completed training for some period thereafter.

Comparison of simple percentage rates of recidivism could be misleading. Under the circumstances of the study, participation in literacy training might have altered the average time to recidivation

of the treatment group compared to the control group without altering the percentage recidivating. If the average survival time, that is, the average time to recidivation, could be shown to be longer for the treatment group, this would suggest a potential benefit that should be confirmed by extending the follow-up period. A comparative survival analysis of the treatment and control groups showed no statistically significant difference between the two groups in the average time to recidivation. Indeed, not only were the average survival times of the two groups not significantly different, the shapes of the survival curves for the two groups shown in Figure 1 were similar, indicating no differential effect on the distribution of survival times.

Another possibility is that any effect mandatory participation in literacy training might have had on recidivism was overshadowed by the effects of other differences between the two groups. This was, in part, the reason for looking at group equivalence in some detail. Another possible way of looking at this problem is that if participation in literacy training had an effect, group membership should have some predictive power in a multiple correlation model. In a multiple correlation model one can see the effect of a particular factor when the effects of other factors are held constant. To this end, group membership was included along with several other factors in a multiple logistic regression model. Even when the effects of other factors were held constant, participation in literacy training seemed

to have no effect on concurrent recidivation. Note that in Table 10 the logistic regression analog of the partial correlation coefficient (the column labeled R) is zero.

The three types of analyses discussed above all seem to indicate that there are no short-term effects of participation in literacy training on recidivation. The simple percentage analysis shows that the formal requirement contained in the legislation was clearly not met. The two subsequent analytical approaches suggest that there were no more subtle short-term effects either. In conclusion, the JurisLIT pilot program provided no panacea for prevention of recurring criminal activity by simply imposing mandated participation in literacy training.

Finally, it should be noted that in the three years of the JurisLIT Program, 28 people, or about five percent of the 532 persons in the treatment group did complete literacy training. It was found that a significantly lower percentage of those who did complete the training recidivated (46 percent) as compared to those in the control group (79 percent). This result is consistent with that of another study, the Pima County Arizona LEARN Project⁶ which also showed some positive correlation between completed literacy training and reduced

⁶Siegel, G.R. (Winter, 1994). "Making a Difference: The Effect of Literacy and General Education Development Programs on Adult Offenders on Probation." *American Probation and Parole Perspectives*, 38-43.

recidivism.

Caution must be exercised in interpreting this result. The fact that only five percent completed the program might well indicate that, for some reason, these were extraordinary motivated individuals to begin with, and they very well might have had lower recidivism rates, regardless of their increasing literacy skills. We do not have enough data to separate these 28 from the others in the treatment group to examine if they significantly differed in various demographic dimensions from the others in the group. However, further study is recommended regarding educational skills improvement and subsequent recidivism.

Summary and Recommendations

In the final analysis, it appears that, in most respects, Sacramento County's JurisLIT program succeeded. It succeeded in the productive employment of persons who heretofore had been supported either by criminal activity or by welfare.

It succeeded in providing literacy training for offenders, and, probably most importantly, it motivated a large number of offenders to continue their education via the GED program, in adult education classes, in trade schools, or, in some cases, at the collegiate level.

It succeeded in encouraging a special "scholarship" program at the American River College - a program in which seventy five percent (75%) of the current participants are graduates of the JurisLIT program.

It succeeded in establishing a "model" collaborative effort among a myriad of public and private organizations. In specific terms of job development, it resulted in the creation of a multi-disciplinary Community Resource Council in which representatives from probation, parole, employment agencies, welfare agencies and educators continue to meet.

It succeeded in establishing a procedure whereby probationers who are suspected of literacy deficiencies may be referred to the Los Rios Community College District for appraisal and thereafter for computer-based literacy training.

It succeeded in publicizing the need for programs which address the matter of illiteracy and related deficiencies among offenders, as it attracted national attention from courts, lawyers, probation departments, and educators.

There were also areas in which JurisLIT did not succeed. When measured by a stringent and controversial definition of "recidivism," it failed to demonstrate any significant decrease in recidivism.

The JurisLIT program also failed to produce a totally-acceptable means of selecting appropriate candidates for the program.

A review of the JurisLIT efforts, and similar efforts elsewhere, suggests some recommendations for those persons who wish to continue with this very worthwhile area of endeavor.

Recommendations

1. The program must be funded, by the State, on an ongoing basis.
2. The program must offer a GED component.
3. The program must offer an adult education component for those persons who wish to receive their high school diplomas.
4. The program must offer a trade school component.
5. The program must include a "job development" component.
6. The program must provide the Probation Department with both officers and educators.
7. The program must include touch-typing and word processing.
8. A more suitable method of selecting candidates for the program must be developed.
9. A more sophisticated method of evaluation must be found. The use of such an ill-defined term as "recidivism" to measure outcomes is, very simply, inadequate.

A P P E N D I X

76
81

Assembly Bill No. 1870

CHAPTER 1358

An act to add Article 14.7 (commencing with Section 1915) to Chapter 6 of Part 2 of the Education Code, and to add and repeal Section 1203m of the Penal Code, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 2, 1989. Filed with
Secretary of State October 2, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1870, Leslie. Youth and adult offender education.

Existing law authorizes the court in a criminal proceeding to impose various conditions upon the granting of probation to a defendant.

This bill would authorize the superior court and municipal court in Sacramento County to each require that up to 200 criminal defendants between the ages of 18 and 25 years, inclusive, in each of the 1990, 1991, and 1992 calendar years, as specified, be required, as a condition of probation, to enroll in, and to maintain reasonable progress in, public or private literacy or other educational programs designated in the court, as specified. This authority would remain in effect only until January 1, 1994. This bill would impose a state-mandated local program by requiring the chief probation officer of Sacramento County, in collaboration with designated educational representatives, to identify and propose appropriate programs for this purpose, to develop screening methods and procedures to assist in the selection by the courts of appropriate defendants for the project, to make specified findings regarding the project, and by requiring the county office of education to contract for an evaluation of the project, as performed pursuant to designated criteria and standards of success.

This bill would impose an additional state-mandated local program by requiring that any youth or adult offender in custody in Sacramento County be permitted, notwithstanding any other provision of law, to enroll in any appropriate educational program in that county in accordance with the objectives, standards, and conditions applicable under the program described above. The bill would reappropriate \$118,500 from certain local assistance funding appropriated to the State Department of Education under the Budget Act of 1989, to the Sacramento County Office of Education to fund the first year of the pilot project, as specified. The bill would authorize funds not expended during the 1st year of the pilot project to be carried over into the following year to continue funding the project.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that no reimbursement shall be made from the State Mandates Claims Fund for costs mandated by the state pursuant to this act, but would recognize that local agencies and school district may pursue any available remedies to seek reimbursement for these costs.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the "Youth and Adult Offender Education and Crime Prevention Act of 1989."

SEC. 2. (a) The Legislature finds and declares the following:

(1) Roughly 30 percent of California's public school pupils drop out before graduating from high school.

(2) Of those graduating, roughly 30 percent are semiliterate or illiterate.

(3) The dropout rate, semiliteracy, and illiteracy may well threaten the continued economic vitality of the state through factors that include costly remedial education and training programs, higher governmental health and welfare costs, declining commercial and industrial employee pools, employee absenteeism, and, as a result, diminishing commercial and industrial productivity.

(4) The dropout rate, semiliteracy, and illiteracy are contributing factors to burgeoning drug traffic and abuse, increasing crime rates, and escalating youth and adult custodial populations, which directly cost crime victims billions of dollars annually in insurance premiums, property losses, personal injuries, and death, and indirectly cost taxpayers several billions of additional dollars annually to operate remedial education programs and to administer criminal justice, youth, and adult custodial facilities, and health and welfare agencies, at both state and local levels.

(5) Planning, designing, and implementing methods to reduce the dropout rate, semiliteracy, and illiteracy should be priorities of appropriate public and private elements of California's social, economic, civic, educational, governmental, and political communities, especially state and local benches and bars, business and labor organizations, youth service agencies and organizations, criminal justice agencies, public schools, youth and adult custodial

and correction facilities, and health and welfare agencies.

(b) The Legislature further finds and declares that, while current law permits adult offenders placed on probation to be ordered by the courts to seek and maintain gainful employment, the law is not altogether clear, structured, and comprehensive as to the nature and extent of institutional discretion to require youth or adult offenders to seek and maintain enrollment and effective progression in educational programs designed to help them remedy problems they face, which may stem from dropping out of school, semiliteracy, and illiteracy, and which may deter or prevent their search for, and maintenance of, gainful employment. The law does, however, permit the courts to order youth and adult offenders placed on probation to pursue educational programs in certain circumstances, and requires local youth and adult custodial and correctional facilities to provide education programs, including library facilities.

(c) It is the intent of the Legislature to accomplish all of the following:

(1) To encourage systematic local evaluation, correlation, and indexing of existing school dropout prevention, literacy, education, and training programs for youth and adult probationers and inmates.

(2) To encourage local experimentation with new, and the expansion of existing, programs of school dropout prevention, at-risk youth initiatives, and youth and adult probationer and inmate education and crime prevention, and relevant libraries, through collaboration and planning between county superintendents of schools, county sheriffs, county district attorneys, county public defenders, county chief probation officers, county directors of health and welfare, and city police chiefs in cooperation with appropriate public and private agencies and organizations. The objective of that experimentation shall be to consider and pursue local methods to identify, evaluate, index, improve, and expand both mainstream and alternative dropout programs and educational opportunities for at-risk youth, including the active implementation of Section 44806 of the Education Code, citizenship training, law-related and character education programs, and alternative or opportunity schools and their libraries.

(3) To encourage the courts, probation departments, and public schools to work together to identify youth and adult offenders who are potentially amenable to educational opportunities, and for the courts to consider requiring those offenders, as a condition of probation, to participate in appropriate public or private literacy, education, and training programs formulated and conducted to assist them to improve their reading, writing, speaking, and calculating skills, to help increase their opportunities to become employable, to enhance their levels of employability, and to thus decrease their criminal behavior, so as to reduce public and private costs, both direct and indirect, of criminal misconduct.

(d) To further all of the above purposes, the Legislature finds and

declares its intent that local governmental agencies should cooperate and collaborate to actively educate and meaningfully involve parents and civic and community leaders and organizations in a broad range of activities related to those purposes, recognizing, in particular, the pivotal role parental encouragement, support, perspectives, and values have in shaping children's self-esteem, goals, knowledge of and respect for the law, interests, attitudes, commitments, educations, avocations, and vocations. This effort should include the promotion of parental involvement in dropout prevention and educational programs for their children who are at risk or in custody.

SEC. 3. Article 14.7 (commencing with Section 1915) is added to Chapter 6 of Part 2 of the Education Code, to read:

Article 14.7. Youth and Adult Offender Education

1915. In addition to any educational opportunity available under Article 14.5 (commencing with Section 1900), any youth or adult offender in custody in Sacramento County shall be permitted, notwithstanding any other provision of law, to enroll in any appropriate educational program operated by a school district, community college district, or private school in that county, subject to the objectives, standards, and conditions set forth in Section 1203m of the Penal Code.

1916. (a) For the purposes of the pilot project described in subdivision (a) of Section 1203m of the Penal Code, the chief probation officer of Sacramento County, in collaboration with the county superintendent of schools of that county and other appropriate state and local agencies, including the President of the California State University, Sacramento and the chancellor of each community college in the county, shall do all of the following:

(1) Identify and propose appropriate programs, and develop screening methods and procedures to assist the courts to select those defendants who are most likely to succeed in and benefit from the pilot project. The selection criteria employed for this purpose may include limited reading ability, a low level of educational attainment, or a lack of employment skills.

(2) Propose, in cooperation with the superior and municipal courts of Sacramento County, appropriate minimum standards of academic progress for local youth and adult offender education and crime prevention programs.

(3) Carefully monitor progress, timing, and deadlines.

(4) Delegate and supervise relevant local research, evaluation, correlation, indexing, and review.

(5) Determine how the various entities with whom the chief probation officer collaborates may, individually and collectively, help to promote youth and adult offender education and crime prevention.

(6) Determine what is being done in local, adult, and juvenile

custodial facilities to educate those in custody.

(7) Evaluate the nature and extent of existing library resources, those in construction, and any library resources planned for the future in local juvenile and adult custodial facilities.

(8) Consider the nature and extent of local interagency, multidisciplinary collaboration and cooperation between public and private agencies and organizations and custodial facilities, and between those local agencies and organizations, and parallel entities at the state level.

(9) Determine appropriate standards to conduct the evaluations provided for by this subdivision.

(10) Work with professional, business, and labor organizations to develop employment opportunities for youth and adult offenders who have completed their conditions of probation in a successful and timely manner, including, but not limited to, those conditions applicable pursuant to Section 1203m of the Penal Code.

(11) Expand on the issues set forth in this subdivision so as to include all appropriate, related issues.

(b) The county office of education shall contract with a qualified institution of higher education for the evaluation of the pilot project, which evaluation shall be updated as required for purposes of subdivision (c). For the purposes of that evaluation, the county superintendent of schools, with the assistance of the chief probation officer, shall maintain, and provide to that institution, data regarding the participants in the pilot project that includes, but is not limited to, the following: achievement of learning objectives; avoidance of additional criminal activity; violations of conditions of parole; success in securing gainful employment; wage levels prior to, and after, participation in the pilot project; attendance, subsequent to completion of participation in the pilot project, in literacy or educational programs; and independence from public assistance. In addition to the issues described in this paragraph, the evaluation shall contain a cost-benefit analysis of the public moneys saved as a result of participation in the pilot project, as compared to public costs that would otherwise be incurred based on the likelihood of subsequent criminal activity on the part of the offender. The pilot project shall be deemed to be successful if both of the following conditions are met:

(1) There is an improvement of at least 75 percent in the rate at which participants avoid additional criminal activity during their participation in the project, as compared to the rate that would otherwise be expected of those specific participants as a group.

(2) The participants progress, on average, at least two grade levels for each year of instruction under the project, as adjusted proportionately for any participation of less than one year.

(c) No later than March 31, 1991, the institution of higher education shall prepare and publish a formal, written report on the findings under subdivision (a) and the results of the evaluation

conducted pursuant to subdivision (b). No later than March 31, 1992, and, again, no later than March 31, 1993, the institution of higher education shall prepare and publish a followup report, which shall contain updated results of the evaluation conducted pursuant to subdivision (b), and should include recommendations for the improvement, expansion, and funding of education programs and libraries pursuant to the purposes of this section.

SEC. 4. Section 1203m is added to the Penal Code, to read:

1203m. (a) In each of the 1990, 1991, and 1992 calendar years, up to 200 criminal defendants between the ages of 18 and 25 years, inclusive, who are sentenced in the Superior Court of Sacramento County, and up to 200 criminal defendants of that age who are sentenced in the Municipal Court of Sacramento County may be required, as a condition of probation, to enroll, and to maintain reasonable progress, in public or private literacy or other educational programs designated by the court. The programs designated for this purpose may be operated in any school district, community college district, or private school, and shall be designed and operated to assist in the improvement of reading, writing, speaking, and calculating skills, to increase the number and quality of employment opportunities, and to reduce the likelihood of criminal behavior, so as to reduce the public and private costs, both direct and indirect, of criminal misconduct. Each probationer may be required, pursuant to this requirement, to complete up to 200 hours of instruction over a period of one year.

(b) Any school district or community college district in which any probationer enrolls pursuant to this section shall be entitled, as a result, to state funding calculated in accordance with average daily attendance computations as set forth in the Education Code. Any probationer who enrolls in a private school pursuant to this section shall pay the enrollment costs for that program.

(c) For purposes of this section, the first calendar year shall commence on January 1, 1990. Thereafter, each subsequent calendar year shall commence one year from the first day of the prior calendar year.

(d) This section shall remain in effect only until January 1, 1994, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 1994, deletes or extends that date.

SEC. 5. (a) Because of existing, ongoing, and positive communication and cooperation between relevant agencies and organizations, the Legislature finds and declares that Sacramento County is an especially appropriate and amenable site for an experimental multidisciplinary program, of limited duration, to require a number of youth and adult offenders, as a condition of their probation, to participate in literacy and other educational training, in part for the reason that a major local custodial facility is currently under construction in Sacramento County and will open for use at a particularly opportune time.

(b) Due to the unique circumstances specified in subdivision (a) concerning Sacramento County, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

SEC. 6. No reimbursement shall be made from the State Mandates Claims Fund pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other provisions of law. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

SEC. 7. If any provision of this act or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 8. (a) The sum of one hundred eighteen thousand five hundred dollars (\$118,500) is hereby reappropriated from Item 6110-156-001 of Section 2.00 of the Budget Act of 1989 to the Sacramento County Office of Education to fund the first year of the pilot project established pursuant to Article 14.7 (commenting with Section 1915) of Chapter 6 of Part 2 of the Education Code and Section 1203m of the Penal Code. Of that sum, up to ninety-three thousand five hundred dollars (\$93,500) shall be available to the Sacramento County Probation Department only for services rendered as part of the pilot project, up to twenty thousand dollars (\$20,000) shall be available for evaluation of the project, and up to five thousand dollars (\$5,000) shall be available for the administrative costs of the Sacramento County Office of Education incurred in the course of administering the pilot project. Funds not expended during the first year of the pilot project may be carried over into the following year to continue funding the project. If the appropriation made under this section is calculated pursuant to paragraph (2) of subdivision (a), the amount set forth under this subdivision for services rendered by the Sacramento County Probation Department, for evaluation of the pilot project, and for administrative costs shall each be reduced in proportion to the amount by which the sum calculated pursuant to paragraph (2) of subdivision (a) reflects a reduction from the sum set forth in paragraph (2) of that subdivision.

(b) The appropriation set forth in subdivision (a) is calculated by the Legislature to provide funding for the pilot project for the period from January 1, 1990, to June 30, 1990. It is the intent of the Legislature that funding for the pilot project described in subdivision

(a) in subsequent fiscal years not exceed annually the sum of two hundred thirty-seven thousand dollars (\$237,000).

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that critical problems of illiteracy and criminal behavior may be addressed in a timely manner by the program of rehabilitational education provided for by this act, it is necessary that this act take effect immediately.

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