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Faculty Release Report on Sheriff's AB 109 Program

An assessment by California State University, Chico faculty found positive results in Butte County's response to the shift of some felony offenders from state prisons to county jails.

The state's criminal justice realignment, triggered by Assembly Bill 109, began shifting the custody and supervision of low-level felons to the counties in October 2011.

Shortly thereafter, an interdisciplinary team of CSU, Chico faculty, forming the Consortium for Public Safety Research (CPSR), partnered with Butte County to understand the impacts of additional offenders under county supervision because of AB 109. As an aspect of the partnership, the CPSR has focused on the impact of AB 109 on the Butte County Jail.

CSU, Chico's Consortium for Public Safety Research reported three main findings to the Butte County Community Corrections Partnership last week:

- Felons participating in the Butte County Sheriff's Office Alternative Custody Supervision Program had a first-year recidivism rate of 14 percent, a lower rate than comparison group estimates. Alternative custody meant offenders served a portion of their sentences supervised outside of jail wearing an electronic-monitoring ankle bracelet.
- AB 109 offenders in Butte County were more likely to report needing rehabilitative and therapeutic services compared to those who were incarcerated for misdemeanors.
- Risk of program failure could be predicted by several social and criminal history factors, along with attitudinal scores based on a survey of offenders.

The Butte County Community Corrections Partnership, comprising Sheriff Jerry Smith, Chief Probation Officer Steve Bordin, District Attorney Mike Ramsey, Behavioral Health Director Anne Robin and Chief Administrative Officer Paul Hahn, met with the CPSR last week to hear findings of the report.

The report, titled "Considering the Life-Course of Crime: Contextualizing California's

AB 109 Offender under Correctional Supervision,” was authored by CSU, Chico political science professors Jon Caudill, Ryan Patten, Sally Anderson and Matthew Thomas, and it includes research results as well as recommendations for future policies.

Caudill, the lead author, said the county’s Alternative Custody Supervision Program gave staff flexibility to choose which offenders could serve part of their sentence outside of jail with electronic-monitoring supervision. Many other counties chose to respond to the additional offenders by setting jail time and probation length at sentencing, which took away the ability to make custody decisions on a case-by-case basis.

Caudill said Butte County’s response to AB 109, including the use of alternative custody supervision, contributed to “a respectable and substantially reduced recidivism rate given the nature of these correctional clients.” He said the finding “adds critically important information to the current debates surrounding criminal justice realignment.”

The authors framed the report within a “life-course” theoretical framework, which suggests criminal behavior occurs in the context of both individual choices as well as societal forces. “Individuals reach various turning points throughout their life course, and for the AB 109 correctional clients, it appears the Butte County Sheriff’s Office has harnessed those turning points by providing recidivism-reducing services and supervision,” Caudill said.

In addition to the faculty involved in the report, numerous CSU, Chico students—both undergraduate and graduate—participated in the research project. Criminal justice interns logged more than 300 hours of work on this project and observed over 400 home visits with deputies to alternative custody clients.

“We simply would not be able to conduct research on this scale without our dedicated student interns,” said Patten, who oversees the ride-along portion of the research project.

The project provides “our students the experience and opportunity to see how the things they learn in the classroom translate into practice in the field,” Caudill said. “For our students, this is ‘boots on the ground.’”

Emily La Rue, a senior criminal justice major, said, “As students, the opportunity to be a part of this collaboration has allowed us to develop a larger appreciation for research and the potential influence the results have on real-world situations. We are able to take what we observe on ride-alongs with deputies, discuss those observations with our professors, and then watch the alternative custody supervision program grow and evolve as more data is collected and analyzed.”

Gayle Hutchinson, dean of the College of Behavioral and Social Sciences, said, “CSU, Chico is committed to providing students with high-quality and applied learning environments, which includes serving communities outside the University in ways that are meaningful and productive for everyone involved. The recent partnership between the Consortium for Public Safety Research and the Butte County Sheriff’s Office allows

our students and faculty to work shoulder to shoulder with criminal justice personnel. I find the organizational design of this partnership to be exemplary, as evidenced by the high quality of its most recent study.”

The authors make several evidence-based recommendations, including expanding therapeutic services in the Butte County Jail and the successful Alternative Custody Supervision Program. As Caudill notes, this applied research “allows us to provide services to criminal justice agencies in our University’s service area, while also exemplifying the teacher-scholar model by integrating students into our research.”

Commenting on the report, Sheriff Smith said, "I am pleased with the progress we are achieving in our Alternative Custody Supervision Program. This report reaffirms that we are making headway in our ongoing effort to enhance public safety by reducing recidivism. The research conducted by the Chico State researchers is invaluable and enables us to deploy our limited resources in a manner likely to achieve the best outcomes. I look forward to continued collaboration with Chico State and greatly appreciate the University's commitment to helping us make our community a safer place."

The research project is supported through funding from the University, the College of Behavioral and Social Sciences, and the Department of Political Science. All inquiries and comments should be directed to Caudill at jcaudill@csuchico.edu.

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CONSIDERING THE LIFE-COURSE OF CRIME: CONTEXTUALIZING CALIFORNIA'S
AB109 OFFENDER UNDER CORRECTIONAL SUPERVISION

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EXECUTIVE SUMMARY

In January 2012, the California State University, Chico, Consortium for Public Safety Research (CPSR) established a long-term collaborative relationship with the Butte County Sheriff's Office (BCSO) some three and a half months after the State of California started the process of transferring non-serious, non-violent, and non-sexual felony offender supervision to the counties. The significance of this transfer of supervision responsibilities cannot be overstated given the additional resources required to serve this population.

As a part of a collaboration agreement, the CPSR has conducted a long-term assessment of the impact of AB 109 on the BCSO. Specifically, the CPSR has focused on the changing correctional client population for this report. As evidenced by the findings presented in the Findings section, the BCSO experienced a substantial shift in correctional client demographics and, thus, was required to reformulate their correctional mission.

In the CPSR's first report, *Breaking Ground: Preliminary Report of Butte County Sheriff's Alternative Custody Supervision Program*,¹ the authors made five results-based recommendations to improve correctional supervision and treatment. These recommendations focused on a clearer understanding of the new correctional client population as well as developing mechanisms to increase efficiencies in supervision and treatment strategies. Specifically, the CPSR made the following recommendations to the BCSO:

1. have the staff conduct a supervision and treatment plan for all potential ACS eligible inmates;
2. support their continued search for an appropriate offender management system that has the capacity to store historical data and network with other county systems;
3. further formalize the ACS program, to include additional officer training and a comprehensive, evidence-based supervision strategy;
4. explore a population-validated risk assessment tool, and;
5. work proactively to prioritize research projects promoting public safety and resource management.

The BCSO has made significant strides toward full realization of these recommendations. For instance, the BCSO selected an offender management system and is now engaged in

¹ Caudill, J.W., Patten, R., Parker, S., Thomas, M. (2012). *Breaking Ground: Preliminary Report of Butte County Sheriff's Alternative Custody Supervision Program*. County of Butte, California. Retrieved on 02/15/2013 from <http://www.buttecounty.net/SheriffCoroner/~media/County%20Images/Sheriff%20Coroner/PDF/BREAKING%20GROUND%20FINAL%20REPORT.ashx>.

implementation. Further, the Alternative Custody Supervision (ACS) Program has conducted several community supervision trainings, implemented a caseload management system, and, is in the process of solidifying a comprehensive and scientifically validated training protocol for all ACS Deputies.

These two recommendations aside, the BCSO requested the CPSR provide specific consultation to explore a population-validated risk assessment tool as the basis for individualized offender supervision and treatment plans. Thus, this report focuses on Life-course persistence in and desistance from crime.² The Introduction section provides a general understanding of the Life-course framework and the Discussion section uses this framework to: (1) provide a clearer understanding of the correctional population shift in the BCSO via an inmate needs survey; (2) present results from a program exit predictive model; (3) introduce the findings from, and recommendations based on, a population-validated risk assessment instrument pilot study, and; (4) explore the ACS program supervision strategies.

In short, this report contains evidence supporting three new recommendations to further the connectivity between service provision and public safety. The first recommendation, **the BCSO expand therapeutic services in the jail**, is the product of viewing inmate survey results through the Life-course lens. This orientation suggests the BCSO has an opportunity to *harness the turning point of incarceration* and, therefore, early incarceration programming may encourage desistance from crime.³

The CPSR's second recommendation focuses on progress toward a population-validated risk assessment protocol to distinguish risk to public safety across the ACS-qualified AB 109 offenders. By combining two data collection strategies (official criminal records and the Criminal Thinking Scales survey⁴), the research team was able to identify promising measures predicting program failure. For example, two official measures – the number of previous arrests and offender's age – and two of the concepts obtained from the Criminal Thinking Scales – entitlement and cold-heartedness – demonstrated significant correlations with offenders failing the ACS Program. These findings are meaningful, however, expanding this study to include the broader Butte County offender population will allow for a more exact correlation estimate. Given this, the CPSR recommends that **the BCSO conduct a full-scale study of a risk assessment survey instrument for population validation**. As prior research has revealed that offenders motivated to change were more willing to accept responsibility for their criminal pasts,⁵ understanding their thought processes should prove useful in creating a more exact risk tool.

² Sampson, R.J. & Laub, J.H. (1995). *Crime in the Making: Pathways and Turning Points through Life*. Cambridge, MA: Harvard University Press.

³ Bosick, S. & Gover, A. (2010). Incarceration during the transition to adulthood: A snapshot of at-risk males at 25. *American Journal of Criminal Justice*, 35, 93-104.

⁴ Knight, K., Garner, B.R., Simpson, D.D., Morey, J.T., Flynn, P.M. (2006). An assessment for criminal thinking. *Crime & Delinquency*, 52, 159-177.

⁵ Laub, J.H. & Sampson, R.J. (2005). A Life Course view of the development of crime. *Annals of the American Academy of Political and Social Science*, 602, 12-45.

The final study, *Creating Turning Points*, focuses on supervision of ACS participants. Specifically, the research team placed graduate and undergraduate research interns with ACS deputies to observe their interactions with program participants. This unique data collection strategy permitted a larger sample size than achievable with more traditional approaches. This, in addition, allowed for more robust statistical analyses. The findings suggest that ACS deputies have adopted a successful combination of supervision and service strategies. The general landscape is that ACS deputies' field interactions with program participants were significantly more service oriented (80 percent) than enforcement. Based on the Life-course perspective that incarceration can serve as a desistance opportunity (a chance to change direction) for criminals⁶ and the inherent nature of returning to negative environments post-incarceration, it is imperative that ACS deputies continue to assist program participants realize pro-social opportunities.

Robust mixed-methods analyses have established the ACS program's successes. The CPSR recommends the **BCSO explore expanding the ACS program as an offender reentry program while maintaining respectable deputy-participant ratios to facilitate individualized supervision and service provision**. This is no easy feat without additional resources. However, this approach will promote transition from criminal orientations to more pro-social thought processes and behaviors for those returning to the community from incarceration.

In summary, the findings and recommendations of this follow-up report operate within the Life-course theoretical framework. Based on the idea that desistance from crime is more of a process than a singular event and pro-social environmental factors facilitate incremental shifts away from crime,⁷ identifying offenders' locations on the criminal desistance continuum through risk assessments should improve the ACS program's efficacy.

⁶ Bosick, S. & Gover, A. (2010). Incarceration during the transition to adulthood: A snapshot of at-risk males at 25. *American Journal of Criminal Justice*, 35(3), 93-104.

⁷ Laub, J.H. & Sampson, R.J. (2003). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.

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A project of this scope undoubtedly requires substantial support for and dedication from all those involved. We have been fortunate to receive support from our colleagues within the Political Science Department, College of Behavioral and Social Sciences, and the California State University, Chico community, in general.

We must take a moment to thank the BCSO administration and employees. Our results would be meaningless without their accommodations, participation, and general good will. We also wish to express specifically our appreciation to the correctional deputies for taking on riders during their shifts. This collaboration's goal has been to provide empirical feedback regarding offender management efficacy. We believe this report achieves that expectation.

Finally, we would be remiss to overlook the contributions of our research interns. Research interns have logged countless hours conducting field observations, collecting literature, compiling databases, coordinating interviews, and a host of other various, but essential tasks. So, we are indebted to their sacrifice. We hope their learning experiences have met and exceeded their expectations.

The following research interns have made substantial contribution to this project:

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INTRODUCTION

California's Criminal Justice Alignment (AB 109)

“AB 109 Adding to the Challenges for Placer Jail, Crime Suppression”

“Crime is Up; Are AB 109 Probationers to Blame?”

“AB 109 Causing Problems for Gilroy Police”

“SoCal Police Chiefs on AB 109: This is Dangerous”

On October 1, 2011, the State of California began realignment of its criminal justice system, shifting the supervision of a large percentage of felony offenders from the state-level, to the 58 individual counties. This change came as a reaction to California's overall budget crisis, ever-increasing spending in the California Department of Corrections and Rehabilitation, and decisions in key federal lawsuits.⁸ As a result of these three key factors, Governor Brown signed legislation transferring authority of the “non-non-non” felons (those convicted of non-violent, non-sexual, or non-serious crimes) to California counties, effectively creating a system of “county prisons” which forced counties to deal with a host of issues that previously were considered the responsibility of the state.⁹ This shift in custodial supervision from the state prisons to local jails, as evidenced by media reports, has generated much debate.¹⁰ In fact, most recent reports have highlighted one of the many consequences of jail overcrowding as some county jail officials have been forced to release offenders that pose a substantial risk to public safety.¹¹

Headlines from across the state sent a generally clear message of public safety risk posed by some offenders released as a result of AB 109. Claims (such as criminal justice realignment in California created increased crime, strained local resources, and

⁸ For an example of the budget crisis, see: Office of the Governor. (2011, January 10). Governor Brown's Budget Slashes State Spending by \$12.5 Billion. Retrieved from <http://gov.ca.gov/news.php?id=16872>. For information regarding CDCR's budget woes, see: California Budget Project (2011). Steady Climb: State Corrections Spending in California. Retrieved from http://www.cbp.org/pdfs/2011/110914_Corrections_Spending_BB.pdf. The key lawsuit is *Brown v. Plata*, 131 S.Ct. 1910 (2011).

⁹ For a more complete discussion of California's AB 109 and Butte County's implementation strategy, see the this groups previous report: Caudill, J., Patten, R., Parker, S., & Thomas, M. (2011). “Breaking Ground: A Preliminary Report of Butte County Sheriff's Alternative Custody Supervision Program.” Chico, CA: California State University, Chico.

¹⁰ Quotes in the textbox originated from the following sources: Andersen, S. T. (2012, October 11). AB 109 Adding to Challenges for Placer Jail, Crime Suppression. *Auburn Journal*. Retrieved from: <http://www.auburnjournal.com/article/ab-109-adding-challenges-placer-jail-crime-suppression>; Brodeur, G. (2012, August 24). Crime is Up; Are AB 109 Probationers to Blame? *High Desert Daily Press*. Retrieved from: <http://www.vvdailynews.com/articles/probationers-36253-victorville-blame.html>; Smith, A. (2012, January 12). AB 109 Causing Problems for Gilroy Police. Central Coast News. Retrieved from: <http://www.kionrightnow.com/story/16511825/ab-109-causing-problems-for-gilroy-police>; Day, B. (2013, February); SoCal Police Chiefs on AB 109: ‘This is Dangerous.’ Pasadena Star News. Retrieved from: http://www.pasadenastarnews.com/news/ci_22511437/socal-police-chiefs-b-109-this-is-dangerous.

¹¹ See, for example, St. John, P. (2013). Paroled sex offenders disarming tracking devices. Los Angeles, CA: *Los Angeles Times*. Retrieved from: <http://www.latimes.com/news/local/la-me-sex-offenders-20130224.0,3138981.full.story>.

precipitated declines in the overall public safety) has been without sufficient supporting evidence. While individual accounts of criminal activity are in fact attributable to those sentenced under AB 109 guidelines, overall trends are impossible to determine through this anecdotal approach.

Instead of allowing media reports of extreme cases to force their response, the Butte County Sheriff's Office (BCSO) has adopted an empirically-based approach to offender management designed to identify the most suitable supervision and treatment strategies. Included in this strategy are a host of cognitive-behavioral classes, vocational training programs, and educational services. This is not to suggest that the BCSO has avoided the consequences of AB 109, yet it suggests the BCSO has embraced a scientific approach to understand the new AB 109 milieu. As a part of their overall approach, the BCSO has enlisted a private consulting firm to update an existing jail assessment and the CSU, Chico Consortium for Public Safety Research (CPSR) to assess and provide evidence-based feedback on correctional client management. Collaboration with the CPSR provides an opportunity for a more holistic understanding of AB 109 and its impact on local offender management. This report is a step toward that goal by focusing on the 1170(h) offenders – those offenders now sentenced to county level incarceration instead of state incarceration – through a criminological framework. Specifically, this report uses a Life-course theoretical foundation to appreciate more deeply the results of three data collection strategies.

A General View of Life-Course Criminology

Leaning heavily on Glenn Elder's Life-course methods of studying California

children of the Great Depression,¹² John Laub and Robert Sampson used the Life-course framework – the interconnectedness of life events and the associated outcomes – to reexamine longitudinal data from the Gluecks' seminal work on juvenile delinquency.¹³ Laub, a former Director of the National Institute of Justice, and Sampson, a Harvard University Sociologist, have produced substantial scholarship and scholarly commentary and furthered understanding crime from a developmental, or across the Life-course, perspective.

This theoretical framework is also relevant well beyond criminology. For example, scientists have used a Life-course framework to explore compulsive consumption behaviors in France¹⁴ and middle childhood anxiety in Canada.¹⁵ Additionally, the Life-course analytic view has been useful for nurses gathering familial history from breast cancer patients.¹⁶ The Life-course framework has utility across multiple domains.

¹² Elders, G.H., Jr. (1974). *Children of the Great Depression: Social change in the life experience*. Chicago: University of Chicago Press.

¹³ Glueck, S. & Glueck, E. (1950). *Unraveling Juvenile Delinquency*. New York, NY: Commonwealth Fund.

¹⁴ Benmoyal-Bouzaglo, S. & Moschis, G.P. (2009). The effects of family structure and socialization influences on compulsive consumption: A life course study in France. *International Journal of Consumer Studies*, 33(1), 49-57.

¹⁵ Pagani, L.S., Japel, C., Vaillancourt, T., Cote, S., & Tremblay, R.E. (2008). Links between life course trajectories of family dysfunction and anxiety during middle childhood. *Journal of Abnormal Child Psychology*, 36(1), 41-53.

¹⁶ Benjamin, C., Flynn, M., Hallett, C., Ellis, I., & Booth, K. (2008). The use of the life course paradigm and life course charts to explore referral for family history of breast cancer. *International Journal of Nursing Studies*, 45(1), 95-109.

The Theoretical Location of Life-Course Criminology

In a traditional vein, criminological theory can be viewed through two lenses. The first lens focuses on one of two levels of influence (either micro- or macro-). Micro-level theories focus on individual aspects of crime (e.g., the influence of gang affiliation on the likelihood of arrest) while macro-level theories focus on broader societal impacts on crime. Life-course criminology bridges these levels by focusing on the interaction between micro- and macro-level determinants of crime.

The second lens through which to view criminological theory is on a continuum of internal versus external locus of control. Borrowing from other academic disciplines, crime can be seen as the absolute result of an individual's decisions (i.e., free-will), the absolute result of environmental factors (i.e., structural impediments), or as a hybrid framework where free-will interacts with environmental factors to produce crime.

John Laub and Robert Sampson's Life-course theory of crime incorporates a hybrid view of crime, focused on "the interaction between life-course transitions, macro-level events, situational context, and individual will."¹⁷ In other words, the Life-course framework considers the individual's decisions in the context of his or her social environments.

Life-course has been used extensively to understanding crime. Scientists have

¹⁷ Laub, J.H. & Sampson, R.J (2007). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press, p.281.

employed the Life-course framework to understand citizen reporting practices of violence to the police,¹⁸ the cumulative disadvantage of adolescent negative police contact,¹⁹ the influence of victimization on social development and later violence,²⁰ and, of course, desistance from crime.²¹

The Life-course framework helps to explain substance abuse experiences. Rachel Rayburn used the Life-course framework to explore the displacement effects of Hurricane Katrina on transient substance abusers.²² She was able to invoke the Life-course framework to understand more completely substance abuse and homelessness. Likewise, a substantial portion of offenders under study for the current report has significant drug abuse histories, numerous entries into the criminal justice system, and varied backgrounds. Given the benefits of considering the life course of crime, this report discusses the Butte County Sheriff's Office management

¹⁸ Bosick, S.J., Rennison, C.M., Gover, A.R., & Dodge, M. (2012). Reporting violence to the police: Predictors through the life course. *Journal of Criminal Justice*, 40(6), 441-451.

¹⁹ Lopes, G., Krohn, M.D., Lizotte, A.J., Schmidt, N.M., Vasquez, B.E., & Bernburg, J.G. (2012). Labeling and cumulative disadvantage: The impact of formal police intervention on life chances and crime during emerging adulthood. *Crime & Delinquency*, 58(3), 456-488.

²⁰ Macmillan, R. (2001). Violence and the life course: The consequences of victimization for personal and social development. *Annual Review of Sociology*, 27, 1-22.

²¹ See, for example, Kirk, D.S. (2012). Residential change as a turning point in the life course of crime: Desistance or temporary cessation? *Criminology*, 50(2), 329-358.

²² Rayburn, R.L. (2013). Two decades and a category 5 hurricane later...tracking homeless substance abusers in New Orleans. *Contemporary Social Science*, 8(1), 18-30.

of AB 109 offenders during the first year through a Life-course landscape.

Current Study

The Life-course framework encourages a cradle-to-grave vision, where events occurring over the course of life affect later outcomes. Given that developmental orientation, this report uses the Life-course framework to explore three distinct studies – *A Turning Point for Jails*, *Capturing the Life Course Perspective*, and *Creating Turning Points* – focused on the interaction between criminal justice agents and AB 109 sentenced felony offenders across their correctional supervision experiences. *A Turning Point for Jails* presents results from an inmate survey study identifying how AB 109 has changed the jail landscape by comparing AB 109 offenders to misdemeanor offenders. *Capturing the Life Course Perspective* focuses on risk factors associated with failing the ACS program while on community supervision. This study is part of a larger process to create a population-validated risk assessment tool for this specific correctional population. These findings are also the foundation for the report’s call for a more rigorous risk assessment population-validation study. Finally, *Creating Turning Points* focuses less on the correctional clients and more on how correctional deputies supervise these correctional clients. Results of this study presented here provide a snapshot of data from a much larger, longitudinal study of organizational shifts, however, the findings fit well within the context of Life-course criminology.

METHODS

Describing the correctional landscape post-AB 109 requires a few explanations. First, understanding any social phenomenon requires objective judgment. While absolute objectivity remains elusive,²³ scholars have an obligation to recognize their biases and develop research protocols to reduce subjectivity. Second, scientific studies require comparisons to contextualize progress. Finally, scientific inquiry should include established methods of data collection and analyses. This section delineates how the authors reduced subjectivity and created comparison groups, and places analytical procedures in context with the greater academic community.

A Turning Point for Jails

To determine offenders’ perceptions of their program needs, the authors surveyed sentenced county prisoner offenders prior to alternative custody. This population included both misdemeanants and those sentenced under AB 109 guidelines.

Legal Research Assistants (LRAs) initially administered inmate surveys in the Butte County Jail Law Library (also referred to by the inmates as “CLIC”). Eventually, the survey administration spread to the Inmate Pods as well. The LRAs are students from CSU, Chico, and selected for this project because most of the inmates were familiar with them and were comfortable working with the students. Researchers trained the LRAs in correct surveying procedures. LRAs read the questions to inmates and then

²³ Van Maanen, J. (1982). Fieldwork on the beat: This being an account of the manners and customs of an ethnographer in an American Police Department. In J. Van Maanen et al., *Varieties of Qualitative Research*. Beverly Hills, CA: Sage Publications, 103-115.

LRAs documented inmates' answers. LRAs conducted surveys individually and in a manner that preserved confidentiality from the jail staff and other inmates.²⁴

Since the project initiation, the research team has continued to survey a purposive sample, now numbering 121 inmates. Incarcerated culture dictates that inmates refrain from unnecessary interactions with correctional officers or, in this case, anyone associated with the administration,²⁵ so our research protocol required multiple recruiting strategies. First, inmates were surveyed if they requested to come in to use the law library through self-initiation. Second, the LRAs requested inmates to come into the law library to participate specifically in the study because they were on a list of all county prison sentenced inmates. Once in the jail law library, the study participation rate was perfect (100 percent). Some inmates, however, refused to report to the law library at various times of the day and for various reasons.²⁶ Therefore, the researchers started surveying inmates in their pods and cells in order to reach a wider range of inmates. These surveys were conducted with attention to the confidentiality concerns expressed above.

²⁴ On one occasion, the survey was conducted with two inmates who requested to use the library at the same time.

²⁵ Phillips, J. (2001). Cultural construction of manhood in prison. *Psychology of Men & Masculinity*, 2(1), 13-23.

²⁶ A refusal is documented when an inmate is unavailable to come into the law library. Reasons for unavailability are things, such as; they are on work duty, seeing a doctor, at a court hearing or do not want library services at that time.

Capturing the Life Course Perspective

ACS Program Exit

Data

Due to limited capabilities of the current offender management databases, these analyses combined two data sources. First, the ACS program staff members maintain a cross-sectional, offender-oriented database including a few various program exit measures, such as program violations, arrests, escapes, and time served. Additionally, the ACS data also contained limited demographic information used in these analyses as predictors of program exit. Maintenance of the program exit database was the responsibility of one staff member, increasing data reliability. The research team, assisted by the ACS staff, transformed the agency-generated data into an evaluation appropriate database. Second, researchers were able to merge limited jail records with program exit data to isolate the effects of previous criminal histories. Combining these databases allowed for a more comprehensive assessment of factors associated with failing the ACS program.

Measures

Independent Variables

Within the vein of the Life-course of offending, the study included several criminal history variables. The essence of Life-course criminology is the criminal desistance process by which the transition from criminal tendencies to more generally accepted behaviors. In other words, it describes the process whereby offenders stop offending. This transition, according to

scholars,²⁷ includes turning points toward more mainstream behaviors, such as marriage, military service, and other pro-social institutions. Access to these institutions, however, require some level of suitability for stabilizing environments. Based on this orientation, the researchers developed several proxies of social marginalization: previous arrest counts, maximum charges, jail stay, and offense severity scale. Additionally, researchers included two demographic measures: age and sex.

The Life-course framework suggests individual free will influences access to social institutions. For example, incarceration for more than a very short period has deleterious effects on employment, and marginalization from these prosocial institutions, in turn, dilutes life stability.²⁸ Previous arrest counts (the number of times an individual experienced entry into the Butte County Jail), maximum charges (the maximum number of charges per arrest), jail stay (number of days incarcerated for the current offense), and offense severity scale (an averaged index of historical misdemeanors (0) and felonies (1)) were all used as proxies for social marginalization.

Dependent Variables

Program exit, for ACS, can mean several different things, including successful completion of ACS, transfer from ACS to another alternative custody program (Sheriff's Parole), ACS failure due to violation or re-arrest, or ACS program non-compliance (such as the loss of stable housing). Given the motivation to identify

risk factors associated with ACS program failure, researchers operationalized two dependent variables: negative program exit (a binary (0/1) variable measuring a non-compliance program completion and multiple program exit (a more exact categorical – time served, negative program exit, non-treatment program exit - measure of program exit). Time served captures all ACS participants that completed their time on ACS, whether they fulfilled their full sentence or were placed on Sheriff's Parole for successful programming. A negative program exit represents when ACS participants refused to follow the program expectations/rules and was therefore removed from the program for non-compliance. The final category, non-treatment program exit, represents when the participant was unable to continue programming due to some environmental factor, such as not having stable housing. The study included the second measure to observe the association between the independent variables and non-treatment exits, while maintaining adequate model stability.²⁹

Analyses

These dependent variables required two regression analyses, a statistical technique that allows the investigator to examine the simultaneous effects of multiple independent factors on a particular outcome. The binary outcome variable, negative program exit required a logistic regression analysis while the multiple program exit dependent variable required a multinomial logistic

²⁷ Laub, J.H. & Sampson, R.J. (2003). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.

²⁸ Ibid

²⁹ Long, J. S. (1997). *Regression Models for Categorical and Limited Dependent Variables*. Thousand Oaks, CA: Sage.

regression model.³⁰ The logistic regression model provided a preliminary assessment of the independent variables' associations with program exit. The multinomial logistic regression, on the other hand, allowed researchers to estimate the likelihood of a non-treatment program exit given the independent variables.

Criminal Thinking Scales

Data

Survey Instrument

The Texas Christian University *Criminal Thinking Scales* (CTS) is a questionnaire designed to measure criminal tendencies (see below for more). Based on one of our recommendations from the *Breaking Ground* report, BCSO agreed to a pilot test of the CTS among the ACS population.

Survey Administration

Before administering the CTS to ACS participants, an upper division class at CSU, Chico took the CTS in early October, 2012. Later in October, researchers trained ACS staff on CTS survey administration. Each sworn member of ACS completed a CTS survey, and they then were instructed on how to score the instrument. After scoring and scaling, researchers led the group in a discussion about the results. This exercise provided the ACS deputies with a deeper understanding of the use of the instrument.

Throughout November 2012, ACS deputies administered the CTS survey to their ACS caseload of offenders. Deputies provided hard copies to the research team, who then

scored the surveys and created scales for each of the ACS participants.

Analyses

Researchers used bi-variate analyses to compare various measures of misdemeanor and AB 109 offenders. Researchers used chi-square analysis for categorical dependent variables and t-test analysis for continuous variables.

Creating Turning Points

Researchers embedded CSU, Chico graduate and undergraduate research interns with ACS deputies to observe deputy/participant interactions. The interns rode with deputies and witnessed deputy/participant contacts at the participants' homes or places of work. During ride alongs, the interns accompanied the deputies to the homes/work offices of the offenders and noted deputy/offender interactions with the offenders on observation coding sheets created by the authors of this report. All interns were trained and normed prior to their first solo ride along to better ensure accurate data collection.

There was a more concerted effort on the part of the interns to observe more deputies, which was largely successful. There still, however, needs to be a greater balance among the deputies observed. Two deputies account for 52% of the observations (one deputy accounted for 36% of the observations of the first report). Additionally, two deputies were observed only one time during the inspection period. As mentioned previously in the first report, this finding creates a methodological concern, but it does not invalidate the findings of these observations.

³⁰ Ibid.

FINDINGS

This section provides the results of all three studies. These findings are then synthesized within the Life-course framework in the following, Discussion section.

A Turning Point for Jails

Demographics

Of the 121 inmates surveyed, 96 were sentenced under AB 109 legislation and the remaining 25 were misdemeanants. Table 1 presents demographic information for the full sample as well as the two divisions, misdemeanants and AB 109 offenders.

The two groups (misdemeanants and AB 109 offenders) were of similar age (38.66 years and 35.51 years, respectively), a similar percentage were parents (72 percent and 68.75 percent, respectively), the age of the children in both groups are similar (14.83 years and 13.60 years, respectively), and a similar percentage reside with their children (20 percent and 17.89 percent, respectively). Furthermore, 70 percent of the AB 109 sample were male compared to 84 percent of the misdemeanor sample reported being male.

While statistical analyses of the data failed to demonstrate a significant difference between the misdemeanor and AB 109 offender populations' educational and occupational situations, these findings provide insight to these offenders' lives. The AB 109 offenders had both lower levels of

educational attainment (68 compared to 52 percent) and more difficulties retaining employment after their most recent arrest (19 compared to 28 percent) than did the misdemeanants.

Two demographic variables did reach levels of statistical significance. Related to the employment pattern noted above, more misdemeanants were employed at the time of arrest than AB 109 offenders (52 percent compared to 29 percent, $p < .05$). Relationship status was the other statistically significant difference between the two groups. Misdemeanants were less likely to report being single than their AB 109 counterparts (68 compared to 88 percent, $p < .05$). This may represent a greater level of social attachment for misdemeanants.

Health and Addiction

Just less than one-third of the full sample reported current mental health needs (30 percent). Although not statistically different across the AB 109 and misdemeanor sample, several findings from the full sample deserve attention. Approximately 43 percent of the sample reported being under psychiatric care. Additionally, 21 percent of the full sample reported current alcohol problems and 35 percent reported previous drug or alcohol non-residential rehabilitation treatment. In terms of inmate health, 26 percent of the full sample reported the need for treatment or medicine and 19 percent reported some level of physical disability.

Table 1: Inmate Survey Participant Demographics

| Variables | Obs. | All | Misdemeanor | AB 109 | Sig. |
|--|------|-------|-------------|--------|------|
| Demographics | | | | | |
| Age | 121 | 36 | 39 | 36 | |
| Male | 121 | 73 | 84 | 70 | |
| Has children | 121 | 69 | 72 | 69 | |
| Average Age of Children | 083 | 13.87 | 14.83 | 14 | |
| Resides with Children | 120 | 18 | 20 | 18 | |
| Single | 121 | 83 | 68 | 88 | * |
| Limited education ¹ | 121 | 64 | 52 | 68 | |
| Employed at Arrest | 121 | 34 | 52 | 29 | * |
| Remaining employed | 121 | 21 | 28 | 19 | |
| Historical alcohol problems | 121 | 34 | 44 | 31 | |
| Current alcohol problems | 121 | 21 | 24 | 20 | |
| Historical drug problems | 121 | 68 | 56 | 71 | |
| Current drug problem | 121 | 56 | 32 | 63 | ** |
| Previous rehabilitation | 121 | 66 | 60 | 68 | |
| Previous residential rehabilitation | 121 | 60 | 44 | 64 | |
| Previous outpatient rehabilitation | 121 | 35 | 36 | 34 | |
| Reported mental health issues | 121 | 30 | 16 | 33 | |
| Prescribed psychiatric medicine | 121 | 43 | 36 | 44 | |
| Current Need for Treatment or Medicine | 121 | 26 | 28 | 25 | |
| Currently receiving medical treatment | 121 | 10 | 04 | 11 | |
| Physically disabled | 121 | 19 | 24 | 18 | |
| Currently receives medical treatment | 121 | 18 | 24 | 17 | |
| Prior adult misdemeanor arrests | 121 | 5.02 | 7.00 | 4.50 | |
| Prior adult felony property arrests | 121 | 1.12 | 0.08 | 1.40 | * |
| Prior adult felony person arrests | 121 | 0.17 | 0.20 | 0.16 | |
| Prior adult felony drug arrests | 121 | 0.92 | 0.36 | 1.06 | * |
| Prior juvenile misdemeanor referrals | 121 | 0.91 | 0.68 | 0.97 | |
| Prior juvenile felony property referrals | 121 | 0.49 | 0.12 | 0.58 | |
| Prior juvenile felony person referrals | 121 | 0.11 | 0.00 | 0.14 | |
| Prior juvenile felony drug referrals | 121 | 0.05 | 0.00 | 0.06 | |

¹ Limited education operationalized as a binary (0=some college, 1=GED, high school degree, or less) variable.

* p<.05, ** p<.01

Only one analysis in this section suggested a level of statistical difference between these two groups. A significantly greater number of AB 109 respondents reported a current drug problem than misdemeanor respondents (63 percent compared to 32

percent, p<.01). There were, however, several other variables to contextualize these offenders. For example, 44 percent of misdemeanants and 31 percent of AB 109 offenders reported historical alcohol problems. Furthermore, 56 percent of

misdemeanants and 71 percent of AB 109 offenders report higher rates of historical drug problems, and 64 percent of AB 109 offenders reported previous residential rehabilitation treatment.

Criminal History

Both groups had relatively similar criminal histories. Misdemeanants had, on average, a larger number of prior misdemeanor arrests, but the only statistically significant differences between the two groups fell under felony property crimes and felony drug crimes. In both instances, the AB 109 population had more arrests.

Reported Needs

Programming

Both categories of inmates expressed similar levels of interest in both in-patient and out-patient alcohol treatment. AB 109 offenders, however, were significantly more likely to express substance abuse treatment and both in- and out-patient drug abuse treatment. All three of these reached levels of statistical significance. Table 2 provides more details regarding these associations.

In terms of programming related to creating and maintaining healthy relationships, there were significant differences between the two groups. Significantly more AB 109 respondents relative to the misdemeanor respondents requested classes for co-dependency (44 percent compared to 20 percent, $p<.05$), problem resolution (60

percent compared to 28 percent, $p<.01$), and anger management (56 percent compared to 28 percent, $p<.05$).

The remaining statistically significant variables fell under the general category of post-release inmate needs. For example, more AB 109 respondents (70 percent compared to 36 percent, $p<.01$) were interested in life skills classes and a mentoring program than were the misdemeanants. In addition, and in light of their higher rates of felony property arrests, the AB 109 respondents expressed higher levels of interest in anti-theft classes (45 percent compared to 0 percent, $p<.01$). Over 20 percent of AB 109 respondents expressed interests in AIDS prevention classes (as opposed to 0 percent of misdemeanants, $p<.05$).

Services

The AB 109 respondents were more likely to express an interest in furthering their education than the misdemeanor offenders. Responses for all four of the education related questions were significantly different for AB 109 and misdemeanor respondents, with AB 109 subjects indicating a greater interest in educational services (70 percent compared to 36 percent, $p<.01$), the ability to enroll in classes while incarcerated (68 percent compared to 08 percent, $p<.01$), the opportunity for vocational trade training (65 percent compared to 28 percent, $p<.01$), and the desire to have further college education (79 percent compared to 48 percent, $p<.01$).

TABLE 2: Inmate Survey Respondent Needs

| Variables | Obs. | Jail | Misdemeanor | AB 109 | Sig. |
|--------------------------------------|------|------|-------------|--------|------|
| Reported Needs | | | | | |
| Life skills classes | 121 | 63 | 36 | 70 | ** |
| Making good decisions classes | 121 | 73 | 60 | 76 | |
| Substance abuse treatment | 121 | 63 | 36 | 70 | ** |
| In-patient alcohol abuse program | 121 | 30 | 24 | 31 | |
| Out-patient alcohol abuse program | 121 | 35 | 40 | 33 | |
| In-patient drug abuse program | 121 | 45 | 24 | 51 | * |
| Out-patient drug abuse program | 121 | 56 | 28 | 64 | ** |
| Relationship counseling | 121 | 49 | 36 | 52 | |
| Codependency classes | 121 | 39 | 20 | 44 | * |
| Money management classes | 121 | 55 | 44 | 57 | |
| Anti-theft classes | 121 | 36 | 00 | 45 | ** |
| Religious services | 121 | 43 | 40 | 44 | |
| Anger management classes | 121 | 50 | 28 | 56 | * |
| Self-esteem counseling or classes | 121 | 45 | 32 | 48 | |
| Spousal abuse prevention classes | 121 | 24 | 20 | 25 | |
| Budgeting classes | 121 | 50 | 36 | 54 | |
| AIDS prevention classes | 121 | 17 | 00 | 21 | * |
| Mentoring program | 121 | 43 | 24 | 48 | * |
| Problem resolution classes | 121 | 54 | 28 | 60 | ** |
| Family values classes | 121 | 47 | 32 | 51 | |
| Parenting classes | 121 | 43 | 32 | 46 | |
| Work programs | 121 | 69 | 56 | 72 | |
| Affordable housing | 121 | 74 | 64 | 76 | |
| Transportation services | 121 | 62 | 56 | 64 | |
| Financial Assistance Services | 121 | 64 | 56 | 67 | |
| Needs Medical Treatment Services | 121 | 53 | 36 | 57 | |
| Desires further college education | 121 | 73 | 48 | 79 | ** |
| Employment Services | 121 | 73 | 64 | 75 | |
| Childcare services | 121 | 24 | 16 | 26 | |
| Public aid | 121 | 45 | 36 | 47 | |
| Mental health treatment services | 121 | 29 | 28 | 29 | |
| Enroll in classes while incarcerated | 121 | 60 | 08 | 68 | ** |
| Educational services | 121 | 63 | 36 | 70 | ** |
| Vocational trade training | 121 | 57 | 28 | 65 | ** |
| Food stamps | 121 | 62 | 52 | 65 | |

* p<.05, ** p<.01

Table 3 presents the inmates' reported perceptions of BCSO's AB 109 programming. These inmates overwhelmingly desired to participate in ACS (over 91 percent). Additionally, the

inmates reported a positive outlook for their success on ACS (76 percent), and a desire to start AB 109 programming while incarcerated (83 percent).

Table 3: Inmate Perceptions of AB 109

| Variables | Yes | No | N=121 |
|---|--------|--------|-------|
| Willing to Participate in ACS | 91.74% | 8.26% | |
| Will ACS programming reduce your recidivism potential | 76.03% | 21.49% | |
| Wants to start AB109 Programming in custody | 82.64% | 17.36% | |

Capturing the Life-Course Perspective

ACS Program Exit

Table 4 illustrates the five potential ACS program exits (time served, failure due to a technical violation, arrested, escaped, or failure due to unsuitable housing) and correlates these program exits with six independent variables (number of previous arrests, the number of previous charges filed against the inmate, the previous number of days the inmate had spent in jail, the severity of the inmates criminal history, the age of the inmate, and the sex of the inmate).

These bi-variate analyses demonstrate that the successful ACS inmate was likely to have a lower number of previous arrests

(mean=6.06, $p<.01$), a lower number of previous charges per arrest (mean=5.21, $p<.01$), and be 38 years old (mean=38.48, $p<.01$). Inmates suffering technical violations were likely to have more previous arrests (10.36, $p<.01$) and maximum charges per arrest (mean=7.34, $p<.01$). Inmates most likely to escape were likely to have more severe criminal histories (mean=0.64, $p<.05$), be much younger (mean=26.03, $p<.01$), and female (43 percent, $p<.05$). Those most likely to be removed from the ACS program due to unstable housing were most likely to be older inmates (mean=46.95, $p<.05$).

Table 4: ACS Descriptive Statistics by Program Outcome

| ACS Descriptive Statistics | Time Served | Technical Violation Failure | Arrested | Escaped | Unstable Housing |
|-------------------------------------|-------------|-----------------------------|----------|---------|------------------|
| Variables | 53% | 27% | 06% | 08% | 04% ¹ |
| Previous Arrests ² | 6.06** | 10.36** | 7.50 | 7.21 | 9.57 |
| Maximum Charges ² | 5.21** | 7.34** | 7.40 | 7.07 | 6.29 |
| Jail Stay ² | 45.91 | 50.36 | 61.70 | 68.33 | 31.85 |
| Offense Severity Scale ² | 0.44 | 0.42 | 0.55 | 0.64* | 0.42 |
| Age ² | 38.48** | 34.33 | 32.50 | 26.03** | 46.95* |
| Male ³ | 74 | 60 | 80 | 43* | 71 |

¹ Totals may not equal 100 percent due to rounding errors.

² Mean statistics reported for all continuous variables.

³ Percentage of the sample statistics reported for gender as it is a categorical variable.

The logistic regression presented in Table 5 demonstrates that an increased number of previous arrests and being younger in age were significantly associated with negative ACS program exit. The odds of a negative program exit increased 1.2 times for each additional previous arrest (see also Graph 1). Younger individuals were 1.1 times more likely to experience a negative ACS program exit. More specifically, ACS inmates in their late 20s were mostly likely to have a negative ACS program exit (see also Graph 2).

Multinomial Logistic Regression of Three Program Exits

Tables 6, 7, and 8 present the results of multinomial logistic regression analyses.³¹

³¹ The Hausman statistic tests of the independence of irrelevant alternatives assumption for multinomial

Multinomial logistic regression analysis allows one to observe the isolated influence of a predictor variable (e.g., the amount of time spent in jail) on several outcome options. Because ACS participants demonstrated multiple program exit reasons,³² a model predicting program outcomes required more complex analyses.

logistic regression modeling were within an acceptable variance.

³² ACS data reported more specific program exit reasons, including program completion, technical violations, new arrest, escape, or unstable living environment. Due to frequency distributions, the authors collapsed these categories into three – negative exit, non-treatment exit, and time served. A negative exit included technical violations, new arrest, and escape, while a non-treatment exit included situations such as unstable living environments. Time served represented those ACS participants that successfully completed their ACS program.

Table 5: Logistic Regression of Negative Program Exit on Predictor Variables

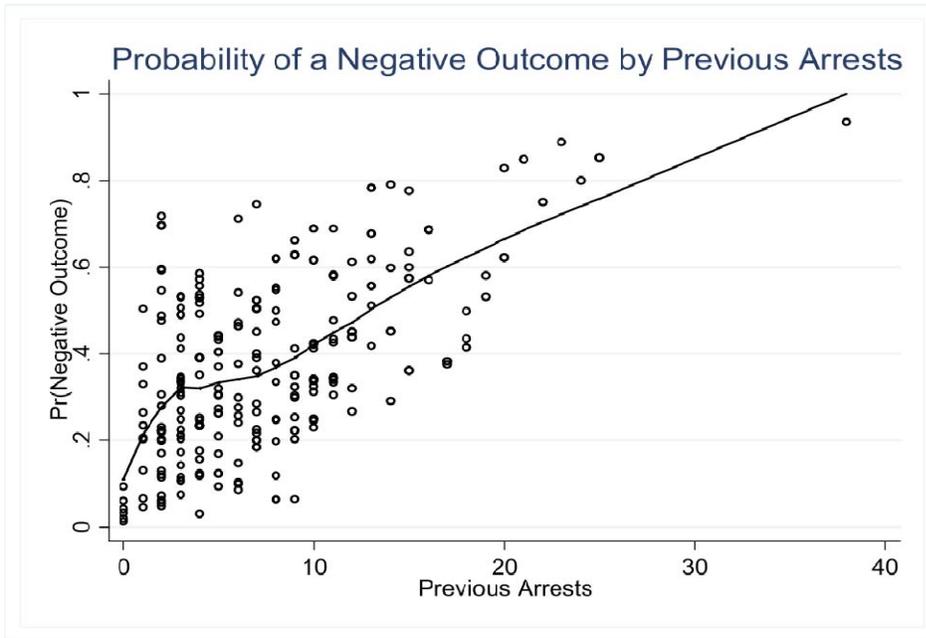
| Logistic Regression Negative Program Exit | | | |
|---|-------------------------------|---------|------|
| VARIABLES | <i>b</i> | Odds | Sig. |
| Previous Arrests | 0.14 | 1.15 | ** |
| Maximum Charges | 0.03 | 1.03 | |
| Jail Stay | 0.01 | 1.01 | |
| Severity Scale | 0.67 | 1.95 | |
| Age | -0.06 | 0.94 | ** |
| Male | -0.74 | 0.48 | |
| Constant | 0.11 | - | |
| | Observations | 165 | |
| | X ² | 33.91** | |
| | McFadden's Adj R ² | 0.15 | |

* p<0.05, **p<0.01

Table 6 reports the association between the official records predictor variables (number of previous arrests, maximum charges per arrest, days in jail on the current offense, participant age, and gender) on program outcome. Time served is the comparison outcome category. The model statistics suggest the independent variables significantly predicted ($X^2=41.79$, $p<0.01$) the outcomes. Specifically, two of the independent variables demonstrated significant influence on a negative program exit compared to program completion. Compared to program completion, the

number of previous arrests significantly increased (0.15, $p<0.01$) the likelihood of a negative program exit, while increases in participant age significantly decreased (-0.05, $p<0.01$) the likelihood of a negative program exit. Also compared to success program completion, the number of previous arrests significantly increased the likelihood (0.16, $p<0.05$) of a non-treatment program exit. Compared to a successful program exit, previous arrests had the most consistent, deleterious influence across negative and non-treatment program exits.

Graph 1: Probability of a Negative Program Exit on Previous Arrests



Graph 2: Probability of a Negative Program Exit on Age (Years)

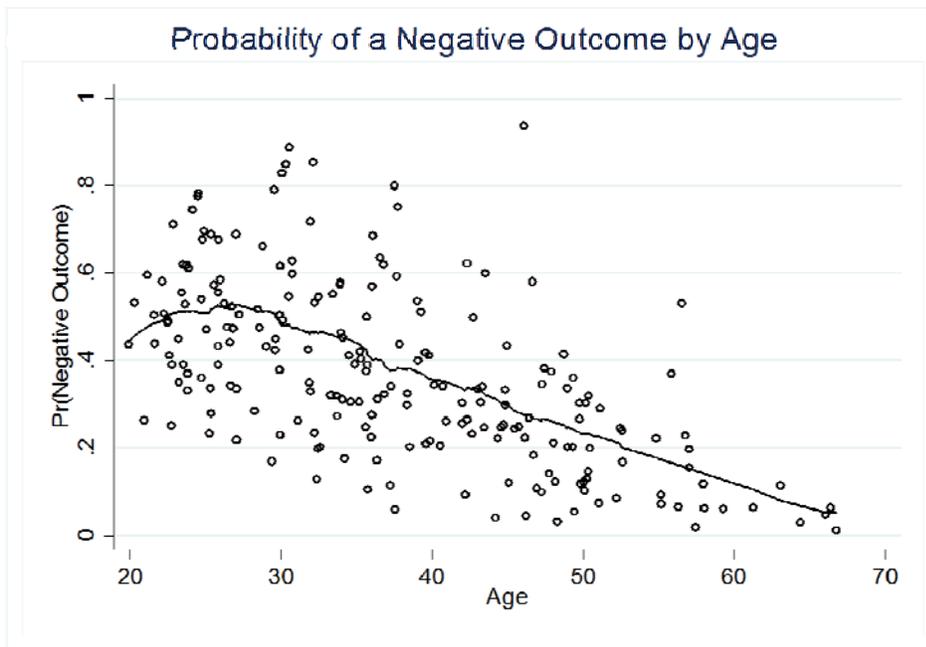


Table 6: Multinomial Logistic Regression of Three Program Exit Typologies on Predictor Variables (Base Outcome = Time Served)

| Multinomial Logistic Regression | Negative Exit | Non-Treatment Exit | Time Served |
|---------------------------------|-------------------------------|-----------------------------|-------------|
| VARIABLES | Coefficients (Std. Err.) | Coefficients (Std. Err.) | |
| Previous Arrests | 0.15** (0.04) | 0.16* (0.08) | - |
| Maximum Charges | 0.03 (0.06) | 0.04 (0.13) | - |
| Jail Stay | 0.01 (0.00) | 0.00 (0.01) | - |
| Age | -0.05** (0.02) | 0.03 (0.04) | - |
| Male | -0.77 (0.40) | -0.05 (0.87) | - |
| Constant | 0.34 (0.88) | -5.15* (2.08) | - |
| | Observations | 165 | |
| | X ² | 41.79** | |
| | McFadden's Adj R ² | 0.15 | |

* p<0.05, **p<0.01

Table 7³³ is a product of the same analysis presented in Table 6, however the reference outcome category is a non-treatment program exit. Compared to non-treatment

exits, older participants were significantly less likely (-0.08, p<0.01) to experience failing ACS. This was a non-significant association in the comparison between failing ACS and a time served exit, but the number of previous arrests significantly

³³ The overall model statistics for these tables remains stable across the referenced tables.

decreased the likelihood (-0.16, $p < 0.05$) of a time served exit when compared to a non-treatment exit. Organized in this fashion, the results suggest age is a protective factor against a negative program exit and the frequency of previous arrests reduces the likelihood of a successful program exit compared to a non-treatment exit.

Table 8 represents the same analysis, but with the group that failed ACS as the comparison group. As with the previous orientations, the frequency of previous arrests significantly decreased the likelihood of program success (-0.15, $p < 0.01$) compared to a negative program exit. Participant age significantly predicted both non-treatment exits (0.08, $p < 0.05$) and time served program exits (0.05, $p < 0.01$), further supporting the protective qualities of age against negative program exits.

Graphs 3 and Graph 4 represent statistical results presented in aforementioned Tables. Graph 3, for example, represents the influence of the independent variables

(along the X axis: previous arrests, max charges per arrest, jail stay, age, and male) on the odds, or probability, of a time served program exit over a negative program exit. The straight horizontal line (at Y axis = 0) represents a 50:50 chance of either a time served or negative program exit. In other words, one could flip a coin and achieve similar predictability. The plotted black dots represent the mean odds across all subjects for a time served outcome compared to a negative program exit and the vertical lines attached to the black dots represent their respective confidence intervals. Confidence intervals extending through the horizontal, "50:50" line indicate a non-significant relationship between the independent variable and tendency for a successful program exit. Based on this description, Graph A suggests previous arrests were significantly and negatively correlated with a successful program exit and age was significantly and positively associated with a successful program exit compared to a negative program exit.

Table 7: Multinomial Logistic Regression of Three Program Exit Typologies on Predictor Variables (Base Outcome = Non-Treatment Exit)

| Multinomial Logistic Regression | Negative Exit | Non-Treatment Exit | Time Served |
|---------------------------------|-------------------------------|--------------------|-----------------------------|
| VARIABLES | Coefficients (Std. Err.) | | Coefficients (Std. Err.) |
| Previous Arrests | -0.01 (0.08) | - | -0.16* (0.08) |
| Maximum Charges | -0.02 (0.13) | - | -0.04 (0.13) |
| Jail Stay | 0.01 (0.01) | - | -0.00 (0.01) |
| Age | -0.08* (0.04) | - | -0.03 (0.04) |
| Male | -0.73 (0.87) | - | 0.05 (0.87) |
| Constant | 5.49** (2.09) | - | 5.15** (2.09) |
| | Observations | | 165 |
| | | X ² | 41.79** |
| | McFadden's Adj R ² | | 0.15 |

* p<0.05, **p<0.01

Graph 4 represents the same analysis, but it presents graphically the likelihood of time served compared to a non-treatment program exit across the independent variables. Following the aforementioned logic, the number of previous arrests significantly decreased the likelihood of a

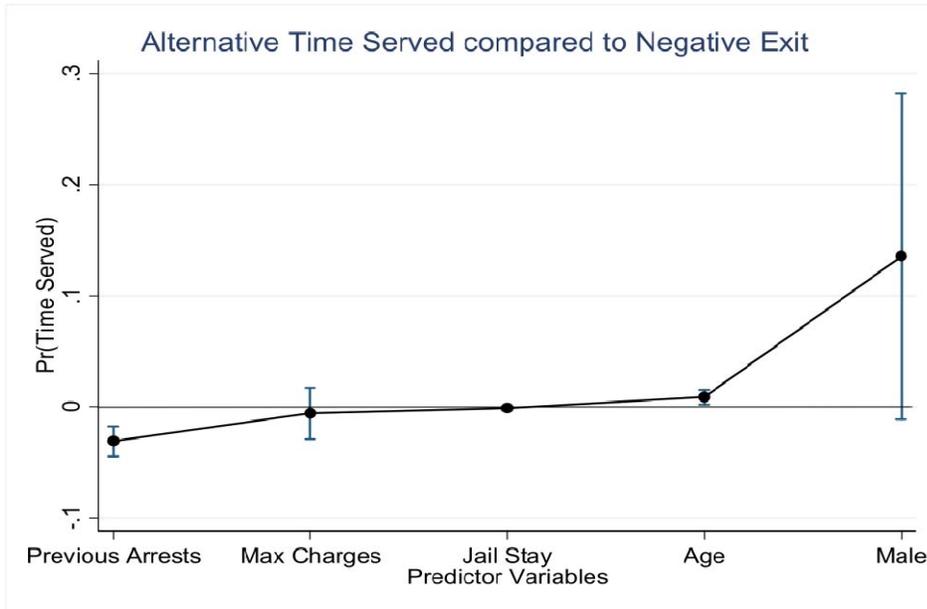
time served program exit compared to a non-treatment program exit. Furthermore, age significantly increased the likelihood of a successful program exit compared to a non-treatment exit. Table 9 represents from a general perspective the findings of these analyses.

Table 8: Multinomial Logistic Regression of Three Program Exit Typologies on Predictor Variables (Base Outcome = Negative Exit)

| Multinomial Logistic Regression | Negative Exit | Non-Treatment Exit | Time Served |
|---------------------------------|-------------------------------|-----------------------------|-----------------------------|
| VARIABLES | | Coefficients (Std. Err.) | Coefficients (Std. Err.) |
| Previous Arrests | - | -0.01 (0.08) | -0.15** (0.04) |
| Maximum Charges | - | -0.02 (0.13) | -0.03 (0.06) |
| Jail Stay | - | -0.01 (0.01) | -0.01 (0.00) |
| Age | - | 0.08* (0.04) | 0.05** (0.02) |
| Male | - | 0.73 (0.87) | 0.77 (0.40) |
| Constant | - | -5.49** (2.09) | -0.34 (0.88) |
| | Observations | | 165 |
| | | X ² | 41.79** |
| | McFadden's Adj R ² | | 0.15 |

* p<0.05, **p<0.01

Graph 3: Probability of Time Served over a Negative Program Exit by Predictor Variables



Graph 4: Probability of Time Served over a Non-Treatment Program Exit by Predictor Variables

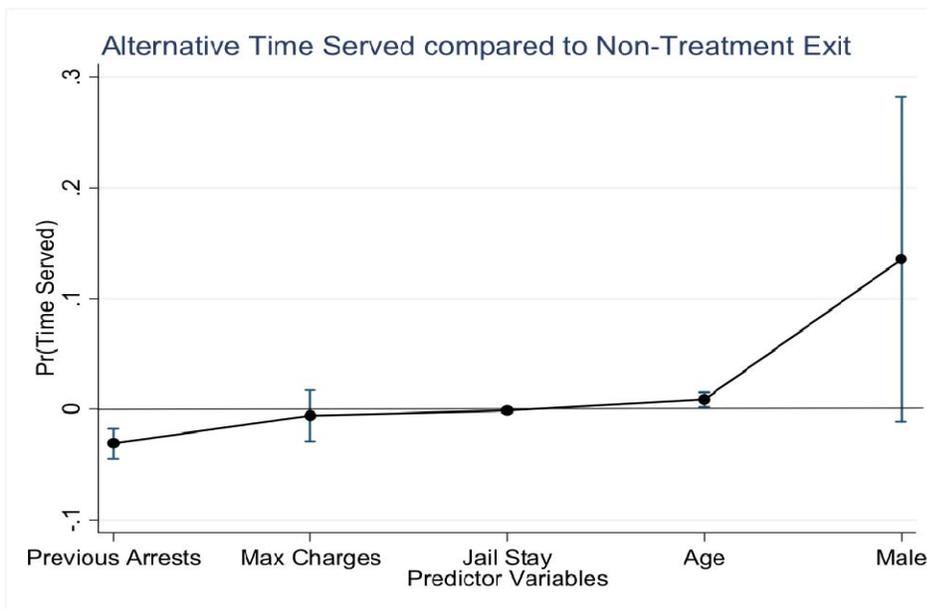


Table 9: Typical Inmate Profiles for ACS Outcomes

| Program Outcome | Typical Inmate |
|------------------------------|---|
| Successful Completion of ACS | Fewer Prior Arrests; Fewer Prior Charges; Slightly Older |
| ACS Technical Violators | High Prior Arrests; High Prior Charges |
| ACS Escapees | Most Severe Criminal History; Significantly Younger, Female |
| Unstable Housing | Significantly Older |

Criminal Thinking Scales

Table 10 illustrates the variables of the CTS in their relation to ACS inmate program exit. The CTS is a blended assessment tool created by Kevin Knight and associates in 2006,³⁴ which built on original work of Glenn Walters work from the Federal Correctional Institute.^{35,36} The CTS uses six scales (entitlement, justification, personal irresponsibility, power orientation, cold heartedness, and criminal rationalization) to assess an individual’s criminal thinking. An individual’s CTS scores are averaged and can be compared to another person’s score or a group’s score to assess individual and group treatment and management planning.

In Table 10, the numbers in the columns are presented as an average score for each grouping. As an example, for ACS inmates that exited the program by completing their

time served, the average score for the “entitlement” question was a 9.33. The score 9.33 is only meaningful in its relation to the other groups’ scores for the “entitlement” question.

In interpreting Table 10, it is important to note there are very few statistically significant findings, but there is still useful data in the remaining results. The average score for the six questions for the time served group was 11.35, for the technical violation group 12.1, the arrested group 14.3, and the unstable housing group 13.5. The fact the time served group had the lowest average group score indicates they have the lower level criminal thinking scales. While this finding might not be revelatory, it is consistent with the literature, and might be used as a part of a predictive model for who may or may not be suited for the ACS program.

³⁴ Knight, K, Barner, B.R., Simpson, D.D., Morey, J.T., & Flynn, P.M. (2006). An assessment for criminal thinking. *Crime & Delinquency*, 52(1), 159-177.

³⁵ Walters, G.D. (1995a). The psychological inventory of criminal thinking styles: Part I: Reliability and preliminary validity. *Criminal Justice and Behavior*, 22(3), 307-325.

³⁶ Walters, G.D. (1995b). The psychological inventory of criminal thinking styles: Part II: Identifying simulated response sets. *Criminal Justice and Behavior*, 22(4), 437-445.

Table 10: Criminal Thinking Scales Descriptive Statistics by Program Exit

| CTS Descriptive Statistics ¹ | Time Served | Non-Treatment Exit | Negative Exit |
|---|-------------|--------------------|---------------|
| Scales | | | |
| Entitlement | 09.33 | 10.55 | 09.38 |
| Justification* | 09.17 | 12.36 | 10.68 |
| Power | 14.60 | 17.91 | 17.08 |
| Cold-Hearted* | 07.83 | 11.09 | 09.43 |
| Criminal Rationalization | 16.00 | 16.27 | 16.30 |
| Personal Irresponsibility | 11.17 | 13.44 | 11.84 |

¹ Scale summary statistics unrestricted by first year frame.

* p<0.05, **p<0.01

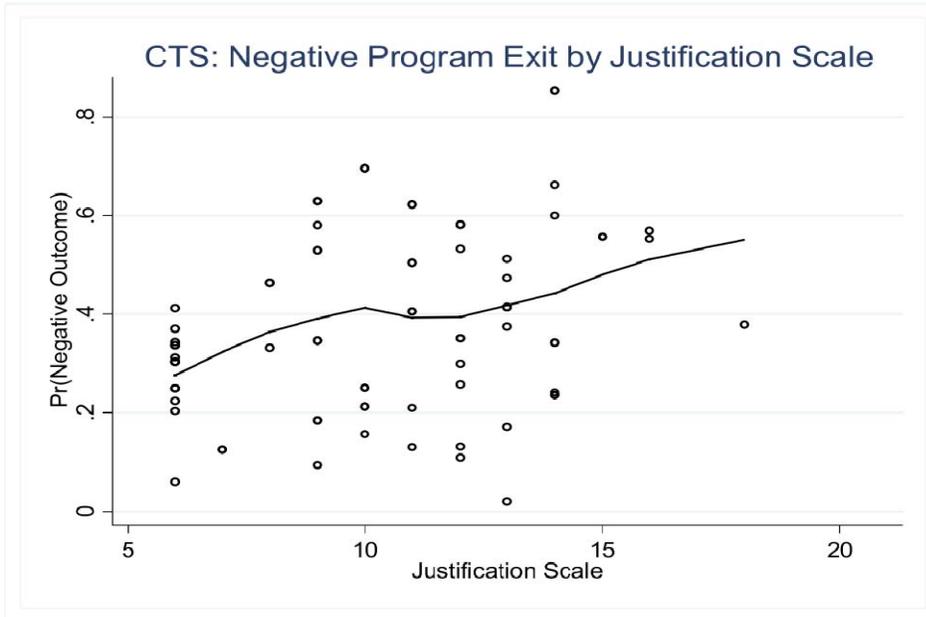
There are two significant scales in Table 10 (justification and cold heartedness). For those who failed ACS for a technical violation, their entitlement score was 8.72 percent compared to the arrested group whose score was 11.86 percent (a difference of 3.14 percent). Graph 5 displays a wide stability in entitlement scores were relatively equally correlated to ACS program failure. It should be noted the graph shows higher entitlement scores trending towards ACS programmatic success. There are only two scores, however, and these outliers need additional study before any definitive conclusions can be reached.

Those arrested on ACS also demonstrate the highest level of cold heartedness at 12 percent. Graph 6 shows the general trend that the higher the level of cold heartedness, the greater likelihood of ACS success. It should be noted, however, the trend is quite weak.

Creating Turning Points

Table 11 reports statistics from ACS deputy/offender interactions. There were 491 unique attempted observations between ACS deputies and the ACS offenders. While the initial report noted an inefficiency of 18 percent of attempted contacts resulting in offenders that were not home, this report period found an increase up to 26 percent of offenders not being at home when the deputy stopped by for a random check (upon checking further, the deputies learned the offenders were at the DRC, a doctor's appointment, or on some other deputy approved absence)

Graph 5: Criminal Thinking Scale: Negative Program Exit on Justification Scale



Graph 6: Criminal Thinking Scale: Negative Program Exit on Cold-Hearted Scale

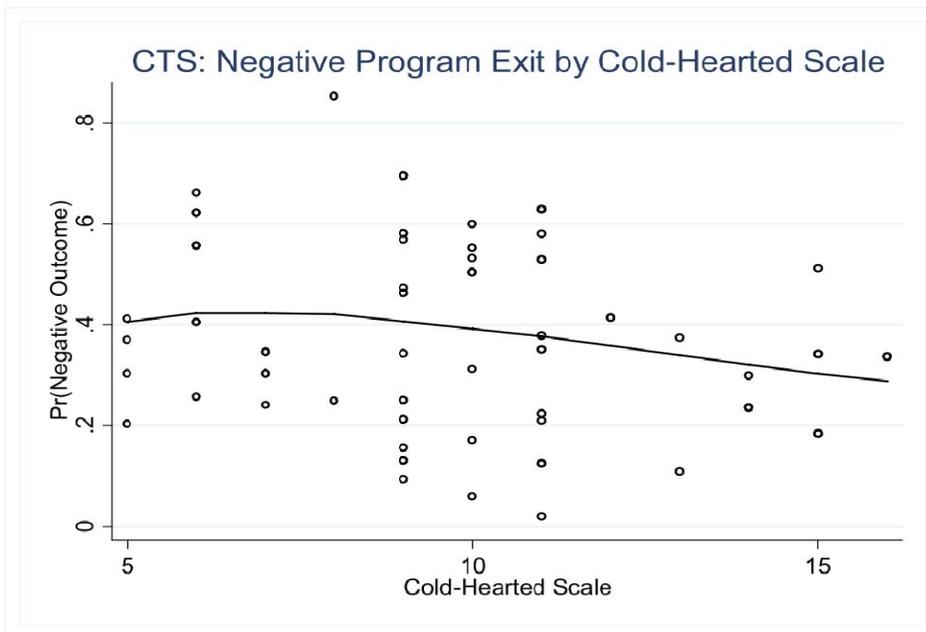


Table 11: Observed ACS Contacts from August 10, 2012 through December 13, 2012

| Characteristic of the Contact | Number of observations N = 491 | Percentage of total observations |
|---|-----------------------------------|-------------------------------------|
| Attempted contacts by ACS Deputy* | 491 | 100 |
| Contacts (or attempted) at a participant's home | 478 | 98 |
| Contact (or attempted) at a participant's work | 13 | 2 |
| Participant not at home | 128 | 26 |
| Contact of participant's residence, but contact made with family/roommate not the participant | 33 | 7 |

* Includes all attempted contacts, even if no contact was made with the participant, e.g., the participant was at work, the DRC, a doctor's appointment. Other times a deputy would simply drive by the residence of a participant to check on the surroundings of the home and not contact the participant. Sometimes a deputy would make contact with the family members or roommates of the participant knowing the participant was not at home to check in with the family/roommates. The attempted observations, therefore, is a much higher number than the observations where contact was made with a participant.

Home visit situations where the ACS offender was not at the residence introduced an interesting phenomenon. There appeared to be two general determinants of these offender-not-at-home visits. Seven percent of home visits were purposefully timed when the offender was scheduled to be elsewhere. These contacts were specifically to engage roommates or family members sharing the residence with the offender. Deputies were typically motivated to conduct these visits to: (1) get a more objective view offenders progress, (2) evaluate the offender's living environment, (3) or some combination of them. On the other hand, some offender-not-at-home visits appeared to be the product of schedule confusion. It should be noted, however, that the ACS program has recently adopted a caseload client management system. This caseload management system should allow

deputies to focus on a smaller group of offenders and, in turn, should prove to be a more efficacious model. The transition aside, these findings leave an opportunity for the CPSR to examine further the role of home visits for correctional clients.

Table 11 reports further statistics between the ACS deputies and offenders. Of the 491 attempted contacts, there were 330 successful contacts. There has been a marked contrast in the number of home searches between the first report and this report. During the first observation period, approximately 44 percent of ACS deputy/offender home contacts resulted in a search of the home. The number of searches dropped significantly to nine percent for most recent observation period. Such a marked decrease notes a cognizant and uniform decision by the ACS deputies and

administration to limit this activity. It is apparent that home searches of a majority of offenders were deemed to be an inefficient use of time or resources.

Furthermore, the number of contacts described as “more service oriented” increased from 67 to 80 percent. Again, there has been a targeted effort to use the home contacts as more of a reaffirmation of offender progress as opposed to a method of greater control for the majority of offenders. There have been very few witnessed arrests or lack of civility or uncooperative behavior from offenders.

DISCUSSION

A Turning Point for Jails

California’s Criminal Justice Alignment (AB 109), as a part of a grander design to reduce the state prison population, diverted non-serious, non-violent, and non-sexual offenders to local county jails. This transfer of supervision responsibilities for newly convicted AB 109 offenders meant jails would experience a shift in their populations. Although the exact difference between the pre-AB 109 jail population and the post-AB 109 jail population was still unknown.

By comparing two sample offender groups (misdemeanor and felony offenders), the study results suggest a significant shift in the jail population. While there were similarities between the pre-AB109 and post-AB109 groups, there were also significant differences. For example, the average AB109 offender in county jail is more likely than their non-AB 109 counterparts to report being “single” (non-married) relationship status, being unemployed at the time of arrest, and having a current drug problem. As for self-reported treatment needs, AB

109 offenders were significantly more likely to request life skills classes, substance abuse treatment, in-patient or out-patient drug abuse programming, codependency classes, anti-theft classes, anger management classes, AIDS prevention classes, mentoring, problem resolution classes, access to college classes, and vocational services than non-AB 109 offenders. In the Life-course context where prosocial experiences, such as marriage and employment, disconnect individuals from criminal behaviors,³⁷ AB 109 offenders appear to be slightly more distanced from criminal desistance than the non-AB 109 offenders.

Beyond the relationship and employment statuses, AB 109 offenders exhibited significantly higher service needs than non-AB 109 offenders. For example, AB 109 offenders were significantly more likely to report a current drug problem than were their counterparts. Of the AB 109 offenders, approximately 55 percent reported a history of methamphetamine use and over 70 percent of the drug dependent reported methamphetamine as their current preferred drug. The prevalence of methamphetamine use among these felony offenders suggests concentrated disadvantage.

The concept of concentrated disadvantage, in this context, focuses on the average AB 109 offender, who was a 35 year old, single, unemployed male that has children residing somewhere other than in his home. Said average AB 109 offender also had significant drug abuse issues, previous attempts in residential treatment programs, and a criminal history originating during his formative years and culminating in just over

³⁷ Sampson, R.J., Laub, J.H., & Wimer, C. (2008). Does marriage reduce crime? A counterfactual approach to within-individual causal effects. *Criminology*, 44(3), 465-508.

seven (7.12) previous adult arrests, the majority of which are arrests for property or drug crimes. It is unsurprising, then, the desperation expressed when AB 109 offenders requested a significantly higher amount of services than the non-AB 109 offenders.

In-depth interviews with AB 109 offenders may shed light on their progression through the life-course.³⁸ Two AB 109 offenders reported fairly bleak social environments, consumed by conflict. Although the bivariate analysis suggested that over 8 of 10 AB 109 offenders reported “single” status, being single is just not that simple. For example, “Alan” reported feeling forced to juggle multiple intimate relationships so that he could remain in his children’s lives. In addition to the volatility of these relationships, Alan reported internal conflicts between his introspective identity and his behavior. It is quite possible the conflicts of Alan’s social environment perpetuated his methamphetamine use and his resulting compulsive behaviors further isolated him from social support. This cyclical process is interrupted only by the system’s intervention, a turning point.³⁹

If, as this discussion suggests, AB 109 offenders have the capacity to realize their desperate social position, it would serve to explain why these offenders requested significantly more services than the non-AB 109 offenders. Given the now extended jail sentences for AB 109 offenders and the potential to harness an opportunity for desistance as demonstrated through the survey results, the CPSR **recommends the**

³⁸ The lead author has collected data through in-depth interviews with several AB 109 offenders on a related project.

³⁹ Bosick, S. & Gover, A. (2010). Incarceration during the transition to adulthood: A snapshot of at-risk males at 25.

BCSO expand therapeutic services in the jail.

There is evidence suggesting the shift in inmate populations in California from state prisons to local jails will bring with it a focused demand for therapeutic services. While need for therapeutic services may be just as prevalent in the non-AB 109 sample, the AB 109 offenders’ desires to participate in these programs was significantly higher than the non-AB 109 offender sample. In other words, it appears the legal consequences accompanying a felony conviction may be substantial enough to encourage participation in therapeutic programming. Provision of these services is critical given the survey results.

Capturing the Life-course Perspective

The CPSR introduced two risk assessment strategies to explore a population-validated risk assessment tool and, on that assessment instrument, develop individualized supervision and treatment plans. First, the research team used officially collected data – arrests, charges, days in jail, offense severity scale, age, and gender – to predict program outcomes. Second, the CPSR conducted a pilot study of the CTS survey instrument. As detailed below, by combining these data collection strategies, the results are promising.

Based on the official records, the first complete year post-AB 109 legislation reveals an overall 41 percent recidivism rate, with 27 percent the result of a technical violation and 14 percent resulting from a new arrest or escape charge. These figures, when compared to the nearest recidivism proxy,⁴⁰ suggest progress. More importantly, however, are the individual factors associated with program outcomes.

⁴⁰ CDCR (2011). *Corrections: Year at a Glance*. State of California.

Within the scope of predicting ACS program exit, two program exit findings and two CTS survey findings are promising. First, ACS offenders with more previous arrests were significantly more like to experience a negative program exit than younger offenders. This held true across multiple analyses and more previous arrests also increased the likelihood of a non-treatment program exit compared to successful program completion. Second, two of the scales within the CTS survey – justification and cold heartedness – were significantly associated with a negative program exit. Collectively, four factors – the number of previous arrests, participant’s age, the CTS Justification scale, and the CTS Cold-Heartedness scale – represent a starting point to assess ACS participant suitability.

Returning to the Life-course theoretical framework, these findings are unsurprising. In fact, the CTS Justification scale focused on participants’ willingness to displace blame for their negative, criminal experiences onto others, while the Cold-Heartedness scale rated participants’ apathy toward others’ negative experiences. If, as scholars suggest, social capital facilitates desistance from crime,⁴¹ those with negative character traits, such as a tendency to displace blame and apathetic perspectives, are at a disadvantage for pro-social relationships. Furthermore, younger adult offenders are at higher risk of criminal persistence⁴² and, thus, the findings suggesting aging facilitates criminal desistance seems appropriate. The consistent relationship between previous arrests and community supervision program failure further supports a developmental

perspective, where more significant involvements in the criminal justice system may reduce access to pro-social relationships.

While the research focused on predicting program failure is promising, the final word remains unknown. The CTS pilot study, as designed, highlighted the potential utility of risk assessment instruments. Combining these data with official measures of criminal propensity produced a clearer understanding of determinants of criminal persistence within this offender population. However, using larger samples may help to isolate other recidivism determinants. Based on this line of thought, the CPSR recommends that **the BCSO conduct a full-scale study of a risk assessment survey instrument for population validation purposes.** By taking methodological steps toward a more empirically-based risk assessment tool, the BCSO can further manage their incarcerated population while maintaining public safety.

Creating Turning Points

To garner a clearer understanding of BCSO’s role in public safety given the transforming criminal justice milieu, the CPSR has conducted qualitative data collection strategies for approximately one year. This report examines almost 500 observations of ACS deputies and ACS offender interactions from August 2012 to December 2012 made by select CSU, Chico undergraduate and graduate students.

On a larger scale, however, analyses of ACS deputy field visits data suggests deputies have created an offender-specific approach to supervision. For example, just less than ten percent of home visits during this report period involved a living area search and approximately 80 percent of field contacts were service-oriented, rather than enforcement oriented. Furthermore, only two percent of field observations included

⁴¹ Laub, J. & Sampson, R. (1993). *Crime in the Making: Pathways and Turning Points through Life*. Cambridge, MA: Harvard University Press.

⁴² Laub, J.H. & Sampson, R.J. (2003). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.

uncooperative or combative offenders, with only one percent of the total field contacts resulting in an arrest. These findings suggest the ACS program has established a foundation based on ensuring public safety through individualizing service provision.

Returning to unstructured ACS offender interview results may further contextualize an understanding of the relationships between ACS deputies and offenders. “Bruce” reported his AB 109-qualifying conviction as a turning point, with the ACS program providing him the opportunity to re-orient himself to more pro-social environments. Bruce reported that his AB 109-qualifying conviction (felony drug possession) was “a wakeup call” and the ACS deputies encouraged him to use this experience to improve his surroundings. Further, Bruce reported a deep appreciation for the mentoring orientation of the ACS deputies. While it is inappropriate to generalize Bruce’s experiences to all other ACS offenders, his reported experiences align with the field observations. Collectively, these findings suggest the ACS Program is focused on developing ACS offenders’ pro-social relationships and environments. In light of the Life-course view of criminality, specifically, the utility of incarceration as a turning point,⁴³ the ACS program has served as a successful offender reentry program, where offenders are encouraged to reconnect with pro-social environments through a mentoring process.

Based on these field observation findings, the CPSR recommends that **the BCSO explore expanding the ACS program as an offender reentry program while maintaining respectable deputy-**

participant ratios to facilitate individualized supervision and service provision. The ACS program has promoted public safety through a balanced supervision and service provision strategy and, thus, deserves recognition.

CONCLUSION

California’s AB 109 Legislation set into motion several resource demanding phenomena scheduled for a collision course at the county level. Specifically, the state mandated that county governments continue to supervise those offenders previously deemed unsuitable for community supervision through (1) a sentencing restructure for new non-serious, non-violent, and non-sexual offenders; (2) a retroactive sentencing structure that diverted previously sentenced AB 109 qualifying offenders from parole to county probation departments; and (3) mandatory local incarceration for all technical violations. These three mechanisms have placed substantially greater responsibilities on local jails to manage more efficiently their custodial populations. Not only must jails now provide programming for non-serious, non-violent, and non-sexual offenders sentenced to longer-term jail custody, jail administrators – who also bear a direct public safety responsibility as law enforcement – also must balance programming availability with housing of more serious parole violators. In essence, California’s Criminal Justice Realignment has left jails at maximum capacity and jail administrators forced to decide between housing inmates and programming inmates. One should not underestimate the implications of these type decisions.

⁴³ Bosick, S. & Gover, A. (2010). Incarceration during the transition to adulthood: A snapshot of at-risk males at 25. *American Journal of Criminal Justice*, 35(3), 93-104.

The BCSO ACS program was born of this situation. While only time will tell the outcome of California's AB 109, this report provides several logical and empirically-based recommendations to reduce negative consequences of AB 109 on local jails. While this study focused exclusively on the BCSO, the researchers suspect some of the more global findings may apply in other locations. The following recommendations apply specifically to the BCSO: (1) expand therapeutic services in the jail, (2) conduct a full-scale study of a risk-assessment survey instrument for population validation purposes, and (3) explore expanding the ACS program as an offender reentry program while maintaining respectable deputy-participant ratios to facilitate individualized supervision and service provision.

In the broader scheme, these findings have certain generalizable implications. First, the influx of sentenced felons into the local jail systems has significantly increased the need for programming. If for nothing else, jail administrators can use this programming demand as a mechanism to assess alternative custody supervision suitability. Second, considering only the offense of record when deciding an appropriate supervision strategy (i.e., specifying non-serious, non-violent, and non-sexual offenses remain under local supervision) fails to account for other predictors of recidivism, public safety, and treatment suitability. Researchers reported here that, in fact, several other measures were significant correlated to negative and non-treatment program exits. Identifying offender programming suitability through various official and personality

characteristics may increase community supervision efficacy. Life-course scholars, in relation to offender reentry, warn of "a cautionary [tale] to those who have embraced 'offender reentry' as the answer to the crime problem, especially the idea that we merely need to help offenders 'make good.' The road is long, the participants often unwilling, and our state of knowledge quite limited."⁴⁴

⁴⁴ Laub, J.H. & Sampson, R.J. (2003). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press, p. 292.