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## Responding to substance-use-related probation and parole violations: are enhanced treatment sanctions preferable to jail sanctions?

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### Abstract

An increase in correctional treatment programming options coupled with prison population reduction legislation has driven a widespread transfer of supervision from prisons to community corrections. As a result, medium-to-high risk offenders with substance use needs are increasingly managed through community-based supervision programs such as intensive supervision probation (ISP). ISP programs frequently rely on different types of graduated sanctions to encourage program completion. To further develop research on how graduated sanctions should be applied in response to substance-use-related violations, this study examines whether enhanced treatment sanctions (a rehabilitative approach) and jail sanctions (a punitive approach) may differentially impact successful ISP completion. Using a sample of persons who committed a substance use violation while on ISP, results from multilevel models demonstrate that enhanced treatment sanctions are significantly associated with increased odds of successful ISP completion. On the other hand, jail is not significant, and enhanced treatment and jail do not interact to influence ISP program success. Due to the deleterious nature of the jail environment, findings call into question the utility of jail sanctions on ISP outcomes. Overall, enhanced treatment may be a preferable

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means through which to sanction probationers and parolees who commit substance-use-related violations while under community supervision.

### Keywords

Substance use; graduated sanctions; substance abuse treatment; jail; intensive supervision probation; offender programming

### Introduction

Criminal justice agencies in the United States have been prioritizing alternatives to incarceration for drug involved offenders for nearly two decades. As a result of prison population reduction initiatives, a considerable portion of the effort to disrupt drug crime trajectories has fallen on community correction agencies and jails (Hiller, Knight, & Simpson, 1999). Focusing on the community portion of these efforts, recent estimates suggest that there are 4.65 million adults on community supervision (Kaeble & Bonczar, 2017). Moreover, about 1/4<sup>th</sup> of all probationers and about 1/3<sup>rd</sup> of all parolees are under supervision for a drug-related offense (Kaeble & Bonczar, 2017). Due in part to increasingly high caseloads for community correction agencies, one of the many challenges faced by probation and parole practitioners across the United States concerns the ability to provide effective substance treatment to clients (Clear & Latessa, 1993).

In response to increased efforts to keep substance offenders out of prison, intensive supervised probation programs (ISPs) for probationers and parolees have been advanced as a means to better address correctional objectives. ISP agents typically carry smaller caseloads and rely on close supervision of clients, thereby providing an alternative to incarceration for drug-involved offenders (Lowenkamp, Flores, Holsinger, Makarios, & Latessa, 2010). While becoming increasingly prevalent, critics of ISPs have noted that their ‘no-nonsense’ approach has led to higher revocation rates compared to traditional forms of community supervision (Clear & Latessa, 1993; Petersilia, 1998). Similar research has found the same for drug-involved offenders, as substance-related violations tend to disproportionately impact people who are on intensive supervised probation (Gray, Fields, & Maxwell, 2001; Petersilia & Turner, 1990). However, ISPs have recently begun focusing more on treatment rather than strictly on supervision. Further, some ISPs have adopted the use of non-jail based sanctions such as increased substance monitoring, individualized treatment planning, and the implementation of medically-based therapies (Miller & Khey, 2016; Wodahl, Boman, & Garland, 2015).

Whether through incarceration, community treatment, or intensive supervision, effective drug treatment is key to breaking the cycle of offending (Miller & Miller, 2017, 2011). Accordingly, substance treatment programming has become an integral component in evidence-based programming, and for medium-to-high risk offenders treatment through ISPs is becoming more normative. In the process, a delineation has formed between the ‘older’ ISP model, which focused primarily on punishment, and the ‘newer’ models, which instead place a key emphasis on substance abuse treatment. Drawing upon one example of a study from the ‘older’ model, correctional interventions in the state of Washington that used ISPs

but did not employ any treatment services were ineffective at reducing recidivism (Drake, Aos, & Miller, 2009). Because of similar findings (e.g. Petersilia, 1998), the older style of ISP has been heavily criticized as an effective model of supervision (Lowenkamp et al., 2010). As such, the older form of ISP programming is being increasingly replaced by a newer generation of ISPs that embrace the evidence-based practices of both expanded, and intensified, treatment programming.

While the literature on offender programming has grown considerably in recent years, research investigating the effectiveness of these treatments is relatively underdeveloped within the context of ISPs (Hyatt & Barnes, 2017). Researchers and practitioners are thus left with a key question: How can community correctional agencies best respond to substance-related violations for persons who are undergoing ISP? With emerging evidence demonstrating effectiveness in substance treatment programs in community-based corrections (Miller, Miller, & Barnes, 2016), understanding the effectiveness of treatment on successful ISP completion is growing increasingly important for applied criminal justice policies and practices. In the process, developing a better understanding of how treatment sanctions might impact ISP completion relative to other options is becoming all the more important as well. To contribute to this research, the current study addresses whether responding to substance-use-related violations with either jail-based sanctions (a traditional, more punitive approach) or treatment-based sanctions (a newer, more evidence-based approach) produces more positive ISP outcomes. Prior to discussing specifics about the study, however, we review how ISPs have evolved and how agencies approach substance use violations.

### **Intensive supervision probation and parole programs**

Largely in response to significant increases in the number of people housed in correctional facilities, ISP programs first started to appear in the 1980s as an alternative to incarceration (Petersilia, 1998). Based on the principles of deterrence and often utilizing graduated sanctions where increasingly severe penalties are imposed for more serious and repeated violations, these programs provide for a high degree of surveillance and control over offenders in the community (Lowenkamp et al., 2010). Despite the popularity of these programs, initial research evaluating ISPs failed to show that they were any more effective in reducing recidivism than traditional supervision (Fulton, Latessa, Stichman, & Travis, 1997; Petersilia, 1998; Sherman et al., 1997). More recent research, however, has challenged these findings by demonstrating that individuals in ISPs with intensive treatment programming components are more successful than individuals in ISPs without treatment components (Drake et al., 2009; Lowenkamp et al., 2010). Summarizing these findings, Drake et al. (2009, p. 191) note that ISP 'alone is not found to be effective', although ISP is effective 'when coupled with treatment oriented programs.' Thus, although ISPs do not appear to necessarily lead to more positive outcomes on their own, research indicates that they hold a great deal of promise when combined with specific treatment programs (e.g. Drake et al., 2009).

Despite the promise that ISPs with treatment components show in promoting positive outcomes for individuals with substance use needs (see Bonta & Andrews, 2007), there are

specific challenges faced by agencies in regard to drug and alcohol violations. In this vein, Lowenkamp et al. (2010) demonstrate that both treatment and surveillance are important components of successful community supervision within the ISP context. However, research has clearly demonstrated that these two functions of ISP compete with one another, and probation/parole agents often struggle to effectively balance both the law enforcement (surveillance) and social work (treatment) functions (Clear & Latessa, 1993). Because ISPs generally place such a strong focus on increased surveillance, providing support services – like treatment programming – has tended to occupy a much more ancillary role. The philosophy within an agency on whether to follow an ‘older’ (without treatment) or ‘newer’ (with treatment) model of ISP may account for differences in client success, though research specifically investigating these dynamics is lacking from current literature on ISPs. However, what is clear is that ISPs that do combine elements of treatment tend to be more successful than ISPs that do not contain treatment elements (Lowenkamp et al., 2010).

### **Graduated sanctions and community supervision**

First gaining popularity in drug courts (National Association of Drug Court Professionals [NADCP], 1997), graduated sanctions have been adopted by many community supervision agencies as a means of responding to offender noncompliance. Instead of revoking a person’s probation or parole by default when a violation is detected, graduated sanctions allow for the supervising officer and/or judge to impose a sanction such as a short stay in jail, community service, electronic monitoring, or increased treatment to keep clients out of prison (Taxman, Soule, & Gelb, 1999). In many cases, jurisdictions have paired the use of sanctions with incentives as a more comprehensive approach to promote compliance and encourage behavioral change (American Probation and Parole Association [APPA], 2013).

More recently, the use of sanctions – and particularly jail sanctions – has become more commonly used in applied community corrections. Much of the increase in the use of jail as a sanctioning means is attributable to the emergence of the swift, certain, and fair (SCF) sanctioning approach. The SCF sanctioning model, which is patterned after the well-known HOPE program in Hawaii, is a deterrent-based strategy that emphasizes the imposition of immediate and certain sanctions, normally in the form of short jail sentences, as a means to dissuade substance abuse behaviors in probation and parole caseloads (Kleiman, Kilmer, & Fisher, 2014). Due to the frequency of substance-use-related violations in everyday community-based corrections, this study’s focus on jail sanctions should be able to speak to the SCF’s common approach of swift and certain jail-based sanctioning.

Research on the use of graduated sanctions has shown success across a variety of outcomes, including increased offender compliance and reduced revocation rates (Grommon, Cox, Davidson, & Bynum, 2013; Hamilton, Campbell, van Wormer, Kigerl, & Posey, 2016; Hawken & Kleiman, 2009; Kilmer, Nicosia, Heaton, & Midgette, 2013; Steiner, Makarios, Travis, & Meade, 2012; Wodahl, Garland, Culhane, & McCarty, 2011). Hawken and Kleiman (2009) often cited evaluation of the Hawaii HOPE program, for example, found that sanctions administered under the SCF framework were associated with fewer missed appointments, fewer failed drug tests, and lower recidivism rates. Two recent studies, however, raise doubts about the effectiveness of sanctions in community supervision.

Lattimore et al. (2016) evaluation of SCF sanctioning programs at four sites found that sanctions were largely ineffective and in some cases produced iatrogenic effects, including increased likelihood of revocation and recidivism. Similar findings were reported in O'Connell and associates' evaluation of an SCF sanction program in Delaware (O'Connell, Brent, & Visser, 2016). These recent studies have led some to question regarding whether SCF sanctioning programs can really be considered an evidence-based practice (Cullen, Pratt, & Turanovic, 2016).

Most existing research on the effectiveness of graduated sanctions in community supervision has focused exclusively on the use of jail sanctions (Grommon et al., 2013; Hamilton et al., 2016; Hawken & Kleiman, 2009; Kilmer et al., 2013; Lattimore et al., 2016; O'Connell et al., 2016; Steiner et al., 2012), raising questions about the capacity of non-jail-based punishments to bring about desired outcomes. To address this gap in the research, Wodahl et al. (2015) recently used ISP data to examine whether jail sanctions produced more positive outcomes than community-based sanctions such as electronic monitoring, written assignments, and community service. Overall, the researchers found that experiencing a jail sanction did not significantly increase or decrease the client's likelihood of successful discharge, the number of days until the next violation, or the number of subsequent violations while on ISP. Because of the increased social and financial cost of jail sanctions relative to community-based sanctions, the authors recommend that practitioners 'err on the side of keeping probationers and parolees out of jail ... when there is no urgent necessity to remove the offender from the community' (p. 249). However, Wodahl and colleagues did not distinguish substance use violations from other types of violations. It is entirely possible that the efficacy of a sanction may be contingent upon the nature of the behavior that resulted in the violation. Moreover, given the sheer number of people on probation or parole because of a drug offense (or offenses), this limitation in existing research is particularly notable. As such, this study seeks to expand the research on how agents in research-based, 'newer' model ISP programs should respond to substance-use-related violations for ISP clients.

A second, and perhaps more salient, limitation of existing research on graduated sanctions is the lack of empirical inquiry into the potential role of treatment as a moderator of sanctioning effectiveness. In addition to imposing jail- and community-based sanctions, probation and parole officers routinely respond to substance-related violations with treatment-based sanctions, particularly in 'newer' type ISP programs. This often includes requiring an offender to attend a drug treatment program as either a standalone punishment or in combination with other sanctions. And, indeed, a substantial amount of research suggests that treatment, and even coerced treatment, is effective for substance abusing offenders in community settings (e.g. Farabee, Prendergast, & Anglin, 1998; Lurigio, 2000).

Since its intent is likely less about punishment and more about offering assistance, some might question whether enhancing a client's participation in treatment is really a 'sanction.' Furthermore, some in the therapeutic profession might be ideologically resistive to calling a mandatory enhancement in a client's treatment a 'sanction.' However, regardless of its intent and the concerns of the treatment community, requiring offenders to attend treatment is in fact punishing in the eyes of those who are forced to attend. To this point, a study by Wodahl, Ogle, Kadleck, and Gerow (2013) examined the perceived punitive effect of a

variety of graduated sanctions commonly utilized in community supervision. They found that supervised clients viewed treatment-oriented punishments such as inpatient and outpatient treatment as being more punitive than many other traditional sanctions, including jail. Thus, while it is clear that treatment is seen by offenders as punitive, the effectiveness of these treatment-based sanctions as a response to drug and alcohol violations remains unclear.

### Current study

Using a dataset consisting of ISP probationers and parolees who committed a substance-related violation while under supervision, the current study examines three research questions. First, does the imposition of a jail sanction versus a community-based sanction in response to a substance-related violation influence the likelihood of ISP completion? Drawing upon prior research suggesting that jail sanctions do not outperform community-based sanctions (Wodahl et al., 2015), we do not anticipate that sanctioning an offender to time in jail as opposed to a community-based sanction will affect ISP success or failure (hypothesis one). Second, does a sanction which includes enhanced treatment improve the likelihood of a successful discharge for substance violators? Since treatment programs generally improve outcomes (e.g. Drake et al., 2009), we expect that enhanced treatment will increase the likelihood that a person will successfully complete ISP (hypothesis two). Third, do jail sanctions work interdependently with increased substance abuse treatment sanctions to affect ISP outcomes? Because treatment has been shown to increase ISP success and jail confinement blocks access to substances, we expect that jail and increased substance abuse treatment will collectively improve the likelihood a person is successfully discharged from ISP (hypothesis three).

## Methods

### Data and sample

Data for this study come from a sample of probation and parole clients on ISP in the state of Wyoming. More specifically, data were collected from supervision case files from a random sample of ISP clients who participated in the Wyoming Department of Corrections' (WDOC) ISP program between the years of 2000 and 2003. The WDOC's ISP program is intended for high risk, adult, felony-level offenders. The program, which is designed to last one year, subjects offenders to enhanced supervision including frequent home visits, electronic monitoring, and drug testing. In addition to enhanced supervision, the WDOC ISP program was designed to bring about behavioral change through its emphasis on treatment in adherence to evidence-based practices like cognitive-behavioral programming and the use of incentives. Thus, this program clearly fits into the 'newer' model of ISP programs.

A key feature of the WDOC ISP program is the use of graduated sanctions as a tool for responding to noncompliant behavior. Department policy requires ISP officers to impose a sanction for all acts of offender noncompliance. Officers have a wide range of sanctions at their disposal, including community-based, treatment-based, and jail sanctions. Community-based sanctions include a variety of sanctions that are served in the community, such as community service hours, electronic monitoring, or curfews. ISP agents can also impose short-term jail sanctions as a response to offender noncompliance. After completion of these

sanctions, which generally last for a few days, the client is returned to ISP supervision. Finally, for certain types of violations – and especially violations involving substance use – increased treatment can be required. This might include requiring someone who was not engaged in treatment at the time of the transgression to attend a drug or alcohol counseling program, or requiring someone who was involved in treatment to increase their level of treatment (e.g. increasing from outpatient to inpatient treatment). While treatment enhancement can be used as a standalone punishment, these sanctions are often used in conjunction with community-based sanctions as well as jail sanctions. Following principles of deterrence (particularly celerity), sanctions are imposed on the same day or as quickly as possible following a violation (many are imposed immediately).

Overall, 283 individuals are included in the sample, representing about 20 percent of the total Wyoming ISP caseload between 2000 and 2003. The current study treats violation events as the focal unit of analysis. A violation event occurs when an offender commits and receives a sanction for one or more violations during a single event. For example, a probation officer might impose a 3 day jail sanction on an offender who in a single night breaks curfew, consumes alcohol, and lies to the supervising officer. While the offender technically committed three distinct violations, this is considered one violation event. In total, individuals in this sample were involved in 861 violation events while enrolled in the program. However, since the current study is focally concerned with substance use violations, 594 non-substance use violation events were dropped from analyses. The remaining 267 substance-use-related violations included those which fit into at least one of the following three categories: 1) use of a prohibited substance, such as marijuana or alcohol, 2) failing to submit and/or tampering with a required drug or alcohol test, and 3) a treatment violation, such as failing to attend required drug and/or alcohol treatment or being unsuccessfully discharged from treatment.

## Measures

**Dependent variable**—This study's dependent variable is a one-item measure which taps whether the person who was enrolled in ISP was successfully discharged or not. Specifically, measurement of this binary outcome variable, *ISP discharge success*, indicates either successful program completion (coded '1') or revocation (coded '0'). Overall, 44.6 percent of the persons who committed the 267 total drug offenses in the sample successfully completed ISP without being revoked (see Table 1).

### Independent variables

**Sanction measures.** The current study uses two measures of sanctions in response to a substance-abuse-related violation. First, we include a measure capturing whether a person was given a *jail sanction* in response to a substance use violation. This measure, which is binary (0 = community-based sanction given without a jail sentence; 1 = a jail sentence was given), is used as the first focal independent variable in the study. About 31 percent of substance use violations resulted in a jail sentence for the person on ISP. Jail sanctions normally lasted less than two weeks (mean = 13.41 days, standard deviation = 10.09 days, range from 1–30 days) and were most commonly given out in increments of five, ten, and thirty days.

The next sanction variable is *increased substance abuse treatment*, which captures an enhancement in substance abuse treatment through additional dosage or exposure (1 = enhanced; 0 = not enhanced). About 15 percent of substance abuse violations were immediately met with increased treatment sanctions, independent from other sanctions that could be given by an ISP agent. As such, a person could be given 1) a jail sanction, 2) an increased treatment sanction, or 3) both jail and increased treatment sanctions.

**Controls.:** We also include a series of control variables which may influence the likelihood of ISP program completion. Prior research suggests that women and older individuals (Clarke, Lin, & Wallace, 1988; Irish, 1989; Morgan, 1994; Sims & Jones, 1997) are more likely to successfully complete supervision than men and younger persons, respectively. Accordingly, we control for the *sex* of the offender. Males (about 75% of the sample; coded '1') are compared to females (coded '0'). Additionally, we control for the age of the individual. In this sample, the average age of the program participants is just over 30 years ( $M = 30.618$ ) with a standard deviation of 9.982 years and a range of 17 to 57 years. Some extant research also demonstrates mixed findings along racial boundaries. While some studies find that race is inconsequential in ISP discharge (Morgan, 1994), others observe that whites (compared to non-whites) have a higher likelihood of success (Clarke et al., 1988; Gray et al., 2001; Irish, 1989). As such, we also control for the *race* of program participants. Specifically, white respondents (about 72% of the sample; coded '0') are contrasted to non-white respondents (coded '1').

Since they are more likely to be subjected to frequent contacts, offenders with histories of drug use and misuse are more likely to have their supervision revoked due to technical violations (Gray et al., 2001; Petersilia & Turner, 1990). Accordingly, we include a series of measures to capture prior substance use patterns. First, we control for whether the respondent had *used illegal drugs* in the five years prior to ISP intake. Since this project is focused only on persons who committed a substance use violation while on supervised probation, it is relatively unsurprising that the vast majority (75%) of people in the sample reported illegal drug use prior to their participation in the program. Another similar measure captured whether the person had an *alcohol problem* in the five years prior to intake. Again, the majority of people (70%) report struggling to control their alcohol use prior to supervised probation. Finally, we include a binary control variable that captures whether the individual had attended *inpatient treatment* for substance abuse in the five years prior to program participation. Overall, about 29 percent of individuals in the sample had attended inpatient substance abuse treatment for either drugs and/or alcohol.

### Analytical strategy

To explore how jail sanctions and increased treatment sanctions relate to successful ISP completion, the present study proceeds by employing multilevel regression models. The current dataset contains nested data, meaning that standard ordinary least squares regression models are inadequate due to the possibility of violations of the assumption of independence (see Rabe-Hesketh & Skrondal, 2012). Accordingly, this study employs a multilevel mixed-effects model which is well suited for situations where datasets have more than one level of nesting (see Rabe-Hesketh & Skrondal, 2012). Because the outcome measures are binary (1

= successful ISP completion; 0 = revoked), we use a generalized form of the mixed model with a logit function.

Past research using this data has demonstrated that there are significant differences in sanctioning patterns between counties (Wodahl et al., 2015). To account for this, three level models were originally estimated. These models treated the violation and sanctioning event as the focal interest at level one, nested the sanctions within individuals at level two, and nested the individuals within their respective counties at level three.

However, these models produced estimates that contained extremely high standard errors and very large random estimates. Supplemental sensitivity analyses of these models showed that the issues in these models were occurring in the random effects parameter of the level two equation (the level which grouped around people). Replication procedures (bootstrapping and Taylor-series linearizations) were unable to resolve this problem and revealed that the difficulty in estimating the models was because of an overall lack of within-person variation in the sample. Specifically, a number of people in the data had only one substance use violation and sanctioning event, meaning they lacked within-person variation on the sanctioning variables, thus causing severe estimation issues in the three-level model. To resolve this issue, the second level of the equation was removed, thereby creating a two-level model whereby violations and sanctions are nested within counties.

To investigate our three research questions, a model building procedure is used. In the first model, we regress ISP discharge type onto whether the substance use violation was met with a jail sanction and include all control measures. In model two, we add in whether or not the substance use violation was responded to with an increased treatment sanction. In the third model, we investigate whether jail and enhanced treatment interactively relate to ISP discharge type by including an interaction term. To create the interaction between the jail and enhanced treatment sanctions, the main effect variables were grand mean centered and then multiplied together. Minor amounts of missing data (less than 2%) on two variables (jail and increased treatment) were imputed using a Markov-chain Monte Carlo technique in order to keep the full sample size of 267 violation and sanctioning events. All models were estimated in Stata (v. 14.2).

## Results

Results from a series of multilevel generalized mixed models that regress ISP discharge type onto sanctions are presented in Table 2. Due to a relatively small sample size, we report significance levels at  $p = .01$ ,  $p = .05$ , and  $p = .10$  levels. In model one, the jail sanction variable does not approach statistical significance. This suggests that jail sanctions are no more effective than community-based sanctions when responding to substance-use-related violations. This finding supports our first hypothesis since experiencing a jail sanction does not increase or decrease the likelihood that someone will be discharged successfully. Control measures suggest that those who are younger are moderately more likely ( $p = .10$ ) to be revoked, and those who have used drugs in the prior five years are significantly more likely to be revoked ( $p = .01$ ).

Model two introduces a measure of increased treatment as a sanction. This measure is statistically significant ( $p = .05$ ) and positive, indicating that those who experience increased treatment sanctions are significantly more likely to successfully complete ISP. Again, experiencing a jail sanction as opposed to a community-based sanction does not improve or harm a person's likelihood of being successfully discharged, and the controls carry similar effects to the prior model. Overall, this model demonstrates support for hypothesis two as individuals who received enhanced treatment as part of their punishment are more likely to complete the ISP program than those who did not receive enhanced treatment.

The third and final model introduces an interaction term that examines whether experiencing a jail sanction in conjunction with enhanced treatment relates to successful program completion. The interaction term of *jail x enhanced treatment* does not approach statistical significance. The lack of significance in the interaction term leads us to reject hypothesis three, as jail and increased treatment do not appear to jointly influence successful ISP discharge. Results of the other variables in the model closely mirror the results from model two.

## Discussion and conclusions

The goal of this project was to examine the role which jail sanctions and enhanced treatment sanctions play on successful completion of ISP for those who commit one or more substance use violations while under supervision. Overall, three key findings emerged from the results. The first is that jail sanctions are no more or less effective than community-based sanctions when responding to substance abuse transgressions. The second is that responding to substance-use-related violations with enhanced treatment significantly improves the likelihood that a client will successfully complete an ISP program. Finally, there is no evidence that combining a jail sanction with enhanced treatment improves the efficacy of the enhancement in substance abuse treatment. Given the increased focus on evidence-based practices over the past few decades, these findings carry implications for both correctional theory and policy.

The first main finding – that jail sanctions do not outperform community-based sanctions – raises questions about the de facto use of jail-based sanctions in response to substance-use-related violations. Although this practice has become commonplace under the SCF sanctioning model (Hawken & Kleiman, 2009), results from this study cannot substantiate this being an advisable practice. Jail carries high social and financial costs (e.g. Clear, Rose, & Ryder, 2001). As its primary capacity is to detain people, jail environments take a toll on persons due to a dangerous environment combining with a lack of substance use treatment programs, mental health services, and structured activities (see Cornelius, 2008; May, Applegate, Ruddell, & Wood, 2014). This social toll is exacerbated by the separation of families and risk of loss of employment that naturally occurs when someone becomes incarcerated (see Grogger, 1995). Further, it is substantially cheaper for the state corrections agency to keep offenders in communities, adding a financial incentive to this as well. With the extremely important caveat that there are certainly instances where people need to be removed from the community (such as when they become a danger to themselves or others), the non-significant effect of jail collectively indicates that, based on this analysis, we see no

immediate reason for probation and parole agents to choose jail sanctions over community-based sanctions in response to substance-use-related violations. As such, these findings mesh with other studies on the SCF model that question the utility of using jail as a means of sanctioning (e.g. Lattimore et al., 2016; O'Connell et al., 2016). In the process, this study further contributes to questions regarding whether the SCF model's approach to sanctioning can be considered an evidence-based practice (Cullen et al., 2016).

Despite this finding and adjoining policy recommendation, it is important to keep in mind that results similar to these would need to be replicated prior to changing criminal justice procedures. Further emphasizing this point, we are unable to specifically investigate the casual mechanism driving this non-significant main effect for jail sanction (a point to which we return in the discussion of this study's limitations).

The second finding, that enhanced treatment sanctions significantly relate to increased odds of successful ISP completion, supports prior literature demonstrating that supervision practices are more successful when treatment is a focal process (e.g. Drake et al., 2009). Further, this finding holds even when prior history with substances is included within the model. Coupled with other research demonstrating that treatment is often key to promoting decreased substance use for probationers and parolees (e.g. Miller & Miller, 2017, 2011), our findings contribute to this literature by demonstrating a clear link between treatment and successfully being discharged from ISP. Since enhanced treatment as a sanction appears to hold promise in promoting successful ISP outcomes, this evidence-based practice provides further empirical support reinforcing the effectiveness of using 'newer' type ISP approaches like the one which is implemented in the state of Wyoming.

Although treatment sanctions do significantly promote ISP completion, our third finding demonstrates that jail sanctions do not condition the effect between enhanced treatment and ISP success. Overall, this suggests that treatment sanctions relate to ISP completion independently from jail sanctions. In other words, the positive effects of enhanced treatment are not further improved by jail sanctions. Coupled with findings relevant to hypotheses one and two, this finding serves to reinforce the observation that jail-based sanctions do little to improve the likelihood that a person will be successfully discharged from ISP. Due to a lack of an independent or interdependent effect of jail sanctions on ISP outcomes coupled with the financial and social expense of imprisonment, our findings suggest that alternative sanctions that are based in principles of treatment may provide for a more fruitful avenue for practitioners in probation and parole to pursue. Unless there is a clear need to remove the individual from the general population, we echo the conclusion of Wodahl et al. (2015) by suggesting that corrections agencies should be cautious in applying jail sanctions – especially when they are a standalone punishment – for substance-use-related violations.

Despite the contributions of this project, this study is not without important limitations. Due to the small sample size, we were unable to control for the effects of employment, marital status, presence of children in the household, or educational levels of the individual – all of which have been shown to differentially impact ISP completion and program success (Irish, 1989; Morgan, 1994; Petersilia, 1985). Additionally, the sample is comprised of mostly white males located in the state of Wyoming, thus limiting the generalizability of these

findings to those of different cultural backgrounds, gender identities, and geographical locations. Future research should look to fill in these gaps, particularly considering that correctional outcomes can vary based on a number of different factors, including – but not limited to – whether or not a person was undergoing parole or probation (e.g. Durose, Cooper, & Snyder, 2014). Finally, since enhanced treatment (relevant to the severity and certainty aspects of deterrence) was applied very quickly (relevant to celerity) in the Wyoming ISP program, additional research is needed to specify whether the significant link between treatment and successful ISP completion is a function of deterrence or effective treatment programming. Although this study lacks the capacity of determining the specific mechanism that is driving the positive relationship between treatment sanctions and ISP completion, our expectation is that deterrence would not be overwhelmingly effective based on many past studies which conclude that the theory is ineffective as an approach to reducing crime and recidivism (see Pratt, Cullen, Blevins, Daigle, & Madensen, 2006). Regardless, future research should seek to uncover the specific mechanism by which treatment promotes positive ISP outcomes.

Further developing the ever-evolving understanding of how treatment sanctions contribute to successful ISP completion is imperative for policy and practice. To this point, our findings follow prior research by calling into question the primarily punitive practice of putting people in jail in response to a substance-use-related violation (e.g. May et al., 2014). Since community-correction programs may be more aligned with the true correctional ideology of rehabilitation (Tonry, 2017), our findings suggest that correctional agencies may wish to dismiss the use of jail sanctions in favor of enhanced substance use treatment in the case of substance-use-related violations.

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**Table 1.**Descriptive statistics of ISP sample ( $n = 267$ ).

	<b>M</b>	<b>SD</b>	<b>Min.</b>	<b>Max.</b>
<i>Dependent Variable</i>				
ISP discharge type (1 = success)	.446	.498	0	1
<i>Sanction Measures</i>				
Jail sanction	.308	.463	0	1
Increased treatment sanction	.154	.361	0	1
<i>Controls</i>				
Male	.745	.437	0	1
Age	30.618	9.982	17	57
Non-white	.277	.448	0	1
Prior drug use	.749	.434	0	1
Prior alcohol problem	.700	.459	0	1
Prior inpatient treatment	.285	.452	0	1

**Table 2.**

Multilevel logistic mixed models regressing ISP discharge type onto jail and increased treatment sanctions for substance use violations ( $n = 267$ ).

	<b>Model 1</b>		<b>Model 2</b>		<b>Model 3</b>	
	<b>b</b>	<b>SE</b>	<b>b</b>	<b>SE</b>	<b>b</b>	<b>SE</b>
<b>Level 1</b>						
<i>Sanction Measures</i>						
Jail sanction	.237	.305	.294	.309	.310	.312
Increased treatment sanction	-	-	.747	.381 <sup>*</sup>	.733	.393 <sup>+</sup>
Jail x increased treatment	-	-	-	-	-.340	.909
<i>Controls</i>						
Male	-.042	.339	-.034	.342	-.035	.342
Age	-.028	.016 <sup>+</sup>	-.030	.017 <sup>+</sup>	-.030	.017 <sup>+</sup>
Non-white	-.180	.335	-.158	.338	-.163	.339
Prior drug use	-1.035	.362 <sup>**</sup>	-1.046	.364 <sup>**</sup>	-1.038	.364 <sup>**</sup>
Prior alcohol problem	-.342	.313	-.375	.315	-.371	.315
Prior inpatient treatment	-.267	.333	-.268	.338	-.281	.339
Constant	1.894	.800 <sup>*</sup>	1.849	.802 <sup>*</sup>	1.833	.803 <sup>*</sup>
<b>Level 2</b>						
$\sigma^2$	.859		.864		.860	
<b>Model Statistic</b>						
F	1.85 <sup>+</sup>		2.01 <sup>*</sup>		1.80 <sup>+</sup>	

<sup>+</sup>  $p$  .10

<sup>\*</sup>  $p$  .05

<sup>\*\*</sup>  $p$  .01